



MASSACHUSETTS

Department of Elementary  
and Secondary Education

## Massachusetts Foundation for Learning Disabilities

White Oak Day Program

### Mid Cycle Review Report

Week of Onsite Visit: December 04, 2023

Final Report Issued: April 01, 2024

Department of Elementary and Secondary Education Onsite Team Members:  
Christina Belbute, Chairperson



{agency.signatureName}  
{agency.signatureDesignation}

# White Oak Day Program

## Full Approval

Expires: August 31, 2027

### MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

#### COLLABORATIVE MID-CYCLE REVIEW REPORT

#### OVERVIEW OF REVIEW PROCEDURES

#### INTRODUCTION

The Massachusetts Department of Elementary and Secondary Education (Department) is required under M.G.L. c. 71B, §10 to review special education programs in approved special education schools and collaboratives that serve publicly funded students under the provisions of Board of Elementary and Secondary Education Regulations 603 CMR 18.00, 28.00, and 46.00. Each year, the Department's Office of Approved Special Education Schools (OASES) conducts onsite visits to selected approved special education school and collaborative programs to verify the implementation of standard Mid-cycle Review criteria, as well as any criteria from the most recent Program Review that required follow-up due to procedural and programmatic requirements. In the Spring of the previous school year, the schools participating in the review cycle were notified of the dates of the onsite visits and were required to conduct a Data Collection before the onsite portion of the review using the Department's Communication Hub and Monitoring Portal (CHAMP). The statewide Collaborative Mid-cycle Review cycle together with the Department's six-year Program Review monitoring schedule is posted on the Department's website at <https://www.doe.mass.edu/oases/crs/6yrcycle.html>.

#### COLLABORATIVE MID-CYCLE REVIEW ELEMENTS

**Criteria:** The Mid-Cycle Review criteria encompass key elements drawn from 603 CMR 18.00, 28.09, 46.00 and the approved public day school program's application for approval. They also include those required by the federal Office for Special Education Programs (OSEP) and revised requirements of the Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 et seq. (IDEA-2004) as described in the Department's Special Education Advisories. Through the Desk Review the OASES chairperson examines the Data Collection submission and determines which criteria will be followed up on through onsite verification activities. The Data Collection and Desk Review are both described below.

**Data Collection Phase:** This is a requirement for all collaborative programs being monitored. It is completed for the onsite review and covers all of the Department selected criteria. The collaborative is responsible for completing the Self- Assessment for each individual program being reviewed, which consists of:

- Collaborative review of policies and procedures,
- Collaborative review of student documentation including a sample of student records.
- Collaborative review of facilities, buildings, and grounds.

Upon completion of these portions, the collaborative submits the Data Collection to the Department for review.

**Desk Review Phase:** The OASES chairperson assigned to each collaborative reviews the responses by the collaborative regarding the critical elements for appropriate policies, procedures, and practices, as well as actual documents and data submitted for each criterion. The OASES chairperson also reviews documents, student record data, and explanatory comments. The outcome of this review, along with 3-year trend data from the Problem Resolution System, restraint reports, restraint injuries, serious incidents and notification or prior approval from the Department, through its notification system, is used to determine the scope and nature of onsite activities.

**Onsite Verification Phase:**

This includes activities selected from the following:

- Interviews with administrative, instructional, and other staff consistent with those criteria selected for verification.
- Telephone interviews as requested by parents, guardians or members of the general public.
- Review of student records: The Department selects a sample of student records from those the collaborative reviewed as part of its data collection to verify the accuracy of the data. The Department also conducts an independent review of a sample of student records that reflect activities conducted since the beginning of the school year. The Department monitoring team will conduct this review using standard Department procedures to determine whether procedural and programmatic requirements have been implemented.
- Observation of classrooms and other facilities: The team observes a sample of classrooms and other school facilities used in the delivery of programs and services to determine general levels of compliance with program requirements.

**Team:** Depending upon the scope of follow-up activities that have been identified based on the Department's Desk Review of the collaborative's Data Collection, a two-to-four-member Department team will conduct a one-to-five-day Mid-Cycle Review.

**Final Report:** A Final Report is then issued via CHAMP. The Final Report includes findings organized under 3specified compliance areas: Policies and Procedures, Student Documentation, and Building/Facilities.

**Ratings:** The findings explain the "ratings," or determinations by the Department about the implementation status of the compliance criteria reviewed within each of these areas. The ratings indicate those criteria that were found by the OASES monitoring team to be "Implemented," "Implemented Response Required," "Implementation in Progress," "Partially Implemented," or "Not Implemented."

