

**NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION  
PROGRAM APPROVAL VISITATION  
CASE STUDY COMPLIANCE REVIEW**

**Bryant Academy  
Middle School Program  
SUMMARY REPORT**

**Micheal Bryant, Executive Director**

Chairpersons, Visiting Team:  
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Education Consultants

Site Visit Conducted on March 17, 2010 and April 2, 2010  
Report Date May 18, 2010  
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## I. TEAM MEMBERS

Visiting Team Members:

<b>NAME</b>	<b>PROFESSIONAL ROLE</b>
<b>Chairpersons:</b>	
Dr. Richard Ayers	Education Consultant
Jane Bergeron-Beaulieu:	Educational Consultant
<b>Visiting Team Member:</b>	
Nancy Pierce	Assistant Director of Education

Building Level Team Members from Bryant Academy, March 17, 2010 Visit:

<b>NAME</b>	<b>PROFESSIONAL ROLE</b>
Michael Bryant	Executive Director
Dr. Joan Binder	Teaching Principal
Michael Stark	Middle School Teacher
Mark Merrill	Para Educator
Nancy Brogden	Special Education Director, LEA
Laura Spratt	Case Manager, School District
Bryant Student	
Parents of Bryant Student	

### **Building Level Team Members from Bryant Academy, April 2, 2010**

<b>NAME</b>	<b>PROFESSIONAL ROLE</b>
Michael Bryant	Executive Director
Elizabeth Willis	High School Teacher

## II. INTRODUCTION

Bryant Academy, formerly the J.E.W.E.L. School, is a private special education facility located in Henniker NH. The program is approved as a non-public school and therefore is able to enroll students who are not identified as having an educational disability. The program received initial Special Education approval in June 2004 to serve middle school students with disabilities (grades 5-8). Currently the program has a middle and high school component, although this report is directed to the review of the middle school program only; the high school component is scheduled for review prior to the end of the current school year. The Bryant Academy Middle School Program is currently approved by the NHDOE Bureau of Special Education to provide educational programming to students with disabilities in the age range of 10-15 years old who have been identified as learning disabled or other health impaired. The total approved capacity for the middle school program is for six students who have been identified as having an educational disability. The middle school program is year round with a current enrollment of 3 middle school students, one of which was placed by a school district. This child was selected for the NHDOE Case Study Compliance Review.

Bryant Academy Middle School describes their program as one that serves the unique academic, physical, social and emotional needs of students who are in a special and critical period of their lives as they change from childhood to adolescence. The Bryant Academy Middle School Program description further notes that the school's staff is committed to creating and maintaining an orderly, trusting, and caring environment, where teaching and learning is exciting. The mission of the Bryant Academy is to provide every student with a diverse, appropriate education in a safe, supportive environment that stimulates self-discipline, motivation and excellence in academics. At the time of the March 17 and April 2, 2010, NHDOE visitations to the Bryant Academy Middle School Program, a certified English teacher was the primary instructor for the middle school. At the March 17, 2010 visit there was on staff a "teaching principal" who provided oversight to the program. The teaching principal was certificated as a General Special Education teacher, principal and assistant superintendent, and also served as the teacher of the high school program. At the return visit to Bryant Academy on April 2, 2010, the visiting team was notified that the teaching principal had been released from her position, and a new teacher was hired for the high school; this individual held certification in General Special Education. On April 2, 2010, the visiting team was also informed that the position of principal would not be filled until student enrollment grew, and that the Executive Director would resume the role of principal and serve as the instructional leader. The Executive Director is certified as a guidance counselor and Special Education Administrator.

It is important to note that since June of 2009 Bryant Academy has experienced several relocations, including being housed at the Diana Love Center in Claremont, and then in July to the Maple Ave. School for the Summer Program, to the Sugar River Community College in September of 2009 and again in November of 2009 the program was moved to the current location in Henniker, near the campus of New England College. As part of the relocation to Henniker, the program application materials submitted by Bryant Academy indicated that there was an agreed upon partnership with New England College. Subsequently, Bryant Academy has indicated that the partnership has not yet been formally established, and that it is presently "evolving". The series of relocations and transitions in staffing over the past year has had a notable impact upon the scope and sequence of programming for students at Bryant Academy, as will be elaborated upon in this report.

