



# **The Commonwealth of Massachusetts Department of Education**

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May 16, 2006

Judy Gelfand  
Bay Cove Academy  
156 Lawton Street Brookline, 02446

Re: Onsite Follow-up Monitoring Report: Program Review Corrective Action Plan  
Verification and Mid-cycle Review

Dear Ms. Gelfand:

Enclosed is the Department's Program Review Follow-up Monitoring Report together with findings regarding your private school's Mid-Cycle Program Review. This report contains the Department's findings based on the onsite activities conducted in your school to verify the implementation status and effectiveness of corrective steps taken in response to your Program Review Report issued on March 4, 2003. This report also includes a report on the status of implementation for new state or federal special education requirements enacted since your school's last Program Review.

We are pleased to indicate that the Department of Education has found your school's approved Corrective Action Plan to be substantially implemented and effective in remedying previously identified noncompliance issues. Additionally, we have determined that your school is in substantial compliance with any new state or federal special education requirements enacted since your last Program Review. The findings of the Department are included in the attached Follow-up Monitoring Report. You and your entire staff are to be congratulated for your efforts in implementing all necessary improvements. Your private school will now receive an updated status of "Full Approval." This approval shall remain in effect for three (3) years from the date of this letter and attached approval certificate. This approval will be contingent upon continued compliance with all regulations contained within 603 CMR 28.00 "Special Education Regulations" and 603 CMR 18.00 "Program And Safety Standards For Approved Public Or Private Day And Residential Special Education School Programs." The Department of Education may change this approval status at any point during this three-year period if circumstances arise that warrant such a change.

The Department will notify you of your school's next regularly scheduled Program Review several months before it is to occur. At this time we anticipate the Department's next routine

monitoring visit to occur sometime during the FY 2009, unless the Department determines that there is some reason to schedule this visit earlier.

Your staff's cooperation throughout these follow-up monitoring activities is appreciated. Should you require additional clarification of information included in our report, please do not hesitate to contact the Onsite Team Chairperson at 781-338-3739.

Sincerely,

Suzanne Conrad, Program Review Follow-up Chairperson  
Program Quality Assurance Services

Darlene Lynch, Director  
Program Quality Assurance Services

c: David P. Driscoll, Commissioner of Education

Encl.: Follow-up Monitoring Report  
FULL Private School Approval Certificate, Expiration Date: 8/31/06

**MASSACHUSETTS DEPARTMENT OF EDUCATION  
PRIVATE SCHOOL MID-CYCLE PROGRAM REVIEW**

**Bay Cove Academy**

**ONSITE VERIFICATION OF CORRECTIVE ACTION PLAN IMPLEMENTATION  
AND/OR IDENTIFICATION OF ADDITIONAL FINDINGS REQUIRING CORRECTIVE ACTION**

Action Plan Submitted on April 18, 2003  
Onsite Visit Conducted on April 25, 2006  
Date of this Report May 15, 2006

<b>Criterion Number and Topic</b>	<b>Implementation Status of Requirements or Corrective Action Plan Determined to be <u>Substantially Implemented</u></b>  √	<b>Method(s) of Verification</b>	<b>Comments Regarding Corrective Action Plan Implementation</b>	<b>Corrective Action Plan Determined to be <u>Not Fully Implemented</u> or <u>Additional Issues Identified</u></b>  √	<b>Findings Regarding Incomplete Implementation of Approved Corrective Action Plan or Identification of Additional Issues of Noncompliance</b>	<b>Further Corrective Action Ordered by the Department of Education and Timelines for Implementation and Further Progress Reporting</b>
<b>1.3</b> Program's Curriculum 28.09(9)	√	Documentation Review	Bay Cove Academy provided a description of the program's curriculum and general types of staff qualifications to meet the needs of the students.			
<b>2.2</b> Approvals, Licenses, Certificates of Inspection 28.09 (2)(b)4-5 28.09(5)	√	Documentation Review	Bay Cove Academy has all required licenses, approvals and certificates of inspection.			

