

**Focused Monitoring Report for
Windsor Southwest Supervisory Union**



On-site Review: January 12-16, 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

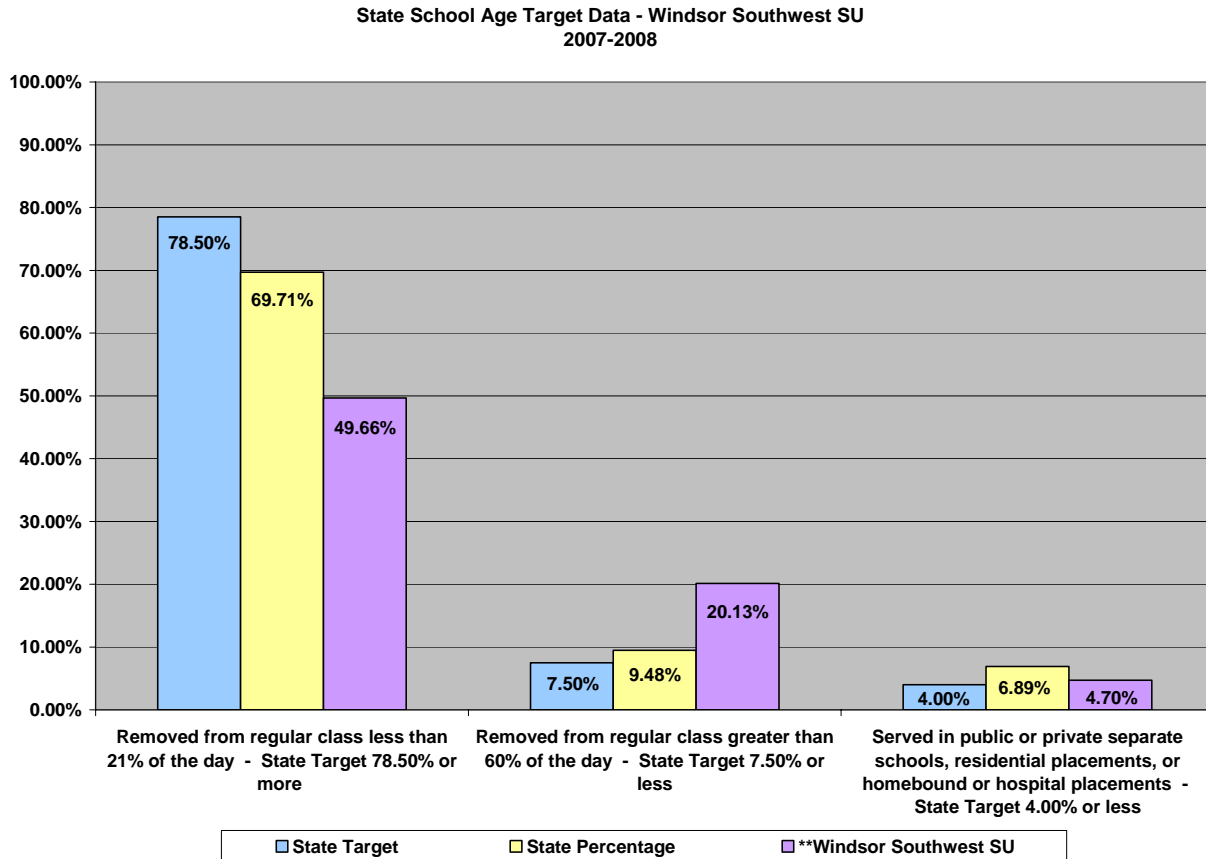
The Individuals with Disabilities Education Act (IDEA), (20 U.S.C. 1400 (c)(1)), provides federal funds to assist states in educating children with disabilities and requires each participating state to ensure that school districts and other publicly-funded educational agencies in the state comply with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



** December 1, 2007 Child Count

The on-site Focused Monitoring review was conducted during the week of January 12-16, 2009. The team visited three elementary schools, one middle/high school and one alternative and three pre-school/EEE programs 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 2006
- 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 files

Parent Forum

A forum based on families' experiences with placement decisions in Windsor Southwest was held on January 13, 2009 for parents of students with disabilities. WSWSU did provide documentation of adequate and appropriate public notice advertising the forum. The forum was attended by four parents of children with disabilities. In addition to the forum, seven parents were interviewed in person or over the phone.

On-Site Interviews

Interviews were conducted with 10 general and special education administrators from the district schools and supervisory union levels, 20 general and special education teachers, 2 students, and 4 school board members.

Record Reviews

Focused file reviews were conducted for 58 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. Flood Brook Union School (K-8)**
- 2. Chester-Andover School (K-6)**
- 3. Green Mountain Union Middle/High School (7-12)**
- 4. Opportunities in Learning (1-12)**

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 Windsor Southwest Supervisory Union; they are Andover, Baltimore, Cavendish, Chester, Landgrove, Londonderry, Peru and Weston.

