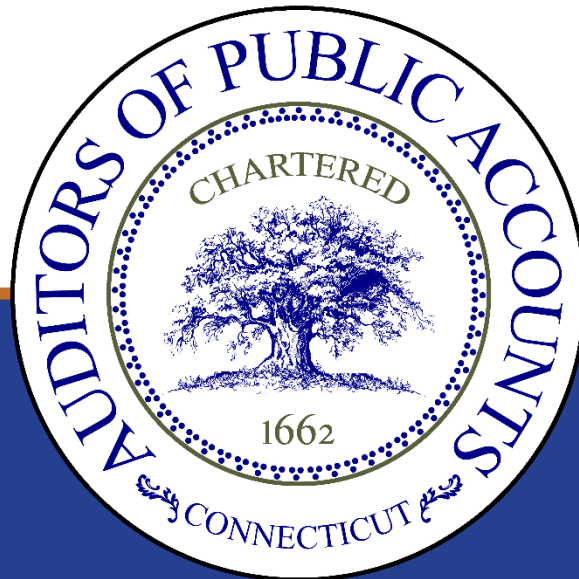


AUDITORS' REPORT

PERFORMANCE AUDIT

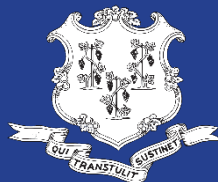
Private Providers of Special Education

SCHOOL YEAR 2022-2023



STATE OF CONNECTICUT
Auditors of Public Accounts

JOHN C. GERAGOSIAN
State Auditor



CRAIG A. MINER
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September 10, 2025

INTRODUCTION

We are pleased to submit this audit of the Private Providers of Special Education for the school year 2022-2023. Our audit identified internal control deficiencies; instances of noncompliance with laws, regulations, or policies; and a need for improvement in practices and procedures that warrant management's attention.

The Auditors of Public Accounts wish to express our appreciation for the courtesies and cooperation extended to our representatives by the staff of Ädelbrook Academy - Cromwell, American School for the Deaf, Grace S. Webb School, High Road School of Wallingford, University School JPE, and the State Department of Education during the course of our examination.

The Auditors of Public Accounts also would like to acknowledge the auditors who contributed to this report:

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ABBREVIATIONS

ABBREVIATION	DEFINITION
APSEP	Approved Private Special Education Program
LEA	Local Education Agency
RESC	Regional Educational Service Center
SDE	Connecticut State Department of Education
DCF	Department of Children and Families
OCA	Office of the Child Advocate
DRCT	Disability Rights of Connecticut
NCASES	National Commission for the Accreditation of Private Special Education Programs
IEP	Individualized Education Program
PPT	Planning and Placement Team
IDEA	Individuals with Disabilities Education Act
FAPE	Free Appropriate Public Education
LRE	Least Restrictive Environment
ISP	Individualized Service Plan
SEED	Connecticut's System for Educator Evaluation and Development
CJIS	Criminal Justice Information System
PPSE	Private Provider of Special Education

STATE AUDITORS' FINDINGS AND RECOMMENDATIONS

About the Audit

In accordance with the provisions of section 10-91g of the General Statutes, we audited certain operations of private providers of special education that entered agreements with local education agencies during the 2022-2023 school year. The purpose of the audit was to evaluate whether providers of special education 1) spent state and local special education funds in accordance with contracts and student individualized education programs, 2) adequately delivered related services, and 3) engaged in key management practices to deliver quality special education.

We audited four private providers approved by the State Department of Education (SDE): Ädelbrook Academy - Cromwell, American School for the Deaf, Grace S. Webb School, and High Road School of Wallingford. SDE approves private special education programs (APSEPs). After an APSEP's initial approval, SDE reviews compliance with the Principles, Procedures and Standards for the Approval of Private Special Education Programs as needed, at least every three to five years. Local education agencies (LEAs) from around the state outplace students into APSEPs when their home district cannot provide a free appropriate public education (FAPE).

We also audited University School JPE, a non-approved private provider of special education. SDE does not have jurisdiction or oversight over non-approved private providers. LEAs are only permitted to outplace special education students with non-approved private providers of special education in limited circumstances. While there is little oversight of these non-approved private providers, they are subject to certain statutory requirements. SDE monitors each public student outplaced to a non-approved provider and includes related information in its data collections.

Our audit identified findings related to contracting, billing and service delivery, statutory noncompliance of approved and non-approved private providers of special education, APSEP noncompliance with SDE approval standards, opportunities to align with quality management practices, and a variety of issues at the non-approved private provider.

Our evaluation of the Private Providers of Special Education disclosed the following recommendations.

Finding 1

Failure to Deliver Certain Services Required by Student Individualized Education Programs

Background

Section 10-76(d) of the General Statutes allows boards of education to enter contracts with private providers of special education services to meet their obligations for students whose educational needs cannot be met in their district. These contracts normally stipulate that the provider will deliver all educational and related services required to implement the IEP and clearly identify those services.

Criteria

Providers must implement the requirements in a student's IEP to provide a free and appropriate public education and meet their contractual obligations with local education agencies.

Condition

The providers did not always deliver services required by student IEPs. During our review of service documentation from approved private special education programs, we noted these levels of related service delivery measured against IEP requirements:

Private Provider	Type of Related Service	% of Services Delivered
Ädelbrook Academy	Individual Language/Communication	87%
	Group Language/Communication	97%
	Fine/Gross Motor Skills	86%
	Combined	91%
Grace S. Webb	Individual Counseling	68%
	Group Counseling	49%
	Group Language/Communication	76%
	Combined	60%
High Road	Individual Counseling	48%
	Group Counseling	40%
	Individual Language/Communication	94%
	Group Language/Communication	73%
	Individual Fine Motor Skills	30%
	Group Fine Motor Skills	77%
	Combined	52%

While we could not document precise percentages of related service delivery for American School for the Deaf and University School JPE, the evidence we reviewed showed similar patterns.

Context

For each private provider of special education, we randomly selected 20% of students in attendance during the audited period. For the four approved private providers, we selected students who attended during the 2022-2023 school year. For University School JPE, we selected students who attended during the 2023-2024 school year. Our selection included 14 students from Ädelbrook Academy-Cromwell, 21 from American School for the Deaf, 18 from Grace S. Webb School, 16 from High Road School of Wallingford, and six from University School JPE.

We requested and reviewed all related service documentation for each student. For University School JPE, we reviewed service documentation during our site visit. We reviewed all related service documentation we could obtain.

We could not obtain complete related services documentation from American School for the Deaf and analyzed only provided documentation. University School JPE could not provide complete related service documentation during our site visit. However, we reviewed available counseling notes for the selected students.

We did not receive documentation for counseling services from Ädelbrook Academy - Cromwell and could not analyze its delivery of counseling services. Ädelbrook Academy - Cromwell showed a pattern of both underdelivering some services and overdelivering others. While its service delivery rates were somewhat better than the other providers reviewed, the over delivery of some services tended to inflate the percentage of overall service delivery.

Effect

The failure of private providers to provide all related services in student IEPs increased the risk that students did not receive a free and appropriate public education.

Cause

The audited special education providers did not prioritize delivering all required services and did not consistently make up missed services.

Recommendation

Private providers of special education should deliver all related services specified in student individualized education programs. If they cannot provide all required services, they should notify the local education agency of any significant gap in service and work with the local education agency and the planning and placement team to revise the IEP or identify other necessary strategies.

Ädelbrook Academy – Cromwell Response

"Ädelbrook prioritizes and is fully committed to provide all of the related services in the amounts prescribed in the student's IEP, to provide documentation of services to the LEA and to engage the LEA with concerns related to the ability to fully provide the service. However, unavoidable events and circumstances impact our ability to fully implement all of the services in each student's IEP. Early releases, cancellations, absences, and/or student's inability or

unwillingness to participate in the service negatively impact our ability to consistently provide the full amount of the required related services during the school year.

When such events and circumstances result in missed services, Ädelbrook takes steps to reschedule the missed services. Sections 3.4 (SY 21-22) and 1.3 (SY23-24) of Ädelbrook's standard Day School contract specifically address the provision of special services as stated in the IEP. "Hours for Special Services in the IEP will be provided in the manner designated by the IEP, and if not otherwise identified, shall be spread approximately equally throughout the school year. However, in order to better serve the student, any hours for Special Services missed in one month (for example, due to a student sick day, snow day or other missed school day) may be added, if schedule allow, to the following month's services." This is Ädelbrook's process, regardless of whether an LEA agrees to our contract.

Further, and as recommended, Ädelbrook advises the LEA if there are gaps in service, identifies barriers that can be addressed and, as appropriate works with the LEA and the student's PPT to revise the IEP or identify other necessary strategies to support our ability to fully provide all required related services. For these reasons, Ädelbrook disagrees with this finding and with the statement of Cause, specifically, that "...we did not prioritize delivering the full amount of required related services..."

Regarding counseling services (Social Work Services), we acknowledge the student files requested did not include proper documentation of the counseling services provided during the audit period. The issue was identified prior to the audit and has been corrected."

American School for the Deaf Response

"ASD agrees with this finding. During school year 23-24, ASD started moving to an internal tracking system versus the individual district system that was in place during the audit period. ASD provided documentation of the new procedures to the auditors. ASD's intent is to deliver the full amount of related services specified in IEPs. The internal tracking system implemented after the audit period will enable ASD to maintain all related services documentation provided to our students."

Grace S. Webb School Response

"The Grace S. Webb School agrees with the recommendation. We serve students who struggle with chronic truancy, as defined by the State. Our School has specialized programs (such as Attendance and Credit Recovery Programs and outreach services) targeted at reducing student absenteeism due to psychiatric/emotional disabilities. Given the population of the students who struggle to maintain consistent attendance at school, we often deliver services in non-traditional settings as students can tolerate, which may not have always been captured fully in documentation. The Grace S. Webb School will ensure inclusive documentation of all services

specified in the student's IEP. If this is not possible for the reasons referenced above, we will work with the district to address."

High Road School of Wallingford Response

"HRS is committed to delivering all services outlined in each student's IEP. Chronic absenteeism and other attendance challenges are common among our referred student population and can significantly limit our ability to deliver scheduled services. In such cases, we attempt to maintain active communication with LEAs and document all barriers to service delivery, including outreach and intervention efforts. Only services that are delivered are billed and, when feasible, missed sessions are rescheduled or communicated in advance.

To improve tracking and communication, an improved and a centralized monitoring process was implemented in SY25. This system supports timely outreach and intervention when students disengage or face attendance issues.

We remain committed to transparency and to working collaboratively with LEAs to ensure all students receive the services and support they need. It is worth noting that during the current 24-25 school year all students have made positive gains against their IEP goals and, overall, 82% of all students' goals show progress. In the more challenging cases, we take proactive measures such as conducting home visits, coordinating with external service providers, and offering alternative means of engagement to support students."

University School JPE Response

"University School, JPE provides the educational and counseling components for the Bridgeport Public Schools students attending the program. BPS provides all other related services, such as Speech/Language services, for BPS students. BPS sends the appropriate staff to our site to provide those services. In terms of Related Services, University School, JPE provides the counseling component. At the time of the visit a new social worker had recently joined the staff after another social worker had abruptly left the position because of personal family concerns. The available counseling notes were included in the counseling summary for each student. The Art therapy program was utilized to address the period in which we were actively recruiting a new social worker. The newly-hired social worker offered compensatory sessions for by offering double sessions to each student. Some students refused the double sessions, although they were not scheduled for back-to-back periods if the student preferred extra, rather than longer sessions."

