

AGENCY OF EDUCATION  
Montpelier, Vermont

**TEAM:** School Finance

**ITEM:** Will the State Board of Education grant renewal of tutorial approval to 204 Depot Street Program, Bennington, VT, to serve a maximum of 18 male- and female-identifying youth ages 11-18?

**SECRETARY'S RECOMMENDED ACTION:**

**That the State Board of Education grants renewal of tutorial approval to 204 Depot Street Program, Bennington, VT, to serve a maximum of 18 male- and female-identifying youth ages 11-18, for a term through June 30, 2022; and,**

**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:** 16 V.S.A. § 11 & § 828  
State Board Rule 2230

**BACKGROUND INFORMATION:**

1. A tutorial program means education provided to a pupil who is placed in a short-term program that is not administered by a school district. The purpose of the program is to provide evaluation and/or treatment. This does not include home-based tutorials, programs operated by a public school or collaborative, or a program of an independent school that has been approved under 16 V.S.A. § 166. The average length of stay for students in a tutorial program shall be not more than six months.
2. The State Board of Education shall approve a tutorial program if it complies with the Board's rules for tutorial programs, promulgated as Series 2230 (State Board Rules for Tutorial Programs). A school district shall not pay the tuition of a pupil except to a public or independent school or tutorial program approved by the State Board.

3. 204 Depot Street Program is seeking renewal of tutorial program approval to serve a maximum of 18 male- and female-identifying youth ages 11-18.
4. 204 Depot Street Program also has the capability to provide assessments, as approved by the Division for Children and Families (DCF) placement specialist. The youth on assessment status will participate in evaluations and interviews for their next placement (intensive, residential settings, a therapeutic wrap, or other specialized programming). These assessments are conducted by outside resources selected to meet the individual needs of the youth.

**FISCAL IMPLICATIONS:** none

**STAFF AVAILABLE:**

J. Deborah Ormsbee, Independent School Review Coordinator

# Independent School Review Report

## General Education & Special Education

### REPORT

December 10,  
2019- Review

## 204 Depot Street Program Bennington, VT

**Submitted by**

**Independent School Review Team Members:**

**Education Representatives:**

J. Deborah Ormsbee & Pat Pallas-Gray



The AOE's independent school review team met with 204 Depot Street Program staff on Tuesday, December 10, 2019. Interviews were conducted at several owned and operated sites in Bennington, Vermont. Personnel present for interviews were the executive director, the program manager, the operations manager, the licensed special educator, a humanities teacher and a math/science teacher with Vermont teaching licenses in secondary education. Other staff present during the Agency site review were a Vermont licensed clinical social worker, office managerial staff, behavioral interventionists and supportive one on ones. At the time of the Agency's program review, 17 youth were in the program and most of them were on an IEP or 504 Plan.

The 204 Depot Street Program is a staff-secure, short-term (ideally 10 days or less) stabilization program that serves adjudicated male and female identified youth, who are in the custody of the Department for Children and Families (DCF). The Program can serve up to a total of 18 youth within its three sites. The 204 Depot Street site can serve 8-12 male-identifying youth ages 11-18; the Girl's Adolescent Program (GAP) can serve 5-9 female-identifying youth ages 11-18, and Horizon can serve one youth of either gender from 10-18 years of age.

The primary goal of the Program is to help the youth recognize the behaviors that contributed to their need for placement and to provide them with skills that will prepare them for the next placement. A 24-hour per day "eyes on" supervision is required. All residents follow a structured daily schedule. There is a regimented schedule for all new youth entering the program and they have few privileges but can earn privileges by demonstrating their ability to take responsibility for their conduct, as well as, a willingness to deal with and make changes in behavior.

204 Depot Street Program is governed by Seall's Board of Directors. Seall, Inc. is a VT non-profit corporation, which since 1971 has been providing community-based residential programs in Bennington, VT. This program began by initially serving only male adolescents. In October of 2016, Seall, Inc. expanded its program to include female youth in DCF custody. A subsequent change in 2018 enabled Seall, Inc. to add a one-bed program for a "hard to place" male or female, 10-18 years of age, in need of intensive-based supervision.

