



**Professional Center for Child Development**

**PRIVATE SPECIAL EDUCATION SCHOOL  
PROGRAM REVIEW  
REPORT OF FINDINGS**

**Dates of Onsite Visit: June 8, 2004 – June 10, 2004**

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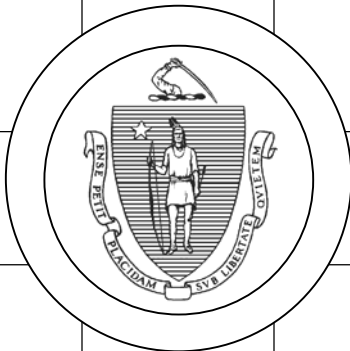
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**MASSACHUSETTS DEPARTMENT OF EDUCATION  
PRIVATE SPECIAL EDUCATION SCHOOL PROGRAM REVIEW**

**Professional Center for Child Development**

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# MASSACHUSETTS DEPARTMENT OF EDUCATION

## APPROVED PRIVATE SCHOOL PROGRAM REVIEW REPORT

### OVERVIEW OF REVIEW PROCEDURES

#### INTRODUCTION

The Massachusetts Department of Education is required under MGL c. 71B, §10 to review special education programs in approved private special education schools that serve publicly funded students under the provisions of Board of Education Regulations 603 CMR 28.00 and 18.00. Each private school submits an application for approval by the Department of Education and periodically updates information included in the application on how special education services are provided. Each year, the Department's Program Quality Assurance Services unit conducts onsite visits to selected approved private schools to verify the implementation of their applications. The selected schools for 2003-2004 review cycle were notified in September 2003 of scheduled visits and were encouraged to assess themselves before the arrival of the Department's visiting team.

#### **Private School Program Review Elements**

**Team:** Depending upon the size of a private school and the number of programs to be reviewed, a team of two to three Department staff members conducts a Program Review over two to five days in the private school. In some instances, Massachusetts human service agency staff and a representative of the local school district may also participate on the visiting team.

**Scope:** All approved private schools in the Commonwealth are monitored through the Department's Private School Program Review system on a six-year cycle with an additional mid-cycle follow-up visit. This six-year monitoring and follow-up cycle is coordinated with the Department's Approved Private School Application Renewal procedures.

**Content:** The Program Review criteria encompass key elements drawn from 603 CMR 18.00 and 28.00 and the private school's application for approval. The elements selected for the 2003-2004 reviews also include those required by the federal Office for Special Education Programs (OSEP) and revised requirements of the Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 *et seq.* (IDEA-97) as described in the Department's Special Education Advisories issued during the 1997-2002 school years. Selected Program Review compliance criteria are aligned with the requirements and goals of the Massachusetts Education Reform Act of 1993, being intended to promote high standards and achievement for all students.

**Report:** The Department's Program Review Report is based on a review of documentation regarding the operation of the school's programs, together with information gathered through the following Department program review methods:

- Interviews of administrative, clinical, instructional and support staff across all grade levels.
- Interviews of Parent Group representatives.
- Other interviews as requested by personnel from state and local agencies and members of the general public.

- Review of student records: A sample of student records is selected for detailed review by the Department of Education. Student records are examined first by the school's staff and then verified by the onsite team using standard Department student record review procedures in order to make determinations regarding the implementation of procedural and programmatic requirements. Parents of students whose files were selected for the record review are provided an opportunity to be interviewed by telephone.
- Observation of classrooms and other facilities: A sample of instructional classrooms and school facilities used in the delivery of programs and services are visited to determine general levels of compliance with program requirements.

Response: A detailed report of findings describes determinations about the implementation status of each requirement (criterion) reviewed. Included in the findings are commendations for those criteria that have been implemented in an exceptional manner. Where criteria are found not to be fully implemented, the private school must propose corrective action to bring those areas into compliance with the controlling statutes or regulations. Private schools are encouraged to incorporate the corrective action into their program improvement planning, as well as their professional and paraprofessional staff development plans.

The Department of Education believes that the Private School Program Review process is a positive experience and that the Final Report should be seen by the school and the general public as a helpful planning document for the continuing development of programs and services in the private school.

## REPORT INTRODUCTION

A two-member Massachusetts Department of Education team visited Professional Center for Child Development during the week of June 8, 2004, to evaluate the implementation of selected compliance criteria under the Massachusetts Board of Education Regulations 603 CMR 18.00 (Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs) and 603 CMR 28.09 (Approval of Public or Private Day and Residential Special Education School Programs), MGL c. 71B (“Chapter 766”) and the federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 *et seq.*, as amended in 1997 (IDEA-97). The team appreciated the opportunity to interview staff and parents, to observe classroom facilities, and to review the program efforts underway in the school. The review team would like to commend the following features of the school that were brought to the attention of the Department and that the team believes have a significant and positive impact on the delivery of educational services for students enrolled at Professional Center for Child Development. These features are as follows:

- *The Professional Center ensures that all students have access to the most current supplementary aids and services available. Despite lack of space in which to store much of the equipment, the program has been creative in order to ensure that it has the aids, services, and technology needed to serve this population. In addition, the Professional Center uses community resources to enhance the equipment needs of its students.*
- *The Professional Center makes the services of a family worker available in order to support the parents and siblings of the students enrolled in the program. A parent support group is held once a week to discuss relevant issues that arise in raising children who are medically fragile. In addition, the family worker will arrange for speakers specializing in issues such as nutrition, child psychology, CPR, pediatrics, etc. Often, educational issues will arise in which the family worker will offer workshops focusing on communication with LEAs, case management, or working with educational advocates. The emotional support and dedication of the family worker is a key component to the success of the program and essential to the needs of the families of this population.*
- *The Professional Center places great value on the need for outside opportunities despite the equipment needs, additional staff support required, and medical fragility of the students. The program regularly brings a therapy dog as well as a pony for the students to experience the sensations of animals first hand. In addition, whenever possible the program provides opportunities for the students to experience field trips, such as a recent trip to the zoo.*
- *The Professional Center provides Early Intervention services for preschool age students on the same campus as the approved private school. In order for the students to have access to their peers without disabilities, the Professional Center utilizes every opportunity to integrate the students enrolled in the approved program with those enrolled in the early intervention program whether it be during recess, snack time, or the implementation of educational services.*

*Some of the commendations noted above are repeated within the body of the Department’s report under the appropriate compliance criteria.*

The Department is submitting the following Private School Program Review Report containing findings made pursuant to this onsite visit. In preparing this report the team reviewed extensive documentation regarding the operation of the school's programs, together with information gathered by means of the following Department program review methods:

- Interviews of two (2) administrative staff.
- Interviews of one (1) clinical staff.
- Interviews of five (5) teaching and educational support services staff.
- Interviews of two (2) nurses.
- Interviews of one (1) nutritionist.
- Interviews of two (2) child care staff.
- Interviews of one (1) Parent Group representatives and of one (1) other parent of Massachusetts students enrolled in the school.
- Student record review: A sample of eight (8) Massachusetts student records was selected by the Department. Student records were first examined by the school's staff and then verified by the onsite team using standard Department of Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Observation of classrooms and other facilities: A sample of all instructional classrooms and other school facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.

The report includes findings organized under the 18 compliance areas listed in the table of contents. The findings explain the "ratings," or determinations by the team about the implementation status of the compliance criteria reviewed within each of the 18 areas. The ratings indicate those criteria that were found by the team to be substantially "Implemented" or implemented in a "Commendable" manner. (Refer to the "Definition of Terms" section of the report.) Where criteria were found to be either "Partially Implemented" or "Not Implemented," the private school must propose to the Department corrective action to bring those areas into compliance with the controlling statute or regulation. In some instances the team may have found certain requirements to be fully "Implemented" but made a specific comment on the school's implementation methods that also may require response from the private school.

The private school is expected to incorporate the corrective action into any program improvement plans, including the school's professional and paraprofessional staff development plan.

# PRIVATE SCHOOL PROGRAM REVIEW REPORT

## EXECUTIVE SUMMARY

### Professional Center for Child Development

The following summary synthesizes the findings for compliance standards included in this Private School Program Review Report. Note that a more detailed discussion of the onsite team's findings, together with the specific legal standards for each program area included in this review, follows this summary.

#### **Component I: Program Description**

The Professional Center has developed a clear description of its program and students that includes philosophy, goals and objectives, mechanisms for the delivery of services and an identified population to be served.

#### **Component II: Approvals, Licenses, and Inspections**

The Professional Center maintains current approvals, licenses, and certificates of inspection by state and local agencies that are located in a conspicuous place available for public and employee review.

#### **Component III: Program Policies and Procedures**

The Professional Center has developed a Policies and Procedures manual. However, it is not comprehensive and does not contain all the required elements as specified in federal and state regulations. Furthermore, although the program does maintain some health care policies, the program has not developed a separate, comprehensive Health Care Policies and Procedures Manual that contains all required elements.

#### **Component IV: Required Notifications**

The Professional Center has made all required notifications of substantial changes to the program and physical plant as well as of incidents, extended restraints, and restraints resulting in student injury where applicable. Because of the population being served, it is rare for the program to experience a reportable serious incident; however, staff are not consistently aware of those incidents requiring immediate notification to the Department, sending school district, and any other state agency involved with the student.

#### **Component V: Student Learning Time**

Because the Professional Center is approved as a preschool, it is not mandated to provide a minimum number of instructional hours.

