

Focused Monitoring Report for Orleans Central Supervisory Union



On-site Review: April 6-10, 2009



Student Support Division

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The monitoring team wants to thank everyone in the supervisory union for being gracious and flexible hosts.

I. Description of Monitoring Authority and Focused Monitoring

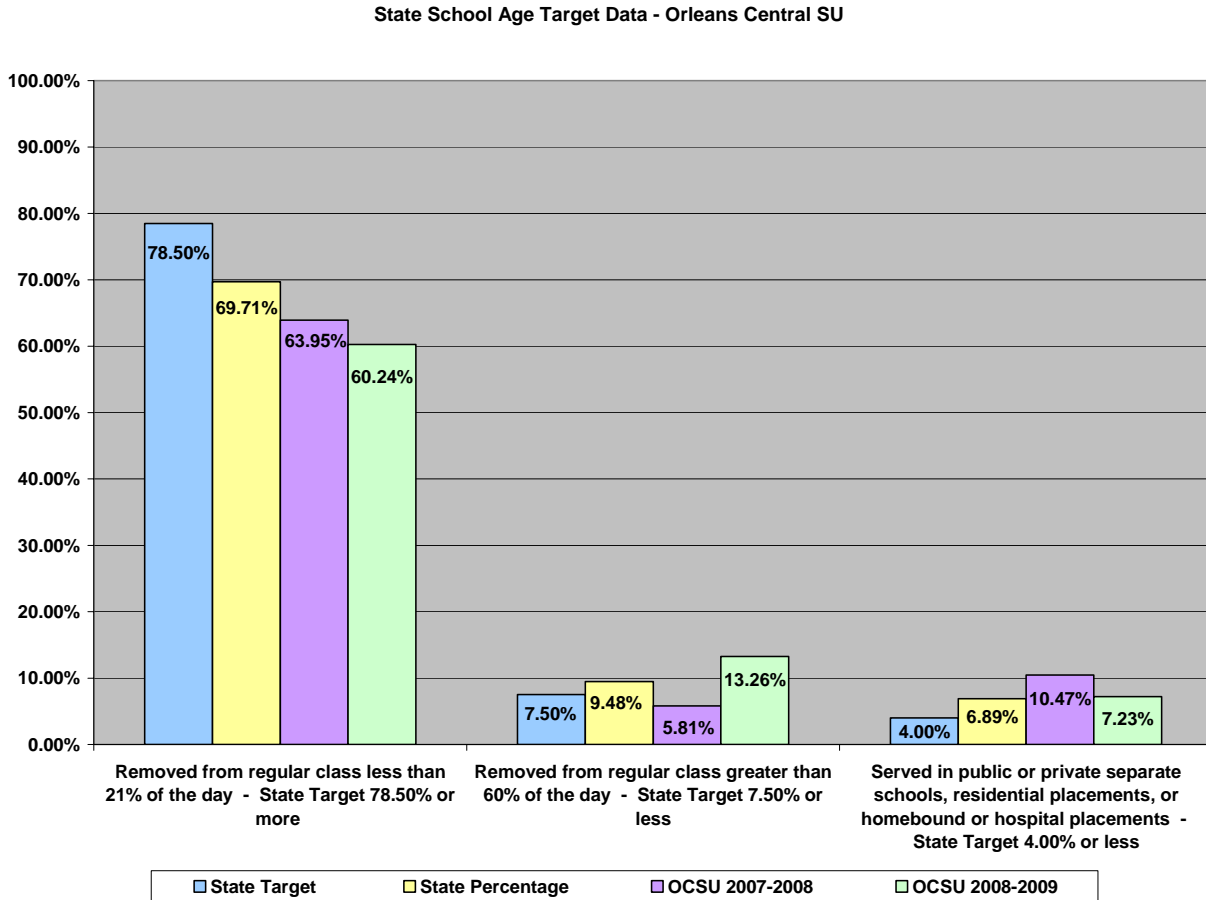
The Individuals with Disabilities Education Act (IDEA), (20 U.S.C. 1400 (c)(1)), provides federal funds to assist states in educating children with disabilities and requires each participating state to ensure that school districts and other publicly-funded educational agencies in the state comply with 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 Orleans Central Supervisory Union (OCSU) was selected for an on-site visit based upon their performance on the State Performance Plan (SPP) Indicator 5 regarding Least Restrictive Environment (LRE). See the graph below which documents the 2007-2008 state target, our average performance as a state and OCSU's performance in both 2007-08 and 2008-09 in regards to indicator 5. The trend suggests that OCSU is returning students from outside placements but that there is also a drop in percentage of students remaining in the general education setting at least 80% of their day.



