



The Commonwealth of Massachusetts Department of Education

350 Main Street, Malden, Massachusetts 02148-5023

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July 9, 2007

Pat Larson, Executive Director
Cardinal Cushing Center
85 Washington Street
Braintree, MA 02184

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

Dear Ms. Larson:

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 August 24, 2004. 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.

While the Department of Education found certain noncompliance issues to be resolved, others were partially corrected, not addressed at all and/or new issues were identified by the Department's onsite team. Therefore, the Department is issuing a "Provisional Approval" status effective from the date of this letter and indicated on your approval certificate. Your "Provisional Approval" will expire on January 1, 2008. The reasons for the "Provisional Approval" are clearly indicated on the attached Corrective Action Plan Implementation Checklist.

As the Department previously informed you, in cases where a private school fails to fully and effectively implement a Corrective Action Plan which was proposed by your school and approved by the Department, the Department must then prepare a Corrective Action Plan for the school which must be implemented without further delay. You will find these requirements for corrective action and further progress reporting included in the attached report together with any steps that must be taken by the school to fully implement new special education requirements. Please provide the Department with your written assurance that the Department's requirements for corrective action will be implemented by your private school within the timelines specified.

Your statement of assurance must be submitted to the Department's Onsite Chairperson by **July 22, 2007**.

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 781-338-3746.

Sincerely,

Dee Wyatt, 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
Provisional Private School Approval Certificate, Expiration Date: January 22, 2007

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

Cardinal Cushing Center Braintree

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

**Action Plan Submitted on November 13, 2004
Progress Reports Submitted on November 30, 2004, and May 25, 2005
Onsite Visit Conducted on May 16, 2007
Date of this Report July 9, 2007**

Criterion Number and Topic	Implementation Status of Requirements or Corrective Action Plan Determined to be <u>Substantially Implemented</u>	Method(s) of Verification	Comments Regarding Corrective Action Plan Implementation	Corrective Action Plan Determined to be <u>Not Fully Implemented</u> or <u>Additional Issues Identified</u>	Findings Regarding Incomplete Implementation of Approved Corrective Action Plan or Identification of Additional Issues of Noncompliance	Further Corrective Action Ordered by the Department of Education and Timelines for Implementation and Further Progress Reporting
2.2 Approvals, Licenses, Certificates of Inspection 28.09 (2)(b)4-5 28.09(5) 28.09(6) 18.04(1) 102 CMR 3.06	√ √	Documentation Review	Cardinal Cushing Center has all current approvals and inspections to operate a private school.	√ √		

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(4)(b)						
2.3 EEC Licensure (Not Applicable to Day Schools)	Not Applicable		Cardinal Cushing Center does not have a residential program.			
3.1 Policies & Procedures Manual 28.09(11)(b)	√	Documentation Review	Cardinal Cushing Center now has updated policies and procedures regarding suspension and termination in the school's policies and procedures manual.			

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<p>3.2 Health Care Manual 18.05 (9)(d)</p>	<p>√</p>	<p>Documentation Review</p>		<p>√</p>	<p>Cardinal Cushing Center does not have a complete Health Care Manual. In addition, it does not have the required annual approval from a licensed physician.</p>	<p>The following items were not included as part of the Health Care Manual:</p> <ul style="list-style-type: none"> • Administration of medications/side effects • Receipt of medical treatment in accordance with students' religious beliefs • No smoking policy • Toileting procedures • Food and nutrition • Name and contact information for consultant physician and additional emergency contacts <p>The Health Care Manual must be approved by a licensed physician annually. Cardinal Cushing Center must submit a copy of all required health care policies to the Department by <u>September 1, 2007.</u></p>

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4.4 Advanced Notice of Program/ Facility Change 28.09(5)(c)	√	Documentation Review	Cardinal Cushing Center has a written policy requiring staff to provide written notification and prior approval from the Department prior to any substantial change to the program or physical plant.			
4.5 Immediate Notification 18.03(10) 18.05(7) 28.09(12)	√	Documentation Review	Cardinal Cushing Center provides immediate notification to the parent, the public school district, any state agency involved in the student care or placement, and the Department of Education of all serious incidents.			
5.2 Policies and Procedures for Coordination/ Collaboration with Public	√	Documentation Review	Cardinal Cushing Center has approved written policies and procedures for coordination/collaboration with public school districts.			

