



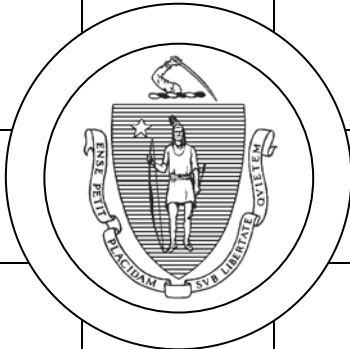
Massachusetts Department of  
**ELEMENTARY & SECONDARY  
EDUCATION**

**Youth Opportunity Upheld, Inc.  
Educational Day Program  
(McGrath Educational Center and Kathleen Burns  
Preparatory School)  
Cottage Hill Academy**

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

**Dates of Onsite Visit: June 21-23, 2010  
Date of Draft Report: July 15, 2010  
Due Date for Comments: August 5, 2010  
Date of Final Report: September 1, 2010  
Corrective Action Plan Due: October 1, 2010**

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**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION  
PRIVATE SPECIAL EDUCATION SCHOOL PROGRAM REVIEW**

**Youth Opportunity Upheld, Inc.  
Educational Day Program and Cottage Hill Academy**

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# MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

## APPROVED PRIVATE SCHOOL PROGRAM REVIEW REPORT

### OVERVIEW OF REVIEW PROCEDURES

#### INTRODUCTION

The Massachusetts Department of Elementary and Secondary Education is required under M.G.L. 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 Elementary and Secondary Education Regulations 603 CMR 28.00 and 18.00. Each private school program submits an application for approval by the Department of Elementary and Secondary 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 school programs to verify the implementation of their applications. The selected schools for 2009-2010 review cycle were notified in September 2009 of scheduled visits and were encouraged to assess themselves before the arrival of the Department's visiting team.

The statewide six-year Private School Program Review cycle together with the Department's Mid-cycle follow-up monitoring schedule is posted on the Department's web site at <http://www.doe.mass.edu/pqa/review/psr/6yrcycle.html>.

#### **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 an onsite Program Review over two to five days. In some instances, Massachusetts' human service agency staff may also participate on the visiting team.

**Scope:** All approved private school programs 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 Program Re-application procedures.

**Content:** The Program Review criteria encompass key elements drawn from 603 CMR 18.00 and 28.00 and the private school program's application for approval. The elements selected for the 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-2004) as described in the Department's Special Education Advisories. 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 Elementary and Secondary Education. Student records are examined first by the school program'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.
- Review of personnel records: A sample of personnel records is selected for detailed review by the Department of Elementary and Secondary Education. Personnel records are examined first by the school program's staff and then verified by the onsite team using standard Department personnel record review procedures in order to make determinations regarding the implementation of procedural and programmatic requirements.
- Observation of classrooms and other facilities: Instructional classrooms and facilities used in the delivery of programs and services are visited to determine general levels of compliance with program requirements.
- Surveys of parents of students with disabilities. Parents of students with disabilities whose files are selected for the record review, as well as the parents of an equal number of other students with disabilities, are sent a survey that solicits information regarding their experiences with the school program's implementation of special education programs, related services, and procedural 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 exemplary manner significantly beyond the requirements. Where criteria are identified as not fully implemented, the private school program must propose corrective action to bring those areas into compliance with the controlling statutes or regulations. **Under new federal *Special Education State Performance Plan* requirements pursuant to IDEA-2004, public and private school programs serving disabled students must demonstrate effective resolution of noncompliance identified by the Department as soon as possible but in no case later than one year from the issuance of the Department's Final Program Review Report.**

Private school programs are encouraged to incorporate the corrective action into their program improvement planning, as well as their professional and paraprofessional staff development plans.

The Department believes that the Private School Program Review process is a positive experience and that the Final Report is a helpful planning document for the continued development and improvement of programs and services in each approved private school program.

## REPORT INTRODUCTION

A four-member Massachusetts Department of Elementary and Secondary Education team visited Youth Opportunities Upheld, Inc (YOU, Inc.), Educational Day Program (McGrath Educational Center and Kathleen Burns Preparatory School) and Cottage Hill Academy during June 21-23, 2010 to evaluate the implementation of selected compliance criteria under the Massachusetts Board of Elementary and Secondary 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), M.G.L. 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.

