

**Italian Home for Children**

## Italian Home for Children Day Program

**Mid Cycle Review Report**

### Onsite Visit: October 16, 2023

**Final Report Issued: November 30, 2023**

**Department of Elementary and Secondary Education Onsite Team Members: Megan Bowie, Chairperson**

**Karen Brann, Team Member Christine Romancewicz, Team Member**



Jeffrey C. Riley

Commissioner of Elementary and Secondary Education

Approval for special education day and residential school programs operating in Massachusetts is contingent upon meeting the requirements of 603 CMR 28.09, “Approval of Public and Private Day and Residential Special Education School Programs,” 603 CMR 18.00, “Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs,” and 603 CMR 46.00 “Prevention of Physical Restraint and Requirements, If Used.” Approval by the Department does not relieve special education day and residential school programs of their obligation to comply with other applicable state or federal statutory or regulatory requirements or with requirements set forth in their contracts with referral sources. The Department may change the approval status at any point during this three-year period if circumstances arise that warrant such a change.

For special education day and residential school programs that do not meet all requirements for Full Approval, the Department may issue a Provisional Approval effective for a period not to exceed 6 months, provided that the Department has determined that the health and safety of the students are protected and the program demonstrates the ability to implement the goals and objectives of each enrolled student’s IEP. During this period, the special education day or residential school program must submit progress reports that addresses the issues that did not meet approval requirements.

For a special education day or residential school programs that substantially meets all requirements evaluated during the review the Department will issue a Full Approval. Full Approval will remain in effect for three school years and will expire on August 31st of the third school year.

Italian Home for Children Day Program

### Provisional Approval

Expires: May 10, 2024

##### MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION APPROVED SPECIAL EDUCATION SCHOOL MID-CYCLE REVIEW REPORT OVERVIEW OF REVIEW PROCEDURES

**INTRODUCTION**

The Massachusetts Department of Elementary and Secondary Education (Department) is required under M.G.L. c. 71B, §10 to review special education programs in approved special education schools that serve publicly funded students under the provisions of Board of Elementary and Secondary Education Regulations 603 CMR 18.00, 28.00, and 46.00. Each year, the Department's Office of Approved Special Education Schools (OASES) conducts onsite visits to selected approved special education school programs to verify the implementation of standard Mid-cycle Review criteria, as well as any criteria from the most recent Program Review that required follow-up due to procedural and programmatic requirements. In the Spring of the previous school year, the schools participating in the review cycle were notified of the dates of the onsite visits and were required to conduct a Self-Assessment before the onsite portion of the review using the Department's Communication Hub and Monitoring Portal (CHAMP).

The statewide Approved Special Education School Mid-cycle Review cycle together with the Department’s six-year Program Review monitoring schedule is posted on the Department’s website at [http://www.doe.mass.edu/oases/ps-cpr/6yrcycle.html.](http://www.doe.mass.edu/oases/ps-cpr/6yrcycle.html)

###### Approved Special Education School Mid-cycle Review Elements

**Criteria:** The Mid-cycle Review criteria encompass key standard elements drawn from 603 CMR 18.00, 28.09, 46.00 and the approved special education school program’s application for approval. They 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. Through the Desk Review, the OASES chairperson examines the Self-Assessment submission and determines which criteria will be followed up on through onsite verification activities. The Self-Assessment and Desk Review are both described below.

**Self-Assessment Phase:** This is a requirement for all agencies being monitored. It is completed for the onsite review and covers all of the Department selected criteria. The agency is responsible for completing the Self-Assessment for each individually approved program being reviewed, which consists of:

Agency review of policies and procedures,

Agency review student documentation including a sample of student records,

Agency review staff documentation including a sample of staff records, if applicable, and Agency review of facilities, buildings, and grounds.

Upon completion of these portions, the agency submits the Self-Assessment to the Department for review.

