

# **Focused Monitoring Report for Caledonia North Supervisory Union**



**On-site Review: September 27 - October 1, 2010**



**General Supervision and Monitoring Division**

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## Caledonia North Supervisory Union Monitoring Team Members

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*The Monitoring Team wants to thank everyone in the Caledonia North Supervisory Union for being gracious and flexible hosts.*

## I. Description of Monitoring Authority and Focused Monitoring

The Individuals with Disabilities Education Act (IDEA), (20 U.S.C. 1400 (c)(1)), provides federal funds to assist states in educating children with disabilities and requires each participating state to ensure that school districts and other publicly-funded educational agencies in the state comply with the requirements of IDEA and its implementing regulations. Further, Section 616 of IDEA states that the primary focus of Federal and State monitoring activities shall be on improving education results and functional outcomes for all children with disabilities and ensuring that States meet the program requirements with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities. Vermont state law requires local education agencies to provide appropriate special education and related services and requires the Vermont Department of Education (VTDOE) to establish, monitor and enforce regulations governing special education programs in the Vermont public schools and all institutions wholly or partly supported by the state. The state has adopted regulations implementing those requirements which are administered by VTDOE. VTDOE supervises and conducts the general supervision process in furtherance of the state's obligations under IDEA and Vermont law.

Focused Monitoring is a new approach to assess compliance with federal and state special education law and regulations while also addressing critical performance areas. It is a shift from a culture of compliance to a culture of accountability. It places the focus of a monitoring review on results versus process. The principles of Focused Monitoring are identified as follows:

- Focused Monitoring includes a limited number of priorities chosen by a diverse group of stakeholders.
- Available data are used to select priorities that will improve student educational performance, increase independence for children with disabilities and lead to full participation in society.
- A limited number of indicators are identified within each priority area and are used as the basis for district ranking and selection for on-site reviews.
- A Focused Monitoring system is data and information-based. Data-based information is used to allocate limited resources in the direction of most need, which are determined by identifying what is most likely to lead to improvement in student performance.
- There is a relationship between monitoring and corrective actions—solutions are linked to identified problems. Corrective actions are designed to create systemic changes that result in improved student performance.
- Families have the opportunity to provide information on a continuous basis.