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 programs, together with information gathered by means of the following Department program review methods:

- Interviews of four administrative staff.
- Interviews of seven clinical staff.
- Interviews of seven teaching and educational support services staff.
- Interviews of six childcare staff.
- Interview of one Parent Group representative and of one other parent of a Massachusetts student enrolled in the school program.
- Student record review: A sample of twenty-three Massachusetts student records was selected by the Department. Student records were first examined by the school program’s staff and then verified by the onsite team using standard Department of Elementary and Secondary Education student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Personnel record review: A sample of twenty-four personnel records was selected by the Department. Personnel records were first examined by the school program’s staff and then verified by the onsite team using standard Department of Elementary and Secondary Education personnel record review procedures to make determinations regarding the implementation of procedural and programmatic requirements.
- Observation of classrooms and other facilities: A sample of four instructional classrooms and other facilities used in the delivery of programs and services was visited to determine general levels of compliance with program requirements.
- Surveys of parents of students with disabilities: Forty-seven parents/guardians of students with disabilities were sent surveys that solicited information about their experiences with the school program’s implementation of special education programs, related services and procedural requirements. Five of these parent surveys were returned to the Department of Elementary and Secondary Education for review.

The report includes findings organized under 14 specified 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 these areas. The ratings indicate those criteria that were found by the team to be substantially “Implemented” or implemented in a “Commendable” manner,

defined as criteria that are implemented in an exemplary manner significantly beyond the requirements. Where criteria were found to be either "Partially Implemented" or "Not Implemented," the private school program 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 program's implementation methods that also may require response from the private school program.

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

**Youth Opportunity Upheld, Inc.  
Educational Day Program and Cottage Hill Academy**

**SUMMARY OF COMPLIANCE CRITERIA INCLUDED IN THIS REPORT  
REQUIRING CORRECTIVE ACTION PLAN DEVELOPMENT  
in response to the following  
PROGRAM REVIEW REPORT FINDINGS**

| <b>PROGRAM AREA</b>                                                                    | <b>PARTIALLY IMPLEMENTED</b> | <b>NOT IMPLEMENTED</b> | <b>OTHER CRITERIA REQUIRING RESPONSE</b> |
|----------------------------------------------------------------------------------------|------------------------------|------------------------|------------------------------------------|
| Area 1: Demonstration of Need and Capacity                                             |                              |                        |                                          |
| Area 2: Administration – Approvals, Licenses and Certificates Documentation            |                              |                        |                                          |
| Area 4: Disclosure of Information                                                      |                              |                        |                                          |
| Area 5: Administration and Admissions Procedures                                       |                              |                        |                                          |
| Area 6: Educational Program Requirements -- Student Learning Time                      |                              |                        |                                          |
| Area 8: Educational Program Requirements – Individualized Education Programs           | 8.8                          |                        |                                          |
| Area 9: Educational Program Requirements -- Student Discipline and Behavior Management | 9.1(a)                       |                        |                                          |
| Area 10: Educational Staffing Requirements -- Ratios                                   |                              |                        |                                          |
| Area 11: Educational Staffing Requirements -- Personnel Policies                       | 11.4, 11.5                   |                        |                                          |
| Area 12: Educational Staffing Requirements -- Staff Training                           | 12.1                         |                        |                                          |
| Area 13: Physical Facility and Equipment Requirements                                  |                              |                        |                                          |
| Area 15: Parent and Student Involvement                                                |                              |                        |                                          |
| Area 16: Health and Medical Services                                                   |                              |                        |                                          |
| Area 18: Student Records                                                               |                              |                        |                                          |

**NOTE THAT ALL OTHER CRITERIA REVIEWED BY THE DEPARTMENT THAT ARE NOT MENTIONED ABOVE HAVE RECEIVED AN “IMPLEMENTED” OR “NOT APPLICABLE or NOT RATED” RATING.**

**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 or Not Rated</b> | The requirement does not apply to the private school program.                              |

