

# **Focused Monitoring Report for Rutland City School District**



**On-site Review: February 11-15, 2008**



## **Student Support Division**

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## **Rutland City School District Monitoring Team Members**

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*The monitoring team wants to thank everyone in the school district 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 school districts 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. The special education Monitoring Team 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 determining 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 child and 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 onsite 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 child and student performance.
- There is a relationship between monitoring and corrective actions—solutions are linked to identified problems in schools. Corrective actions are designed to create systemic changes that result in improved child and student performance.
- Families have the opportunity to provide information on a continuous basis.

With assistance from a stakeholder group, priority areas and performance indicators from the State Performance Plan (SPP), are identified and utilized in determining the school districts most at risk for failing to meet performance targets in those areas. These indicators are part of a pool from which indicators for Focused Monitoring will be chosen annually based upon school district data submitted to the state. Free and Appropriate Public Education in the Least Restrictive Environment (FAPE in the LRE), Graduation rates and Drop-out rates were the three areas in which the stakeholder group received data. Upon reviewing and discussing the data, the group selected FAPE in the LRE to be the indicator by which school districts would be asked to participate in the two focused monitoring pilots to be conducted during the 2006-2007 school year. The specific information regarding indicators five (5) and six (6) from the SPP are below:

SPP Indicator #5: Percent of Children with IEPs aged 6-21:

- A. Removed from regular class less than 21% of the day;
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements

SPP Indicator #6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e. early childhood settings, home and part-time early childhood/part-time early childhood special education settings)

Each district was ranked on their self-reported percentage of students with disabilities served by the amount of time they are educated outside of a regular education environment (i.e. less than 21%, 21-79% and more than 80% outside of the regular education environment). In addition, Essential Early Education (EEE) was ranked according to their self-reported percentage of children within fully inclusive settings (i.e. public integrated settings, private day care settings or within their home). This information is then compared to the State Performance Plan targets for that priority indicator.

***Rutland City School District Demographics***

The Rutland City School District is located in Rutland County Vermont. The school district has two elementary schools, an intermediate school, a middle school, high school and several alternative programs all located throughout the city of Rutland. The total enrollment for the district is approximately 2,671 students.

School	Grades	2007-08 Enrollment
Northeast Elementary School	PK-2	267
Northwest Elementary School	PK-2	294
Rutland Intermediate School	3-6	656
Rutland Middle School	7-8	380
Rutland High School	9-12	1074

## II. Focused Monitoring Methodology

### *Pre-Visit Data Analysis*

The Monitoring Team reviewed and analyzed a variety of data from the State and Rutland City School District prior to the on-site visit:

- Child Count: This data collection reflects the status of children with disabilities eligible for services under the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) on December 1 of each year. The data are collected at the supervisory union level, according to state and federal statute and regulations. Examples of data collected from Child Count (below) of the Rutland City School District and at the State level included:
  - Disability
  - Placement
  - Essential Early Education (EEE)
  - School-aged (K-12+)
  - Grade
- Financial Data ~ Special Education Expenditures
- Student Census ~ enrollment, drop out

### *Child Count (Most Recent Verified as of 12/1/06)*

	<b>December 1, 2006 Child Count (K-12)</b>	<b>04-05 ADM (Resident and State Placed)</b>	<b>% of Child Count per ADM</b>
State of Vermont	12,465	91,921.28	13.56%
Rutland City School District	<b>353</b>	2,351.28	15.02%

The overall percentage of students identified with a disability per ADM (K-12 only, does not include early education children) is above the State percentage (+1.46%).

**School District and State Disability Percentages**

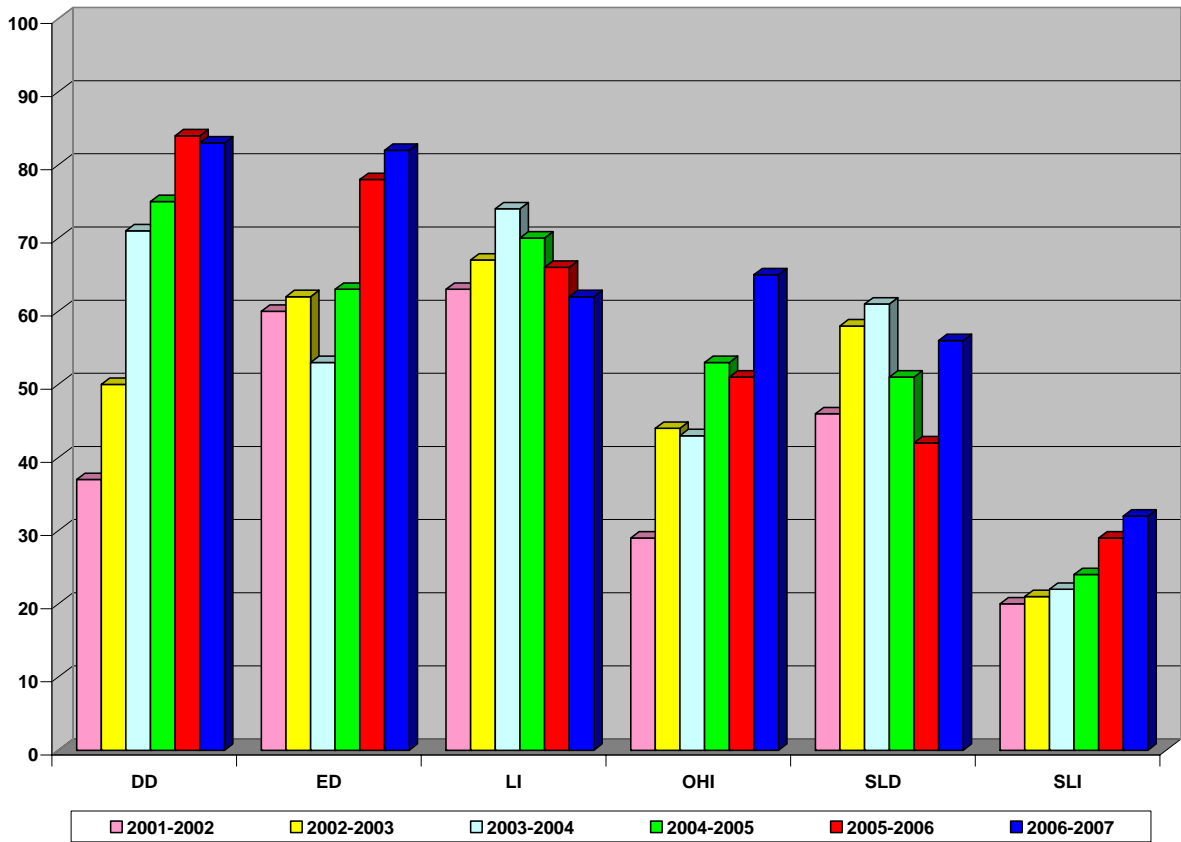
This chart reflects the Rutland City School District’s percentages, by disability category, in comparison to the State averages. The SU percentage is based on the 12/1/06 Child Count of 395 students (ages 3-21).

