 **Massachusetts Department of Elementary and Secondary Education**

*75 Pleasant Street, Malden, Massachusetts 02148-4906 Telephone: (781) 338-3000*

 *TTY: N.E.T. Relay 1-800-439-2370*

August 21, 2018

Mr. Douglas Scott

Interim Executive Director

Clarke School for the Deaf

45 Round Hill Road

Northampton, MA 01060

Re: Mid-cycle Review and Verification of previous Program Review Corrective Action Plan

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| --- |
| A - Clarke School for the Deaf Day ProgramB - Clarke School for the Deaf Preschool Day ProgramD - Clarke School East Day Program  |

Dear Mr. Scott:

Enclosed is the Department of Elementary and Secondary Education’s (“Department”) Mid-cycle Review Report based upon the Mid-cycle Review conducted in your private school programs in May 2018. This Mid-cycle Review Report contains the Department's findings regarding the implementation status and effectiveness of corrective steps taken in response to your previous Program Review Report issued on June 4, 2015. This report also includes a report on the status of implementation for new state or federal special education requirements enacted since your programs’ last Program Review. Because the Department determined all requirements were found to be either fully implemented or commendable during the 2015 Program Review, this Mid-cycle Review Report includes a report on the status of selected Mid-cycle Review criteria as well as the implementation of new state or federal special education requirements enacted since your programs’ last Program Review.

While the Department 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 October 15, 2018. The reasons for the “Provisional Approval” are clearly indicated on the attached Mid-cycle Review Report.

As the Department previously informed you, in cases where programs fail to fully and effectively implement a Corrective Action Plan which was proposed by the program and approved by the Department, the Department must then prepare a Corrective Action Plan for the programs 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 programs 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 programs within the timelines specified. Your statement of assurance must be submitted to the Department's Onsite Chairperson by **August 31, 2018**.

The Department will notify you of your programs’ next regularly scheduled Program Review several months before it is to occur. At this time we anticipate the next routine monitoring visit to occur sometime during the 2020-2021 school year, unless the Department determines that there is some reason to schedule this visit earlier.

**Please be advised that the attached Department Approval Certificates must be conspicuously posted in a public place within the program as required by 603 CMR 28.09.**

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.

Sincerely,

Joanne M. Morris, M.Ed., Supervisor

Office of Approved Special Education Schools

Nina M. Marchese, M.Ed., Director

Office of Approved Special Education Schools

c: Jeffrey C. Riley, Commissioner of Elementary and Secondary Education

 Moses Nduati, Liaison, Office of Approved Special Education Schools

Encl.: Mid-cycle Review Report

Provisional Approval Certificate, Expiration Date: October 15, 2018

 Clarke School for the Deaf Day Program

 Clarke School for the Deaf Preschool Day Program

 Clarke School East Day Program

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|  | ESE Logo | **MID-CYCLE REVIEW REPORT****Clarke School for the Deaf****MCR Onsite Dates:** **05/09/2018 - 05/11/2018****Programs under review for the agency:****A - Clarke School for the Deaf Day Program****B - Clarke School for the Deaf Preschool Day Program****D - Clarke School East Day Program**  |
|   |  | Jeffrey C. RileyCommissioner of Elementary and Secondary Education |

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| **MID-CYCLE REVIEW REPORT** |

| **PS Criterion #2.2 - Approvals, Licenses, Certificates of Inspection** |
| --- |
| **Rating:** |
| Partially Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation and observation indicated that there were current approvals, licenses and certificates of inspection for all buildings used by the students. |
| **Department Order of Corrective Action:** |
| The program must submit current fire inspections that are free from violations. |
| **Required Elements of Progress Reports:** |
| Clarke School must submit current fire inspections for all sites that are free from any violations. |
| **Progress Report Due Date(s):** |
| 09/13/2018 |  |  |  |

| **PS Criterion #2.3 - EEC Licensure (Residential Programs Only)** |
| --- |
| **Rating:** |
| Not Applicable |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| This standard is not applicable to day programs. |

| **PS Criterion #4.5 - Immediate Notification** |
| --- |
| **Rating:** |
| Implementation In Progress |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation indicated the Immediate Notification regarding the policy and procedures on serious incidents do not meet the current requirements. Specifically, the policy does not include notification to appropriate parties of such incidents or information regarding the person responsible for oversight. |
| **Department Order of Corrective Action:** |
| The program must submit a revised policy and procedures that include all required elements and reporting timelines as completed through the Web-based Monitoring System (WBMS).Once the Department has approved the Immediate Notification Policy and Procedures, the program must provide evidence of training for all staff by submitting 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. |
| **Required Elements of Progress Reports:** |
| Revised policy and procedures that include all required elements and is approved by the Department. Please note these procedures must now follow submission through the Web-based Monitoring System (WBMS) Portal.Evidence of training for all staff by submitting 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. |
| **Progress Report Due Date(s):** |
| 09/13/2018 | 10/11/2018 |  |  |

