



# **Massachusetts Department of Elementary and Secondary Education**

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350 Main Street, Malden, Massachusetts 02148-5023

Telephone: (781) 338-3700  
TTY: N.E.T. Relay 1-800-439-2370

January 29, 2008

Dr. Alan Harchik  
The May Institute  
41 Pacella Park Drive  
Randolph, MA 02368

Re: Onsite Follow-up Monitoring Report: Program Review Corrective Action Plan  
Verification and Mid-cycle Review for The May Center for Education and  
Neurorehabilitation, Brockton, MA – Day and Residential Programs

Dear Dr. Harchik:

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 September 7, 2005. 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 Elementary and Secondary 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 Elementary and Secondary 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 2011, 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 781-338-3794.

Sincerely,

Dee Wyatt, Program Review Follow-up Chairperson  
Program Quality Assurance Services

Darlene Lynch, Director  
Program Quality Assurance Services

c: Jeffrey Nellhaus, Acting Commissioner of Education  
Walter Christian, Chairperson, Board of Directors  
Gary Pace, Local Program Review Coordinator

Encl.: Follow-up Monitoring Report  
Full Private School Approval Certificate, Expiration Date: August 31, 2011

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

**THE MAY CENTER FOR EDUCATION AND NEUROREHABILITATION  
DAY AND RESIDENTIAL PROGRAMS**

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

Action Plan Submitted on October 21, 2005  
Onsite Visit Conducted on December 6, 2007  
Date of this Report January 29, 2008

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 Elementary and Secondary Education and Timelines for Implementation and Further Progress Reporting
<b>Selected Approved Private School Mid-cycle Review Criteria</b>						
2.2 Approvals, Licenses, Certificates of Inspection 18.04(1); 28.09(2)(b)(5); 28.09(5)(b); 28.09(6)(b, c)	√	Documentation Review	The May Center submitted current approvals, licenses and certificates of inspection for all buildings.			

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<b>2.3 EEC Licensure  102 CMR 3.00 (NA for Public Day Schools)</b>	√ √	Documentatio n Review	The May Center submitted a current EEC License for all residential facilities.	√		
<b>7.4 High School Diplomas and Certificates of Attendance M.G.L. c. 69, § 1D; Administrative Advisory SPED 2002-4-REVISED: Special Education Students in Out-of-District Placements- Participation in MCAS Testing and High School Graduation Standards</b>	√	Documentatio n Review	The May Center submitted a copy of the written policy that describes the awarding of diplomas and/or certificates for both the Day and Residential Programs.			

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<b>8.4 Program Modifications and Support Services for Limited English Proficient Students</b>  <b>M.G.L. c. 71A; Title VI</b>	√	Documentatio n Review	The May Center submitted its LEP policy that contains all of the required elements.	√		
<b>8.5 Current IEP &amp; Student Roster</b>  <b>28.09(5)(a)</b>	√	Documentatio n Review	The May Center submitted IEP and Student Rosters for the Day and Residential Programs that include all required elements.			
<b>8.8 IEP – Progress Reports</b>  <b>State: 28.07(3); Federal 20 U.S.C. Chapter 33, Section 1414(d)(1)(A)( viii)</b>	√	Documentatio n Review, Student Record Review	The May Center issues Progress Reports that includes written information on the student’s progress toward the annual goals in the IEP and documents all recipients of each report for both the Day and Residential Programs.			

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<b>34 CFR 300.320(a)(3)(i, ii)</b>						
<b>9.1(a) Student Separation resulting from Behavior Management</b>  <b>18.05(5)(i); 46.02(5)(b)</b>	√	Documentatio n Review	The May Center’s Behavior Management Policy includes all of the required elements regarding the use of time-out.			
<b>11.3 Educational Administrator Qualifications</b>  <b>28.09(5)(a); 28.09(7)(a); 603 CMR 44.00</b>	√	Documentatio n Review	The May Center has an Educational Administrator who has all of the qualifications for this position.			
<b>11.4 Teachers (Special Education Teachers and Regular</b>	√	Documentatio n Review	The May Center submitted Teacher Rosters for both the Day and Residential Programs that contains all required elements. All teachers hold a current license or have been			