<i>Windsor Southwest Supervisory Union</i>		
School Name	Grades Served	2007- 2008 Enrollment
Cavendish Town Elementary	(K-6)	107
Chester-Andover Elementary	(K-6)	272
Flood Brook Union School	(K-8)	277
Green Mountain Union School	(7-12)	402

According to the Agency of Human Services, the total population for this community was 8318 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	Windsor SW Community	Difference
9.1%	4.6%	- 4.5%

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

Vermont	Windsor SW Community	Difference
4.3%	3.4%	- 0.9%

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

Vermont	Windsor SW Community	Difference
44%	48%	+ 4%

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

Vermont	Windsor SW Community	Difference
15.8	13.3	- 2.5

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

	Vermont	Windsor SW Community	Difference
Smoked Cigarettes	7%	15%	+ 8%
Smoked Marijuana	8%	7%	- 1%
Used Alcohol	19 %	19 %	+ 0%

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

Vermont	Windsor SW Community	Difference
84.5	76.4	- 8.1

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

	Vermont	Windsor SW Community	Difference
Unmanageable	28.5	15.3	- 13.2
Delinquent	52.7	7.6	- 45.1

Socioeconomic Data:

	Vermont	Windsor SW Community	Difference
<i>Average Annual Wage (2006)</i>	\$34,974	\$32,023*	- \$2,951
<i>Median Family Income (1999)</i>	\$48,625	\$47,755	- \$870
<i>Percent of People above poverty level (1999)</i>	90.6%	93.3%	+ 2.7%

* 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 Windsor Southwest Supervisory Union. These activities have been recognized as effective components in WSWSU's system for improving student outcomes.

- The monitoring team wants to recognize the Essential Early Education program for its inclusive practices and on-going partnerships with community-based early childhood programs to support young children and families.
- The monitoring team saw ample evidence of strong collaboration among teachers, paraeducators, administration and other providers at Cavendish Town School to meet the unique needs of all students.
- Throughout all of the supervisory union schools and programs, we recognized that technology is readily available and they are well positioned to implement that technology in instructional practices, data collection and management.
- The monitoring team commends the supervisory union for creating a local alternative program that is cost-effective and keeps many children within the community.
- The monitoring teams acknowledges the supervisory union's use of an in-house school psychologist for its efficiency and effectiveness.
- The monitoring team acknowledges the EEE staff and the elementary school teachers throughout the supervisory union for supporting smooth and successful transition practices from EEE to kindergarten.

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. WSWSU 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 Windsor Southwest Supervisory Union is encouraged to consider these issues and concerns within their Improvement Plan.

Finding I: The educational support system for students on IEPs is not integrated with the general education curriculum due to a lack of collaboration and communication among general educators, special educators, and related service providers. 16 V.S.A. § 2902

Supporting Evidence

1. With the exception of high school science, many staff reported that Opportunities in Learning and sending school teachers have limited communication regarding the alignment of their curricula. Staff in all schools have reported that there is limited or no time for collaboration and planning between general educators, special educators and related service providers.
2. Based on a review of student files at Green Mountain Union High School, only 15% of students with IEPs in grades 7-12 are in the general classroom setting 80% or more of their day.
3. Numerous parents and staff reported a lack of support from a building level administrator regarding collaboration among parents, general educators, special educators and related service providers.
4. A review of teachers' schedules demonstrates that there is a lack of common time for collaboration and planning among special and general educators.

Corrective Action

A collaborative team including general and special educators, administrators and parents shall review the general education curriculum in light of the Grade Expectations (GEs) and the system of positive behavioral supports. The team shall consider both actual grade level GEs and instructional level GEs and make recommendations regarding differentiated instruction, modifications, accommodations, supplementary aids and services to demonstrate that barriers to the participation of students with disabilities in the general education environment are addressed fully.

The team needs to identify and provide 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.

Finding II: Placement decisions are not made in conformity with the LRE provisions by a group of people, including the parents, knowledgeable about the child, the meaning of the evaluation data, and the placement options. 34 CFR §300.116; 20 U.S.C. 1412(a)(5)

Supporting Evidence

1. Based on a review of student files, policies and procedures for entrance to and exit from Windsor Southwest's more restrictive programs (Opportunities in Learning, Life Skills) are not consistently implemented and data driven.
2. Across the supervisory union, staff could not articulate the full continuum of supports available to all students.
3. Based on file reviews, there was minimal evidence that placement decisions were considered annually.
4. Interviews with parents and staff indicated that placement and/or services are driven by the master schedule throughout most of the supervisory union.

Corrective Action

A collaborative team must review the existing policies and procedures regarding entrance and exit criteria for WSWSU alternative programs and current practices in entering and exiting students in said programs.

The team shall develop clear procedures and methods for collecting data regarding the entrance into and exit from alternative programs to ensure that students are placed based on individual circumstances.

The team shall review the policies and practices concerning the placement decision process.

The team shall develop clear guidelines to ensure that placement decisions are data driven, reviewed annually and made by the child's IEP team which includes the parents. The guidelines shall also ensure that placement decisions are made based on the individual needs of the child rather than the master schedule or individual teachers and/or related service providers' schedules.

Required Evidence of Correction

- Documentation of team's review of entrance and exit criteria and practice for alternative programs.

- Documentation of procedures and methods developed regarding entrance and exit criteria for alternative programs.
- Documentation of team's review of policy and practice regarding placement decisions.
- Documentation of guidelines developed to ensure that placement decisions are made based on a child's needs and reviewed at least annually.

VI. Areas of Concern Related to the Indicators

- Recent and projected staff cuts at Chester-Andover Elementary School may jeopardize the effectiveness of the educational support system.
- Students who have a disability but determined not eligible for special education are not consistently referred to the school administrator to convene a Section 504 team as required under Vermont Rule 2362.2.6.
- Some reports from school evaluation staff unilaterally determined that children were eligible for special education under IDEA without following the team process outlined in Vermont Rule 2362.2.1.

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

- Data submission to the Vermont Department of Education lack due diligence and therefore the validity and reliability is compromised.
- The length of the school day at Opportunities in Learning is 4 hours and 50 minutes. For children in grades 3-12, this does not meet the Vermont Board of Education Rule 2312.1 which requires a minimum of 5 hours 30 minutes per day of instructional time.
- Not all educational records have access logs as required by FERPA.
- The Independent Educational Evaluation procedure G.10.A violates Vermont Rule 2362.2.7(h). Specifically, a parent cannot be required to provide an explanation as to why they object to the district's evaluation.

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.