**AREA 1: DEMONSTRATION OF NEED AND CAPACITY**

| <b>CRITERION NUMBER</b>                                                                                           | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1.2 Program &amp; Student Description, Program Capacity</p> <p>28.09(2)(A)(2);</p> <p>28.09(2)(B)(2, 3, 7)</p> | <p>A narrative is provided that describes:</p> <ul style="list-style-type: none"> <li>• Identified population of students to be served</li> <li>• Ages of students;</li> <li>• Educational characteristics;</li> <li>• Behavioral characteristics and</li> <li>• Philosophy, goals and objectives.</li> </ul> <ul style="list-style-type: none"> <li>• How each of the following educational services are implemented for the described student population of the program:               <ul style="list-style-type: none"> <li>○ The content requirements of the Massachusetts Curriculum Frameworks;</li> <li>○ Self-help, daily living skills;</li> <li>○ Social/emotional needs;</li> <li>○ Physical education; adapted physical education;</li> <li>○ Pre-vocational, vocational, and career education;</li> <li>○ English language support (for limited English proficient students) and</li> <li>○ Other: any other specialized educational service(s) provided by the program.</li> </ul> </li> <li>• How each of the following related services is or will be provided for the described student population of the program whose IEPs indicate such services:               <ul style="list-style-type: none"> <li>○ Transportation;</li> <li>○ Braille needs (blind/visually impaired);</li> <li>○ Assistive technology devices/services;</li> <li>○ Communication needs (all students including deaf/hard of hearing students);</li> <li>○ Physical therapy;</li> <li>○ Occupational therapy;</li> <li>○ Recreation services;</li> <li>○ Mobility/orientation training;</li> <li>○ Psychological services, counseling services, rehabilitation counseling services, social work services;</li> <li>○ Parent counseling and training;</li> <li>○ Health services, medical services and</li> <li>○ Other (e.g., music therapy, sensory integration therapy).</li> </ul> </li> <li>• How the kinds of supplementary aids and services available for students in the program is or will be provided:               <ul style="list-style-type: none"> <li>○ Supplementary aids and services are defined as “those aids and services – which are not ‘specially designed instruction or related services’ – which</li> </ul> </li> </ul> |

| CRITERION NUMBER |                                                                                                                                                                                                                                                                                                                                                                                |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                  | Legal Standard                                                                                                                                                                                                                                                                                                                                                                 |
|                  | enable eligible students to be educated to the maximum extent possible with non-disabled students.” These may include aids and services that would typically be available in a less restrictive setting, and their availability would be helpful when the student can be placed in a less restrictive placement (e.g., adapted text, enlarged print, graph paper, peer tutor). |
|                  | <b>Rating: Implemented</b> RESPONSE REQUIRED: <b>No</b>                                                                                                                                                                                                                                                                                                                        |

|                                                                                    |
|------------------------------------------------------------------------------------|
| <b>AREA 2: ADMINISTRATION – APPROVALS, LICENSES AND CERTIFICATES DOCUMENTATION</b> |
|------------------------------------------------------------------------------------|

| CRITERION NUMBER                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                             | Legal Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 2.2 Approvals, Licenses, Certificates of Inspection<br><br>18.04(1);<br>28.09(2)(b)(5);<br>28.09(5) (b);<br>28.09(6) (b, c) | The program has current licenses, approvals, and certificates of inspection by state and local agencies. <ul style="list-style-type: none"> <li>• Safety Inspection. The program shall have an appropriate certificate of inspection from the Department of Public Safety or the local building inspector for each building to which students have access;</li> <li>• Fire Inspection. The program shall obtain a written report of an annual fire inspection from the local fire department;</li> <li>• Lead paint inspection (if facility was built prior to 1978). All buildings, residential or otherwise, utilized by children younger than six or with a mental age younger than six shall be free of lead paint;</li> <li>• Local Board of Health permit if providing food services;</li> <li>• Asbestos inspection or date when building was constructed and statement from appropriate authority that building is asbestos free (if Asbestos is present then a containment plan);</li> <li>• Statement regarding the non-existence of PCBs, or, if PCBs are present then a containment plan; and</li> <li>• Other inspections that may be required by local or state authorities</li> </ul> |
|                                                                                                                             | <b>Rating: Implemented</b> RESPONSE REQUIRED: <b>No</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |





| CRITERION NUMBER |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                  | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                  | transport by school staff (including contracted staff) which requires medical attention; <ul style="list-style-type: none"> <li>• Massachusetts student serious injury requiring emergency medical intervention resulting from a restraint</li> <li>• Massachusetts student run away;</li> <li>• Emergency termination of a Massachusetts student under circumstances in which the student presents a clear and present threat to the health and safety of him/herself or others pursuant to 18.05(7)(d); and</li> <li>• Any other incident of serious nature that occurs to a Massachusetts student.</li> </ul> |
|                  | <b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**AREA 5: ADMINISTRATION AND ADMISSION PROCEDURES**

