

**New Hampshire  
Department of Education  
Bureau of Special Education Support  
Monitoring Review for Approval of  
Private Provider Special Education  
Programs**

**Easterseals Educational Programs:**

Robert B. Jolicoeur School, Mammoth Road  
Zachary Road, Day  
Easterseals Lancaster School

**Summary Report  
2022 - 2023**

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Monitoring Visits Conducted March 2 & 20, 2023  
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## Overview of Easterseals Educational Programs

With its mission to provide exceptional services to ensure that all people with disabilities or special needs and their families have equal opportunities to live, learn, work, and play in their communities, Easterseals provides year-round (210 days) education, treatment, and care for students of all genders with a variety of educational needs. The consistent structure of a year-round program supports the significant needs of their students and provides continual learning and maintenance of knowledge and skills.

Easterseals currently has three approved special education programs in New Hampshire, two located in Manchester (Robert B. Jolicoeur School, Mammoth Road and Zachary Road, Day), and one in Lancaster (Easterseals Lancaster School).

The Robert B. Jolicoeur School, located at 1 Mammoth Road in Manchester, is approved for up to 70 students in grades K-12 and the Zachary Road, Day, located at 200 Zachary Road in Manchester, is approved for up to 60 students in grades K-12. Both provide instructional programs designed to effectively meet the academic and social/emotional/behavioral goals of students with the educational disabilities of Autism, Developmental Delay, Emotional Disturbance, Intellectual Disability, Multiple Disabilities, Other Health Impairment, Specific Learning Disability, Speech-Language Impairments, and Traumatic Brain Injury.

The Easterseals Lancaster School, located at 525 Prospect Street in Lancaster, is approved for up to 21 students in grades 5-12. The program provides instructional programs designed to effectively meet the academic and social/emotional/behavioral goals of students with the educational disabilities of Autism, Emotional Disturbance, Intellectual Disability, Multiple Disabilities, Other Health Impairment, Specific Learning Disability, Speech-Language Impairment, and Traumatic Brain Injury. This program strives to help North Country students stay in their communities. Since there are limited out-of-district options for the rural communities in the North Country, Easterseals is committed to supporting a broad array of needs in this small program to help students stay at home and live with their families while having access to specialized education and services.

All three approved special education programs are committed to developing learning environments that utilize creative instructional strategies and small class sizes to engage students in the learning process and develop their skills, knowledge, and abilities. In addition to academics, vocational and independent living skills are an integral part of the curriculum. These programs have a strong focus on preparing students to be as successful and independent as possible in adulthood.

Small class sizes support teachers in providing individualized instruction to meet the needs of their students. Learning involves direct instruction and opportunities to practice skills. Paraprofessionals, shared or one-to-one, support learning in the classroom and assist in skill development needed for independence. Students can earn a regular high school diploma, but most students complete learning paths leading to a certificate of completion.

A new school building is going to be built in Manchester on the Zachary Road property. Construction is to begin in the fall of 2023 and is anticipated to open in the fall of 2024. Upon its opening the two Manchester campuses, Mammoth Road and Zachary Road will be combined into one location.

While the Easterseals 2022-2023 approval of special education programs process involved the review of the above three approved special education programs, Easterseals has requested their new program approval be for two special education programs, Gammon Academy at Zachary Road which combines the two Manchester campuses and Gammon Academy at Lancaster, both providing year round education and services for 240 days. The name changes, decrease in number of programs, and increase in the number of days the programs operate year round will be effective beginning July 1, 2023. These changes will have no impact on programming.

## **Noteworthy Practices and Areas in Need of Refinement**

### **Noteworthy Practices**

During the monitoring visit, it had been revealed that the Easterseals approved special education programs included several practices in their teaching, lessons, and expectations which are noteworthy. Such practices are listed below.

- Believing that it is essential to increase the skill level of all staff so they are better able to provide a safe, therapeutic environment where learning can be optimized.
- Providing multiple opportunities for professional development in the areas of instructional practices/strategies, disability-specific needs, special education services/processes, family-centered practices, Therapeutic Crisis Intervention and Trauma Informed Care.
- Recognizing and identifying meaningful ways to attract and retain staff to include improved professional development opportunities, increased salaries, and opportunities for all staff members to work collaboratively.
- Integrating Professional Learning Communities (PLCs) so staff can work with consultants more effectively and build capacity within their educational teams.
- Increasing the confidence level of all staff members by designating/scheduling common time for them to work collaboratively with the counseling staff to discuss the strengths and needs of individual students.
- Providing opportunities for staff to share ideas for how to work with the varying skill levels and behaviors of students.