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28.09(6) 18.04(1)  102 CMR 3.06 (4)(b)	√					
<b>2.3</b> DEEC Licensure (Not Applicable to Day Schools)		Not Applicable	Bay Cove Academy is an approved Day School.			
<b>3.2</b> Health Care Manual 18.05 (9)(d)	√	Documentation Review	Bay Cove Academy has included the new DNR policy in its Health Care Manual and has maintained all other required policies.			
<b>4.4</b> Advanced Notice of Program/ Facility Change 28.09(5)(c)	√	Documentation Review	Bay Cove Academy has submitted all required Form 1 notifications to the Department.			
<b>4.5</b> Immediate Notification 18.03(10) 18.05(7) 28.09(12)	√	Documentation Review	Bay Cove Academy has submitted all required Form 2 notifications to the Department and has sent required notification to parents and sending school			

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	√		districts.	√		
<b>5.2</b>  Policies and Procedures for Coordination/ Collaboration with Public School Districts & Content requirements policies/procedures for Coordination/ Collaboration with Public School Districts  28.06(2-3) 28.09(9)(c)&(d) 28.09(2)(b)7  Federal Regulations: 300.349 and 300.400-.401	√	Documentation Review	Bay Cove Academy has policies/procedures that describe the roles and responsibilities of all staff regarding the coordination and collaboration with public school districts including policies on transition plans for the age of majority, school district monitoring of student progress, and administration of tests.			

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<b>6.1</b> Daily Instructional Hours 603 C.M.R. 27.00	√	Documentation Review	Bay Cove Academy provides the required instructional hours for all of its students.			
<b>6.2</b> School-to-work (Instructional hours) 603 CMR 27.02, 27.04	√	Documentation Review	Bay Cove Academy has written guidelines that clearly explain how hours are spent by students in its school-to-work program.			
<b>6.3</b> Kindergarten (Instructional hours) 603 CMR 27.03(5)	√	Not Applicable	Bay Cove Academy does not service this age group.			
<b>6.4</b> School Days per Year 28.09(9)	√	Documentation Review	Bay Cove Academy is an approved 12-month program and operates for the required number of days.			
<b>6.5</b> Early Release of High School	√	Documentation Review	The early release of Bay Cove Academy high school seniors conforms with all Board of Education requirements.			

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Seniors  603 CMR 27.05	√					
<b>7.1</b> Curriculum Frameworks 28.09(9)(b)	√	Documentation Review	Bay Cove Academy personnel reflect a full understanding of the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance.			
<b>7.3</b> State/District Wide Assessments 28.09(9)(d)	√	Documentation Review	Bay Cove Academy has written procedures outlining how the school ensures that all students participate in the state and/or district wide assessments.			
<b>8.2</b> Implementation Related Services	√	Documentation Review	Bay Cove Academy has procedures in place addressing how related services are provided if a student admitted to the program requires such services.			
<b>8.4</b> Current IEP & Student Roster 28.09	√	Documentation Review	Bay Cove Academy has a current signed IEP for all of its enrolled students.			

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<b>8.9</b> IEP- Less Restrictive Placement 28.09(9)(c)	√	Documentation Review	Bay Cove Academy notifies the responsible school district and parents whenever an IEP needs revision to reflect a change in goals, placement, or a return to a less restrictive environment.			
<b>9.4</b> Restraints	√	Documentation Review	Bay Cove Academy's restraint policy states that parents will be notified in writing within three days after a student is restrained and that the Department will be notified of restraints lasting longer than 20 minutes. The policy includes information regarding opportunities for students, parents or guardians to discuss a restraint with a school official.			
<b>9.5</b> 3-5 Day Suspensions	√	Documentation Review	Bay Cove Academy's policy states that parents will be notified within 24 hours of a student's suspension. Bay Cove documents in-school suspensions when they occur.			

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<b>10.1</b> Student:Teacher Ratios 28.06(6)(d)&(g) 28.09(7)(e)	√	Documentation Review	Bay Cove Academy maintains all required student/teacher ratios.	√		
<b>10.4</b> Student: Child Care Ratios 28.09(7) 18.01(2)	√	Documentation Review	Bay Cove Academy maintains all required student/childcare ratios.			
<b>11.1</b> Personnel Policies 28.09(7) 28.09(11)(a) 18.05(11)		Documentation Review		Bay Cove Academy's personnel policies are missing a section addressing interns and volunteers.		Please submit this policy to the Department by <b>June 1, 2006.</b>
<b>11.3</b> Educational Administrator Qualifications 28.09(7)(a)	√	Documentation Review	Bay Cove Academy's Educational Administrator is properly licensed and has the required credentials.			