<b>Disability Category</b>	<b>State %</b>	<b>RCSD %</b>
Autism (A)	2.77%	1.27%
Deaf (D)	0.32%	0.50%
Deaf/Blind (DB)	0.02%	0.00%
Developmental Delay (DD)	15.14%	21.01%
Emotional Disturbance (ED)	14.95%	20.76%
Hard of Hearing (HOH)	0.62%	0.25%
Learning Impairment (LI)	7.64%	15.70%
Multiple Disabilities (MD)	1.00%	1.01%
Orthopedic Impairment (OI)	0.50%	0.51%
Other Health Impairment (OHI)	15.03%	16.46%
Specific Learning Disability (SLD)	29.18%	14.18%
Speech/Language Impairment (SLI)	12.23%	8.10%
Traumatic Brain Injury (TBI)	0.38%	0.00%
Visual Impairment (VI)	0.21%	0.25%

The chart identifies that the state and RCSD’s percentages differ the most in the following disability categories:

<b>Disability Category</b>	<b>Higher than State %</b>	<b>Lower than State %</b>
Developmental Delay	5.87%	
Emotional Disturbance	5.81%	
Learning Impairments	8.06%	
Specific Learning Disabilities		15.00%
Speech/Language Impairment		4.13%

Rutland City School District - Disability by Year



The graph above includes the six (6) most prevalent disability categories in the Rutland City School District. The changes over the last several years include:

- An overall increase in the number students identified with a Developmental Disability
- An overall increase in the number of students identified with a Emotional Disturbance
- A notable increase in the number of students identified with an Other Health Impairment
- A gradual but increased number of students identified with a Speech/Language Impairment
- Fluctuating changes in the number of students identified with either Learning Impairments or with Specific Learning Disabilities

The number of students receiving special education supports and services has increased in the last eight (8) school years, with the lowest population during the 2001-02 school year. There has been a continual increase since the 2001-2002 school year. There has been an overall increase by more than 137 students (47.74%) in the last eight (8) school years.

	2000 - 2001	2001 - 2002	2002 - 2003	2003 - 2004	2004 - 2005	2005 - 2006	2006 - 2007	2007 - 2008
<b>Autism</b>	*	*	*	*	*	*	*	*
<b>Deaf</b>			*		*	*	*	*
<b>Deaf-Blindness</b>					*			
<b>Developmental Delay</b>	43	37	50	71	75	84	83	102
<b>Emotional Disturbance</b>	67	60	62	53	63	78	82	85
<b>Hard of Hearing</b>	*	*	*	*	*	*	*	*
<b>Learning Impairment</b>	57	63	67	74	70	66	62	54
<b>Multiple Disabilities</b>	*		*	*	*	*	*	*
<b>Orthopedic Impairment</b>	*	*	*	*	*	*	*	*
<b>Other Health Impairment</b>	27	29	44	43	53	51	65	68
<b>Specific Learning Disability</b>	52	46	58	61	51	42	56	60
<b>Speech or Language Impairment</b>	28	20	21	22	24	29	32	37
<b>Traumatic Brain Injury</b>	*	*	*					
<b>Visual Impairment</b>	*	*	*	*	*	*	*	*
<b>TOTAL</b>	287	267	318	336	352	364	395	424

***Disability Percent Increases since the 2000-2001 School Year***

- Developmental Delay has increased by 137.21%
- Emotional Disturbance is 26.87% higher during this 8-year span
- Other Health Impairment is 151.86% higher.
- Speech or Language Impairment is 32.15% higher than for the December 1, 2000 Child Count

The number of students who have Developmental Delay, Other Health Impairment and Emotional Disturbance has risen over the past seven school years. These three disability categories were at an all time district high according to the 2007-2008 Child Count data.

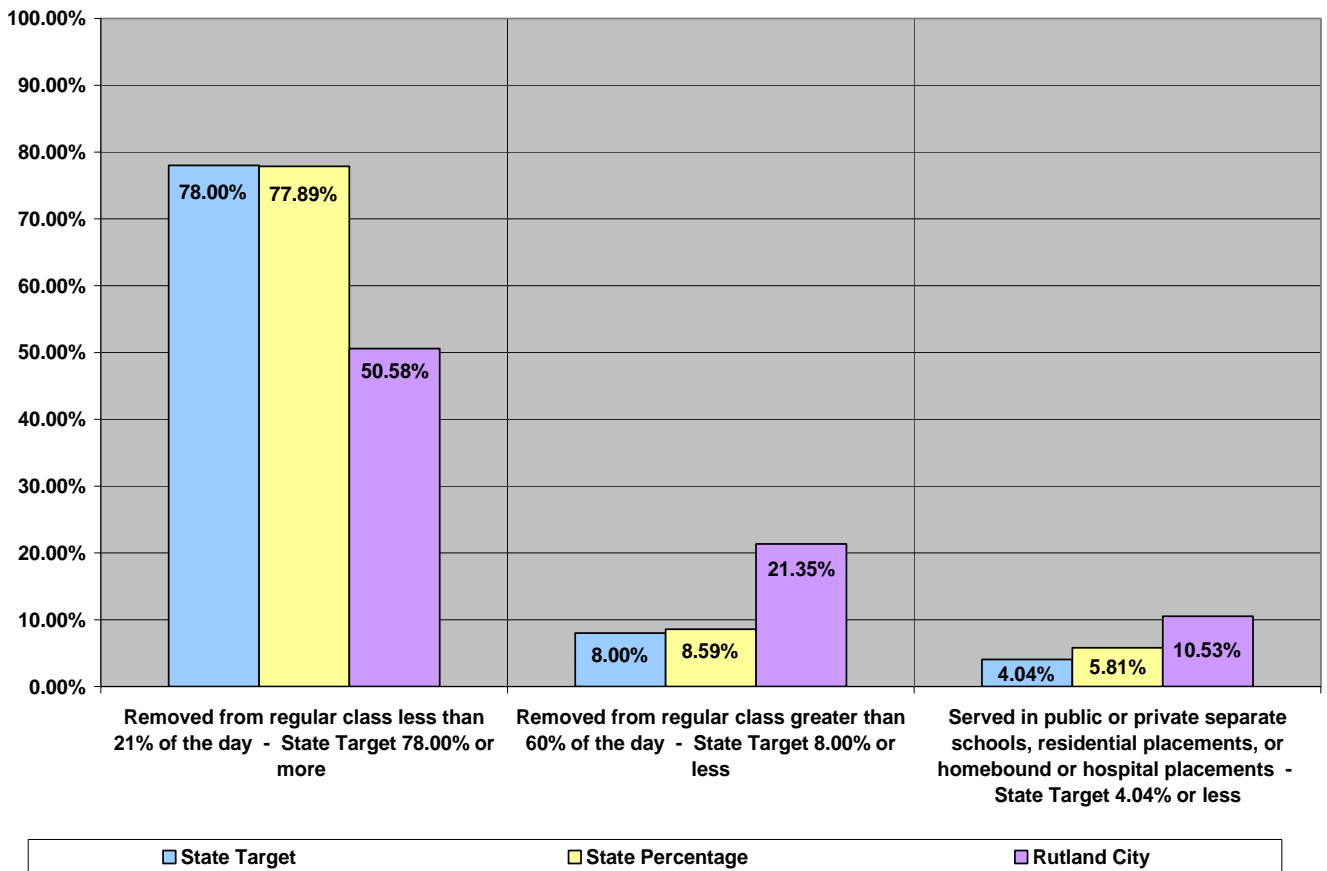
It should be noted that within the last school year, the Rutland City School Districts’ special education population has **increased** by 29 students (7.35%). The majority of this increase has been from the Developmental Disability category (19).

**State Performance Plan:**

What follows is the State target Indicator # 5 for the 2006-2007 SPP and how the Rutland City School District compares to the state.