**BRYANT ACADEMY MIDDLE SCHOOL PROFILE**

<b>SCHOOL DEMOGRAPHICS</b>	<b>2008-09</b>	<b>2009-10</b>
Student Enrollment <u>as of December 1</u>	4	4
Do you accept out-of-state students? If so, list number from each state in 09-10		
Number and Names of Sending New Hampshire LEAs (as of October 1, 2009)	2	
# of Identified Students Suspended One or More Times	0	0
Average Length of Stay for Students	2 years	2years
<b><u>STAFF DEMOGRAPHICS</u></b>		
Student/Teacher Ratio (as of Oct. 1)	5/1	5/1
# of Certified Administrators	2	2
# of Certified Teachers	1	3
# of Teachers with Intern Licenses	0	0
# of Related Service Providers	0	0
# of Paraprofessionals	1	1
# of Professional Days Made Available to Staff	(no indication or documentation of dedicated time for professional days has been provided)	(no indication or documentation of dedicated time for professional days has been provided)

Please complete the table below, listing the number of students in each category.

<b>SPECIAL EDUCATION PROGRAM DATA</b>		
<b><u>PRIMARY DISABILITY TYPES:</u></b>	<b>2008-09</b>	<b>2009-10</b>
Autism		
Deaf / Blindness		
Deafness		
Emotional Disturbance		
Hearing Impairment		
Mental Retardation		
Multiple Disabilities		
Orthopedic Impairment		
Other Health Impairment	1	1
Specific Learning Disabilities	1	1
Speech or Language Impairment		
Traumatic Brain Injury		
Visual Impairment		
Developmental Delay ages 3-9		

### III. PURPOSE AND DESIGN OF THE CASE STUDY COMPLIANCE REVIEW PROCESS

The New Hampshire Department of Education (NHDOE) conducted a Special Education Program Approval Visit to Bryant Academy, Middle School Program on March 17<sup>th</sup> and April 2, 2010 for the purpose of reviewing the present status of programs and services made available to children and youth with educational disabilities. Program Approval Visits are conducted using a Case Study Model that is a focused review. This focused review permits the NHDOE to leverage its impact for change and improvement within private special education schools statewide, by focusing the attention of all educators on the following three areas of critical importance in the provision of FAPE for students with disabilities.

- Access to the General Curriculum
- Transition
- Behavior Strategies and Discipline

As part of this compliance review, the middle school student was selected by the NHDOE prior to the visit, and staff was asked to present the students' case study at the visit to determine compliance with state and federal special education rules and regulations.

Other activities related to this NHDOE Case Study Compliance Visit included the review of:

- ♦ All application materials submitted
- ♦ Status of corrective actions since the last NHDOE Special Education Program Approval Visit
- ♦ Personnel credentials for special education staff (verified by NHDOE)
- ♦ Program descriptions and NHSEIS verification reports
- ♦ All data collected during the visit
- ♦ Any new or changed special education programs seeking approval from the NHDOE

The New Hampshire Department of Education provided a visiting team of professional educators to work collaboratively with Bryant Middle School staff conducting the Case Study Compliance Review and the varied data collection activities. Throughout the entire review process, the visiting team worked in collaboration with the staff of Bryant Academy. Their professionalism, active involvement in the process and cooperation were greatly appreciated and well recognized.

Evidence of the work conducted and results related to student outcomes was gathered throughout the process, guided by the materials and templates provided by the NHDOE, Bureau of Special Education. Examples of evidence included student individual education plans (IEPs), progress reports, samples of student work, grades, extracurricular involvement, permanent records, curriculum, etc. Input was gathered from key constituents, including interviews with professional staff, parents, administrators, and in some cases the students. In addition, classroom observations were conducted for the one case study being reviewed. The collective data were summarized by the visiting and building level teams. The summaries, included in the following pages, outline identified areas of strength and areas needing improvement for the Bryant Academy Middle School.

