



The Commonwealth of Massachusetts Department of Education

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October 26, 2004

Mr. David Hirshberg
Executive Director
Germaine Lawrence School
18 Claremont Avenue
Arlington, MA 02474

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

Dear Mr. Hirshberg:

Enclosed is the Department's Program Review Follow-up Monitoring Report together with findings regarding your private school's Mid-Cycle Program Review. This report contains the Department's findings based on the onsite activities conducted in your school to verify the implementation status and effectiveness of corrective steps taken in response to your Program Review Report issued on October 19, 2001. This report also includes a report on the status of implementation for new state or federal special education requirements enacted since your school's last Program Review.

While the Department of Education found certain noncompliance issues to be resolved, others were partially corrected, not addressed at all and/or new issues were identified by the Department's onsite team. Therefore, the Department is issuing a "Provisional Approval" status effective from the date of this letter and indicated on your approval certificate. Your "Provisional Approval" will expire on April 25, 2005. The reasons for the "Provisional Approval" are clearly indicated on the attached Corrective Action Plan Implementation Checklist.

In areas where the private school has failed to implement fully its approved Corrective Action Plan, the Department views these findings to be serious.

As the Department previously informed you, in cases where a private school fails to fully and effectively implement a Corrective Action Plan which was proposed by your school and approved by the Department, the Department must then prepare a Corrective Action Plan for the school which must be implemented without further delay. You will find these requirements for corrective action and further progress reporting included in the attached report together with any steps that must be taken by the school to fully implement new special education requirements. Please provide the Department with your written assurance that the Department's requirements for corrective action will be implemented by your private school within the timelines specified. Your statement of assurance must be submitted to the Department Liaison by **October 15, 2004**. The private

school must demonstrate the specific steps to be taken to come into substantial compliance with all identified areas requiring corrective action by **November 29, 2004**. Pending the outcome of review of these steps, the Department will determine whether or not sanctions in the form of "Probationary Approval" status and/or a closing of the private school's intake are necessary at that time.

Your staff's cooperation throughout these follow-up monitoring activities is appreciated. Should you require additional clarification of information included in our report, please do not hesitate to contact the school's liaison at 781-338-3711.

Sincerely,

Nina M. Marchese, M.Ed.
Program Review Follow-up Chairperson
Program Quality Assurance Services

John D. Stager, Administrator
Program Quality Assurance Services

c: David P. Driscoll, Commissioner of Education

Janet Glidden, Chairperson, Board of Directors
326 Sargent Road, Boxborough, MA 01719

Carolyn J. Wilson, M.Ed. Acting Supervisor

Encl.: Follow-up Monitoring Report

**MASSACHUSETTS DEPARTMENT OF EDUCATION
PROGRAM REVIEW**

Germaine Lawrence

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

Action Plan Submitted on
Progress Reports Submitted on
Onsite Visit Conducted on August 9-11, 2004
Date of this Report: October 26, 2004

****The criterion number and topics listed in the first column in bold are the items that were partially or not implemented in the final report of the program review. The other criterion number and topics listed in the first column are from the mid-cycle procedures.**

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1.2 Teacher Certification	Please refer to criterion 11.4					
1.3 Related Services Staff	Please refer to criterion 11.5.					
1.3 Program's Curriculum 28.09(9)	Partially implemented	Documentation Interviews	The teachers in each subject area develop the curriculum for students in each class.	Not Fully Implemented	Documentation indicated that the program's curriculum needs to be formally developed for each subject area required by the Curriculum Frameworks. The school needs to have a centralized curriculum that teachers can	Provide an outline of how the curriculum will be developed with specific timeframes for each subject area by November, 2005. Notify the Department when the curriculum is developed and aligned with the Curriculum Frameworks for each subject area. Submit the curriculum to the

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					follow so that students are offered opportunities to participate in subject matters that are appropriate to their age and educational level.	Department no later than June 1, 2005.
2.1 Program & Student Description	√	Documentation Interviews	The school offers parents and sending districts copies of all policies and procedures upon admission.			
2.2 Advanced Notice of Program/ Facility Change	Refer to criterion 4.4.					