<b>Indicator #5</b>	<b>State</b>	<b>RCSD</b>
% of students removed from regular class less than 21% of the day	78.00%	50.58%
% of students removed from the regular class greater than 60% of the day	8.00%	21.35%
% of students served in public or private separate schools, residential placements or homebound or hospital placements	4.04%	10.53%

**State School Age Target Data - Rutland City  
2006 - 2007**



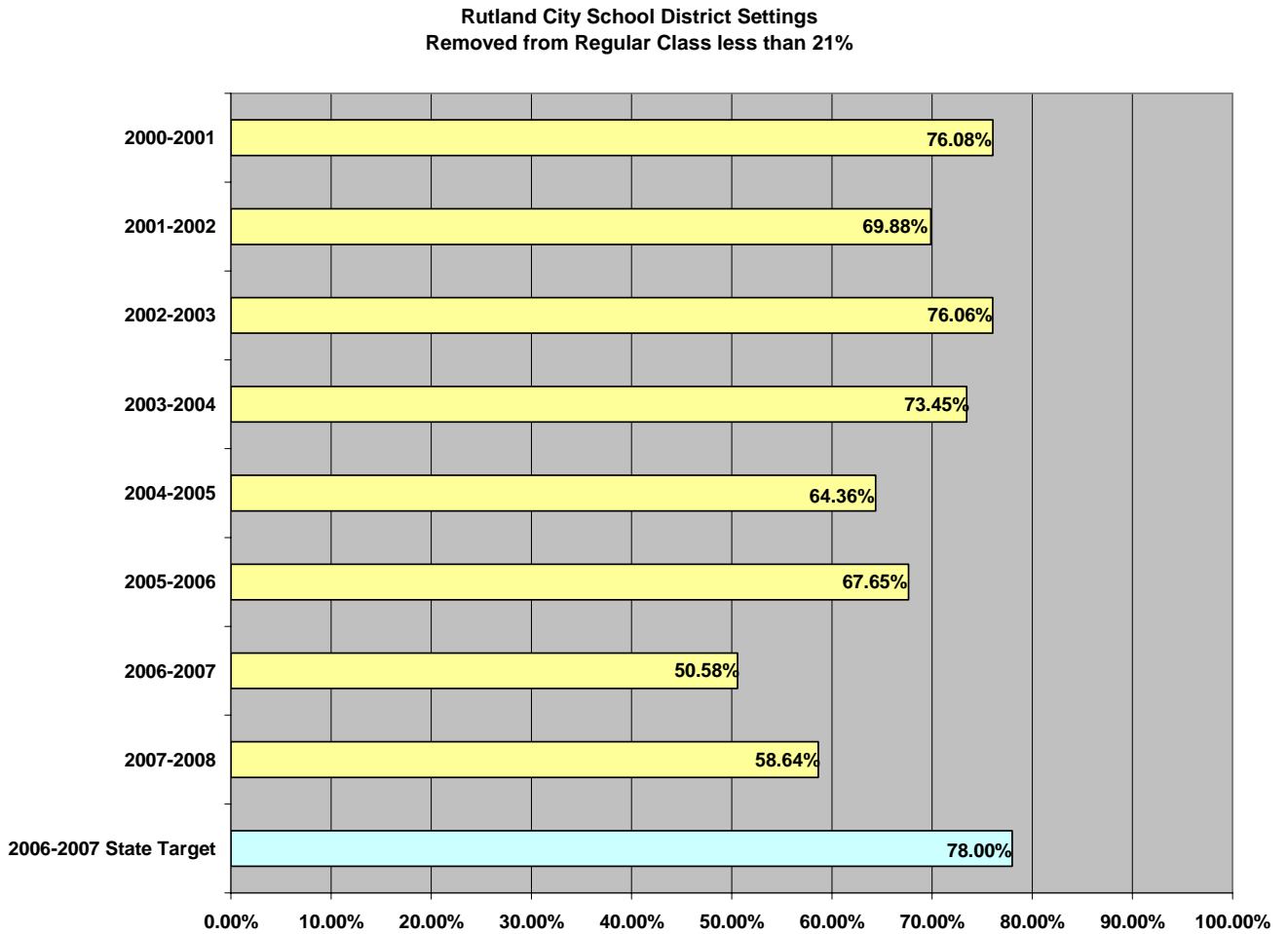
The data, which has been reported in the December 1, 2006 Child Count, indicates that Rutland City is below the State target for students removed from the regular class <21% of the school day. The data also shows that a higher percentage of school-aged Rutland City students are receiving their special education services in more restrictive settings than the State target.

The middle and right hand columns are where the Monitoring Team concentrated their efforts during the on-site visit. It was the team’s focus to determine why almost 32% of Rutland City’s

students were in placements where they are removed from regular education classes from 60-100% of their school day.

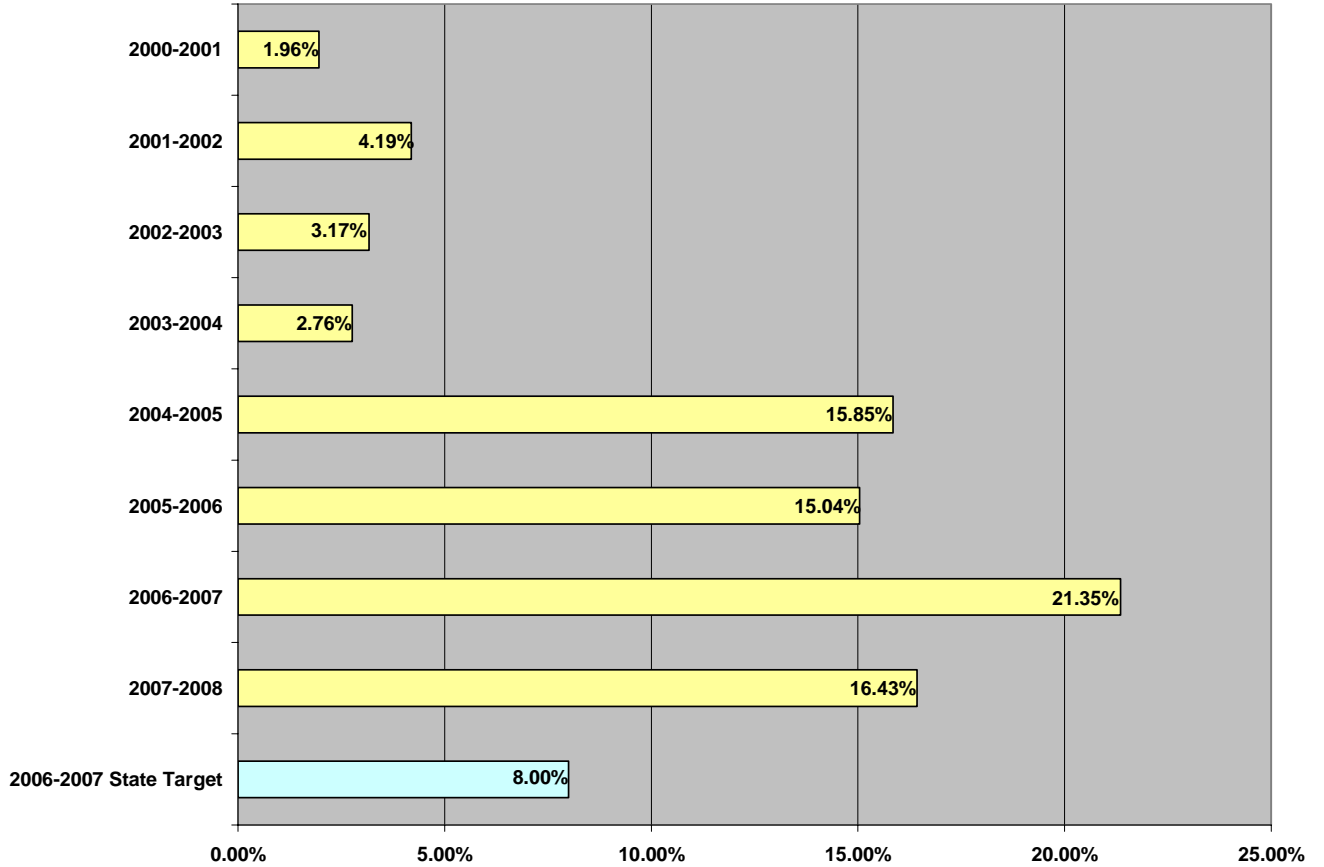
**Comparison of SPP target #5 and Placement Data**

Even though the SPP targets are applicable to only the 2006-2007 school year, the same placement data from previous school years has been included in this report to provide a trend comparison. Please note that the 2007-2008 school year data has been included for an additional comparison.