CSDE Response

"The CSDE is concerned with the alleged lack of consistent delivery of IEP services to students. On July 1, 2018, the CSDE developed a standard form to verify the delivery of related services to students, which in our experience has generally worked well to ensure that documentation occurs. While understanding that there are a variety of factors that impact the delivery of special education instruction and related services to students such as attendance, student

tolerance and staffing vacancies, the local school district remains responsible for implementing the IEP. In fact, the CSDE has developed a resource to clarify this school district obligation, as well as the respective roles of the approved private special education program, the CSDE, and the parent with regard to service delivery and other components of a student's education in an approved facility. This resource can be found on the CSDE website. Direct Link: [Programming and Oversight Responsibilities for Students Placed in CSDE Approved Private Special Education Programs](#). Additionally, however, the CSDE is sharing the information set forth in this report with the CSDE's General Monitoring and Supervision Team to determine appropriate next steps."

Auditors' Concluding Comments

Counseling was the only service on the IEPs for the reviewed University School JPE students and we only analyzed the school's delivery of counseling services.

Finding 2

Incorrect Service Delivery and Insufficient Itemization of Related Services on Invoices

Criteria

Student individualized education programs and contracts with local education agencies stipulate the required type and frequency of related services private providers must deliver. The contracts must specify how the provider will calculate the cost of student attendance and require itemized invoices for the delivery of related services.

Condition

During our review of related service documentation and invoices we noted the following:

- Ädelbrook Academy - Cromwell incorrectly delivered and billed for related services in student IEPs. We found discrepancies between IEP requirements, and billing for services on invoices. These four students received, and Ädelbrook billed their LEA for:
 - o Student 1 - 143% of group speech therapy and 114% of individual speech therapy required by the IEP.
 - o Student 2 - 183% of group speech therapy and 69% of individual speech therapy required by the IEP.

- o Student 3 - 147% of group fine motor skills therapy required by the IEP.
 - o Student 4 - 136% of individual speech therapy and 70% of group speech therapy required by the IEP.
- Ädelbrook did not itemize group and individual services separately on its invoices.

Context

For each private provider of special education, we randomly selected 20% of students in attendance during the audited period. For the four approved private providers, we selected students in attendance during the 2022-2023 school year. For University School JPE, we selected students in attendance during the 2023-2024 school year. Our selection of students consisted of 14 students from Ädelbrook Academy - Cromwell, 21 students from American School for the Deaf, 18 students from Grace S. Webb School, 16 students from High Road School of Wallingford, and six students from University School JPE.

We requested and reviewed invoices and related service documentation for each student.

We did not receive documentation for counseling services from Ädelbrook and we could not analyze its delivery of counseling services.

Effect

Local education agencies who received invoices from Ädelbrook could not determine whether students received individual or group services. They paid for services not required by student IEPs, and Ädelbrook did not abide by its contractual terms.

Cause

Ädelbrook appeared to attempt to make up missed individual or group services by substituting the other delivery mode (group for individual and individual for group). Ädelbrook did not have sufficient controls to prevent or detect delivery and charging for related services above the student's IEP requirements.

Recommendation

Ädelbrook Academy - Cromwell should:

- Only provide and charge for services required by student individualized education programs. If a student requires additional or replacement services, Ädelbrook should notify their local education agency and work with it and the planning and placement team to revise the IEP or identify other necessary strategies.
- Itemize individual and group related services on invoices.

- Develop and implement controls to prevent charging related services above the IEP requirements.

Ädelbrook Academy – Cromwell Response

“Ädelbrook understands and agrees that as an approved Private provider of special education services, we are required and expected to provide each student with the related services prescribed in their IEP. The related services, recommended by the student’s PPT and documented in the IEP, specify the type of the service, the frequency of the service (per day, week, month or year) and the amount of time of each service. While, in concept, we strive to comply with each component, there are a number of unforeseen factors that impact the ability to do so.

The documented service units, by frequency and amount, do not account for the impact of a student or staff absence, school vacations, delayed start times, early dismissals, cancellations or a student’s ability and willingness to participate. Services that have been successfully provided are tracked and services that are missed, are documented in the service records, noting the circumstances and the hours to be made up during the term of the IEP.

The term of a student’s IEP is one year which may, but most likely does not, align with the school year. The students’ related service team monitors the hours based upon the IEP term to ensure that service completion is as high as possible by the end of the IEP term, not necessarily the school year. LEAs are notified of any extended lapses in services and PPT’s are convened to identify and implement potential solutions. As a testament to these practices, our completion rate was 91%. Any amount less than 100% is accounted for, communicated to the LEA, and made up to the best of ability by our service providers within the term of the IEP.

Ädelbrook acknowledges that our invoices itemize the type of related service but do not specify the setting as individual or group. As the rates for the related service disciplines are the same, regardless of setting, the charges are grouped together. However, in addition to the invoice, districts are provided service logs which specify the date, hours, and type of related service (group and/or individual) provided. The LEAs are provided with documentation supporting the invoice to ensure that they are only paying for the services that were actually provided.”

Auditors’ Concluding Comments

It is our understanding that hours of related services stipulated in individualized education programs are a core component required to ensure delivery of a free appropriate public education. The specific amounts of group and individual services did not match those required in these students’ IEPs. In at least one case, the documentation demonstrates that the local education agency paid more for services than required in the student’s IEP.

Finding 3

Inconsistent Contract Quality and Specificity

Background

Section 10-76d(d) of the General Statutes requires as a condition for excess cost grant reimbursement, that any contract between a local education agency and a private provider of special education includes the following:

- A description of the educational program and other treatment the child is to receive.
- A statement of minimal goals and objectives which it is anticipated the child will achieve.
- An estimated time schedule for returning the child to the community or transferring the child to another appropriate facility.
- An explanation of how the tuition or costs for services provided under the agreement or contract are to be calculated.

Section 10-91j(b) of the General Statutes stipulates that an IEP is not considered a contract. Therefore, the contract itself must include the language required by Section 10-76d(d) or clearly incorporate the IEP by reference.

Section 10-91j(a) of the General Statutes allows a contract between a local education agency and private providers of special education to include requirements for the provider to submit reports to the local education agency regarding the type and frequency of services provided to students, to authorize the local education agency to review and reconcile the reports to contracts, and to conduct site visits.

Criteria

Contracts between local education agencies and private providers should clearly state what is required by both parties to meet a student's IEP, establish an oversight framework for the local education agency, and meet any statutory or regulatory requirements.

Condition

During our review of 59 contracts, we noted the following:

- Forty contracts (68%) did not have sufficient language to clearly incorporate specific IEP provisions.

- Contracts did not consistently contain language to support statutorily permitted local education agency oversight:
 - Nineteen (32%) did not require the private provider of special education to send regular reports to the local education agency regarding the specific type and frequency of provided student services.
 - Forty-one (69%) did not authorize the local education agency to review and reconcile service reports to the contracted services.
- Twenty (34%) did not contain sufficient details to clearly explain the calculation of tuition or costs for services.

Context

For each private provider of special education, we randomly selected 20% of students in attendance during the 2022-2023 school year. From that selection we reviewed all available contracts provided which comprised eight contracts from Ädelbrook Academy – Cromwell, 20 contracts from American School for the Deaf, 18 contracts from Grace S. Webb School, and 13 contracts from High Road School of Wallingford.

University School JPE used a blanket contract and was not included in the analysis.

Effect

Local education agencies missed opportunities for statutory oversight and increased the risk they did not comply with requirements to receive excess cost grant reimbursements.

Cause

Local education agencies and private providers had to develop contracts without a standard model or template.

Recommendation

The Connecticut State Department of Education should develop, in consultation with local education agencies and private providers, a model contract that would ensure clarity and statutory compliance and allow sufficient flexibility to address individual student needs.

Once developed, local education agencies and private providers should base their agreements on the model contract.

Ädelbrook Academy – Cromwell Response

“Ädelbrook agrees that consistency in contract terms ensures a clear statement of obligations. More than fifty (50) LEAs enroll students and enter into contract with Ädelbrook to provide the special education services in each students’ IEP. While not accepted by all LEAs, Ädelbrook distributes its standard contract, which complies with the statutory requirements of CGS §§ 10-76d(d) and 10-91j(a). Many LEAs execute our standard contract as written or suggest

changes that are negotiated. Those that decline to use our contract provide their own contract which is reviewed and to the extent that the LEA is willing to negotiate, we do so in an effort to align the LEAs contract with Ädelbrook’s standard.”

American School for the Deaf Response

“We agree with this finding and look forward to working with the State Department of Education developing a model contract to be used. Once developed and distributed to our agency, we intend to use the model contract as the basis for our contracts. ASD would like to seek advice and guidance from the State Department of Education if and when school districts decline to utilize the model contract and insist on the school district contract as an alternative.”

Grace S. Webb School Response

“The Grace S. Webb School agrees with the recommendation and strongly supports a model contract developed by the state in collaboration with LEAs and Private Providers.”

High Road School of Wallingford Response

“HRS often utilizes LEA-provided contracts with district-specific terms, which vary in structure and detail. To address this, we work collaboratively with districts to develop mutually agreeable contracts that clearly define responsibilities related to IEP implementation.

Regardless of contract format, our operations consistently align with state approvals, regulations, and standards. We support the development of a standardized state contract model that ensures consistency while preserving the flexibility necessary to meet individual student needs, and we welcome the opportunity to actively collaborate in its creation.”

University School JPE Response

“University School JPE’s (USJPE hereafter) contract is not specifically included in the analysis and is a “slot” contract. Students are placed with 40 slots available for placement. The contract does stipulate that these students must have an IEP and services rendered must be in accordance with the IEP. There is no additional generated contract document for each student placed as they are transient. Additionally, USJPE’s contract section Terms of Engagement subsection 2(a) stipulates that all records, reports, and evaluations will be submitted to the BOE during the term or as otherwise directed by the BOE. At this time the BOE requires a monthly attendance record to be submitted on the first of the following month and an annualized report for the Annual IEP meeting. There are also quarterly progress reports and report cards, as well as end of year transcripts. Additionally, Terms of Engagement subsection(b) allows for representatives of the BOE or CT DOE to conduct both announced and unannounced site visits to review all documents related to services, program and curriculum.”

CSDE Response

“As is true with any contract, the contracting parties are solely responsible for ensuring that these binding, legal documents are thorough, complete, and designed to effectuate the outcomes that the contracts are intended to ensure. As such, the parties to these

agreements are typically advised by their respective legal counsel in the crafting of the contracts. The CSDE is not a party to such bilateral contracts. Nonetheless, the CSDE is in the process of drafting guidance that, in part, reiterates the statutorily mandated components of these agreements as well as additional elements the parties should consider in perfecting their contracts. Additionally, the CSDE will be developing a model contract template to share with local education agencies and providers.”

**Auditors’ Concluding
Comments**

Our review revealed that none of the audited private providers had all contracts meet the statutorily required elements of 10-76d and 10-91j.

