

AGENCY OF EDUCATION  
Barre, Vermont

**TEAM:** School Finance

**ITEM:** Will the State Board of Education grant renewal of tutorial approval to the **Beckley Day Program** in So. Barre, VT, to serve a maximum of twelve students in grades K-6, who are having acute difficulties accessing their education in a mainstream environment?

**ACTING SECRETARY'S RECOMMENDED ACTION:**

That the State Board of Education grants renewal of tutorial approval to the Beckley Day Program in So. Barre, VT, to serve a maximum of twelve students in grades K-6, who are having acute difficulties accessing their education in a mainstream environment. This approval is for a two-year term through June 30, 2020.

That the tutorial program reports within five days to the Agency of Education whenever changes occur in the program's policies, facilities, staffing, and administration, during the period of approval.

**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. Beckley Day Program is seeking tutorial program renewal.
4. On behalf of the Secretary, Pat Pallas Gray and Ernie Wheeler visited the tutorial on March 19, 2018.
5. Beckley Day Program serves both males and females in grades K-6 in the tutorial program.

## Beckley Day Program Tutorial Review Reports

Beckley Day Program (BDP) is a short-term tutorial program available for students served or willing to be served by the Washington County Mental Health Services School Based Behavioral Interventionist Services Program (WCMHS SBBIS). The students are in grades K-6 and have acute difficulties accessing their education in a mainstream environment. Children served by the Beckley Day Program are typically students in need of extra support stabilization, and assessment. BDP offers them a supportive environment in which their social, emotional and educational needs can be assessed. As BDP is a transitional program for these students, the School Based Behavioral Interventionist Case Managers will work with sending schools to develop the necessary supports for the child to transition back to the most appropriate, least restrictive educational environment. Training specific to the youth's social and/or emotional needs will be provided to sending school personnel.

Beckley Day Program is one of several programs operated by Washington County Mental Health Services (WCMHS). WCMHS advocates the inclusion of individuals into their communities and actively encourages self-determination and recovery. Through WCMHS's various programs, they serve all individuals and families coping with the challenges of developmental disabilities and mental health by providing trauma informed services to support them as they achieve their highest potential and best possible quality of life. An eleven-member board that includes family members, peers, and community providers governs WCMHS.

BDP can support up to 12 youth, age appropriate for grades kindergarten to the 6<sup>th</sup> grade with no preference for gender, who meet the Act 264 criteria for a significant emotional and behavioral disorder. On the day of the onsite visit, there were nine youth enrolled. Referrals to BDP come from local school districts.

BDP is located on the first floor of the Washington County Children, Youth and Family Services building in South Barre. The tutorial program has three classroom spaces, one of which is used as a group meeting space, and a multipurpose activity room. There is a cafegymnasium available on the floor for physical education and indoor physical activities. Two timeout spaces are located within the main area of BDP and one is located across from the classroom and art room. The Program Coordinator and Special Education Coordinator have their own office spaces in the BDP main area. Children have a space to hang their belongings along the wall of the entry hall. There is a small reading nook available next to the bathroom spaces. BDP students also utilize the CHOICE Academy's library on the second floor of the building. The facility meets state and federal health and safety regulations, and is adequate to meet the needs of the tutorial program participants. A copy of the Certificate of Occupancy (CO) issued by the Division of Fire Safety is on file at the Agency.

Beckley Day Program provides 90-160 minutes of group academic instruction and 30-50 minutes of supported academic work time (community meeting, silent reading, station activities) daily. During group academic instruction a comprehensive elementary curriculum based on the Vermont Standards and Common Core is used that is accommodated to each child's needs through consultation with a VT licensed special educator. While BDP will provide support to students in K-6<sup>th</sup> grades, curricula are available to support children's needs before and beyond

