

Focused Monitoring Report for Windham Central Supervisory Union



On-site Review: March 23-27, 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

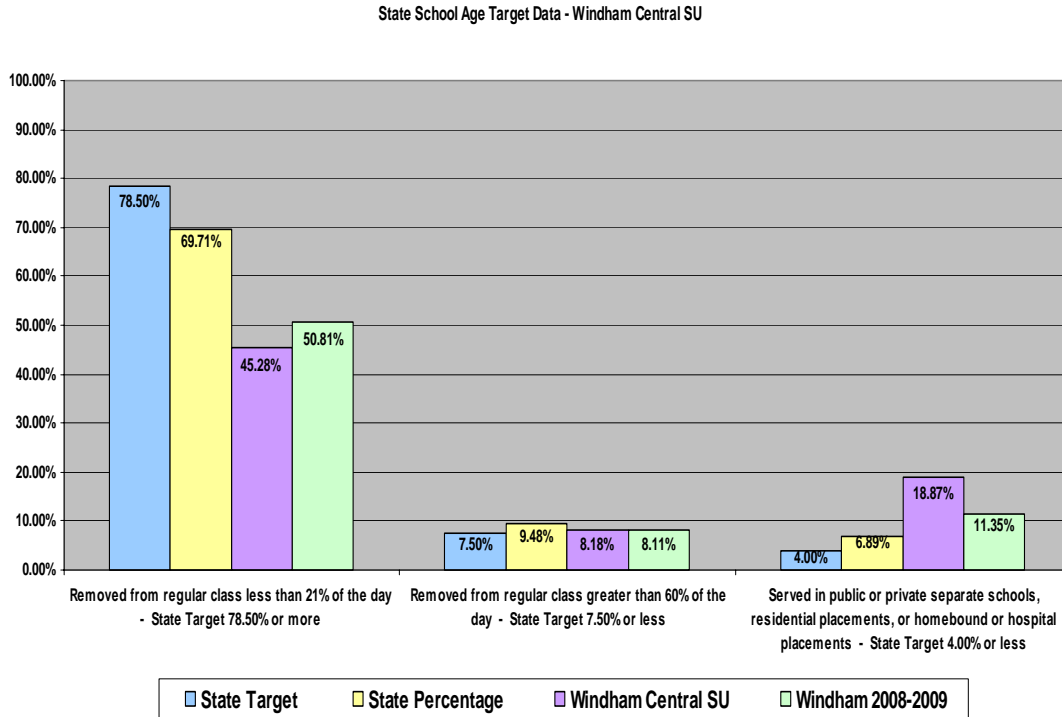
The Individuals with Disabilities Education Act (IDEA), (20 U.S.C. 1400 (c)(1)), provides federal funds to assist states in educating children with disabilities and requires each participating state to ensure that school districts and other publicly-funded educational agencies in the state comply with 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 Windham Central Supervisory Union(WCSU) 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 WCSU’s performance in regards to indicator 5:



The on-site Focused Monitoring review was conducted during the week of March 23-27, 2009. The team visited eight elementary schools, one middle/high school and one preschool program and one high school alternative program located within the 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
- 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
- Student educational files including EST, 504 and IEPs

Parent Forum

A forum based on families' experiences with placement decisions in WCSU was held on March 24, 2009 for parents of students with disabilities. WCSU did provide documentation of adequate and appropriate public notice advertising the forum. The forum was attended by three parents of children with disabilities. In addition to the forum, 25 parents were interviewed in person or over the phone.

On-Site Interviews

Interviews were conducted with 15 general and special education administrators from the district schools and supervisory union levels 27 general and special education teachers, and 7 related services providers.

Record Reviews

Focused file reviews were conducted for 30 students with Individualized Education Programs (IEPs), Section 504 Plans and Educational Support Team (EST) Plans.

Classroom Observations

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

- 1. Jamaica Elementary (K-6)**
- 2. Wardsboro Elementary (K-6)**
- 3. Townshend Elementary (K-6)**
- 4. Leland & Gray Union (7-12)**

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 Windham Central Supervisory Union; they are Brookline, Dover, Jamaica, Marlboro, Newfane, Stratton, Townshend, Wardsboro, Windham and Winhall.

Within these towns there are eight elementary and one middle/high school.

