

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 a maximum of 12 male and female students in grades 6-12, within the disability categories of Intellectual Disability, Emotional Disturbance, Other Health Impairment, Autism Spectrum Disorder and Traumatic Brain Injury, to **Stone Path Academy**, Moretown, VT?

SECRETARY'S RECOMMENDED ACTION:

That the State Board of Education grants renewal of general and special education independent school approval, to serve a maximum of 12 male and female students in grades 6-12, within the disability categories of Intellectual Disability, Emotional Disturbance, Other Health Impairment, Autism Spectrum Disorder and Traumatic Brain Injury, to Stone Path Academy, Moretown, VT, for a term through June 30, 2020; 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 process.

STATUTORY AUTHORITY: Title 16 V.S.A. § 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. Stone Path Academy is seeking renewal of approval to serve student's in the disability areas of ASD, ED, ID, OHI, and TBI simultaneously with renewal of approval to provide general education. Stone Path Academy is applying to extend its approval to serve up to 12 FTE students in grades 6-12. Stone Path Academy's current approval is for 10 FTE students in grades 7-12.

4. Upon receiving Stone Path Academy's applications, the Secretary appointed a review committee to visit the school and make a recommendation as required by SBE Rule 2222. Because Stone Path Academy was seeking renewal of approval to provide both general education and special education services, the recommendation consists of two separate reports.

General Education Report

Stone Path Academy is an independent LLC day facility that provides educational, therapeutic, and reintegration services for up to 10 (FTE) male and female students in Grades 7-12. It is applying to extend its license to include students in Grade 6 for a total enrollment of 12 (FTE) students. The program was founded in 2012 at the residence of the current Executive Director, and subsequently moved to its current facility in Moretown, VT. At first the Moretown property was leased, but in August, 2017 the Executive Director Alan Faircloth purchased the property.

1. The school's educational philosophy is to provide educational services in a therapeutic environment for teenagers and young adults with emotional/behavioral disabilities. Stone Path Academy provides its students with a coercion free, personalized learning environment.
2. The State Board of Education granted initial independent school approval to Stone Path Academy on August 23, 2016 for two years through June 30, 2018.
3. Stone Path Academy was visited on behalf of the Secretary by Brian Morgan on May, 29, 2018.
4. The school occupies two buildings on 5-7 acres on Rte 100b in Moretown, VT. The original farmhouse dates back to 1838, but has been enlarged and renovated over time, and includes a kitchen and dining area, as well as an art room and three medium sized rooms for quiet instruction either individually or in small groups.

A large converted barn provides instructional spaces for Science, Math, English, Social Studies, Communications and Digital Media. It also contains two administrative offices, one of which also serves as a conference room. There are also two large activity spaces and two sensory spaces for students. All these rooms are on one floor and contain a variety of friendly frogs, guinea pigs, fish, and even a very sociable snake. A third building is in the planning stage. Upon completion, ideally before winter, it will include a wood shop, an auto repair shop, a greenhouse, and a small animal space for a goat or two.

The property includes a wooded hillside, vegetable gardens, and a chicken coop and pen. The school has a variety of vehicles, including a tractor. 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. While the school provides a Common Core State Standards based curriculum, it is deliberately individualized to cater to a broad range of student needs and various levels of PTSD. The educational program is overseen by an extremely experienced and qualified Educational Director. The school is gradually moving towards a quarterly, theme based program, whereby the theme will integrate the various academic disciplines as the subject matter will approach the theme in its own distinctive way.

All students come with an IEP and Stone Path works closely with sending LEAs to devise and implement IEPs as needed. Occasionally a student will be able to re-integrate into a sending school, but most will integrate into workforce programs or on-the-job learning environments. Stone Path uses a holistic team approach to educate students, which is very effective.

6. The school has the resources including financial capacity and qualified staff to meet its objectives. A review of staff CV's reveals that the staff is highly qualified and well trained to accomplish the goal and objectives of Stone Path Academy. Professional development for staff is a priority and staff interviewed expressed pride and fulfillment in their vocation. Strategic Self-Regulation Therapy (SSRT) is a highly individualized intervention that seeks to address student needs in an adaptive and interactive way. All staff are encouraged to use the techniques whenever dealing with students to provide a broad and constant approach to remediation. Beyond psychological interventions, the academics of the program are equally important. This visitor witnessed students working on math, reading, and even robotics. While these students have been damaged in a variety of ways, their innate intelligence cannot be denied.

The school adheres to a strict budget, which is pleasing to the CPA at MGV Associates. The CPA attests to the fact that the school's cash balances are substantial and that the school is running smoothly and profitably.

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 prevention of harassment of students that is as stringent as the Agency's model policy.

In summary, the General Education Program at Stone Path Academy is solid. The youngsters there are well-served with compassion and understanding of their needs. Teachers and Behavior Interventionists together make the learning enjoyable and relevant. Students

gradually build their self-esteem and self-confidence and do so joyfully. The vibe of Stone Path Academy speaks for itself.

