

**AGENCY OF EDUCATION
Montpelier, Vermont**

TEAM: School Finance

ITEM: Will the State Board of Education grant an amendment to the general and special education independent school approval for Baird School in Burlington, VT, to enable the school to add an intensive special education program to its current offerings?

SECRETARY'S RECOMMENDED ACTION:

That the State Board of Education grants an amendment to the general and special education independent school approval for Baird School in Burlington, VT, to enable the school to add an intensive special education program to its current offerings for a term through June 30, 2022 to coincide with the school's current approval period.

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 Rules 2200, 2228 et seq

1. An independent school may operate and provide elementary and secondary education if it is approved 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. Baird School is seeking to add an intensive special education program. The intensive program will provide Baird staff, students, and families with an expanded menu of options for student enrollment, academic programming, and treatment options through

a continuum of care provided by Howard Center that includes Baird regular day program, and access to inclusion services if appropriate.

4. Baird School was last granted renewal of State Board approval on May 16, 2017 through June 30, 2022, to serve students ages 5-14, within the disability categories of Specific Learning Disability, Intellectual Disability (mild), Emotional Disturbance, Speech or Language Impairment, Other Health Impairment, and Autism Spectrum Disorder (high functioning).
5. Four sections of the new independent school rules took effect upon adoption on May 10, 2022. Those rule are: Rule 2223 (Procedure), Rule 2224 (Reciprocity), Rule 2226 (Application) and Rule 2227 (Approval). Baird School has provided a signed addendum attesting to meeting these new rules.

FISCAL IMPLICATIONS: none

STAFF AVAILABLE:

Cassandra Ryan, Director of Regulatory Compliance and Risk Management

Howard Center-Baird School Site Review – Amendment Request

Independent School Review Report General Education & Special Education

Site Review Conducted - October 21, 2021

Submitted by Independent School Review Team Member:

J. Deborah Ormsbee

Special Education Liaisons

Tracy Harris and Alex Langevin



Site Review Scope of Work and Purpose

This report will specifically address those program areas impacted by Baird's amendment request for the addition of an intensive program for high needs students. The amendment process does not necessitate a review of the entire Howard Center/Baird School program at this time, and agency personnel have requested additional assurances consistent with 2022 updates to Rule 2200 that will confirm all statutory and State Board Rule requirements have been met as well as ensure the program is in good standing regarding maintenance of approval requirements.

General Education

Members of the agency's Independent School and Special Education teams met with Baird School staff on Friday, October 22, 2021. Interviews were conducted at the Baird School located on Pine Street in Burlington. Baird is a designated agency school, one of several, approved independent schools operated by the Howard Center. Baird School personnel present for interviews were the education program director, a classroom teacher, clinical director, the licensed special educator, a behavior specialist, and several behavioral interventionists.

The school's program director submitted an amendment application seeking approval to add an intensive program for students, grades K- 8. Baird's intensive program was developed for students that require a higher level of social-emotional support as well as behavioral interventions to ensure greater access to academic programming.

School Philosophy and Educational Objectives

State Board of Education Rule 2225.2, 2225.5

The addition of an intensive program at Baird will not change the school's philosophy or stated educational objectives. If granted approval, to include an intensive program, the addition will provide Baird staff, students, and families with an expanded menu of options for student enrollment, academic programming, and treatment options through a continuum of care provided by Howard Center that includes Baird regular day program, and access to inclusion services if appropriate.

Visiting Agency of Education staff confirmed Baird School's educational objectives that included: differentiated instruction, project-based learning, Common Core curriculum, and utilization of Multi-Tiered Systems of Support. Imbedded in all areas of learning, for each Baird School program are trauma informed and social emotional practices as well as evidence-based behavioral interventions that provide additional support to close student achievement gaps. If approved, the addition of an intensive program would add community-based educational opportunities for students to provide intensive social, emotional, behavioral supports, life skills and independent living options, as well as focused individualized academic supports for completing education requirements specific to each student's individualized education plan.

School Enrollment

16 V.S.A. §166(b)(4), State Board of Education Rule 2225.3

Agency review of intake documentation in conjunction with staff interviews, confirmed that student enrollment is completed in compliance with SBE Rules and 16 V.S.A. Once approved, Baird's Intensive Program will follow Baird's regular day school calendar of 179 -181 days and will serve students identified, by both sending LEAs and Howard Center staff, in need of intensive services.