Finding 4

Lack of Contracts and Service Documentation

Criteria

Section 10-91i of the General Statutes requires private providers of special education to submit to audits by the Auditors of Public Accounts and provide access to all records necessary for conducting such audits.

Condition

During our audit we noted:

- Ädelbrook Academy – Cromwell could not provide us with contracts for 7 of 16 selected students.
- American School for the Deaf could not provide complete service documentation for any of its selected students.

Context

For each private provider of special education, we randomly selected 20% of students in attendance during the 2022-2023 school year. Our selection of students consisted of 14 students from Ädelbrook Academy – Cromwell, 21 students from American School for the Deaf, 18 students from Grace S. Webb School, and 16 students from High Road School of Wallingford. We then requested contracts and service documentation for all students in the selection.

Effect

We could not verify key aspects of service delivery and contractual compliance for certain students attending Ädelbrook and American School for the Deaf.

Cause

Ädelbrook indicated it could not obtain signed contracts from the local education agencies for the students identified as missing.

American School for the Deaf indicated that it no longer had access to the documentation which was originally held in local education agency systems. In addition, it subsequently developed a new system.

Recommendation

Ädelbrook Academy - Cromwell should ensure that local education agencies sign and return contracts for each student.

American School for the Deaf should continue to use its new service documentation system and ensure that documentation is retrievable.

**Ädelbrook Academy –
Cromwell Response**

"Ädelbrook agrees with the findings and in practice, complies with the stated recommendation. Ädelbrook agrees that pursuant to CGS Section 10-91j, we are required to provide access to all records necessary for conducting audits and that, we were unable to provide "signed contracts" for eight (8) students. On an annual basis, following the passage of the state budget, Ädelbrook reviews its census for the next school year and issues a standard contract for each student to their designated LEA. As mentioned above, some LEAs execute the standard while others negotiate. Still other LEAs submit their contract for us to sign. Ädelbrook can demonstrate that contracts have been sent to each LEA and that we periodically contact the LEAs, to request the status of their review and date by which we can expect the executed contract. We acknowledge and appreciate the stated recommendation, for Ädelbrook "...to ensure that LEAs sign and return contracts..." however, and despite our documented efforts, not every LEA is responsive. Nonetheless, we will continue to pursue all contracts."

**American School for the
Deaf Response**

"ASD agrees with the recommendation. During SY 23-24, ASD started moving to an internal tracking system versus the individual district system that was in place during the time frame of the audit. ASD will continue to utilize this system to ensure service documentation supports contract obligations and is accurately maintained."

Finding 5

**Breach of Contractual Invoicing and Billing
Language**

Criteria

All parties to a contract should abide by its terms and conditions.

Condition

During our review of contracts, service documentation, and invoices, we found that American School for the Deaf billed for all monthly services stipulated in the IEP, whether it delivered those services or not. We found 50% (10) of American School for the Deaf's contracts had language that appeared to preclude such billing practices, and conditioned payment on actual services rendered.

- Four contracts conditioned local education agency payment on the receipt of monthly invoices and reports *documenting services provided* to the student during the relevant month.
- Four contracts conditioned local education agency payments of monthly invoices on the *proper delivery of services*.
- Two contracts conditioned local education agency payment on the receipt of invoices for "*services rendered*" that included documentation of "*hours of provided service*."

Context

For each approved private provider, we randomly selected 20% of students in attendance during the 2022–2023 school year. From that selection we reviewed all available contracts provided which comprised eight contracts from Ädelbrook Academy – Cromwell, 20 contracts from American School for the Deaf, 18 contracts from Grace S. Webb School, and 13 contracts from High Road School of Wallingford.

We also requested all invoices corresponding to the contracted services.

We could not obtain complete related services documentation from American School for the Deaf and analyzed only the documentation it provided. The documents analyzed contained instances in which American School for the Deaf invoiced local education agencies for services not rendered within the invoice dates. American School for the Deaf confirmed its practice of billing for all services monthly whether those services were delivered in that month or not.

Effect

Local education agencies may have unknowingly paid for undelivered services.

Cause

As noted in Finding 3, audited contracts between local education agencies and private providers varied in quality and consistency. Additionally, there is no standard contract or recommended language to guide local education agencies and private providers in developing contracts.

Recommendation

American School for the Deaf should review its contracting practices and ensure that future contracts are consistent with its billing practices.

American School for the Deaf Response

"ASD agrees with the recommendation to review its current contracting practices and to ensure that future contracts are consistent with billing practices. ASD looks forward to the State Department of Education developing a model contract to utilize as our base contract."

CSDE Response

"As noted in the CSDE's response to Finding Number Three, contracts are the responsibility of the LEA seeking IEP implementation by a private provider. As is true with any legally binding agreement, these contracts should clearly delineate the services that are to be delivered by the private provider and the amount, and means of, payment the district will be responsible for paying in consideration of the private provider's provision of these services."

Finding 6**Noncompliance with Statutorily Required Background Checks****Criteria**

Section 10-232a of the General Statutes requires that to be hired, each job applicant of a private provider must submit to a Department of Children and Families Child Abuse and Neglect Registry records check. Since July 1, 2019, each applicant must also submit to a state and national criminal history records check (fingerprinting) within 30 days of hire and have the results on file within 60 days.

Condition

During our review of staff records, we found the following:

- American School for the Deaf:
 - One of 13 staff records reviewed lacked evidence of a completed Department of Children and Families Child Abuse and Neglect Registry check. Required Department of Children and Families agent initials were not on the form.
 - One of 13 staff records reviewed had a criminal record on their national criminal history records check at the time of hire. The school did not

provide any evidence that it followed its internal policies and procedures regarding hiring an applicant with a criminal record.

- Grace S. Webb School:
 - Two of 12 staff records reviewed lacked evidence of a Department of Children and Families Child Abuse and Neglect Registry check.
- University School JPE:
 - Nine of nine staff records reviewed lacked evidence of a national criminal history records check (fingerprinting). All staff were hired after July 1, 2019.
 - Nine of nine staff records reviewed lacked evidence of any completed background checks prior to April 1, 2024.

Context

We judgmentally selected and reviewed the personnel records of, 13 of 95 staff from Ädelbrook Academy – Cromwell, 13 of 63 staff from High Road School of Wallingford, 13 of 296 staff from American School for the Deaf, 12 of 59 staff from Grace S. Webb School, and ten of 18 staff from University School JPE. Records were not available for one selected staff member no longer employed by University School JPE.

Effect

Inadequate background checks increased the risks to student safety.

Cause

American School for the Deaf and Grace S. Webb School did not have sufficient internal controls to prevent or detect instances of noncompliance. To receive results of a state and national criminal history records check, the recipient must be trained in proper security and handling of Criminal Justice Information Services (CJIS) data. University School JPE was not aware it needed this training.

Recommendation

American School for the Deaf and Grace S. Webb School should develop internal controls to ensure they perform required background checks.

Necessary University School JPE staff should complete the required CJIS training to receive CJIS data. Once trained, they should complete the necessary background check information.

American School for the Deaf Response

"ASD agrees with the recommendation that we must ensure that required background checks are performed. ASD has policies and procedures in place to ensure background checks are completed in

a timely manner, but in this single circumstance, HR management joined the organization in April and September of 2023 and were getting acquainted with processes. The procedure put in place is that all CT DCF and CT background checks must be completed and returned before an offer can be extended. The hire remains contingent on an acceptable national check through fingerprint. If there are findings on the FBI report, a review is made by the executive leadership team and signed off by the Executive Director, Chief Financial Officer and HR Manager."

**Grace S. Webb School
Response**

"The Grace S. Webb School agrees with the recommendation. A process has been established to ensure there are no gaps with this requirement going forward."

**University School JPE
Response**

"As informed prior to the records review, USJPE purchased the already existing The NGM inc. DBA University School on 8/17/2023 and kept the existing contract, staffing, and overall structure of the program in place as part of the sale and due to the fact that the 2023-2024 school year was commencing in less than 10 days. All employees barring the new Director, Administrator, School Psychologist, and Art Therapist were previously employed at The NGM inc. DBA University School prior to July 2019 and were exempt from the requirement. Prior to the purchase, the Principal MZ had attempted to conduct the finger printing background checks and worked with the CT State Police. She was ultimately denied and told she was unable to complete the application process due to a number of factors, not limited but including that the company operated out of a rented facility and did not have complete control of any space the CHRI/CJIS data would be stored as required by the CHRI/CJIS regulations. During the purchasing process, Research Services 4 Brothers, LLC. was contacted regarding the need for background checks on 8/7/2023. However, they had no ability to conduct the fingerprint portion of the background checks. Subsequent to the purchase, USJPE began searching for a method in which to conduct background checks including finger printing. The Regional Educational Service Center informed the Administrator he would contact the CT State police. The CT State Police were contacted and once again informed the RESC and the Administrator that USJPE was not approved to house CJIS data nor did USJPE have the requisite service codes for personnel. USJPE was unable to locate any organization able to conduct the finger prints and were told multiple times that the BOE should be assisting in setting up the finger printing as we work with their students exclusively. USJPE ultimately conducted National and State Criminal background checks, DCF Abuse and Neglect Registry Check, Sex Offender registry checks in April 2024. Educational verification was conducted on any staff unable to produce records of their degrees and/or certifications. This process was completed for all active employees with direct student contact at that time. To date, USJPE has yet to find a way to access fingerprinting. The Administrator has contacted additional 3rd party organizations which have denied finger printing services who have again stated that the BOE needs

to provide the appropriate code for our staff to hand fingerprinting backgrounds performed. The recommendation is the first time the CJIS was recommended and USJPE has contacted the CJIS Help Desk to see if they can assist in this matter going forward. Additionally, USJPE was not informed that a personnel record was not located as all employees have personnel files.”

Auditors’ Concluding Comments

University School JPE informed us that staff previously employed by the NGM inc. (DBA University School) were required to reapply for their jobs when the school was purchased and reestablished as University School JPE. As such, those staff became applicants and were subject to the statutory requirements of Section 10-232a of the General Statutes. University School informed us about the missing personnel file for the terminated employee while we were on site.

Finding 7

Insufficient Mitigation of Risk Related to Criminal Background

Criteria

An organization that works with a vulnerable population, such as special education students, should take all reasonable actions to mitigate risks to student safety associated with possible criminal behavior. In addition to requiring state and national criminal history records checks for staff hired after July 1, 2019, Section 10-232a(b)(3) of the General Statutes provides private providers authority to conduct state and national criminal history records checks for staff hired prior to that date. Nothing in statute precludes private providers from conducting recurring background checks.

Condition

During our review we noted that no private provider had policies or procedures for conducting national or state criminal history records checks for staff hired prior to July 1, 2019, or policies and procedures for reoccurring checks for relevant staff.

Additionally, when reviewing selected staff records, we found current employees for whom private providers never conducted a national or state criminal history records check:

- Out of six American School for the Deaf staff hired before July 1, 2019, four lacked evidence of a national criminal history records check and one lacked evidence of a national or state criminal history records check on file.
- Out of seven Grace S. Webb School staff hired before July 1, 2019, one lacked evidence of a national criminal

history records check and one lacked evidence of a national or state criminal history records check on file.

Context

We requested and reviewed all relevant policy documents from the five private providers.