**Desk Review Phase:** The OASES chairperson assigned to each agency reviews the responses by the approved special education school regarding the critical elements for appropriate policies, procedures, and practices, as well as actual documents and data submitted for each criterion. The OASES chairperson also reviews student record data, staff record data, and explanatory comments. The outcome of this review, along with 3-year trend data from the Problem Resolution System, restraint reports, restraint injuries, serious incidents, and notification or prior approval from the Department through its notification system is used to determine the scope and nature of the onsite activities.

**Onsite Verification Phase:**

This includes activities selected from the following:

Interviews with leadership, teaching staff, and other staff consistent with those criteria selected for verification. Telephone interviews as requested by parents, guardians, or members of the general public.

Review of student records and staff records, if applicable: The Department selects a sample of student records and staff records, if applicable, from those the agency reviewed as part of its self-assessment to verify the accuracy of the data. The Department also conducts an independent review of a sample of student records and staff records, if applicable that reflect activities conducted since the beginning of the school year. The Department monitoring team will conduct this review using standard Department procedures to determine whether procedural and programmatic requirements have been implemented.

Observation of classrooms and other facilities: The team observes a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

**Team:** Depending upon the scope of follow-up activities that have been identified based on the Department’s Desk Review of the agency’s Self-Assessment, a two-to-four-member Department team will conduct a one to five-day Mid-cycle Review.

**Final Report:** A Final Report is then issued via CHAMP. The Final Report includes findings organized under 4 specified compliance areas: Policies and Procedures, Staff, Student, and Building/Facilities.

**Ratings:** The findings explain the “ratings,” or determinations by the Department about the implementation status of the compliance criteria reviewed within each of these areas. The ratings indicate those criteria that were found by the OASES monitoring team to be “Implemented,” “Implemented Response Required, “Implementation in Progress,” “Partially Implemented,” or “Not Implemented.”

**Onsite Verification Phase:**

**Response:** The Department issues corrective action required to bring into compliance with the required statute or regulation in each area found to be not fully “Implemented”. 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 follow-up from the approved special education school program. **Under federal Special Education State Performance Plan requirements pursuant to IDEA-2004, public and approved special education 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 Report.**

##### REPORT INTRODUCTION

A three-member team conducted a visit to Italian Home for Children during the week of October 16, 2023 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), 603 CMR 46.00 (Prevention of Physical Restraint and Requirements If Used), M.G.L c. 71B, the federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 et seq, as amended in 2004 (IDEA--2004), and civil rights provisions that are pertinent to Approved Special Education School Programs. The team appreciated the opportunity to interview staff, to observe classroom facilities, and to review the program efforts underway.

The Department is submitting the following Approved Special Education 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 2 leadership staff; Interviews of 1 related services staff; Interviews of 2 teaching staff; and Interviews of 2 direct care staff.

Student record review: A sample of 4 Massachusetts student records was selected by the Department. Student records were first examined by the school program’s staff and then verified by the OASES monitoring team using standard Department student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements. An additional number of randomly selected student records were also reviewed by the OASES monitoring team to ensure determinations regarding the implementation of procedural and programmatic requirements remain in effect.

Staff record review: A sample of 4 staff records was selected by the Department. Staff records were first examined by the school program’s staff and then verified by the OASES monitoring team using standard Department staff record review procedures to make determinations regarding the implementation of procedural and programmatic requirements. An additional number of randomly selected staff records were also reviewed by the OASES monitoring team staff to ensure determinations regarding the implementation of procedural and programmatic requirements remain in effect. Observation of classrooms and other facilities: A sample of instructional classrooms and other facilities used in the delivery of programs and services was observed to determine general levels of compliance with program requirements.

**1. Summary of Compliance Criteria Included In This Report Requiring Corrective Action Plan Development In Response to the Following Mid Cycle Review Report Findings**

**Implemented**

The requirement is totally or substantially met

**Implemented Response Required**

The requirement is met, but the Agency is required to provide additional information.

**Implementation in Progress**

This rating is used for criteria containing new or updated legal requirements and means that the agency has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year.