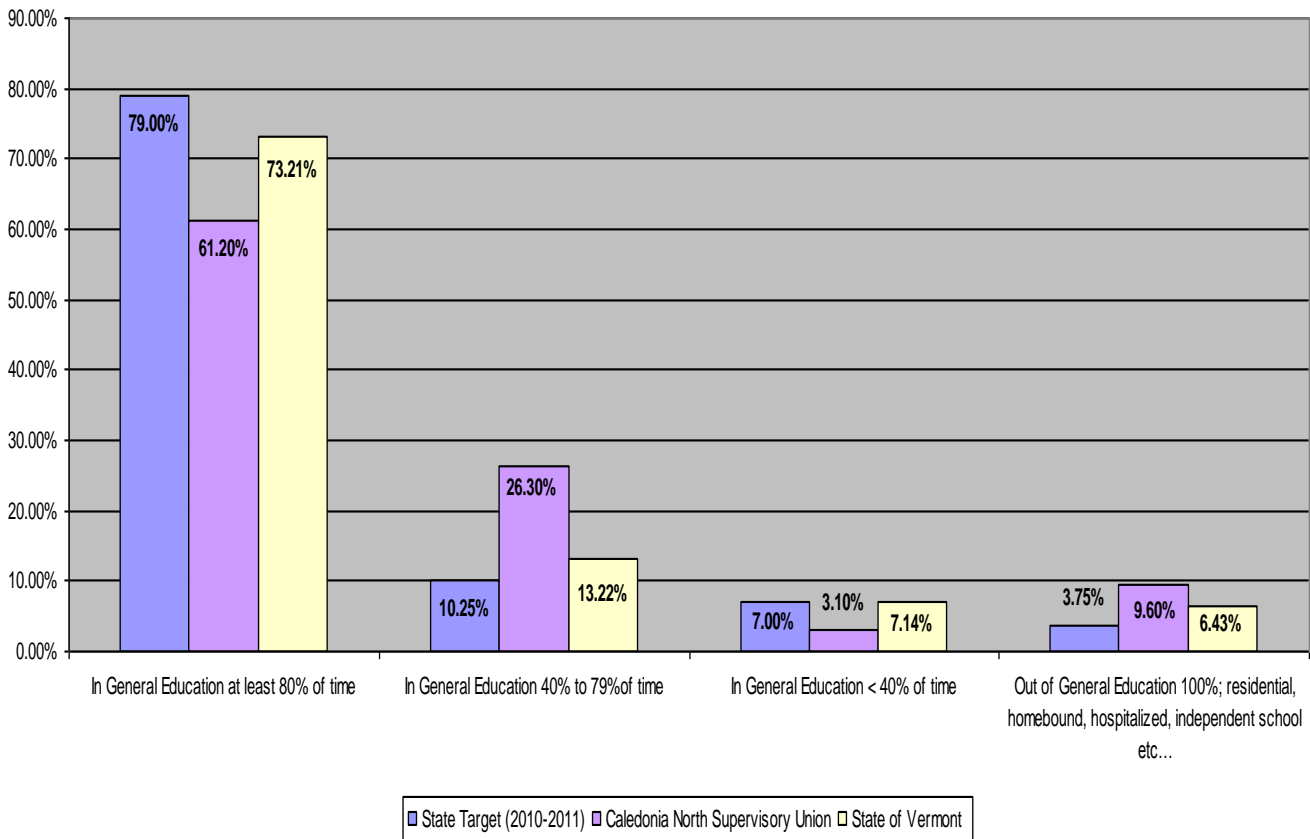
## II. Focused Monitoring Methodology

The Caledonia North Supervisory Union (CNSU) was selected for an on-site visit during the 2009-2010 school year based upon their performance on the State Performance Plan (SPP) Indicators 5 and 6 (Least Restrictive Environment (LRE)) and Indicator 2 (Drop Out) for the 2008-2009 school year. Caledonia North SU was also selected as Lyndon Town School District and Burke School District did not make Adequate Yearly Progress (AYP) for students with disabilities during the 2008-2009 school year.

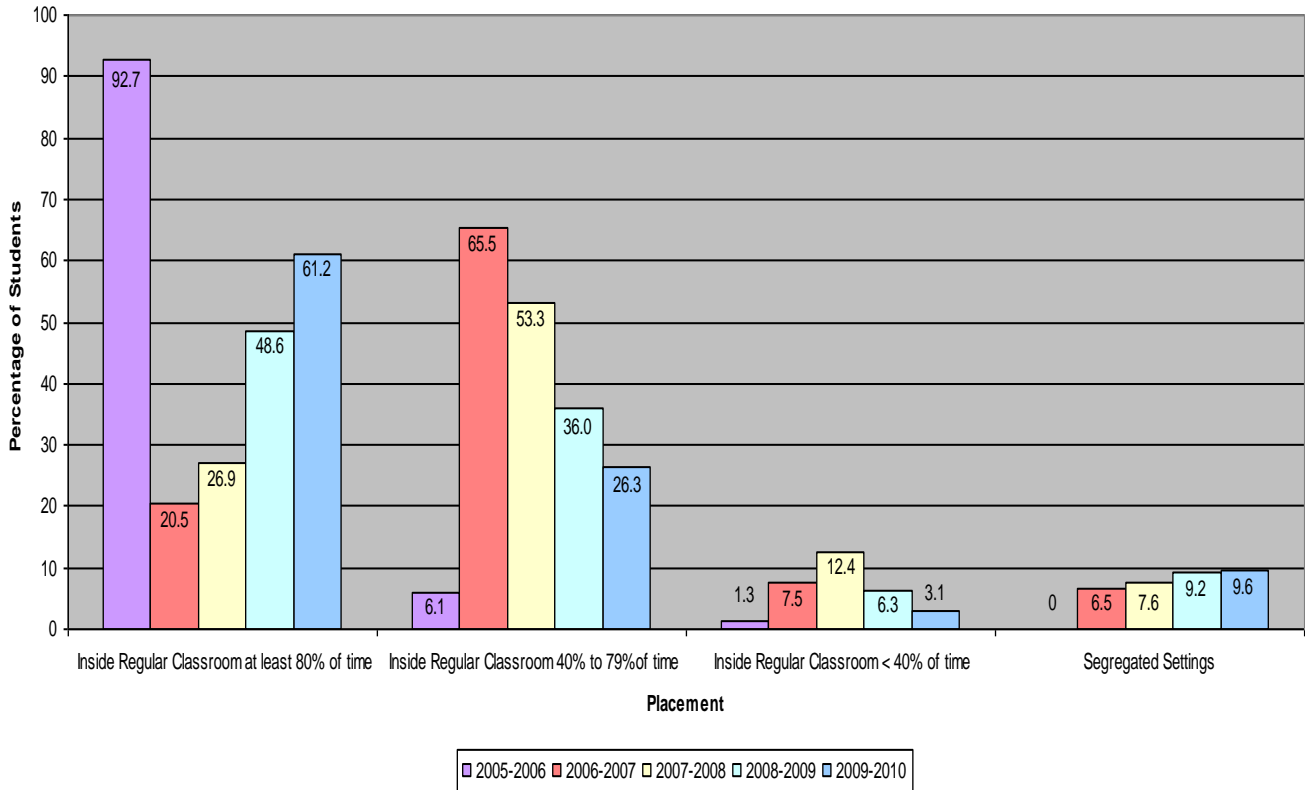
CNSU was originally scheduled to participate on the Focused Monitoring visit in April 2010. At VTDOE's request, CNSU graciously agreed to postpone the visit until September 2010. At the time of the visit, Burke School District exited identified school status (not meeting AYP for students with disabilities).