#### **Component VI: Curriculum and Instruction**

Although the Professional has a very individualized curriculum that is designed to maximize students' performance and participation in the general curriculum, it has not been aligned with the Massachusetts Curriculum Frameworks. In addition not all staff have a full understanding of the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance. Furthermore, staff do not have access to the Frameworks and/or know how to access the Massachusetts Curriculum Frameworks within the school.

### **Component VII: Individualized Education Programs**

The Professional Center maintains current, signed IEPs for all students enrolled in the program and ensures that the students are receiving educational, related, and supplementary services as specified on their IEPs. In addition, progress reports are being issued quarterly; however, they do not include information on the extent to which progress is sufficient to enable the child to achieve the goals by the end of the IEP term. Evidence that such progress reports are being sent to parents, guardians, sending school districts, and other involved state agencies is not maintained in the students' files.

### **Component VIII: Student Discipline and Behavior Management**

The Professional Center has not developed and implemented comprehensive discipline and behavior management policies and procedures that meet all federal special education requirements, and all applicable state and federal requirements pertaining to the use of restraint. Specifically, the program has dealt with behaviors around food and feeding times that have not been addressed in the program's policies and procedures. In addition, the Professional Center's policies regarding runaways, suspensions and terminations do not meet all state regulatory requirements.

### **Component IX: Educational Staffing**

The Professional Center maintains appropriate staff-to-student ratios and age ranges throughout the day. However, not all teachers hold appropriate licensure and/or waivers. In addition, although all staff are receiving annual evaluations, not all teaching staff have received supervisor approval of a Professional Development Plan pursuant to state regulations.

The organizational structure in place at The Professional Center does not provide for the effective and efficient operation of the school. The Educational Coordinator and Health Care Coordinator are not currently staffed at the levels for which they were approved and are necessary. Due to the inability to hire full time licensed teachers, several educational and related services staff have overlapping roles and responsibilities. While the program has ensured that students are supervised at all time, staff are not receiving the necessary support in order to provide effective educational and related services.

The Professional Center has developed and implemented written personnel policies and procedures. However, the program has not included a statement of equal employment opportunities in all of its major publications. Finally, while the Professional Center has recently performed CORI checks on all of its employees, the program's written CORI policy does not state that checks will be done once every three years.

### **Component X: Staff Training**

Although the Professional Center has developed a written plan for staff orientation-training, not all new staff are receiving training on the program's philosophy, organization, practices, and goals. In addition, the program does not have a written plan that describes how newly hired staff are provided training on all required topics at the time of hire if the required topics have already been covered with existing staff. For existing staff, the Professional Center has developed a plan for staff training that includes all mandated trainings, and on average, is at least two hours per month. However, training on the Massachusetts Curriculum Frameworks is not sufficient to meet the needs of the enrolled student population.

### **Component XI: Facility and Equipment**

The school has provided the equipment, technology, materials, and supplies necessary to provide special education and related services specified on students' IEPs. Despite lack of space in which to store much of the equipment, the program is commended on its ability to ensure that it has the supplementary aids, services, and technology needed to serve this population. Furthermore, the program has ensured that it is fully accessible to individuals with limited physical mobility. However, because of the specialized equipment and intensive needs of the students enrolled at the Professional Center, the area used for instruction is inadequate. The program is currently storing equipment outside during school hours and relocating all of the materials indoors each afternoon after the students have been dismissed.

### **Component XII: Nutritional Requirements**

Because of the specialized feeding needs of enrolled students, all staff at the Professional Center have a thorough understanding of their nutritional requirements. In addition, student allergies are noted and posted in conspicuous locations.

### **Component XIII: Parent and Student Involvement**

The Professional Center has developed a written plan for involving parents that includes the Parents' Advisory Group as well as orientation procedures for new students and parents. However, the program does not consistently obtain all necessary parental consent forms upon initial enrollment and annually thereafter, specifically written restraint consent. Additionally, the Professional Center does not have a written policy assuring that it is informed by a parent or guardian of any change in a student's legal status. Finally, the program has developed written procedures for a parent to file a complaint pertaining to a student's education and care.

### **Component XIV: Student Records**

The Professional Center keeps current and complete files for each publicly funded enrolled Massachusetts student. The program is currently in the process of revising student records to include a new face sheet that contains all required elements. However, not all student records have this new face sheet.

**DEFINITION OF TERMS**  
**FOR THE RATING OF EACH COMPLIANCE CRITERION**

<b>Commendable</b>	The criterion is implemented in an exemplary manner significantly beyond the requirements.
<b>Implemented</b>	The requirement or criterion is substantially met.
<b>Partially Implemented</b>	The requirement, in one or several important aspects, is not entirely met.
<b>Not Implemented</b>	The requirement is totally or substantially not met.
<b>Not Applicable</b>	The requirement does not apply to the private school.

**AREA 1: REQUIRED INFORMATION, NOTIFICATIONS AND POSTINGS**

CRITERION NUMBER	
	Legal Standard
<p style="text-align: center;"><b>1.2</b></p> <p><b>Program &amp; Student Description</b></p> <p><b>Program Capacity</b></p> <p><b>28.09(2)(b)</b> <b>(2, 3, 7)</b></p>	<p>The private school implements the following aspects of its programs and services as described in its program application which has been approved by the Department of Education:</p> <ul style="list-style-type: none"> <li>a. Operational capacity;</li> <li>b. the identified population of students to be served, including the current and/or projected enrollment, ages of students and their educational and behavioral characteristics;</li> <li>c. philosophy, goals and objectives;</li> <li>d. mechanisms for the delivery of services.</li> </ul>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

CRITERION NUMBER	
	Legal Standard
<p style="text-align: center;"><b>1.3</b></p> <p><b>Program's Curriculum</b></p> <p><b>28.09(9)</b></p>	<p>The private school provides a description of the program's curriculum and general types of staff qualifications that have been established to meet all special education and related services included in students' Individualized Education Programs.</p> <p>Included in the private school's curriculum is a written plan that describes opportunities for students to participate in daily recreational and leisure activities that are appropriate to their ages, interests and needs.</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

**AREA 2: ADMINISTRATION -- LEGAL AND FINANCIAL DOCUMENTATION**

CRITERION NUMBER	Legal Standard
<p style="text-align: center;"><b>2.2</b></p> <p><b>Approvals, Licenses, Certificates of Inspection</b></p> <p><b>28.09(2)(b)4-5</b></p> <p><b>28.09(5)</b></p> <p><b>28.09(6)</b></p> <p><b>18.04(1)</b></p> <p><b>102 CMR 3.06 (4)(b)</b></p>	<p>Each private school program maintains the following current licenses, approvals, and certificates of inspection by state and local agencies in a place available for public and employee review:</p> <ul style="list-style-type: none"> <li>a. Building occupancy*</li> <li>b. Safety inspection in all buildings by the Department of Public Safety or local building inspector</li> <li>c. Annual fire safety inspection by local fire department*</li> <li>d. Lead paint inspection (if applicable); * (102 C.M.R. 3.06(4)(b): “All buildings, residential or otherwise, utilized by children age six years and under or with a mental age of six years and under shall be free of lead paint.”)</li> <li>e. Health safety*</li> <li>f. Approval by local school committee (per MGL c. 76, s. 1)</li> <li>g. Approval by OCCS to operate a group care facility or a special education day care center (if applicable)*</li> <li>h. Asbestos inspection</li> <li>i. PCB inspection</li> <li>j. Other inspections that may be required by local or state authorities</li> <li>k. (If applicable) a statement as to whether previous application has been made for approval, and the action on it</li> </ul> <p>*A program with a residential component may submit the most recent OCCS license in fulfillment of those requirements marked with an asterisk (*).</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

CRITERION NUMBER	Legal Standard
<p style="text-align: center;"><b>2.3</b></p> <p><b>OCCS License (Not</b></p>	<p>Each private school program has a current full license from the Office of Child Care Services (OCCS) (per 102 CMR 3.00) to operate as a residential school.</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>applicable to Day Schools)</b>	
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**AREA 3: ADMINISTRATION -- MANUALS AND HANDBOOKS**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>3.1</b> <b>3.2</b> <b>3.3</b>  <b>Policies and Procedures Manuals</b>  <b>28.09(11)(b)</b> <b>18.05(9)(d)</b>	<p>The private school maintains on site Policies and Procedures Manuals* that include:</p> <ol style="list-style-type: none"> <li>1. An overall manual containing policies and procedures including, but not limited to: <ol style="list-style-type: none"> <li>a. Student Admissions</li> <li>b. Child Abuse/Neglect</li> <li>c. Student Discipline/Behavior Management</li> <li>d. Coordination/Collaboration with School Districts</li> <li>e. Emergency Procedures</li> <li>f. Educational Program Procedures</li> <li>g. Parent and Student Involvement</li> <li>h. Personnel Policies and Procedures</li> <li>i. Student Protections</li> <li>j. Student Records</li> <li>k. Research, Experimentation, Fund Raising, Publicity, Observation</li> <li>l. Suspension and Termination</li> <li>m. Staff Training</li> <li>n. Student Transportation and transportation safety</li> </ol> </li> <li>2. The program maintains a written and current health care policies and procedures manual containing all required health-related policies and procedures, and approved by the health care consultant. The manual is readily available to all staff and addresses the following: <ol style="list-style-type: none"> <li>a. Training of all direct service staff by a certified instructor for CPR certification and in basic and emergency first aid;</li> <li>b. secure storage of adequate first aid supplies, including but not limited to bandages, body substance isolation gloves, gauze, adhesive tape, hydrogen peroxide or other cleaning solutions, and ipecac. First aid supplies are easily</li> </ol> </li> </ol>