| CRITERION NUMBER                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                         | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 5.1 Student Admissions<br><br>28.09(11);<br>18.05(1)(b)(1-17); 18.05(2);<br>18.05(3)(c) | The program develops and implements a written admissions policy that includes the following: <ul style="list-style-type: none"> <li>• A statement that the program maintains a copy of its policies and procedures manual on site;</li> <li>• A statement that the program provides written notice to the parents of the enrolled students that copies of its policies and procedures manual are available upon request;</li> <li>• Admission criteria;</li> <li>• Admissions procedures;</li> <li>• Information required from referring school districts as part of the application process;</li> <li>• Procedures followed to determine whether the student will be admitted;</li> <li>• <b>(For Residential Programs Only)</b> Procedures to prepare staff and students in the living unit for the new student’s arrival;</li> <li>• A statement that prior to admission documentation is required from a licensed physician of a complete physical examination of the student not more than twelve (12) months before admission;</li> <li>• A statement that in the event of emergency placements, the school shall make provisions for a complete examination of the student within 30 days of admission; and</li> <li>• A statement that prior to admission, and upon request, the Director of the program or designee will be available to the parents, student and the public</li> </ul> |

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| <b>CRITERION NUMBER</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                         | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                         | school for an interview. The interview shall include an explanation of the school's purpose and services, policies regarding student and parent rights including student records, the health program including the procedures for providing emergency health care, and the procedure for termination of a student. The interview will allow for the opportunity for the student and parents to see the facilities, meet the staff members and to meet other enrolled students. |
|                         | <b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>                                                                                                                                                                                                                                                                                                                                                                                     |

|                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <b>CRITERION NUMBER</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                         | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 5.2(a)<br>Contracts     | There shall be a written contract for each enrolled student consistent with the requirements of 603 CMR 28.06(3)(f).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 28.06(3)(f)             | <p>Written contracts: School districts shall enter into written contracts with all out-of-district placements. Each contract shall include, but not be limited to, the following terms:</p> <ol style="list-style-type: none"> <li>1. The out-of-district placement shall comply with all elements of the IEP for the student and shall provide, in writing, to the Administrator of Special Education detailed documentation of such compliance through completion of required student progress reports.</li> <li>2. The out-of-district placement shall allow the placing school district to monitor and evaluate the education of the student and shall make available, upon request, any records pertaining to the student to authorized school personnel from the school district and the Department in accordance with 603 CMR 23.00: <i>Student Records</i></li> <li>3. The out-of-district placement shall allow the placing school district and/or the Department to conduct announced and unannounced site visits and to review all documents relating to the provision of special education services to Massachusetts students at public expense. Access to documents for the placing school district shall include general documents available to the public, documents specifically related to the student placed by such district, and other documents only to the extent they are necessary to verify and evaluate education services provided at public expense.</li> <li>4. The out-of-district placement shall afford publicly-funded students all the substantive and procedural rights held by eligible students, including but not limited to those specified in 603 CMR 28.09, and shall comply with all other applicable requirements of 603 CMR 28.00 and applicable policy statements and directives issued by the Department.</li> <li>5. No school district shall contract with any out-of-district placement that discriminates on the grounds of race, color, religion, sexual orientation, or</li> </ol> |





**AREA 8: EDUCATIONAL PROGRAM REQUIREMENTS –  
INDIVIDUALIZED EDUCATION PROGRAMS**

| CRITERION NUMBER                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                          | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 8.4 Program Modifications and Support Services for Limited English Proficient Students<br><br>M.G.L. c. 71A;<br>Title VI | <p>The program shall develop a written plan to implement necessary program modifications and support services to identify and effectively serve limited English proficient (LEP) students. Such program modifications and support services comply with applicable state law (M.G.L. c. 71A) and federal law (Title VI).</p> <ul style="list-style-type: none"> <li>• The program must acknowledge it is responsible to serve LEP students.</li> <li>• The program must affirm its willingness to accept students with LEP into its program.</li> <li>• The student must be afforded the same opportunity to access and participate in the program’s services, activities and other benefits as all other students.</li> <li>• Unless the student’s IEP specifies otherwise, the student must receive: <ul style="list-style-type: none"> <li>○ sheltered content instruction from a trained and qualified teacher; and</li> <li>○ additional instruction in English as a Second Language by a certified ESL teacher.</li> </ul> </li> </ul> |
|                                                                                                                          | <b>Rating: Implemented</b> RESPONSE REQUIRED: <b>No</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

| CRITERION NUMBER                                    |                                                                                                                                                                                                                                          |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                     | <b>Legal Standard</b>                                                                                                                                                                                                                    |
| 8.5 Current IEP & Student Roster<br><br>28.09(5)(a) | <p>The program has on file a current IEP for each enrolled Massachusetts student that has been issued by the responsible public school district and consented to and dated by the student’s parent(s) (or student, when applicable).</p> |
|                                                     | <b>Rating: Implemented</b> RESPONSE REQUIRED: <b>No</b>                                                                                                                                                                                  |

