

AGENCY OF EDUCATION  
Barre, Vermont

**TEAM:** School Finance

**ITEM:** Will the State Board of Education grant renewal of general and special education independent school approval to serve students in grades 9-12, in the disability categories of Specific Learning Disability (SLD), Autism Spectrum Disorder (ASD), Emotional Disturbance (ED), and Other Health Impairment (OHI), to **Rock Point School**, Burlington, VT based upon the review by the Agency of Education and notification of continued New England Association of Schools and Colleges' (NEASC) accreditation?

**SECRETARY'S RECOMMENDED ACTION:**

**That the State Board of Education grants renewal of general and special education independent school approval to serve students in grades 9-12, in the disability categories of Specific Learning Disability (SLD), Autism Spectrum Disorder (ASD), Emotional Disturbance (ED), and Other Health Impairment (OHI), to Rock Point School, Burlington, VT based upon the review by the Agency of Education and notification of continued New England Association of Schools and Colleges' (NEASC) accreditation, for a term through June 2022; and**

**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. § 166 (b)  
State Board Rule 2228 et seq

**BACKGROUND INFORMATION:**

1. Rock Point School is a co-education day and boarding school. The mission of Rock Point School is to provide a small, supportive educational community for teenage girls and boys, where they can become successful students and learn skills for living in a community with peers and adults.
2. Rock Point School is accredited by the New England Association of Schools & Colleges (NEASC), which is an accrediting body recognized by the State Board of Education

pursuant to SBE rule #7320. Other than routine annual reports, the next major responsibility regarding accreditation will be the Five-Year Report due in 2023.

3. Rock Point School is currently approved in the disability categories of Specific Learning Disability (SLD), Autism Spectrum Disorder (ASD), Emotional Disturbance (ED), and Other Health Impairment (OHI).
4. NEASC, as part of its accreditation review, assessed financial capacity. Rock Point School has satisfied NEASC's requirements, and the Agency recommends that the State Board support NEASC's findings of adequate financial capacity for the purposes of State Board approval.
5. Rock Point School has a policy on the prevention and reporting of harassment, hazing, and bullying which is as stringent as the Agency's model policy.

# Independent School Special Education Review Report

**REPORT**

August 14,  
2018

**ROCK POINT SCHOOL**

**Submitted by  
Special Education Review Team**



## **Approval Recommendation**

Four year special education re-approval in the disability categories of: Autism Spectrum Disorder (ASD), Emotional Disturbance (ED), Other Health Impairment (OHI), and Specific Learning Disability (SLD).

## **Note on Approval:**

Rock Point has the staffing and expertise to support students in the above categories that are not in danger of harming themselves or others, and have no history of violence or safety concerns. Rock Point is not recommended as a placement for students with the above history.

In addition, the AOE recommends that Rock Point School ensure the implementation of the following prior to its next review:

- a) Consistent ongoing documentation system to confirm delivery of all IEP services. The documentation system should include:
  - a. Name of student
  - b. Service being provided
  - c. Service provider
  - d. Date of service
  - e. Time/length of service
- b) Implement agreement as to costs with Local Education Agency (LEA), signed and dated prior to the provision of services, that includes:
  - a. Amount of Tuition
  - b. Services Provided
  - c. Additional Costs
  - d. Services not included and descriptions of how/if those services might be obtained alternatively
  - e. Termination Clause
  - f. Signature
  - g. Date of Signature
  - h. Student Name
  - i. School and LEA Names

## **Rationale**

Based on the rules for Special Education Approval for Independent Schools, Rock Point School did not adequately meet expectations upon the visit date. The review found that data and documentation were missing to confirm service delivery, the agreement on file was missing information, and was not signed prior to delivery of services. Rock Point was given the opportunity to provide additional information by June 22, 2018 and requested an extension until July 11, 2018. Based on the July 11, 2018 post-visit submission from Rock Point School, the Agency of Education finds that corrective actions made in the short term have alleviated the concerns and therefore allows Rock Point School to continue serving students it is currently

approved to serve. The Agency will review the school in four years to ensure these recommendations are implemented systemically.

