



# Massachusetts Department of Elementary and Secondary Education Program Quality Assurance Services

## Form 1: NOTIFICATION / REQUEST FOR PRIOR APPROVAL OF SUBSTANTIAL CHANGES WITHIN A PRIVATE SPECIAL EDUCATION SCHOOL PROGRAM

Date of this notice: \_\_\_\_\_

**Directions:** All Private Special Education School Programs must complete page 1 of this form and attach to it a narrative description addressing the applicable Notification or Request for Prior Approval of the substantial change(s). Include in the narrative the program's rationale for such change(s). Also include the required corresponding documentation listed on pages 2-3, and any other information that the program believes justifies such request(s). Please consult pages 4-5 of this form for Guidance.

**Fax or send this notice to:** Director, Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906 – Fax: 781-338-3710

Pursuant to 603 CMR 28.09(5)(c), this private special education school program is hereby providing written notification / requesting prior approval from the Department for the following reason(s):

**NOTIFICATION TO ESE REQUIRED: Note the applicable specific timeline required for each notification**

**Immediate notification for:**

- \_\_\_ unexpected building change as the result of an emergency
- \_\_\_ change in program's financial status that impacts either the health and safety of students or the service delivery to students
- \_\_\_ closure of a program

**15 working days notification for:**

- \_\_\_ each 10% decrease in enrollment of students based on the last approved ESE Program Budget
- \_\_\_ change in program's ownership
- \_\_\_ change in program's name
- \_\_\_ vacanc(ies) in approved staff positions not filled by another appropriately licensed or waived staff person, and that have a direct impact on the service delivery to students

**PRIOR APPROVAL FROM ESE REQUIRED BEFORE CHANGES MAY OCCUR:**

- \_\_\_ changes to school building(s)/physical facilities that are not due to an emergency, but are related to relocation and/or expansion of building(s)
- \_\_\_ changes made by the school to ESE required policies and procedures that result in continued adherence to regulatory requirements
- \_\_\_ request to increase or decrease the ages of the students being served
- \_\_\_ request to change or add gender of students being served
- \_\_\_ each 10% increase in enrollment of students based on the last approved ESE Program Budget
- \_\_\_ adding, eliminating, or changing staff positions

Private School Program Agency: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: ( ) \_\_\_\_\_

Name of Program: \_\_\_\_\_ Program Contact Person: \_\_\_\_\_

E-mail Address of Contact Person: \_\_\_\_\_ Telephone of Contact Person: ( ) \_\_\_\_\_

Address of Program: \_\_\_\_\_ Telephone: ( ) \_\_\_\_\_  
\_\_\_ Day School OR \_\_\_ Residential School

Name of Program Director: \_\_\_\_\_ Signature: \_\_\_\_\_

DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION ACTION		
APPROVAL STATUS:	<input type="checkbox"/> Receipt Acknowledged on: _____	<input type="checkbox"/> Approved on: _____ <input type="checkbox"/> Denied on: _____
	Received by ESE on: _____	All required documentation received on: _____
	Request for Change Approved on: _____	Request for Change Denied on: _____ (Reason attached.)
_____	_____	_____
(Liaison, Program Quality Assurance)	(Supervisor, Program Quality Assurance)	(Director, Program Quality Assurance)

**Private School Program Staff Completing Page 1 of this form can review the checklist below to ensure that information submitted to the Department is complete and that it responds to all Form 1 information requirements.**

**Necessary Information Required for Form 1's**  
**NOTIFICATION:**  
**Required documentation for the monitoring criteria listed below can be found at**  
<http://www.doe.mass.edu/pqa/review/psr/instrument.doc>

**IMMEDIATE NOTIFICATION IS REQUIRED**

**Unexpected building change as the result of an emergency**  
 Approvals, Licenses, Certificates of Inspection (criteria 2.2)  
 EEC Licensure if applicable (criteria 2.3)  
 Physical Facility/Architectural Barriers (criteria 13.4)  
 Notification to parents/guardians and responsible school districts  
 Anticipated return date to original location

