***Massachusetts Department of***

***Elementary and Secondary Education***

75 Pleasant Street, Malden, Massachusetts 02148-4906 Telephone: (781) 338-3700

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

February 15, 2018

Mr. Robert Bruodo

President and Head Master

Landmark School, Inc.

429 Hale Street

Prides Crossing, MA 01965

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

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| --- |
| A - Landmark Day ProgramB - Landmark Residential Program  |

Dear Mr. Bruodo:

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 October 2017. 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 May 27, 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 August 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 March 1, 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 Morris, M.Ed., Mid-cycle Review Chairperson

Office of Approved Special Education Schools

Nina M. Marchese, M.Ed., Director

Office of Approved Special Education Schools

c: Jeff Wulfson, Acting Commissioner of Elementary and Secondary Education

 Moira, McNamara, Board of Trustees Chair

Encl.: Mid-cycle Review Report

Provisional Approval Certificate, Expiration Date: August 31, 2015

 Landmark Day Program

 Landmark Residential Program

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| --- | --- | --- |
|  | ESE Logo | **MID-CYCLE REVIEW REPORT****Landmark School, Inc.****MCR Onsite Dates:** **10/17/2017 - 10/19/2017****Programs under review for the agency:****A - Landmark Day Program****B - Landmark Residential Program**  |
|   |  | Jeff WulfsonActing Commissioner of Elementary and Secondary Education |
| **MID-CYCLE REVIEW REPORT** |

| **PS Criterion #2.2 - Approvals, Licenses, Certificates of Inspection** |
| --- |
| **Rating:** |
| Partially Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| While Landmark submitted approvals, licenses and certificates of approvals for all facilities used by students, a review of documentation indicated that the program did not submit current Board of Health inspections or efforts to obtain such that contained no violations for: Lipardo Dorm, Bain Dorm or Alex Academic Center. The program also did not submit a second Board of Health inspection for those buildings in which food is served as required. |
| **Department Order of Corrective Action:** |
| Landmark must submit all required Board of Health inspections. |
| **Required Elements of Progress Reports:** |
| Landmark must submit current Board of Health inspections that do not contain violations for Lipardo Dorm, Bain Dorm or Alex Academic Center. Landmark must also submit a second Board of Health inspection for those buildings in which food is served as required. |
| **Progress Report Due Date(s):** |
| 03/12/2018 |  |  |  |

| **PS Criterion #2.3 - EEC Licensure (Residential Programs Only)** |
| --- |
| **Rating:** |
| Implemented |
| **Applies To:** |
| B - Landmark Residential Program |
| **Basis for Findings:** |
| A review of documentation indicated that there was a current license from the Department of Early Education and Care for all residential facilities. |

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

| **PS Criterion #4.5 - Immediate Notification** |
| --- |
| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation indicated that the Immediate Notification Policy and Procedures, regarding serious incidents, meets the current requirements and includes notification to appropriate parties of such incidents, as well as the person responsible for oversight. A review of student records showed that the program maintains copies of all incident reports regarding students. |

| **PS Criterion #6.1 - Daily Instructional Hours/6.4 School Days Per Year** |
| --- |
| **Rating:** |
| Partially 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; however, the program did not submit current secondary school block schedules that included all classes. |
| **Department Order of Corrective Action:** |
| Landmark School must develop and maintain a copy of the current high school block schedule that includes all classes and corresponds with the required number of instructional hours. |
| **Required Elements of Progress Reports:** |
| Landmark School must submit a copy of the current high school block schedules that includes all classes and corresponds with the required number of instructional hours. |
| **Progress Report Due Date(s):** |
| 03/12/2018 |  |  |  |

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

| **PS Criterion #8.8 - IEP - Progress Reports** |
| --- |
| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| During the 2014-2015 Program Review, a review of student records indicated that not all progress reports were written based on student IEP goals and objectives, and the Department was unable to verify the progress report recipients. A review of student records during the 2017-2018 Mid-Cycle Review indicated that all progress reports are now written based on IEP goals and objectives and progress reports were written and sent quarterly to parents/guardians, public schools and state agencies, if applicable. |

| **PS Criterion #9.1 - Policies and Procedure for Behavior Support** |
| --- |
| **Rating:** |
| Implementation In Progress |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation and interviews indicated that the program has developed and is implementing a written Behavior Support Policy and Procedures consistent with the regulations under 603 CMR 46.00 regarding appropriate responses to students behavior that may require immediate intervention. Upon Department approval of the policy and procedures; however, training has not yet occurred for the approved policy and procedures. |
| **Department Order of Corrective Action:** |
| Landmark School must provide training to all staff and maintain appropriate documentation of the updated Behavior Support Policies and Procedures as approved during the 2017-2018 Mid-Cycle Review. |
| **Required Elements of Progress Reports:** |
| Landmark School must provide evidence of training in policies and procedures for behavior support for all 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; 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):** |
| 03/12/2018 | 04/16/2018 |  |  |