- Having CARF accreditation, (Commission on Accreditation of Rehabilitation), which provides a framework for continuous quality improvement for staff and students.
- Recognizing and having a plan in place for making up any missed services due to staffing shortages.

### **Areas in Need of Refinement**

During the monitoring visit, it had been revealed that the Easterseals approved special education programs had a couple areas in need of refinement. The NHED identified these areas, and potential remedies. Whereas these practices do not rise to the standard of noncompliance, and therefore require no corrective actions, the NHED believes these items warrant being addressed as areas in need of refinement.

- While random sampling only reviewed a three-week snapshot it was observed that some services appeared to be offered only on set days, so if it were a holiday, school closing, or the absence of a teacher/related service provider, the service was not provided. Reviewers were unable to determine if attempts were made to provide missed services since only a three-week time period was reviewed. The reviewers shared this observation with the Easterseals administrative team and discussed the need for services to be delivered as outlined on the services page of the IEP and if services are not able to be delivered due to scheduling, reasonable efforts are made to ensure students receive the agreed upon services.
- Some of the services for specially designed instruction (SDI) were written for an entire school day rather than the amount of time necessary to work on goals in specific areas. The time outlined on the services page for specially designed instruction should not be the same as the time allotted for placement since specially designed instruction should be written for the time needed to work on a specific skill/knowledge deficits identified in the goals. The reviewers and the Easterseals administrative team discussed the importance of reviewing how the LEAs outline services for SDI and if the length of time appears to be written as a placement rather than the time needed to work on specific skills/knowledge deficits outlined in a goal the IEP should be amended.

## **Overview of the Monitoring Review for Approval of Private Provider Special Education Programs Process**

Each Private Provider must meet the requirements for special education program approval pursuant to The Individuals with Disabilities Education Act (IDEA) (2004), The New Hampshire Standards for the Education of Children with Disabilities, and New Hampshire State Statutes (RSA 186-C:5, RSA 189:64).

The Monitoring Review Process for Approval of Private Provider Special Education Programs ensures that students with educational disabilities have access to; can participate in; and can demonstrate progress within the general education curriculum, thereby improving student learning. The primary focus of the monitoring review is to improve educational results and functional outcomes for all children with disabilities.

The NHED Bureau of Special Education Support's, (the Bureau's), Approval of Private Provider Special Education Programs Monitoring Process (AP3s) consists of a review of required application materials and an on-site component with program visit(s) and random sampling. The AP3s process occurs during the last year of approval of the Private Special Education Program (Private Provider).

The spring prior to the AP3s process, the Bureau notified Easterseals of the upcoming monitoring and scheduled a time to meet with the administrative team to review the process and answer any questions. The Bureau sent written communication in the fall of the monitoring year which included an overview of the monitoring process and tentative dates for the on-site Data Collection Form training and on-site monitoring visit.

As part of the AP3s process Easterseals submitted required application materials for review and the Bureau confirmed their nonpublic school approval.

The Bureau visited the programs on Thursday, March 2, 2023, and Monday, March 20, 2023, to conduct the AP3s on-site monitoring visit. Prior to conducting this visit, the Bureau conducted training to Private Provider staff on how to complete the On-site Data Collection Form for the random sampling and what would be acceptable evidence.

The AP3s Process has one main component to corrective actions titled, "*Corrective Action Regarding the Implementation of the Regulations*", which typically involves the Private Provider participating in or providing professional development training to appropriate personnel for areas found in noncompliance. For any corrective action regarding the implementation of the regulations, evidence of provided trainings is required and must be submitted to the Bureau. It is recommended that all corrective actions be verified by the Bureau within three months from the date of this report but cannot go unaddressed longer than one year of the date of the on-site monitoring visit. The final close-out letter will not be issued until all corrective actions have been verified corrected.

The New Hampshire Department of Education, Bureau of Special Education Support review members for this on-site monitoring review included Heidi Clyborne and Alexandra Ferraro.

## **Special Education Procedures and Effective Implementation**

Each Private Provider must have Special Education Procedures and effective implementation of practices that are aligned and support the implementation of IDEA and the *New Hampshire Standards for the Education of Children with Disabilities*.

