



# **The Commonwealth of Massachusetts Department of Education**

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October 26, 2004

Ms. Mary Ryan  
Administrator  
Clearway School  
61 Chestnut Street  
West Newton, MA 02460

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

Dear Ms. Ryan:

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 10/26/04. This report also includes a report on the status of implementation for new state or federal special education requirements enacted since your school's last Program Review.

We are pleased to indicate that the Department of Education has found your school's approved Corrective Action Plan to be substantially implemented and effective in remedying previously identified noncompliance issues. Additionally, we have determined that your school is in substantial compliance with any new state or federal special education requirements enacted since your last Program Review. The findings of the Department are included in the attached Follow-up Monitoring Report. You and your entire staff are to be congratulated for your efforts in implementing all necessary improvements. Your private school will now receive an updated status of "Full Approval." This approval shall remain in effect for three (3) years from the date of this letter and attached approval certificate. This approval will be contingent upon continued compliance with all regulations contained within 603 CMR 28.00 "Special Education Regulations" and 603 CMR 18.00 "Program And Safety Standards For Approved Public Or Private Day And Residential Special Education School Programs." The Department of Education may change this approval status at any point during this three-year period if circumstances arise that warrant such a change.

The Department will notify you of your school's next regularly scheduled Program Review several months before it is to occur. At this time we anticipate the Department's next routine monitoring visit to occur sometime during the FY 07, unless the Department determines that there is some reason to schedule this visit

earlier.

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

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  
Peter Mittell, Chairperson, Board of Directors

Encl.: Follow-up Monitoring Report

**MASSACHUSETTS DEPARTMENT OF EDUCATION  
PROGRAM REVIEW**

Clearway School

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

Action Plan Submitted on December 12, 2001  
Progress Reports Submitted on February 4, 2002 – June 30, 2002  
Onsite Visit Conducted on September 21-22, 2004  
Date of this Report: October 26, 2004

<b>Criterion Number and Topic</b>	<b>Implementation Status of Requirements or Corrective Action Plan Determined to be <u>Substantially Implemented</u></b>  √	<b>Method(s) of Verifica-tion</b>	<b>Comments Regarding Corrective Action Plan Implementation</b>	<b>Corrective Action Plan Determined to be <u>Not Fully Implemented</u> or <u>Additional Issues Identified</u></b>  √	<b>Findings Regarding Incomplete Implementation of Approved Corrective Action Plan or Identification of Additional Issues of Noncompliance</b>	<b>Further Corrective Action Ordered by the Department of Education and Timelines for Implementation and Further Progress Reporting</b>
<b>1.2 Teacher Certification</b>  <i>NOW criterion 11.4</i>	√		Please refer to criterion 11.4.			
<b>1.3 Related Services Staff</b>  <i>NOW criterion 11.5</i>	√		Please refer to criterion 11.5.			

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<b>1.3</b> Program's Curriculum 28.09(9)	√ √	Documentation; Interviews	Clearway School has a curriculum that has been developed to meet all special education and related services included in students' Individualized Education Programs that demonstrates alignment with the Massachusetts Curriculum Frameworks.	√		
<b>2.1</b> <b>Program &amp; Student Description</b>  <i>NOW criterion 1.2</i>	√	Documentation	The written admission policy includes admission criteria, such as the age of the students admitted and the educational and behavioral characteristics considered in making admissions decisions.			
<b>2.2</b>	√					

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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)	√	Documentation	The program has all current licenses, approvals and certificates of inspection by state and local agencies that are required.	√		
<b>2.3 Immediate Notification</b>  <i>NOW criterion 4.5</i>	√		Please refer to criterion 4.5.			
<b>2.3 OCCS Licensure (Not Applicable to Day Schools)</b>	Not Applicable					
<b>3.1 Daily</b>	√		Please refer to criterion 6.1.			

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<b>Instructional Hours</b>  <i>NOW criterion 6.1</i>						
<b>3.3 Implementation Educational and Related Services</b> <i>NOW criteria 8.1 and 8.2</i>	√	Documentation  Student record review	Clearway School offers a work-study program that now adequately addresses the goals and objectives on students' IEP's.			
<b>4.1 Discipline, Guidance and Behavior Management</b>  <i>NOW criteria 9.1, 9.4, 9.5 &amp; 9.6</i>	√	Documentation	The language of the written behavior management and suspension policies is clearly described. The suspension policies meet the requirements as required under 603 CMR 18.05(6) and 34 CFR 300.519-529.			