We judgmentally selected and reviewed the personnel records of, 13 of 95 staff from Ädelbrook Academy – Cromwell, 13 of 63 staff from High Road School of Wallingford, 13 of 296 staff from American School for the Deaf, 12 of 59 staff from Grace S. Webb School, and ten of 18 staff from University School JPE. Records were not available for one selected staff member no longer employed by the provider.

Effect

Inadequate background checks increase the risks to student safety.

Cause

Private providers of special education seemed unaware that they could conduct state and national background checks for staff hired prior to July 1, 2019. Private Providers did not prioritize recurring background checks.

Recommendation

Ädelbrook Academy – Cromwell, American School for the Deaf Grace S. Webb School, High Road School of Wallingford and University School JPE should develop policies requiring state and national criminal history records checks for staff hired prior to July 1, 2019. The schools should also require recurring checks at reasonable intervals for relevant staff.

The providers should also conduct additional background checks to comply with newly developed policies.

Ädelbrook Academy – Cromwell Response

"One of Ädelbrook's core values is the safety of those we serve. As an organization that serves children and young adults with Autism Spectrum Disorder and other behavioral and developmental challenges, our hiring policies and procedures are designed to mitigate risks to student safety associated with possible criminal behavior. In collaboration with the Connecticut Department of Emergency Services and Public Protection (DESPP) and the Connecticut State Police (CSP) Ädelbrook complies with the requirements of Connecticut General Statutes 10-232a(b)(3), performing comprehensive background checks for all employees hired on or after July 1, 2019.

We acknowledge that we do not currently perform recurring background checks, and agree, that while not statutorily required, best practice would support conducting routine background checks. To that end, and in support of our commitment to maintaining the highest safety standards for those we serve, we continue to review and improve our internal controls, policies and procedures for the hiring of staff."

American School for the Deaf Response

"ASD agrees with the recommendation that as a best practice, we develop a policy addressing state and national criminal history records checks for staff hired prior to July 1, 2019. Currently ASD requires criminal history checks as well as background checks for all new hires and recurring checks are required for all employee promotions."

Grace S. Webb School Response

"The Grace S. Webb School agrees with the recommendation and will implement a process to ensure periodic background checks are conducted."

High Road School of Wallingford Response

"As a matter of policy, HRS completes background checks for all staff upon hiring. To that end, in 2022, we reviewed our background-check documentation for any inconsistencies, and where discrepancies were found, took corrective action to align with applicable requirements. While this does not change the fact that some records appeared to reflect post-hire completion dates, we have since strengthened our protocols to minimize the occurrence of such discrepancies. Consistent with state policy, we do not perform recurring background checks, however, all staff regardless of start date have completed and documented background checks. At the start of this school year, we documented 100% completion of both state and national criminal history records checks for all staff. Additionally, we have implemented a dedicated onboarding compliance department that focuses exclusively on ensuring compliance with all background checks and hiring regulations. This team rigorously oversees and enforces adherence to policies, with the goal of upholding compliance throughout the hiring process. We remain fully committed to student safety, regulatory compliance, and continuous process improvement. Moving forward, we will continue to implement robust internal controls to ensure all documentation is accurately completed, maintained, and reviewed for compliance. For the reasons stated above, HRS partially agrees with this finding."

University School JPE Response

"At the time of the audit, USJPE had been in operation for less than one year and had not had the opportunity to conduct recurrent background checks. Background checks are completed upon hire and recurrent background checks will occur April 1st for anyone employed for one or more years."

CSDE Response

"The CSDE will create and disseminate a communication to the APSEPs to remind them of their authority to conduct state and national criminal history checks beyond the current requirement for staff hired prior to July 1, 2019, and to encourage them to avail themselves of this authority in order to safeguard the safety of the students entrusted to their care."

Finding 8

Noncompliance with Employment History Verification Requirements

Criteria

Section 10-222c(a)(2) of the General Statutes requires all non-public education employers to obtain the information listed on the State of Connecticut Educational Employer Verification form for all applicants hired after July 1, 2016, who previously worked in an educational setting or in a position having direct contact with children.

Condition

We found multiple staff records missing the mandated employment history verification, including:

- One of 13 American School for the Deaf.
- Three of 12 Grace S. Webb School.
- Five of 13 High Road School of Wallingford.
- Nine of Nine University School JPE.

Context

We judgmentally selected and reviewed the personnel records of, 13 of 95 staff from Ädelbrook Academy - Cromwell, 13 of 63 staff from High Road School of Wallingford, 13 of 296 staff from American School for the Deaf, 12 of 59 staff from Grace S. Webb School, and ten of 18 staff from University School JPE. Records were not available for one selected staff member no longer employed by University School JPE.

Effect

There is increased risk that private providers hired staff who, due to an allegation or substantiation of abuse, neglect, or sexual misconduct, were disciplined or separated from employment or had a suspended professional or occupational license, certificate, authorization, or permit.

Cause

American School for the Deaf, Grace S. Webb School, High Road School of Wallingford, and University School JPE did not have sufficient internal controls to prevent or detect instances of noncompliance.

Recommendation

American School for the Deaf, Grace S. Webb School, High Road School of Wallingford, and University School JPE should develop internal controls to ensure employment verifications are completed

for each applicant in compliance with Section 10-222c(a)(2) of the General Statutes.

American School for the Deaf Response

"ASD agrees with the finding that a single staff record was missing the mandated employment verification. ASD's current policy is to obtain employment verification, which is completed by a third party. ASD provides the third-party vendor with all new hire email addresses. At that point, the third party will initiate the verification process directly with the new hire. In this single instance, the new hire did not respond to the third-party request to initiate the verification. Since this instance, procedures have been enhanced to document when the third-party was notified and when the results have been provided. Documentation is maintained within the employee file on the New Hire Checklist Policy & Procedures form. If the potential new hire does not respond to the third-party, ASD will contact individuals, informing them that completion is a condition of employment."

Grace S. Webb School Response

"The Grace S. Webb School agrees with the recommendation and will implement a process to include internal controls to ensure compliance with this requirement."

High Road School of Wallingford Response

"As a matter of policy, HRS completes background checks for all staff upon hiring. To strengthen compliance with employment verification requirements, HRS has implemented a dedicated compliance department focused exclusively on hiring documentation and regulatory adherence. This team ensures employer verification forms are completed and retained for all new hires in accordance with Section 10-222c(a)(2) of the Connecticut General Statutes.

We remain committed to upholding best practices in recruitment and onboarding and will continue to evaluate and enhance internal controls to ensure full alignment with state requirements."

University School JPE Response

"As previously stipulated, USJPE purchased the already existing The NGM inc. DBA University School on 8/17/2023 and kept the existing contract, staffing, and overall structure of the program in place as part of the sale. The majority of the staff at the time of the purchase had worked at The NGM inc. DBA University School prior to 2017 and as such, The NGM inc. DBA University School is the former employer. For some of the employees, the NGM inc. DBA University School had been their only educational employer. The Principal MZ contacted former employers of applicants since the purchase date by telephone. Following this recommendation, USJPE will utilize the Employer Verification Form listed in Section 10-222c(a)(2) in order to have a record of the Employer Verification for all employees."

Finding 9

Noncompliance with Regulations for Seclusion Room Locking Mechanisms

Criteria	Section 10-76b-8(h) of the Regulations of Connecticut State Agencies specifies that any locking mechanism on a seclusion room door must release within two minutes of the onset of an emergency and connect to the fire alarm system so that the locking mechanism releases automatically when a fire alarm sounds.
Condition	During our site visits, we noted one of five seclusion rooms located in Grace S. Webb School had a mechanism that stuck in place and did not readily release, thus becoming a locking mechanism that did not comply with the regulations.
Context	<p>During our site visits, we examined:</p> <ul style="list-style-type: none">• All three seclusion rooms in Ädelbrook Academy - Cromwell.• Both sensory rooms in American School for the Deaf.• All five seclusion rooms in Grace S. Webb School.• All seven seclusion rooms in High Road School of Wallingford. <p>University School JPE did not have seclusion rooms.</p>
Effect	Failure to comply with regulatory requirements increased the risks to student safety. In the case of an emergency, an unattended student could be trapped in the room.
Cause	Grace S. Webb School administration was unaware of the latching mechanism problem.
Recommendation	Grace S. Webb School should fix the locking mechanism in question and develop a system of maintenance review to prevent similar issues.
Grace S. Webb School Response	"The Grace S. Webb School agrees with the recommendation and the repair referenced in the recommendation was immediately repaired following the walk-through. A system of maintenance review was developed and implemented."

Finding 10

Noncompliance with Student Medication Administration Regulations

Background

Nurses or qualified personnel sign off on medication administration records (MARs) when administering medications.

Criteria

Section 10-212a-6 of the Regulations of the Connecticut State Agencies requires each medication administered to students to have a medication administration record that must include:

- Dates for initiating and terminating the administration of the medication that cannot exceed twelve months.
- Written parental or guardian authorization to administer the medication.

Condition

During our review of student medication administration records, we found the following:

American School for the Deaf:

- One of 12 medication administration records tested had initiation and termination dates that exceeded the 12-month period by 26 days.
- American School for Deaf did not collect written authorization for each medication administered to students.

High Road School of Wallingford:

- Two of six medication administration records tested did not have evidence of initiation and termination dates for student medication.

Context

During the site visits, we judgmentally selected, six medication administration records from Adelbrook Academy - Cromwell, twelve medication administration records from American School for the Deaf including both ASD and PACES program students, six from Grace S. Webb School, and six from High Road School of Wallingford.

University School JPE did not administer medication.

Effect

American School for the Deaf's failure to collect written parent or guardian permission for each medication increased the risk that parents and guardians were not informed about their child's medications.

Missing or extended initiation and termination dates increased the risk that the school did not promptly review and assess student medications.

Cause

American School for the Deaf believed it complied with the regulation by securing a blanket written authorization to prescribe and administer medications at the time of student admission. The school also attempted to contact parents or guardians for verbal authorization prior to administering new medications.

American School for the Deaf and High Road School of Wallingford did not have sufficient internal controls to prevent or detect instances of noncompliance with the required initiation and termination dates.

Recommendation

American School for the Deaf should develop internal controls to ensure it obtains written parent or guardian authorization on file for each medication administered to students. American School for the Deaf and High Road School of Wallingford should develop internal controls to ensure that medication orders do not exceed twelve months.

American School for the Deaf Response

"ASD agrees with this finding and will modify current policies and procedures to ensure that termination dates on medication will not exceed 12 months and that we will obtain written authorization for each individual medication administered to our students."

High Road School of Wallingford Response

"All HRS medication administration records are maintained in accordance with physician orders and student-health needs. The issue identified in the audit did not arise from a lapse in our documentation processes. Rather, the issue primarily stemmed from two instances during the year in which a physician wrote "school year" on a prescription instead of providing specific start and end dates. While this practice arose from individuals outside our organization and was not intended to circumvent regulatory requirements, we recognize the importance of ensuring that all records explicitly comply with state-mandated documentation standards. To address this, we will work directly with physicians to ensure that all future medication orders include precise initiation and termination dates, as required by state regulations. Additionally, we are reinforcing our staff's training regarding their review of medication documentation. We provide both annual staff training on medication procedures, and specific medication training each time we receive a new Medication Education Record (MER). HRS remains committed to student safety, proper medication management, and full regulatory compliance. We will continue

refining our processes to uphold the highest standards in health record accuracy and adherence to all applicable regulations. For the reasons stated above, HRS partially agrees with this finding.”

