

AGENCY OF EDUCATION
Barre, Vermont

TEAM: School Finance

ITEM: Will the State Board of Education grant initial general and special education independent school approval, to serve youth in grades 6-12 in the disability categories of Autism Spectrum Disorder (ASD), Emotional Disturbance (ED), Other Health Impairment (OHI), Specific Learning Disability (SLD), and Traumatic Brain Injury (TBI), to **The Mill School**, Essex Jct., VT?

SECRETARY'S RECOMMENDED ACTION:

That the State Board of Education grants initial general and special education independent school approval, to serve youth in grades 6-12 in the disability categories of Autism Spectrum Disorder (ASD), Emotional Disturbance (ED), Other Health Impairment (OHI), Specific Learning Disability (SLD), and Traumatic Brain Injury (TBI), to The Mill School, Essex Jct., VT. This approval is for two years through June 30, 2021; 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. § 166 (b)

State Board Rule: 2228 et seq

1. An independent school may operate and provide elementary and 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. The Mill School is seeking initial general and special education independent school approval.
4. Upon receiving The Mill School application, the Secretary appointed a review committee to visit the school and make a recommendation as required by SBE Rule 2222. Because The Mill School is seeking approval to provide both general education and special education services, the recommendation consists of two separate reports.

5. Pursuant to State Board Rule 2227, the State Board may grant initial approval for a period of not more than two years.

FISCAL IMPLICATIONS: none

STAFF AVAILABLE:

Cassandra Ryan, Fiscal and Regulatory Compliance Coordinator

GENERAL EDUCATION REPORT

The Mill School is a subsidiary of Belvedere Health Services, LLC located in Albany, NY. Belvedere Academy was originally registered in Vermont by the Secretary of State on December 15, 2014. The Mill School is the only school operating as a Belvedere Academy. The Mill School was originally intended to operate at the site of a sawmill (hence the name) in Winooski. That plan was abandoned, however, because of zoning issues, as well as the prohibitive cost of renovation. The school is now located at 80 Pearl St. in Essex Junction, where a large space has been leased for ten years. The landlord is very supportive of the Mill School's occupying the space.

1. The school's educational philosophy is to "provide open, caring and proactive educational and vocational opportunities to young people who often struggle with the day-to-day necessities of life." "We are relentlessly optimistic."
2. The Mill School is applying for initial independent school approval from the State Board of Education.
3. Brian Morgan visited the Mill School on behalf of the Secretary of Education on November 1, 2018.
4. The school will occupy a large space on the ground floor of a larger office building. The space is mostly open but able to be sectioned by portable partitions. There are also two separate classrooms, an office, a project room, two bathrooms, and a kitchen. Should the need arise, the school could expand into the floor above that contains offices, and the lease of which will expire in the new year. The space is furnished and equipped and is ready to welcome the first students. The kitchen is large and students will be expected to participate actively in breakfast and lunch preparation. The walls are currently bare, but will soon be decorated with student art. The facility meets all state and federal health and safety regulations and is handicapped accessible. The Division of Fire Safety issued a Certificate of Occupancy for the facility.
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. The Mill School will serve students in grades 6 through 12. At full enrollment, the school will serve 20 students at the high school level and 10 students at the middle school level. The Mill School is co-educational and will serve

students who have been historically unsuccessful in public school settings. Students will not be separated by grade level, but rather by age, ability, and maturity into three multi-grade learning groups. The application includes a list of topics and skills for each grade level per core subject that illustrates a continuum of instruction and knowledge. Instruction will be primarily project-based, and each student will also be equipped with a Chromebook. All of the core academics will be taught by qualified Mill School staff and any online instruction, e.g. Kahn Academy, will be overseen and evaluated by school staff.

The central themes of all elements of the curriculum are identity construction, self-regulation, social competence, vocational skill development, and community engagement. The content of the curriculum is guided by the Vermont Framework of Standards and the Common Core. The curriculum is integrated across grade levels, from course to course, and embodies an interdisciplinary approach to all instruction. It is organized into two core elements: the Social Science Core, developed to integrate Language Arts, Social Studies, and Art; and The Science, Technology, Engineering, and Math (STEM) Core.

6. The school has the resources including financial capacity and qualified staff to meet its objectives.

The Mill School will be staffed by a school director, a VT licensed special educator, a STEM teacher, a social science teacher, a school clinician/community liaison, a transition/vocational coordinator, and a training and instructional coordinator. All the operations of the school will be overseen by the Chief Knowledge Officer, who is an experienced special educator and special education school director.