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2.2 Approvals, Licenses, Certificates of Inspection 28.09 (2)(b)4-5 28.09(5) 28.09(6) 18.04(1) 102 CMR 3.06 (4)(b)	Partially implemented	Documentation	The school maintains most of the current licenses, approvals and certificates of inspection by state and local agencies in a place available for public and employee review as required.	Partially not implemented	Documentation review indicated that that the following three approvals, licenses or certificates of inspection were not submitted and/or current: <ol style="list-style-type: none"> 1) Approval by the local school committee; 2) Asbestos inspection 3) PCB inspection 	Provide copies of the three required approvals, licenses or certificates of inspections to the Department by February 1, 2005.
2.3 Immediate Notification	Refer to criterion 4.5.					

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2.3 OCCS Licensure (Not Applicable to Day Schools)		Documentation	Each of the programs has a current full license from the Office of Child Care Services to operate as a residential school.			
2.4 Public Information and Postings	√	Observation	The school posts first aid, emergency medical procedures and emergency telephone numbers in an area accessible to employees and visitors in case of emergency.			
3.3 Implementation Educational and Related Services	Refer to criterion 8.4.					

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4.2 Discipline and Behavior Management	✓ ✓	Interviews	Teachers and staff at the school are consistently implementing discipline, guidance and behavior management procedures	✓		
4.3 Restraint Procedures		Student record review		Not implemented	The school does not maintain consents to implement restraints according to 603 CMR 46.00 in each student's record prior to their admission to the program.	Provide a copy of the restraint consent form that the school will use that is appropriate to meet the needs of the students and follows the regulations to the Department by February 1, 2005 . Also include a list of all students in the program that indicates if they have a current, signed restraint consent form in their student record.

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4.4 Runaway Procedures	Refer to criteria 4.5 and 12.2(a).					
4.4 Advanced Notice of Program/ Facility Change 28.09(5)(c)	Partially implemented	Documentation Interviews	The school has notified the Department advanced notice of a program or facility change on several occasions.	Partially not implemented	The school did not notify the Department on the elimination of the behavior management system shalom, which is a significant change in the policies and procedures.	Develop a policy that meets the requirements of criterion 4.4 and includes all appropriate advanced notifications to the Department. Provide a copy of the policy to the Department by February 1, 2005.
4.5 Student IEP's	Partially implemented	Documentation Interviews Student record review	The school has recorded some conversations and attempts to communicate with the responsible school district to ensure that all appropriate	Partially not implemented	The school needs to develop a more formal procedure for documenting such efforts in a consistent manner for all	Provide copies of the summaries of contacts made, either by letter or phone log for all students who do not have a current IEP. Provide the documentation to the

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			students have a current IEP.		students. The notes maintained need to be more specific in regard to the reason, outcome and follow-up of the communication with the responsible school district.	Department by February 1, 2005.
4.5 Immediate Notification 18.03(10) 18.05(7) 28.09(12)	Partially implemented	Policies and Procedures Manual Documentation Student record review	The school has improved notification to the Department on serious incidents as required.	Partially not implemented	Documentation indicates that the policy on immediate notification does not include all required elements and procedures, including appropriate follow-up to the Department regarding serious	Update the policy and procedure specific to immediate notification that includes all required steps according to criterion 4.5 and regulated by 603 CMR 18.03(10), 603 CMR 18.05(7) and 603 CMR 28.09(12). Provide a copy of the updated policy to the

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					incidents and appropriate notification to all required parties is not maintained in the individual student records.	Department by February 1, 2005.
4.6 Student Suspensions		Documentation Interviews Student record review		Not implemented	The school does not have written procedures of how parents and responsible school districts will be notified when a suspension occurs. Absence records have not been expanded to reflect the reason(s)	Provide a copy of the policy specific to the suspension of students. The policy must specify the requirements of 3-5 day suspensions and 10+ day suspensions by February 1, 2005. Provide attendance records that specifies the reason(s) the student was absent from

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					the student was absent from school. A staff person who monitors the number and duration of student suspensions has not been identified.	school by February 1, 2005 . Identify the staff person who is responsible for monitoring the number and duration of student suspensions by November 1, 2004 .
4.7 Student Suspensions		Documentation Interviews Student record review		Not implemented	The school has not updated its' policy on the suspension of students to meet the current state and federal requirements.	Provide updated policies on 3-5 day suspensions that is in compliance with criterion 9.5 as regulated in 603 CMR 18.05(6) and a 10+ day suspension policy that is in compliance with criterion 9.6 as regulated by 34CFR 300.519-529. Provide these two policies to the Department by February 1,