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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	√					
6.1 Daily Instructional Hours 603 C.M.R. 27.00	√	Documentation Review	The block schedules at Cardinal Cushing Center indicate the required number of instructional hours are offered.			
6.2 School-to-work	Not Applicable		Cardinal Cushing Center does offer a school-to-work program.			

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(Instructional hours) 603 CMR 27.02, 27.04						
6.3 Kindergarten (Instructional hours) 603 CMR 27.03(5)	Not Applicable		Cardinal Cushing Center does not have a Kindergarten program that sets a separate schedule.			
6.4 School Days per Year 28.09(9)	√	Documentation Review	Cardinal Cushing Center submitted a school calendar that includes the required number of days of instruction, including an additional 5 for unforeseen circumstances.			
6.5 Early Release of High School Seniors 603 CMR 27.05	√		Cardinal Cushing Center does not release seniors prior to the scheduled closing date of the school year.			
7.1 Curriculum Frameworks	√	Documentation Review	Cardinal Cushing Center has provided training to all staff regarding the connection between the Massachusetts			

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28.09(9)(b)			Frameworks and the rights of students with disabilities to be full participants in the general curriculum.			
7.3 State/District Wide Assessments 8.09(9)(d)	√	Documentation Review	Cardinal Cushing Center has a written procedure for ensuring that all students participate in MCAS and/or alternate assessment.			
8.4 Program Modifications and Support Services for Limited English Proficient Students Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); M.G.L. c. 71, § 38Q1/2; 603 CMR	√	Documentation Review	Cardinal Cushing Center has described how it will serve limited English proficient students who require special language assistance.			

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28.03(3)(a); M.G.L. c. 71A, §§ 2(e), 4; 603 CMR 14.04; M.G.L. c. 76, § 5; 603 CMR 26.03						
8.9 IEP- Less Restrictive Placement 8.09(9(c))	√	Documentation Review	Cardinal Cushing Center has a policy and procedure for notifying the school districts and parents whenever the IEP needs to be revised to reflect a change in goals, placement, or a return to a less restrictive setting.			
9.3 Runaway Students 18.03(10)	√	Documentation Review	Cardinal Cushing Center now has a policy and procedure for runaway students that includes all required elements.			
9.5 3-5 Day Suspensions 18.05(6)	√	Documentation Review	Cardinal Cushing Center now has a policy and procedure for 3-5 day suspensions that includes all required elements.			

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9.6 10+ Day Suspensions Joint responsibilities of the private school and the responsible school district 34 CFR 300.519-529	√ √	Documentation Review	Cardinal Cushing Center now has a policy and procedure for 10+ day suspensions that includes all required elements.	√		
9.7 Terminations 18.05(7) 28.09(12)(b)	√	Documentation Review	Cardinal Cushing Center now has an updated termination policy, which includes planned and emergency terminations.			
10.1 Student: Teacher Ratios 28.06(6)(d)&(g) 28.09(7)(e)	√	Documentation Review	Cardinal Cushing Center submitted a summary statement and block schedules that verifies the Department approved student/teacher ratio.			
10.4 Student: Child	Not Applicable		Cardinal Cushing Center, Braintree is not a residential			

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Ratios 28.09(7) 18.01(2)			program and therefore does not employ child care workers.			
11.1 Personnel Policies 28.09(7) 28.09(11)(a) 18.05(11)	√	Documentation Review	Cardinal Cushing Center has a written personnel policy that includes all required elements of this criterion.			
11.3 Educational Administrator Qualifications 28.09(7)(a) 603 CMR 44.00 and 44.04	√	Documentation Review	The Educational Administrator at Cardinal Cushing Center has the required qualifications to serve in this position.			
11.4 Teachers Special Education Teachers and Regular	√	Documentation Review	Cardinal Cushing Center has a teacher roster that indicates all teachers are licensed or on an approved waiver.			