**Change in program's financial status that impacts either the health and safety of students or the service delivery to students**  
 Current Student Roster (criteria 8.5)  
 Staffing for Instructional Groupings (criteria 10.1)  
 Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4)  
 Master Staff Roster (criteria 11.6)

**Closure of a program**  
 Current Student Roster (criteria 8.5)  
 Written notification sent to funding sources  
 Written notification sent to parents/guardians  
 Date program is expected to close  
 Transition status/plan for all students currently enrolled regarding new placements sought/secured  
 Student Record transfer plan for all students enrolled and for all prior students  
 Weekly or monthly updates to ESE on the Transition status/plan for all students enrolled  
 Weekly or monthly updates to ESE on the Student Record transfer plan for all students

**15 WORKING DAYS NOTIFICATION IS REQUIRED**

**Each 10% decrease in enrollment of students based on the last approved ESE Program Budget**  
 Current Student Roster (criteria 8.5)  
 Staffing for Instructional Groupings (criteria 10.1)  
 Age Range (criteria 10.2)  
 Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4)  
 Related Services Staff (criteria 11.5)  
 Master Staff Roster highlighting positions that have been temporarily eliminated or reduced due to decrease in student enrollment, but that still meet approved staff to student ratios (criteria 11.6)  
 Number of students currently enrolled in the program  
 Last approved Program Budget including number of students ESE has approved for enrollment

**Change in program's ownership**  
 Master Staff Roster (11.6)  
 Organizational structure (criteria 11.9)

**Change in program's name**  
 Organizational structure (criteria 11.9)

**Vacanc(ies) in approved staff positions not filled by another appropriately licensed or waived staff person that have a direct impact on the service delivery to students**  
 Master Staff Roster (criteria 11.6)  
 Notification letter sent to funding public school district(s) of students affected by vacanc(ies)  
 Efforts school is making to fill vacanc(ies)  
 Alternative methods for provision of services

**Necessary Information Required for Form 1's:**  
**PRIOR APPROVAL:**  
**Required documentation for the monitoring criteria listed below can be found at**  
<http://www.doe.mass.edu/pqa/review/psr/instrument.doc>

**Changes to school building(s)/physical facilities that are not due to an emergency, but are related to relocation and/or expansion of building(s)**  
 Approvals, Licenses, Certificates of Inspection (criteria 2.2)  
 EEC Licensure if applicable (criteria 2.3)  
 Physical Facility/Architectural Barriers (criteria 13.4)  
 Library/Resource Room (criteria 13.7)  
 Expected date construction will begin and will be completed and the impact on students, if any  
 Expected date of onsite visit from ESE liaison

Written assurance that students will not use the building until the Form 1 is approved by ESE	
<b>Changes made by the school to ESE required policies and procedures that result in continued adherence to regulatory requirements</b> Copy of program's proposed policy clearly identifying all changes to ESE previously approved policy Criteria number in ESE monitoring booklet and/or regulation number Method of dissemination to parents/guardians and funding sources after new and/or revised policy is approved by ESE	
<b>Request to increase or decrease the ages of the students being served</b> Program and Student Description (the 1 <sup>st</sup> 5 bullets of criteria 1.2) Staffing for Instructional Groupings (criteria 10.1) Age Range (criteria 10.2) Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4) Ages currently approved to serve Ages proposing/requesting to serve	
<b>Request to change or add gender of students being served</b> Program and Student Description (the 1 <sup>st</sup> 5 bullets of criteria 1.2) Staffing for Instructional Groupings (criteria 10.1) Age Range (criteria 10.2) Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4) Genders currently approved to serve Genders proposing/requesting to serve	
<b>Each 10% increase in enrollment of students based on the last approved ESE Program Budget</b> Current Student Roster (criteria 8.5) Staffing for Instructional Groupings (criteria 10.1) Age Range (criteria 10.2) Teacher Roster (Special Education Teachers and Regular Education Teachers) (criteria 11.4) Related Services Staff Roster (criteria 11.5) Master Staff Roster highlighting additional positions required to meet approved staff to student ratios resulting from increased student enrollment (criteria 11.6) Description of physical facility including how it will accommodate an increase of enrolled students (criteria 13.2) Number of students currently enrolled in the program Last approved Program Budget including number of students ESE has approved for enrollment Number of students by which enrollment will increase	
<b>Adding, eliminating, or changing staff positions</b> Current Master Staff Roster (criteria 11.6) Proposed Master Staff Roster (criteria 11.6) Written notification that will be sent to funding sources once change has been approved by ESE	