these grade levels. Students are offered academics in reading, math, and writing daily at which time they complete assignments provided by their sending schools in an effort to “keep them current” to the work and themes being addressed in their mainstream setting. If the sending schools do not provide work and/or provide work that is not appropriate for the student’s academic functioning during their stay at BDP, the elementary educators develop targeted skills work to be completed during this time that is related to the goals identified in their IEPs. Student academic performance is measured using a daily grade sheet that tracks the following areas: time in class, engagement and effort, and work completion. Time in class reflects the amount of time a student attended class out of the total time that class was offered. Engagement and effort reflect the amount of effort the student put into academics for which they were present. Work completion reflects what assignments were offered and what the student completed. The student’s progress is represented as a percentage. This data is compiled every six weeks in a Progress Report that reflects students’ academic performance, specific academic skills addressed, and general classroom behavior. This report is made available to all team members of each student attending BDP.

The Director of Therapeutic Education/After School Services and the Director of School Based Behavioral Interventionists act as co-directors of BDP. Both share supervision responsibilities for the BDP Program Coordinator. The tutorial also has an educational instructor, special education coordinator, a special education coordinator intern, a Board Certified Behavioral Analyst (BCBA), school-based case manager/clinicians, and school-based behavioral interventionist. The Program Coordinator is primarily responsible for the day-to-day operation of the tutorial program. The elementary educator is responsible for coordinating the provision of educational services to all youth attending BDP. The Special Education Coordinator insures the provision of special education services to the students as described in a youth’s IEP through consultation to the BDP educational instructor and the sending school special education case manager. The behavioral consultant provides consultation to program clients and teams in the application of treatment methods based upon the principles of Applied Behavior Analysis. The school-based case manager/clinician is the mental health professional who develops and delivers ongoing community based assessment, treatment and supports for child and youth experiencing a severe emotional disturbance and their families. The behavioral interventionist is primarily responsible for the implementation of youth’s individual behavioral plans and other mental health related treatments as prescribed by the treatment team, as well as providing transportation to and from the program. There also is a VT licensed RN in the building.

BDP has policies and procedures in place to maintain the health and safety of its youth and staff. All staff is trained in Handle with Care Behavior Management techniques annually by qualified trainers to ensure the safe and efficient prevention and management of emergency situations. These procedures include de-escalation and prevention interventions, as well as physical management techniques to respond to situations where the student is at risk of harming themselves, someone else, or committing major property destruction. Other policies and procedures address immunization, hazing/harassment/bullying, medication administration, reporting child abuse, confidentiality illnesses, fire/lock down drills, and record confidentiality.

BDP’s calendar aligns as closely as possible to the calendars of districts it serves. In addition, a five-week summer program is provided focusing entirely upon treatment goals and funded

entirely by Washington County Mental Health. support for families during program breaks is coordinated by the Therapeutic Case Manager/Clinician.

Beckley Day Program provided a copy of WCMHS' independent auditor's report from Kittell Branagan & Sargent for the year ending June 30, 2017; and a balance sheet detailing income and expenses through May 31, 2018. WCMHS annually reports its rates for tuition, related services and room and board, if applicable, to the Secretary of Education for review. The rates that a tutorial program charges must be reasonably related to the actual costs of the services provided.

# Tutorial Program Review Report

**REPORT**

June 7, 2018

Beckley Day Program

Submitted by  
Special Education Review Team



## **Approval Recommendation**

Two-year tutorial approval for the Beckley Day Program (BDP) program in Barre is recommended. BDP is commended for its attention to detailed record keeping and correspondence with Local Education Agencies (LEAs). These efforts ensure students receive current classroom work and are provided credit within their LEAs for schoolwork completed while in temporary attendance at the BDP program.

## **Rationale**

Based on the rules for tutorial approval, BDP adequately met expectations because they have been appropriately providing special education supports and services to students with and without disabilities. The Agency finds that policies and procedures implemented by the BDP enable students to remain in good academic standing with their LEAs despite experiencing severe personal trauma and behavioral issues.