CRITERION NUMBER	
	<p style="text-align: center;"><b>Legal Standard</b></p> <p>accessible in each major activities area;</p> <ul style="list-style-type: none"> <li>c. written procedures for providing first aid are kept with the first aid supplies;</li> <li>d. telephone numbers for the fire department, police station, poison prevention center, hospital emergency room and ambulance service serving the school in both living quarters and educational facilities (These should also be posted conspicuously throughout the buildings.);</li> <li>e. the procedures to be followed in the case of illness or emergency, including the transportation methods and notification of parents;</li> <li>f. the procedures to be followed in the case of fire or other emergency;</li> <li>g. a procedure for informing parents of any first aid administered to their child or of any injury or illness that required care other than first aid;</li> <li>h. the procedures to be followed in the case of illness or emergency if the parents cannot be reached;</li> <li>i. a plan to ensure that vision, hearing postural and other required screening are conducted in accordance with M.G.L. c. 71 s 57;</li> <li>j. a written policy developed by the school for protecting students from exposure to foods, chemicals and other material to which they may be allergic.</li> <li>k. narrative description of provision of medical, nursing, and infirmary care;</li> <li>l. a written policy describing the administration of medications, per DPH regulations;</li> <li>m. administration of anti-psychotic medications including, where appropriate, “Rogers Procedures”;</li> <li>n. notification to appropriate parties of student-specific health-related incidents, injury, hospitalization, death;</li> <li>o. notification to appropriate parties of systemic health-related problems/issues;</li> <li>p. no smoking policy (see Assurance on this subject);</li> <li>q. plan for preventive health care of students;</li> <li>r. toileting procedures</li> <li>s. name and contact information for consultant physician and emergency contacts.</li> </ul> <p>3. Special Education Regulations and Reference Materials contain at least the following documents:</p> <ul style="list-style-type: none"> <li>a. Federal IDEA regulations: 34 CFR 300.300-.577</li> <li>b. Appendix A to the above federal regulations.</li> <li>c. State regulations: 603 CMR 28.00 and 603 CMR 18.00</li> <li>d. The current DOE IEP Process Guide and IEP Forms</li> <li>e. State restraint regulations (for day schools)</li> </ul> <p>*Private schools shall provide written notice to parents of enrolled students that copies of policies and procedures are available upon request.</p>
	<p><b>Rating: Partially Implemented</b>                      <b>RESPONSE REQUIRED: Yes</b></p>

**Department of Education Findings:**



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<p>any school related function;</p> <p>f. current tuition rate for students;</p> <p>g. evidence of authority to operate the private school including documents that identify ownership and, as applicable, partnership agreements, the names of officers and board members, charters, articles of organization and by-laws.</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<p><b>4.4</b> <b>Advanced Notice of Program/Facility Change</b>  <b>28.09(5)(c)</b></p>	<p>Prior to any substantial change to the program or physical plant, the private school provides written notification to the Department to obtain approval. The program must also provide written notification to the Department of any sudden and/or unexpected changes that may impact the overall health or safety of students and/or the delivery of services required by IEP's. Examples of changes include, but are not limited to:</p> <p>a. any change (either an increase or reduction) in services or staff including temporary staff shortages, that results in a change from the previously approved student/teacher (or student/childcare) ratios and/or a change in the program or service delivery to students per their Individualized Education Programs;</p> <p>b. any ongoing difficulty in recruitment or maintenance of mandated staff that affect the care of and/or delivery of IEP services to students;</p> <p>c. building changes that affect the care of the students;</p> <p>d. major changes in the population to be served;</p> <p>e. any alteration of the service configuration of the program as last approved by the Department; and</p> <p>f. significant changes in policies or procedures.</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<p><b>4.5</b> <b>Immediate Notification</b>  <b>18.03(10)</b></p>	<p>The private school makes immediate notification to the parent, the public school district special education administrator, and any State Agency involved in the student care or placement (by telephone and letter), and the Department of Education (by telephone and Form 2) of the following incidents:</p> <p>a. the death of a student</p> <p>b. the hospitalization of a student (including out-patient emergency room visits)</p>

CRITERION NUMBER	
<p><b>18.05(7)</b> <b>28.09(12)</b></p>	<p style="text-align: center;"><b>Legal Standard</b></p> <p>due to physical injury at school or previously unidentified illness, accident or disorder which occurs while the student is in the program</p> <ul style="list-style-type: none"> <li>c. any motor vehicle accident causing student injury</li> <li>d. the in-patient psychiatric hospitalization of a student due to an emergency mental health crisis which occurs while the student is in the program</li> <li>e. any student injury resulting from a restraint which requires medical attention</li> <li>f. whenever any student is administered medication in an emergency situation</li> <li>g. whenever any student runs away</li> <li>h. emergency termination of a student including circumstances in which the student presents a clear and present threat to the health and safety of him/herself or others</li> <li>i. a written termination summary explaining the reasons for the emergency termination is sent to the parent(s), the student (if over 14 years of age) local Administrator of Special Education, officials of the appropriate Human Service Agency and the Department of Education</li> <li>j. the filing of a 51-A report with DSS, or a complaint to the Disabled Persons Protection Commission against the school or a school staff member for abuse or neglect of a student against a school staff member for abuse or neglect of a student</li> <li>h. any action taken by a federal, state or local agency that might jeopardize the school's approval with DOE</li> <li>i. any legal proceeding brought against the school or employee arising out of circumstances related to the care or education of any student in the school regardless of state of residency.</li> </ul>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: Yes</b></span></p>

**Department of Education Findings:**

*A review of documentation and staff interviews indicated that Professional Center has a policy to notify the appropriate parties of serious incidents; however, not everyone is aware of this notification policy as well as which incidents require notification.*

**AREA 5: ADMISSIONS PROCEDURES AND COORDINATION/COLLABORATION WITH SCHOOL DISTRICTS**

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>5.1</b></p>	<p>The private school develops and implements written admissions criteria, policies and procedures that include the following:</p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Student Admissions</b>  <b>28.09(11)</b>	a. copies of the school’s policies and procedures that must be provided to the student (if appropriate), parents and the placing public school district prior to admission of the student; b. documentation from a licensed physician of a complete physical examination of the student not more than twelve (12) months prior to admission. In the event of emergency placements, the school shall make provisions for a complete examination of the student within thirty (30) days of admission; c. a complete and thorough description of the interview process; and d. consent forms.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>5.2</b>  <b>Policies and Procedures for Coordination and Collaboration with Public School Districts</b>  <b>28.06 (2-3)</b> <b>28.09(9)(c)&amp; (d)</b> <b>28.09(2)(b)7</b>  <b>Federal Regulations:</b>  <b>34 CFR 300.349 and 300.400-401</b>	The private school works collaboratively with the placing public school district to ensure that, to the maximum extent appropriate, children with disabilities are provided opportunities to be educated and to socialize with children who do not have disabilities, are provided access to the general education programs, and are given opportunities to return to a less restrictive educational program.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

CRITERION NUMBER	
	Legal Standard
<p data-bbox="272 380 313 407"><b>5.3</b></p> <p data-bbox="204 447 380 674"><b>Contents of Coordination and Collaboration with Public School Districts</b></p> <p data-bbox="228 716 355 743"><b>28.06(2-3)</b></p> <p data-bbox="237 747 347 774"><b>28.07(5)</b></p> <p data-bbox="224 779 360 806"><b>28.09(9)(c)</b></p> <p data-bbox="264 810 324 837"><b>&amp;(d)</b></p> <p data-bbox="204 842 380 869"><b>28.09(2)(b)(7)</b></p> <p data-bbox="215 947 368 1043"><b>34 CFR 300.349 and 300.400-401</b></p>	<p data-bbox="407 380 1406 476">The private school has policies/procedures that describe roles and responsibilities of all staff as well as general communication/coordination/collaboration procedures that address the following:</p> <ol data-bbox="407 516 1406 1278" style="list-style-type: none"> <li>a. consideration of possible placement, admissions process;</li> <li>b. IEP development and implementation and roles in 3-year eligibility re-determinations;</li> <li>c. Contents and general arrangements for executing contracts with placing school districts;</li> <li>d. Participation of the private or public school program as well as school district representatives at the TEAM and other key meetings, including reviewing/revising the IEP;</li> <li>e. Written progress reports;</li> <li>f. Documentation regarding student-related developments, including matters involving students’ behavioral plans, functional behavioral assessments, manifestation determinations, imposition of discipline, etc.</li> <li>g. Administration of tests;</li> <li>h. Preparations that are made for the student’s return to a public school or other less restrictive setting;</li> <li>i. Preparations for students approaching or reaching ages 14, 16 and 18, later education, and adult life, consistent with IDEA “transition” requirements and state age-of-majority law;</li> <li>j. school district monitoring of student progress;</li> <li>k. the granting of “high school diplomas” consistent with Department of Education requirements; and</li> <li>l. the conditions for the issuance of any “certificates” of attendance or program completion by the private school.</li> </ol>
	<p data-bbox="407 1598 792 1625"><b>Rating: Partially Implemented</b></p> <p data-bbox="927 1598 1349 1625"><b>RESPONSE REQUIRED: Yes</b></p>