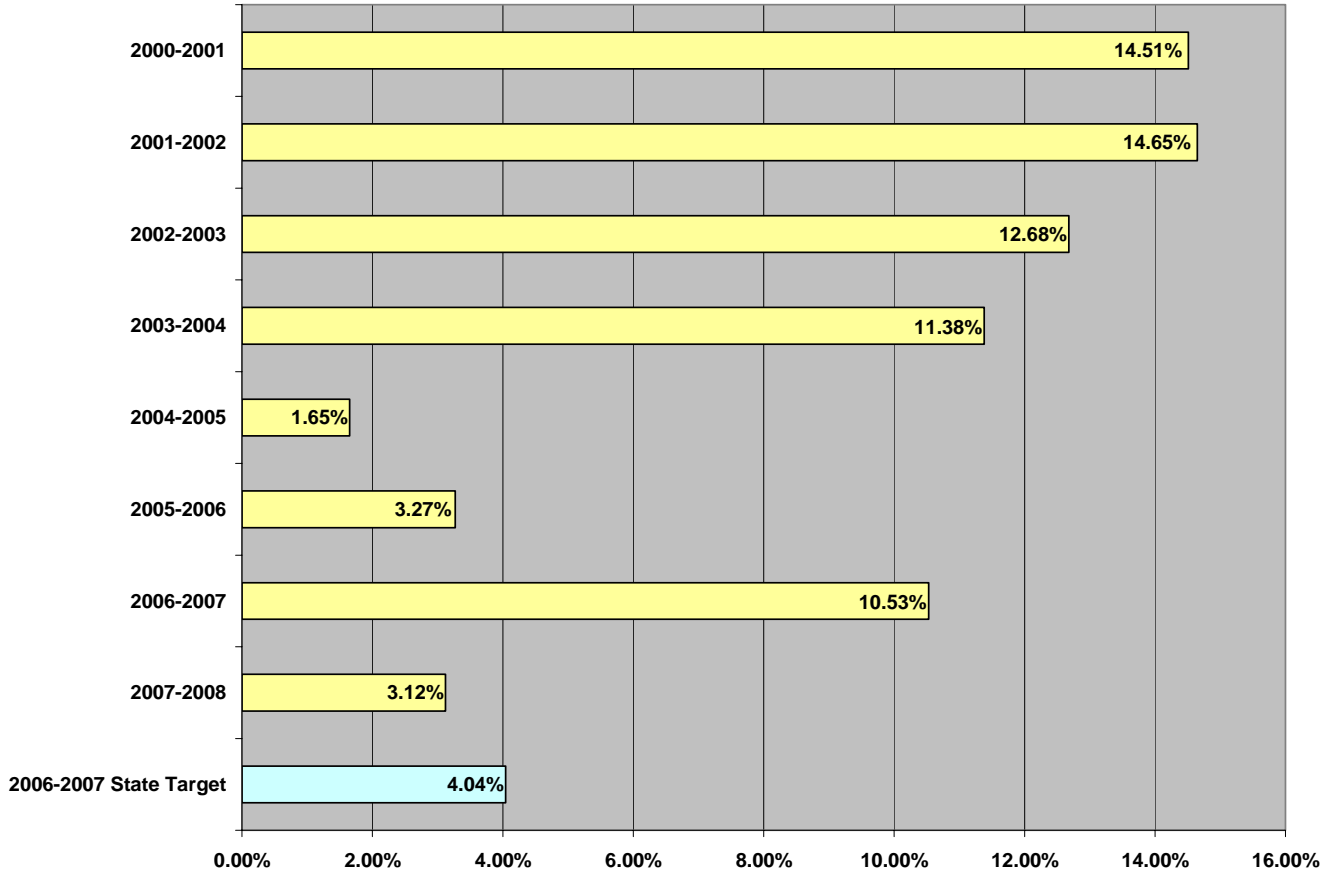
The graph shows that for school-aged students receiving special education services were removed from regular class less than 21% of their school day, the percent has been dropping. During the 06-07 school year, the percentage of students receiving special education services but continued to remain in a regular education environment for the majority (at least 80%) of their school day was at an eight-year low, or 50.58%. The Rutland City School District should review this trend data to determine if any trends procedures or practices exist that explains these changes in the percentages.

**Rutland City School District Settings  
Removed from Regular Class Greater than 60%**



For students being removed from the regular education environment more than 60% of their school day, Rutland’s percentages increased dramatically beginning in 2004-2005 (15.85%). It had previously been similar to the State target for four consecutive years and then increased to a double digit level, where it currently remains. Members of the Monitoring Team inquired whether the data from 2000 to 2004 was accurate due to the significant increases in these percentages. The Rutland City School District should review their Child Count data to determine if student placements have, indeed, been reported accurately.

**Rutland City School District Settings**  
**Served in Public or Private Separate School, Residential, Homebound or Hospital Placement**

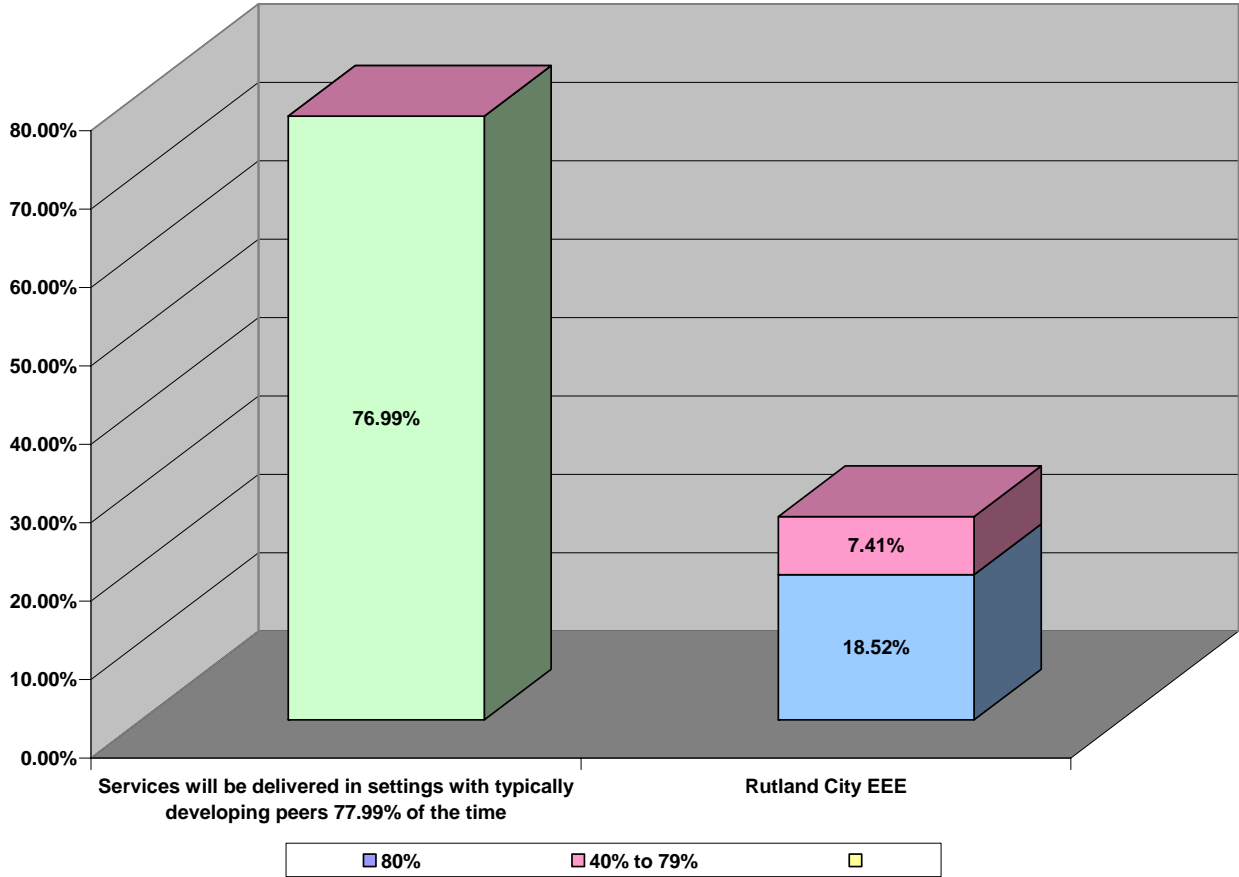


For students in settings outside of the regular education environment, the Rutland City’s data shows mixed results. As is similar to the previous placement category, the Monitoring Team questions the accuracy of the data. The percentage of students outside the regular education environment is much notably higher between the 2000-2004 school years, and then decreases dramatically to be more in line with the state target during the 2004-2005 school year. This is the complete opposite when compared to the previous graph during the same time frame. The School District should review the data to determine its accuracy, or whether the percentages are reflective of the appropriate placement categories for students.