## **Tutorial Description**

The BDP is a short-term tutorial program available for students served by the School Based Behavior Intervention Services Program, in grades 1-6, that are having acute difficulties accessing their education in a mainstream environment. Children served by the BDP are typically students in need of extra support, stabilization, and assessment. Youth are offered a supportive environment in which their social, emotional and educational needs can be assessed and supported with the goal of transitioning the students back to the least restrictive mainstream educational environment in their local public school.

## **Review Description**

The BDP, located in Barre, Vermont, was visited by Agency of Education staff on 3/19/2018. During the visit, the Agency employee interviewed staff, toured facilities, observed staff/student interactions via a classroom observation and reviewed student files and Individualized Education Programs (IEPs) for students with disabilities. Comprehensive file reviews were conducted for the six Vermont students with disabilities (five male students, one female student) currently attending the tutorial program. At the time of this visit, three additional students without IEPs were also attending the tutorial program. The student files reviewed qualified for special education services under the disability categories of emotional disturbance, developmental delay and other health impairment. All student files were found to have up-to-date annual reviews for their IEPs and triennial reviews for special education eligibility.

## **Review Findings**

2230.3.1 – BDP provided evidence and it was observed that the methods of instruction are age and ability level appropriate to the students with a disability currently in attendance at the program and are coordinated with the student’s responsible LEA.

2230.3.2 – BDP has sufficient facilities and materials or access to other facilities and materials as necessary to provide an appropriate education.

2230.3.3 – BDP facilities and operation comply with local, state and federal requirements pertaining to the health and safety of students.

2230.3.4 – BDP employs an adequate number of professional staff for the population served and these staff members are qualified by training and experience in the areas in which they are assigned.

2230.3.5 – The BDP teacher providing or supervising the provision of special education has licensure and endorsement as required for the equivalent work in a Vermont public school.

2230.3.6 – BDP professional staff has relevant experience and/or training in the duties to which they are assigned.

2230.3.7 BDP maintains a register of the daily attendance of each of its pupils and reports this attendance to the LEA responsible for the student.

2230.3.8 BDP maintains an operating schedule that includes instruction for no less than 10 hours per week unless inconsistent with medical and/or educational recommendations. The operating schedule is sufficient to ensure that the instructional services address the individual needs of the students with disabilities and are consistent with the student's IEP.

2230.3.9 BDP has the financial capacity, through its connection to Washington County Mental Health, to carry out its educational purposes for the period of approval.

2230.3.10 BDP coordinates educational services with the responsible LEA, including documentation for the purpose of obtaining credit for any coursework completed. BDP also coordinates, where appropriate, with other responsible agencies, such as the Department for Children and Families, Community Mental Health Centers, and Family Parent Child Centers.

### **Notes on Evidence**

Based on a review of six IEPs, school documentation of schedules, staffing, and contract services, the AOE recommends that the following be corrected through the responsible LEA/IEP process:

- A. When a student with a disability attends the Beckley Day Program for more than 10 days, it is, by AOE guidance, considered a change of placement and this change must be documented in the student's IEP. The student's service page in such scenarios should also be revised to reflect the IEP services being provided during the time period. In two of the six files reviewed, the LEA responsible for the student's IEP development had not revised the student's IEP to document these changes.
- B. Where a special education service is being provided by a special education intern, the IEP must identify the specific title of the service provider. The service page must also document a time for the intern to be supervised by a licensed special education teacher in order for the intern to provide the special education service to the student. The BDP should inform the

sending LEA if the service to be offered to the student differs from the current IEP in terms of frequency, duration, location, or service provider. The LEA then must take appropriate steps to revise or amend the IEP through a documented agreement with the parent or by calling for a formal IEP meeting to discuss the proposed change.

**Questions:** Contact Ernest Wheeler at [ernest.wheeler@vermont.gov](mailto:ernest.wheeler@vermont.gov)

**FISCAL IMPLICATIONS:** none

**STAFF AVAILABLE:**

Cassandra Ryan, Fiscal and Regulatory Compliance Coordinator