**Department of Education Findings:**

*A review of documentation revealed that the Professional Center’s Coordination and Collaboration with Public Schools policy does not contain all required elements. Specifically, the policy is missing elements a, c, f, g, h, and j.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>5.4</b>  <b>Training</b>  <b>18.05(11)(g)</b> <b>(h)</b>	All staff with school district contact responsibility are trained regarding their particular roles and responsibilities.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>5.5</b>  <b>Staff Coordinator</b>  <b>28.09(7)</b>	A senior person is designated to communicate and work effectively with all public school districts that have placed students in the program.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**AREA 6: EDUCATIONAL PROGRAM REQUIREMENTS -- STUDENT LEARNING TIME**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>6.1</b>  <b>Daily Instructional</b>	The private school provides an average annual minimum of the following instructional hours: a. Elementary: 5 hours per school day b. Secondary: 5 ½ hours per school day

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Hours</b> <b>603 CMR</b> <b>27.00</b>	
	<b>Rating: Not Applicable</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**Department of Education Findings:**

*Professional Center is approved as a preschool and therefore, is not mandated to provide a minimum number of instructional hours.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>6.2</b> <b>School Days</b> <b>per Year</b> <b>28.09(9)</b>	The private special education program is conducted for the following days (exclusive of weekends, holidays, vacations): a. 10 month program- 180 days b. 11 month program- 198 days c. 12 month program- 216 days
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**AREA 7: EDUCATIONAL PROGRAM REQUIREMENTS -- CURRICULUM FRAMEWORKS AND STATE ASSESSMENTS**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>7.1</b> <b>Curriculum Frameworks</b> <b>28.09(9)(b)</b>	<ol style="list-style-type: none"> <li>1. Private school personnel reflect a full understanding of the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance as well as the rights of students with disabilities to be full participants in the general curriculum.</li> <li>2. The private school has either aligned its curriculum with the Frameworks or has taken steps to provide students (including all students with disabilities) with</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	essential learning opportunities that prepare the students to reach the state graduation standards.
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Although the Professional Center has a very individualized curriculum, it has not been aligned with the Massachusetts Curriculum Frameworks. In addition, staff interviews revealed that not all staff are familiar with the Massachusetts Curriculum Frameworks or where to access this information within the school.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>7.2</b> <b>Staff Training</b> <b>28.09(9)(b)</b>	The private school shall ensure that all staff responsible for implementing services as specified on students' Individualized Education Programs have an understanding and knowledge of the general curriculum expectations and learning standards of the Massachusetts Curriculum Frameworks and shall incorporate such knowledge into the school's educational program.
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Staff interviews revealed that all staff do not have an understanding and knowledge of the general curriculum expectations and learning standards of the Massachusetts Curriculum Frameworks.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>7.3</b> <b>State/District Wide Assessments</b> <b>28.09(9)(d)</b>	The private school has written procedures outlining how the school will ensure that all enrolled students participate in state and/or district wide assessments in accordance with the assessment participation information provided on the student's IEP. Such procedures shall include how the approved program will provide for MCAS testing accommodations and/or administration of alternate assessments when required.
	<b>Rating: Not Applicable</b> <b>RESPONSE REQUIRED: No</b>



CRITERION NUMBER			
	Legal Standard		
<b>34 CFR 300.24</b>	g. Physical Therapy h. Occupational Therapy i. Recreation Services j. Mobility/Orientation Training k. Psychological Services, Counseling Services, Rehabilitation Counseling Services, Social Work Services l. Parent Counseling and Training m. School Health Services, Medical Services n. Social Work Services o. Other (music therapy, sensory integration therapy)  (Related services are defined in the federal regulations as those services which are developmental and corrective as well as supportive services that <u>assist a child to benefit from</u> special education and/or access the general curriculum.)	<b>Rating: Partially Implemented</b>	<b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Documentation, staff interviews, and observations indicated that several related services are being implemented for the population described; however, all the related services listed are not described in the Professional Center’s policies and procedures. Specifically, the program has only provided a written description for elements c. Assistive Technology Devices/Services, i. Recreational Services, and l. Parent Counseling and Training.*

CRITERION NUMBER			
	Legal Standard		
<b>8.3 Implementation – Supplementary Aids/Services  34 CFR 300.28</b>	The private school provides examples (through a list or narrative) of the kinds of supplementary aids and services that are available for students in the program.	<b>Rating: Commendable</b>	<b>RESPONSE REQUIRED: No</b>

**Department of Education Findings:**

*Documentation, staff interviews, and observations indicated that the Professional Center ensures that all students have access to the most current supplementary aids and services available. Despite lack of space in which to store much of the equipment, the program has been creative in order to ensure that it has the supplementary aids, services, and technology needed to serve this population. In*

*addition, the Professional Center uses community resources to supplement the equipment needs of its students.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.4</b> <b>Current IEP &amp; Student Roster</b> <b>28.09</b>	The private school has on file a current IEP for each enrolled Massachusetts student that has been issued by the responsible public school district and consented to by the student's parent(s) (or student in applicable situations) for each student enrolled in the program.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.5</b> <b>Education Case Manager</b> <b>28.09</b>	The private school program assigns an educational case manager to each student.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.6</b> <b>IEP Implementation</b> <b>28.09</b>	The private school program implements all services on the students' IEP.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p data-bbox="272 380 313 407"><b>8.7</b></p> <p data-bbox="237 447 349 541"><b>IEP- Progress Reports</b></p> <p data-bbox="240 579 345 606"><b>28.07(3)</b></p> <p data-bbox="207 646 378 810"><b>20 U.S.C. Chapter 33, Section 1414(d)(1)(A) (viii)</b></p> <p data-bbox="240 848 345 905"><b>34 CFR 300.347</b></p>	<p data-bbox="407 380 1401 541">The private school program sends copies, at least quarterly, of education progress reports to the parents and public school. Such reports include written information on the student's progress toward the annual goals in the IEP, including information on the extent to which such progress is sufficient to enable the child to achieve the goals by the end of the year.</p> <p data-bbox="407 548 1235 606">Copies of progress reports are maintained in student records, including documentation of persons or agencies receiving such reports.</p>
	<p data-bbox="407 926 792 953"><b>Rating: Partially Implemented</b></p> <p data-bbox="922 926 1349 953"><b>RESPONSE REQUIRED: Yes</b></p>

**Department of Education Findings:**

*A review of student records indicated that the progress reports written by the Professional Center do not include information on the extent to which progress is sufficient to enable the child to achieve the goals by the end of the year. In addition, the program does not maintain documentation in the student records as to whom the progress reports are being sent.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p data-bbox="272 1434 313 1461"><b>8.8</b></p> <p data-bbox="204 1501 380 1596"><b>IEP- Revisions and Changes</b></p> <p data-bbox="217 1633 367 1661"><b>34 CFR 300</b></p>	<p data-bbox="407 1434 1377 1533">The private school notifies the responsible public school and parents whenever the IEP needs to be revised to reflect a change in goals, placement, or a return to a less restrictive setting.</p> <p data-bbox="407 1570 1398 1629">In no case does the private school conduct a Team meeting without the authorization and presence of an administrative representative of the responsible school district.</p> <p data-bbox="407 1667 1279 1694">In no case does the private school issue a new or revised IEP for a student.</p> <p data-bbox="407 1732 1398 1894">In no case does the private school provide notice of a Team meeting required by state and federal special education requirements. In no case does the private school conduct a Team meeting without the authorization and presence of an administrative representative of the responsible school district. In no case shall the private school issue a new or revised IEP for a student.</p>
	<p data-bbox="407 1913 675 1940"><b>Rating: Implemented</b></p> <p data-bbox="922 1913 1341 1940"><b>RESPONSE REQUIRED: No</b></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.9 IEP- Less Restrictive Placement 28.09(9)(c)</b>	The private school program has a plan for ensuring that there are flexible procedures and mechanisms that maximize opportunities for enrolled students to gain the capacity to return to a less restrictive educational program. Such mechanisms may include, but are not limited to, a capacity for part-time attendance at a public school or general education classroom, or other community program or a period of transition from one program option to a less restrictive program option.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.10 IEP- Transition Planning 34 CFR 300.347(b)(1) 34 CFR 300.347(b)(2)</b>	<p>For students who are fourteen (14) years of age or older, the private school works with the responsible school district to ensure that the IEP includes both a vision statement and documentation that describes transition <u>needs</u>.</p> <p>For students who are sixteen (16) years of age or older, the private school works with the responsible school district to ensure that the IEP contains both a vision statement and a statement of needed transition <u>services</u> including, if appropriate, a description of interagency responsibilities or any needed linkages.</p>
	<b>Rating: Not Applicable</b> <b>RESPONSE REQUIRED: No</b>

**Department of Education Findings:**

*Professional Center is approved as a preschool and does not accept students fourteen years of age or older.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>8.11 IEP-</b>	For students approaching graduation or the age of twenty-two, the private school’s participant on the IEP Team provides sufficient information to the Team to enable the Team to determine whether the student is likely to require continuing services





