

**AGENCY OF EDUCATION
Barre, Vermont**

TEAM: School Finance

ITEM: Will the State Board of Education grant general and special education independent school approval to serve a maximum of 24 students in grades 3-12, within the disability areas of Emotional Disturbance (ED), Other Health Impairment (OHI), Specific Learning Disability (SLD), and Intellectual Disability (ID) to East Valley Academy in East Randolph, VT?

SECRETARY'S RECOMMENDED ACTION:

That the State Board of Education grants general and special education independent school approval to serve a maximum of 24 students in grades 3-12, within the disability areas of Emotional Disturbance (ED), Other Health Impairment (OHI), Specific Learning Disability (SLD), and Intellectual Disability (ID) to East Valley Academy in East Randolph, VT, for a term through June 30, 2024; 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: Title 16 V.S.A., Section 166 (b)
State Board Rule: 2228 et. seq.

BACKGROUND INFORMATION:

1. An independent school may operate and provide elementary or secondary education if it is either approved or recognized 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. East Valley Academy is seeking renewal of approval to serve students in the disability areas of Emotional Disturbance (ED), Other Health Impairment (OHI), and Specific Learning Disability (SLD), and initial approval to serve students in the disability area of Intellectual Disability (ID).
4. Upon receiving East Valley Academy's applications, the Secretary appointed a review committee to visit the school and make a recommendation as required by SBE Rule 2222. Because East Valley Academy was seeking renewal of approval to provide both general education and special education services, the recommendation consists of two separate reports.

FISCAL IMPLICATIONS: none

STAFF AVAILABLE:

Cassandra Ryan, Fiscal and Regulatory Compliance Coordinator

1. East Valley Academy is an independent school that can serve a maximum of 24 male and female students in grades 3-12. On the day of the visit 22 students were enrolled. The school's mission is to provide day treatment and educational services to children who exhibit emotional and behavioral challenges. East valley Academy is a part of The Clara Martin Center, a community-based mental health agency. The school's educational philosophy is to 'incorporate life experience into a model that promotes success'. Most students achieve the minimum graduation requirements to receive a diploma from the sending school. Occasionally a student will earn an East Valley Academy diploma.
2. The State Board of Education last granted independent school approval to East valley Academy on February 21, 2014 for five years through June 30, 2019.
3. East Valley Academy was visited on behalf of the Commissioner by Brian Morgan on March 19, 2019.
4. The school occupies a one-floor building that sits on 4.25 acres of land. The building, since renovated, was formerly the home of the East Randolph Elementary School. Academics take place within 4 large classrooms and a small gym. During the fall and spring months physical education/wellness classes often take place in the back yard, where there is a safe and open recreation space. Beyond that space is a large vegetable garden, where students are able to grow organic food items. The building also contains one large and one small staff office, an office for the Program Director, and the therapist's office. There are also two time-out rooms that are used when a more restrictive space than the hallway or the classroom is advisable. During the extensive renovation that took place a new conference room and a special education space were added. An ultraviolet light disinfection system was also added to the well-water supply. All the rooms and the central hallway were brightly decorated with student art and other learning tools. The facility meets all state and federal health and safety regulations and is handicapped accessible.
5. The minimum course of study, as prescribed in 16 V.S.A. § 906, is provided and adapted to the age and abilities of the students. Common Core Standards are at the heart of the EVA curriculum, but the teaching is differentiated and individualized much of the time. Project based learning is the hallmark of this school's program, and this reviewer visited two student groups where individual students were engrossed in their projects and eager to talk about them. Academic content is combined with therapeutic content whenever relevant. All instruction is adapted to meet the requirements of individual IEPs or 504 plans. All instruction is geared to allow students to demonstrate proficiency in a given skill or concentration.
6. The school has the resources including financial capacity and qualified staff to meet its

objectives. In addition to the FY'18 Clara Martin Center audit that accompanied the application, the school provided the FY'18 budget and YTD FY'19 budget for the East Valley Academy. These documents were provided by the CMC Director of Children and Family Department, Tammy Austin, who made the trip from Middlebury to be present at the visit. The budgets and the audit documentation indicate that the East Valley Academy is well run and is on a sound financial footing.

The staffing of EVA comprises the Director, a Special Educator, four subject area teachers, an elementary teacher, five Classroom Case Managers, and a Therapist Intern. The length of service of these dedicated EVA staff members varies from 1 year to 21 years.