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						2005.
5.3 Contents of Coordination and Collaboration with Public School Districts 28.06(2-3) 28.07(5) 28.09(9)(c)&(d) 28.09(2)(b)7 Federal Regulations: 300.349 and 300.400-401	Partially implemented	Documentation Interviews	The school maintains eight of the twelve policies that specify the contents and collaboration with public school districts.	Not fully implemented	The school does not have current policies: Contents and general arrangements for executing contracts with placing school districts; Documentation regarding student-related developments, including matters involving students' behavioral plans, functional behavioral assessments, manifestation determinations,	Provide copies of the four policies to the Department by February 1, 2005.

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	√				imposition of discipline; Preparations that are made for the student's return to a public school or other less restrictive setting; and School district monitoring of student progress.	
6.1 Daily Instructional Hours 603 C.M.R. 27.00	√	Documentation	The school provides an average annual minimum of 5 ½ hours per school day.			

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6.2 School Days per Year 28.09(9)	√ √	Documentation	The school is required to be in session for 216 days and is scheduled to be in session 218 days for the 2004-2005 school year.	√		
7.1 Curriculum Frameworks 28.09(9)(b)		Documentation Interviews		Not fully implemented	Interviews indicated that not all staff have an understanding of the connection between the Massachusetts Curriculum Frameworks and the expectations of the state for student performance as well as the rights of students	Provide a training regarding the Massachusetts Curriculum Frameworks and submit a copy of the training agenda and the attendance sheet that includes the name and position of each staff member who participates by February 1, 2005.

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					with disabilities to be full participants in the general curriculum. The school has not aligned its' curriculum with the Massachusetts Curriculum Frameworks. Refer to criterion 1.3.	
7.2 Annual In-Services Training Plan and Calendar	Refer to criterion 12.2.					
7.3		Documentation		Not	The school is not	Update the school's policy

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Staff Evaluations		Interviews Personnel records		implemented	following their own policy and procedure for evaluating staff annually.	and procedure regarding staff evaluations that is aligned with the career ladder reviews at the school. Provide a copy of the updated policy to the Department by February 1, 2005.
7.4 Child Abuse Reporting	√	Documentation	The school has a child abuse policy that meets the requirements.			
7.5 Emergency First Aid Training and CPR Certification	Refer to criterion 12.2.					
7.6	Refer to					

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Medication Training	criterion 12.2.					
8.1 Current IEP and Student Roster	Refer to criterion 8.4.					
8.2 Education Case Manager	√	Student record review Documentation	The school's student roster and the face sheets of the student records indicate that each student is assigned an educational case manager.			
8.4 Current IEP & Student Roster 28.09	Partially implemented	Documentation Student record review	Some of the students have current signed IEP's.	Not fully implemented	At the time of the mid-cycle, the school had eight (8) students whose IEP's had	Provide an IEP & student roster to the Department that specifies the initials of each student the beginning and

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	<p style="text-align: center;">√</p>	<p>review</p> <p>Interviews</p>		<p style="text-align: center;">√</p>	<p>whose IEP's had expired and fifteen (15) students without an IEP.</p>	<p>student, the beginning and ending of their current IEP, the name of the sending school liaison and if the sending school district, parents/guardians have signed the IEP by February 1, 2005. If the IEP is not signed, please include copies of letters or phone logs of attempts to obtain such information from the sending school district.</p>
<p>8.5 IEP – Progress Reports</p>		<p>Student record review</p>		<p>Not implemented</p>	<p>The progress reports written by the school do not consistently reflect the extent of progress toward the</p>	<p>Provide all staff who write progress reports with training on writing progress reports that reflect the student's current progress</p>

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					students' IEP goals and objectives. A cover letter and/or log sheet must be maintained in the student record that indicates when and to whom the progress reports were mailed.	and expected progress towards her IEP goals. Provide a copy of the agenda, the attendance sheet that specifies the name and position of each person who attends the training by February 1, 2005 . Submit a random sample of the progress reports of five (5) students that includes the cover letter and/or log sheet that indicates when and to whom the progress reports were mailed by February 1, 2005 .
8.9 IEP- Less Restrictive		Documentation Interviews		Not implemented	The school does not have a policy that ensures that there are	Provide a policy specific to the ability for students to participate in less restrictive

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Placement 28.09(9(c))					procedures and mechanisms that maximize opportunities for enrolled students to gain the capacity to return to a less restrictive educational program, although the school does have a policy for transitions within the program.	placements to the Department by February 1, 2005.
9.1 Student Records	Refer to criterion 18.2.					
9.2 Student Records	Refer to criterion 18.2.					