<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>102 CMR 3.00</b>	requirements of M.G.L. c. 123, 104 CMR 27.12 or 104 CMR 28.05, where applicable.
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Documentation review and staff interviews indicated that the Professional Center has not developed a policy on the use of physical restraint and administers physical restraint in accordance with the requirements of 603 CMR 46.00.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>9.5 3-5 Day Suspensions 18.05(6)</b>	<p>Upon admission of a student, the private special education program provides a written policy on suspensions to the parents, and the school district and human service agency that placed the student. Such policy shall also contain the following:</p> <ul style="list-style-type: none"> <li>a. Whenever a student is suspended, the school shall immediately notify the parents and the public school or human service agency responsible for the placement. Within 24 hours, the school shall send a written statement explaining the reasons for suspension to the parents and public school district.</li> <li>b. No student may be suspended and sent home unless a responsible adult is available to receive the student.</li> <li>c. Once a student has been suspended for three (3) consecutive school days or five (5) non-consecutive school days in a school year, the school, parents, and public school district, consistent with federal requirements, shall explore together all possible program modifications within the school in an attempt to prevent more lengthy suspension of the student from the program.</li> <li>d. Procedures must be in place to record and track the number and duration of suspensions, including suspensions from any part of the student’s IEP program (including transportation).</li> </ul> <p>NOTE: Sending a student home “early” is considered a suspension if the student’s IEP does not allow for the modification of learning time requirements of the Board of Education.</p>
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*A review of documentation revealed that the Professional Center’s written policy on 3-5 day suspensions does not meet all of the required elements as outlined above.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p data-bbox="272 380 313 407"><b>9.6</b></p> <p data-bbox="212 464 370 533"><b>10+ Day Suspensions</b></p> <p data-bbox="207 583 375 919"><b>Joint responsibilities of the private school and the responsible school district</b></p> <p data-bbox="215 974 367 1043"><b>34 CFR 300.519-529</b></p>	<p data-bbox="407 380 1373 478">The private special education program implements the following procedures when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days:</p> <ul style="list-style-type: none"> <li data-bbox="407 478 1386 577">a. A request is made of the student's responsible school district to convene an IEP Team meeting, which includes representation from the private school, prior to a suspension that constitutes a change in placement of a student with disabilities;</li> <li data-bbox="407 577 1349 716">b. The private school participates in the Team meeting: <ul style="list-style-type: none"> <li data-bbox="461 615 1344 678">(1) to develop or review a functional behavioral assessment of the student's behavior and to develop or modify a behavior intervention plan;</li> <li data-bbox="461 678 1211 716">(2) to identify appropriate alternative educational setting(s); and</li> </ul> </li> <li data-bbox="407 716 1390 877">c. to conduct a manifestation determination (i.e.- to determine the relationship between the disability and the behavior). [To do this, the Team asks questions including: Is the IEP appropriate? Is the placement appropriate? If there was a behavior plan, was it implemented? Does the student understand the impact and consequences of his/her behavior? Can the student control his/her behavior?].</li> <li data-bbox="407 877 1390 1039">d. If the Team determines that the behavior is <u>NOT</u> a manifestation of the disability, the school may suspend or terminate the student consistent with policies applied to any other student in the program. The responsible school district must, however, offer an appropriate education program to the student with disabilities that may be in some other setting.</li> <li data-bbox="407 1039 1390 1180">e. If the TEAM determines that the behavior <u>IS</u> a manifestation of the disability, the placing district, in coordination with the private school, takes steps (with the consent of the parent) to modify the IEP, the behavior intervention plan, and/or the placement.</li> </ul>
	<p data-bbox="407 1234 792 1262"><b>Rating: Partially Implemented</b></p> <p data-bbox="922 1234 1219 1262"><b>RESPONSE REQUIRED:</b></p> <p data-bbox="1300 1234 1349 1262"><b>Yes</b></p>

**Department of Education Findings:**

*A review of documentation revealed that the Professional Center' written policy on 10+ day suspensions does not meet all of the required elements as outlined above.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p data-bbox="272 1675 313 1703"><b>9.7</b></p> <p data-bbox="207 1738 375 1766"><b>Terminations</b></p> <p data-bbox="240 1808 342 1835"><b>18.05(7)</b></p> <p data-bbox="215 1877 367 1904"><b>28.09(12)(b)</b></p>	<p data-bbox="407 1675 1406 1774">The private school program does not terminate the enrollment of any student, even in emergency circumstances, until the enrolling public school district is informed and assumes responsibility for the student.</p> <p data-bbox="407 1808 1349 1877">The program has developed a written termination policy that includes, but is not limited to, the following:</p> <ul style="list-style-type: none"> <li data-bbox="407 1906 1406 1934">a. At the request of the public school district, the program delays termination of the</li> </ul>

CRITERION NUMBER	
	<b>Legal Standard</b>
	<p>student for up to two (2) calendar weeks to allow the public school district the opportunity to convene an emergency Team meeting or to conduct other appropriate planning discussions prior to the student’s termination.</p> <p>b. With mutual agreement between the private special education program and the placing public school district, termination of enrollment may be delayed for longer than two calendar weeks.</p> <p>c. For <u>planned</u> terminations, the private special education program notifies the public school district of the need for an IEP review meeting and provides notice of this meeting to all appropriate parties ten (10) days in advance of the intended date of the meeting. The purpose of the meeting will be to develop a clear and specific termination plan for the student that shall be implemented in no less than thirty (30) days unless all parties agree to an earlier termination date.</p> <p>d. For <u>emergency</u> terminations, which are circumstances where the student presents a clear and present threat to the health and safety of him/herself or others, the program follows the procedures required under 603 CMR 28.09(12)(b) and immediately notifies the Department of Education.</p>
	<p><b>Rating: Partially Implemented</b>                      <b>RESPONSE REQUIRED: Yes</b></p>

**Department of Education Findings:**

*A review of documentation revealed that the Professional Center’s written policy on terminations does not meet all of the required elements as outlined above.*

**AREA 10: EDUCATIONAL STAFFING REQUIREMENTS -- STUDENT:TEACHER AND STUDENT:CHILDCARE WORKER RATIOS**

CRITERION NUMBER	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>10.1</b></p> <p><b>Student: Teacher Ratios</b></p> <p><b>28.06(6)(d)&amp; (g)</b></p> <p><b>28.09(7)(e)</b></p>	<p>Unless otherwise approved by the Department of Education, the private special education program ensures that instructional groupings do not exceed:</p> <p>a. 8 students to one certified teacher without an aide, or</p> <p>b. 12 students to one certified teacher with an aide.</p>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Ratios</b> <b>28.09(7)</b> <b>18.01(2)</b>	
	<b>Rating: Not Applicable</b> <b>RESPONSE REQUIRED: No</b>

**Department of Education Findings:**  
*Professional Center is approved as a Day School.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>10.5</b> <b>Alternative Ratios</b> <b>18.03(2)</b>	Where applicable, the private special education program has submitted a justification for alternative ratios for student to childcare workers, and the Department has approved these.
	<b>Rating: Not Applicable</b> <b>RESPONSE REQUIRED: No</b>

**AREA 11: EDUCATIONAL STAFFING REQUIREMENTS -- PERSONNEL POLICIES, QUALIFICATIONS, RESPONSIBILITIES**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.1</b> <b>Personnel Policies</b> <b>28.09(7)</b>	The private special education program has developed written personnel policies and procedures that describe: a. Criteria and procedures for hiring, written evaluations, suspension or dismissal of any staff person; and development of teacher and staff evaluation forms; b. Procedures for handling staff complaints;

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>28.09(11)(f)</b> <b>18.05(11)</b>	c. Provisions for vacations, holidays, leaves, sick days, and any other benefits offered by the program; d. A plan for using volunteer and/or intern services; e. Equal employment/educational opportunities/affirmative action in regard to race, color, creed, national origin, sex, sexual orientation and handicap; and f. Procedures for accessing, considering and acting upon Criminal Offender Record Information (CORI) for any prospective staff member whose responsibilities would bring them into direct contact with students in the program. <u>[NOTE: Massachusetts law also allows approved public and private special education school programs to obtain and review the CORI of <b>current employees</b>. Approved special education school programs should obtain CORI in regard to a current employee when, in the judgment of the program director, there is a reasonable basis for review of the employee’s CORI and the purpose of such a review is to ensure the health and safety of the students enrolled in the program. <u>For applicants or employees who reside outside of Massachusetts</u>, approved special education schools should obtain and review criminal record information from the state of residence of the applicant or employee on the same basis as it does for applicants and employees who reside in Massachusetts.]</u>
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED:        Yes</b>

**Department of Education Findings:**

*Although the Professional Center has performed CORI checks on all of its employees within the last three years, the program’s written CORI policy does not state that checks will be done once every three years. In addition, the program’s Equal employment policy should be included in all of the program’s major publications.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<b>11.2</b>  <b>Adminis- trative Responsibi- lity</b>  <b>18.05(11)(a)</b>	The private special education program designates one person who has administrative responsibility over the operation of the school. Where a school with more than 40 professional certified staff has one (or more) assistant administrator(s), the Department of Education has approved such positions.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED:        No</b>