Finding 11

Noncompliance with Standards for Prior Work References

Criteria	The Principles, Procedures, and Standards for the Approval of Private Special Education Programs requires all approved private special education programs to have prior work references on record for all applicants.
Condition	<p>We found multiple staff records lacked prior work references including:</p> <ul style="list-style-type: none">• Nine of 13 reviewed Ädelbrook Academy – Cromwell staff.• Four of 13 reviewed American School for the Deaf staff.• Two of 12 reviewed Grace S. Webb School staff.
Context	We judgmentally selected and reviewed the personnel records of the four approved providers of special education. We reviewed 13 of 95 staff from Ädelbrook Academy – Cromwell, 13 of 296 staff from American School for the Deaf, 12 of 59 staff from Grace S. Webb School, and 13 of 63 staff from High Road School of Wallingford.
Effect	Failure to keep references on file reduced assurance that private providers did not hire unqualified or unsuitable staff.
Cause	Ädelbrook Academy – Cromwell, American School for the Deaf, and Grace S. Webb School did not have sufficient internal controls to prevent or detect instances of noncompliance.
Recommendation	Ädelbrook Academy – Cromwell, American School for the Deaf, and Grace S. Webb School should comply with approval standards, keep references on file for all staff, and develop sufficient internal controls to prevent or detect instances of noncompliance.

**Ädelbrook Academy –
Cromwell Response**

"We agree with the Auditor's recommendation and fully understand the importance of ensuring that personnel files include prior work references as well as the required background checks.

Recruiting and hiring competent, conscientious workers is of vital importance to Ädelbrook and the youth in our care. We are committed to selecting and employing the most qualified individuals for available positions without discrimination. In addition to requiring prior work references on the application for employment, Ädelbrook conducts the following background checks prior to an employee's official hire: State of CT Judicial Branch Case Lookup, State and CT Registry of Sex Offenders, DDS and DCF Abuse and Neglect Registries, DMV record review, State Police and FBI background check using fingerprint analysis. Staff members completing their first year of employment or their first year in a position resulting from a transfer or promotion are evaluated formally after 3, 6 and 12 months from the date of hire, transfer or promotion. Each of these steps in the hiring and employment process support Ädelbrook's ability to employ staff that are not only qualified but suitable to work with the youth in our care. Ädelbrook will continue to review and improve our policies and procedures to ensure full compliance."

**American School for the
Deaf Response**

"ASD agrees that documentation for all reference checks should be maintained for all employees and policies and procedures should reflect this. The staff records selected during this audit were under different internal management. Since then, the Human Resources department underwent process improvements and the enhancement of various internal controls to ensure that all required documentation is maintained for all employees. We will continue to make good faith efforts in ensuring that up to three references are maintained."

**Grace S. Webb School
Response**

"The Grace S. Webb School agrees with the recommendation. A change in internal protocols pertaining to this process was implemented 12 years ago. The records selected and identified were for colleagues hired prior to that change in internal controls. These current internal controls have ensured we have been continuously in full compliance since the implementation."

Finding 12

Noncompliance with Emergency Drill Frequency Requirements

Criteria

The Principles, Procedures, and Standards for the Approval of Private Special Education Programs and 10-231(b) of the General

Statutes requires approved providers to include an emergency drill other than a fire drill, every third month. During the 2022-2023 school year, compliance required three such drills.

Condition

During our review of emergency drill documentation during the 2022-2023 school year, we noted that:

- Ädelbrook Academy - Cromwell had two lockdown drills.
- Grace S. Webb School had one lockdown drill.

Context

We requested and reviewed all emergency drill tracking and evaluation documentation for the 2022-2023 school year from the four approved private providers: Ädelbrook Academy - Cromwell, American School for the Deaf, Grace S. Webb School, and High Road School of Wallingford.

Effect

The failure to complete required emergency drills increased risks to student safety.

Cause

Ädelbrook administration informed us that they completed a third drill, but it was not within the required timeframe.

Grace S. Webb School administration informed us they only performed one lockdown drill due to concerns about student trauma.

Recommendation

Ädelbrook Academy - Cromwell and Grace S. Webb School should conduct an emergency drill other than a fire drill every third month.

Grace S. Webb School should consider other types of emergency drills that would not raise concerns about student trauma.

**Ädelbrook Academy –
Cromwell Response**

"Ädelbrook agrees with finding and recommendation. Ädelbrook agrees with the recommendation to ensure that three emergency drills, other than a fire drill, are conducted each school year. During the audit period (SY 2022/23), we conducted monthly planned fire drills and two emergency drills. The fire drills, including unplanned drills resulting from a student pulling the alarm, were logged. We conducted a third emergency drill; however, the timing of the drill fell outside of the required timeframe. Ädelbrook will ensure that we conduct three emergency drills, other than a fire drill, during each school year in accordance with the requirements of Section J: Health and Safety in CSDE's Principles, Procedures and Standards for Approval of Private Special Education Programs (February 2021)."

**Grace S. Webb School
Response**

"The Grace S. Webb School agrees with the recommendation and has put a process in place to ensure emergency drills are completed as required."

Finding 13

Noncompliance with Emergency Drill Evaluation Requirements

Criteria

The Principles, Procedures, and Standards for the Approval of Private Special Education Programs requires approved providers to evaluate the effectiveness of emergency plans and procedures.

Condition

During our review of drill documentation, we noted Ädelbrook Academy - Cromwell, Grace S. Webb School and High Road School of Wallingford did not collect sufficient participant feedback to inform an evaluation of their drills. Specifically:

- Ädelbrook did not appear to maintain documentation for each drill that would allow for the collection of feedback.
- Grace S. Webb School did not consistently collect drill logs and did not require or provide for participant feedback.
- High Road School did not maintain documentation for three out of ten drills during the audited period and documentation for the remaining drills did not contain participant feedback. It was unclear whether the lack of feedback was due to lack of reporting or satisfactory drill performance.

Context

We requested and reviewed all emergency drill tracking and evaluation documentation for the 2022-2023 school year from the four approved private providers: Ädelbrook Academy - Cromwell, American School for the Deaf, Grace S. Webb School, and High Road School of Wallingford.

Effect

Lack of participant feedback limited the potential improvement of emergency drill processes and procedures.

Cause

Management did not prioritize gathering participant feedback on emergency drills.

Recommendation

Ädelbrook Academy – Cromwell, Grace S. Webb School, and High Road School of Wallingford should consistently collect participant feedback during emergency drills for use in evaluating the effectiveness of emergency plans and procedures.

Ädelbrook Academy – Cromwell Response

"Ädelbrook agrees with finding and recommendation. Ädelbrook agrees that the collection of participant feedback during emergency drills would support the ability to evaluate the effectiveness of emergency plans and procedures. During this audit period, we observed that the drill log identified the type of drill but did not formally document feedback. However, debriefs were conducted with staff during morning meetings after each drill. We have revised to include a section specifically designated for collection of feedback. Section J: Health and Safety in CSDE's Principles, Procedures, and Standards for the Approval of Private Special Education Programs does not specifically require that the drill logs to include the collection of feedback, however, we are required to "...evaluate the effectiveness of emergency plans and procedures." While Ädelbrook reviews and evaluates the effectiveness of our emergency plans and procedures, we acknowledge that additional documentation and collection of feedback would assist in this process."

Grace S. Webb School Response

"The Grace S. Webb School agrees with the recommendation and has implemented improved drill documentation to include space dedicated to feedback."

High Road School of Wallingford Response

"HRS conducted all required emergency drills during the audit period. Historically, observations were documented only when concerns were noted. In most cases, the absence of written feedback reflected satisfactory performance.

Moving forward, we will ensure all drill records include confirmation of completion and participant feedback, even when no issues are identified. HRS remains committed to safety and continuous improvement in emergency preparedness."

Finding 14

Noncompliance with Teacher and Administrator Evaluation Requirements

Background

During the audited period, the Connecticut System for Educator Evaluation and Development (SEED) was the Connecticut model evaluation and support plan. It was designed to support a comprehensive educator and leader evaluation system adopted by

the State Department of Education and stakeholders pursuant to educator evaluation regulations.

Criteria

The Principles, Procedures, and Standards for the Approval of Private Special Education Programs require approved private special education programs to evaluate teachers and administrators using the Connecticut System for Educator Evaluation and Development or an equivalent approach.

Condition

During our review of employee evaluations, we noted:

- One certified administrator's file reviewed from Grace S. Webb School had no evidence of a SEED or equivalent evaluation during the 2022-2023 school year.
- Both High Road School of Wallingford durational area shortage permit staff member files reviewed did not have evidence of a SEED evaluation or equivalent.

Context

We judgmentally selected staff and reviewed available evaluation documentation at each of the providers we audited for the 2022-2023 school year. We reviewed 13 of 95 staff from Ädelbrook Academy - Cromwell, 13 of 296 staff from American School for the Deaf, 12 of 59 staff from Grace S. Webb School, 13 of 63 staff from High Road School of Wallingford, and nine of 18 staff from University School JPE. In addition, we judgmentally selected two of four durational shortage area permit (DSAP) staff from High Road School of Wallingford from the 2023-2024 school year.

Effect

The lack of sufficient evaluations increased the risk that staff did not develop or maintain the knowledge, skills, and abilities needed to effectively provide special education services.

Cause

Grace S. Webb School did not have procedures to ensure the completion and maintenance of administrator evaluation documentation.

High Road School of Wallingford elected not to provide durational shortage area permit staff with a SEED evaluation and believed that its evaluation process was sufficient and approved by SDE.

Recommendation

Grace S. Webb School should strengthen internal controls to ensure it completes appropriate evaluations for administrative staff and revise its evaluation documentation procedures to ensure that it can retrieve all records of evaluations.

High Road School of Wallingford should use the Connecticut System for Educator Evaluation and Development evaluation or equivalent for all durational shortage area permit staff.

Grace S. Webb School Response

"The Grace S. Webb School agrees with the recommendation and will ensure evaluation documentation accessibility through revision of current procedures."

High Road School of Wallingford Response

"Durational Shortage Area Permit (DSAP) holders at HRS receive structured support through assigned mentors, ongoing coaching, formal and informal observations, and targeted professional development delivered by our Academic and Behavior Support teams. We feel that this process best prepares our teachers for the work with our students.

Moving forward, we will additionally include DSAP holders in the SEED or equivalent evaluation process while continuing the individualized supports we believe are essential to their growth and success."

CSDE Response

"A Durational Shortage Area Permit (DSAP) is considered to be a permit and a temporary certification for an individual to serve as a teacher with appropriate supervision in place. Educators serving under a DSAP shall be evaluated in accordance with (CT Gen Stat § 10-151b); it is best practice that they be evaluated as per the District's CSDE-Approved Evaluation and Support Plan."

Finding 15**Noncompliance with Professional Development Policy Requirement****Criteria**

The Principles, Procedures, and Standards for the Approval of Private Special Education Programs require all approved private special education programs to have a staff development policy that establishes at least 18 hours of free, annual professional development for its staff.