The on-site Focused Monitoring review was conducted during the week of April 6-10, 2009. The team visited six elementary schools, one high school, and two Essential Early Education programs located within this supervisory union. The Monitoring Team reviewed and analyzed the following data prior to and during the on-site review.

Data Reviewed

- LRE data by disability, educational environment/placement code, grade, and school building based upon the 2007 Child Count submitted by the OCSU
- Local Planning Team's portfolio of evidence
- 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 LRE via parent forum and interviews
- New England Common Assessment Program (NECAP) results by state and school
- Student Educational Support Team (EST), Section 504 and special education files

Parent Forum

A forum based on families' experiences with placement decisions in Orleans Central Supervisory union was held on April 6, 2009 for parents of students with disabilities. The supervisory union provided documentation of their adequate and appropriate public notice advertising the forum. However, the forum was attended by only two parents of children with disabilities and one parent with a preschool child that attended the OSCU-operated program. In addition to the forum, eight parents were interviewed in person or over the phone.

On-Site Staff Interviews

Interviews were conducted with nine general and special education administrators from the district schools and supervisory union levels, thirty-two general and special education teachers, four paraeducators, one preschool related service provider, a member of the OCSU evaluation team, the OCSU curriculum coordinator and the OCSU business manager.

Record Reviews

Focused file reviews were conducted for sixty-three students with Individualized Education Programs (IEPs), Section 504 Plans or Educational Support Team (EST) Plans. In addition, we reviewed the current report cards of seven high school IEP students who have transferred back to Lake Region UHS

Classroom Observations

Classroom observations were conducted in each of the following schools and/or programs:

- 1. Essential Early Education Program - Barton (Pre-K)**
- 2. Essential Early Education Program - Albany (Pre-K)**
- 3. Lake Region Union High School (Grades 9-12)**
- 4. Glover Community School (Grades K-8)**
- 5. Orleans Elementary School (Grades K-8)**

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 Orleans Central Supervisory Union; they are Albany, Barton, Brownington, Glover, Irasburg, Orleans and Westmore.

Within these towns there are six elementary and one high school.

<i>Orleans Central Supervisory Union</i>		
School Name	Grades Served	2008- 2009 Enrollment
Albany Community School	(Pre-K-8)	100
Barton Graded School	(K-8)	153
Brownington Central School	(K-6)	71
Glover Community School	(K-8)	134
Irasburg Village School	(K-8)	127
Lake Region Union High School District #24	(9-12)	378
Orleans Elementary School	(K-8)	138

According to the Agency of Human Services, the total population for this community was 6,973 in 2006.

The following information comes directly from the AHS profile:

Percent of children (ages 0-4) in families receiving welfare (proxy for poverty) in 2006

Vermont	OCSU Community	Difference
9.1%	12.9%	+ 3.8%

Percent of children (ages 5-17) in families receiving welfare in 2006

Vermont	OCSU Community	Difference
4.3%	6.7%	+ 2.4%

Percent of kindergartners who met standards of readiness in 5 domains in 2007:

Vermont	OCSU Community	Difference
44%	42%	- 2.0%

Teen pregnancy rate per 1,000 females ages 15-17 in 2004

Vermont	OCSU Community	Difference
15.8	15.1	- 0.7

Percent of 8th grade students who have () in the past 30 days in 2007

	Vermont	OCSU Community	Difference
Smoked Cigarettes	7.0%	12.0%	+ 5.0%
Smoked Marijuana	8.0%	10.0%	+ 2.0%
Used Alcohol	19.0 %	27.0 %	+ 8.0%

Reports of child abuse and neglect per 10,000 children ages 0-17 in 2006

Vermont	OCSU Community	Difference
84.5	91.3	+ 6.8

2006 Custody rate for children (per 10,000 ages 10-17) deemed:

	Vermont	OCSU Community	Difference
Unmanageable	28.5	26.0	- 2.5
Delinquent	52.7	108.5	+ 55.8

Socioeconomic Data:

	Vermont	OCSU Community	Difference
Average Annual Wage (2006)	\$34,974	\$27,046*	- \$7,928
Median Family Income (1999)	\$48,625	\$36,089	- \$12,536
Percent of People above poverty level (1999)	90.6%	85.7%	- 4.9%

* as measured by county, not community

According to the VTDOE, the schools within the OCSU have obtained the following results on the NECAP. The figures in these are the percentages of students that received NECAP scores in the “proficient” or “proficient with distinction” categories. Cells containing N/A means there were not enough students evaluated in order to allow the data to be publicly documented.