CRITERION NUMBER			
	Legal Standard		
<p data-bbox="266 380 318 407"><b>11.3</b></p> <p data-bbox="212 447 370 606"><b>Educational Administrator Qualifications</b></p> <p data-bbox="224 646 358 674"><b>28.09(7)(a)</b></p> <p data-bbox="228 714 354 808"><b>603 CMR 44.00 and 44.04</b></p>	<p data-bbox="407 380 1398 510">The private school designates an educational administrator to supervise the provision of special education in the school and to ensure that the services specified in each student’s IEP are delivered. The educational administrator either has certification as a special education administrator or all of the following:</p> <ul style="list-style-type: none"> <li data-bbox="407 516 850 543">a. certification as a special educator;</li> <li data-bbox="407 550 1321 577">b. a minimum of a master's degree in special education or a related field; and</li> <li data-bbox="407 583 1073 611">c. a minimum of one year of administrative experience.</li> </ul> <p data-bbox="407 646 1377 709">The educational administrator has been re-certified pursuant to the requirements of 603 CMR 44.00.</p> <p data-bbox="407 716 1268 779">The educational administrator has obtained supervisor approval of his/her Professional Development Plan per 603 CMR 44.04.</p>	<p data-bbox="407 821 675 848"><b>Rating: Implemented</b></p>	<p data-bbox="922 821 1338 848"><b>RESPONSE REQUIRED: No</b></p>

CRITERION NUMBER			
	Legal Standard		
<p data-bbox="266 1152 318 1180"><b>11.4</b></p> <p data-bbox="207 1220 376 1415"><b>Special Education Teachers and Regular Education Teachers</b></p> <p data-bbox="207 1455 376 1518"><b>28.09(7)(b)(c) 18.05(11)(f)</b></p>	<p data-bbox="407 1152 1398 1283">The private special education program ensures that all teaching staff have teaching certification appropriate to meet the needs of the population being served pursuant to the requirements of 603 CMR 7.00 and, additionally, adhere to the following requirements:</p> <ul style="list-style-type: none"> <li data-bbox="407 1289 1386 1430">a. All teaching staff are re-certified pursuant to the requirements of Massachusetts Board of Education regulations and are subject to the same requirements as teachers in Massachusetts public schools and obtain supervisor approval of Professional Development Plans pursuant to 603 CMR 44.04.</li> <li data-bbox="407 1436 1386 1566">b. At least half of the teaching staff is certified in special education areas appropriate to the population served at the school; other teaching staff are certified as appropriate in other educational areas in order to provide for content expertise in the general curriculum.</li> <li data-bbox="407 1572 1386 1671">c. Where required by the Department of Education, the private school employs a higher proportion of certified special educators where the population of students requires more specialized services.</li> <li data-bbox="407 1677 1354 1751">d. To the extent that teaching staff is providing special education services, such services are provided, designed, or supervised by a special educator.</li> </ul>	<p data-bbox="407 1803 789 1831"><b>Rating: Partially Implemented</b></p>	<p data-bbox="922 1803 1349 1831"><b>RESPONSE REQUIRED: Yes</b></p>

**Department of Education Findings:**

*A review of documentation as well as staff interviews indicated that not all teachers hold appropriate*

*licensure and/or waivers. In addition, a review of personnel files revealed that teaching staff do not have supervisor approval of Professional Development Plans pursuant to 603 CMR 44.04.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.5</b>  <b>Related Services Staff</b>  <b>28.09(7)(d)</b>	All staff providing or supervising the provision of related services are appropriately certified, licensed or registered by their respective state boards or professional associations.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.6</b>  <b>Master Staff Roster</b>  <b>28.09(7)</b>	The private school maintains a master list of ALL staff for every position within the program. This list includes job titles together with corresponding UFR title numbers and full-time equivalents (FTE's).
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.9</b>  <b>Organizational Structure</b>  <b>28.09(7)</b> <b>28.07(c)</b>	The program demonstrates that its organizational structure provides for the effective and efficient operation of the school, supervision of school staff and supervision of students.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*The submitted organizational chart for the Professional Center does not clearly delineate the lines of supervision in the program due to the inclusion of other programs and services not approved by the Department. In addition, staff interviews and a review of documentation indicated that the Educational Coordinator and Health Care Coordinator are not staffed at the levels in which approved and required.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.10</b> <b>Supervision of Child Care Workers (Direct Care Staff)</b>  <b>18.03(4)</b>	Each program provides for ongoing and regular supervision of all childcare workers by a professional staff person who has supervisory and administrative responsibility within the school.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.11</b> <b>Supervision of Students</b>  <b>28.09(7)</b> <b>18.03(1)</b>	The private school program develops and implements a detailed plan that describes how appropriate supervision is provided to students while they are engaged in any school-related activity on and off school grounds.  This plan includes arrangements for individual and group recreational programs appropriate to the age, interests, and needs of each student with assigned staff as appropriate.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>11.12</b>  <b>Plan for Staff Coverage</b>  <b>18.03(1)(b)4</b>	Each private special education program provides a detailed description of how the school will provide childcare and/or overall staff coverage in the absence of workers due to illness, staff vacancies, emergencies, or other unexpected circumstances.
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Although the Professional Center is able to provide staff coverage in the absence of workers, a review of documentation indicated that the program does not have a detailed written plan for staff coverage.*

**AREA 12: EDUCATIONAL STAFFING REQUIREMENTS -- STAFF TRAINING**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>12.1</b>  <b>Staff Orientation Training</b>  <b>18.05(11)(g)</b>	<p>The private special education program develops a written plan for staff orientation and provides an orientation-training program for all new staff to ensure an understanding of the school’s philosophy, organization, program, practices and goals.</p> <p>The written plan shall describe how newly hired staff are provided training on all required topics at the time of hire if the required topics have already been covered with existing staff.</p> <p>New staff are not be assigned direct care duties with students until they have participated in all mandated training through their orientation program.</p>
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*A review of documentation and staff interviews indicated that not all new staff are receiving orientation training that includes the school’s philosophy, organization, practices and goals. In addition, the program does not have a written plan that describes how newly hired staff are provided*

*training on all required topics at the time of hire if the required topics have already been covered with existing staff.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<p><b>12.2</b></p> <p><b>Annual In-Service Training Plan and Calendar</b></p> <p><b>28.09(7)(f)</b></p> <p><b>18.05(11)(h)</b></p>	<p>The private special education program develops and implements a written plan for staff orientation and training that is consistent with the needs of the student population, appropriate to the role of each staff member and provides, on average, at least two (2) hours per month of relevant training for all staff including non-professional staff (child care workers/direct care staff on all shifts). Staff input is elicited and considered.</p> <p>The following topics are required in-service training topics and are offered annually to all staff providing direct care services to students:</p> <ul style="list-style-type: none"> <li>a. Reporting abuse and neglect of students to the Department of Social Services (51-A) and/or the Disabled Persons Protection Commission (See also, 12.2 (b), below.)</li> <li>b. Emergency first aid training by a certified instructor and, where specifically required by the Department of Education, certification in CPR (See also, 12.2 (c), below.)</li> <li>c. Medication administration (including, but not limited to, administration of antipsychotic medications, discussions of medications students are currently taking and their possible side effects) (See also, 12.2 (d), below.)</li> <li>d. Transportation safety (if applicable)</li> <li>e. Student record policies and confidentiality issues (See also, 12.2 (e), below.)</li> <li>f. Evacuation policies and emergency procedures including, but not limited to, utilization of the alarm system, evacuations in instances of fire or natural disaster (See also, 12.2 (f), below.)</li> <li>g. Behavior management policies and procedures used by the program such as positive reinforcement, point/level systems, token economies, time-out procedures (See also, Area 9 and 12.2(a))</li> <li>h. Restraint procedures including de-escalation methods used by the program (See also, 9.4 above.)</li> <li>i. Curriculum alignment with the Massachusetts Curriculum Frameworks,</li> <li>j. Procedures for inclusion of all students in MCAS testing and/or alternate assessments; and</li> <li>k. Civil rights responsibilities</li> </ul>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: NoYes</b></span></p>

**Department of Education Findings:**

*Although staff receive some training on Massachusetts Curriculum Frameworks, interviews revealed that this training is not sufficient to meet the needs of the enrolled student population. Staff indicated that they had little knowledge of the Curriculum Frameworks, do not currently align the classroom curriculum with the Frameworks, and do not know where to access the Frameworks within the school.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>12.2 (a)</b></p> <p><b>Behavior Management and Restraint Training</b></p> <p><b>28.09(11)</b></p> <p><b>18.05(5)</b></p>	<p>Training of Behavior Management and Suspension and Termination procedures includes:</p> <ul style="list-style-type: none"> <li>a. Program’s student conduct/discipline code;</li> <li>b. Description of safeguards for students’ emotional, physical, and psychological well-being;</li> <li>c. Policies on use of time-out procedures;</li> <li>d. Techniques for dealing with disruptive and violent behavior including skill training on the proper use of non-violent restraint.</li> <li>e. Detailed procedures pertaining to the use of any type of restraint, which must meet or exceed any requirements in applicable state regulations or policy; (NOTE: OCCS residential regulations on behavior management, including restraint and time-out, are found at 102 CMR 3.07(7). The provisions relating to restraint are expanded in EOHHS/OCCS’s “Guidelines for Physical Restraint” issued 1/11/00. DMH regulations re restraint may apply to schools serving DMH clients. DOE Regulations on the Use of Restraints in Publicly Funded Education Programs [603 CMR Section 46.00] apply to a private day programs approved by the Department of Education where such program does not hold the approval of the Department of Education as a residential school.)</li> <li>f. Procedures for obtaining and recording data regarding student discipline and behavior along with a description of how such data will be integrated into IEP Team discussions.</li> <li>g. Procedures for obtaining parental consent, if appropriate.</li> </ul>
	<p><b>Rating: Partially Implemented</b>                      <b>RESPONSE REQUIRED: Yes</b></p>