During their 2017-2018 AP3s process, Easterseals Special Education Procedures were verified compliant with State and Federal regulations regarding administration, confidentiality of information, program requirements, responsibilities of private providers of special education implementation of IEPs, behavioral interventions, RSA 126-U Limiting the use of child restraint practices in schools and treatment facilities, qualifications and requirements for instructional, administrative and support personnel, change in placement or termination of enrollment, physical facilities, health and medical care, photography and audio-visual recording, and emergency planning and preparedness.

Since then, there has been one rule change, (Ed 1119.01 Confidentiality Requirements), affecting the Special Education Procedures. Private Providers monitored for program approval prior to this change submitted, for review, only the sections of their Special Education Procedures pertaining to the revised rule.

Based on the review of Easterseals Special Education Procedures the monitoring team determined there were **0 findings of noncompliance**.

## **Private Provider Curriculum and Effective Implementation**

Easterseals K-12 curriculum was verified compliant during their previous monitoring review process in the learning areas of Arts Education, English/Language Arts, Health Education, Physical Education, Family & Consumer Science, Information & Communications Technologies, Mathematics, Science, Social Studies, and Technology Education, pursuant to Ed 306.26(b)(1) and (2) & Ed 306.27(c).

Since Easterseals last AP3s process, there has been one change to the New Hampshire Minimum Standards, Ed 306.49 Holocaust and Genocide Education Program, which was widely shared with all of New Hampshire's Private Providers of Special Education Programs in 2022.

As the State is reviewing and making additional revisions to the Administration of Minimum Standards (Ed 306), the Bureau will review approved special education programs curriculum for areas where there are revisions once all changes are in effect.

Based on the previous review of Easterseals curriculum, the monitoring team determined there were **0 findings of noncompliance**.

## **Personnel**

The Bureau of Special Education Support has reviewed Easterseals personnel certifications using the New Hampshire Educator Information System. The review process was for educators employed during 2022 – 2023 school year.

The personnel roster provided by Easterseals was compared to the data in the New Hampshire Educator Information System. Each personnel member's endorsement was compared to the subject/assignment. This process was used for personnel that hold Beginning Educator Certification (BEC) and Experienced Educator Certification (EEC). If the endorsement was appropriate to the subject/assignment, then the renewal date of the endorsement was verified to ensure that the endorsement was current.

If there was a discrepancy between endorsement and the subject/assignment, the private provider was given an opportunity to verify the data. If the discrepancy could not be resolved, a finding of noncompliance was made based on Personnel Standards pursuant to Ed 1114.10(a), 34 CFR 300.18, and 34 CFR 300.156.

Based on the review of Easterseals personnel certifications, the monitoring team determined there were **4 findings of noncompliance for each program.**

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
<b>34 CFR 300.18; 34 CFR 300.156; Ed 1126.02(b)(1)&amp;(2); Ed 1114.05(j); Ed 1114.10(a)</b>	<b>Personnel Standards</b>
<b>Finding of Noncompliance:</b> In reviewing Easterseals personnel there was <b>1 consultant</b> with a subject/assignment in Music; however, is not credentialed in Music, resulting in <b>1 finding of noncompliance for each program.</b>	
<b>Corrective Action regarding the Implementation of the Regulations:</b> Easterseals must hire or contract with teachers that currently hold appropriate credentials.	
Provide the Bureau with evidence that resolves the discrepancies between subject/assignments and endorsements as well as a description of the method used to inform staff to NHED as soon as possible but no later than 6 months from the date of this report.	
COMPLIANCE CITATIONS	AREA OF COMPLIANCE
<b>34 CFR 300.18; 34 CFR 300.156; Ed 1126.02(b)(1)&amp;(2); Ed 1114.05(j); Ed 1114.10(a)</b>	<b>Personnel Standards</b>
<b>Finding of Noncompliance:</b> Easterseals did not provide any evidence that they have certified teachers or consultants in the following content areas, resulting in <b>3 finding of noncompliance for all programs:</b> <ul style="list-style-type: none"> <li>• Health</li> <li>• Family &amp; Consumer Science</li> <li>• Technology Education</li> </ul>	
<b>Corrective Action regarding the Implementation of the Regulations:</b> Easterseals must hire or contract with teachers that currently hold appropriate credentials in each area noted as missing.	
Provide the names and endorsements of certified staff or consultants for the content areas to the Bureau as well as a description of the method used to inform staff to NHED as soon as possible but no later than 6 months from the date of this report.	