| CRITERION NUMBER   |                                                                                                                                                                      |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    | <b>Legal Standard</b>                                                                                                                                                |
| 8.8 IEP – Progress | <p>Progress Reports and Content</p> <ul style="list-style-type: none"> <li>• Parents receive reports on the student’s progress towards reaching the goals</li> </ul> |

| CRITERION NUMBER                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Reports<br><br>28.07(3);<br>34 CFR<br>300.320(a)<br>(3)(i, ii) | set in the IEP at least as often as parents are informed of the progress of students without disabilities; <ul style="list-style-type: none"> <li>• Progress Report information sent to parents includes written information on the student's progress toward the annual goals in the IEP; and</li> <li>• <u>The program shall send copies of progress reports to the parents and public school.</u></li> </ul> <p><b>NOTE:</b> IEP must contain a description of:</p> <ul style="list-style-type: none"> <li>• How the child's progress toward meeting the annual goals will be measured; and</li> <li>• When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided.</li> </ul> |
|                                                                | <b>Rating: Partially Implemented</b> RESPONSE REQUIRED: <b>Yes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

**Department of Elementary and Secondary Education Comments:**

*Student record review indicated that progress reports do not always include information on the student's progress toward the annual goals and benchmarks in the IEP.*

**AREA 9: EDUCATIONAL PROGRAM REQUIREMENTS – STUDENT DISCIPLINE AND BEHAVIOR MANAGEMENT**

| CRITERION NUMBER                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                                         | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 9.1 Policies and Procedure for Behavior Management<br><br>18.03(7)(b) (2); 18.05(5, 6, 7);<br>28.09(11); 603 CMR 46.00;<br>ESE Advisory on Restraint in | The program develops and implements a comprehensive set of policies and procedures dealing with discipline and behavior management that meet all federal and state special education requirements.<br><br>The policy must include a description of the behavior management procedures used in the facility including the following if applicable: <ul style="list-style-type: none"> <li>• Level/point systems of privileges, including procedures for the student's progress in the program;</li> <li>• The type and range of restrictions a staff member can impose for unacceptable behavior, including suspension and termination;</li> <li>• The form of restraint used in an emergency; the behavioral interventions used as alternatives to restraint, and the controls on abuse of such</li> </ul> |

| CRITERION NUMBER                          |                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                     |
| Special Education Programs dated 12/20/05 | <p>restraints (See 603 CMR 46.00 and 12/20/05 ESE Advisory on Restraint); and</p> <ul style="list-style-type: none"> <li>Any denial or restrictions of on-grounds program services.</li> </ul> <p><b>NOTE:</b> Meals shall not be withheld as a form of punishment or behavior management. No student shall be denied or unreasonably delayed a meal for any reason other than medical prescriptions.</p> |
|                                           | <b>Rating: Implemented</b> RESPONSE REQUIRED: <b>No</b>                                                                                                                                                                                                                                                                                                                                                   |

| CRITERION NUMBER                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                                                                 | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 9.1(a) Student Separation Resulting from Behavior Management<br><br>18.05(5)(i);<br>18.05(6, 7);<br>46.02(5)(b) | <p>If the program’s behavior management policy and procedures result in a student being separated in a room apart from the group or program activities, it shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> <li>Guidelines for staff in the utilization of such an area;</li> <li>Persons responsible for implementing such procedures;</li> <li>The duration of the procedures including procedures for approval by the chief administrative person or his/her designee for any period longer than 30 minutes;</li> <li>Requirement that students shall be observed at all times and in all parts of the room, and that the staff shall be accessible at all times; and</li> <li>A means of documenting the use of time-out for an individual student, including, at a minimum, length of time, reasons for this intervention, who approved the procedure, and who monitored the student during the time out. <ul style="list-style-type: none"> <li>Time out rooms shall not be locked.</li> <li>Any room or space used for the practice of separation must be physically safe and appropriate to the population served by the facility.</li> </ul> </li> </ol> |
|                                                                                                                 | <b>Rating: Partially Implemented</b> RESPONSE REQUIRED: <b>Yes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**Department of Elementary and Secondary Education Comments:**