**Partially Implemented**

The requirement, in one or several important aspects, is not entirely met.

**Not Implemented**

The requirement is totally or substantially not met.

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| **Policies & Procedures** | | | | | |
| **Criteria** | **Implemented** | **Implemented Response Required** | **Implementation In Progress** | **Partially Implemented** | **Not Implemented** |
| **1.2 Program & Student** |  |  |  |  |  |

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| --- | --- | --- | --- | --- | --- |
| **Descriptions, Program Capacity** | All |  |  |  |  |
| **3.1(d) Evacuation and Emergency Procedures** | All |  |  |  |  |
| **4.5 Immediate Notification** | All |  |  |  |  |
| **6.1 Daily Instructional Hours/6.4 School Days Per Year** | All |  |  |  |  |
| **9.1(a) Student Separation Resulting from Behavior Support** |  |  | Italian Home for Children Day Program |  |  |
| **9.4 Physical Restraint** | All |  |  |  |  |
| **9.7 Terminations** | All |  |  |  |  |
| \* **11.1 Staff Policies and Procedures Manual** |  |  | Italian Home for Children Day Program |  |  |
| **12.1 New Staff Orientation and Training** | All |  |  |  |  |
| **12.2 In-Service Training Plan and Calendar** | All |  |  |  |  |

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| **Staff Documentation** | | | | | |
| **Criteria** | **Implemented** | **Implemented Response Required** | **Implementation In Progress** | **Partially Implemented** | **Not Implemented** |
| **11.3 Educational Administrator Qualifications** |  |  |  |  | Italian Home for Children Day Program |
| **11.4 Teachers (Special Education Teachers and General Education Teachers)** | All |  |  |  |  |
| **11.5 Related Services Staff** | All |  |  |  |  |
| **11.6 Staff Roster** | All |  |  |  |  |
| **11.10 Supervision of Direct Care Day and Residential Staff** |  |  | Italian Home for Children Day Program |  |  |

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| **Student Documentation** | | | | | |
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| **Criteria** | **Implemented** | **Implemented Response Required** | **Implementation In Progress** | **Partially Implemented** | **Not Implemented** |
| **5.2(a) Contracts** | All |  |  |  |  |
| **8.5 Current IEP & Student Roster** |  |  | Italian Home for Children Day Program |  |  |
| \* **8.8 IEP -**  **Progress Reports** |  |  | Italian Home for Children Day Program |  |  |

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| **Buildings/Facilities** | | | | | |
| **Criteria** | **Implemented** | **Implemented Response Required** | **Implementation In Progress** | **Partially Implemented** | **Not Implemented** |
| **2.2 Approvals, Licenses, Certificates of Inspection** | All |  |  |  |  |

\*Criterion was not previously included in the standard review cycle, but was reviewed during the Onsite visit.

###### Policies & Procedures

**9.1(a) Student Separation Resulting from Behavior Support Requirements**

If implementation of the program’s behavior support policy and procedures result in a student separating from planned instruction or program activities, it shall include:

1. A requirement that students shall be continuously observed by a staff member and staff shall be with the student or immediately available to the student at all times.
2. A procedure for obtaining administrator approval of time-out for more than 30 minutes based upon the individual student’s continuing agitation; and
3. A requirement that time out shall cease as soon as the student has calmed.
4. A description of how students are monitored.
5. Reasons students would need to be separated from the planned instruction or educational activities.
6. Description of the procedures staff follow when a student needs to be separated from the classroom or educational activities within the classroom.
7. A description of all time-out spaces.
   1. Guidelines for staff in the utilization of such an area,
   2. Time out rooms shall not be locked, and
   3. Any room or space used for the practice of separation must be physically safe and appropriate to the population served by the facility.
8. The procedure for obtaining approval required for separations of more than 30 minutes.
9. How the end of the student separation is determined.
10. How the program documents student separation.

NOTE: Documentation related to criterion 9.1(a) must be maintained in student records.