The Baird School's current State Board approved capacity is capped at 52 students, of which, twelve students have been identified as eligible for enrollment in the intensive program. Increasing student needs in areas of mental health treatment, significant behavioral challenges, special education services and differentiated high quality academic programs may require flexible enrollment capacity approval by the State Board of Education to ensure development of comprehensive and fluid academic and support services, per individualized education plans for eligible students.

Governance

State Board of Education Rule 2225.4

A thorough system for securing enrollment documentation exists and ensures confidentiality of referred student and family information. Additionally, student records comply with IDEA requirements for on-site storage, limiting personnel access to a per-need basis. The Howard Center has developed a model and established appropriate staffing levels to respond to fluctuations in student census of the intensive needs program. Baird School program director is in regular contact with AOE Independent School Team members regarding student enrollment, staffing and other required State Board, statutory and agency policy requirements.

Minimum Course of Study & Required Assessments

16 V.S.A. §166(b), State Board of Education Rule 2225.5

Baird day and the Intensive Program's K – 8 Minimum Course of Study (MCOs), is based upon Common Core State Standards, Proficiency Based Standards, and alignment with Multi-Tiered System of Support (MTSS). The Baird Program Director in collaboration with both the Education and Clinical Directors have developed and implemented a community-based education (CBE) curriculum for intensive needs students requiring extended 1:1 flexibility and differentiated multiple pathways to ensure a Free Appropriate Public Education (FAPE). The CBE option, available for eligible students, will provide students with a spectrum of services to equitably access academics, and meet graduation requirements while addressing imbedded treatment and special education support services student needs. Referrals to Baird's intensive program may be made through the local education association (LEA) or by Baird's regular day school staff and case management professionals, with decisions always made through the formal Individual Education Program (IEP) team process.

Instructional and support staff employ a variety of techniques for delivery of educational services that includes access to a traditional classroom environment, individualized student practice, one-on-one direct instruction, and community-based education programming, as

needed. Interviewed staff members indicated that current program practices utilize community partners to enrich and support life, job and social skills curriculums that include authentic assessments.

Baird's Intensive Program has been developed to provide students with a spectrum of options to effectively address social, emotional, behavioral, and mental health needs while allowing full access to academic programming. Intensive program students will attend regular day program classes, when able, including physical education, art, and electives in the same manner as Baird regular day program students.

Moreover, Baird staff will utilize, for intensive program students, the same effective, evidence-based, best practice instructional materials, curriculum(s) and research-based pedagogical methods including, authentic assessments to ensure student achievement. Academic programming is both rigorous and appropriately adapted to effectively address the academic, social/emotional, and behavioral needs of students.

Students in the Intensive Program will have access to licensed behavior specialists and well-trained behavioral interventionists who develop, implement, monitor, adjust, and make data-based decisions on evidence-based behavioral interventions designed to replace maladaptive patterns of behavior and teach/reinforce/generalize replacement and target behaviors.

There is a formalized plan in place for implementing and supporting state assessments. Students enrolled in both Baird's day program and the Intensive program will complete state assessments; however, testing will include student specific accommodations, per IEP requirements.

Intensive program courses and curriculum have been developed to include life skills and equal access to Baird School's Day program offerings for: physical education, nutrition, health, and wellness (drug, tobacco, and alcohol awareness), and the arts.

AOE site review team were able to access student files, individual learning plans and provided access to transition plan process in place for all Baird students. Day program students who have been identified as needing the intensive program, will be disenrolled from Baird regular day program and enrolled in the intensive services program and the same process will be followed for students who have successfully completed the program and are eligible for integration in the regular day program at Baird School. Transition team, plans and staffing for students and management of programming for academic, special education, treatment and behavioral transitions are thoughtful, comply with State Board Rules, statutory and IDEA requirements.

Professional Staff

State Board of Education Rule 2225.8

Staffing Safeguards:

Howard Center requires all instructional staff assigned to core area academic programs, hold a Vermont teacher's license in area of specialty. Special education teachers all hold a Vermont license. The Baird School program has a sufficient number of licensed special educators on staff to provide direct services and staff supervision at both the regular day and intensive-based programs. Intensive program and regular day program students will have access to the licensed

Speech and Language Pathologist, a contracted service provider for occupational therapy, a board-certified behavior analyst, and clinical service providers and access to other health agency programs as needed.