#### IV. STATUS OF PREVIOUS NHDOE SPECIAL EDUCATION PROGRAM APPROVAL REPORT AND CORRECTIVE ACTIONS

Based on review of the August 22, 2008, NHDOE Special Education Program Approval Report the following patterns were identified as needing improvement:

Findings of Noncompliance	Status as of (1-yr CA Follow Up Visits June 18, 2009, October 10, 2009)	Status as of April 2, 2010
<p><b>ED 1133.05 Program Requirements, Content of IEP, Annual Measurable Goals ED 1119.01 Individual Education Plans</b>            All IEPs must meet compliance with state and federal rules and regulations.            The one IEP that was reviewed lacked evidence of measurable annual goals, and there was insufficient evidence that current level of performance was directly aligned to annual goals. In addition, the IEP presented as part of the case study was not reflective of the programming and services being provided. Based on the case study presentation, it was clear that the LEA and Bryant Academy had not worked collaboratively as a team to develop a document to reflect the current programming being provided to the student.</p>	<p>MET, as of October 10, 2009</p>	<p>MET</p>
<p><b>ED 1133.04 Administration</b>  <b>ED 1133.08 Qualifications and Requirements for Instructional, Administrative and Support Personnel</b>            All staff providing services to students with disabilities at Bryant Academy must hold appropriate certification. At the time of the May 2008 visit, the Executive Director was no longer seeking certification as a special education administrator, and, while the individual who holds the position of teacher/director is certified as a principal, there is no certified administrator to provide supervision to this individual. The teacher cannot serve the role as both the certified teacher and certified supervisor/administrator to herself. Bryant Academy must have a certified administrator to supervise and evaluate the one teacher currently employed. It should also be noted that the one special education teacher is responsible for delivery of instruction in all academic content areas, and has no direct supervision/consultation from educators who are certified in required middle school content as outlined in the NH Minimum State Curriculum Standards. In addition, no job descriptions were submitted, nor was there submission of policy outlining the procedures for evaluation and supervision of staff and administration.</p>	<p>MET, as of October 10, 2009</p>	<p>MET</p>
<p><b>ED 1133.09 Change in Placement or Termination of the Enrollment of a Child with a Disability</b>            No policy or procedure was provided outlining compliance with ED 1133.09, demonstrating that Bryant Academy meets compliance.</p>	<p>MET, as of October 10, 2009</p>	<p>MET</p>

<p><b>ED 1109.03 (a) Full Access to the General Curriculum</b>  <b>ED 1133.05 (h) Program Requirements ED 1133.20</b>  <b>Protections afforded to children with Disabilities</b>  All students enrolled at Bryant Academy must have full access to equal educational opportunities within their programs, and the ability to progress in the general curriculum as outlined under state and federal special education rules and regulations. All students placed by an LEA at Bryant Academy shall be afforded all the rights of a child with a disability who is served by a public agency as provided in 34 CFR 300.401. Currently students at Bryant Academy do not have full access to all of the middle school curriculum requirements as outlined in the NH Minimum State Standards</p>	<p>MET, as of October 10, 2009</p>	<p>NOT MET</p>
<p><b>ED 1133.03 (b) Governance</b> Bryant Academy must comply with all federal, state, and local laws concerning the education of children with disabilities and submit documentation demonstrating this.</p>	<p>MET, as of October 10, 2009</p>	<p>NOT MET</p>
<p><b>ED 1133.04 Administration</b>  <b>ED 1133.05 Program Requirements</b> Bryant Academy did not submit written policy and procedures related to provisions of IDEA and RSA 186-C.  Bryant Academy must ensure that the school has written policy and procedures to comply with above noted rules and regulations.</p>	<p>MET, as of October 10, 2009</p>	<p>MET</p>
<p><b>ED 1133.07 Child Management Techniques</b> All policy and procedure related to management of student behaviors must be documented in writing and be available to both LEAs and parents. Such policy should include description of behavioral expectations, interventions and specialized training for staff (if necessary), as well as policy and procedure related to suspension and expulsion.</p>	<p>MET, as of October 10, 2009</p>	<p>MET</p>
<p><b>ED 1133.04 (a) Administration</b> Bryant Academy did not submit an annual external audit as part of the program approval application materials. As outlined in ED 1133.04, each private facility must demonstrate fiscal accountability through regular recording of its finances and an annual external audit. In addition, documentation of all other requirements of ED 1133.04 must be submitted (e.g. policy/procedure for protection of confidential information, admission policy and procedures, and approved written professional development plan.)</p>	<p>MET, as of October 10, 2009</p>	<p>MET</p>
<p><b>ED 1133.05 (a, b) Program Requirements:</b> Bryant Academy must have a written description of admission policy and procedures that are provided to all placing agencies and parents. Such policies were not provided as part of the May 2008 Case Study Compliance Review.</p>	<p>MET, as of October 10, 2009</p>	<p>MET</p>
<p><b>ED 1133.10 Parent Access to Education Records</b> Bryant Academy did not submit any policy or evidence to demonstrate compliance in this area.</p>	<p>MET, as of October 10, 2009</p>	<p>MET</p>