*Documentation review indicated that the logs used to track time out-of-class do not include who approved a student being out-of-class in a “processing room” over 30 minutes and who monitored the student during these times.*

| CRITERION NUMBER |                                                                              |
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|                  | <b>Legal Standard</b>                                                        |
| 9.4 Physical     | The program shall have a written policy on the use of physical restraint and |

| CRITERION NUMBER                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                                                                           | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Restraint<br><b>(Day programs only)</b><br><br>18.05(5); 603<br>CMR 46.00 | administer physical restraint in accordance with the requirements of 603 CMR 46.00.<br><br>The policy and procedures must include the following: <ul style="list-style-type: none"> <li>• Parent/guardian consent to the implementation of restraint pursuant to the program's policy must be obtained annually.</li> <li>• The use of chemical or mechanical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent or guardian.</li> <li>• The use of seclusion restraint is prohibited.</li> <li>• Methods for preventing student violence, self-injurious behavior, and suicide, including de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student;</li> <li>• A description and explanation of the school's or program's method of physical restraint,</li> <li>• A description of the program's training requirements for all staff and intensive training for staff who serve as restraint resources for the program,</li> <li>• Reporting requirements and follow-up procedures for reports to parents/guardians and to the Department,</li> <li>• A procedure for receiving and investigating complaints regarding restraint practices.</li> <li>• Floor or prone restraints shall be prohibited unless the staff member administering the restraint has received in-depth training according to the requirements of 603 CMR 46.03(3) and, in the judgment of the trained staff member, such method is required to provide safety for the student or others present.</li> <li>• The director or his/her designee shall maintain an on-going record of all instances of physical restraint, which shall be made available for review by the Department of Elementary and Secondary Education, upon request,</li> </ul> <p><b>NOTE:</b> A residential educational program must comply with the EEC restraint requirements contained in 102 CMR 3.00 for all students enrolled in such program.</p> |
|                                                                           | <b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| CRITERION NUMBER              |                                                                                                                                                                                                                                                |
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|                               | <b>Legal Standard</b>                                                                                                                                                                                                                          |
| 9.5<br>3-5 Day<br>Suspensions | The program shall develop and implement a written policy on suspensions and provide a copy to the parents and to the school district and/or human service agency that placed the student. Such policy shall contain the following information: |











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| <b>CRITERION NUMBER</b> |                                                                                                                                                   |
|                         | <b>Legal Standard</b>                                                                                                                             |
|                         | The number of special education teachers and the number of general education teachers must correspond with the most recently approved ESE budget. |
|                         | <b>Rating: Partially Implemented</b> RESPONSE REQUIRED: <b>Yes</b>                                                                                |

**Department of Elementary and Secondary Education Comments:**

*Documentation review indicated that one teacher who is listed on the Cottage Hill Academy's Teacher Roster as a special education teacher is not appropriately licensed.*

|                                   |                                                                                                                                                                                                                                                                                                                                                                           |
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| <b>CRITERION NUMBER</b>           |                                                                                                                                                                                                                                                                                                                                                                           |
|                                   | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                     |
| 11.5<br>Related<br>Services Staff | All staff providing or supervising the provision of related services (including consultants) shall be appropriately certified, licensed or registered in their professional areas.                                                                                                                                                                                        |
| 28.09(7)(d)                       | Any staff members providing educational interpreting for students who are deaf or hard of hearing must be registered through the Massachusetts Commission for the Deaf and Hard of Hearing. This includes staff members who are identified as educational interpreters or oral transliterators or someone who fulfills that role but is not identified as an interpreter. |
|                                   | <b>Rating: Partially Implemented</b> RESPONSE REQUIRED: <b>Yes</b>                                                                                                                                                                                                                                                                                                        |

**Department of Elementary and Secondary Education Comments:**

*Documentation review indicated that at Cottage Hill Academy two clinicians are not licensed by the state Board of Registration. Additionally, at the Educational Day Program three clinicians are not licensed by the state Board of Registration.*

|                             |                                                                                                                                                                                                                                                                                                                                           |
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| <b>CRITERION NUMBER</b>     |                                                                                                                                                                                                                                                                                                                                           |
|                             | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                     |
| 11.6 Master<br>Staff Roster | The program maintains a master list of ALL staff for every position within the program. The staff positions shall correspond to the last ESE approved Program Budget. This list must include job titles along with their corresponding UFR title numbers and full-time equivalents (FTE's). This list may include, but is not limited to: |
| 28.09(7)                    |                                                                                                                                                                                                                                                                                                                                           |