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<b>4.3</b> <b>Restraint Procedures</b>  <i>NOW criterion 12.2(a)</i>	√ √	Documentation	Clearway School has a process in place to ensure that staff are trained annually on restraint procedures.	√		
<b>4.4</b> <b>Runaway Policy and Procedure</b>  <i>NOW criterion 9.3</i>	√	Documentation  Interviews	The policy on procedures for dealing with runaways provides for immediate notification to the Department and the parent or guardian as required under 603 CMR 28.09(12)(a). In addition, interviews revealed that staff have a clear understanding of runaway procedures.			
<b>4.4</b> <b>Advanced</b>	√	Documentation	Clearway School has not had a substantial change			

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Notice of Program/ Facility Change 28.09(5)(c)		Interviews	that has required notification to the Department.			
<b>4.5</b> Immediate Notification 18.03(10) 18.05(7) 28.09(12)	√	Documentation  Student record review	Clearway School provides immediate notification to the parent, sending school district special education administrator, and any State Agency involved in the student care or placement (by telephone and letter) and the Department of Education (by telephone and form 2) of the required incidents as listed on the current form 2 cover sheet.			
<b>4.6</b>	√		Clearway School has a			

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<b>Recording of Suspensions</b>  <i>NOW criteria 9.5 and 9.6</i>		Documentation  Interviews  Student record review	procedure to record in-house suspensions.			
<b>5.2 Library-Resource Room</b>  <i>NOW criterion 13.7</i>	√	Observation  Interviews	Clearway School has a comparable instructional resource area approved by the Department of Education that contains a variety of materials appropriate to the age and abilities of the students enrolled.			
<b>5.2 Contents of Coordination and Collaboration with Public School Districts</b>	√	Documentation  Interviews	Clearway School works collaboratively with the placing public school district and implements policies and procedures that describe roles and responsibilities of the			

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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	√		program and its staff as well as general communication/coordination/collaboration procedures that address ass requirements as listed under criterion 5.2 (a-1).	√		
<b>6.1</b> Daily Instructional Hours 603 C.M.R. 27.00	√	Documentation;  Interviews	Clearway School provides an average annual minimum of 5 hours per school day for Elementary age students and 5 ½ hours per school day for Secondary age students.			
<b>6.2</b> <b>School-to-Work</b>  <b>603 CMR</b>	√	Documentation  Interviews	Clearway School has written guidelines that describe their school-to-work program and how hours spent by students			

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<b>27.02, 27.04</b>	√		hours spent by students are verified.	√		
<b>6.4</b> School Days per Year 28.09(9)	√	Documentation  Interviews	Clearway School is conducted for 180 days (exclusive of weekends, holidays and vacations) while the school calendar adds in 5 extra school days to account for unforeseen circumstances.			
<b>7.1</b> <b>Personnel Training, Supervision and Evaluation</b>  <i>NOW criterion 12.2(i)</i>	√	Documentation  Personnel records	Clearway had established a new system of supervision and evaluation that was implemented during 2001 and based on a review of personnel records and documentation, all staff have regularly scheduled written evaluations.			

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<b>7.1</b> Curriculum Frameworks 28.09(9)(b)	√ √	Documentation  Interviews	The personnel at Clearway School reflect a full 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 with disabilities to be full participants in the general curriculum. A review of documentation also revealed that Clearway School has aligned its curriculum with the Frameworks.	√		
<b>7.2</b> In-Service Training	√		Please refer to criterion 12.2.			

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<i>NOW criterion 12.2</i>	√			√		
<b>7.3 Staff Performance Evaluations</b>  <i>NOW criterion 12.2(i)</i>	√		Please refer to criterion 7.1.			
<b>7.4 Child Abuse Reporting</b>  <i>NOW criterion 12.2(b)</i>	√	Documentation  Interviews	Clearway School has written procedures for reporting suspected child abuse or neglect.			
<b>7.6 Medication Training</b>  <i>NOW criterion 12.2(d)</i>	√	Documentation  Interviews	A staff that is trained to provide care and instruction to a student receiving medication is present on field trips or other community activities.			

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<b>8.1 Current IEP and participation in MCAS</b>  <i>NOW criterion 7.3</i>	√	Documentation  Student record review	A review of student records revealed that IEP's are current, dated and signed and that the MCAS page of the IEP is properly completed.			
<b>8.5 Current IEP &amp; Student Roster 28.09</b>	√	Documentation  Student record review	Clearway School has on file a current IEP for each enrolled Massachusetts student that has been issued by the responsible public school district and consented to by the student's parent(s) (or student in applicable situations) for each student enrolled in the program.			