**Department Corrective Action Ordered:**

The Department issues corrective action required to bring into compliance with the required statute or regulation in each area found to be not fully "Implemented". In some instances, the team may have found certain requirements to be fully "Implemented" but made a specific comment on the school program's implementation methods that also may require follow-up from the approved special education school program. **Under federal Special Education State Performance Plan requirements pursuant to IDEA-2004, public and approved special education school programs serving disabled students must demonstrate effective 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 Program Review Report.**

## REPORT INTRODUCTION

A -member team conducted a visit to Massachusetts Foundation for Learning Disabilities during the week of January 01, 2024 to evaluate the implementation of selected compliance criteria under the Massachusetts Board of Elementary and Secondary 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 28.09 (Approval of Public or Private Day and Residential Special Education School Programs), 603 CMR 46.00 (Prevention of Physical Restraint and Requirements If Used), M.G.L c. 71B, the federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400 et seq, as amended in 2004 (IDEA--2004), and civil rights provisions that are pertinent to Approved Special Education School Programs. The team appreciated the opportunity to interview staff, to observe classroom facilities, and to review the program efforts underway.

The Department is submitting the following Approved Special Education School Program Review Report containing findings made pursuant to this onsite visit. In preparing this report the team reviewed extensive documentation regarding the operation of the school programs, together with information gathered by means of the following Department program review methods:

- Interviews of 2 leadership staff;
- Interviews of 2 related services staff;
- Interviews of 2 teaching staff; and
- Interviews of 2 direct care staff.
- Student record review: A sample of 4 Massachusetts student records was selected by the Department. Student records were first examined by the school program’s staff and then verified by the OASES monitoring team using standard Department student record review procedures to make determinations regarding the implementation of procedural and programmatic requirements. An additional number of randomly selected student records were also reviewed by the OASES monitoring team to ensure determinations regarding the implementation of procedural and programmatic requirements remain in effect.
- Observation of classrooms and other facilities: A sample of instructional classrooms and other facilities used in the delivery of programs and services was observed to determine general levels of compliance with program requirements.

### 1. Summary of Compliance Criteria Included In This Report Requiring Corrective Action Plan Development In Response to the Following Mid Cycle Review Report Findings

#### Implemented

- The requirement is totally or substantially met

#### Implemented Response Required

- The requirement is met, but the Agency is required to provide additional information.

#### Implementation in Progress

- This rating is used for criteria containing new or updated legal requirements and means that the agency has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year.

#### Partially Implemented

- The requirement, in one or several important aspects, is not entirely met.

#### Not Implemented

- The requirement is totally or substantially not met.

Policies & Procedures					
Criteria	Implemented	Implemented Response Required	Implementation In Progress	Partially Implemented	Not Implemented
1.2 Program & Student Descriptions, Program Capacity	All				
3.1(d) Evacuation and Emergency Procedures	All				

4.5 Immediate Notification	All				
6.1 Daily Instructional Hours/6.4 School Days Per Year	All				
9.1(a) Student Separation Resulting from Behavior Support	All				
9.4 Physical Restraint	All				
9.7 Terminations	All				
11.1 Staff Policies and Procedures Manual				White Oak Day Program	
12.1 New Staff Orientation and Training	All				
12.2 In-Service Training Plan and Calendar	All				

**Staff Documentation**

Criteria	Implemented	Implemented Response Required	Implementation In Progress	Partially Implemented	Not Implemented
11.3 Educational Administrator Qualifications	All				
11.4 Teachers (Special Education Teachers and General Education Teachers)				White Oak Day Program	
11.5 Related Services Staff	All				
11.6 Staff Roster	All				

**Student Documentation**

Criteria	Implemented	Implemented Response Required	Implementation In Progress	Partially Implemented	Not Implemented
5.2(a) Contracts	All				
8.5 Current IEP & Student Roster	All				

**Buildings/Facilities**

Criteria	Implemented	Implemented Response Required	Implementation In Progress	Partially Implemented	Not Implemented
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**2.2 Approvals,  
Licenses,  
Certificates of  
Inspection**

All

## Policies & Procedures

### 11.1 Staff Policies and Procedures Manual

#### Requirements

The program shall develop and implement written policies and procedures for staff, maintained in a manual that describes:

1. Criteria and procedures for hiring. This must include the program's Criminal Offender Record Information (CORI) policy regarding CORI checks on employees, volunteers and interns whose responsibilities bring them into direct and unmonitored contact with students. Such checks shall be conducted upon initial hire and every three years thereafter. **NOTE:** A residential program licensed by EEC does not need to conduct independent CORI checks where those checks have been done through EEC;
2. Procedures for Criminal History Record Information (CHRI);
3. Procedures for the evaluation of staff including frequency and requirement that evaluations are signed and dated by reviewer and employee;
4. Procedures for disciplining of staff (including suspensions and dismissals);
5. A plan for using volunteer and/or intern services; and
6. Statement of equal employment/educational opportunities in regard to race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or age.