**Legal Standards**

[18.05(5)(i)](https://www.doe.mass.edu/lawsregs/603cmr18.html?section=05); [18.05(6, 7)](https://www.doe.mass.edu/lawsregs/603cmr18.html?section=05); [46.02(5)(b)](https://www.doe.mass.edu/lawsregs/603cmr46.html?section=02)

#### [46.02(5)(b)](https://www.doe.mass.edu/lawsregs/603cmr46.html?section=02)

**Confirmed Findings**

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| **Applies To** | **Rating** | **Response Required** | **Finding Description** |
| Italian Home for Children Day Program | Implementation in Progress | Yes | While the Student Separation Resulting from Behavior Support Policy includes all required elements, a review of documentation onsite indicated that several required elements on the separation log were inconsistently completed by program staff. |

**Corrective Action Plan**

**Department Order of Corrective Action - Due Date: Progress Report 1 -** 12/22/2023

**Required Elements: Progress Report 1 -** The program must submit evidence that all staff received recent training on the Student Separation Policy. The program must submit the following documentation: 1) the name and job title of the person conducting the training; 2) the dates and times when this training was held; 3) the length of time allotted for the training; 4) a list of all staff in alphabetical order by last name with their position title; and 5) for any staff who did not receive the training, the reason why and when their training is scheduled.

**Due Date: Progress Report 2 -** 02/02/2024

**Required Elements: Progress Report 2 -** The program must provide all completed time out logs for the time period 12/22/2023-2/2/2024.

**Due Date: Progress Report 3 -** 03/08/2024

**Required Elements: Progress Report 3 -** The program must provide all completed time out logs for the time period 2/2/2024-3/8/2024.

**11.1 Staff Policies and Procedures Manual**

**Requirements**

The program shall develop and implement written policies and procedures for staff, maintained in a manual that describes:

1. Criteria and procedures for hiring. This must include the program’s Criminal Offender Record Information (CORI) policy regarding CORI checks on employees, volunteers and interns whose responsibilities bring them into direct and unmonitored contact with students. Such checks shall be conducted upon initial hire and every three years thereafter. **NOTE**: A residential program licensed by EEC does not need to conduct independent CORI checks where those checks have been done through EEC;
2. Procedures for Criminal History Record Information (CHRI);
3. Procedures for the evaluation of staff including frequency and requirement that evaluations are signed and dated by reviewer and employee;
4. Procedures for disciplining of staff (including suspensions and dismissals);
5. A plan for using volunteer and/or intern services; and
6. Statement of equal employment/educational opportunities in regard to race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or age.

**Legal Standards**

#### [18.05(11)](https://www.doe.mass.edu/lawsregs/603cmr18.html?section=05); [18.05(11)(c)(1)](https://www.doe.mass.edu/lawsregs/603cmr18.html?section=05); [28.09(7)](https://www.doe.mass.edu/lawsregs/603cmr28.html?section=09); [28.09(11)(a)](https://www.doe.mass.edu/lawsregs/603cmr28.html?section=09);

[M.G.L. c. 71, § 38R](https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71/section38r); [DESE Advisory on CORI revised 5/7/07](https://www.doe.mass.edu/lawsregs/advisory/cori.html); [603 CMR 26.00](https://www.mass.gov/doc/603-cmr-26-access-to-equal-educational-opportunity/download)

**Confirmed Findings**

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| **Applies To** | **Rating** | **Response Required** | **Finding Description** |
| Italian Home for Children Day Program | Implementation in Progress | Yes | A review of documentation onsite indicated that staff records did not contain evidence of a completed CHRI for all staff. |

**Corrective Action Plan**

**Department Order of Corrective Action - Due Date: Progress Report 1 -** 12/22/2023

**Required Elements: Progress Report 1 -** The program must submit 1) an updated Staff Policies and Procedures to show required elements for their CORI checks, CHRI checks, and staff performance evaluations completed for all employees 2) documentation that all current staff have updated CORI checks, CHRI checks, and performance evaluations 3) an updated Master Staff Roster; and 4) the name and job title of the person maintaining this information in staff records.