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603 CMR 44.00 and 44.04	√					
<b>11.4</b> Teachers Special Education Teachers and Regular Education Teachers 28.09(7)(b)(c) 18.05(11)(f)	√	Documentation Review	Bay Cove Academy teachers are all appropriately licensed or waived to meet the needs of the student population.			
<b>11.4(a)</b> Professional Development Plans 28.09(7)(b)(c)  18.05(11)(f)	√	Documentation Review	Professional Development Plans are developed for Bay Cove teachers who are required to have them.			
<b>11.5</b> Related Services Staff 28.09(7)(d)	√	Documentation Review	All related services staff are appropriately certified, licensed or registered by their			

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	√			√		
			respective state boards or professional associations.			
<b>11.6</b> Master Staff Roster 28.09(7)	√	Documentation Review	Bay Cove Academy maintains a master list of all staff with corresponding UFR title numbers and FTE's.			
<b>11.7</b> Job Descriptions 18.05(11)(d)	√	Documentation Review	Bay Cove Academy has written descriptions for all staff positions.			
<b>11.8</b> Salary Ranges 18.05(11)(e)	√	Documentation Review	Bay Cove Academy provided written salary ranges for all of its staff.			
<b>11.9</b> Organizational Structure 28.09(7) 28.07(c)	√	Documentation Review	Bay Cove Academy has demonstrated that its organizational structure provides for the effective and efficient operation of the school.			
<b>11.11</b> Supervision of Students 28.09(7)	√	Documentation Review	Bay Cove Academy has developed and implemented a written plan for the effective supervision of its students.			
<b>11.12</b>	√	Documentation	Bay Cove Academy provides			

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Accessibility of Extracurricular Activities  Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a), (b); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.41; Section 504: 29 U.S.C. 794; 34 CFR 104.4, 104.37(a), (c); Title II: 42 U.S.C. 12132; 28 CFR 35.130; NCLB: Title X, Part C, Sec. 721; Mass. Const. amend. art 114; M.G.L. c. 76, s. 5; 603 CMR 26.06	√	n Review	all of its extracurricular activities in a nondiscriminatory manner.			
<b>12.1</b>	√		Bay Cove Academy has			

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Staff Orientation Training	√	Documentation Review	developed and implemented a written plan for staff orientation for all staff consistent with the needs of the student population.			
<b>12.2</b> Annual In-Service Training Plan and Calendar 28.09(7)(f) 18.05(11)(h)	√	Documentation Review	Bay Cove Academy has developed and implemented a written plan for annual in-service training for all staff consistent with the needs of the student population.			

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<b>13.3</b> Comparability of Facilities  Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); Title IX: 20 U.S.C. 1681; 34 CFR 106.33, 106.40(b)(3); Section 504: 29 U.S.C. 794; 34 CFR 104.34(c); Mass. Const. amend. art. 114; 603 CMR 28.03(1)(b)	√		Not Applicable. Bay Cove Academy does not provide separate facilities for any segment of its student body.	√		
<b>15.1</b> Parental	√	Documentatio	Bay Cove Academy has developed and maintained a			

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Involvement and Parents' Advisory Group 18.05(4)(a)		n Review	Parent Advisory Group and has a designated staff person to support it.			
<b>15.3</b> Information to be translated into Languages other than English  Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2)	√	Documentatio n Review	Bay Cove Academy ensures that general announcements and notices of extracurricular activities are given to parents in the primary language of the home.			
<b>15.4</b> Parental Consent	√	Documentatio n Review	Bay Cove Academy provides all required notifications to parents including its curriculum involving human sexuality education.			
<b>15.8</b> Registering Complaints  18.05(1)(b)16 Title IX: 20	√	Documentatio n Review	Bay Cove Academy has developed written grievance procedures for staff, parents and students.			

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U.S.C. 1681; 34 CFR 106.8; Section 504: 29 U.S.C. 794; 34 CFR 104.7; Title II: 42 U.S.C. 12132; 28 CFR 35.107; NCLB: Title X, Part C, Sec. 722(g)(1)(J)(ii)	√			√		
<b>16.9</b>  Students with Comfort Care/Do Not Resuscitate Orders	√	Documentation Review	Bay Cove Academy has developed a policy on the care of a child with a DNR order.			
<b>16.10</b>  Meningococcal Disease and Vaccination  MGL, Chapter 76, s.15D 105 CMR 220.700	√		Not Applicable as Bay Cove Academy is a Day School.			

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<b>18.2</b> Student Records 28.09(10)  MGL c. 71, s. 34H 603 CMR 23.00  Family Educational Rights and Privacy Act (FERPA)	√	Documentation Review	Student records contain all required information and are kept current			