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

| CRITERION NUMBER                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                             | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 12.1 New Staff Orientation and Training<br><br>18.05(11)(g, i); 28.09(7)(f) | <p>The program shall develop and implement a written plan for new staff orientation and training that is consistent with the needs of the student population and includes an orientation-training program which includes the following:</p> <ul style="list-style-type: none"> <li>• Program’s philosophy</li> <li>• Organization</li> <li>• Program</li> <li>• Practices</li> <li>• Goals</li> <li>• ESE required topics (12.2 a-e)</li> <li>• Provisions for orientation of intern, volunteers or others who work at the program, if applicable.</li> </ul> <p><b>NOTE:</b> New staff may not be assigned direct care duties with students until they have participated in all mandated trainings listed under criterion 12.2 a-e through their orientation program.</p> |
|                                                                             | <b>Rating: Partially Implemented</b> RESPONSE REQUIRED: <b>Yes</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

**Department of Elementary and Secondary Education Comments:**

*While YOU, Inc has developed a written plan for new staff orientation and training that is consistent with the needs of the student population and provides an orientation-training program that includes all of the required trainings, the Department’s onsite team was not able to verify through personnel record reviews that all new staff receive the required trainings prior to being assigned direct care duties with students.*

| CRITERION NUMBER                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                        | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 12.2 In-Service Training Plan and Calendar<br><br>28.09(7)(f); 28.09(9)(b); 28.09(10); | <p>All staff, including new employees, interns and volunteers, must participate in annual in-service training on average at least two hours per month.</p> <p>The following topics are <u>required</u> in-service training topics and <u>must</u> be provided annually to <u>all staff</u>:</p> <ol style="list-style-type: none"> <li>a. Reporting abuse and neglect of students to the Department of Children and Families and/or the Disabled Persons Protection Commission;</li> <li>b. Disciplinary and Behavior Management Procedures used by the program, such</li> </ol> |









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| <b>CRITERION NUMBER</b>                                |                                                         |
|                                                        | <b>Legal Standard</b>                                   |
| U.S.C. 1703(f);<br>M.G.L. c. 76, § 5; 603 CMR 26.02(2) |                                                         |
|                                                        | <b>Rating: Implemented</b> RESPONSE REQUIRED: <b>No</b> |

|                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <b>CRITERION NUMBER</b>                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                           | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 15.5 Parent Consent and Required Notification<br><br>18.05(5)(c);<br>18.05(8);<br>18.05(9)(f)(1);<br>18.05 (9)(j);<br>M.G.L. c. 71, § 32A | <p>The program shall develop and implement policy and procedures to work with school districts to obtain the following consents:</p> <ul style="list-style-type: none"> <li>• <b><u>Annual:</u></b> <ul style="list-style-type: none"> <li>○ Emergency medical treatment</li> <li>○ Restraints</li> <li>○ Medication Administration (when applicable)</li> </ul> </li> <li>• <b><u>When applicable:</u></b> <ul style="list-style-type: none"> <li>○ Research</li> <li>○ Experimentation</li> <li>○ Fundraising</li> <li>○ Publicity and</li> <li>○ Observation</li> </ul> </li> </ul> <p>The program’s policy and procedures shall include, when applicable, notification pursuant to Parental Notification Law M.G.L. c. 71, § 32A concerning curriculum that primarily involves human sexual education or human sexuality issues.</p> |
|                                                                                                                                           | <b>Rating: Implemented</b> RESPONSE REQUIRED: <b>No</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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| <b>CRITERION NUMBER</b>                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                       | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 15.8 Registering Complaints and Grievances – Parents, | <ul style="list-style-type: none"> <li>• The program shall develop, implement and make available to <b>parents and, when applicable, students</b> a set of written procedures that may be used to register complaints regarding the student’s education and care at the school program that includes specific timelines and the appeals process.</li> <li>• The program must also adopt and publish grievance procedures for <b>students</b></li> </ul> |

| CRITERION NUMBER                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                                                                                                                               | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Students and Employees<br><br>18.05(1)(b) (16);<br>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 U.S.C. 12132; 28 CFR 35.107 | providing for prompt and equitable resolution of complaints alleging discrimination based on legally protected categories (race, color, national origin, gender, religion, sexual orientation, disability) that includes specific timelines and the appeals process.<br><br><ul style="list-style-type: none"> <li>The program must also adopt and publish grievance procedures for <b>employees</b> providing for prompt and equitable resolution of complaints alleging discrimination based on legally protected categories (race, color, national origin, gender, religion, sexual orientation, disability) that includes specific timelines and the appeals process.</li> </ul> |
|                                                                                                                                                                               | <b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| <b>AREA 16: HEALTH AND MEDICAL SERVICES</b> |
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| CRITERION NUMBER                                                                |                                                                                                                                                                                                                                                                                                       |
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|                                                                                 | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                 |
| 16.2 Physician Consultation<br><br>18.05(9)(a) M.G.L c. 71, §§ 53, 53A, and 53B | The program shall have a licensed physician available for consultation.<br><br><b>NOTE:</b> School Physician means a physician appointed by a School Committee or Board of Health in accordance with M.G.L c. 71, §§ 53, 53A, and 53B or, in the case of a private program, by the Board of Trustees. |
|                                                                                 | <b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>                                                                                                                                                                                                            |