All youth placed at the Program are required to participate in the tutorial program upon arrival. The educational services at all sites are provided by educators with Vermont teaching licenses or teaching assistants who meet State Board professional standards requirements. The Depot maintains an operating schedule that includes instruction for no less than 10 hours per week, two hours per subject, and the operating schedule can be amended to ensure that the instructional services address individual needs of participants with either an IEP or 504 Plan.

204 Depot Street's Program objectives are aligned with State Board of Education Rule 2230.2.1.

The tutorial program:

- Meets short-term program requirement
- Serves students placed by the Vermont Department of Children and Families
- Provides academic tutorial services two hours per day/ten hours per week
- In addition to academic instruction, students receive daily intensive therapeutic and restorative justice program interventions
- Programing provides mental health and academic evaluations to assist youth in closing achievement gaps, to learn and practice skills as identified in IEPs, to develop life skills, as well as, to ensure youth learn basic classroom skills to aid in a successful transition to the next placement
- Staff implement comprehensive grade level literacy and math based instructional services, and ensure other core required proficiency standards are addressed
- Programing is structured to meet and implement the service delivery plan's mental health goals
- Tutorial educational supports meet FAPE (free and appropriate public education) program requirements

At the time of program review, Agency staff were able to confirm evidence of specific, stated educational objectives which includes: differentiated instruction, project-based learning, age and ability appropriate minimum course of study, and utilization of Multi-Tiered Systems of Support. Trauma informed and social emotional practices that provide additional support to close student achievement gaps are imbedded in all areas of academic learning and behavioral plans.

The 204 Depot Street Program is licensed as a residential treatment program through the Department for Children and Families' Family Services Division.

<b>Tutorial Application Requirements</b>
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<i>Vermont Rule 2230.2.1</i>
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204 Depot Street Program's application was complete and included the required documentation at the time of submission.

<b>Tutorial Enrollment</b>
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<i>Vermont Rule 2230.2.1</i>
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204 Depot Street Program operates full-time, year-round. Referrals to the program are made by DCF's child placement referral service. On the day of the visit, there were 17 intensive, high needs students, who were under DCF custody. Student enrollment numbers fluctuate based

upon student identification criteria and crisis response from DCF. However, student capacity does not exceed State Board approved student enrollment census.

Youth, while in custody, require academic supports and intensive based behavioral interventions while waiting for adjudication results from several State entities that may include: the courts, other departments within the Agency of Human Services (AHS), Regional Juvenile Restorative Boards, DCF Case Management, intensive family-based intervention services or a combination of several entities. Some students attending 204 Depot Program, may be waiting for placement, by DCF, in an out-of-state approved residential facility that provides a more restrictive student environment. All students admitted to 204 Depot's Program have individual learning plans that include trauma informed support services, DCF mandated program requirements, as well as, intensive based family support services that ensures each student is available to access educational tutorial services. Those students with an IEP or a 504 Plan receive special education interventions as required. Upon arrival or whenever possible, prior to arrival, the adolescent's last known school district is contacted to access school records and determine their special education status.

<b>Student Records, IEPs &amp; Special Ed Status</b>
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<i>Vermont Rule 2230.3.10.1, .4, .5</i>
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AOE representatives verified, during site visit on December 10, 2019, that 204 Depot Street's program records and electronic filing system meets State and Federal confidentiality requirement standards, as well as, confidentiality standards proscribed by The Department of Children and Families. Client education records and other related physical documentation are kept in the main office, in a locked filing cabinet. The door to the main office is locked, as well. The program director, assistant director and clinical care service staff document and verify youth participation and educational progress.

Initial student referrals made by the Department of Children and Families, are sent directly to the program director; however, all administrators, including over-night staff, review referral forms and all accompanying documentation. Included in the referral packet are a student's most recent IEP or 504 Plan, recent comprehensive evaluation, medical information from primary care physician, academic information from the last identified LEA and other documentation that may be requested by DCF social workers. Any required consent forms, permission slips, medical or therapeutic information and initial or in-take paperwork is included in the primary file as completed by each youth's DCF personnel.

