***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*

March 29, 2019

Tina Champagne

Executive Director

Cutchins Programs for Children and Families, Inc.

78 Pomeroy Terrace

Northampton, MA 01060

Re: Approved Special Education Schools Mid-Cycle Review and Verification of Previous Program Review Corrective Action Plan

 A - New Directions Day Program

Dear Ms. Champagne:

Enclosed is the Department of Elementary and Secondary Education’s (“Department”) Approved Special Education Schools Mid-cycle Review Report based upon the Mid-cycle Review conducted in your approved special education school program in February 2019.

This report includes the Department's findings regarding the implementation status and effectiveness of corrective steps taken in response to your previous Program Review Report issued on July 29, 2016. This report also includes detailed findings describing the determination of the Department about the implementation status of selected Mid-cycle review criteria as well as the implementation of new state or federal special education requirements enacted since your program’s last Program Review.

While the Department found certain noncompliance issues to be resolved, others were partially corrected, or the Department’s onsite team identified new issues. Therefore, the Department is issuing a “Provisional Approval” status effective from the date of this letter as indicated on the attached approval certificate and will expire on September 27, 2019. The reasons for the “Provisional Approval” are indicated on the attached Mid-cycle Review Report.

For requirements not found to be fully implemented, the Department has prepared a Corrective Action Plan for the program that 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 program to fully implement special education requirements.

**Please note that the program must demonstrate 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 Final Mid-cycle Review Report.**

At this time, the Department requests that you upload a written assurance signed by you and the chairperson of your Board of Directors. This statement must contain:

1. a description of the steps the program is taking to make the Department’s findings available to staff, parent advisory groups and the general public; and
2. an assurance that your program will implement the corrective action ordered by the Department within the required timelines.

Please go into the WBMS and upload your program’s written assurance into Additional Documents no later than **April 12, 2019**. You can do this by accessing: > MCR > Self-Assessment > Additional Documents.

The Department will notify you of your program’s 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 2021-2022 school year, unless the Department determines that there is some reason to schedule this visit earlier.

The approval certificate enclosed with this correspondence shall remain in effect until September 27, 2019, and will be contingent upon continued compliance with all regulations contained within 603 CMR 28.00 “Special 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 46.00 “Prevention of Physical Restraint and Requirements If Used.” The Department may change this approval status at any point during this three-year period if circumstances arise that warrant such a change.

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

In closing, we would like to extend our thanks to the administration and staff who shared their time and thoughts so generously during the preparation and onsite phases of the visit. Should you require any additional information, please do not hesitate to contact the Onsite Team Chairperson.

Sincerely,

Christina Belbute, Mid-cycle Review Chairperson

Office of Approved Special Education Schools

Nina M. Marchese, M.Ed., Director

Office of Approved Special Education Schools

cc: Gwynne Morrissey, President of the Board of Directors

 Jeffrey C. Riley, Commissioner of Elementary and Secondary Education

 Russell Johnston, Ph.D., Senior Associate Commissioner

 Joanne K. Morris, Supervisor, Office of Approved Special Education Schools

Encl.: Mid-cycle Review Report

Provisional Approval Certificate, Expiration Date: September 27, 2019

 New Directions Day Program

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| --- |
| DESE Logo**MID-CYCLE REVIEW REPORT****Cutchins Programs for Children and Families, Inc.****MCR Onsite Dates:** **02/06/2019 - 02/08/2019****Programs under review for the agency:****A - New Directions Day Program** Massachusetts State Seal |
| Jeffrey C. RileyCommissioner of Elementary and Secondary Education |

| **PS Criterion #2.2 - Approvals, Licenses, Certificates of Inspection** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documentation and observations indicated that there were current approvals, licenses and certificates of inspection from appropriate local authorities for all buildings used by the students. |

| **PS Criterion #4.5 - Immediate Notification** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documentation and student records indicated that the policy on Immediate Notification regarding serious incidents met the current requirements and included 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 incidents regarding students. |

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

| **PS Criterion #8.5 - Current IEP & Student Roster** |
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| **Rating:** |
| Implemented |
| **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:** |
| Implemented |
| **Basis for Findings:** |
| A review of documentation and interviews indicated that the program has developed and is implementing written Behavior Support Policies and Procedures consistent with the regulations under 603 CMR 46.00 regarding appropriate responses to students behavior that may require immediate intervention. Behavior support policies and procedures are reviewed annually and are provided to staff annually and made available to parents of enrolled students. |

| **PS Criterion #9.1(a) - Student Separation Resulting from Behavior Support** |
| --- |
| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documentation and staff interviews indicated that the policies and procedures regarding Student Separation Resulting from Behavior Management include that a student must 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 of the student separation for more than 30 minutes based upon the student's continuing agitation and that student separation shall cease as soon as the student has calmed. |

| **PS Criterion #9.4 - Physical Restraint** |
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| **Rating:** |
| Implemented |
| **Basis for Findings:** |
| A review of documentation and staff interviews indicated that the program administers physical restraints only in emergency situations of last resort when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint. Documentation, student records and interviews indicated that Physical Restraint Policies and Procedures were consistent with requirements under 603 CMR 46.00. |

| **PS Criterion #11.3 - Educational Administrator Qualifications** |
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| **Rating:** |
| Implemented |
| **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)** |
| --- |
| **Rating:** |
| Not Implemented |
| **Basis for Findings:** |
| At the time of the Mid-Cycle Review, a review of documentation, staff records and interviews indicated that not all teaching staff were appropriately licensed or on an approved waiver. |
| **Department Order of Corrective Action:** |
| The program must ensure that teachers are appropriately licensed or on approved waivers and teaching in the subject and grade levels for which they are licensed. |
| **Required Elements of Progress Reports:** |
| The program must submit: (1) A Teacher Roster using the template that can be found in the WBMS Document Library. The teacher roster must align with the most recently approved DESE staffing plan; and, (2) Copies of the teaching license or approved waiver for each Teacher. |
| **Progress Report Due Date(s):** |
| 09/06/2019 |  |  |  |

| **PS Criterion #11.5 - Related Services Staff** |
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| **Rating:** |
| Implemented |
| **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:** |
| Implemented |
| **Basis for Findings:** |
| A review of documentation indicated that at the time of the Mid-Cycle Review, the Master Staff Roster contained the name, program job title, corresponding Uniform Financial Report (UFR) title number and full-time equivalent (FE) for all staff. The Master Staff Roster also accurately corresponded to the most recently approved DESE staffing plan |

| **PS Criterion #19 - Anti-Hazing** |
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| **Rating:** |
| Partially Implemented |
| **Basis for Findings:** |
| While a review of student records indicated a copy of the anti-hazing legislation had been distributed to all secondary school age students, there was no documentation that secondary age students had received the anti-hazing disciplinary code approved by the Board of Directors. |
| **Department Order of Corrective Action:** |
| Cutchins/New Directions School must develop and maintain a tracking system for all secondary aged students that includes the name of the student, the date the student signed acknowledgement of receipt of both a copy of the anti-hazing legislation as well as a copy of the program's anti-hazing disciplinary code approved by the Board of Directors. A copy of the dated and signed student's receipt of the program's anti-hazing disciplinary code approved by the Board of Directors must be maintained in each secondary age student's record. |
| **Required Elements of Progress Reports:** |
| For the 05/30/2019 progress report, Cutchins/New Directions School must submit a copy of the tracking document that lists the date each secondary age students received a copy of the anti-hazing legislation and the disciplinary code approved by the program's Board of Directors. |
| **Progress Report Due Date(s):** |
| 05/30/2019 |  |  |  |