Easterseals was notified of the concerns listed above, via email, on 3/6/2023. Staff specific information was included in the email.

## General Program Approval Requirements

Each Private Provider must meet the requirements for special education program approval pursuant to The Individuals with Disabilities Education Act (IDEA) (2004), The New Hampshire Standards for the Education of Children with Disabilities, and New Hampshire State Statutes (RSA 186-C:5, RSA 189:64).

The monitoring review for the approval of Private Provider Special Education Programs includes an application with specified materials that must be submitted to the Bureau at least 30 days prior to the on-site monitoring visit in the year monitored.

Based on the review of Easterseals application materials, the monitoring team determined there was **1 finding of noncompliance for each program.**

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
Ed 1114.04(g)	<b>Professional Development Master Plan</b>
<p><b>Finding of Noncompliance:</b> In reviewing Easterseals application materials an approved current Professional Development Master Plan is not on file with the Bureau of Credentialing resulting in <b>1 finding of noncompliance for each program.</b></p>	
<p><b>Corrective Action regarding the Implementation of the Regulations:</b> Easterseals must provide the Bureau with evidence that the Professional Development Master Plan has been reviewed and accepted by the Bureau of Credentialing as soon as possible but no later than 6 months from the date of this report.</p>	

## Program Monitoring and Random Sampling

Per RSA 186-C:5 the Monitoring Process must include on-site monitoring to include program monitoring and random sampling. The AP3s Process for Easterseals included an on-site monitoring visit during which the Bureau monitoring team was provided with a program overview, visited all approved locations for the approved program and collected random sampling data using the On-site Data Collection Form. Random sampling data consisted of comprehensive reports per Ed 1114.06(i), (j), (k) and service implementation per Ed 1114.03(a).

At least 30 days prior to the scheduled monitoring on-site visit Easterseals submitted to the Bureau a completed On-site Data Collection Form that included the information below.

- A coded list of twenty percent of the New Hampshire students enrolled in the program the year prior to monitoring for verification of comprehensive reports.
- A coded list of the services Easterseals was responsible for providing to all of their New Hampshire students enrolled in the program during the three-week period of October 31, 2022 - November 18, 2022, for verification of service implementation.



(Easterseals was notified by the Bureau of the three-week time period on December 12, 2022).

At the on-site monitoring visit, the Bureau monitoring team used the On-site Data Collection Form to verify evidence that Easterseals completed a minimum of three comprehensive reports for each student on the list per Ed 1114.06(i), (j), (k) and that required services were provided during the designated time period per Ed 1114.03(a).

Based on the review of Easterseals program monitoring and random sampling, the monitoring team determined the following findings:

- **1 finding of noncompliance at the Robert B. Jolicoeur School, Mammoth Road program**
- **1 finding of noncompliance at Zachary Road, Day program**
- **1 finding of noncompliance at Easterseals Lancaster School program**

**Robert B. Jolicoeur School, Mammoth Road program**

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
<b>Comprehensive Report Regulatory Component</b>	<b>Review Status</b>
<b>Ed 1114.06(i)</b>	<b>Each provider of special education or other non-LEA program shall complete a minimum of 3 comprehensive reports per year on each child with a disability enrolled in the program.</b>
<b>100%</b> of student codes reviewed at the Robert B. Jolicoeur School, Mammoth Road program demonstrated evidence that a minimum of 3 comprehensive reports per year are completed on each child with a disability enrolled in the program meeting all compliance criteria. This results in <b>0 findings of noncompliance</b> since comprehensive reports reviewed were in 100% compliance.	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
<b>Service Implementation Regulatory Component</b>	<b>Review Status</b>
<b>Ed 1114.03(a)</b>	<b>A private provider of special education or other non-LEA program shall be responsible for providing students with disabilities all services detailed in their IEPs unless the provision of those services has been agreed upon by contract with the sending LEA.</b>
<b>79%</b> of all services detailed in the IEP, that were the responsibility of Robert B. Jolicoeur School, Mammoth Road program, had evidence demonstrating provision. This results in <b>1 finding of noncompliance</b> since service provision was not in 100% compliance.	
<b>Corrective Action Regarding the Implementation of the Regulations:</b> Provide training to appropriate staff to ensure that the private provider implements special education and related services as outlined in the IEP.	
Provide the dates, names of attendees, and a description of the trainings, which defines the private provider's procedure for complying with this specific rule, to the Bureau within 3 months from the date of this report.	