| **PS Criterion #9.1(a) - Student Separation Resulting from Behavior Support** |
| --- |
| **Rating:** |
| Implementation In Progress |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation and staff interviews indicated that the policy and procedures regarding Student Separation Resulting from Behavior Support are consistent with the regulations under 603 CMR 46.00 regarding appropriate responses to students behavior that may require separation from instruction. Upon Department approval of the policy and procedures; however, training has not yet occurred for the approved policy and procedures. |
| **Department Order of Corrective Action:** |
| Landmark School must provide training to all staff and maintain appropriate documentation of the updated Student Separation Policy and Procedures as approved during the 2017-2018 Mid-Cycle Review. |
| **Required Elements of Progress Reports:** |
| Landmark School must provide evidence of training in policies and procedures on student separation from behavior support 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; 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):** |
| 03/12/2018 | 04/16/2018 |  |  |

| **PS Criterion #9.4 - Physical Restraint** |
| --- |
| **Rating:** |
| Implementation In Progress |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation and staff interviews indicated that the policy and procedures regarding Physical Restraint are not consistent with the regulations under 603 CMR 46.00 regarding appropriate Physical Restraint. |
| **Department Order of Corrective Action:** |
| Landmark School must remove the statement that notification to DESE is required for a restraint lasting longer than 20 minutes; The program must align language regarding the use of prone restraint with 603 CMR 46.03(1)(b). Upon approval of the policy and procedures, Landmark School must provide training to all staff and maintain appropriate documentation of the updated Behavior Support Policies and Procedures as approved during the 2017-2018 Mid-Cycle Review. |
| **Required Elements of Progress Reports:** |
| Landmark School must provide evidence of training in on physical restraints 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; 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):** |
| 03/12/2018 | 04/16/2018 |  |  |

| **PS Criterion #11.3 - Educational Administrator Qualifications** |
| --- |
| **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:** |
| Partially Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation indicated that at the time of the Mid-cycle Review not all teaching staff were appropriately licensed or had been granted an appropriate waiver for the 2017-2018 school year. |
| **Department Order of Corrective Action:** |
| Landmark School must ensure that teachers are appropriately licensed or maintain current waivers and do not teach outside of their approved license/waivered areas for more than 20% of the school day. Prior to the start dates of the new school year the Head of School must validate teacher license areas through access of ELAR. As teacher schedules are being developed, careful consideration must be given to any out of license area teaching assignments assigned to teachers. If out of license area teaching assignments are given to any teacher, the percentage of teaching time must be calculated based on total instruction time. |
| **Required Elements of Progress Reports:** |
| Landmark School must submit a current Teacher Roster that includes all teachers and copies of teacher licenses or approved waivers. Landmark School must indicate on the Teacher Roster the percentage of time any teacher teaches outside of his/her license. |
| **Progress Report Due Date(s):** |
| 03/12/2018 | 04/16/2018 |  |  |

| **PS Criterion #11.5 - Related Services Staff** |
| --- |
| **Rating:** |
| Partially 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; however, the Related Services Roster did not align with the Master Staff Roster. |
| **Department Order of Corrective Action:** |
| Landmark School must ensure that all providers of Related Services are documented correctly on the Related Staff Roster. Landmark School must also ensure that the Related Staff Roster aligns with the Master Staff Roster. |
| **Required Elements of Progress Reports:** |
| Landmark must submit a current Related Services Roster that aligns with the Master Staff Roster and submit copies of certificates, licenses or registrations in their professional areas for each provider. |
| **Progress Report Due Date(s):** |
| 03/12/2018 |  |  |  |

| **PS Criterion #11.6 - Master Staff Roster** |
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| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **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 staffing plan. |

| **PS Criterion #12.1 - New Staff Orientation and Training** |
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| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation and staff interviews indicated that the program developed and implemented a written plan for new staff orientation and training that is consistent with the needs of the student population and includes an orientation/training program which includes all required elements (12.2a-g). |

| **PS Criterion #12.2 - In-Service Training Plan and Calendar** |
| --- |
| **Rating:** |
| Implemented |
| **Applies To:** |
| All |
| **Basis for Findings:** |
| A review of documentation and staff interviews indicated that the program developed an annual detailed in-service training plan, and all staff, including new employees, interns and volunteers, participated in annual in-service training on average at least two hours per month that included all required elements (a-k). Additionally all teaching staff participated in training that addressed how the learning standards of Common Core Standards are incorporated into the program's instruction, and procedures for inclusion of all students in Massachusetts Comprehensive Assessment System (MCAS) and/or Partnership for Assessment of Readiness for College and Careers (PARCC) testing and/or alternate assessments. |