<b>ED 1133.12 Calendar Requirements</b> A written annual school calendar for Bryant Academy was not provided demonstrating instructional days per year and instructional hours per day.	MET, as of October 10, 2009	MET
<b>ED 1133.14 Transportation</b> Bryant Academy provides transportation to various community events/activities, however no documentation was provided regarding insurance, vehicles used and that there is full compliance with ED 1133.14.	MET, as of October 10, 2009	MET
<b>ED 1133.16 Health and Medical Care</b> Bryant Academy must demonstrate full compliance with ED 1133.16. This includes written policy and procedures regarding medical care of students in case of emergency, administration of medication, storage of prescription drugs, etc	MET, as of October 10, 2009	MET
<b>ED 1133.18 Photography and Audio or Audio Visual Recording</b> Bryant Academy must submit policy and procedure to comply with ED 1133.18.	MET, as of October 10, 2009	MET
<b>ED 1133.19 Emergency Planning and Preparedness</b> Bryant Academy must submit policy and procedure for staff and students to follow in case of emergency.	MET, as of October 10, 2009	MET

## V. March 17, 2010 and April 2, 2010 CASE STUDY COMPLIANCE REVIEW RESULTS

Data collection is an important part of the NHDOE Special Education Case Study Compliance Review Process. In order to monitor whether or not special education programs are in compliance in the three focus areas, and determine any root causes of problems that may be identified through the case study process, it is essential that each case study team dig deeply into the data, and not just take a surface look. This process takes time, and the entire team working with the child being studied must be involved in collecting and analyzing the data, as well as presenting and summarizing the data with the visiting team. As such, the NHDOE works with educational communities (schools or private settings) to determine the number and type of case studies to be prepared and presented, to ensure that building teams are not inundated with much more data than they can possibly analyze, allowing them to reflect upon and generalize their newly found knowledge of their programs, practices, policies and procedures.

As part of the NHDOE Case Study Review, one case study was presented, as there was only one student placed in the middle school by an LEA.

### LEA SURVEYS

The one LEA survey sent to the district was returned and the responses in the document reflect concerns in several areas: the lack of effective communication, the difficulty in obtaining progress reports, and the Transition Planning to a lesser restrictive environment. The survey results further note that the working relationship between Bryant Academy and the LEA is weak, and that the school district would most likely not consider enrolling another student at the school. In the application materials submitted for the 2010 Case Study Compliance Review, Bryant Academy indicates that progress reports were sent, and that challenges with communication may have resulted from the complications of relocating the program from Claremont to Henniker, and also that the LEA representative only works part time and therefore is not always available for communication.

While only one survey was distributed and returned, the responses to some of the questions provide lower ratings, and the concerns outlined above are worthy of attention and deliberate review by Bryant Academy.

Private schools provide necessary options to New Hampshire students with educational disabilities. Effective partnerships with LEAs are an important part of establishing and implementing successful private special education programs that improve student outcomes. By surveying LEA perceptions of current program (s), private schools can self assess these relationships and determine if there are areas in need of improvement. To this end, Bryant Academy distributed the LEA Survey to the special education director that placed a student in the middle school program. That one survey was returned and the responses to questions are reflected below.