### **School Description**

Rock Point School currently serves students ages 14-19. The proposed admission criteria indicates service for: Autism Spectrum Disorder (ASD), specifically high functioning autism who are not in danger of harming themselves or others, have no history of violence that has not been addressed through therapeutic or psychiatric treatment, do not have safety concerns, have a recent and consistent history of non-violent and safe behaviors, and have cognitive functioning at or above average range; Emotional Disturbance (ED) who are not in a position to hurt themselves or others, who have no history of violence that has not been addressed through therapeutic or psychiatric treatment, do not have safety concerns, and have a recent and consistent history of non-violent and safe behaviors; Other health Impairment (OHI); and Specific Learning Disability (SLD) who are performing with skill gaps no greater than two grade levels from their current placement in no more than two academic areas. Currently, Rock Point School serves 28 students. There are four Vermont students, with one student having an IEP.

### **Review Description**

Agency of Education staff visited Rock Point School, located in Burlington, Vermont, on June 5, 2018. According to student records, there is one Vermont student receiving special education services at this time. During the visit, the Agency employees interviewed staff, toured facilities, observed staff/student interactions, and reviewed the student file and IEP. A file review was conducted for one student. The student reviewed qualified under the disability category of emotional disturbance.

### **Review Findings**

2228.1 – Rock Point School demonstrated the policies, procedures, and staff training to support students in the disability categories of Autism Spectrum Disorder (ASD), Emotional Disturbance (ED), Other Health Impairment (OHI), and Specific Learning Disability (SLD).

### **Note on Evidence:**

Rock Point has the staffing and expertise to support students in the above categories that are not in danger of harming themselves or others and have no history of violence or safety concerns, unless it has been addressed through therapeutic or psychiatric treatment.

2228.3 – Rock Point School demonstrated 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.

2228.3.1 – Rock Point School did not demonstrate sufficient evidence in all of the following: minimum maintenance of (1) educational records, and coordination with LEA, (2) participation in evaluation, and IEP procedures, (3) and implementation of IEPs.

### **Note on Evidence**

Based on a review of the one student file, documentation of schedules, staffing interviews, and the Tuition Agreement, all services listed on the IEP were unable to be confirmed, as no comprehensive documentation system existed as of the time of the visit (6/5/18). Post-visit submissions (7/11/18) included a plan to update their documentation of special education services. The updated data sheet contains all of the required information if completed by all service providers listed on the IEP, i.e., special educator, behavior interventionist, general education teacher, speech language pathologist, etc. and could be used on an ongoing basis.

2228.3.2 – Rock Point School meets expectations regarding licensed staff. The special education teacher was licensed by the Vermont Agency of Education.

2228.4 – Rock Point School did not demonstrate policies, procedures, and written agreements outlining tuition and establishment of the division of legal responsibilities for students on IEPs.

### **Note on Evidence**

Based on a review of one file, an agreement was present, but did not meet criteria for an Agreement as to Costs and was signed well after services started. There was no Non-Instructional Agreement present. The agreement was missing one or more of the following:

- a. Amount of tuition
- b. Services provided
- c. Additional costs
- d. Services not included and descriptions of how/if those services might be obtained alternatively
- e. Termination clause
- f. Signature
- g. Date of signature

In post-visit submission (7/11/18), there was a description of additional language for the Agreement, notably around the costs of services. There was no additional language regarding the termination clause. The Non-instructional agreement now outlines what services the LEA is paying the independent school for. The plan does not address how the Agreement as to Costs and Non-instructional agreement will be signed in a timely manner.

**Questions:** Contact Chris Kane at [chris.kane@vermont.gov](mailto:chris.kane@vermont.gov)

**FISCAL IMPLICATIONS:** none

### **STAFF AVAILABLE:**

Cassandra Ryan, Fiscal and Regulatory Compliance Coordinator