#### Legal Standards

[18.05\(11\)](#); [18.05\(11\)\(c\)\(1\)](#); [28.09\(7\)](#); [28.09\(11\)\(a\)](#);

[M.G.L. c. 71, § 38R](#); [DESE Advisory on CORI revised 5/7/07](#); [603 CMR 26.00](#)

#### Confirmed Findings

Applies To	Rating	Response Required	Finding Description
White Oak Day Program	Partially Implemented	Yes	While interviews indicated that staff routinely and regularly complete Criminal History Record Information (CHRI) fingerprinting checks for employees as required by the state regulations, a review of documentation and staff records indicated that certain required documentation was not available for some employees.

#### Corrective Action Plan

##### Department Order of Corrective Action -

**Due Date: Progress Report 1 - 05/24/2024**

**Required Elements: Progress Report 1 -** For the 05/24/2024 progress report, the program must submit 1) a narrative to describe the updated Criminal History Record Information (CHRI) process including specific changes from previous process; 2) the position title(s) of staff who will collect, update, and maintain the CHRI information in staff records; 3) the administrative position title of staff who will review the CHRI data on a program-specified cycle/timeline; 4) a tracking document that shows all current staff have completed CHRI documentation as expected.

## Staff Documentation

### 11.4 Teachers (Special Education Teachers and General Education Teachers)

#### Requirements

The program must ensure that all teaching staff have teaching licenses and endorsements (where required) appropriate to meet the needs of the population being served pursuant to the requirements of 603 CMR 7.00 and, additionally, must adhere to the following requirements:

1. All teaching staff shall be re-licensed pursuant to the requirements of 603 CMR 44.00 including obtaining supervisor approval of Professional Development Plans pursuant to 603 CMR 44.04, if applicable.
2. To the extent that unlicensed teaching staff is providing special education services, such services shall be provided, designed, or supervised by a special educator.
3. To the extent that general education teachers are providing special education services, they shall do so in coordination with the special education teacher.
4. A program's teacher who has knowledge about the education and learning progress of the student must be in attendance at the IEP meeting for the student.

The number of special education teachers and, if applicable, general education teachers must correspond with the Full Time Equivalents (FTEs) on the proposed program budget as well as the proposed Staff Roster.

#### Legal Standards

**Confirmed Findings**

Applies To	Rating	Response Required	Finding Description
White Oak Day Program	Partially Implemented	Yes	A review of documentation, staff records, and staff interviews indicated that not all teachers are appropriately licensed or teaching 80% within their licensed content area.

**Corrective Action Plan**

**Department Order of Corrective Action -**

**Due Date: Progress Report 1 - 05/24/2024**

**Required Elements: Progress Report 1 -** For the 05/24/2024 progress report, the program must submit: 1) a current Teacher Roster with all current teaching staff listed and current percentage of time any teacher teaches outside of their license; 2) copies of current teaching licenses or approved waivers for each teaching staff; 3) a narrative to describe specific programmatic structure of teaching schedules; 4) narrative of plan for ensuring that all teaching staff have current licenses or approved waivers in the appropriate teaching areas; and 5) designation of staff position(s) who will maintain staff records, submit timely requests into ELAR, and complete an administrative review of licensing statuses including timelines.



# MASSACHUSETTS FOUNDATION FOR LEARNING DISABILITIES

## White Oak Day Program

a public special education program operated pursuant to  
603 CMR 18.00 and 28.09 is granted

### Full Approval

This approval status expires on August 31, 2027 and is a result of a Mid Cycle Review conducted in the 2023-2024 school year. The next expected Program Review will be conducted in the 2026-2027 school year.

#### Program-Specific Information

**Primary Program Address:** 533 North Road, Westfield, MA, US, 01085  
**Program Type:** Day Program  
**Number of Months in Session:** 10 months  
**Current Enrollment:** 53  
**Ages Served:** 6-18  
**School Level Served:** Elementary; Middle; Secondary

Issued by the Office of Approved Special Education Schools:

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Date Issued: April 01, 2024