

AGENCY OF EDUCATION
Barre, Vermont

TEAM: School Finance

ITEM: Will the State Board of Education grant initial tutorial approval to **the Vermont Assessment Center at Newbury (VACN)** in Wells River, VT to serve a maximum of eight male youth ages 11-18?

SECRETARY'S RECOMMENDED ACTION:

That the State Board of Education grants initial tutorial approval to the Vermont Assessment Center at Newbury (VACN) in Wells River, VT to serve a maximum of eight male youth ages 11-18. This approval is for a period of two years 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 programs, policies, facilities, financial capacity, staffing or administration during the approval period.

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. Vermont Assessment Center at Newbury (VACN) is seeking initial tutorial program approval to serve a maximum of eight male youth ages 11-18. The goal of the program is to complete a comprehensive assessment in order to assist local teams in identifying the

youth's needs and to provide support in order to return and maintain the youth in the community.

4. On behalf of the Secretary, Pat Pallas Gray and Kristine Seipel visited the site where the tutorial will operate on November 30, 2018. An AOE special education staff member provided consultation to the visiting team. On the day of the visit there were five assessment youth and two stabilization youth residing at Newbury House. All the youth were enrolled full-time at Connecticut River Academy, which is an approved independent school.

Vermont Assessment Center of Newbury's Review Report

In August 2016, the Department for Children and Families (DCF) and the Department of Mental Health (DMH) updated and re-released a Request for Proposal (RFP) seeking to create a short-term residential assessment program to serve male youth. This short-term program was to serve delinquent and non-delinquent youth, who may be in the custody of the state. Educational services in the 90-day program, 60 days for assessment and 30 days for transition, would be provided through a tutorial program. Youth would be referred to the tutorial by DCF or DMH after receiving review and clearance by the Agency of Human Services' (AHS) Case Review Committee.

Becket Family of Services was the only entity to respond to the RFP. In May of 2018, the Executive Director of Becket's Vermont Support and Stabilization (VTSS), met with AHS's Case Review Committee about an opening date for the Vermont Assessment Center at Newbury (VACN). The Executive Director of VTSS then contacted the Agency of Education about initiating the process for State Board of Education's tutorial approval.

VACN will be a new, year-round program offering under Becket's Vermont Permanency Institute, Inc. (VPI) and will be governed by a part-time Executive Director and a full-time licensed Clinical Director. This Clinical Director will oversee the daily functions of the Assessment Clinician, Residential Manager, the Tutorial Program Manager/Special Educator, the two General Education Teachers and a Behavioral Interventionist.

VT youth will be placed at VACN in one of two ways, both of which involve being state placed. The structure of the admissions process will be to provide a minimum of six beds for youth the State of Vermont (DCF and DMH) deems appropriate to have an assessment and these youth would require Case Review Committee (CRC) approval. These six youth could have an IEP or not. The Intake Team at VACN will review all referrals to determine if VACN is able to serve the youth based upon the youth's diagnosis or specific needs. It is expected that all youth will have an individual crisis plan. If available, two beds are able to be utilized by DCF for stabilization, meaning these youth can be placed at VACN without CRC approval. Stabilization placed youth will have a maximum stay of 21 days. By design, the CRC process will need to be completed during the 21-day stay for stabilization with the likelihood that the youth would then be placed at VACN for assessment space permitting.

VACN is licensed by the Division for Children and Families (DCF). The original licensure capacity from DCF for Newbury House was reduced from 12 to 8 youth. The reduction was in response to VPI's changing its program from long-term residential care to providing a 90-day Assessment Program at the request of the State of Vermont. VACN has a contract with the State of Vermont for the placement of male youth ages 11-18.

The tutorial program's physical space will be located on the bottom floor of Newbury House. There are two classrooms, and they will include individual workstations for each tutorial participant. The workstations will be built to provide enough work spaces for a student to utilize a laptop and have space to also work on other assigned academic tasks. The remaining spaces will have tables set up for additional spaces that faculty and students can utilize for tutorial tasks. An adjacent room will have four offices and a common area with a small conference table and chairs. These offices will be assigned to the Tutorial Program Manager/Special Educator and teaching faculty. With the assessment program, there may be times when educational assessments are required to be completed and these areas will provide more private and quiet spaces. Newbury House will not be able to serve students who are physically challenged because of the multi-levels for residential, academic, and living purposes. The program does not intend to use any other facilities other than Newbury House for VACN. A Certificate of Occupancy (CO) issued by the Division of Fire Safety is on file at the Agency of Education. If changes are made to Newbury House, the facility will need to request another inspection by the Division of Fire Safety. Newbury House was formerly used for the residential, state-placed students, who attended Connecticut River Academy (CRA).