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<b>8.9</b> IEP- Less Restrictive Placement 28.09(9)(c)	✓ ✓	Documentation  Interviews  Student record review	Clearway School has a plan for ensuring that there are flexible procedures and mechanisms that maximize opportunities for enrolled students to gain the capacity to return to a less restrictive educational program.	✓		
<b>9.2</b> <b>Student Records</b>  <i>NOW criteria 4.5 and 18.2</i>	✓		Please refer to criterion 4.5.			
<b>10.1</b> Student: Teacher Ratios 28.06(6)(d)&(g) 28.09(7)(e)	✓	Documentation  Observation	Clearway School ensures that instructional groupings do not exceed 8 students to one			

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		Interviews	certified teacher without an aide or 12 students to one certified teacher with an aide.			
<b>10.4</b> Student: Child Care Ratios 28.09(7) 18.01(2)	Not Applicable					
<b>11.1</b> Personnel Policies 28.09(7) 28.09(11)(a) 18.05(11)	√	Documentation  Interviews	Clearway School has written personnel policies as required by 603 CMR 28.09(7), 603 CMR 28.09(11)(a) and 603 CMR18.05(11).			
<b>11.4</b> Teachers Special Education Teachers and Regular Education Teachers	√	Documentation  Personnel records  Interviews	Clearway School ensures that all teaching staff have teaching certification (or are on approved Department waivers) appropriate to meet the needs of the			

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Teachers 28.09(7)(b)(c) 18.05(11)(f)	√		populations being served.	√		
<b>11.5</b> Related Services Staff 28.09(7)(d)	√	Documentation  Personnel records  Interviews	All staff providing or supervising the provision of related services at Clearway School are appropriately certified, licensed or registered by their respective state boards or professional associations.			
<b>11.6</b> Master Staff Roster 28.09(7)	√	Documentation	Clearway School maintains a master list of all staff for every position within the program. The list includes job titles together with corresponding UFR title			

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	√		numbers and full-time equivalents.	√		
<b>11.9</b> Organizational Structure 28.09(7) 28.07(c)	√	Documentation  Interviews	Clearway School demonstrates that its organizational structure provides for the effective and efficient operation of the school, supervision of school staff and supervision of students.			
<b>12.2</b> Annual In-Service Training Plan and Calendar 28.09(7)(f) 18.05(11)(h)	√	Documentation  Personnel records  Interviews	Clearway School develops and implements a written plan for staff orientation and training that is consistent with the needs of the student population, appropriate to the role of each staff member and provides,			

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	√		<p>on average, at least two (2) hours per month of relevant training for all staff including non-professional staff (child care workers/direct care staff on all shifts). The eleven (11) mandated trainings are offered annually. Staff input is elicited and considered.</p>	√		
<b>12.2(a)</b> Behavior Management and Restraint Training 28.09(11) 18.05(5)	√	Documentation  Personnel records  Interviews	Clearway School has written procedures on behavior management, restraint training, suspension and termination procedures for all staff to implement.			
<b>15.1</b> Parental Involvement	√	Documentation	Clearway School has developed a written plan for the involving parents			

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and Parents' Advisory Group 18.05(4)(a)			as well as a Parent's Advisory Group that advises the school on matters that pertain to the education, health and safety of students in the program.			
<b>17.1 Runaway Policy</b>  <b>NOW criterion 9.3</b>	√	Documentation	Clearway's policy on students who run away includes immediate notification to the Department of Education and the parent or guardian as required under 603 CMR 18.03(10).			
<b>17.2 Runaway Procedures</b>  <i>NOW criterion 12.2</i>	√	Interviews	Staff at Clearway have a clear understanding on the runaway procedures to be followed and implemented.			

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<b>18.2</b> Student Records 28.09(10)  MGL c. 71, s. 34H 603 CMR 23.00  Family Educational Rights and Privacy Act (FERPA)	√	Documentation  Student record review	Clearway School maintains current student records and includes all requirements as listed under criterion 18.2.	√		
<b>18.5</b> <b>Alarm System Training</b>  <i>NOW criterion 12.2</i>	√	Interviews	Staff at Clearway School receive training on the use of fire extinguishers annually.			
<b>20.1</b> <b>Handicapped Accessibility</b>	√	Observations  Interviews	Clearway School is handicapped accessible.			

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<i>NOW criterion 13.3</i>	√			√		
<b>22.4 Administration of Medications</b>  <i>NOW criterion 16.5</i>	√	Documentation  Student record review	Clearway School has written policies and procedures regarding the administration of medication as required under 603 CMR 18.05(9)(f).			
<b>22.5 Administration of Antipsychotic Medications</b>  <i>NOW criterion 16.6</i>	√	Documentation  Student record review	Clearway School has written policies and procedures regarding the administration of antipsychotic as required under 603 CMR 18.05(9)(f)(9).			
<b>22.6 Preventive Healthcare</b>	√	Documentation  Interviews	Clearway School has a written plan that describes that students receive vision hearing			

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<i>NOW criterion 16.7</i>			receive vision, hearing and other required screenings on an annual basis.			
<b>22.7 Student Allergies</b>  <i>NOW criterion 13.4</i>	√	Documentation  Student record review	Clearway School has a policy for notifying staff of student allergies and includes information on how to handle food-specific allergies.			
<b>22.8 Receipt of Medical Treatment – Religious Beliefs</b>  <i>NOW criterion 16.8</i>	√	Documentation	Clearway School has a policy on the receipt of medical treatment based on religious beliefs that meets the requirements of 603 CMR 18.05(9)(k).			