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10.1 Student:Teacher Ratios 28.06(6)(d)&(g) 28.09(7)(e)	√	Documentation Interviews	The school ensures that instructional groupings do not exceed: <ul style="list-style-type: none"> a. 8 students to one certified teacher without an aide, or b. 12 students to one certified teacher with an aide. 	√		
10.2 Transition Program				Not implemented	The school does not address elements of the student's IEP when developing a transition plan. The school needs to have a more formal transition plan	Develop a policy and procedure specific to the transition needs of students and provide training to all staff regarding this policy. Provide a copy of the policy to the Department and

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					for all students over the age of fourteen (14).	include the training agenda, the names and positions of the employees who attend the training by February 1, 2005 .
10.3 Less Restrictive Program	√	Student record review Interviews	The school provides written notification to the parents and sending school district when the student is ready for a less restrictive program.			
10.4 Student: Child Care Ratios 28.09(7) 18.01(2)	√	Documentation Interviews Residential schedules	The school has a student to child care worker of: <ul style="list-style-type: none"> • Not lower than 4:1 nor greater than 6:1 during “non school-day” waking hours, 			

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			and <ul style="list-style-type: none"> • Not lower than 6:1 or greater than 8:1 during sleeping hours. 			
11.1 Personnel Policies 28.09(7) 28.09(11)(a) 18.05(11)	Partially implemented	Documentation	The school has four of the six policies current in their personnel policies and procedures.	Not fully implemented	The school does not have current policies for the following two requirements: A plan for using volunteer and/or intern services; and Consistent with the new state law effective on February 25, 2003, procedures for	Provide a copy of the plan for using volunteer and/or intern services and the policy that meets the current CORI regulations to the Department by February 1, 2005 .

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					accessing, considering and acting upon Criminal Offender Record Information (CORI) for current and prospective employees, volunteers, school transportation providers and other who may have direct and unmonitored contact with students.	
11.4 Teachers Special Education Teachers and Regular Education Teachers	√	Documentation Interviews Personnel record review	The school ensures that all teaching staff have teaching licenses or are on approved waivers issued by the Department of Education.			

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Teachers 28.09(7)(b)(c) 18.05(11)(f)	√					
11.5 Related Services Staff 28.09(7)(d)	√	Documentation Interviews Personnel record review	The school ensures that all staff providing or supervising the provision of related services are appropriately certified, licensed or registered by their respective state boards or professional associations.			
11.6 Master Staff Roster 28.09(7)	√	Documentation Interviews	The school maintains a master list of all staff for every position within the program that includes the job titles together			

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			with corresponding UFR title numbers and full-time equivalents (FTE's).			
11.9 Motor Vehicle Accidents	√	Student record review	The school submits form 2 documents and incident reports to the Department as necessary for motor vehicle accidents.			
11.9 Organizational Structure 28.09(7) 28.07(c)	√	Documentation Interviews	The school demonstrates that its organizational structure provides for the effective and efficient operation of the school, supervision of school staff and supervision of			

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			students.			
12.2 Annual In-Service Training Plan and Calendar 28.09(7)(f) 18.05(11)(h)	Partially implemented	Documentation Interviews Personnel record review	The school has an annual in-service calendar that includes opportunities for staff to receive training in all mandated areas required by the Department.	Not fully implemented	Interviews and a review of personnel records indicated that all staff do not receive annual training in all mandated areas. A review of the policy for the orientation for new staff indicates that the following mandated trainings are not provided to staff prior to their direct care duties with students: medication administration, runaway	Provide a copy of the procedure the school will be following to ensure that all staff receive the mandated trainings on an annual basis and that such training is recorded in their personnel record to the Department by February 1, 2005 . In the procedure, be sure to include the name of the person who is responsible for oversight of this procedure. Update the policy and agenda for the orientation training for new staff that clearly indicates