New England Common Assessment Program Data for 2008 and School Trend Data:

Albany Community School

School Trend Data

2008-09	School	State			2005	2006	2007	2008
Reading	79%	71%		Reading	63%	65%	77%	79%
Math	66%	66%		Math	54%	54%	55%	66%
Writing	70%	54%		Writing	51%	25%	80%	70%

Barton Graded School

School Trend Data

2008-09	School	State			2005	2006	2007	2008
Reading	70%	71%		Reading	57%	57%	66%	70%
Math	67%	66%		Math	61%	63%	56%	67%
Writing	34%	54%		Writing	64%	46%	31%	34%

Brownington Central School

School Trend Data

2008-09	School	State			2005	2006	2007	2008
Reading	87%	71%		Reading	67%	75%	80%	87%
Math	73%	66%		Math	66%	72%	74%	73%
Writing	N/A	54%		Writing	N/A	N/A	18%	N/A

Glover Community School

School Trend Data

2008-09	School	State			2005	2006	2007	2008
Reading	91%	71%		Reading	80%	89%	91%	91%
Math	73%	66%		Math	64%	67%	72%	73%
Writing	81%	54%		Writing	72%	60%	74%	81%

Irasburg Village School

School Trend Data

2008-09	School	State			2005	2006	2007	2008
Reading	71%	71%		Reading	65%	61%	66%	71%
Math	66%	66%		Math	66%	70%	62%	66%
Writing	52%	54%		Writing	47%	38%	32%	52%

Orleans Elementary School

School Trend Data

2008-09	School	State			2005	2006	2007	2008
Reading	78%	71%		Reading	69%	71%	60%	78%
Math	67%	66%		Math	59%	57%	51%	67%
Writing	74%	54%		Writing	47%	65%	52%	74%

Lake Region Union High School

School Trend Data

2008-09	School	State			2005	2006	2007	2008
Reading	83%	72%		Reading	Not	given	59%	83%
Math	41%	35%		Math	Not	given	18%	41%
Writing	48%	42%		Writing	Not	given	31%	48%

IV. Commendations for the LEA Related to the Indicators

Relative to the State Performance Plan Indicators 5 (the school-aged Least Restrictive Environment Indicator) and 6 (the pre-school Least Restrictive Environment Indicator), the following efforts and/or initiatives have been implemented by the OCSU. These activities have been recognized as effective components in OCSU's system for improving student outcomes.

- Available technology was observed in several schools and utilized often in some schools within the supervisory union. Smart boards, lap tops, MP3 players to download text were available for student use.
- Professional development in the area of supervisory union-wide curriculum is intentional and, in at least one school, is accessed by both professional staff and paraeducators. Many staff lauded the efforts and support of the curriculum coordinator, Kristy Ellis. The supervisory union has developed Professional Learning Communities (PLC) as a forum to discuss curriculum and various issues of common concern. Next year the plan is to use release time one half day per month for PLCs to meet.
- The Supervisory Union is commended for addressing LRE by considering a program that would enable many out-placed high school students to return to the main building.
- The Lake Region High School is commended for utilizing general education resources and staff to provide a three-block integrated Humanities program and also to provide remedial instruction to IEP, EST and other at-risk students.
- Orleans Elementary School is commended for pursuing additional grants and other resources, such as designation as a NASA Explorer School and Lego-robotics.
- Several elementary schools in the OCSU are using AIMSWEB and other continuous progress monitoring tools in order to track student progress and help make educational programming decisions for students.
- Schools applied for and received grants to provide Reading First activities within their school.
- There are multiple and effective transition activities surrounding the move of 8th grade students to the local high school.
- Despite the difficult economic stressors on the communities, staff throughout the supervisory union is commended for their unconditional commitment to student achievement.
- The Supervisory Union is commended for their improved and, in some schools, exceptional NECAP scores.
- The Supervisory Union is commended for their recognizing a need and establishing a supervisory union assessment team in an effort to ensure more consistent eligibility determinations and to enable special educators more time to work directly with students.

V. LEA Findings Related to the Indicators

The Monitoring Team must validate a concern through three separate sources of data to issue a finding. These triangulations of data make certain that the information is truly valid and reliable. The OCSU Local Planning Team must respond to these findings 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 a finding. The Orleans Central Supervisory Union is encouraged to consider these issues and concerns within their Improvement Plan.