All members of the intensive and regular day program staff engage in annual professional development for therapeutic crisis intervention training, evidence-based behavioral interventions, special education, and content area development. It is particularly impressive that the Baird School also employs a math interventionist/coach and has had all teachers trained in a literacy program that will include on-site coaching.

It is an expectation of Howard Center that all staff remain current with professional licensure and continue professional knowledge in their service area, including para-educators and behavioral interventionists, as appropriate for each staff position. In addition to supporting external professional development opportunities, Baird School administrators provide whole staff training on relevant subjects including, but not limited to special education, trauma informed classroom management techniques, evidence-based behavioral interventions, core curriculum development and assessment implementation, student behavioral intervention and specialized case study reviews.

Staff curriculum vitae and professional development records are up-to-date and readily available for review. All staff files contain copies of annual evaluations which incorporate goal setting, identified areas in need of improvement, a list of staff strengths and professional achievements.

Staff engage in robust monthly staff meetings with mandatory attendance by classroom teachers, special education teachers, clinicians, behavior specialists, behavior interventionists, and case managers. Student progress is reviewed as well as academic assessments, behavioral and treatment programming. Staff meeting schedules include bi-weekly progress meetings to specifically address student needs, review academic progress data, and to determine if additional treatment services are required to ensure student success. A progressive, consistent, and well-developed program of school to home case management, for both the day program and intensive program students will ensure academic and treatment success of all Baird students as well as provide continuity of case management services between the two programs.

Each member of the staff interviewed, were able to articulate effective processes for adapting curriculum to meet individualized student IEP goals and social/emotional/behavioral objectives. Effective methods for providing direct instruction in traditional class setting, small groups or as part of intensive one-on-one programming is leveraged daily and aligned with student IEPs and treatment plans.

Mandatory Reporting Procedures:

The Baird School implemented and published mandatory reporting procedures and expectations in the handbook. Included in the policy are provisions for reporting child abuse and the circumstances in which a case must be reported to school administrators and appropriate authorities. Staff participate in required annual refreshers regarding Howard Center's policy on mandatory reporting.

Furthermore, Baird's handbook references situations in which specific types of conduct, and interactions with students are cited in Vermont law, as well as outlines school policies for disseminating mandatory reporting policies and training schedule.

Additionally, the school prohibits photographing or video recording of any child without express written consent from designated guardian or primary family member.

Facilities

State Board of Education Rule 2225.6

Baird's Intensive Program students will share classrooms, individualized classroom spaces, sensory rooms, cafeteria, gymnasium, and other required program spaces including outdoor green spaces with regular day program students.

There is sufficient space to maintain robust academic, behavioral, mental health treatment and support services for students in each program and required staff members. At this time Baird School meets all facility requirement and has provided the Agency of Education with a certificate of occupancy as required.

Health and Safety

Emergency Services:

Each month all occupants of the building practice fire and emergency safety evacuation protocols. A plan is in place to work with Burlington Police Department to develop lock-down and shelter in place protocols.

All staff members are trained annually in CPR and First Aid with specific emphasis on immediate response to student crisis and injury, as well as regular medical interventions.

Proper protocols are in place for ensuring compliance with blood borne pathogen and disposal of sharps. Parents, guardians, or custodial adults will be informed of health, medical and program safety protocols, procedures and annually provided with a copy of all program policies.

Nursing Services, Medications and Immunization Records:

Baird School programs have regular access to a licensed nurse to address student medical needs. Designated staff members are trained in proper dispensing of student medications, maintaining a medication administration record of information and for keeping the medication in a locked cabinet. Student immunization records are contained in a secure, confidential locked filing system and the files are up to date.

Harassment, Hazing and Bullying Policies

The Baird School has developed strong anti-bullying, anti-hazing and anti-harassment policies and corresponding procedures annually reviewed by all staff. The policy aligns with State Board of Education and AOE policy requirements. All staff receive professional development that ensures proper management of student educational spaces and staff offices. Therapeutic

Crisis Intervention programming is offered, on-site by a certified professional, to all staff during each August in-service. Moreover, current safety programs offered include proper implementation of restraint and seclusion best practices and utilized rarely. The behavioral management and treatment programming prove to be more effective for students at Baird.