Condition

While all four approved private special education programs we audited had policies regarding professional development, only one of those policies stipulated the 18-hour minimum. Ädelbrook Academy – Cromwell, American School for the Deaf, and Grace S. Webb School did not include the 18-hour requirement in their policies.

Context

We requested and reviewed all relevant policy documents from the four approved private special education programs in our audit.

Effect	There was increased risk that staff did not receive the required amount of training.
Cause	The approved providers of special education's policies were not consistent with approval standards.
Recommendation	Ädelbrook Academy – Cromwell, American School for the Deaf, and Grace S. Webb School should revise their policies to specify staff must receive at least 18 hours of free, annual professional development.
Ädelbrook Academy – Cromwell Response	"Ädelbrook acknowledges that the Principles, Procedures, and Standards for the Approval of Private Special Education Programs requires a provision for a minimum of 18 hours of professional development. While Ädelbrook's policy does not specify the 18-hour requirement, we do, in practice, require the same and have documentation to support compliance with the minimum standard. Ädelbrook will revise its policy to specifically reference the minimum of 18 hours of professional development."
American School for the Deaf Response	"Currently, ASD provides in-house training for all employees that should exceed the minimum requirements of 18 hours. ASD agrees that a formal policy should be developed and put in place, including how these hours are documented and maintained. During school year 23-24, ASD started taking attendance at all trainings either by manual lists or by QR codes. ASD will continue to work on documenting training hours to ensure compliance with the minimum standard."
Grace S. Webb School Response	"The Grace S. Webb School agrees with the recommendation and has revised its policies accordingly."

Finding 16

Insufficient Training Documentation

Criteria	An organization should generate and have access to accurate training information to manage the quality of its staff and services.
Condition	<p>During our review of training documentation, we noted the following:</p> <p>Ädelbrook Academy – Cromwell:</p>

- Management could not generate a report that documented each staff member's training hours in a given school year.
- Ädelbrook Academy - Cromwell listed 301 of 1577 training records noncompliant within its internal training tracking system. These records ranged from one day to 2763 days out of compliance and included 78 staff.
- Three nursing staff records reviewed did not have evidence of a completed orientation checklist.

American School for the Deaf:

- Forty-four of 64 training records reviewed did not have evidence of completion dates and 62 out of 64 training records reviewed did not have evidence of credited hours for training.
- Management did not track staff attendance for annual emergency procedure training.
- Four nursing staff records reviewed did not have evidence of a completed orientation checklist.

Grace S. Webb School:

- Management did not consistently track credited training hours for staff outside of its database. Credited hours varied significantly for different staff who received the same trainings.

High Road School of Wallingford:

- One nursing staff reviewed did not have evidence of a completed orientation checklist.

Context

We requested and reviewed all training tracking documentation from the four approved private special education providers in our audit.

Effect

The effectiveness of internal control was undermined by poor data. The private providers reduced their ability to ensure compliance with training requirements and increased the risk that they did not adequately prepare their staff.

Cause

Private providers did not have centralized and fully implemented tracking systems to document training.

Recommendation

Private providers should develop and fully implement a centralized training tracking system that allows administration to document

each staff member's attendance and hours. The system should also summarize the goals and objectives of each training.

**Ädelbrook Academy –
Cromwell Response**

"Ädelbrook agrees with the finding and recommendation. During the period covered by the audit, Ädelbrook's system to track employees' compliance with training requirements was separate from and not integrated with Ädelbrook's Human Resource Information System (HRIS). Unless an employees' work status was changed to "inactive" in the HRIS, the employee would still appear as "active" in the training system. The lack of system integration significantly contributed to the number of training records listed as non-compliant as it continued to track inactive employees. It was also determined that training records were not appropriately uploaded from the prior training system to accurately capture all trainings. Ädelbrook has implemented a new HRIS and is working with a consulting team to provide quality assurance and maximize utilization of the system."

**American School for the
Deaf Response**

"ASD believes that it is best practice to have a centralized training tracking system in place. ASD agrees that a formal policy should be developed, including how training hours are documented and maintained. During school year 23-24, ASD started taking attendance at all trainings either by manual lists or by QR codes. ASD will continue to work on documenting training hours to track attendance by employee so that a summarized training can be maintained for individual staff."

**Grace S. Webb School
Response**

"The Grace S. Webb School agrees with the recommendation. The Grace S. Webb School had a process in place for recording attendance, and in good faith believes that all staff members received 18 hours of professional development. Nevertheless, Grace S. Webb School has implemented a new tracking methodology and system to fully and consistently capture training and training hours for all colleagues."

**High Road School of
Wallingford Response**

"HRS maintains a comprehensive training and onboarding system. The issue identified involved a nurse who followed a different onboarding pathway, resulting in a missing orientation checklist, despite completing all required training.

To ensure consistency, we are refining documentation procedures for non-student-facing staff and will continue to strengthen our internal controls to ensure complete, accurate training records across all roles."

Finding 17

Excessive Reliance on Non-Certified Staff

Background

A school or local education agency may request a durational shortage area permit (DSAP) from the State Department of Education if the provider is unable to fill the position with an appropriately certified candidate. DSAPs do not possess the same qualifications as fully certified teachers but can temporarily hold teaching positions for one school year. Individuals and their sponsoring school can apply for reissuance of their DSAP twice.

Criteria

Educators and administrators certified in special education have special knowledge, skills, and abilities. To ensure the provision of a free appropriate public education, special education program administrators and instructional staff should hold the qualifications and certification necessary for their position on an ongoing basis.

Condition

During our review of personnel records, we noted the following:

High Road School of Wallingford:

- Four of eight teaching staff during the school year 2023-2024 worked with a DSAP (three) or long-term substitute (one); both types are non-certified teachers.

University School JPE:

- Two of four teacher records reviewed did not have evidence of a certification in special or general education issued by the State Department of Education.
- The principal's records did not have evidence of a certification in education or administration issued by the State Department of Education.

Context

We reviewed all providers' personnel records and certifications of the staff within our selections who held positions that would generally require having certification. The resulting review consisted of four of eight teachers at Ädelbrook Academy - Cromwell, six of 31 teachers at American School for the Deaf, four of 21 teachers at Grace S. Webb School, eight of eight teachers at High Road School of Wallingford during school year 2023-2024, and four of six teachers and the top administrator at University School JPE during school year 2023-2024.

Effect

Utilizing non-certified instructional staff increased the risk that students did not receive high-quality instruction to ensure a free

appropriate public education. Utilizing a non-certified administrator increased the risk that the school may not know about and comply with best practices, regulations, and special education statutes.

Cause

There is a significant shortage of fully qualified and certified special education staff, making hiring difficult for providers of special education.

There is no requirement for teacher certification at non-approved private providers of special education. When the current owners of University School JPE purchased the school, they chose to rehire uncertified staff.

Recommendation

High Road School of Wallingford should provide robust support and development to durational shortage area permitted staff to ensure their transition to full certification.

University School JPE should hire fully certified staff when filling future teaching and administrator positions, and support certification efforts for current staff.

High Road School of Wallingford Response

"HRS acknowledges the ongoing challenges of educator staffing across Connecticut and nationwide. In response, we have developed a structured approach to ensure all instructional staff meet state qualifications, including the use of DSAP holders and qualified substitutes. These individuals are supported through mentorship, targeted professional development, and direct supervision to ensure instructional quality and alignment with student needs.

All hiring decisions are made in accordance with Connecticut State Department of Education guidelines, and we actively pursue certified candidates through continuous recruitment efforts. While market conditions have necessitated some flexibility, our staffing model maintains compliance with regulatory standards and mirrors practices found in both public and state-approved private schools.

We remain committed to strengthening our recruitment pipeline and investing in staff development to ensure every student receives high-quality instruction. HRS believes this approach supports both instructional continuity and long-term educational outcomes, even amidst broader workforce shortages."

University School JPE Response

"Teachers: USJPE employs multiple Certified Special Education Teachers as well teachers certified in specific subject areas. The two employees selected have Bachelors Degrees in their respective subject area. Both of the employees had been employed for many years by the former owner and came highly recommended by the Principal MZ. Of the current 7 teachers, 4 are Certified Special Education Teachers, 1 is a Certified Teacher, and only the identified two teachers are not certified teachers. Principal: The Principal, MZ,

has a Master of Arts and English from Fordham University and a Bachelors of Arts, English from Fairfield University. She has an extensive teaching record at Sacred Heart University and Fairfield University and was a Program Coordinator at UCONN Stamford. She had been employed at the NGM inc. DBA University School since 1984 first as an English teacher and later became the principal. She had attended several graduate level courses for Educational Administration at Sacred Heart University."

CSDE Response

"Educators with a Durational Shortage Permit are qualified to deliver instruction and support to students in Connecticut with the appropriate supervision.

The CSDE has developed an internal monitoring process for the Bureau of Special Education to receive updates from the Talent Office that oversees educator certification. The Talent Office communicates the number of DSAP applications and awarded permits to schools and programs to inform increased monitoring as warranted."

Auditors' Concluding Comments

All outplaced special education students having an individualized education program should have a teacher who holds special education certification or other state-approved special education permit.

Finding 18

Lack of Preparation for the Emergency Use of Physical Restraint and Seclusion at Non-Approved Private Provider

Criteria

An organization that works with a vulnerable population like special education students should take all reasonable actions to mitigate foreseeable risks to student safety. This would include having a formal documented procedure and training staff regarding the emergency use of physical restraint and seclusion.

Condition

University School JPE:

- Did not have a formal documented procedure for reporting emergency physical restraint or seclusion incidents to Bridgeport Public Schools (its only LEA).

- Did not train staff in the proper methods and application of the emergency use of physical restraint and seclusion.
- Referenced the exceptions to the prohibition of the use of restraint and seclusion of students in its policies but did not have a formal process or procedure for de-escalation or the proper use of emergency physical restraint and seclusion. It also indicated that security guards conduct emergency restraints.

Context

We requested and reviewed all relevant policy documents from all five private providers. We also conducted staff interviews at each private provider.

Effect

Because University School JPE lacked policies and procedures and staff training on the emergency use of physical restraint and seclusion, there was increased risk to student health and safety.

Cause

Non-approved private providers of special education are under minimal statutory requirements related to the emergency use of restraint and seclusion.

University School JPE believes that it does not engage in the use of emergency physical restraint and seclusion.

The related statutes are not clear whether staff at non-approved private providers of special education must receive training in the emergency use of physical restraint and seclusion.

Recommendation

University School JPE should develop written policies and procedures for the proper use of emergency physical restraint and seclusion.

The school should train all its staff in the proper methods and application of the emergency use of physical restraint and seclusion.

University School JPE Response

"USJPE will draft and amend the Student Restraint policy to include a section on De-Escalation as well as a formal process for the use de-escalation, emergency physical restraint, and seclusion. As of September 2024, all employees with direct student contact at USJPE have been certified for Physical & Psychological Management Training directly through PMT Associates, Inc. and will be re-certified bi-annually going forward. New hires will be sent to PMT Associates for Initial Training within 90 days of hire for certification. USJPE has already implemented this recommendation prior to the release of this report. All employees with direct student contact were trained in Physical and Psychological Management Training by PMT Associates Inc. in September of 2024. Additionally, all staff were certified for CPR, First Aid, and AED in August 2024. All new hires will be sent to PMT Associates for the 8-hour Initial Training and scheduled for CPR,

First Aid, AED within 90 days of hire. All employees will be required for recertified bi-annually thereafter."

