

**AGENCY OF EDUCATION  
Montpelier, Vermont**

**TEAM:** School Finance

**ITEM:** Will the State Board of Education grant an amendment to the general and special education independent school approval for Brookhaven Learning Center in Chelsea, VT, to enable the school to serve female students in its day program?

**SECRETARY'S RECOMMENDED ACTION:**

**That the State Board of Education grants an amendment to the general and special education independent school approval for Brookhaven Learning Center in Chelsea, VT, to enable the school to serve female students in its day program for a term through June 30, 2024, to coincide with the school's current approval period.**

**This approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing or administration during the approval period.**

**STATUTORY AUTHORITY:** Title 16 V.S.A. § 166 (b)  
State Board Rules 2200, 2228 et seq

1. An independent school may operate and provide elementary and secondary education if it is approved by the State Board of Education.
2. The State Board of Education shall approve an independent school if it substantially complies with the Board's rules for independent schools, promulgated as Series 2200 (Independent School Program Approval).
3. Brookhaven Learning Center is currently seeking to expand its services to include a co-ed population in the day program only. This will enable the school to build a more diverse learning community as well as better serve the needs of students and sending schools who can benefit from its programming. Brookhaven Learning Center is not seeking a change to the maximum student population it can serve.

4. Brookhaven Learning Center was last granted renewal of State Board approval on August 21, 2019 through June 30, 2024, to serve a maximum of 8 male residential students and 14 male day students, ages 6-14 in grades K-8, within the disability categories of Specific Learning Disabilities (SLD), Emotional Disturbance (ED), Speech or Language Impairment (SLI), Intellectual Disability (ID), Other Health Impairment (OHI), Developmental Delay (DD), and Autism Spectrum Disorder (ASD).
5. Four sections of the new independent school rules took effect upon adoption on May 10, 2022. Those rule are: Rule 2223 (Procedure), Rule 2224 (Reciprocity), Rule 2226 (Application) and Rule 2227 (Approval). Brookhaven Learning Center has provided a signed addendum attesting to meeting these new rules.

**FISCAL IMPLICATIONS:** none

**STAFF AVAILABLE:**

Cassandra Ryan, Director of Regulatory Compliance and Risk Management

# Independent School Review Report

## General Education & Special Education

**REPORT**

December 7,  
2021

**Brookhaven Learning Center**  
**Day Program Amendment Request**

Submitted by

**Independent School Review Team Members:**

**General Education Representative:**

J. Deborah Ormsbee



## Site Review Scope of Work & Purpose

This report will specifically address those areas impacted by Brookhaven Learning Center's amendment request, to include enrollment of females, in the day school program. The amendment process does not necessitate a review of the entire academic program at this time, and agency personnel can attest that all statutory and State Board Rule requirements have been met as well as ensure the program is in good standing regarding maintenance of approval requirements.

Brookhaven Learning Center is currently a residential program for boys and separate from the day school; however, residential students attend the day program. The residential portion of Brookhaven's program is regulated by the Agency of Human Services and Department of Children and Families.

The Learning Center's request to amend the academic program falls under the auspices of the Agency of Education and the scope of work during the site review, focused primarily on statutory and rule requirements pertinent to the enrollment of female students in the academic day program, and to ensure other mandatory program requirements are in place at Brookhaven Learning Center.

## School Philosophy & Educational Objectives

*Vermont Rule 2225.2, 2225.5*

A member of the agency's Independent School team met with Brookhaven Learning Center's staff on Tuesday, December 7, 2021. Interviews were conducted primarily in the main administrative office and in the adjacent academic building. Brookhaven Learning Center personnel present for interviews were the education program director, a classroom teacher, the licensed special educator, a behavior specialist, and administrative support staff.

The school's program director submitted an amendment application seeking approval to add female enrollments, grades K- 8, in the day school. Brookhaven Learning Center original mission is to "... provide educational services to students with emotional/behavioral and learning disabilities in a therapeutic milieu." Brookhaven Learning Center is not seeking a change the maximum student population it can serve. Approval to include female enrollment in the day school program will not change the program's stated mission or educational objectives.