**Department of Education Findings:**

*While documentation and staff interviews indicated that staff are receiving behavior management and restraint training, there is no indication that the training includes all required elements.*

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>12.2 (b)</b></p> <p><b>Child Abuse Reporting</b></p> <p><b>18.05(9)(j)</b></p>	<p>The program has written procedures and staff training for the reporting of suspected child/student abuse or neglect to the Department of Social Services (MGL c.119, s. 51A) and the Disabled Persons Protection Commission (MGL c. 19C). Such procedures include notification to the Department of Education when a report is filed against the program or its employee(s) or student(s).</p>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Student Record Training</b>  <b>28.09(10)</b>	enrolled student and manages such files consistent with the Massachusetts Student Record Regulations (603 CMR 23.00) and MGL c. 71, s. 34H.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>12.2 (f)</b> <b>Emergency Procedures Training</b>  <b>18.05(10)</b>	<p>All staff are trained relative to emergency procedures, evacuation policies and procedures and in the use of the alarm system and equipment such as fire extinguishers.</p> <p>The program conducts at least two evacuation drills per shift at each location annually (including all day programs, and residences in the evening and overnight) to ensure that all students are able to leave the building safely. In addition, the program shall:</p> <ol style="list-style-type: none"> <li>a. help all students to understand the nature of the drills</li> <li>b. make special provisions for the evacuation of any mobility-impaired student in the facility</li> <li>c. keep a written log of each evacuation drill, detailing such things as the date, time elapsed, students and staff who participated and any witnesses.</li> </ol>
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>12.2 (g)</b> <b>Interns and Volunteers Training</b>  <b>18.05 (11)(I)</b>	If applicable, the private school's training plan includes provisions for orientation, training and supervision of interns, volunteers and others who work at the program.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Although the Professional Center has policies and procedures for the use of volunteers, a review of documentation revealed that interns are not addressed in the program's written policies.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>12.2(h)</b> <b>Child Care Staff Development and Training</b> <b>18.03(3)</b>	The private special education program develops and implements with staff input a detailed written plan for staff development and in-service training of all childcare workers.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>12.2 (i)</b> <b>Staff Evaluations</b> <b>18.05(11)(c)1.</b>	Written performance evaluations are maintained on all staff. Personnel are evaluated annually.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

**AREA 13: PHYSICAL FACILITY AND EQUIPMENT REQUIREMENTS**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>13.1</b>  <b>Educational Facilities and Materials</b>  <b>29.09(8)</b>	The private special education program provides the facilities, textbooks, equipment, technology, materials and supplies needed to provide the special education and related services specified on the IEPs of enrolled students.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>13.3</b>  <b>Physical Facility/ Architectural Barriers</b>  <b>18.04(8)</b>	<p>The private special education program assures that students with limited mobility have access, free from barriers to their mobility, to those areas of the school buildings and grounds to which such access is necessary for the implementation of the IEPs for such students. All schools receiving federal funds shall meet the requirements of Section 504 of the Rehabilitation Act of 1973.</p> <p>If any part of the program is not accessible to students with limited physical mobility, a plan and timetable is provided that describes how the school will make all programs and appropriate buildings accessible.</p>
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>13.4</b>  <b>Kitchen, Dining,</b>	The private special education program ensures that all kitchen, dining, bathing/toilet and living areas are of an adequate type, size and design appropriate to the ages and needs of the students. The program shall also: <ol style="list-style-type: none"> <li>a. Maintain areas which are clean, well ventilated and free from hazards</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Bathing/ Toilet, and Living Areas</b>  <b>18.04(2, 3, 4, 5)</b>	<ul style="list-style-type: none"> <li>b. Provide students with equipment, supplies and materials (e.g., kitchen equipment, dining utensils, toilets, sinks, individual furniture and storage space) which are clean, safe and appropriate to the ages and needs of the students</li> <li>c. Design all living areas to simulate the functional arrangements of a home and to encourage a personalized atmosphere for small groups of students, unless the school can justify that another arrangement is necessary to serve the particular needs of the students enrolled in the school.</li> <li>d. Post a list of student food allergies in all appropriate areas of the residence.</li> </ul>
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>13.5</b>  <b>Classroom Space</b>  <b>18.04(6)(a)</b>	Each room or area that is utilized for the instruction of students is adequate with respect to the number of students, size and age of students and students' specific educational needs, physical capabilities and educational/vocational activities.
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*Because of the specialized equipment and intensive needs of the students enrolled at the Professional Center, the area used for instruction is inadequate. The program is currently storing equipment outside during school hours and relocating all of the materials indoors each afternoon after the students have been dismissed.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>13.6</b>  <b>Library/ Resource Room</b>  <b>18.04(6)(b)</b>	In addition to the regular instructional area, the school has a library or resource room (or comparable instructional resource area approved by the Department of Education) that contains a variety of materials appropriate to the age and abilities of the students enrolled.



**AREA 14: REQUIREMENTS FOR DAILY CARE**

CRITERION NUMBER	
	Legal Standard
<b>14.1</b>  <b>Clothing, Grooming and Hygiene</b>  <b>18.03(5)</b>	The school makes provisions with parents or, where appropriate, state agencies to assure that all students are provided with clean, appropriate and seasonal clothing as well as personal grooming and hygiene articles and materials necessary to meet his/her individual needs.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

CRITERION NUMBER	
	Legal Standard
<b>14.2</b>  <b>Food and Nutrition</b>  <b>18.03(7)</b>	The school's staff understands the nutritional requirements of the students enrolled and provides an appropriate number of meals daily (three meals daily for residential programs), at reasonably appropriate times, which constitute a nutritionally adequate diet.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

CRITERION NUMBER	
	Legal Standard
<b>14.3</b>  <b>Toileting Procedures and</b>	For enrolled students who are incontinent, the private school develops and implements a written plan describing required procedures including regular toileting and diapering, disposal or laundering of soiled clothing or diapers and protecting the personal privacy of all students.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Individual Plans</b>  <b>18.03(8)</b>	Toilet training plans are developed based on parental input, the IEP and the student's physical and emotional abilities.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**AREA 15: PARENT AND STUDENT INVOLVEMENT**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>15.1</b>  <b>Parental Involvement and Parents' Advisory Group</b>  <b>18.05(4)(a)</b>	The private special education program has developed a written plan for involving parents. The private school has a Parents' Advisory Group that advises the group on matters that pertain to the education, health and safety of the students in the program.  The program has designated a staff person to support the Parents' Advisory Group.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>15.2</b>  <b>Orientation Procedures</b>	The school has developed and implemented orientation procedures for parents and students upon student admission to the program.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>28.09(11)</b>	
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>15.3</b> <b>Change of Student's Legal Status</b> <b>18.05(4)(b)</b>	The school has a procedure for assuring that it is informed by a parent or guardian of any changes in a student's legal status and of the results of all judicial and administrative proceedings concerning the student, and for disseminating this information to appropriate personnel.  (See also Criterion 15.6.)
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Documentation revealed that the Professional Center does not have a written plan for assuring that it is informed by a parent or guardian of any changes in a student's legal status.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>15.4</b> <b>Parent Consent</b> <b>28.07(1)(b)</b>	The private school program notifies the placing school district when multiple efforts have been made, yet have failed to involve the parent and obtain necessary parental consent. Matters requiring parental consent include, but are not limited to, the following:  a. in coordination with responsible school districts, IEP-related matters b. Emergency medical care c. Medications d. Restraints e. Publicity, research, evaluation f. Field Trips g. in coordination with responsible school districts, the Parental Notification Law pursuant to Chapter 71, Section 32A concerning curriculum that primarily involves human sexual education or human sexuality issues
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>



<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Registering Complaints</b>  <b>18.05(1)(b)16</b>	and students written procedures that may be used to register complaints regarding the student's education and care at the facility.
	<b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>

**AREA 16: HEALTH AND MEDICAL SERVICES**

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>16.1</b>  <b>Health Care Policy and Procedure Manual</b>  <b>18.05(9)(c)</b> <b>18.05(9)(d)</b>	The school has a comprehensive, written health care policies and procedures manual that clearly describes provisions made for medical, nursing and infirmary care of students. This manual is approved by the health care consultant, includes all applicable policies and procedures, and is made available to staff.
	<b>Rating: Partially Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: Yes</b></span>

**Department of Education Findings:**

*A review of documentation indicated that the Professional Center does not have a separate, comprehensive Health Care Manual that includes all required policies and procedures.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>16.2</b>  <b>Physician</b>	The school has secured the services of a licensed physician available for consultation.