Finding 19

Insufficient Emergency Planning at Non-Approved Private Provider

Criteria

An educational facility should ensure the safety of its students by engaging in sufficient emergency planning, including practicing for a variety of emergency situations, and ensuring that the local fire marshal has inspected the facility.

Condition

During our review we noted that University School JPE:

- Could not provide evidence that it trained staff on emergency plans and procedures during the 2023-2024 school year.
- Did not perform a lockdown or other non-fire emergency response drill during the 2023-2024 school year.
- Did not conduct a security and vulnerability assessment or equivalent of the facility.
- Did not secure or maintain documentation that the Bridgeport Fire Marshal inspected the facility during the audited period.

Context

We requested and reviewed all emergency training, emergency drill tracking and evaluation, and emergency planning documentation from the approved private providers of special education for the 2022-2023 school year and for the 2023-2024 school year for the non-approved provider.

Effect

Lack of emergency planning increased the risks to student health and safety.

Cause

There are minimal requirements and oversight related to emergency planning and response for non-approved private providers of special education.

University School JPE owners informed us that they:

- Conducted emergency training during the 2023-2024 school year but did not maintain related documentation.
- Did not conduct a drill other than a fire drill during the 2023-2024 school year.
- Did not obtain a copy of the fire marshal's inspection prior to our audit.

Recommendation

University School JPE should:

- Provide and document annual emergency trainings for all staff.
- Conduct emergency drills other than a fire drill annually and collect participant feedback to use in evaluating the effectiveness of emergency plans and procedures.
- Conduct a security and vulnerability assessment or equivalent to ensure the adequacy of its emergency plans.
- Obtain and maintain a copy of the most recent local fire marshal inspection report.

University School JPE Response

"Emergency Training: USJPE has implemented annualized Emergency Training as part of the annual training that will take place immediately prior to the beginning of the school year. Staff are provided with copies of the emergency protocols and the Administrator of Special Education conducts the training. Employees who attended the training sign an attestation as a record of the training. A refresher training will take place in March of each year. Non-Fire Emergency Drills: USJPE will implement non-fire emergency drills such as lock down drills and they will take place quarterly while school is in session. A record of the drill will be maintained. Security and Vulnerability Assessment: USJPE is planning to utilize the School Security Assessment Tool (SSAT) available via cisa.gov to further comply with this recommendation. Fire Inspection Report: USJPE requested a copy of the report from the landlord. The landlord stated that they were an issue retrieving the requested report as the Fire Marshall had passed away. USJPE made multiple requests before the landlord stated that the prior report was "lost" and a subsequent inspect took place on 11/18/2024. A copy of that report was provided to USJPE, and it was forward to the audit team on 11/20/2024 by email."

Finding 20

Insufficient Ongoing Professional Development at Non-Approved Private Provider

Criteria	Ongoing professional development is essential to ensure that staff can meet the educational needs of students. Private providers should develop and implement a written professional development plan consistent with the needs of the student population. The plan should ensure staff understand the private provider's philosophy, organization, program, practices, and goals.
Condition	<p>During our review, we noted that during the 2023-2024 school year University School JPE did not:</p> <ul style="list-style-type: none">• Offer any structured professional development to staff.• Have a professional development plan.• Have formal training as part of the hiring process.
Context	We requested and reviewed all relevant policy documents from all five private providers. We also conducted interviews regarding professional development with each private provider of special education.
Effect	<p>University School JPE increased the risk that staff would not have adequate training to respond to student needs, and students would not receive a free and appropriate public education.</p> <p>University School JPE did not comply with its contract with Bridgeport Public Schools.</p>
Cause	University School JPE did not prioritize formal professional development during the 2023-2024 school year.
Recommendation	University School JPE should develop and implement a professional development plan that includes specific orientation and ongoing trainings.
University School JPE Response	"Professional Development Training: USJPE is developing a formal professional development plan and is coordinating with a third-party provider to develop and implement Professional Development Training program. Formal Training: Currently training upon hire is performed by the Principal MZ. For the first 90 days all new hires work under the Principal and Special Education Administrators'

direction, meet with them frequently, and receive direction and guidance as necessary. USJPE will create a written formal training document and tracker for the hiring and training process.”

Finding 21

No Formal Program or Quality Improvement Process at Non-Approved Private Provider

Criteria

An educational organization should engage in program improvement to maximize positive outcomes and responsiveness to the needs of its students and stakeholders.

Condition

During our review, we noted that University School JPE did not:

- Have established or formalized organizational goals, objectives, strategic priorities, or any measurable performance indicators.
- Engage in any systematic collection and analysis of performance data connected to improvement efforts.
- Have a formal evaluation process for certified and non-certified staff.
- Survey internal or external stakeholders to generate feedback to improve services.
- Have a website with information for families and other external stakeholders.

Context

We requested and reviewed all relevant policy documents from all five private providers. We also conducted interviews regarding program improvement with each private provider of special education.

Effect

By not engaging in formal program improvement, University School JPE increased the risk that it cannot adequately respond to student needs or ensure that students received a free and appropriate public education.

Cause

University School JPE did not prioritize formal program improvement.

Recommendation

University School JPE should develop and implement a formal approach to program improvement, including:

- Establishing measurable objectives and goals.
- Collecting and analyzing performance data to identify areas for improvement.
- Developing a formal evaluation process that informs professional development.
- Surveying staff, students, families, and other relevant stakeholders.
- Developing a website that includes information about its services and performance.

University School JPE Response

"USJPE had not been in operation for a full year at the time of the audit and therefore did not have a quality improvement process. USJPE will implement a Quality Improvement process to analyze areas of improvement, utilize a staff and family survey, and include a portion regarding a staff professional development plan. The plan will create goals and objectives with target completion times and responsible parties identified."

Finding 22

Noncompliance with the Principles, Procedures, and Standards for the Approval of Private Special Education Programs

Criteria

Approved private special education programs should comply with all approval standards and applicable statutes and regulations. The State Department of Education is responsible to ensure compliance with its standards during initial approval and subsequent reapproval processes.

Condition

During our audit, we identified multiple exceptions that represented noncompliance with specific requirements of the approval process or with Connecticut statutes and regulations.¹ Exceptions ranged

1. During our audit we used larger selections of records than used by SDE in its approval process. We also audited a different timeframe in our audit than those of SDE's most recent reapprovals. It is likely that in many cases the files reviewed during our audit did not overlap with the files reviewed in SDE's latest re-approval of the audited providers. SDE found similar issues to those identified in this report regarding training documentation at both Ädelbrook Academy – Cromwell and American School for the Deaf.

from issues with seclusion rooms to apparent missed pre-employment requirements. These exceptions resulted in nine findings identified at multiple private providers as described below:

Finding	Adelbrook Academy-Cromwell	American School for the Deaf	Grace S. Webb School	High Road School of Wallingford
6. Noncompliance with Statutorily Required Background Checks		X	X	
8. Noncompliance with Requirements for Employment History Verifications		X	X	X
9. Noncompliance with Regulations for Seclusion Room Locking Mechanisms			X	
10. Noncompliance with Student Medication Administration Regulations		X		X
11. Noncompliance with Standards for Prior Work References	X	X	X	
12. Noncompliance with Requirements for Emergency Drill Frequency	X		X	
13. Noncompliance with Requirement for Emergency Drill Evaluation.	X		X	X
14. Noncompliance with Requirements for Teacher and Administrator Evaluations			X	X
15. Noncompliance with Professional Development Policy Requirement	X	X	X	

Numbers reference the specific findings above.

Details regarding the exceptions and findings are available in the individual findings in this report.

Context

We selected four approved private special education providers using a risk-based approach and requested and reviewed their policies and procedures in the areas of ensuring staff quality, student safety, and program improvement. We conducted multiple interviews with each provider and requested and reviewed documentation that would demonstrate implementation of selected policies and procedures.

Effect

Local education agencies placed students at private providers that did not meet all standards, statutory requirements, and regulations. The nature of noncompliance increased student safety risks and could prevent students from receiving a free and appropriate public education.

Cause

The State Department of Education's current approval and monitoring process for private providers of special education does not reliably detect some instances of noncompliance with its approval standards and relevant statutes and regulations.

Recommendation

The State Department of Education should review the findings in this report and consider revisions to its approval and reapproval processes to mitigate the risk of approved private special education provider noncompliance with the requirements in the Principles, Procedures, and Standards for the Approval of Private Special Education Programs, relevant statutes, and regulations.

CSDE Response

"The CSDE approval/reapproval process is aligned with the requirements of the CSDE's Principles, Procedures, and Standards for the Approval of Private Special Education Programs. The CSDE is concerned about any instances of non-compliance, including those allegedly found by the APA within these programs. The CSDE, does note, however, that its program reviews and the APA program reviews occur at different points in time and do not occur concurrently. Three of the four programs were reviewed by the CSDE in 2021 and one of the programs referenced above was reviewed last year. Given the current deficiencies identified by the APA, the CSDE will engage with each of the programs in an Off-Cycle Monitoring Review process to ensure the identified deficiencies are addressed comprehensively and in a timely manner. Additionally, the CSDE will take this opportunity to consider options regarding the Approved Private Special Education Program (APSEP) review cycle as well as the annual attestation process to enhance the review process. It is important to note that the University School is not an APSEP; however, the CSDE is concerned with the findings related to this program. The CSDE will contact the Bridgeport Public Schools to address the reported concerns within the program."

STATUS OF PRIOR AUDIT RECOMMENDATIONS

Our [prior audit report](#) on the Private Providers of Special Education contained three recommendations. All three have been repeated or restated with modifications during the current audit.

Prior Recommendation	Current Status
The State Department of Education should determine whether the school district and private provider entered a contract prior to providing the district an excess cost grant.	REPEATED Modified Form Recommendation 4
The State Department of Education should communicate to school districts and private special education providers that they need to verify that student services coincide with their individualized education programs and contracts.	REPEATED Modified Form Recommendation 1
The State Department of Education should ensure that contracts between private special education providers and school districts include detailed language describing the charges for special education and related services.	REPEATED Modified Form Recommendation 3

OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with the provisions of section 10-91g of the General Statutes, we have audited certain operations of Private Providers of Special Education. The scope of our audit included, but was not necessarily limited to, the school year 2022-2023 for approved private special education programs (APSEPs), and the school year 2023-2024 for the non-approved provider we audited. The non-approved private special education provider audited, began new ownership near the close of the school year 2022-2023.

The objectives of our audit were to evaluate whether:

1. State or local funds to provide special education and related services from private providers of special education were spent in accordance with each student's individualized education program;
2. Private providers of special education adequately delivered services specified in each student's individualized education program;
3. Private providers of special education engaged in and maintained key areas of quality special education practice.

We obtained information for this audit through multiple sources and methods including a review of relevant state and federal statutes and regulations, SDE's Principles, Procedures, and Standards for the Approval of Private Special Education Programs and other states' private providers of special education approval standards, standards for accreditation set forth by the National Commission for the Accreditation of Special Education Services (NCASES), private provider policies and procedures, staff records, minutes of meetings, news articles, legislative histories, SDE and private provider documents and datasets, individualized education programs, statutorily required contracts and service documentation, and other pertinent documents. We obtained testimonial evidence from SDE staff, private provider staff, and members of the Task Force to Study Special Education Services and Funding. The key areas of special education practice used to address the performance audit objectives include safety, private provider staff, and quality improvement processes.