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Education Teachers 28.09(7)(b)(c) 18.05(11)(f)	√			√		
11.4(a) Professional Development Plans 28.09(7)(b)(c) 18.05(11)(f)	√	Documentation Review	Cardinal Cushing Center has professional development plans for all licensed teaching staff that hold professional licensure. A supervisor has approved all plans.			
11.5 Related Services Staff 28.09(7)(d)	√	Documentation Review	Cardinal Cushing Center has a related services staff roster that includes all related service providers and their credentials.			
11.6 Master Staff Roster 28.09(7)	√	Documentation Review	Cardinal Cushing Center has a master staff roster that includes all staff for every position within the program.			
11.7 Job Descriptions	√	Documentation Review	Cardinal Cushing Center has written job descriptions for all staff positions that is available to staff and parents.			

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18.05(11)(d)						
11.8 Salary Ranges 18.05(11)(e)	√	Documentation Review	Cardinal Cushing Center has a written salary range that covers all positions.			
11.9 Organizational Structure 28.09(7) 28.07(c)	√	Documentation Review	Cardinal Cushing Center has an organizational chart and an accompanying narrative that illustrates and describes the lines of supervision for staff and students. The chart includes position titles for all staff.			
11.11 Supervision of Students 28.09(7)	√	Documentation Review	Cardinal Cushing Center has a written staffing plan for the supervision of students while they are engaged in school-related activities on and off school grounds.			
11.12 Accessibility of Extracurricular Activities Title VI: 42 U.S.C. 2000d;	√	Documentation Review	Cardinal Cushing Center has extracurricular activities and clubs that are offered to all students.			

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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	√			√		
12.1 Staff Orientation Training 18.05(11)(g)	√	Documentation Review, Personnel Record Review	Cardinal Cushing Center now implements its 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.			
12.2	√	Documentation	Cardinal Cushing Center has a			

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Annual In-Service Training Plan and Calendar 28.09(7)(f) 18.05(11)(h)		Review, Personnel Record Review	written training plan for all staff that covers all mandated training topics.			

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13.3 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)	√ √	Documentation Review	Cardinal Cushing Center has equitable facilities for all students enrolled in the program.	√		
15.1 Parental Involvement and Parents'	√	Documentation Review	Cardinal Cushing Center has a written plan for involving parents which includes a Parents' Advisory Group.			

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Advisory Group 18.05(4)(a)						
15.3 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)	√	Documentation Review	Cardinal Cushing Center has a plan in place to accommodate parents or guardians with limited English language skills.			
15.8 Registering Complaints 18.05(1)(b)16 Title IX: 20 U.S.C. 1681; 34 CFR 106.8; Section 504: 29 U.S.C. 794; 34 CFR 104.7; Title II: 42	√	Documentation Review	Cardinal Cushing Center has developed written procedures for parents and students to register complaints regarding the student's education and care at the school. In addition, there is a written grievance procedure for students and employees regarding complaints alleging discrimination based on sex or disability.			

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<p>U.S.C. 12132; 28 CFR 35.107; NCLB: Title X, Part C, Sec. 722(g)(1)(J)(ii)</p>	<p>√</p>			<p>√</p>		
<p>16.10 Meningococcal Disease and Vaccination MGL, Chapter 76, s.15D 105 CMR 220.700</p>	<p>Not Applicable</p>		<p>Cardinal Cushing Center is not a residential program, and therefore is not required to have a policy for meningococcal disease and vaccination.</p>			
<p>18.2 Student Records 28.09(10) MGL c. 71, s. 34H 603 CMR 23.00 Family Educational Rights and Privacy Act (FERPA)</p>				<p>√</p>	<p>Cardinal Cushing Center is in noncompliance for the following items:</p> <ul style="list-style-type: none"> • Missing required consents 	<p>The following consents must be signed annually by the parents:</p> <ul style="list-style-type: none"> • Medications • Restraint <p>Cardinal Cushing Center must submit a copy of the cover letter sent to parents to obtain medication and physical restraint consents and submit to the Department by <u>September 1, 2007</u>. Cardinal Cushing must submit a list, chart or</p>

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						proof that consents are current for all students and filed in the student records by <u>November 1, 2007.</u>