Even though CNSU was selected on 2008-2009 school year data, VTDOE staff reviewed the most recent information to have a more accurate picture of the supervisory union. The graphs below document the 2009-2010 state target, the state's average performance and Caledonia North's performance in regards to the indicator(s); please note that both graphs include students aged 6-21.

Caledonia North Least Restrictive Environment Data ~ December 1, 2009



**CNSU LRE Data by Placement 2005-2010**



The on-site Focused Monitoring review was conducted during the week of September 27-October 1, 2010. The team visited 3 K-8 schools, 2 PK-8 schools, 1 K-6 school, 1 independent (designated) high school and several programs located within the supervisory union. The Monitoring Team reviewed and analyzed the following data prior to, during and after the on-site review.

***Data Reviewed***

- Indicator data by disability, grade, and school building
- LEA Profile
- Vermont Agency of Human Services Community Profile 2007
- Local Report of State Performance Plan indicators
- Special education policies/procedures/forms/practices
- Family/school collaboration related to the indicator(s) via parent survey monkey and parent interviews (in person and by phone)
- Vermont 21st Century Community Learning Centers (VT21C) Report (2009)

***Parent Survey and Input***

A letter was sent to all parents of students (with disabilities and without disabilities) in the Caledonia North Supervisory Union prior to the on-site visit. Included in the letter was a link to a survey monkey. Parents were asked to submit their responses to the survey prior to the on-site

visit with their answers based on their families’ experiences in the Caledonia North Supervisory Union. CNSU adequately and appropriately notified parents of the FM on-site visit. 15 parents and students were interviewed in person or over the phone or submitted responses to the survey monkey.

***On-Site Interviews***

Interviews were conducted with 8 general and special education administrators from the district schools and supervisory union levels and 17 general and special education teachers and 6 other personnel.

***Record Reviews***

Focused file reviews were conducted for 47 students with Individualized Education Programs (IEPs), Section 504 Plans, Educational Support Team (EST) Plans and/or other related documents (i.e. student transcripts).

***Classroom Observations***

At least 7 classroom observations were conducted in each of the schools and preschool programs in the Caledonia North Supervisory Union. Observations were conducted in both general education and special education classes and programs.

**III. Supervisory Union Background**

The following information is taken from the 2007 Agency of Human Services (AHS) Community Profile. The AHS profiles use supervisory union boundaries when presenting data for a particular community. Thus, the information below concerns the towns which are part of the Caledonia North Supervisory Union; they are Burke, East Haven, Lyndon, Newark, Sheffield, Sutton and Wheelock.

<b>Caledonia North Supervisory Union</b>		
School Name	Grades Served	2009-2010 Approximate Enrollment
Burke School	K-8	188
East Haven School*	K-8	25
Lyndon Town School	PK-8	498
Millers Run USD # 37	PK-8	163
Newark School	K-8	46
Sutton Village School	K-8	96

\*Please note that beginning in the 2010-2011 school year, East Haven has become a K-6 school district tuitioning 7<sup>th</sup> and 8<sup>th</sup> grade students to other elementary schools (enrollment is currently 14 K-6).