**Due Date: Progress Report 2 -** 03/08/2024

**Required Elements: Progress Report 2 -** The program must submit 1) the position title(s) of staff who will collect, update, and maintain the CHRI information in staff records; 2) the administrative position title of staff who will review the CHRI data on a program-specified cycle/timeline; 3) the tracking spreadsheet(s) that show(s) all current staff have completed CHRI as expected; and 4) current/most recent staff rosters for the Day Program.

###### Staff Documentation

**Requirements**

**11.3 Educational Administrator Qualifications**

At least one staff member shall be designated as the educational administrator for the program. Such person shall be assigned to supervise the provision of special education services in the program and to ensure that the services specified in each student’s IEP are delivered.

The educational administrator shall either possess licensure as a special education administrator or possess all of the following:

1. License as a special educator;
2. A minimum of a master's degree in special education or a related field; and
3. A minimum of one year of administrative experience.

**Legal Standards**

[28.09(5)(a)](https://www.doe.mass.edu/lawsregs/603cmr28.html?section=09); [28.09(7)(a)](https://www.doe.mass.edu/lawsregs/603cmr28.html?section=09); [603 CMR 44.00](https://www.doe.mass.edu/lawsregs/603cmr44.html)

**Confirmed Findings**

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| **Applies To** | **Rating** | **Response Required** | **Finding Description** |
| Italian Home for Children Day Program | Not Implemented | Yes | A review of documentation and interviews with staff revealed the program does not have a staff member with a current special education administrator's license. |

**Corrective Action Plan**

**Department Order of Corrective Action - Due Date: Progress Report 1 -** 12/22/2023

**Required Elements: Progress Report 1 -** The program must submit evidence of a qualified Special Educational Administrator who has either a current special education administrator license or credentials that include all of the following: a Special Education Teacher license, or copy of an ELAR activity sheet; Evidence of a Master's Degree in Special Education or a related field; and evidence of one year of administrative experience. (The program indicated the Special Education Administrator received a Special Education Administrator license since the Draft Report was issued.)

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| **Applies To** | **Rating** | **Response Required** | **Finding Description** |
| Italian Home for Children Day Program | Implementation in Progress | Yes | Interviews with staff indicated that direct care and teaching staff have not received regular and ongoing direct supervision with supervisors. |

###### Student Documentation

**Requirements**

Each program shall provide ongoing and regular supervision of all direct care workers by someone who has supervisory and administrative responsibility within the program.

Regularly scheduled conferences must occur between direct care workers and supervisors; and between teachers, direct care workers and other educational personnel.

**Legal Standards**

[18.03(4)](https://www.doe.mass.edu/lawsregs/603cmr18.html?section=03)

**Confirmed Findings**

**Corrective Action Plan**

**Department Order of Corrective Action - Due Date: Progress Report 1 -** 12/22/2023

**Required Elements: Progress Report 1 -** The program must submit 1) a description of the newly implemented monitoring system procedure for documenting Direct Care staff supervision; 2) copies of all tracking documentation for all current staff that shows name of supervisor, frequency of supervision meetings, and format of supervision meetings; 3) copies of current staff rosters; and 4) name(s) of the staff person(s) with position title(s) who will have administrative review of process with designated timelines.

**11.10 Supervision of Direct Care Day and Residential Staff**

**Requirements**

**8.5 Current IEP & Student Roster**

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).