The Mill School provided evidence of financial capacity via a letter from Belvedere's accountant and auditor, Wojeski & Company CPAs, P.C., which states that Belvedere Academy has credit facility up to \$750,000. The proceeds of this credit are to be used for startup capital, furniture, fixtures, equipment, and renovations. The governing body of the school in a separate letter confirmed they have also invested approximately \$250,000 of in-kind expense in order to lay groundwork for the school. The Managing Member of the governing body stated, "The governing body is committed to the success of the school and will continue to support it financially to ensure its success."

7. The forms to be used for documenting student health and safety, attendance, and assessment were available for review. A process is in place to have regularly scheduled fire and evacuation drills.
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 prevention and reporting of harassment, hazing, and bullying that is as stringent as the Agency's model policy.
10. The staff of The Mill School has been working on opening preparations in great detail. The application for initial approval, as well as the thoughtful preparation for the GenEd visit are to be commended. This school should benefit greatly from the previous experience and dedication of its staff. This is a school that will never give up on any of its students; as the staff themselves say: they are "relentlessly optimistic."

I recommend The Mill School for an initial approval of two years.

Respectfully submitted,

Brian Morgan
11/2/18

Independent School

Special Education Review Report

REPORT

**November 29,
2018**

The Mill School

Submitted by
Special Education Review Team



Approval Recommendation

Two year initial special education approval in the disability categories of: autism spectrum disorder, emotional disturbance, other health impairment, specific learning disability, and traumatic brain injury.

Note on Approval:

The AOE recommends that The Mill School ensure 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

Rationale

On the date of the visit (11/27/18), The Mill School was missing a data and documentation system to confirm future Individualized Education Plan (IEP) service delivery. Based on post-visit submissions (11/29/18) from The Mill School, the Agency of Education finds that the submitted documentation alleviates documentation concerns and therefore issue an initial two-year approval for The Mill School. The Agency will review in two years to ensure these recommendations are implemented systemically.

School Description

The Mill School is seeking initial approval in the disability categories of: autism spectrum disorder, emotional disturbance, other health impairment, specific learning disability, and traumatic brain injury. The Mill School estimates full enrollment of approximately 30 students, though plans to start with an enrollment of seven. The school will serve students grades 6-12, the majority of whom will be served by an Individualized Education Plan (IEP).

Review Description

The Mill School, located in Essex Junction, Vermont, was visited by Agency of Education staff on November 26th, 2018. During the visit, Agency employees interviewed staff, toured facilities, and reviewed sample student files, policies, procedures and lesson plans.

Review Findings

2228.1 – The Mill School demonstrated the policies, procedures, and staff training to support students in the disability categories of; autism spectrum disorder, emotional disturbance, other health impairment, specific learning disability, and traumatic brain injury.

2228.3 – The Mill 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 – The Mill 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) implementation of IEPs.

Note on Evidence

At the time of the review the Mill School did not provide a system that would allow the confirmation of IEP service delivery. Supplementary materials provided (11/29/18) alleviate this concern.

2228.3.2 – The Mill School meets expectations regarding licensed staff. Special education teachers are licensed by the Agency of Education.

2228.4 – The Mill School 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 christopher.kane@vermont.gov

The Mill School response to the reports:

December 12, 2018

Dear Ms. Pallas Gray,

We were pleased to receive the recommendations for our two-year licensure as a middle school and high school, with additional approval to provide special education services.

We wholeheartedly accept these recommendations and respectfully request to move forward towards formal approval as soon as possible.

There are two points of clarification that we would like to make:

1. It is correct that we will start with approximately seven students, and, in a measured way, enroll additional pupils in a manner that will assure that we will maintain a high-quality program. The general education report correctly noted our full enrollment of an estimated 20 students in the high school and approximately 10 in the middle school, with a full enrollment of 30 students. However, there appears to be a typo in the special education report which incorrectly notes a full enrollment of 20.
2. The overwhelming majority of students will have IEPs and local districts have been informed that we will support students with IEPs, but the lack of an IEP is not exclusionary for the program.

If you believe that either of these points require any further explanation or effect the recommendations or the approval process please inform us so that we can respond in a thoughtful manner.

Please let us know when we can anticipate notification of our review before the Board of Education, so that we can be fully prepared for the review and to enroll students.

Thank you for your assistance and responsiveness.

We look forward to serving young people!

Sincerely,

Tim Feeney

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