According to the Agency of Human Services, the total population for this community in 2006 was 10,579. The following information comes directly from the AHS profile:

<b>2006 AHS Profile</b>	<b>CNSU/Community Percentage</b>	<b>Vermont</b>	<b>Difference</b>
Percent children in families receiving food stamps (proxy for children in poverty)	17.8%	13.7%	+4.1%
Percent of children (ages 0-4) in families receiving welfare (proxy for poverty)	8.5%	9.1%	- 1.6%
Percent of children (ages 5-17) in families receiving welfare (proxy for poverty)	4.1%	4.3%	-.2%
Custody rate for children (per 10,000 ages 10-17) deemed unmanageable	27.0%	28.5%	-1.5%
Custody rate for children (per 10,000 ages 10-17) deemed delinquent	45.0%	52.7%	-7.7%
Percent of high school seniors with aspirations for education, vocational training or employment (2005)	76.0%	85.0%	-9.0%

#### IV. Commendations for the LEA

Relative to the State Performance Plan Indicators 5 and 6 (LRE), State Performance Plan Indicator 2 (Drop Out) and AYP (Adequate Yearly Progress) determinations for students with disabilities (no indicator, but VTDOE priority), the following efforts and/or initiatives have been implemented by the Caledonia North Supervisory Union. These activities have been recognized as effective components in CNSU’s system for improving student outcomes.

- “What I Need” (WIN) Blocks for students to support all students at LTS
- Sutton’s expectation for all students is that they will be in the general education classroom as much as possible (90% LRE)
- CNSU is supporting science, literacy and math monthly meetings with staff
- Staff from Lyndon Institute have participated in CNSU training for a new math program
- Burke keeps excellent documentation for their 504 and EST plans
- Early Childhood Staff at LTS are attending staff meetings and are included in training opportunities
- LI special education staff have been invited (and attended) CNSU special education staff meetings
- Miller’s Run has an “Assembly Block” every Friday; they have embraced “A World of Difference”
- After School Program offers a wide variety of activities and supports for students
- All schools in CNSU offer Reading Recovery
- Newark and Burke schools offer Math Recovery
- Lyndon Town, Burke, Sutton and Miller’s Run have adopted Positive Behavioral Intervention and Supports (PBIS)
- All schools have a good connection with the Northeast Kingdom School Development Center which is housed at Lyndon State College

## V. Triangulated Areas for Improvement (TAFI)

The Monitoring Team must validate a concern through three separate sources of data to determine that the concern is a triangulated area for improvement. These triangulations of data make certain that the information is truly valid and reliable. CNSU must respond to these areas of improvement in the Improvement Plan. Other issues or areas of concern (see Section VI of this report) that cannot be triangulated are identified, but they do not rise to the level of an area for improvement. The Caledonia North Supervisory Union is encouraged to consider these issues and concerns within their Improvement Plan.

***TAFI I: The Educational Support System (including academic and behavioral supports) needs to be comprehensive and cohesive in all schools within the Caledonia North Supervisory Union***

### Supporting Evidence:

1. Educational Support Team (EST) process in CNSU is inconsistent and ineffective (lack of documentation, procedures, etc.)
2. AYP designation for LTS (4th year for disability and free/reduced subgroups)
3. Inconsistent/ineffective use of data that informs curriculum and decision-making
4. Not all students have equal access to ESS supports, such as afterschool programs (i.e., transportation is unavailable and fees are not consistent; principals may, however, waive the cost of the program)
5. Curriculum varies widely across the SU; however, a common curriculum is emerging in some areas (science, math and literacy)
6. Inconsistent physical evidence of Positive Behavioral Interventions and Supports (PBiS) in some of the schools

***TAFI II: CNSU would greatly benefit from a cohesive system of collaboration, communication, coordination and cooperation, which would positively affect student outcomes***