While the Monitoring Team focused on the data submitted during the 2006-2007 school year, as well as any trends associated with that data, it is also important to recognize that Rutland City’s percentages in all three of the LRE categories (identified above) have improved, according to the 2007-2008 Child Count data.

What follows is the State target Indicator # 6 for the 2006-2007 SPP and how the Rutland City School District compares to the state.

**State EEE Target Data - Rutland City  
2006 - 2007**



The Early Childhood settings data from 12/1/06 Child Count indicates that children in Rutland City are not receiving special education services in inclusive settings at a level equivalent to the state target.

This area, therefore, also warranted a review by the Monitoring Team to determine why only 25.66% of their 3-5 year olds were in non-inclusive settings.

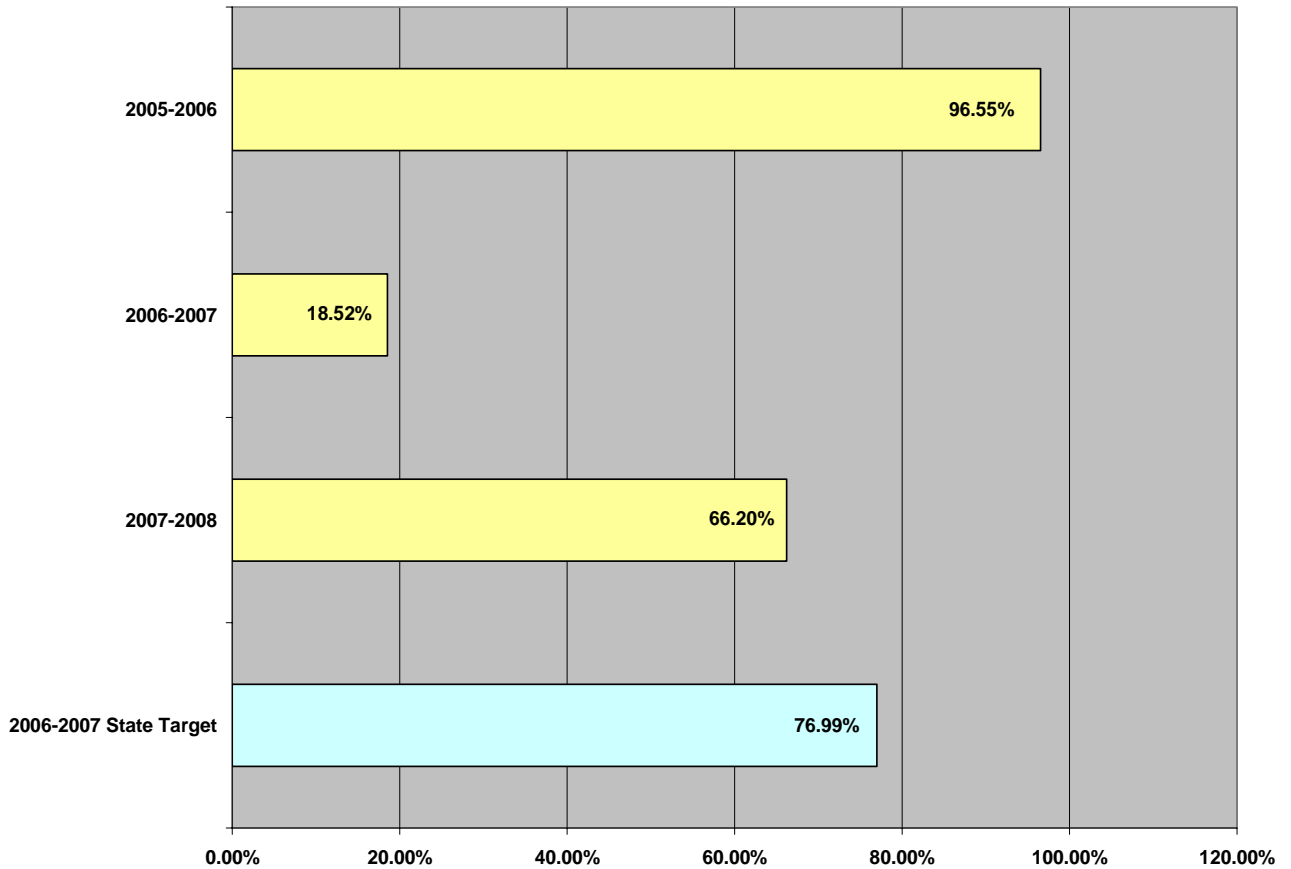
The percentages for children ages 3-5 receiving EEE services have varied in the last few years. Some of the variance is based on the changes in the way the Office of Special Education Program (OSEP) defines LRE. Currently, an early childhood special education setting is defined as children who receive 100% of their special education and related services in educational programs designed primarily for children with disabilities housed in a regular school building or other community-based setting. Even though Head Start is designed as a regular early childhood setting, it is the composition of the classroom that makes the difference when determining where children spend their day (regular early childhood education setting, early childhood special education setting, separate school, home etc...) OSEP has clarified that “Although the data form

instructions list Head Start as one example of a regular early childhood program, the reporter must first consider classroom composition. While Head start is not specifically designed to serve children with disabilities, there may be programs in operation with classrooms that have a majority of disabled students.

***Comparison of SPP Target #6 and Placement Data***

Based upon changes in the Early Childhood LRE definition, the data for both individual districts and the State averages may not be completely accurate.

**Rutland City School District Settings % of Preschool Children with IEP's who Received Special Education and Related Services in Settings with Typically Developing Peers**



***On-Site Monitoring Visit***

The on-site Focused Monitoring review was conducted within the Rutland City School District on February 11-14, 2008.

The on-site activities included:

- Interviewing staff (30) from each of the school buildings, alternative programs and central office staff
  - 5 Paraeducators

- 5 Administrators (school level and central office)
  - 5 Regular educators
  - 7 Special educators
  - 8 Related Service Staff (e.g. OT, Counselor, Home ~ School Coordinator)
- 
- Interviewing parents (8) of students currently eligible for special education
  - Observing of students and classrooms
  - Conducting an evening parent forum
  - Reviewing special education files and paperwork
  - Reviewing the 2006 Community Profile (prepared by the Vermont Agency of Human Services Planning Division)
  - Reviewing other data including local forms, incident reports, curriculum samples, transition forms, retention records

### ***Rutland City School Settings ~ K-12***

As thirty two percent (32%) of Rutland City's K-12 students are in more restrictive settings ranging from 60-100% out of the regular education setting, it became necessary for the Monitoring Team to collect additional information about the locations where these students were being educated.

During the 2006-2007 school year, the students in the Rutland City School District received their supports and services in a variety of school settings. In addition to the public schools within the Rutland School District (Northeast Elementary, Northwest Elementary, Rutland Intermediate, Rutland Middle and Rutland Senior High School), thirty six (36) students received their special education supports and services from independent schools, alternative programs and residential facilities. The students were recommended for these placements by their IEP Teams or placed by the Department of Children and Families (DCF).