Respectfully submitted, Brian Morgan

Independent School Special Education Review Report

REPORT
June 20, 2018

STONE PATH ACADEMY

Submitted by
Special Education Review Team



Approval Recommendation

Two year special education re-approval in the disability categories of: autism spectrum disorder (ASD), emotional disturbance (ED), intellectual disability (ID), other health impaired (OHI), and traumatic brain injury (TBI).

In addition, the AOE recommends that Stone Path Academy ensure the implementation of the following prior to its next review:

- a) An updated application and intake process to ensure that Stone Path Academy does not accept students who qualify under an alternate disability category than those Stone Path Academy is approved to serve.
- b) 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
- c) Documentation and reporting system to confirm progress on IEP goals
- d) Educational Agreement 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 alternately
 - e. Termination clause
 - f. Signature
 - g. Date of Signature
- e) Non-Instructional Agreement initiated with LEA within 30 days of enrollment and provision of IEP services

Rationale

Based on the rules for Special Education Approval for Independent Schools, Stone Path Academy did not adequately meet expectations upon the visit date. The review found that data and documentation were missing to confirm service delivery and progress reporting, non-instructional agreements were unsigned and undated, educational agreements were not present and a student was being served outside of the approved disability categories. Based on the May 14, 2018 post-visit submission from Stone Path Academy, the Agency of Education finds that corrective actions made in the short term can ameliorate the concerns and therefore allow Stone Path Academy to continue serving students it is currently approved to serve. The Agency will review the school in two years to ensure these recommendations are implemented systemically.

School Description

Stone Path Academy accepts students ages 12-22, whose primary disability is one of the following: autism spectrum disorder (ASD), emotional disturbance (ED), intellectual disability (ID), other health impaired (OHI), and traumatic brain injury (TBI), and who present severe difficulties with self-regulation and developmental disabilities. Currently, Stone Path Academy serves 11 students: full time status equals 9.8. Two students are in grade 7, one in grade 8, two in grade 9, three in grade 10, one in grade 11, and two in grade 12. Six students are male and five students are female. Students currently live in the school districts of Barre, Colchester, Milton, Washington Central, Washington South, and Washington West. Ten students have IEPs and one has a 504 plan.

Review Description

Stone Path Academy, located in Moretown, Vermont, was visited by Agency of Education staff on 4/26/2018. According to student records, there are 10 students receiving special education services at this school. During the visit, the Agency employees interviewed staff, toured facilities, observed staff/student interactions, and reviewed student files and IEPs. File reviews were conducted for seven students. The students reviewed qualified under the disability categories of autism spectrum disorder, emotional disturbance, speech and language impairment and other health impairment.

Review Findings

2228.1 – Stone Path Academy demonstrated the policies, procedures, and staff training to support students in the disability categories of: autism spectrum disorder (ASD), emotional disturbance (ED), intellectual disability (ID), other health impaired (OHI), and traumatic brain injury (TBI).

Note on Evidence

Special education services provided to a student who qualifies under the disability category of Speech and Language Impairment places Stone Path out of compliance.

2228.3 – Stone Path Academy 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 – Stone Path Academy 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 seven student files, school documentation of schedules, staffing interviews, and Non-Instructional Agreements, all services listed on IEPs were unable to be confirmed as no comprehensive documentation system existed as of the time of the visit (4/26/18). Post-visit submissions (5/14/18) included a student schedule with IEP objectives for

the quarter, staff schedule with times indicating when IEP services may be provided, a student engagement log, and a data sheet for documentation of special education services. The student schedules demonstrated where IEP goals are being implemented, but did not demonstrate the delivery of all IEP services, i.e., case management, behavior support consultation, counseling, 1:1 support, transportation, etc. One schedule form attempted to coordinate student (submission 1A) and staff schedule (1B and 1C), however there was not enough detail to determine the delivery of services. It should also be noted that the student specific schedule contained many blank times with no description as to what is provided to the student at that time. The second documentation system (1D) indicated date, service provided, duration, provider, student name, and notes. This 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 – Stone Path Academy meets expectations regarding licensed staff. Special education teachers were licensed by the Agency of Education.

2228.4 – Stone Path Academy did not demonstrate policies, procedures, and written agreements outlining tuition and establishment of the division of legal responsibilities with regards to students on IEPs.

Note on Evidence

Based on a review of four files, a Non-Instructional Agreement was present, but unsigned in two cases, and no Agreement as to Costs existed. The filed agreements with the LEAs were missing:

1. Amount of Tuition
2. Services provided
3. Additional Costs
4. Services not included
5. Termination Clause
6. Date of Signature

Stone Path Academy's original application for approval also included Excess Costs agreements, which are reportedly used for services above and beyond tuition, though it should be noted none of the student files reviewed had such an agreement in place.

In post-visit submission (5/14/18), the agreement was updated to include a tuition amount, date of signature, and termination clause. Also included in the submission was the Excess Costs agreement, but no stated language identified when or how this agreement is used, or what costs and services may be defined as "excess costs."

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

FISCAL IMPLICATIONS: none

STAFF AVAILABLE:

Cassandra Ryan, Fiscal and Regulatory Compliance Coordinator