### SUMMARY REPORT OF SENDING LEAs

Name of Private School: Bryant Academy Middle School		
Total number of surveys sent: 1	Total # of completed surveys received: 1	Percent of response: 100%
Number of students placed by: LEA: 1	Court: N/A	Parent: N/A

**SCALE 4 STRONGLY AGREE 3 AGREE 2 DISAGREE 1 STRONGLY DISAGREE**

	4	3	2	1	No Answer
1. The private school team has positive expectations for students.		1			
2. I am satisfied with the educational program at the above school.		1			
3. The school consistently follows special education rules and regulations.		1			
4. The school has an effective behavioral program (if applicable).		1			
5. I am satisfied with the related services provided by the school.					1
6. The school implements all parts of students' IEPs.		1			
7. I feel the school provides the necessary skills to allow the student to make progress on the IEP goals.		1			
8. The school program measures academic growth.		1			
9. The school program measures behavioral growth (if applicable).		1			
10. The school completes a minimum of 3 comprehensive reports per year on each child with a disability enrolled.			1		
11. Progress reports describe the child's progress toward meeting the IEP goals, include a record of attendance, and are written in terminology understandable to the parent.					1
12. Progress reports are provided to the LEA and to the parent of the child.		1			
13. I am satisfied with the way the school communicates students' progress.		1			
14. The school communicates effectively with parents.					1
15. The school communicates effectively with the LEA.			1		
16. The school involves parents in decision-making.					1
17. The school actively plans for future transition to a less restrictive placement.			1		
18. If the school finds it necessary to change or terminate placement, they notify the LEA by convening the IEP team to: review the concerns, review/revise the IEP, discuss the placement and determine if the facility can fully implement the IEP and provide FAPE.			1		
19. The school team sets meeting times that are convenient for both parents and LEA.		1			
20. The school has met my expectations.		1			
21. I have a good relationship with the school.			1		
22. I would enroll other students at the school.			1		

## PARENT PARTICIPATION

One of the defining features of effective schools is strong parent/community relations and open communication. Having parents as active stakeholders in the NHDOE Special Education Program Approval Process ensures broader perspectives and brings forth new ideas. In addition, including the parent perspective enhances and strengthens the teams' case study presentations, and makes for stronger school/parent relationships. As such, parent participation and input is a required part of the NHDOE Special Education Program Approval Process. In order to ensure parent participation and feedback, the NHDOE, Bureau of Special Education involves parents in a variety of aspects of the Special Education Program Approval Process. First, parents are encouraged to be active participants in the case study presentations; second, parents of the children presented in the case study process are formally interviewed; and third, the school is required to send all parents of students with disabilities a written survey with a request to respond. Below is a summary of the results of the parent survey, along with a summary of the comments/feedback provided to the visiting team during this Case Study Compliance Review.

As outlined in the results below, two parent surveys were distributed and returned to Bryant Academy. It is assumed that the two surveys were completed by both parents of the middle school student who participated in the 2010 Case Study Compliance Review. Based on the results of the survey the parents who responded indicate that they are satisfied with Bryant Academy and the programming and services provided to their child. The feedback in the survey also indicates that the parents are particularly attentive to many aspects of the program including satisfaction with student progress, behavioral interventions, the learning environment and parent engagement in their child's education.

The parent responses also provided insight into a couple of areas that Bryant Academy may want to give further attention. Specifically, one parent would like improved communication regarding student progress and one parent indicates that he/she is only partially satisfied with Transition Planning. Both of these responses align with concerns raised by the LEA and are worthy of further consideration.

### SUMMARY OF PARENT SURVEY DATA

Name of Private School: Bryant Academy Middle School		
Total number of surveys sent: 2	Total # of completed surveys received: 2	Percent of response: 100%

**SCALE            3 = COMPLETELY            2 = PARTIALLY            1 = NOT AT ALL**

<b>ACCESS TO THE GENERAL CURRICULUM:</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>No Answer</b>
I am satisfied with my child's program and the supports that he/she receives.	2			
My child has opportunities to interact with non-disabled peers on a regular basis.	2			
I am adequately informed about my child's progress.	1	1		
My child is informed about and encouraged to participate in school activities outside of the school day, and is offered necessary supports.	2			
My child feels safe and secure in school and welcomed by staff and students.	2			