### Supporting Evidence:

1. The absence of a definitive seamless transition process
  - a. Part C-Part B (also compliance issue)
  - b. EEE-Kindergarten (also compliance issue)
  - c. 8th-9th grades
  - d. Postsecondary Transition planning with outside agencies (also compliance issue)
2. While CNSU schools have common curriculum in (only) literacy, science and math; students enter high school with disparate levels of preparation in other subject areas
3. Due to the lack of communication and feedback between Lyndon Institute and sending schools, CNSU is unable to gauge the effectiveness of their curricula and programming for all students
4. Sending school districts/CNSU must fulfill their responsibility to ensure an appropriate education is provided for all publicly funded students
5. The large number of self-contained instructional spaces at LTS (8 were identified by building signage as Resource Rooms described in later correspondence by the SU as 4 typical resource rooms and 4 offices/instructional/assessment rooms) are not conducive to

the development of a collaborative and communicative environment for the special education staff and may in fact serve as an impediment toward the creation of such an environment

6. The special education staff at LTS **does not** communicate and collaborate effectively and it **is** negatively affecting the provision of special education services.
7. While there are emerging grade level team meetings, there is a definite lack of communication and collaboration between general education and special education staff (not in all schools)
8. Progress reviews (IEP goals) to parents are not apparent in all special education files (also compliance issue)

## VI. Areas of Concern/Recommendations

1. Lyndon Institute is a designated high school for all of the towns in CNSU. The Institute has independent school approval for ONLY: ED, LI, SLD and OHI disability categories. LI currently serves students with other disabilities (ASD & TBI)
2. To improve communication and collaboration at LTS, CNSU should consider a building-based special education administrator/Team Leader model
3. To improve communication, collaboration and compliance, CNSU should consider hiring a special educator/LEA Representative to case manage out-of-district placements and students at Lyndon Institute
4. To improve communication, collaboration and delivery of services among the Early Childhood Programs, CNSU should consider an Early Childhood Coordinator
5. CNSU special education staff need professional development and training in the following areas:
  - a. Documenting information/data that informs evaluations (including eligibility determinations) and IEPs
  - b. Special Education Rules and Regulations
  - c. Best Practices in Service Delivery Models
  - d. How to train, supervise and evaluate special education paraeducators
  - e. How to collect, analyze and use data that inform IEP team decision making
  - f. How to correctly report LRE on IEPs
6. The number of students per special educator (case load) varies greatly throughout CNSU

## VII. Non-Compliance with State and Federal Rules & Regulations

### *Findings of Non-Compliance*

Non-compliance findings are violations of state and/or federal rules and regulations. The following findings of non-compliance must be corrected within one year from the date of this report. Caledonia North Supervisory Union must include a response to each of these findings in the Improvement Plan. A separate list will be sent to the Special Education Administrator with student specific information.

#### Individual and/or Systemic Findings of Non-Compliance:

1. Data in student special education files is not current or complete thus child count data is neither valid nor reliable

2. Least Restrictive Environment (LRE) data is often incorrect (at least 17 IEPs)
3. According to many IEPs reviewed, paraeducators are providing all of the specialized instruction to students without documented supervision
4. The special education supports and services in IEPs are not being provided as written
5. Specialized instruction must be provided, at least in part, by a special educator (not just a classroom teacher, “certified teacher” or a paraeducator)
6. Staff from Lyndon Institute **cannot** serve as the Local Education Agency (LEA) Representative for CNSU students
7. At least 5 evaluations and 1 IEP are past due
8. In many instances, the special education services are being provided based on the staff schedule (EEE and K-8), not on the individual needs of students
9. Services being provided during the 2010-2011 were not always documented on the IEP
10. Comprehensive Evaluations
  - a. Not all done within 60 days (initial)
  - b. EPT members did not always initial their agreement (4 parents, 2 general educators, 5 without any initials)
  - c. Not all evaluations documented the disability
  - d. A student was determined as Learning Impaired with an cognitive score above the level allowed by state regulations
  - e. 3 measures of Adverse Effect (for at least 1 basic skill) were not always documented correctly (14)
11. Individualized Education Programs (IEPs)
  - a. Not all goals/objectives are measurable
  - b. Not all required participants attended the IEP meeting
  - c. Some IEPs do not include specialized instruction
  - d. Location of services **cannot** be “as appropriate,” regular classroom and/or RR or “in all school environments”
12. Many special education files did not include a Form 6 (*Consent for Initial Provision of Special Education Services*) when warranted
13. EEE files did not always include an evaluation report and statement indicating eligibility for EEE
14. The schedule of the EEE/ECP program is driving the special education services
15. The special education schedule in some of the schools is also driving the services for students
16. Students identified with an Emotional Disturbance (ED) generally do not have documented Functional Behavioral Assessments (FBAs), Behavior Plans and counseling supports and services
17. Paraeducators are providing most of the specialized instruction to students (LTS, Newark)
18. Progress reviews (IEP goals) to parents are not apparent in all special education files
19. Part C-B transition is not always being done by the child’s 3rd birthday
20. The transition from EEE-Kindergarten is not always being completed
21. Special Education services at Miller’s Run are not being implemented as written as the special educator is being frequently called away from service delivery to deal with behavior issues
22. Postsecondary Transition planning for students does not always include the required components
  - a. i.e. inviting outside agencies, inviting students