Twenty six (26) of the 36 students (72.23%) were placed in the *Vermont Alternative Program* category. Eighteen (18) of those 26 students (69.23%) were identified as having an Emotional Disturbance. The *Vermont Alternative Program* category is defined as any program that is operated by the local school district/supervisory union **and** is located off campus. For Rutland City's purposes, this is most likely the SUCCESS Program. SUCCESS, which stands for **S**tudents **U**tilizing **C**aring **C**reative **E**ducation for **S**chool **S**uccess, is a therapeutic school environment designed to provide students the structure and support they need to be successful in school, at home and in the community. SUCCESS is a K-12 collaboration between Rutland City School District and Rutland Mental Health. It has five classrooms which are staffed with a special educator, an experiential counselor, paraeducator and Master's Level clinician. This program is located on 101 Allen Street in Rutland City and is off campus from any of the Rutland public school facilities. The majority of the students attending SUCCESS are identified as having an emotional disturbance. For purposes of LRE and the SPP data, SUCCESS is considered a more restrictive setting (public or private separate school, residential placement or homebound or hospital placements).

## ***Rutland City School Settings ~ Essential Early Education (EEE)***

The percentages for children ages 3-5 receiving EEE services have varied in the last few years. The primary focus of the preschool educational environments data collection has shifted from an emphasis on where the child receives special education and related services to an emphasis on the percentage of time the child spends in an environment with typically-developing age peers. As of 2006-07 school year, the preschool educational environments data table contains two major categories: (A) children attending a regular early childhood program; and (B) children not attending a regular early childhood program or kindergarten. Category (A) reflects early childhood settings where typically developing children are found during the day in the community and is considered, for data collection purposes, the preschool counterpart of school-aged regular education environments. Some of the variance is based on the changes in the way the Office of Special Education Program (OSEP) defines LRE and is as follows:

*A regular early childhood program is a program that includes at least 50 percent non-disabled children.* Early childhood programs may include, but are not limited to:

- Head Start;
- Kindergarten;
- reverse mainstream classrooms;
- private preschools;
- preschool classes offered to an eligible pre-kindergarten population by the public school system; and group child care.

And, an *early childhood special education setting* is defined as a special education program that includes *less than 50 percent non-disabled children*. Special education programs include, but are not limited to, special education and related services provided in:

- special education classrooms in
  - regular school buildings;
  - trailers or portables outside regular school buildings;
  - child care facilities;
  - hospital facilities on an outpatient basis;
  - other community-based settings;

OSEP emphasizes that the revised data collection does not relieve States or local educational agencies of their obligation to meet the least restrictive environment requirements for preschool children with disabilities in accordance with 34 CFR §300.114 –300.120.

Even though Head Start is designed as a regular early childhood setting, it is the composition of the classroom that makes the difference when determining where children spend their day (regular early childhood education setting, early childhood special education setting, separate school, home etc...) OSEP has clarified that “Although the data form instructions list Head Start as one example of a regular early childhood program, the reporter *must first consider classroom composition*. While Head start is not specifically designed to serve children with disabilities, there may be programs in operation with classrooms that have a majority of disabled students.

A dilemma has surfaced about how the district reports LRE for their EEE children as three of the four EEE classrooms collaborate with Head Start. After reviewing IEPs and conducting EEE classroom observations and interviews with EEE staff, it was clear that the district does not

accurately determine ‘where a child spends their day’ (regular education setting, early childhood special education setting, separate school, home, etc.) for their students as all of their EEE programs are non-inclusive of regular peers.

Rutland City School District was instructed by a VTDOE memo to report the children’s LRE as “regular early childhood setting” because Head Start is a program designed for regular education settings. This is correct in many cases but not in Rutland City School District’s case. The memo inadvertently excluded how districts determine which category is appropriate. Classroom composition is the defining factor. Even though EEE collaborates with Head Start, the classroom composition is not inclusive of typical peers. All the Head Start children are on IEPs.

***Continuum of Supports and Services for Rutland City School District***

Program	Grades	Description
<b>Room 200 ~ Rutland Intermediate School</b>	3-6	<ul style="list-style-type: none"> <li>o Staffed by 1 paraeducator and 1 special educator</li> <li>o Has a structured behavior plan</li> <li>o Level system with incentives and restrictions to reintegrated students back into the mainstream</li> <li>o 10 currently accessing the supports and services</li> <li>o Students enter the program BEFORE going to SUCCESS and on their way back from SUCCESS</li> <li>o It’s used first to maintain the students in the intermediate school</li> <li>o Modeled and adapted from the Success model</li> </ul>
<b>7/8 ~ Rutland Middle School</b>	7-8	<ul style="list-style-type: none"> <li>o Staffed by a special educator and clinician</li> <li>o Teacher Referral system</li> <li>o Students who access the support and service can self refer to 7/8</li> <li>o Point sheet that teachers fill out and provide feedback at the end of each class</li> <li>o Good for kids who will be willing to transition back into the mainstream setting</li> <li>o Not all IEP kids</li> </ul>
<b>Fundamentals</b>	9-12	<ul style="list-style-type: none"> <li>o Students are taught by regular education teachers</li> <li>o Not a self contained program</li> </ul>
<b>SUCCESS</b>	K-12	<ul style="list-style-type: none"> <li>o Alternative Day Program staffed by Rutland Mental Health and Rutland City School District. The hours of the program are from 9:00 am to 2:00 pm. (It is unclear as to whether SUCCESS meets the requirements for State Board of Education Manual of Rules and Practices §2312 <i>Length of School Day</i>)</li> <li>o 5 classrooms ~ Taught by special educators who teach core subjects under the direction of certified teachers at the high school (It is unclear as to whether the staff meets the licensing requirements for <i>highly qualified teachers(HQT)</i> as defined in the Individuals with Disabilities Education Act (IDEA) and the No Child Left Behind Act (NCLBA).</li> <li>o SUCCESS enables the students to avoid residential placements</li> <li>o Strong collaborative between Rutland City School District and Rutland Mental Health</li> <li>o Therapeutic Services Room (TSR or Green Room) staffed by Rutland mental health counselor</li> </ul>

		<ul style="list-style-type: none"> <li>○ There is criteria and a specific form for placement</li> <li>○ Policy now that incoming must have Behavior Intervention Plan (BIP) and Functional Behavioral Assessment (FBA) prior to entrance. All students have a behavior plan</li> <li>○ BIP and reintegration plans are reviewed and updated at least annually</li> <li>○ Students from other supervisory unions may be tuitioned</li> <li>○ SUCCESS staff attend IEP meetings and provide recommendations for maintaining kids in schools before they are sent to SUCCESS. SUCCESS wants to be sure that the school has tried everything to keep the student in the mainstream setting.</li> <li>○ Slow, purposeful reintegration into the high school</li> <li>○ Want to encourage making bridges with the home school as students are isolated at SUCCESS. Home schools often do not invite students to special activities, field trips, assemblies etc...</li> <li>○ K-3 bussed over to school to have library</li> <li>○ Restraint is used only if the staff has CPI training. This is only used as a last resort with students</li> </ul>
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***Additional Supports and Services within the Rutland City School District:***

- School Resource Officer
- Home School coordinators
- Planning rooms with paraeducators
- Counselors in each school
- Comprehensive Assessment Recovery Efforts (CARES)
- E Block, which is a daily block of time when special education students receive specialized instruction or when regular education students attend other activities (e.g. music, band). This is available at the intermediate and middle schools
- Floating paraeducators, 1:1 paraeducators
- Reading Specialists
- Job Coaches and School-to-Work opportunities
- Academic support in the High School instead of study hall
- Resource Room
- Tutored outside the building on individual basis based on IEP Team decisions
- Stafford Technical Center
- Team Teaching ~ regular and special education staff

***Classroom Observations:***

Classroom observations were conducted in most of the schools and alternative programs within the jurisdiction of the Rutland City School District. Various activities were observed in the classrooms and schools. Due to the nature of the different lessons, not all observations included the same level of specificity. The most notable results from the observations stemmed from the EEE programs. The classrooms have a very limited number (1-3) of typically developing peers.