We established evaluative criteria by reviewing relevant Connecticut and federal statutes and regulations, considering inherent risks related to private providers of special education and associated internal controls that would mitigate those risks. We also tested selected transactions. This testing was not designed to project to a population unless specifically stated.

We completed the following to address our audit objectives:

- Interviewed and surveyed members of the Task Force to Study Special Education Services and Funding.
- Interviewed members of SDE responsible for oversight of private providers of special education.
- Conducted several rounds of interviews with staff and administrators from each private provider of special education.
- Conducted an on-site visit of each private provider of special education facility.

- Reviewed each private provider of special education's policies and procedures.
- Reviewed each private provider of special education's administrative data and records for evidence of compliance with relevant policies and procedures.
- Reviewed each private provider of special education's documentation for evidence of compliance with relevant state and federal statutory and regulatory requirements, standards, and best practices.
- Reviewed financial documentation, service documentation, IEPs, contracts, and invoices from selected providers for evidence of compliance with statutes, regulations, IEPs, and contracts.

We obtained an understanding of internal controls that we deemed significant within the context of the audit objectives and assessed whether such controls had been properly designed and placed in operation. We tested certain controls to obtain evidence regarding the effectiveness of their design and operation. We also obtained an understanding of legal provisions that are significant within the context of the audit objectives, and we assessed the risk that illegal acts, including fraud, and violations of contracts, grant agreements, or other legal provisions could occur. Based on that risk assessment, we designed and performed procedures to provide reasonable assurance of detecting instances of noncompliance significant to those provisions.

We conducted this audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The accompanying program background is presented for informational purposes. We obtained this information from various available sources including, but not limited to, interviews, documents, and data provided by SDE's and private providers of special education's management and information systems. It was not subject to the procedures applied in our audit of the program. For the areas audited, we identified:

1. Deficiencies in internal controls
2. Apparent noncompliance with laws, regulations, contracts and grant agreements, policies, or procedures, and
3. A need for improvement in management practices and procedures that we deemed to be reportable.

The State Auditors' Findings and Recommendations section of this report presents findings arising from our audit of the Private Providers of Special Education.

PROGRAM BACKGROUND

Federal Legal Framework

The federal Individuals with Disabilities Education Act (IDEA) guarantees a free and appropriate public education (FAPE) for students with disabilities. The law mandates that local education agencies (LEAs)² provide each student eligible for special education services with an individualized education program (IEP) designed to meet the students' unique educational needs. IDEA requires that LEAs deliver services provided under an IEP in the least restrictive environment (LRE). This means that LEAs should include special education students in the general education classroom to the maximum extent appropriate. In some instances, a general education environment is not suitable for the services a child requires.

To ensure that students with disabilities receive the necessary and sometimes expensive services, IDEA includes a maintenance of effort (MOE) provision for state and local governments. The mandate requires that the Connecticut State Board of Education, and its school districts, demonstrate that the level of special education funding does not decrease from one year to the next. Otherwise, the federal government withholds IDEA funds by the same amount the state and local funding was reduced. This mandate aims to ensure that federal monies supplement rather than supplant state and local funds and protect against cuts to special education funding in state and local budgets. Other than the maintenance of effort provision in IDEA, the federal government provides state and local governments flexibility to shape delivery systems and funding mechanisms of special education in their jurisdictions.

Special Education in Connecticut

In Connecticut, a planning and placement team (PPT) is responsible for the evaluation of a child's needs, creation of their individualized education program (IEP), and placement of the child. During school year 2022-2023, 17% (82,659) of the total student population aged 5-21 were identified as students with disabilities. Eighty-seven percent of students with disabilities received services directly through programs developed and implemented within their home school district. If a PPT determines that their home district cannot accommodate a child's educational needs, then the PPT must find an appropriate alternative placement for the child. During school year 2022-2023, LEAs outplaced 8% of students with disabilities into public schools in other districts and 5% of students with disabilities into private placements. LEAs spent \$636,181,630 (22%) of total special education expenditures on public and private special education tuition. The types of private outplacements for school year 2022-2023 are shown in the table below:

School Year 2022-2023 Private Provider Types	Total Number of Private Providers	Number of Students in Private Providers	% of Students in Private Providers
Non-Approved	21	136	4%
Non-Approved - ISP ONLY*	95	544	14%
APSEP	87	2867	75%
Transition/Vocational	29	211	5%
Out of State	33	96	2%
Total	265	3854	100%

* Non-Approved - ISP (Individualized Service Plan) ONLY student placements do not have an IEP. These schools do not have a contract with the LEA or provide any services to students with disabilities. The LEA sends a staff member to provide minimal services (no more than 3 hours/week) to students who qualify for special education, but whose parents are paying for a nonpublic education.

² An LEA is a local entity involved in education including but not limited to school districts, county offices of education, direct-funded charter schools, and special education local plan area (SELPA).

When a sending LEA places a student in an out-of-district program, it must bear the cost of those services. LEAs may apply for excess cost grants (ECGs) for students whose costs exceed 4.5 times the district's per pupil cost. To be eligible for reimbursement for students placed in private providers of special education, LEAs must have a signed contract with the private provider for each student for whom the private provider seeks reimbursement. These contracts must describe the student's educational program and minimum goals, a timeline for transition back into the district or another appropriate placement, as well as how the costs of tuition and related services are to be calculated. Apart from a few exceptions, LEAs who place a special education student out-of-district, must do so in a private special education program (APSEP) approved by State Department of Education (SDE). APSEPs adhere to approval standards defined by SDE.

The State Department of Education Bureau of Special Education (BSE) conducts an approval process for private providers of special education to ensure that the programs comply with federal and state laws. Generally, SDE approval is required before LEAs can receive state excess cost grant funds for students placed in a private special education program. Sections 10-76b and 10-76d of the General Statutes give the State Board of Education (SBE) the authority to regulate and supervise the education of all children requiring special education who are residing in or attending any private or public facility receiving money from the state. Section 10-76d-17(d) of the Regulations of Connecticut State Agencies further describes the process that private special education programs must follow and provides criteria that must be met in order to submit an application and receive approval by the state board. SDE acts on behalf of the board in conducting the review.

State Department of Education Oversight

APSEPs receive most of their revenues from local and regional school districts. When the local school district outplaces students into APSEPs, the private providers contractually agree to execute the IEPs created by the planning and placement team. Costs associated with services at each APSEP may vary, depending on the nature of services provided. Students have varying service requirements that may be reflected in the range of tuition costs. APSEPs have a significant impact on the state and local costs of special education services. Due to the requirements of IDEA, children have an unconditional right to a free appropriate public education in the least restrictive environment regardless of cost to implement the student's individualized education program.

Not all students are placed into an approved private special education program. A mediation settlement or formal SDE hearing decision that stipulates a non-approved provider best meets the student's needs can allow non-approved programs to receive state and local funding as well. However, the requirements imposed on these private providers and the authority of SDE to monitor them is limited. If an LEA contracts with a non-approved private provider of special education, that provider is then subject to an audit by the Auditors of Public Accounts.

In January 2023, SDE issued a report regarding the staffing shortage areas in Connecticut public schools. Data showed that there are significant shortages of special education teachers and paraprofessionals throughout Connecticut and neighboring states (MA, NY, NJ, and RI). A school or district may request a durational shortage area permit (DSAP) if a certified candidate cannot fill a position. DSAPs do not possess the same qualifications as a fully certified teacher but can temporarily hold teaching positions for one school year and can renew the permit twice. APSEPs may also request approval for the use of DSAPs.

During our audited period, the model evaluation and support plan, Connecticut's System for Educator Evaluation and Development (SEED), was designed to support a comprehensive educator and leader evaluation system adopted by SDE and stakeholders and pursuant to educator evaluation regulations. All professional employees below the rank of superintendent who hold a certificate or permit issued by SDE, including DSAPs, shall participate in this system of evaluation. According to Connecticut's Principles, Procedures, and Standards for the Approval of Private Special Education Programs, approved special education programs must have established procedures for supervising and evaluating the performance

of all staff members according to their job descriptions and aligned with the Connecticut Guidelines for Educator Evaluation.

The Principles, Procedures, and Standards for Approval of Private Special Education Programs state that a private facility should have policies and procedures governing the administration of medication to students in accordance with Section 10-212(a) of the General Statutes. If private providers of special education administer medications, then each medication administered needs its own medication administration record.

Auditors of Public Accounts Authority

Section 10-91g of the General Statutes allows the Auditors of Public Accounts to conduct an audit to examine the records and accounts of any private provider of special education services that enters a contract with a local or regional board of education and receives any state or local funds to provide special education and related services.

The Auditors of Public Accounts, in accordance with Section 10-91g of the General Statutes, conducts regular compliance audits to reconcile contractually required services in students' individualized education programs charged to local education agencies during the billing process. Private providers of special education must provide the Auditors of Public Accounts documentation to ensure state and local funds to provide special education and related services have been expended for allowable costs, in accordance with state and federal law and the IEP for each child receiving special education and related services.

Relevant Statutes and Regulations

Section 10-91j of the General Statutes requires LEAs to have a written contract for each student with a disability outplaced to private providers of special education to qualify for excess cost grants. Contracts shall include an explanation of how the tuition or costs for services under the agreement are to be calculated.

Section 10-91k of the General Statutes requires SDE to develop standards and a process for the documentation of the provision of special education services by a private provider of special education services.

Section 10-76d of the General Statutes requires LEA contracts with private providers of special education services to include a description of the educational program and other treatment the child is to receive, a statement of minimal goals and objectives for the child to achieve, and an estimated time schedule for returning the child to the community or other another appropriate facility. No excess cost grant funds are to be paid unless these provisions are included.

Section 10-222c(a)(2) of the General Statutes requires private providers of special education to complete Educational Employer Verification forms for all applicants starting July 1, 2017. Educational Employer Verification forms help ensure the applicant were not subject to an allegation, substantiation, disciplined, or asked to resign due to abuse, neglect, or sexual misconduct in a previous role.

Section 10-232a of the General Statutes requires private providers of special education to conduct Department of Children and Families Child Abuse and Neglect Registry checks prior to hire, and national and state criminal history records checks within thirty days of hire. This statute went into effect on July 1, 2019. Providers may require staff hired prior to July 1, 2019, to submit to state and national criminal history records checks as well.

Section 29-305(b) of the General Statutes requires private providers of special education to have their facilities inspected annually or as prescribed by the local fire marshal to determine if all buildings and facilities satisfy relative fire codes.

Section 10-236b(i) of the General Statutes requires that no school employee shall use a physical restraint on a student or place a student in seclusion unless the employee has received training on the proper means for performing physical restraint or seclusion.

Section 10-76b-8(h) of the Regulations of Connecticut State Agencies requires seclusion rooms within private providers of special education to meet certain requirements.

Section 10-212a-6 of the Regulations of Connecticut State Agencies requires private providers of special education who administer medication to students to meet parental authorization and medication administration recording requirements.