## VIII. Improvement Planning Process

Upon receiving the final report following a Focused Monitoring visit, the LEA is required to initiate the development of an Improvement Plan (which includes improvement activities related to the priority indicator and correction of non-compliance) with your VTDOE Monitoring Facilitator within a period of 30 calendar days from the date of the final report. The Improvement Plan should be a comprehensive, interdisciplinary plan that targets LEA-wide improvement. In developing the plan, the LEA should consider the *Triangulated Areas for Improvement* (TAFI) and supporting evidence, *Areas of Concern/Recommendations*, *Findings of Non-Compliance*. The VTDOE Monitoring Facilitator will provide technical assistance and consultation during the development of the Improvement Plan. It is important to note that improvement activities may extend beyond one year, but the correction of non-compliance must happen within one year from the date of written notification via the final report.

In order to assure that the Improvement Plan is comprehensive, interdisciplinary and LEA-wide, the plan must be developed by a collaborative team which includes general and special education stakeholders. This plan must not be a uniquely special education response developed in isolation from other LEA initiatives. The VTDOE Monitoring Facilitator provides technical assistance to the team in the vein of a facilitator. The Monitoring Facilitator may not provide the technical assistance that the LEA identifies it needs, but rather functions as a liaison for needed services.

Development of the Improvement Plan will include:

- Use of the VTDOE template to develop the Improvement Plan
- Review of the areas of non-compliance and the expected evidence of change in the final report
- Coordination of the Improvement Plan with other LEA initiatives
- Addressing the following components per activity:
  - What specific tasks/activities are planned to address the targeted area?
  - Why were these particular tasks/activities deemed most appropriate?
  - When will the tasks/activities be completed?
  - Who will complete the tasks/activities?
  - Why will this activity work to bring the LEA into compliance?
  - Who will monitor the progress and completion of activities?
  - What are the needed resources (fiscal, human) within/outside the LEA that will be used to implement change?
  - What are the deliverables, products, materials, documentation or action plans that will be developed?
  - How will progress be monitored to ensure that the expected changes take place (self-assessment)?
  - What are the intended outcomes/impact related to the targeted area?

The VTDOE Monitoring Team reviews the LEA's proposed Improvement Plan, requesting clarifications and revisions, as necessary. Upon approval of the Improvement Plan, the LEA is issued an approval letter that outlines the schedule of reporting the LEA's progress monitoring to VTDOE. The purpose of this Monitoring Progress Report is to provide the LEA with a format in which to demonstrate evidence of their efforts to correct the deficiencies identified through the Focused Monitoring process. In addition, the process allows the LEA to monitor and evaluate the

success of their Improvement Plan activities. The scheduling of the progress reports depends on the complexity of the Improvement Plan and the individual needs of the LEA.

Prior to the one year anniversary of notification via the final monitoring report, an Evidence of Change review meeting is scheduled between LEA representatives and the VTDOE Monitoring Facilitator to assess whether the LEA has met or is making adequate progress towards meeting the required evidence of change at the expected standard as set by the collaborative team and approved by the VTDOE. Based on the results of the meeting, the VTDOE determines whether (1) the LEA has met the standards required and the Improvement Plan is officially closed, (2) the LEA has not met the standards required and additional time will be allowed with Improvement Plan amendments or (3) sanctions will be imposed. The correction of non-compliance must occur within the one year timeline; the above refers to improvement activities related to the priority indicator.