### ***Record Reviews***

The Monitoring Team selected twenty eight (28) files to review. The selection process for the record reviews was based on the observations and interviews that had been conducted. The theme that emerged most often from the files that were selected was the lack of Functional Behavioral Assessments (FBA) and Behavioral Intervention Plans (BIPs).

### ***On-Site Staff Interviews***

Thirty (30) staff from each of the school buildings, alternative programs and central office staff were interviewed by the FM Team:

- 5 Paraeducators
- 5 Administrators (school level and central office)
- 5 Regular educators
- 7 Special educators
- 8 Related Service Staff (e.g. OT, Counselor, Home ~ School Coordinator)

### ***LRE obstacles reported by staff:***

- Students are removed from classes due to behavioral issues; they should be removed more until they can function; students need a slow transition back into the mainstream; staff need professional development on what to do when students reintegrated back into the regular education environment. Training is still needed for all staff (including planning room coordinators) on how to work with students with behavioral difficulties
- There are not many chances for elementary students at SUCCESS to reintegrate back to the elementary school prior to entering Intermediate school.
- Students at SUCCESS do not have any contact with peers...need more inclusive opportunities
- Need training in differentiated instruction and co-teaching. There are varying degrees of buy-in from staff. There are limited opportunities to co-teach at the High School
- Common planning times with special education and regular education would be beneficial
- There is a decrease in parent attendance due to the new “draft IEP” procedure; parents already know what is being suggested and either do not want to change it or feel like it is already decided, and their input isn’t necessary.

### ***LRE initiatives reported by staff:***

- EEE is an incredible help with parents and kids and taking care of many issues prior to entering school (medical/dental)
- Staff in the middle school and intermediate schools have common planning time with a special educator and in some instances a paraeducator.
- There are some opportunities for special educators and regular educators to team teach
- Assistive Technology devices (e.g. Smart boards, LCD projectors, web based assessment, sound systems, closed captioning during an assembly) have enabled students with disabilities to remain within the regular education environment.

- Rutland City has made purposeful changes in staffing, by eliminating paraeducators and hiring special educators. This has led to an increase in students remaining in mainstream settings
- The 7/8 alternative program was designed to keep students in mainstream settings
- Differentiated Instruction professional development has been provided to staff

### ***Parent Interviews***

Seventeen (17) parents were interviewed by telephone, in person and during the FM Parent Forum. The parents were invited to be interviewed by the district and by VTDOE based on LRE data or IEP services. The district also advertised the forum in a variety of formats to solicit parental participation.

The forum was held on February 11, 2008 for parents of students with disabilities. What follows are comments made by the parents during the forum and the interviews:

- There is too much reliance on paraeducators
- Rutland City needs more speech pathologists
- The availability of staff tends to drive what is in IEPs, not the needs of the student
- Schools need to be more willing to listen to parents
- Students need to be taught skills to address their behavior, the staff need look for the cause of the behavior and not just react to the behavior
- More training on Assistive Technology for staff and parents is needed
- The draft IEP limits the conversation surrounding the final IEPs development, some parents don't feel like they have much input, even when staff stresses that the draft IEP is not a "done deal"
- Transition from EEE to Kindergarten is successful and positive
- *My son's program is working very well*
- Behavior Plans were written without parental input
- Feels like school has given up on my child
- My child is happier in his current program
- Good communication between home and school

### ***Professional Development***

A variety of professional development activities have been made available to regular educators, special educators and paraeducators. Staff reported that paraeducators may receive in-service training during their monthly in-house paraeducator staff meeting. Two professional days for paraeducators are built into their contracts. The Rutland City School District has professional development money available for staff to participate in coursework and workshops. There is an application process by which staff is able to attend outside workshops and training. Opportunities for online training has also been made available to staff. Areas of professional development that have been provided (according to staff interviewed) include:

- Student Safety
- Crisis Prevention Institute (CPI)
- Wilson Reading
- Responsive Classroom
- How to use data

- Peer supervision for counselors
- Monthly special education meetings with special education administrator
- Weekly special education meetings with assistant principal and team leader at each school
- Strong leadership development program in the district including mentorship and graduate work, there is a succession plan for everyone with the intent of building capacity and consistency throughout the school district
- Child development and early childhood education through Community College of Vermont

Interviewed staff reported that Rutland City School District staff needed additional professional development in the areas of:

- Mental Health
- Poverty
- How to work with students with an Emotional Disturbance, including paraeducators working in ED programs and planning rooms
- Any new research that would help teachers reach all students
- How to effectively and efficiently use a paraeducator in the regular education classroom
- Autism Spectrum Disorders
- Differentiated Instruction

### **III. Commendations Related to the Indicators**

In relation to Indicators 5 and 6, the following efforts and/or initiatives have been implemented by the Rutland City School District. These activities have been recognized as effective components in the system for improving student outcomes.

- There are opportunities for regular education and special education teachers to co-teach, enabling students who have diverse learning needs to remain in the regular education environment.
- Rutland Intermediate and Middle schools have daily common planning/time during the school day between regular educators, special educators and school based counselors. Variety of supports and services available
- The Rutland Middle School's alternative program (7/8) has written criteria for entering and exiting the program, as well as transition guidelines.
- The Rutland High School's alternative programs also have written entrance and exit criteria.

## IV. Recommendations

1. A draft IEP is developed by the special educator for submission to the special education administrator or building based special education team leader/special education administrator prior to the IEP meeting for review. Once it has been reviewed, it is sent to the parents at least 10 days prior to the IEP meeting. *As the new IEP form has been designed to include prior written notice information to parents (previously documented through the use of Form 7), it is necessary to give parents enough lead time to review the IEP prior to its effective date of implementation. It is recommended that the **IEP Meeting Date** be at least 10 days prior to the initiation date of the IEP.* Rutland City followed the instructions on the Special Education Forms and appropriately documented the prior written notice information to parents. As this procedure is new to the 2007-2008 school year the following comments were made by parents and staff:

- The IEP rarely changes at the meeting.
- There is a decrease in parent attendance; parents already know what is being suggested and either do not want to change it or feel like it is already decided, and their input isn't necessary.
- Are there other ways to involve the parents in the development process?
- There are fewer conversations about services or supports at the IEP meetings.
- Regular education teachers are not as involved in goal and objective development.

The Rutland City School District should review the current IEP development process with a collaborative team of regular educators, special educators, parents and administrators to determine if parents provide input into the development of IEPs. The collaborative team may want to consider reviewing and/or modifying the current process in place, collect data, provide literature and/or training opportunities for parents on how to review an IEP and provide input into the development of the document.

2. SUCCESS staff are knowledgeable in the development and implementation of Functional Behavioral Assessments and Behavior Intervention Plans. Additionally, they possess various strategies (i.e. de-escalation) that support students with of challenging behaviors. It appears that the staff at SUCCESS may be underutilized in this capacity. Rutland City School District should consider capitalizing on their knowledge and abilities and provide staff with additional professional development and/or additional opportunities for collaboration.

3. As many students in Rutland City School District are in alternative programs for behavioral concerns and given parents and staff requesting professional development in emotional/behavioral challenges, Rutland City administration should consider contacting the VTDOE for information on Positive Behavioral Supports (PBS). Rae Ann Knopf, Assistant Director of the Student Support Team oversees this initiative and can be contacted at [raeknopf@state.vt.us](mailto:raeknopf@state.vt.us) or at 828-0555.

## 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 valid and reliable. The Rutland City School District must respond to these findings in the Improvement Plan. Issues or concerns that cannot be triangulated are identified, but do not rise to a level of a finding. The Rutland City School District is encouraged to consider these issues and concerns in the Improvement Plan. The issues and concerns can be found in section IV ~ Recommendations.