### Program Objectives

If granted approval, to include enroll female students, the addition will provide additional school program options for students, and families with imbedded therapeutic clinical services for students, family therapy and small group social/emotional milieu program interventions.

Visiting Agency of Education staff confirmed that Brookhaven Learning Center's educational objectives include differentiated instruction, project-based learning, Common Core

curriculum, and utilization of Multi-Tiered Systems of Support. Imbedded in all areas of learning, are trauma informed and social emotional practices as well as evidence-based behavioral interventions that provide additional support to close student achievement gaps.

Under the tutelage of the current head of school, all staff have engaged in significant professional development to integrate Therapeutic Crisis Interventions (TCI), as established by Cornell University, to transition the school's behavioral approaches to extinguish the use of student restraints and seclusions. As a result, the Brookhaven has reduced student restraints by 98% since implementation of the school's TCI initiative in, 2019.

<b>Minimum Course of Study &amp; Required Assessments</b>	<i>Vermont Rule 2225.5 16 V.S.A.</i>
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Brookhaven Learning Center's current K – 8 Minimum Course of Study (MCOs), is based upon Common Core State Standards, Proficiency Based Standards, and alignment with Multi-Tiered System of Support (MTSS). The Program Director in collaboration with both clinical directors and the licensed special educator have developed a curriculum for students that includes 1:1 flexibility and differentiated multiple pathways to ensure a Free Appropriate Public Education (FAPE) as well as small group instructional opportunities.

Brookhaven residential students attending the day school are placed by the Department of Children and Families. Prior to the amendment application, local education associations (LEAs) enrolled male students to the day program. State Board approval will provide LEAs with an opportunity to refer female students to Brookhaven Learning Center's program and will remedy the regional shortage of available therapeutic, trauma informed academic day school programs. Additionally, the school's curriculum, for newly enrolled female students, has been developed to include the same life skills and equal access to physical education, nutrition, health, and wellness (drug, tobacco, and alcohol awareness), and the arts, as currently enrolled male students.

Instructional and support staff at Brookhaven employ a variety of techniques for delivery of educational services that includes access to a traditional classroom environment, individualized student practice and direct instruction, as determined by each student's individualized education plan (IEP). Interviewed instructional staff members indicated that current program practices also utilize community partners to enrich social skills curriculums and authentic assessments. Brookhaven's buildings are situated on 120 acres and provide opportunities for instructional staff to develop and implement a rich and robust integrated curriculum that includes outdoor education, advanced science and math opportunities for upper elementary students and a variety of physical fitness options for students in grades, K-8.

Moreover, the Learning Center's staff will utilize, the same effective, evidence-based, best practice instructional curriculum(s) and research-based pedagogical methods including,

authentic assessments for newly enrolled female students. Brookhaven’s academic programing in all grades is both rigorous and appropriately adapted to effectively address the academic, social/emotional, and behavioral needs of students.

Female students will have access to the same licensed behavior specialists and well-trained behavioral interventionists who develop, implement, monitor, adjust, and make data-based decisions on evidence-based behavioral interventions as offered to all current male students.

Brookhaven’s program provides imbedded clinical services for students and extends those services, to include each student’s family members.

Additionally, there is a formalized plan in place for implementing and supporting state assessments. Male and female students at Brookhaven Learning Center will complete state assessments and testing will include student specific accommodations, per IEP requirements under the direct supervision and direct services of the licensed special educator.

<b>Professional Staff</b>	<i>Vermont Rule 2225.8</i>
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All of Brookhaven Learning Center’s instructional staff are qualified in assigned area of academic instruction. Several current staff members either already hold a Vermont teacher’s license or are currently working towards completing a licensing program. Special education teachers hold a Vermont license and imbedded clinical staff are also appropriately licensed. The school currently has a sufficient number of licensed special educators on staff, to provide direct services and staff supervision for all students; however, the school will advertise and hire additional licensed special educators to ensure optimal student to staff ratios to meet special education support requirements.

All members of the Brookhaven Learning Center’s staff engage in annual professional development for therapeutic crisis intervention training, evidence-based behavioral interventions, special education, and content area development.