## Guidance for Completing Form 1: Notification/Request For Prior Approval of Substantial Changes Within A Private Special Education School Program

The Department of Elementary and Secondary Education (ESE) has developed this written guidance to private special education school programs in order to clarify reporting requirements for certain changes to its program(s) that are proposed and/or unexpected, as well as the supporting documentation that must be submitted with the Form 1. All private special education school programs seeking to make changes to its currently approved program(s) must complete a Form 1: Notification/Request For Prior Approval of Substantial Changes Within A Private Special Education School Program. All private special education school programs must attach a narrative description that directly pertains to the school's notification or request for prior approval of the substantial change(s). The narrative must include a rationale for such change(s). All private special education school programs must submit the required documentation referenced on pages 2 and 3 of this form. The applicable monitoring criteria that relates to that required documentation can be found at <http://www.doe.mass.edu/pqa/review/psr/instrument.doc>. Please note that the checklist has been developed as a tool for your school program to use, but is not required to be completed by your school program. While the private special education school programs do not need to complete nor submit the checklist, it is recommended that all schools refer to the documentation requirements in order to determine the appropriate documentation that needs to be submitted with the Form 1. It is important for the school to submit any other information it believes justifies such request(s).

ESE is requiring private special education school programs to make **immediate** notification under the following circumstances:

- An unexpected building change as the result of an emergency. This means any changes to a building (school or residence) due to unexpected circumstances such as a fire or flood. It is important for the school to clearly and completely describe the change, the impact of the change on enrolled students, the school's plan to address the change and to submit the required documentation indicated on page 2 of the checklist.
- A change in the program's financial status that impacts either the health and safety of students or service delivery to students. If, due to changes in the financial status of a school, a school can no longer provide the required staffing to maintain appropriate supervision of students and/or provide services to students as specified on their IEP's, it must make immediate notification to ESE and provide the required documentation indicated on page 2 of the checklist. The school must describe its current financial status and the manner in which it will address the financial issues as well as its written plan for ensuring the health and safety of students and/or provision of IEP services.
- Closure of a program. If, for whatever reason, a school needs to close suddenly or if a school is planning to close by a specified date, it must immediately notify ESE along with providing the required documentation on page 2 of the checklist. It is important for the school to develop and submit to ESE a written transition plan for all students enrolled in the school. This plan must include the school's outreach and collaboration with sending public school districts and other funding sources and the steps the school will take to ensure all students transition smoothly to an appropriate, alternate placement.

ESE is requiring private special education school programs to notify ESE within **15 working days** of the following circumstances:

- *Each* time there is a 10% decrease in enrollment of students based upon the number of students to be served by the school as indicated on the last ESE approved Program Budget. The school must describe how it is continuing to meet the needs of enrolled students and submit required documentation as indicated on page 2 of the checklist.
- A change in the program's ownership. If another individual or agency will assume ownership of the program it is important for the school to describe how this transition will take place and (if any) the impact this change of ownership may have on the structure of the school, its staffing and/or service delivery to students. A master staff roster and an organizational chart clearly indicating any changes to the staffing and/or structure of the school must be submitted as indicated on page 2 of the checklist.
- A change in the program's name. If the agency wishes to change the name of the program, the school must submit an organizational chart clearly indicating any changes to the staffing and/or structure of the school as indicated on page 2 of the checklist.
- Vacancies in approved staff positions not filled by another appropriately licensed or waived staff person that have a direct impact on the service delivery to students. It is important to note that notification must be made to ESE *only if* the vacancy results in students not receiving services as indicated on their IEP's. The school must clearly describe its alternative methods for providing these services to students while attempting to fill any vacant

positions. While the school is able to *temporarily* fill a vacant position with a substitute teacher, it must notify ESE if substitute teachers are being used and must continue to document its efforts to fill the position with an appropriately licensed staff person. Of additional note is that schools must notify the sending public school districts of staff vacancies only for those students affected by the vacancy and not receiving services as indicated on their IEP's. A master staff roster addressing any changes made to staffing of the school due to such a vacancy must be submitted as indicated on page 2 of the checklist.

