

AGENCY OF EDUCATION
Barre, Vermont

TEAM: School Finance

ITEM: Will the State Board of Education grant general and special education independent school approval to serve a maximum of 18 students in grades K-12, within the disability areas of Autism Spectrum Disorder (ASD), Developmental Delay (DD), Emotional Disturbance (ED), Other Health Impairment (OHI), and Specific Learning Disability (SLD) to East Meadow School in Morrisville, VT?

SECRETARY'S RECOMMENDED ACTION:

That the State Board of Education grants general and special education independent school approval to serve a maximum of 18 students in grades K-12, within the disability areas of Autism Spectrum Disorder (ASD), Developmental Delay (DD), Emotional Disturbance (ED), Other Health Impairment (OHI), and Specific Learning Disability (SLD) to East Meadows School in Morrisville, VT for a term 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., Section 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. East Meadow School is seeking renewal of approval to serve students in the disability areas of Autism Spectrum Disorder (ASD), Developmental Delay (DD), Emotional Disturbance (ED), Other Health Impairment (OHI), and Specific Learning Disability (SLD).
4. Upon receiving East Meadow School's applications, the Secretary appointed a review committee to visit the school and make a recommendation as required by SBE Rule 2222. Because East Meadow School was seeking renewal of approval to provide both general education and special education services, the recommendation consists of two separate reports.

FISCAL IMPLICATIONS: none

STAFF AVAILABLE:

Cassandra Ryan, Fiscal and Regulatory Compliance Coordinator

1. East Meadow School (EMS) is a day treatment program with educational components and serves male and female students in grades K-12. EMS is one of four schools administered by Northeastern Family Institute (NFI) of Vermont. The school's educational philosophy is to address students' individual emotional, behavioral, social, and academic needs by creating a positive community that focuses on mutual respect. Staff and students work collaboratively to develop safe and trusting relationships. Students are given opportunities for responsible decision-making as a means of fostering competence and independence.
2. The State Board of Education last granted independent school approval to East Meadow School for one year through June 30, 2019.
3. East Meadow School was visited on behalf of the Secretary by Brian Morgan on March 18, 2019.
4. The school occupies a spacious, one-storey facility in Morrisville, VT. The building includes three classrooms, each with its own self-care room. There are three offices where individual therapeutic services are provided, three administrative offices, two conference rooms, a kitchen, and a waiting room. Classrooms are replete with learning tools and wall posters, and the major hallway is decorated with a lively mural. There are also outdoor facilities that include four-square, basketball, and play structure, sometimes visible once the snow recedes. The entire school imparts warmth and a welcoming ambiance. The facility meets all state and federal health and safety regulations and is handicapped accessible. A copy of the Certificate of Occupancy (CO) issued by the Division of Fire Safety for this building is on file at the Agency and is available for review at the school.
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 curriculum is process oriented and directed toward individual developmental and emotional needs. Each student has an IEP established with one of the five sending Local Education Agencies and students can maintain progress and often graduate from their sending school. A licensed special educator works in collaboration with the sending school's special educator, student, and family to develop educational and behavioral goals that meet the objectives defined in the student's Individual Education Plan (IEP). Academic instruction and therapeutic groups occur in small group settings - grades 1-5; 6-8; and 9-12 - but students also work individually much of the time. The overarching objectives are: to assist students in developing a healthy and positive view of school; to promote the improvement of individual, academic, social, and emotional functioning; to provide a safe, consistent learning environment; to promote family participation in all aspects of education and treatment and to build a community-based team to successfully reintegrate the student into his or her community, school, and peer group. At the elementary level students are offered a multitude of opportunities that meet the Common Core State Standards in an educational context. At the middle and high school levels subjects are based on the Vermont Proficiency-Based Graduation Requirements and the Common Core Standards. The acquisition last year of 18 Chrome Books has enabled students to pursue their studies at their own speed more than before, and that has led to an enrichment of the learning process. At the time of the visit, 14 students were enrolled - 4 in elementary, and 5 each in middle school and high school. While the school is prepared to serve Kindergarten students, sending schools have yet to refer any kindergarten students.
6. The school has the resources including financial capacity and qualified staff to meet its

objectives.

In addition to the 2016 audit by KPMG LLP of Boston that was included with the application, the reviewer requested and received the 2018 audit as well.

NFI Vermont, Inc. participates in a collaborative agreement with two unrelated organizations to operate the Centerpoint Adolescent Treatment Services program. The agreement among the three parties established the collaborative through June 30, 2010, with an option for renewal. The agreement contains a provision that states, "nine months before the end of the agreement, discussions shall begin for negotiation of a continuation agreement." As there was no agreement as of June 30, 2010, this agreement shall be considered to be continuing for successive one-year periods unless otherwise agreed upon or unless the collaborative ceases to exist. There has been no decision to terminate the agreement. This agreement provides for cost and revenue sharing above certain predefined thresholds. Revenue generated from this collaborative for the year ended June 30, 2018 by NFI-VT was \$2,477,077, which was included in contract revenue in the statement of activities. Expenses incurred by NFI-VT for the collaborative were \$2,314,832 for the year ended June 30, 2018 and are included in program expenses in the statement of activities.

Pursuant to Federal Regulations, Title 42, Chapter 4, Part 433, Sections 433.50 and 433.51, revised October 1, 2008, NFI-VT received funds from state/local government sources for the year ended June 30, 2018 which provide a basis for state and local units of government to participate in financing the non-federal portion of medical assistance expenditures. These funds exceed the matching funds minimum requirement amount of \$304,407, as determined by the State of Vermont Department of Mental Health.