**Zachary Road, Day program**

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
Comprehensive Report Regulatory Component	Review Status
Ed 1114.06(i)	<b>Each provider of special education or other non-LEA program shall complete a minimum of 3 comprehensive reports per year on each child with a disability enrolled in the program.</b>
<p>100% of student codes reviewed at the Zachary Road, Day program demonstrated evidence that a minimum of 3 comprehensive reports per year are completed on each child with a disability enrolled in the program meeting all compliance criteria. This results in <b>0 findings of noncompliance</b> since comprehensive reports reviewed were in 100% compliance.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
Service Implementation Regulatory Component	Review Status
Ed 1114.03(a)	<b>A private provider of special education or other non-LEA program shall be responsible for providing students with disabilities all services detailed in their IEPs unless the provision of those services has been agreed upon by contract with the sending LEA.</b>
<p>77% of services, that were the responsibility of Zachary Road, Day program, had evidence demonstrating provision. This results in <b>1 finding of noncompliance</b> since service provision was not in 100% compliance.</p> <p><b>Corrective Action Regarding the Implementation of the Regulations:</b> Provide training to appropriate staff to ensure that the private provider implements special education and related services as outlined in the IEP.</p> <p>Provide the dates, names of attendees, and a description of the trainings, which defines the private provider's procedure for complying with this specific rule, to the Bureau within 3 months from the date of this report.</p>	

**Easterseals Lancaster School program**

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
Comprehensive Report Regulatory Component	Review Status
Ed 1114.06(i)	<b>Each provider of special education or other non-LEA program shall complete a minimum of 3 comprehensive reports per year on each child with a disability enrolled in the program.</b>
<p>100% of student codes reviewed at the Easterseals Lancaster School program demonstrated evidence that a minimum of 3 comprehensive reports per year are completed on each child with a disability enrolled in the program meeting all compliance criteria. This results in <b>0 findings of noncompliance</b> since comprehensive reports reviewed were in 100% compliance.</p>	

COMPLIANCE CITATIONS	AREA OF COMPLIANCE
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Service Implementation Regulatory Component	Review Status
Ed 1114.03(a)	<b>A private provider of special education or other non-LEA program shall be responsible for providing students with disabilities all services detailed in their IEPs unless the provision of those services has been agreed upon by contract with the sending LEA.</b>
91% of services, that were the responsibility of Easterseals Lancaster School program, had evidence demonstrating provision. This results in <b>1 finding of noncompliance</b> since service provision was not in 100% compliance.	
<b>Corrective Action Regarding the Implementation of the Regulations:</b> Provide training to appropriate staff to ensure that the private provider implements special education and related services as outlined in the IEP.	
Provide the dates, names of attendees, and a description of the trainings, which defines the private provider's procedure for complying with this specific rule, to the Bureau within 3 months from the date of this report.	

## Determining Program Approval Periods

To determine the length of program approval the Approval of Private Provider Programs is broken down into 7 sections. Points are accumulated based on the number of findings in each section and weighted towards those areas most directly impacting the provision of FAPE.
<ul style="list-style-type: none"> <li>• Application Materials, not covered in other sections, (0-5 points)</li> <li>• Curriculum (0-22 points)</li> <li>• Personnel Certified (0-9 points)</li> <li>• Required Staff (0-9 points)</li> <li>• Special Education Procedures (0-5 points)</li> <li>• Service Provision (0-40 points)</li> <li>• Comprehensive Reports (0-10 points)</li> </ul>
A program is given a percent score based on the total number of points received out of the maximum possible. The higher a percentage a program receives the shorter their approval period.
<ul style="list-style-type: none"> <li>• 5 years: 0-20%</li> <li>• 4 years: 21-40%</li> <li>• 3 years: 41-60%</li> <li>• 2 years: 61-80%</li> <li>• 1 year: 81-100%</li> </ul>
Based on the findings outlined in this report Easterseals Educational Programs – <b>Robert B. Jolicoeur School, Mammoth Road</b> program received a score of 15% <b>and a 5 year program approval.</b>
Based on the findings outlined in this report Easterseals Educational Programs – <b>Zachary Road, Day</b> program received a score of 15% <b>and a 5 year program approval.</b>
Based on the findings outlined in this report Easterseals Educational Programs – <b>Lancaster School</b> program received a score of 8% <b>and a 5 year program approval.</b>