ESE is requiring **prior** notification and approval for the following circumstances:

- Changes to school building(s)/physical facilities that are not due to an emergency, but are related to relocation and/or expansion of buildings. These changes represent changes to buildings/physical facilities that are planned and can include renovations to an existing building or constructing a new building. The school must submit all required documents as indicated on pages 2-3 of the checklist. It is important to note that ESE will thoroughly review this request along with all supporting documentation and will render an approval based upon the rationale provided and documentation submitted. Approval of this request will not result in any type of rate adjustment at the time of approval of the Form 1. If the school wishes to apply for approval of a rate adjustment directly resulting from a building change it may do so upon eligibility through the program reconstruction process. Approval of a Form 1 for building changes will not automatically result in ESE approval of a reconstruction application. ESE reserves the right to review all changes made and the impact such building changes may have on the school's rate upon the school's submission of a program reconstruction application.
- Changes made by the school to ESE required policies and procedures that result in continued adherence to regulatory requirements. These changes represent changes to ESE approved policies and procedures *initiated by the school*. Schools do not need to notify ESE of changes to existing policies and procedures that ESE is mandating. If a school determines that changes to an existing policy/procedures are necessary, it must clearly identify and outline any and all changes to its existing policy and submit a copy of the revised policy/procedures along with its Form 1 submission. The school must describe the anticipated impact the change will have on students (such as changes to behavior management policies and procedures) as well as staff (such as changes to personnel policies and procedures). The school must also describe its method of dissemination of the changes to any policies and procedures once approved by ESE. The school must inform ESE of its plan to communicate approved changes in policies and procedures to parents/guardians and funding sources.
- Request to increase or decrease the ages of the students being served. The school must submit all required documentation as indicated on page 3 of the checklist. It is important that the school fully describe in its Form 1 submission how it is prepared to meet the needs of either younger or older students in terms of student groupings, staffing and curriculum.
- Request to change or add gender of students being served. The school must submit all required documentation as indicated on page 3 of the checklist. The school must clearly describe any special provisions it must make in order to successfully accommodate and serve students of a different gender.
- Each time there is a 10% increase in enrollment of students based upon the number of students to be served by the school as indicated on the last ESE approved Program Budget. The school must describe how it is continuing to meet the needs of enrolled students and submit required documentation as indicated on page 3 of the checklist. ESE must be informed of staff changes resulting from an increase in student enrollment and the school's plan for continuing to meet all approved student to staff ratios.
- Adding, eliminating or changing staff positions. ESE recognizes there may be a need for schools to make changes to staff positions in order to be able to meet the ongoing needs of students enrolled in the program. The school must provide ESE with a detailed rationale for any proposed changes in staffing and must submit all required documentation as indicated on page 3 of the checklist. It is important to note that ESE will thoroughly review this request along with all supporting documentation and will render an approval based upon the rationale and documentation submitted. Approval of this request will not result in any type of rate adjustment at the time of approval of the Form 1. If the school wishes to apply for approval of a rate adjustment directly resulting from changes to staffing, it may do so upon eligibility through the program reconstruction process. Approval of a Form 1 for changes to staffing will not automatically result in ESE approval of a reconstruction application. ESE reserves the right to review any and all staffing changes made by the school and the impact such staffing changes may have on the school's rate upon the school's submission of a program reconstruction application. With its Form 1 submission, the school must also describe how it will provide written notification to all funding sources once the change in staffing has been approved by ESE.