All staff members are trained annually on a variety of treatment, academic and social/emotional/behavioral programming and have a thorough understanding of the required strength-based approach toward discipline of children and youth who have varying degrees of adverse childhood experiences, and complex trauma. All training is completed taking into consideration IEPs and personal learning plan objectives.

Baird's safety plans, policies and expectations are included in family handbook and available for LEAs and provided to families during student enrollment.

Financial Capacity

Howard Center's CFO sent a required financial documentation that included a letter from the Board of Directors affirming it has required capital to fulfill its stated objectives. A copy of the school's 990 and a balance sheet was also provided.

Special Education Report

State Board of Education Rule	HOWARD Center- The Baird School
<p><u>2228.1: Essential Special Education Supports</u></p> <p>Ability to provide specialized instruction</p> <p>Provide structured daily schedules</p> <p>Training to differentiate, accommodate, modify curriculum and setting, specific to needs</p> <p>Student participation in peer groupings</p> <p>Facility modifications based on needs of the population</p> <p>Access to related services when necessary</p> <p>Assistive technology as appropriate</p> <p>Support in communication for students on ASD as needed</p> <p>Behavioral support: access to BCBA or similarly trained behavior personnel</p> <p>Sensory-based supports</p> <p>Motor planning support as necessary</p> <p>Social skills support</p> <p>Counseling support: clinical/trauma informed staff</p>	<p>Yes – superior ability, with incredible amounts of staff-wide professional development and embedded instructional coaches for math and literacy</p> <p>Schedules were very clear, structured and met IEP goals for each student.</p> <p>Baird School special education and general education teachers, and instructional support staff are all required to attend annual professional development as well as engage in bi-weekly team meetings to review and implement appropriate programs for each student.</p> <p>Each intensive-based program student will have efficient access to peer groupings to ensure access to academic and support programs.</p> <p>Baird School’s facility modifications are exceptional and careful consideration for each student is made through team process.</p> <p>Intensive needs student who will require additional related services, such as access to speech language pathologist, occupational therapist, specialized mental health services or require extensive behavioral specialists are on staff and part of Howard Center’s continuum of care services.</p> <p>Howard Center staff, in general, and all Baird regular day and intensive needs program are trained annually to provide Autism Spectrum Disorder programing. Assistive technology, as required, is available to ensure students can successfully access education programs.</p> <p>The Baird School day and intensive programs have developed and implemented exceptional access to evidence-based behavioral supports in and outside of classrooms for all students, as needed.</p> <p>Additionally, to sensory-based spaces and activities, tools, etc. are well organized, easy for students to access and fully integrated as an option for classroom management. Students have access to a wide variety of sensory interventions throughout the day.</p> <p>Physical education classes are led by licensed P.E. teachers and are certified in adaptive PE. Adaptive P.E.</p>

State Board of Education Rule	HOWARD Center- The Baird School
	<p>equipment is available for all students who require equipment to access physical fitness or require movement breaks.</p> <p>Social skills, self-soothing strategies and behavior management learning opportunities are provided as both a specific class and imbedded in all academic/program settings.</p> <p>There are a sufficient number of high quality licensed clinical staff to support both the Baird regular day program and Intensive program, once approved by the State Board.</p>
<p><u>2228.2: Approved for category of disabilities</u></p> <p>All students receiving sped services must be eligible under the disability categories for which school is approved</p>	<p>The Baird School’s proposed Intensive Day program is seeking approval for:</p> <ul style="list-style-type: none"> • Autism Spectrum Disorders- ASD • Developmental Delays- DD • Intellectual Disability - ID • Other Health Impairment- OHI • Speech & Language Development- SLD • Specific Learning Impairment- SLI <p>The Baird School has appropriate number of high-quality staff to provide services in all requested categories for both programs.</p>
<p><u>2228.3: Maintenance and implementation of written policies and procedures for:</u></p> <p><u>Admissions</u> (entrance/exit process; non-discrimination language ; special educator on admissions committee</p> <p><u>LRE</u> (indication that the school is on a continuum of placement options and that placement decision for student is made by IEP team and sending LEA, with the intention of returning the student to a</p>	<p>All of Howard Center’s Baird School policies are thorough, well organized and stored in both physical and confidential digital files.</p> <p>Employee and Parent & Family Handbooks include policy descriptions for:</p> <ul style="list-style-type: none"> • Admissions • Discipline • Academic Programing • Hazing, Harassment and Bullying • Safety Protocols & Policies • Mandatory Reporting information • Other relevant information as required. <p>Since Baird School is for students K-8, graduation requirements are not applicable. However, Baird School administrators have robust policies and protocols for student transition between grades, between programs</p>