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	√			√	policy, transportation safety, student records policies and confidentiality, curriculum alignment and civil rights.	the mandated trainings as required by the Department. Provide a copy of the updated orientation training to the Department by February 1, 2005 .
12.2(a) Behavior Management and Restraint Training 28.09(11) 18.05(5)	Partially implemented	Documentation	The school has a student conduct/discipline code, a description of safeguards for students' emotional, physical and psychological well-being and a policy on the use of time-out procedures.	Partially not implemented	A review of documentation revealed that the school has suspension and termination policies that do not meet the current regulations.	Provide a copy of the updated suspension and termination policies to the Department by February 1, 2005 . See Criterion:
13.1 Student: Child Care Ratios	Refer to criterion 10.4.					
15.1	√	Documentation	The school has			

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Parental Involvement and Parents' Advisory Group 18.05(4)(a)		Interviews	developed a written plan for involving parents. The school has a Parents' Advisory Group that advises the school on matters that pertain to the education, health and safety of the students in the program.			
17.1 Runaway Policy		Documentation Interviews		Not implemented	The school needs to update its' policy specific to runaway students and specify the internal mechanisms for phone and paperwork follow-up so that staff are able to consistently implement such	Provide a copy of the updated policy regarding runaway students to the Department by February 1, 2005.

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					procedures.	
17.2 Runaway Policy Training	Refer to criterion 12.2.					
18.2 Student Records 28.09(10) MGL c. 71, s. 34H 603 CMR 23.00 Family Educational Rights and Privacy Act (FERPA)	Partially implemented	Student record review	The school has most information required on the student face sheets included.	Not fully implemented	The school does not have the following information consistently completed on student face sheets: <ul style="list-style-type: none"> • The home language • The name, address and telephone number of persons other than parents to 	Update all student face sheets that to includes all required information as required under criterion 18.2. Provide a random sample of the updated face sheets with complete information of five (5) students to the Department by February 1, 2005 .

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	<p style="text-align: center;">√</p>			<p style="text-align: center;">√</p>	<p>be contacted in case of emergency</p> <ul style="list-style-type: none"> • Sex, race, height, color of eyes, color of hair and identifying marks • Any medical conditions • A recent picture 	
<p style="text-align: center;">21.1 Indoor Space</p>	<p style="text-align: center;">√</p>	<p>Observation Interviews</p>	<p>The school has made improvements in the conditions of the floors,</p>			

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			ceilings and walls to ensure that they are clean and free from sharp or protruding objects.			
21.2 Radiator Covers	√	Interviews	The school has asked to the Department to waive this requirement.			
22.3 Health Care Policies and Procedures	Partially implemented	Documentation	The school has some health care policies and procedures.	Not fully implemented	The school does not have policies and procedures on items b., e., f., g. and h. under criterion 22.3 (now criterion 3.3) that meet current regulatory requirements.	Provide copies of five (5) policies to the Department by February 1, 2005 .

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22.4 Administration of Medication	Partially implemented	Documentation	The school has one (1) of the ten (10) requirements of the administration of medication policy included.	Partially not implemented	The school does not have a policy that meets the requirements of nine (9) of the required areas for the administration of medication to students as required under current criterion of 16.5..	Provide a copy of the policy for the administration of medication to the Department that meets all requirements of 22.4 by February 1, 2005 .
22.5 Administration of Antipsychotic Medication	Partially implemented	Documentation	The school has some of the requirements of the administration of antipsychotic medication included in various sections throughout the health care policy and procedure manual.	Not fully implemented	The school does not have one comprehensive policy on the administration of antipsychotic medication that includes all requirements as listed under criterion 22.5	Provide a copy of one comprehensive policy on the administration of antipsychotic medication that includes all requirements to the Department by February 1, 2005 .

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					(current criterion 16.6).	
22.6 Preventive health care of students		Documentation		Not implemented	The school does not have healthcare policy specific to the provision for vision, hearing, postural and other required screenings as required under current criterion 16.7.	Provide a copy of the policy and procedure on the preventive healthcare of students to the Department by February 1, 2005 .
22.7 Student Allergies	Refer to criterion 18.2.					
23.1 Vocational Education	Refer to criterion 1.3.					