Brookhaven’s program director ensures that all staff are able to remain current with professional licensure, assist new staff in obtaining licensure and continues professional knowledge in their service area, including para-educators and behavioral interventionists, as appropriate for each staff position. In addition to supporting external professional development opportunities, Brookhaven’s director provides whole staff training on relevant subjects including, but not limited to special education, trauma informed classroom management techniques, evidence-based behavioral interventions, core curriculum development and assessment implementation, student behavioral intervention and specialized case study reviews and project-based student curriculum development.

Staff curriculum vitae and professional development records are up-to-date and readily available for review. All staff files contain copies of annual evaluations which incorporate goal setting, identified areas in need of improvement, a list of staff strengths and professional achievements.

Staff engage in robust weekly and monthly staff meetings with mandatory attendance by classroom teachers, special education teachers, clinicians, behavior specialists, behavior interventionists, and

case managers. Student progress is reviewed as well as academic assessments, behavioral and treatment programming.

A progressive, consistent, and well-developed program of school to home case management, is conducted by Brookhaven clinical staff to ensure academic and treatment success of all students as well as provide continuity of case management services between school and home setting.

Each member of the staff interviewed, were able to articulate effective processes for adapting curriculum to meet individualized student IEP goals and social/emotional/behavioral objectives. Effective methods for providing direct instruction in traditional class setting, small groups or as part of intensive one-on-one programming is leveraged daily and aligned with student IEPs and treatment plans.

<b>Facilities</b>
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<i>Vermont Rule 2225.6</i>
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Brookhaven's students, male and female, will share classrooms, individualized classroom spaces, sensory rooms, cafeteria, gymnasium, and other required program spaces including outdoor green spaces as part of their academic and therapeutic daily program. At this time Brookhaven Learning Center meets all facility requirements and provided the independent school team with all required documentation.

<b>Health &amp; Safety</b>
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*Emergency Services:*

Each month all occupants of the administrative and academic buildings practice fire and emergency safety evacuation protocols. All staff members are trained in CPR and First Aid with specific emphasis on immediate response to student crisis and injury, as well as regular medical interventions. Proper protocols are in place for ensuring compliance with blood borne pathogen and disposal of sharps.

Parents, guardians, or custodial adults are informed of health, medical and program safety protocols, procedures and annually provided with a copy of all policies.

*Nursing Services and Medications:*

Brookhaven does not have regular access to a licensed nurse to address student medical needs. However, all staff are trained to access emergency services and designated staff members are trained in proper dispensing of student medications, maintaining a medication administration record, and for keeping student medication in a locked cabinet. Student immunization records are included in student files which are secure, confidential and the files are up to date.

*Staffing Safeguards:*

Background checks are conducted prior to start date for all newly hired employees. Fingerprint supported criminal record checks and VT adult/child abuse registries are checked annually, and both reports are contained in a confidential filing system available for review upon request. \

All staff members are trained annually on a variety of treatment, academic and social/emotional/behavioral programming and have a thorough understanding of the required strength-based approach toward discipline of children and youth who have varying degrees of adverse childhood experiences, and complex trauma.

**Mandatory Reporting Procedures:**

The Brookhaven Learning Center has implemented and published mandatory reporting procedures and expectations in their staff and family handbooks. Members of the Independent School Team confirmed that the school’s policies comply with State Board and Agency of Education requirements on reporting.

**Hazing, Harassment & Bullying:**

Brookhaven has developed strong anti-bullying, anti-hazing and anti-harassment policies that comply with State Board of Education and Agency of Education requirements. All procedures are annually reviewed by Brookhaven’s staff and annual professional development ensures proper management of student educational spaces and staff offices. Therapeutic Crisis Intervention (TCI) refreshers are required of all staff, and provided by an on-site certified professional, during August in-service.

<b>Independent School Team Summary</b>
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**Approval Recommendation**

The Agency of Education’s Independent highly recommends approval to include female student enrollment to Brookhaven Learning Center’s day school program.

The addition of females, at Brookhaven, will provide students and their families, in need of specialized and intensive program supports, with greater access to high quality special and general education opportunities as well as evidence-based behavioral interventions and effective treatment case management services. Local education associations (LEAs) will be afforded expanded academic/treatment opportunities to address current lack of high quality therapeutic academic programs in Brookhaven Learning Center’s enrollment area.