Windham Central Supervisory Union <i>(Data from 2008-2009 beginning enrollment as submitted to VTDOE)</i>		
School Name	Grades Served	2008- 2009 Enrollment
Brookline Elementary	(K-6)	43
Dover Elementary	(K-6)	89
Jamaica Village	(K-6)	71
Marlboro Elementary	(K-8)	88
Newfane Elementary	(K-6)	94
Townshend Village	(K-6)	92
Wardsboro Central	(K-6)	77
Windham Elementary	(K-6)	21
Leland & Gray Union	(7-12)	425

According to the Agency of Human Services, the total population for this community was 8,830 in 2006.

The following information comes directly from the AHS profile:

Percent of children in families receiving Food Stamps (proxy for poverty) in 2006

Vermont	WCSU Community	Difference
13.7%	8.7%	- 5.0%

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

Vermont	WCSU Community	Difference
15.8	10.9	- 4.9

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

	Vermont	WCSU Community	Difference
Smoked Cigarettes	7.0%	4.0%	- 3.0%
Smoked Marijuana	8.0%	12.0%	+ 4.0%
Used Alcohol	19.0 %	16.0 %	- 3.0%

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

Vermont	WCSU Community	Difference
84.5	50.3	- 34.2

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

	Vermont	WCSU Community	Difference
Unmanageable	28.5	31.6	+ 3.1
Delinquent	52.7	31.6	- 21.1

Socioeconomic Data:

	Vermont	WCSU Community	Difference
<i>Average Annual Wage (2006)</i>	\$34,974	\$34,071 *	- \$903
<i>Median Family Income (1999)</i>	\$48,625	\$47,809	- \$816
<i>Percent of People above poverty level (1999)</i>	90.6%	92.7%	+ 2.1%

* as measured by county, not community

IV. Commendations for the LEA Related to the Indicators

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

- We saw evidence of data based decisions being made at some of the schools and at the supervisory union office.
- Multi-Year Plans were thoughtfully developed for students at Leland and Gray when necessary.
- We saw some evidence of the reintegration of students who were previously placed in a residential or day program.
- We commend Windham Central Supervisory Union for bringing the Experiential Learning Center program into the Leland and Gray building.
- Leland and Gray's plans for alternative learning options and programs for empowering all youth are commendable. We hope that they are successful in this endeavor.
- The practice of the "floating" teacher at Newfane Elementary School provides excellent support for at-risk students within the classroom setting. The school and community are commended for supporting this service.
- Related Service providers are integrating services in the classroom setting when possible. This practice benefits all children.
- Classroom teachers throughout the supervisory union demonstrated the use of differentiated instruction. We recommend that this practice becomes pervasive.
- The majority of parents responded favorably to the IEP supports and services provided to their children both in school and through the central office.

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. WCSU 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 Windham Central Supervisory Union is encouraged to consider these issues and concerns within their Improvement Plan.

Finding I: The educational support system in Windham Central Supervisory Union is not integrated with the general education curriculum and is not designed to increase the ability of the general education system to meet the needs of all students. 16 V.S.A. § 2902(b)

Supporting Evidence

1. Interviews with staff indicated that the Educational Support Team structure and effectiveness varies greatly between schools in the supervisory union. As well, staff at Leland and Gray indicated limited knowledge of Individuals with Disabilities Education Act (IDEA) policies and procedures. There is also limited collaboration and communication between classroom teachers and special education staff throughout the supervisory union.
2. Observations indicated that inclusive practices were not being employed.
3. A review of student files indicated a lack of EST and 504 supports and a heavy reliance on special education and related services to meet the need of students with the exception of Dover Elementary and Wardsboro Central Schools.
4. Parents identified inconsistent practices related to the inclusion of students with IEPs, timely communication, and follow up for academic and behavioral concerns.
5. Based on a review of WCSU documents, professional development has not been provided to support an integrated instruction model. Interviews with staff indicated that the special education delivery model changed with limited professional development regarding differentiated instruction or other inclusionary practices for classroom teachers.

Corrective Action

A collaborative team consisting of general and special education administrators, teachers, parents and others that are deemed necessary by WCSU should review the policies and practices of each school. The team should identify areas for improvement, professional development needed and how they will accomplish the improvement.

Required Evidence of Correction

- Documentation of the policy and practice review.
- Documentation of improvement plan including needed professional development.
- Documentation of improved results for students as a result of the successful completion of the improvement plan.