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<b>Education Teachers)</b>  <b>18.05(11)(f);</b> <b>28.09(5)(a);</b> <b>28.09(7)(b, c)</b>	√		granted a current waiver.			
<b>11.5 Related Services Staff</b>  <b>28.09(7)(d)</b>	√	Documentation Review	The May Center submitted Related Services Staff Rosters for both the Day and Residential Programs that include all of the required elements. All related services staff are appropriately certified, licensed or registered in their professional areas.			
<b>11.6 Master Staff Roster</b>  <b>28.09(7)</b>	√	Documentation Review	The May Center submitted Master Staff Rosters for the Day and Residential Programs that provide all requested information. The rosters indicate appropriate FTEs for each approved position.			
<b>12.2(c) Details about Required</b>	√	Documentation Review	The May Center has submitted a CPR Training Plan that includes all of the			

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<b>Training-CPR Certification</b>  18.05(9)(e)	√		required elements and provided the name and qualifications of the certified instructor providing the training for both the Day and Residential Programs.			
<b>14.4 Visiting, Mail and Telephones (Residential Schools Only)</b> 18.03(9)(a) and (b)	√	Documentation Review	The May Center submitted an acceptable policy regarding visitation and the receiving of mail and telephone calls. In addition, the name and title of the person responsible for oversight was provided.			
<b>16.3 Nursing</b> 18.05(9)(b)	√	Documentation Review	The May Center submitted the names of the RNs, description of shift coverages and an explanation of how the availability of the nurses are sufficient for the needs of the student population for both the Day and Residential Programs.			
<b>16.11 Student Allergies</b>	√	Documentation Review	The May Center submitted a copy of the written student allergies policy and a copy of			

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18.05(9)(h)	√		the Student Allergy List for both the Day and Residential Programs.	√		
16.12 No Smoking Policy M.G.L. c. 71, § 37H	√	Documentation Review	The May Center submitted a copy of the written policy that prohibits the use of tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel for both the Day and Residential Programs.			
<b>Identified Areas of Non-Compliance During Previous Program Review or Other Areas of Concern</b>						
1.2 Program & Student Description, Program Capacity  28.09(2)(b)(2,3,7)  (Includes former 8.2)	√	Documentation Review	The May Center submitted a narrative that describes all aspects of the program, the student population and the program capacity.			
8.10	√	Documentation	The May Center has a written			

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<b>IEP- Less Restrictive Placement 28.09(9)(c)</b>		n Review	plan that describes opportunities for enrolled students to gain the capacity to return to a less restrictive educational program for both the Day and Residential Programs.			
<b>13.4 Physical Facility/ Architectural Barriers</b>  <b>18.04(8); Section 504: 29 U.S.C. 794; 34 CFR 104.21,104.22; Title II: 42 U.S.C. 12132; 28 CFR 35.149, 35.150; Mass. Const. amend. art. 114</b>	√	Documentatio n Review	The May Center submitted the school’s accessibility plan that included the timetable showing when each activity was completed. The facility is currently free from architectural barriers.			
<b>15.8 Registering Complaints</b>	√	Documentatio n Review	The May Center submitted a copy of the written procedures for registering complaints and			

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<b>and Grievances – Parents, Students and Employees</b>  <b>18.05(1)(b)(16)</b> <b>Title IX: 20</b> <b>U.S.C. 1681;</b> <b>34 CFR 106.8;</b> <b>Section 504: 29</b> <b>U.S.C. 794; 34</b> <b>CFR 104.7;</b> <b>Title II: 42</b> <b>U.S.C. 12132;</b> <b>28 CFR 35.107</b>			grievances for parents, students and employees. Also submitted was the name of the person responsible for investigating and resolving complaints regarding students' education and care and for investigating and resolving discrimination complaints made on behalf of employees and students.			
<b>17.1</b> <b>Transportation Safety</b>  <b>28.09(11)(b)</b>	√	Documentation Review	The May Center submitted a copy of the written transportation policy that ensures the 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 students' needs and provisions of their IEPs.			