The reviewer examined the East Meadow School budget sheets for 2018 and 2019 and concluded that the school was on a stable financial footing.

As for the East Meadow staffing, there have been two changes since the submission of the application. The former elementary teacher, Angie Baitz, resigned and until a replacement is hired, licensed Special Educator, Tammy Westover, is overseeing the elementary students. The second change is that of Behavior Interventionist, Dusty Bailey. Because the student with whom he is working 1:1 has been banned from the school by court order, Mr. Bailey is also absent from the school. Program Director, Lauren Collier, is acting as Interventionist as needed in the interim.

In addition to Regional Director, Program Director, Program Coordinator, and Office Manager, there is a licensed Special Educator, a middle and high school Humanities teacher, a middle and high school Math and Science teacher, a School-Based Clinician/Clinical Manager, and three therapeutic support staff

7. The health, safety, attendance, and assessment records are in good order. Fire drill and evacuation drill records are also in good order. Documentation is very thorough.
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 school maintains comprehensive policy handbooks that are reviewed regularly and amended as necessary.

Summary and Recommendation: East Meadow School is professionally run by dedicated personnel. A highly experienced licensed Special Educator, Tammy Westover joined the staff in March, 2018. She also serves as an interim elementary teacher, since Angie Baitz resigned after the application was submitted. The administration expects to hire a new elementary teacher a.s.a.p. The students give every indication of being engaged and well served by the staff.

I recommend renewal for Independent School Approval for five (5) years.

Respectfully submitted,

Brian Morgan

Independent School Special Education Review Report

REPORT
July 5th, 2019

East Meadow School

Submitted by
Special Education Review Team



Approval Recommendation

Two-year approval in the disability categories of; autism spectrum disorder (ASD), developmental delay (DD), emotional disturbance (ED), specific learning disability (SLD), and other health impairment (OHI).

Note on Approval:

The AOE recommends that East Meadow School ensure implementation of the following prior to its next review:

- a) Consistent ongoing documentation system to confirm delivery of all IEP services, including case management services. The documentation system for all services should include;
 - a. Name of student
 - b. Specific service provided
 - c. Service provider
 - d. Date of service
 - e. Time/length of service
- b) Policies and procedures to ensure all necessary agreements are in place prior to the required dates or the provision to the delivery of services.
- c) Review staff licensure status annually to ensure a licensed special educator is on staff and able to provide the special education services outlined in student Individualized Education Programs (IEPs).

Rationale

On the date of the visit (4/24/19) East Meadow's data and documentation system was able to confirm the delivery of special educator services through the provision of service logs. Those logs were provided for only two of the five reviewed students and did not contain information relating to services provided by other staff members. In addition, several IEPs were not updated as to the student's current placement or were not valid IEPs. Only one student contract was presented. Based on post-visit submissions (dated 5/10/19) from East Meadow, the Agency of Education finds that the submitted documentation alleviates the majority of documentation concerns and therefore issue a two-year approval for East Meadow. The Agency will review in two years to ensure these recommendations are implemented systemically.

School Description

East Meadow School is located in Morrisville, Vermont. East Meadow is able to serve 18 students, K-12, though currently has enrolled students ages 9-18. Currently East Meadow is approved to service the disability categories of emotional disturbance, developmental delay, other health impairment, autism spectrum disorder, and specific learning disability.

Review Description

During the visit the Agency employees interviewed staff, toured facilities, observed staff/student interactions and reviewed student files and IEPs. Comprehensive file reviews were

conducted for five Vermont students. The students reviewed qualified under the disability categories of emotional disturbance, specific learning disability, and other health impairment.

Review Findings

2228.2 - East Meadow demonstrated the policies, procedures, staff training and resources to support students in the disability categories of; autism spectrum disorder (ASD), developmental delay (DD), emotional disturbance (ED), specific learning disability (SLD), and other health impairment (OHI).

2228.3 - East Meadow demonstrated that they have 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 – East Meadow did not demonstrate evidence of minimum maintenance of (1) educational records, and coordination with LEA and parents through data and file review, (2) participation in evaluation and IEP procedures through IEP review, (3) implementation of IEPs through file review and progress reporting.

Note on Evidence

At the time of the review, East Meadow did not provide a system that would allow the confirmation of IEP service delivery. Supplementary materials provided (5/10/19) documentation for the majority of services present on reviewed IEPs. Some services present in the IEP did not match the services represented in the service logs. Several services meant to represent full day supports exceeded the number of minutes students attend East Meadow per day.

East Meadow's previous Special Education Review (dated 9/21/17) recognized a change in documentation format that would potentially allow for a consistent ongoing documentation system to confirm delivery of all IEP services. That system, while still in place, represents continued growth on the part of East Meadow, but did not match IEPs in all cases as referenced above.

East Meadow's file review showed only one IEP that appeared to be current, valid, and reflective of the student's current placement. Remaining files reviewed contained IEPs that were expired, drafts, or were not reflective of current placement. Supplementary materials provided, including additional IEPs, demonstrated evidence that current IEPs are now in place for all reviewed students.

2228.3.2 - East Meadow meets expectations regarding licensed staff. On the date of visit, the special education teacher was licensed by the Agency of Education.

2228.4 - The East Meadow School demonstrated policies, procedures, and written agreements outlining tuition and establishment of the division of legal responsibilities with regards to students on IEPs.

Note on Evidence

As of review date, only one student agreement was present. Supplementary materials provided additional agreements for the remaining reviewed students. Of the five files, two agreements were signed after the start of services.

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