Finding II: The Windham Central Supervisory Union does not actively locate children (3-5) who may be eligible for special education and related services. VT State Board Rule 2360.3.5(a)(5)

Supporting Evidence

1. All of the EEE files reviewed indicated that initial evaluations were conducted by the Family, Infant Toddler Project or an out of state agency. No evaluations were initiated by the Supervisory Union as a result of their child find activities.
2. Interviews with staff indicate that collaboration with local preschools and daycares is dependent on preschool/daycare staff making a referral or placement of a child who transitioned from FITP.
3. WCSU policies are limited to annual advertisements in local papers and referral forms. No active preschool screenings or "child development days" are conducted unless requested on an individual basis.
4. A review of WCSU and State data indicates that the state percentage for identification of Developmental Delay per child count is 16% while WCSU's percentage falls well below and is between 6 and 7%.

Corrective Action

A collaborative team consisting of general and special education administrators, teachers, parents and others that are deemed necessary by WCSU needs to review current child find practices and work with local preschools and daycare providers to establish a more robust system. The system needs to include more than one method for locating and evaluating children (3-5) who may be eligible for special education services.

Required Evidence of Correction

- Documentation of the child find practices.
- Evidence of increased collaboration with local preschools and daycares.
- Evidence of multiple methods of locating children who may be eligible for special education services.

Finding III: Leland and Gray Union High School #34 does not ensure that a student eligible for special education services is educated with his or her non-disabled peers, to the maximum extent appropriate. VT State Board Rule 2364.1

Supporting Evidence

1. Child Count data reported by the Supervisory Union in December, 2007, indicate that only 42.1% of the Special Education students at Leland & Gray Union High School spent greater than 80% of their school day in the regular classroom. This has declined to 29.2% in the data reported in December, 2008.

2. Documents provided by school personnel indicate that the schedule for students in grades 9 through 12 consists of 4 blocks of approximately 80 minutes. School staff indicated that when these students are “pulled out” for special education, related services or “supported study hall”, they are out for an entire block. This schedule and practice prevents inclusion in the general education classroom for 80% or more of the school day.
3. A review of IEP service pages indicates that services for students in grades 9-12 are for an entire block. Placement in the general education classroom was documented for less than 80% of the school day.
4. Observations performed at Leland and Gray confirmed these findings.

Corrective Action

A collaborative team consisting of general and special education administrators, teachers, parents and others that are deemed necessary by WCSU needs to review current scheduling practices and special education delivery models at Leland & Gray to identify barriers to more inclusive practices. Justification for more restrictive service delivery should be based on student need rather than an inflexible system. The review will lead to recommendations for improving the current system to allow for more inclusive practices as necessary. The recommendations will be incorporated and evaluated for their effectiveness in creating more inclusive practices and improving results for students with disabilities.

Required Evidence of Correction

- Documentation of the review of scheduling and service delivery models.
- Evidence of recommendations to improve current practices.
- Results of evaluation regarding effectiveness of implementation of recommendations.

VI. Areas of Concern Related to the Indicators

- Throughout the supervisory union, staff do not consistently collect and analyze data, and consequently decisions are not data driven. As a result, decisions regarding placement and programming have the potential to be made based on parent or agency preferences rather than on documented student need.
- SpEdDoc is inconsistently used throughout the supervisory union.
- Central Office Assessment Team (COATs) is not uniformly understood throughout the supervisory union.
- There is little evidence of effective behavioral strategies other than physical restraint used in the elementary schools to support pro-social behavior.

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. WCSU must include a response to each these areas in their Improvement Plan.

- The majority of the files reviewed lacked evidence of IEP progress reporting.
- Several evaluations reviewed lacked the required documentation of disability determination and adverse effect.
- All IEP team members (all classroom teachers) need to be given copies of student IEPs and subsequent amendments. If the method of dissemination is PowerSchool, this needs to be updated regularly.
- There were several breaches of confidentiality noted throughout the supervisory union including:
 - Open parent/teacher conferences in the Leland and Gray gymnasium
 - Email correspondence which included student names
 - Student information misfiled in another student's file
 - Correspondence from outside agencies included multiple student names; when filed, student names were not redacted.
- VT Special Education Form 5b was not used correctly.
- Attendance of required IEP team members was not always documented on the IEP cover page.
- Special education and related services were not always provided as written in the IEP.
- Some parents reported that they did not receive copies of the IEP in a timely manner.

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.