204 Depot's special educator and interventionists work directly with licensed 7 – 12 educators to implement individualized tutorial programming for each student. Prior to student enrollment a formal meeting takes place among 204 Depot staff, DCF social workers, and includes other appropriate service providers, as identified by the Agency of Human Services. During pre-enrollment meetings, staff review IEPs or 504 Plans to ensure compliance with all requirements for academic services and to review behavioral programming, legal documentation and treatment plans. There are occasions when students are enrolled in the tutorial program without prior

staff notification. These occasions are rare, but do occur, and are in response to youth and family crisis that require immediate DCF intervention services.

204 Depot Street staff meet regularly to review youth weekly academic and behavioral progress. Adjustments to interventions both educational and behavioral, are made, as needed, in order to prepare students for successful transition to a stable educational program.

Student special education evaluations, academic progress assessments and student progress toward meeting DCF required goals are conducted and completed collaboratively by the responsible tutorial staff and DCF personnel. Clinical behavior specialists from 204 Depot and the Department of Children and Families collaborate to evaluate therapeutic, social/emotional progress and for identifying transition treatment goals and to create education transition plans.

<b>Tutorial Professional Staff</b>	<b><i>Vermont Rule 2230.3.4</i></b>
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204 Depot's educational program is staffed by a teacher with a Vermont educator's license in English Language Arts/History, for grades 7 – 12, a grade 7 – 12 Vermont licensed math/science teacher, a licensed special educator and behavioral interventionists trained in Therapeutic Crisis Intervention. Tutorial program management is the responsibility of the program's director. The director is also responsible for oversight of special education services, ensures clinical services are provided as required, and oversight of fiscal program management.

The director in collaboration with the program's assistant director, clinical staff and DCF personnel, ensure transition plans are effectively developed in accordance with IEP goals or 504 Plans and deliver continuity of academic proficiencies.

In addition to maintaining relevant licensure, tutorial staff members (including support personnel) are expected to participate in and satisfactorily complete additional required professional development that addresses the following IEP, general education and special education program area goals, as well as, DCF mandated requirements:

- Therapeutic Crisis Intervention
- ARC (Attachment, Regulation and Competency) interventions
- Trauma informed educational practices and PBIS
- Differentiated Instruction, MTSS & instruction in content area best practice pedagogy
- Effective development of individualized learning plans

All 204 Depot staff have completed a fingerprint-supported criminal record check, and the required adult and child registry background checks that comply with both education and Department of Children and Families' requirements.

Tutorial program administrators, and teaching staff have worked to develop evidence-based, best practice instruction methods for high needs students. Other evidence-based curriculum and assessments are utilized, as needed, to ensure 204 Depot Street Program meets individualized academic student programming. Instructional staff provide successful adaptations to curriculum, as needed, to integrate trauma informed and PBIS (positive behavioral intervention supports) programming or mental health services. Education evaluation and assessment strategies meet individual learning plans and student specific treatment goals.

Supportive technology is available for student use and has been installed in the new classroom, on the second floor of the facility at 204 Depot Street. An exterior, secured entryway provides adolescent girls with segregated, safe access from 206 Depot, to the new classroom and all educational resources located at this site. Identified support materials include but are not limited to lap-top computers, sensory materials, content area specific materials, traditional student reference books, and academic enrichment resources. Educational and therapeutic services are provided on the first floor of the girl's building located on River Street in the GAP (Girl's Adolescent Program) building if student options are limited by treatment goals and student safety plans.

The Horizon program can house only one youth, who is undergoing intensive crisis intervention treatment services that require segregation from main student populations. Horizon provides very individualized educational opportunities including post-crisis transitional services. This program may serve either males or females placed by DCF and is located on the second floor of the GAP building on River Street. The Horizon program does not provide co-educational services. The fluidity of the program's model allows for either male- or female-identifying enrollment/placement, as needed.

A renovated brick manufacturing building, also located on a street near the GAP program and serves as the administrative office, the program's integrated arts center and provides appropriately appointed classrooms for small group enrichment, transitional and life-skills activities.