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>Consultation</b> <b>18.05(9)(a)</b>	
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*Staff interviews indicated that the Professional Center has secured the services of a licensed physician; however, the program does not have the name and contact information documented in the Health Care Manual.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>16.3</b> <b>Nursing</b> <b>18.05(9)(b)</b>	The school has secured the services of a registered nurse or a licensed practical nurse available as deemed necessary by the Department depending upon the health care needs of the school population. (See Criterion 3.2 above.)
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: No</b>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>16.4</b> <b>Emergency First Aid</b> <b>18.05(9)(e)</b>	The school has developed written policies and procedures for emergency first aid and care including: <ul style="list-style-type: none"> <li>a. training of all direct service staff in emergency first aid;</li> <li>b. secure storage of adequate first aid supplies, including but not limited to bandages, body substance isolation gloves, gauze, adhesive tape, hydrogen peroxide or other cleaning solutions, and ipecac. First aid supplies are easily accessible in each major activities area;</li> <li>c. written procedures for providing first aid are kept with the first aid supplies;</li> <li>d. the posting of telephone numbers for the fire department, police station, poison prevention center, hospital emergency room and ambulance service serving the school in both living quarters and educational facilities;</li> <li>e. the procedures to be followed in the case of illness or emergency (such as a motor vehicle accident), including the transportation methods and notification of parents;</li> <li>f. the procedures to be followed in the case of fire or other emergency;</li> <li>g. a procedure for informing parents of any medical care administered to their</li> </ul>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	child or of any injury or illness that required care other than first aid; and h. the procedures to be followed in the case of illness or emergency if the parents cannot be reached.
	<b>Rating: Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*A review of documentation indicated that although the Professional Center has a written policy and procedures for Emergency First Aid, the policy is not contained in the Health Care Manual.*

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<b>16.5</b> <b>Administra- tion of Medication</b> <b>18.05(9)(f)</b>	The school has developed and implements written policies and procedures regarding the administration of medication including, but not limited to, the following: a. no medication is administered to a student without written authorization from a parent. Such authorization shall be renewed annually; b. no prescription medication shall be administered to a student without the written order of the physician prescribing the medication to that student; c. the school maintains written policies and procedures regarding prescriptions and administrations of medication including authorization, prepackaging and staff training; d. any change of medication or dosage must be authorized by a new order from a physician; e. a written record of the administration of prescribed medication to students shall be maintained. Such a record documents the side effects of medication and includes notification to attending physicians of changes in the student's behavior or health that may result from medication; f. all medicine shall be kept in a locked, secure cabinet and labeled with the student's name, the name of the drug and the directions for its administration. The school shall dispose of or return to the parents any unused medication. Medications must be delivered to the school by a responsible adult in a container labeled by the physician or pharmacist. Provisions must be made for refrigeration of medications, when necessary. g. the school shall have a written policy regarding the amount of medication to be kept on the premises at any one time for each student receiving medication; h. a review of medications administered to a student shall be incorporated into all progress reviews conducted for the student.
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED: Yes</b>

**Department of Education Findings:**

*A review of documentation indicated that the Professional Center's written policy and procedures regarding the administration of medication is missing elements d and h.*



CRITERION NUMBER	
	<b>Legal Standard</b>
<p data-bbox="264 447 318 474"><b>16.7</b></p> <p data-bbox="212 516 370 579"><b>Preventive Health Care</b></p> <p data-bbox="207 615 375 678"><b>18.05(9)(f)(9)(h)</b></p>	<p data-bbox="407 447 1365 510">The school has developed and implements a written plan for the preventive health care of students including, but not limited to:</p> <ul style="list-style-type: none"> <li data-bbox="407 516 1349 579">a. provision for each student to receive an annual comprehensive medical and dental examination;</li> <li data-bbox="407 585 1292 648">b. vision, hearing, postural and other required screening are conducted in accordance with M.G.L. c.71 s.57;</li> <li data-bbox="407 655 1341 718">c. ensuring that all students have necessary immunizations as required by the Department of Public Health;</li> <li data-bbox="407 724 1406 850">d. a student or staff member who has a reported communicable disease shall be authorized by a physician to continue to be present within the school; the school shall notify all parents and referring agencies of the reported communicable disease within the school;</li> <li data-bbox="407 856 1398 1014">e. provision of a locked, secure cabinet to keep all toxic substances, medications, sharp objects and matches out of the reach of students. Medications and medical supplies are not locked in the same cabinet as other toxic substances. Toxic substances are labeled with contents and antidote (The phone number for the nearest poison center is posted clearly.);</li> <li data-bbox="407 1020 1349 1083">f. provision of family planning information, subject to any applicable state or federal legislation; and</li> <li data-bbox="407 1089 1357 1152">g. protecting a student from exposure to foods, chemicals, or other materials to which they are allergic.</li> </ul>
	<p data-bbox="407 1161 675 1188"><b>Rating: Implemented</b></p> <p data-bbox="919 1161 1341 1188"><b>RESPONSE REQUIRED: No</b></p>

CRITERION NUMBER	
	<b>Legal Standard</b>
<p data-bbox="264 1501 318 1528"><b>16.8</b></p> <p data-bbox="220 1539 362 1707"><b>Receipt of Medical Treatment-Religious Beliefs</b></p> <p data-bbox="220 1759 362 1787"><b>18.05(9)(k)</b></p>	<p data-bbox="407 1501 1398 1627">In the absence of an emergency or epidemic of disease declared by the Massachusetts Department of Public Health, the school does not require any student to receive medical treatment when the parents object thereto on the ground that such treatment conflicts with a religious belief.</p>
	<p data-bbox="407 1806 675 1833"><b>Rating: Implemented</b></p> <p data-bbox="919 1806 1341 1833"><b>RESPONSE REQUIRED: No</b></p>

**AREA 17: TRANSPORTATION SAFETY**

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>17.1</b></p> <p><b>Transportation Safety</b></p> <p><b>28.09(11)(b)</b></p>	<p>The program develops transportation procedures that ensure vehicles are safe, insured, and operated by qualified and trained individuals, and that students are transported in a safe manner that is responsive to individual student’s needs and provisions of their IEPs.</p> <p>In the event of a motor vehicle accident, parents, school districts, human service agencies, and the Department of Education are notified immediately.</p> <p>The school ensures that <u>any</u> person who is responsible for operating a vehicle owned or contracted for by the school and carrying students, shall receive in-service training on overall transportation safety and the individual needs of the students they transport.</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

**AREA 18: STUDENT RECORDS**

CRITERION NUMBER	
	<b>Legal Standard</b>
<p><b>18.1</b></p> <p><b>Student Records</b></p> <p><b>28.09(10)</b></p>	<p>The private school keeps current and complete files for each publicly funded enrolled Massachusetts student and maintains such files consistent with the Massachusetts Student Record Regulations (603 CMR 23.00) and MGL c. 71, s. 34H.</p>
	<p><b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span></p>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
<p style="text-align: center;"><b>18.2</b></p> <p><b>Student Records</b></p> <p><b>28.09(10)</b></p> <p><b>MGL c.71, s. 34H</b></p> <p><b>603 CMR 23.00</b></p> <p><b>Family Educational Rights and Privacy Act (FERPA)</b></p>	<p>Student records are legibly dated and signed by persons making entries. Individual access logs are maintained for each record. All records contain:</p> <ol style="list-style-type: none"> <li>a. log of access consistent with requirements of the Massachusetts Student Record Regulations. 18.05(11)(a)</li> <li>b. face sheets with the following information: <ul style="list-style-type: none"> <li>• Name</li> <li>• Date of birth</li> <li>• Recent picture</li> <li>• Date of admission to private school</li> <li>• Name of educational case manager</li> <li>• Location of residential service within facility (if applicable), and name of residential case manager or supervisor</li> <li>• Date initially eligible for special education (if known)</li> <li>• Date of most recent special education evaluation(s)</li> <li>• Date of next expected 3-year reevaluation</li> <li>• Starting and expiration dates of current (or most recent) IEP</li> <li>• Primary language of student</li> <li>• Legal status of student</li> <li>• If under 18: in custody of both parents, one parent [specify], legal guardian [specify], other [specify]</li> <li>• If 18 or over: makes own decisions; under legal guardianship [specify]; has shared role with parent in education decisions [specify]</li> <li>• Other state agency/ies involved with student:</li> <li>• Parent/guardian contact information: names, addresses, H &amp; W telephone numbers, e-mails</li> <li>• Primary language of parents/guardian</li> <li>• Contact information of persons other than parents to be contacted in an emergency (names, addresses, telephone numbers)</li> <li>• Educational surrogate contact information (if applicable)</li> <li>• Date of last complete physical health examination by physician</li> <li>• Notation of allergies and/or any other medical condition affecting student's well-being, e.g., seizures</li> <li>• Medications</li> <li>• Information specific to this student re handling of medical emergencies</li> </ul> </li> <li>c. copy of IEP;</li> <li>d. copies of quarterly progress reports and any modification of the IEP;</li> <li>e. copy of the student's termination or discharge plan;</li> <li>f. health records, including reports, documentation of physical examinations, allergies, screening tests, results of medical care;</li> <li>g. all evaluations or assessments conducted of the student;</li> <li>h. pertinent correspondence concerning the student;</li> <li>i. information regarding the use of behavior management interventions including, but not limited to, restraint (chemical, mechanical, physical) and time-out procedures; and</li> <li>j. copies of all incident reports.</li> </ol>

<b>CRITERION NUMBER</b>	
	<b>Legal Standard</b>
	<b>Rating: Partially Implemented</b> <b>RESPONSE REQUIRED:</b> <b>Yes</b>

**Department of Education Findings:**

*While the Professional Center has begun to revise all student records to include a new face sheet that contains all the required elements, not all student records have this new face sheet. The previously used face sheet is missing several required elements.*

PRIVATE SCHOOL PROGRAM REVIEW REPORT 2003doc

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