State Board of Education Rule	HOWARD Center- The Baird School
<p>less restrictive environment)</p> <p><u>Discipline</u> (all due process considerations followed; 4500 followed, documented, reported as necessary)</p> <p><u>Graduation</u> (indication that indie school will meet diploma, secondary transition plans, and PBGR requirements)</p> <p><u>Faculty Qualifications</u> meet state qualification for established roles; training under 4500; appropriate on-boarding and continued professional development</p> <p><u>Faculty: Student Ratios</u> (K-3 fewer than 20 students per teacher; 4-12 fewer than 25 students per teacher)</p>	<p>(Reg Day program, intensive or inclusions programming). Policies are available upon request and include detailed information for returning students to public schools.</p> <p>Not applicable—Baird students (K – 8) are provided with grade level academic programming and assessments.</p> <p>All of the Baird staff are trained on 4500 restraints and seclusion appropriateness and requirements. Baird’s policy is to utilize Therapeutic Crisis Intervention (TCI) as preferred method of student de-escalation.</p> <p>Baird Regular Day Program and what will be Intensive Day Program are appropriately staffed for each grade level including appropriate number of licensed special educators, clinical treatment, and behavioral staff. All general ed teachers are required to hold a Vermont teacher’s license.</p>
<p><u>2228.3: Coordinate with sending school, responsible agencies, parents regarding educational records, evaluations, IEPs, transition planning, change of placement</u></p> <p>Current IEP</p> <p>Most recent comp eval</p> <p>Current behavior plan if applicable</p> <p>Documentation of communications and meetings</p> <p>Progress reporting</p>	<p>Current IEPs, initially written by LEA Special Educators are implemented with fidelity by Baird School staff. Baird School staff, part of each student’s IEP Team provide regular progress to placing LEAs and participate in all required meetings. Not all IEPs written by placing LEAs included or addressed common core goal areas or grade level standards. Work is currently underway, by Baird’s Education Director, to work with placing LEAs regarding common core goals and student IEPs.</p> <p>Baird School’s student behavior plans are written to align with the most recent functional behavioral assessment and as directed by IEP/treatment team reviews. Certified behavioral analysts create and oversee the implementation of individualized behavior plans and make data-based decisions to modify these plans as needed. Data is kept, analyzed, and shared with staff, students, families, LEAs and all members of students’ IEP teams on a regular basis.</p>

State Board of Education Rule	HOWARD Center- The Baird School
<p>Evidence of data collection regarding provision of services</p> <p>Education and non-instructional agreement with LEA</p> <p>Medication prescriptions if applicable</p> <p>Access log</p>	<p>All students have exceptionally thoughtful and well-written Individualized Crisis Management Plans; Behavior interventionist are assigned to every class and to each student enrolled in intensive program; 1:1 programing provided for each student in intensive program</p> <p>It is the policy of both Howard Center and The Baird School to collect extensive qualitative and quantitative data to monitor each student’s academic, behavioral, and treatment progress. Documentation of data is regularly available and included as part of each student’s confidential file.</p> <p>Data collection and evidence of provision of specialized instruction is thoroughly detailed in student files to document progress and to inform academic, behavioral, and treatment program planning.</p>

Approval Recommendation

The Agency of Education’s Independent and Special Education review teams recommend approval to add an intensive program to the current Baird School program offerings, at The Howard Center. Approval is recommended for a term of up to five years, to run concurrent with the approval cycle of Baird School, which is due for renewal in FY22. The addition of this program will provide students and their families, in need of specialized and intensive program supports, with greater access to high quality special and general education opportunities as well as evidence-based behavioral interventions and effective treatment case management services. Students enrolling in Baird’s Intensive Day Program will have a greater chance of developing skills necessary for returning to public schools.