| **PS Criterion #6.1 - Daily Instructional Hours/6.4 School Days Per Year** |
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| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation indicated that all students were scheduled to receive the required number of instructional hours, and that the required number of school days was scheduled for all students. |

| **PS Criterion #8.5 - Current IEP & Student Roster** |
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| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation and student records indicated that there was a current IEP for each enrolled Massachusetts student that had been issued by the responsible public school district and consented to by the student's parent or the student, when applicable. In student records where an IEP was found to not be current, there was documentation of the program's efforts to obtain a current IEP from the responsible school district. |

| **PS Criterion #9.1 - Policies and Procedure for Behavior Support** |
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| **Rating:** |
| Implementation In Progress |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation indicated the program's written policy on Behavior Support did not include all required elements. |
| **Department Order of Corrective Action:** |
| The program must update its written policy on Behavior Support Policy and Procedures that include all required elements. Once approved by the Department the program must provide training to all staff and maintain appropriate training documentation. |
| **Required Elements of Progress Reports:** |
| Updated Behavior Support policy and procedures that includes all required elements of this criterion that are approved by the Department.Evidence of training for all staff by submitting 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. |
| **Progress Report Due Date(s):** |
| 09/13/2018 | 10/11/2018 |  |  |

| **PS Criterion #9.1(a) - Student Separation Resulting from Behavior Support** |
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| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation and staff interviews indicated that the policies and procedures regarding Student Separation Resulting from Behavior Support include a requirement that a student be continuously observed by a staff member at all times, staff shall be with the student or immediately available to the student at all times, procedures are in place for obtaining principal approval for a time-out lasting more than 30 minutes based upon the student's continuing agitation and that time out shall cease as soon as the student has calmed. |

| **PS Criterion #9.4 - Physical Restraint** |
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| **Rating:** |
| Implementation In Progress |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation and interviews indicated that the Physical Restraint Support Policy and Procedures did not include all of the required elements of this criterion reported in the required format. |
| **Department Order of Corrective Action:** |
| The program must submit revised Physical Restraint Policy and Procedures that include all required elements of this criterion reported in the required format.Once the Department has approved the Physical Restraint Policy and Procedures, the program must provide training to all staff and maintain appropriate training documentation. |
| **Required Elements of Progress Reports:** |
| The program must submit revised Physical Restraint Policy and Procedures that include all required elements of this criterion in the required format and obtain approval of the updated policy from the Department.Once the Department has approved the Physical Restraint Policy and Procedures, the program must provide evidence of training for all staff by submitting 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. |
| **Progress Report Due Date(s):** |
| 09/13/2018 | 10/11/2018 |  |  |

| **PS Criterion #11.3 - Educational Administrator Qualifications** |
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| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation indicated that the Educational Administrator possessed the required qualifications to serve in this position. |

| **PS Criterion #11.4 - Teachers (Special Education Teachers and General Education Teachers)** |
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| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation indicated that at the time of the Mid-cycle Review the teaching staff were appropriately licensed or had been granted an appropriate waiver for the 2017-2018 school year. |

| **PS Criterion #11.5 - Related Services Staff** |
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| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation indicated that the staff providing or supervising the provision of related services were appropriately certified, licensed or registered in their professional areas. |

| **PS Criterion #11.6 - Master Staff Roster** |
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| **Rating:** |
| Partially Implemented |
| **Applies To:** |
| A - Clarke School for the Deaf Day Program, B - Clarke School for the Deaf Preschool Day Program |
| **Basis for Findings:** |
| A review of documentation indicated the Master Staff Roster contained the name, program job title, corresponding Uniform Financial Report (UFR) title number and full-time equivalent (FTE) for all staff; however, the Master Staff Roster did not accurately corresponded to the last approved DESE staffing plan. |
| **Department Order of Corrective Action:** |
| The program must submit a current Master Staff Roster that aligns with the most recently approved DESE approved staffing plan and includes one staff name and one full time equivalent per line. The current Master Staff Roster template can be found in the WBMS Document Library. |
| **Required Elements of Progress Reports:** |
| Current Master Staff Roster that aligns with the most recently approved DESE Staffing Plan. |
| **Progress Report Due Date(s):** |
| 09/13/2018 |  |  |  |

| **PS Criterion #11.6 - Master Staff Roster** |
| --- |
| **Rating:** |
| Implemented |
| **Applies To:** |
| D - Clarke School East Day Program |
| **Basis for Findings:** |
| A review of documentation indicated the Master Staff Roster contained the name, program job title, corresponding Uniform Financial Report (UFR) title number and full-time equivalent (FTE) for all staff. The Master Staff Roster also accurately corresponded to the last approved DESE staffing plan. |