Finding I: A majority of public schools within the OCSU have not designed and implemented an Educational Support System (ESS) to increase the ability of the general education system to meet the needs of all students: (VT Statute 2902)

Supporting Evidence

1. The Educational Support Team (EST) structure (team composition, referral process, regular meeting schedules and follow-up meeting dates) and effectiveness of the ESS varies greatly throughout the supervisory union.
2. Some Student/Parent handbooks do not contain descriptions of education supports or the procedure for accessing educational supports within the school.
3. Behavioral data is not kept in a record keeping system that allows access and utilization by the EST.
4. Special education and related services as well as mainstreaming opportunities vary greatly from Essential Early Education through 12th grade and often between early and upper grades in the same elementary school. **(VT Reg. 2364.1)**

Corrective Action

A collaborative team including general and special educators, administrators and parents shall review the special education services and related services provided within the district to ensure the procedures for the recommendation and implementation are consistent and meet the needs of the students they serve.

The team needs to identify and develop professional development regarding differentiated instruction, curriculum modifications, accommodations, supplementary aids and services, and positive behavior supports to all general and special education teachers.

The team shall operationalize a data-based decision-making comprehensive system of supports for all students.

Required Evidence of Correction

- Documentation of recommendations.
- Documentation of identified professional development needs and plans for providing it.
- Documentation of policies and/or procedures for operationalizing the system of supports.
- Documentation of supports and services available within each school, as described in their Parent/Student handbook.

Finding II: Each school in the OCSU has not adopted and implemented a comprehensive plan to support students with challenging behaviors.

(16 VSA 1161a)

Supporting Evidence

1. Staff reported the use of individual aides, modified school days, and the sending of a student home as the de facto method of responding to students with challenging behaviors.
2. Files indicated that positive behavioral supports were not part of students' plans for improved behavior but that, conversely, inappropriate behavior was responded to with negative or punitive consequences.
3. Discipline procedures within the various schools throughout the supervisory union lack clarity/consistency and require greater record keeping capabilities.
4. Student/Parent handbooks contain language which reference discipline policies, including punitive measures, yet lack information regarding the school resources dedicated to developing positive behavioral supports.

Corrective Action

A collaborative team including general and special educators, administrators and parents shall review the discipline policies within the district to ensure the procedures for the implementation are consistent and meet the needs of the students they serve.

The team needs to identify and develop professional development regarding the development of behavior plans, with a focus on positive student outcomes, as well as positive behavior supports to all general and special education teachers and related service staff.

The team shall discuss and recommend data-based system for disciplinary actions in order to provide information regarding the success or needs to modify behavioral interventions with students.

Required Evidence of Correction

- Documentation of the collaborative team discussion.
- Documentation of discipline policies adopted as a result of the collaborative team discussion..
- Documentation of professional development provided regarding behavior plans and positive behavioral supports..
- Documentation of positive behavior plans written as a result of professional development and discipline policy implementation.
- Documentation of the data-based system for tracking individual student behavioral plan progress.

Finding III: Essential Early Education (EEE) programs lack the necessary teaching and related service personnel and procedures (i.e. communication with schools, lack of awareness) to enable the supervisory union to provide an efficient and effective service delivery model to all towns. (VT Reg. 2362)

Supporting Evidence

1. Child Find is not proactively locating all children in all OCSU towns who would be eligible for services. **(VT Reg. 2360.3.5)**
2. Additional evaluation areas identified in the initial evaluation (OT, PT) were not completed. For instance, 15/18 children in the SU programs building receive Speech/Language as their lone special education service.
3. Lack of transportation services limit participation of children from outlying towns within the supervisory union.
4. The lack of awareness in the funding mechanism for the EEE programs affects the support and delivery of service for some pre-school children.
5. Staff within the OCSU schools were often unaware who the current EEE staff are or who is designated as the EEE Coordinator.
6. Some kindergarten teachers reported they were not included in meetings for students transitioning from EEE.
7. EEE identification rates are and have historically been well below the State percentage. Currently the State percentage for identification of Developmental Delay per Child Count is 16% whereas the OCSU percentage is 9%.

Corrective Action

A collaborative team including preschool, early general education and special educators, administrators, EEE Board members and parents shall review the early education programs provided within the district to ensure the staffing, child find activities,

comprehensive evaluations, professional development opportunities, and the provision of related services are consistent and meet the needs of the children they serve.

The collaborative team shall discuss and recommend procedures or strategies to ensure there is an equal access to preschool programs for children who reside in towns within the OSCU that do not host a preschool site.

The collaborative team shall discuss and develop procedures to inform OCSU schools of the EEE staff as well as any specific transition plans to be implemented prior to a child moving forward to kindergarten.

The team shall discuss a method of tracking student data to determine if the length of enrollment and/or the services provided through the preschool programs have had an impact on the continued identification or services required while attending elementary schools in the OCSU.