| CRITERION NUMBER |                       |
|------------------|-----------------------|
|                  | <b>Legal Standard</b> |

| CRITERION NUMBER                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                                                                            | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 16.3 Nursing<br><br>18.05(9)(b)<br>M.G.L c. 112<br>M.G.L. c. 71,<br>§§ 53, 53A,<br>and 53B | The program shall have a registered nurse available depending upon the health care needs of the program's population.<br><br><b>NOTE:</b> School Nurse means a nurse practicing in a school setting, who is:<br>(1) a graduate of an approved school for professional nursing;<br>(2) currently licensed as a Registered Nurse pursuant to M.G.L c. 112; and<br>(3) appointed by a School Committee or a Board of Health in accordance with M.G.L. c. 71, §§ 53, 53A, and 53B or, in the case of a private school, by the Board of Trustees. |
|                                                                                            | <b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

| CRITERION NUMBER                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                  | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 16.4<br>Emergency<br>First Aid and<br>Medical<br>Treatment<br><br>18.05(9)(e, f) | The program shall have develop and implement policies and procedures for emergency first aid and medical treatment, including: <ul style="list-style-type: none"> <li>• No emergency first aid or medical treatment is administered to a student without written authorization from a parent. Such authorization shall be renewed annually;</li> <li>• 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;</li> <li>• Easy access to first aid supplies in major activities areas;</li> <li>• Procedures to be followed in the case of illness or emergency, including methods of transportation and notification of parents;</li> <li>• A procedure for informing parents or the Department of Children and Families if appropriate of any medical care administered to their child other than basic first aid. (For students in the Department of Children and Families care or custody, an Educational Surrogate Parent shall not have authority to consent to routine or other medical care. For such students, consent shall be obtained consistent with the applicable Department of Children and Families requirements); and</li> <li>• Procedures to be followed in the case of illness or emergency if parents cannot be reached.</li> </ul> |
|                                                                                  | <b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |







| CRITERION NUMBER                                   |                                                                                                                                                                                                                                                   |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                    | <b>Legal Standard</b>                                                                                                                                                                                                                             |
| 16.12 No Smoking Policy<br><br>M.G.L. c. 71, § 37H | The program shall develop and implement a written policy that prohibits the use of any tobacco products within the program buildings, the program facilities or on the program grounds or on buses by any individual, including school personnel. |
|                                                    | <b>Rating: Implemented</b> <span style="float: right;"><b>RESPONSE REQUIRED: No</b></span>                                                                                                                                                        |

**AREA 18: STUDENT RECORDS**

| CRITERION NUMBER                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                                                                                                               | <b>Legal Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 18.1 Confidentiality of Student Records<br><br>28.09(5)(a);<br>28.09(10);<br>23.07(1);<br>M.G.L. c. 71, § 34H | <p>Programs shall keep current and complete files for each publicly funded enrolled Massachusetts student and shall manage such files consistent with the Massachusetts Student Record Regulations of 603 CMR 23.00 and M.G.L. c. 71, § 34H.</p> <ul style="list-style-type: none"> <li>• The program shall make the individual records of enrolled Massachusetts students available to the Department of Elementary and Secondary Education upon request.</li> <li>• Staff notes or reports regarding a student shall be legibly dated and signed by persons making entries.</li> <li>• A log of access shall be kept as part of each student’s record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: <ul style="list-style-type: none"> <li>○ the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information;</li> <li>○ the date of access;</li> <li>○ the parts of the record to which access was obtained; and</li> <li>○ the purpose of such access.</li> </ul> </li> </ul> <p><b>NOTE:</b> Unless student record information is to be deleted or released, this log requirement shall not apply to authorized personnel who inspect the student record, administrative office staff and clerical personnel who add information to or obtain</p> |



PRIVATE SCHOOL PROGRAM REVIEW REPORT 2010.doc

File Name: YOU, Inc. Program Review Report

Last Revised on: September 1, 2010

Prepared by: DLC