7. The health, safety, attendance, and assessment records are in good order. Fire drill and evacuation drill records are also in good order.
8. The school maintains an operating schedule that includes a total number of instructional hours each year that is not less than that required of a public school serving the same grades.
9. The school has a policy on and reporting requirements for hazing, harassment, and bullying that is as stringent as the Agency's model policy.

Summary and Recommendation: East Valley Academy is a thoroughly professionally run school, and the physical school itself is a welcoming place. The school's approach is to emphasize the positive, and students there appear engaged and eager to learn.

I recommend renewal for Independent School Approval for five (5) years.

Respectfully submitted,

Brian Morgan

Independent School Special Education Review Report

REPORT

July 1, 2019

East Valley Academy

Submitted by
Special Education Review Team



Approval Recommendation

Five-year approval in the disability categories of; emotional disturbance (ED), specific learning disability (SLD), intellectual disability (ID) and other health impairment (OHI). An amending application dated 6/13/19 was submitted to request the additional category of intellectual disability that was not included on the original application (received 1/14/19).

Note on Approval:

The AOE recommends that East Valley Academy ensure implementation of the following prior to its next review:

- a) Consistent ongoing documentation system to confirm delivery of all IEP services, including case management services. The documentation system for all services should include;
 - a. Name of student
 - b. Specific service provided
 - c. Service provider
 - d. Date of service
 - e. Time/length of service
- b) Review staff licensure status annually to ensure a licensed special educator is on staff and able to provide the special education services outlined in student Individualized Education Programs (IEPs).

Rationale

On the date of the visit (5/8/19) East Valley's data and documentation system was unable to confirm the delivery of special educator services through the provision of student schedules. Those schedules were missing student specific details, as well as service titles, that would allow the confirmation of services. In addition, one student enrolled qualified under the disability category of ID, which East Valley was not approved for. Based on post-visit submissions (dated 5/24/19) from East Valley, the Agency of Education finds that the submitted documentation alleviates documentation concerns and therefore issue a five-year approval for East Valley. The Agency will review in five years to ensure these recommendations are implemented systemically.

School Description

East Valley Academy is located in East Randolph, Vermont. East Valley is able to serve 24 students, grades 3-12. Currently East Valley is approved to service the disability categories of emotional disturbance, other health impairment, and specific learning disability.

Review Description

During the visit the Agency employees interviewed staff, toured facilities, observed staff/student interactions and reviewed student files and IEPs. Comprehensive file reviews were conducted for six Vermont students. The students reviewed qualified under the disability categories of emotional disturbance, other health impairment and intellectual disability.

Review Findings

2228.2 - East Valley demonstrated the policies, procedures, staff training and resources to support students in the disability categories of; emotional disturbance (ED), specific learning disability (SLD), intellectual disability (ID), and other health impairment (OHI).

Note on Evidence

At the time of the review a student was enrolled outside of the approved disability categories. Supplementary materials provided (5/24/19) indicate a coordinated effort with the LEA and then subsequent application (6/13/19) for approval in the disability category of ID.

2228.3 - East Valley demonstrated that they have written policies and/or procedures in the areas of: (1) admissions, (2) least restrictive environment, (3) discipline, (4) graduation, (5) faculty qualifications, and (6) faculty-student ratios.

Note on Evidence

Evidence submitted 5/24/19 indicate that admissions documents have been amended to clarify East Valley's approval requirements and approved disability categories.

2228.3.1 – East Valley demonstrated evidence of minimum maintenance of (1) educational records, and coordination with LEA and parents through data and file review, (2) participation in evaluation and IEP procedures through IEP review, (3) implementation of IEPs through file review and progress reporting.

Note on Evidence

At the time of the review, East Valley did not provide a system that would allow the confirmation of IEP service delivery. Supplementary materials provided (5/24/19) documentation for the services present on reviewed IEPs.

In addition, East Valley committed to a new position title, Student Services Coordinator, to ensure that all services are met on an ongoing basis.

2228.3.2 - East Valley meets expectations regarding licensed staff. On the date of visit, the special education teacher was licensed by the Agency of Education.

2228.4 - The East Valley Academy demonstrated policies, procedures, and written agreements outlining tuition and establishment of the division of legal responsibilities with regards to students on IEPs.

Questions: Contact Chris Kane at chris.kane@vermont.gov