**Legal Standards**

[28.09(5)(a)](https://www.doe.mass.edu/lawsregs/603cmr28.html?section=09)

**Confirmed Findings**

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| **Applies To** | **Rating** | **Response Required** | **Finding Description** |
| Italian Home for Children Day Program | Implementation in Progress | Yes | A review of documentation in student records indicated that the program did not have current and consented to IEP for all students. |

**Corrective Action Plan**

**Department Order of Corrective Action -**

**Due Date: Progress Report 1 -** 12/22/2023

**Required Elements: Progress Report 1 -** The program must submit a plan for following up with districts and/or guardians to obtain consent to implement the most recently issued IEP after a team meeting. The program must include the following information: the name of the staff member responsible for implementing the plan, a time frame for when staff will reach out to district/guardians, and how this will be documented in the student record.

**Due Date: Progress Report 2 -** 02/02/2024

**Required Elements: Progress Report 2 -** The program must submit evidence of the plan being implemented appropriately, including evidence of attempts to obtain consent for any unsigned IEPs and the follow up plan if necessary.

**8.8 IEP - Progress Reports**

**Requirements**

Progress Reports and Content

1. Parents receive reports on the student’s progress towards reaching the goals set in the IEP;
2. Progress Report information sent to parents includes written information on the student’s progress toward the annual goals in the IEP;
3. The program shall send copies of progress reports to the parents/guardians, public school districts and state agencies, if applicable; and
4. Progress reports must reflect the IEP most recently issued by the responsible school district and consented to by the parent/student/guardian.

**NOTE**: Progress Report must contain a description of:

How the child's progress toward meeting the annual goals will be measured; and

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.

**NOTE**: Copies of all progress reports shall be maintained in student records, including documentation of all persons receiving such reports.

**Legal Standards**

[28.07(3)](https://www.doe.mass.edu/lawsregs/603cmr28.html?section=07); [34 CFR 300.320(a)(3)(i, ii)](https://sites.ed.gov/idea/regs/b/d/300.320/a/3)

**Confirmed Findings**

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| --- | --- | --- | --- |
| **Applies To** | **Rating** | **Response Required** | **Finding Description** |
| Italian Home for Children Day Program | Implementation in Progress | Yes | A review of documentation in student records indicated that progress reports did not reflect the IEP most recently issued by the responsible school district or consented to by the parent/student/guardian. |

**Corrective Action Plan**

**Department Order of Corrective Action - Due Date: Progress Report 1 -** 12/22/2023

**Required Elements: Progress Report 1 -** The program must provide evidence of training regarding the requirement to write all progress reports based on the most recently approved and consented to IEP and to use the current date on all progress reports, for all teaching staff by submitting the following documentation: 1) the name and job title of the person conducting the training; 2) the dates and times when this training was held; 3) the length of time allotted for the training; 4) a list of all staff in alphabetical order by last name with their position title; 5) a copy of the training materials shared with staff; and 6) for any staff who did not receive the training, the reason why and when their training is scheduled.

**Due Date: Progress Report 2 -** 02/02/2024

**Required Elements: Progress Report 2 -** For the following progress reports, the program will submit evidence of the plan being implemented by submitting documentation of record reviews. This documentation must include the date of the review of records to ensure that the plan is being implemented consistently.



ITALIAN HOME FOR CHILDREN

# Italian Home for Children Day Program

an approved private special education program operated pursuant to 603 CMR 18.00, 28.09, and 46.00 is granted

# Provisional Approval

This approval status expires on May 10, 2024 and is a result of a Mid Cycle Review conducted in the 2023-2024 school year. The next expected Program Review will be conducted in the 2026-2027 school year.

**Program-Specific Information**

**Main Address:** 1125 Centre St,Jamaica Plain,Massachusetts,02130

**Program Type:** Day Program

**Number of Months in Session:** 12 months

**Approved Student: Licensed Educator Ratio:** 8:1

**Approved Student: Licensed Educator: Aide Ratio:** 12:1:1

**Program Rate Based on:** 28 students

**DESE Approved Student Enrollment:** 31 students

## Issued by the Office of Approved Special Education Schools:

Megan Bowie, M.Ed., Educational Specialist Karen Brann, M.Ed., C.A.E.S., Supervisor

Date Issued: November 30, 2023

Nina M. Marchese, M.Ed., Director