Required Evidence of Correction

- Documentation of collaborative team discussions regarding Essential Early Education.
- Documentation of procedures developed to ensure EEE programs:
 1. are staffed by licensed professionals
 2. engage in proactive and meaningful Child Find activities
 3. provide comprehensive evaluations to determine children's needs
 4. have access to professional development opportunities
 5. provide related services to children based upon an identified need
- Documentation of procedures developed to ensure equal access for all children to OCSU-operated preschool programs.
- Documentation of the EEE to kindergarten transition plan activities.
- Documentation of a data management system to track preschool children and the effectiveness of early interventions on their behalf.

VI. Areas of Concern Related to the Indicators

- Independent study programs at the high school, that may be meeting student credit accrual needs, are not being provided by a general education teacher as indicated on the student's official report card.
- The supervisory union is sensitive to cost-containment although most of the district spending is already below the State average and the Supervisory Union overall is 4% below the State average cost per special education pupil. Although we recognize the need to be fiscally responsible, we are concerned that student services may be negatively affected based upon financial decisions rather than student need.
- Files of students with emotional or behavioral challenges did not contain adequate behavioral analysis in order to develop an effective behavior plan. Behavior plans, when written, were written in a more punitive manner instead of encouraging positive behavioral outcomes.
- It was unclear if the Supervisory Union has a policy which requires documentation of a referral to the Department of Children and Families (Social Services) based upon the disclosure or observation of neglect or abuse to a mandated reporter.
- The schools have a data management system available to them (MMS) but do not fully implement it for data collection and analysis.
- The Supervisory Union is in the process of developing a program that would enable many out-placed high school students to return to the main building. This process needs to result in a plan that will address continued concerns involving eligibility criteria, age parameters, staffing, access to general education and vocational components.

VII. Non-compliance in Related Requirements

Areas of Noncompliance in Related Requirements

Non-compliance issues are violations of state, federal, or state school board regulations or guidelines. The following instances of non-compliance must be corrected within one year from the date of this report. OCSU must include a response to each these areas in their Improvement Plan.

- Due diligence was not undertaken to ensure that the Child Count Least Restrictive Environment data for Essential Early Education and school-aged children reflected the actual level and not that which was indicated on the IEP. **(VT Reg. 2360.3.5 (b) (1))**
- Appropriate and required members of the IEP teams are not checked as in attendance. **(VT Reg. 2363.4 (a))**
- Several IEPs for students ages 16 and above with Transition Plans did not include measurable annual goals. **(VT Reg. 2363.8 (i)(1))**
- Initials indicating agreement with the team decision of required Evaluation Planning Team members are not on the completed report. **(VT Reg. 2362.2.5 (5))**
- Disability Determination, Adverse Effect and Need sections lacked appropriate documentation. **(VT Reg. 2362.2.4 (d))**
- Personally identifiable information on several students was found in other students' files, in more than one instance. **(VT Reg. 2365.2.4)**
- Disability category on the IEP cover page did not match with the results of the last evaluation report. **(VT Reg. 2363.2 (b))**
- Appropriate pages were not revised during a revision of the IEP between annual reviews. **(VT Reg. 2363.10 (c))**
- Multi-year plans for students earning alternative credit were not located in student files. **(VT State Board 2120.8.2.1(c))**
- IEPs did not include specially designed instruction. **(VT Reg. 2360.3.1)**
- Paraeducators are providing specialized instruction to students without supervision or lesson plans from a qualified teacher. **(VT Reg. 2360.3.6 (3))**
- Lack of parental consent to EEE services prior to implementation of the IEP and the date of implementation for an IEP preceded the initial evaluation report date. **(VT Reg. 2365.1.3 (2))**
- Initial evaluations do not always meet the 60 day timeline and notices of delay did not document an exceptional circumstance for the delay (waiting for evaluations or reports). **(VT Reg. 2362.2.3 (c))**

- Consideration of the use of assistive technology for a student was not documented. **(VT Reg. 2360.3.3 and 2363.8 (c))**

- Special education referrals were not accepted and an EPT was not convened without undue delay if submitted after April 1st of the school year. **(VT Reg. 2362.2.3 (a))**

VIII. Improvement Plan 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 “findings related to the indicators”, “areas of concern related to the indicators,” “non-compliance in related requirements,” and the “supporting evidence,” “corrective actions,” and “required evidence of correction” contained within the findings. 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 the areas of noncompliance 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 these particular tasks/activities were deemed most appropriate?
 - When the tasks/activities will be completed?
 - Who will complete the tasks/activities?
 - Why this activity will 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) and
 - 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.