***Finding 1: Rutland City School District does not consistently demonstrate the use of a functional behavioral assessment, or behavioral intervention services and modifications, (which are designed to address the behavior violation so that it does not recur) when students are moved from their current placement. VT Rule 4313(d)(1)(i) and (d)(1)(ii)***

### *Supporting Evidence:*

1. Many file reviews did not include copies of functional behavioral assessments (FBA) and/or behavioral intervention plans (BIPs) to address student behaviors. Some of the FBA's focused on the actual behavior, and not the reasons that may have triggered the behavior. Limited behavioral data was found within the files. Files that did include a BIP often did not include evidence of positive reinforcements; the focus was on the negative behaviors.
2. Some parents who were interviewed felt that their input into BIPs and FBAs are considered, others felt that students with behavioral challenges are not being taught the skills to remediate their behavior. The staff doesn't always look for the root cause of the behavior and simply reacts to the behavior.
3. Some staff who were interviewed believed that the BIP and FBAs are well developed while others questioned the consistency in how they were implemented. Many suggested that the Rutland City staff needed training on how to implement a BIP and how to work with students who have challenging behaviors. Some staff also reported that there was a Rutland City School District committee formed during the 06-07 school year to work on the FBA process and forms. The forms were revised in an attempt to be more user friendly. The group also looked at computerized forms. The committee has since disbanded and, during the time of this visit, plans for the group to reunite were not in effect.

### *Improvement Plan Area:*

A review (and revision if necessary) of the current FBA and BIP process, procedures and forms must be done ensuring the needs of all special education students with behavioral challenges are met. Once the system has been reviewed and/or revised, Rutland City School District must develop a plan to include:

- How and when to provide training to all staff (including paraeducators and planning room paraeducators).
- How the new system will be evaluated for effectiveness
- How data will be collected and tracked to study trends.

The Rutland City School District must form a collaborative team to conduct the review of the FBA, BIP procedures and the implementation of the training and evaluation processes. The VTDOE recommends that the collaborative team consist of regular and special educators, parents and administrators.

*Required Evidence of Improvement:*

1. Documentation of the review and/or revision of the FBA/BIP process,
2. Copies of all materials, forms, attendance list (with positions and schools) used during the FBA/BIP training/s
3. Documentation of the effectiveness of the process
4. Copy of the data system

***Finding 2: Rutland City School District does not consistently provide special education and/or related services to students based the unique needs of their students with disabilities. VT Rules 2360.3.2(a) and 2360.3.1 Special Education Services***

*Supporting Evidence:*

1. Several interviewed staff reported that special education and/or related services were provided to students based on the availability of staff and not based on individual student need. Other staff reported that services were based on the Medicaid requirements, and not on student need. Examples of services that were not provided based on the need of the students include:
  - a. Individual student counseling; if a student needs individual counseling, it is not provided at the school and staff refer parents to local providers
  - b. Speech/Language services; services were limited to a certain number of days or minutes per week
  - c. The amount of reading services offered to students were not always based on the needs of the student
2. Student files did not have evidence that individual counseling services were available to students with emotional and/or behavioral challenges.
3. Parents who were interviewed reported that IEP services were based on the amount/availability of staff and not based upon the needs of the student.

*Improvement Plan Area:*

A collaborative team (may be the same team in finding #1), shall meet to review the above evidence and determine how to ensure that Rutland City School District students receive all special education and related services based on their individual needs and not on the availability of staff and resources.

*Required Evidence of Improvement:*

1. Copies of any agendas, meeting minutes, attendance lists and plans that are developed to ensure that students receive special education and related services based on their individual needs and not on the availability of staff and/or resources.
2. Data that is collected and analyzed if appropriate
3. Training materials if appropriate
4. Evaluation procedures to determine if the plan is effective

## VI. Non-compliance in Related Requirements

### *Areas of Noncompliance in Related Requirements*

The following instances of noncompliance must be corrected within one year from the date of this report. The Rutland City School District must include a response to each these areas in their Improvement Plan.

1. The school day for the SUCCESS program is five hours (9:00 am to 2:00 pm). As it is unclear as to whether SUCCESS meets the requirements for in the State Board of Education Manual of Rules and Practices §2312 *Length of School Day*, it is necessary for the Rutland City to ensure that all students in SUCCESS are educated for at least the minimum amount of instructional hours per grade level.
2. It is unclear as to whether the staff meets the licensing requirements for *highly qualified teachers (HQT)* as defined in the Individuals with Disabilities Education Act (IDEA) and the No Child Left Behind Act (NCLBA). Rutland City must document that all teachers at SUCCESS meet HQT requirements.

Due to the confusion surrounding the collection of EEE placement data, Rutland City School District must review and clarify the process with EEE staff. Contact VTDOE's EEE Consultants for more information and clarification. Kate Rogers at 802-828-5115, [kate.rogers@state.vt.us](mailto:kate.rogers@state.vt.us) or Manuela Fonseca at 8902-828-3850 [manuela.fonseca@state.vt.us](mailto:manuela.fonseca@state.vt.us) .

## VIII. Improvement Plan Process

Upon receiving this final report, the Rutland City School District is required to invite VTDOE to support the RCSD and the LPT in the development and submission an Improvement Plan. The Rutland City School District has 30 calendar days from the date of the final report to submit the Improvement Plan to Alicia Hanrahan, Monitoring Team Leader (120 State Street, Montpelier, VT 05620).

In order to assure that the Improvement Plan is comprehensive, interdisciplinary, and district-wide, the plan must be developed by a Local Planning Team. VTDOE recommends that the membership of this local team includes: the superintendent (or an administrator with the authority to commit district time and resources), the director of special education, the curriculum coordinator, general education teachers, special education teachers, parents and others as necessary. This plan must not be a uniquely special education response developed in isolation from other district initiatives. The Monitoring Team is available to support this team as facilitator and must be invited to the first Local Planning Team meeting. The Monitoring Team is available provide the technical assistance and/or be a liaison for other supports and/or services as identified by the LPT.

The process used by the Local Planning Team to develop the report will include:

1. Review of the FM report by the Local Planning Team
2. Use of the Improvement Plan template (attached).
3. The coordination of the Improvement Plan with other district initiatives.
4. 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 district into compliance
  - Who will monitor the progress and completion of activities
  - Resources (fiscal, human) within/outside the district that will be used to implement change
  - Deliverables, products, materials, documentation, or action plans that will be developed
  - How progress will be monitored to ensure that the expected changes take place (self-assessment)
  - Outcomes/Impact related to the targeted area

The Improvement Plan format is designed to assist districts in specifically addressing areas of noncompliance and in developing a plan that when implemented will lead to meeting both the evidence of improvement and the evidence of change required for compliance. The plan should include the activities to be completed, reasons why particular activities were deemed to be the most appropriate, timelines for completion, individuals who will complete each activity, individuals who will monitor the progress and completion of each activity, the resources utilized and any deliverables or products. The format also allows districts to monitor and evaluate the progress and success of each of the selected activities. In order for this process to be effective, the Improvement Plan must be as specific as possible in all areas.

The Monitoring Team will review the district's proposed Improvement Plan, requesting clarifications and revisions, as necessary. Upon approval of the Improvement Plan the RCSD will be issued an approval letter that outlines the schedule of reporting the district's progress monitoring to the VTDOE. The purpose of the Monitoring Progress Report is to provide districts 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 district 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 district.

Within eight (8) months of the approval date of the Improvement Plan, a progress meeting is scheduled between the district representatives and the Monitoring Team to assess whether the district has met the required evidence of change at the expected target. Based on the results of the meeting, determinations will be made regarding whether (1) the district has met the target and the improvement plan is officially closed, (2) the district has not met the target and needs additional time or (3) sanctions will be imposed.