**Safety:**

All of 204 Depot's facilities have met the rules and requirements for educational and residential occupancy. Each program site has passed inspection by appropriate authorities and certificates of occupancy are posted in each building's main office. Additionally, emergency egress points for students and staff are unobstructed and may be readily accessed by any required emergency service responders.

The Depot's program is unable to provide stabilization educational services for students with physical disabilities. As buildings are updated all new construction on program facilities will meet ADA requirements.

Each of the tutorial's buildings have been inspected by the local Fire Department and each location displays an up-to-date certificate of occupancy. In the basement there are laundry facilities, a locked "security room" that stores student belongings, a locked furnace room and an area for staff supervised student recreation. The inside of each building and all surrounding areas are monitored by a video/audio surveillance system with recording capabilities. This includes the secured access to second floor classroom directly from 206 to 204 Depot Street. The GAP building and Depot Street buildings have enclosed backyards that are equipped with video/audio security systems. Designated staff are scheduled to monitor video and audio surveillance equipment throughout each shift. Serviceable refreshment breaks are provided for security staff to combat fatigue and ensure program safety for staff and students.

Safety information including location maps, fire extinguishers and emergency contact numbers are prominently posted in multiple, highly visible areas. Emergency directions and other pertinent information includes visual graphics, easily understood emergency pictograms and corresponding emergency contact numbers.

#### **Health:**

First Aid and other life-saving equipment is visible and meets health and safety code requirements. 204 Depot's tutorial staff and students participate regularly in scheduled fire drills or shelter-in-place crisis response interventions with appropriately identified local authorities (Fire, Police or Emergency Services). Staff are trained, annually, to follow proper protocols regarding bloodborne pathogens, sharps disposal and dispensing of student medications. All medications are locked in the main office, and in a locked cabinet that only the program director and designated personnel, program case-managers or licensed therapeutic staff have access to. Students do not have access to either the locked office, or the locked cabinet at any time.

Finally, all staff members are required to attend First Aid and emergency response specialized training annually which is often in collaboration with local human resource agencies and specialists.

#### **Facilities:**

All of 204 Depot's facilities meet requirements for buildings used as an educational facility. Each program site has passed inspection by all appropriate authorities and certificates of occupancy are posted in each building's main office. Additionally, emergency egress points for students and staff are unobstructed and may be readily accessed by any required emergency service responders.

The house located at the 204 Depot Street address includes the residential space and education/treatment spaces for male youth. The newly renovated education classroom is located on the second floor of this building. The bedrooms are also located on this floor. In the basement, there is a small recreation area. The house located on River Street was renovated to

accommodate the female youth in GAP and is a wood-framed house in a residential neighborhood. There are three bedrooms on the second floor. The main floor consists of a staff office, living room, and kitchen/eating area. Tutorial services are provided on the first floor in this building or in the classroom located on the upper floor of the main building on 204 Depot Street.

The tutorial program includes an additional residential building reserved for overflow student placement and is located at 206 Depot Street. This facility houses either male or female residents based upon student census. This additional residential unit allows for flexibility and ensures the tutorial will have adequate program space to accommodate the Department of Children and Families' residential student placement needs.

<b>Tutorial Financial Capacity</b>	<i>Vermont Rule 2230.3.9</i>
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Responsibility for room, board and educational costs for 204 Depot Street Program are determined by the Agency of Human Services (AHS). Part of the cost of the residential and school program is funded through the Private, Non-Medical Institution (PNMI) Medicaid, with the Medicaid reimbursement rate for treatment-related services being established through the AHS' rate setting process.

Residential service costs not covered by Medicaid are paid with state funds, either through the Department for Children and Families or the Department of Mental Health. Educational service costs for those students not covered by Medicaid are paid by the Agency of Education.

<b>Independent School Team, Agency of Education Recommendations</b>
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204 Depot Street Program provides excellent tutorial services and supportive therapeutic programming interventions for youth placed by the Department of Children and Families. The program serves adjudicated students who require intensive-based services. All 204 Depot's Program facilities have met State Board of Education rules and legal requirements under Title 16. It is the recommendation of the Agency of Education's Independent School Team that 204 Depot Street Program be granted the maximum tutorial program approval renewal of two years.