All youth will be provided a minimum of 15 hours per week of academics in the tutorial program. The academics will be provided by two general education teachers, who are qualified to teach math/science and English/social studies, and a Tutorial Program Manager/VT licensed special educator. Resumes and licenses, if applicable, will be submitted for all new staff as they are hired. A school nurse, who is shared by two other local programs in the area, is available to consult on medication dispensing and to assess illness as needed. All staff members are mandated reporters, must be trained in CPR and first aid, and complete training on Crisis Prevention Institute (CPI)—a non-violence crisis intervention.

The Tutorial Program Manager/Special Educator will contact each LEA/school district to assure that the tutorial services in each core class are coordinated with the coursework the youth was participating in during their most recent placement. The program is planning on using PLATO online curricula for credit recovery purposes if needed, and Connecticut River Academy's curriculum, which includes the learning experiences in the fields outlined pursuant to 16 V.S.A. § 906. In addition, they will use life-centered career education programming to encompass the domains of daily living skills, interpersonal skills, and employability. VACN will provide reports specific to the youth's progress in the core classes, including any recommended .25 credit earned. This information will be reported in the VACN monthly progress report and in the individual treatment plan.

The admissions/intake process system clearly outlines the process to be implemented to determine if the youth is currently on an IEP. Another part of the process is to determine immediately if the youth has a diagnosis or specific services requirements that VACN cannot accommodate. The Tutorial Program Manager/Special Educator will be responsible for the creation, monitoring and modifying of the special education services schedule. This will be an evolving document given the nature of VACN being a 90-day program with constant admissions and discharges, which require the schedule to be updated frequently. This schedule will capture when all required special education and related services are scheduled to be provided.

A weekly compliance system is designed to provide concrete, weekly system to track compliance with the provision of required special education services for each youth assigned to the special educator. This system will require that the special educator complete a weekly compliance report form specific to their assigned youth that identifies whether they provided required special education services as outlined in the IEP. This report will be due every Friday. The completed forms are filed electronically in a special education compliance portfolio and are filed in the student's special education file.

IEP portfolios are designed to provide evidence of the specialized services, per IEP goal. The special educator is required to create goal-tracking sheets for each IEP goal/objective, provide work samples when appropriate, and calculate data on the goal tracking sheets per goal/objective. This is strategically designed to assure goals/objectives are measurable, that special educators are intimately aware of each goal/objective, the general and special educators are providing work specific to each goal/objective with evidence of the work, and that each goal/objective has data associated with it.

VACN has written policies on intake, assessment and treatment planning protocol, student conduct and discipline, behavior management and physical intervention, and administrative discipline procedures. VACN also has a written policy for significant change or placement.

Vermont Assessment Center at Newbury was approved by DCF following the submission of an RFP outlining proposed costs that by the terms of the RFP were subject to rate setting approval. This led to a budget being submitted to the Agency of Human Services (AHS) based on the approved rate-setting forms provided to have a Private, Non-Medical Institute (PNMI) rate set. Through this process an interim rate for treatment, room and board, and education costs are determined. Ultimate costs are determined following time studies, which will be adjusted to final rates based on said studies. Tutorial expenses are presented in the education section of the PNMI rate setting forms. Certain facility and shared management costs are presented in the education portion of the budget. The budget presented shows a proposal to staff the tutorial based on an assumption of eight students with three staff, including a special educator and two teachers. VPI provided a June 2018 balance sheet to AHS reflecting a \$2.2 million in net assets to demonstrate solvency.

FISCAL IMPLICATIONS: none

STAFF AVAILABLE:

Cassandra Ryan, Fiscal and Regulatory Compliance Coordinator

Response received from VACN on January 18, 2019:

This looks great Pat. Everything is accurate with one exception. In paragraph 8 the last sentence states "weekly reports". After consulting Vermont Licensing we discovered we are not required to complete weekly reports so we are now providing monthly progress reports. I hope this is not a concern.

Other than that it is exactly how I want it structured.

Have a great weekend. I look forward to hearing whether we can be on the February agenda.
Steve

Steve Lussier
Executive Director
Vermont Support & Stabilization (VTSS)
Cell: (603) 727-6867
Fax: (802) 424-1330