A variety of information (observations, test scores, school work, parent input) was used in developing my child's IEP.	2			
I am satisfied with the progress my child is making toward his/her IEP goals.	2			
<b>FOR PARENTS OF HIGH SCHOOL STUDENTS ONLY:</b> My child earns credits toward a regular high school diploma in all of his/her classes.				2
<b>TRANSITION:</b>				
I am satisfied with the planning and support provided for the moves my child has made from grade to grade and school to school.	1	1		
All of the people who are important to my child's transition were part of the planning.	1	1		
<b>FOR PARENTS OF STUDENTS AGE 16 OR OLDER ONLY:</b> I am satisfied with the written secondary transition plan that is in my child's IEP.				2
<b>BEHAVIOR STRATEGIES AND DISCIPLINE:</b>				
My child's classroom behaviors affect his/her ability to learn. <i>If the answer is yes, please answer the next two questions. If no, skip to OTHER.</i>	<b>YES</b> 2		<b>NO</b>	
	3	2	1	<b>No Answer</b>
I have been involved in the development of behavior interventions, strategies and supports for my child.	2			
I am satisfied with the way the school is supporting my child's behavioral, social and developmental needs.	2			
<b>OTHER:</b>				
I fully participate in special education decisions regarding my child.	2			
I have been provided with a copy of the procedural safeguards (parental rights) at least once a year	2			

**SUMMARY FROM THE THREE FOCUS AREAS OF THE  
CASE STUDY COMPLIANCE REVIEW**

**Access To The General Curriculum**

**Implementation of Individual Education Plans (IEPs)**

**Provision of Non-Academic Services**

**Full Access to the District's Curriculum**

**Equal Education Opportunity**

Currently Bryant Academy Middle School Program does not meet the curriculum requirements that insure equal educational opportunities and full access to minimum state standards for presentation of curricula in grades 5-8. This is evident in the following:

- The existing middle school curriculum was recently developed with little evidence of implementation or training in the application of the curriculum in the instruction or assessment of student learning. The curriculum was presented to the visiting team on the day of the NHDOE Case Study Review. While the written curriculum is aligned to the NH Grade Level Expectations, there is no evidence of implementation of the curriculum in a sequential or comprehensive manner. This lack of implementation was noted in both classroom observations and measures of recording student work or progress.
- The written curriculum, as presented, is not used to guide instruction, assessment or development of IEPs.
- As reported by Bryant Academy staff, content areas such as science and social studies are taught on a "cycle" basis, one grade level per year is taught. (e.g., at the time of the NHDOE Case Study Compliance Review, the 8<sup>th</sup> grade Social Studies was the focus for all middle school students, the appropriate curriculum for grades 5,6 and 7 were not offered)

- The students enrolled in the middle school do not have full access to curriculum requirements as outlined in the minimum state standards (e.g., Consumer and Family Sciences, Physical Education, Health, Technology Education, etc.)
- The middle school teacher is certified in English only and has not been provided with any consultation in the required content areas.
- Bryant Academy presented a full complement of consultants for the middle school, however there was no evidence that the list of consultants have been fully contracted or utilized to provide support and technical assistance to the middle school program or teacher. The middle school teacher reported since he has been in his role at Bryant Academy there had been no technical assistance from outside consultants provided to him.

## **Transition**

### **Transition Planning**

#### **Process: Provision of Free Appropriate Public Education (FAPE)**

#### **Transition Services**

Transition Planning, as outlined by IDEA and NH state special education rules, is not a requirement for middle school students, unless they are age 14, or if the IEP determines that Transition Planning is necessary. At the time of the March/April 2010 Case Study Review at Bryant Academy, it was difficult to accurately assess Transition Planning for the middle school students. The student reviewed was 12 years of age and therefore did not require transition services; however, discussions had begun regarding placement in a lesser restrictive environment and there were conflicting opinions regarding how and when this should happen. Upon review of the Bryant Academy Administrative Manual (BAAM) there is no information on Transition Planning, such as written transition processes, or guidelines that might be available to staff, LEAs, parents, or outside agencies. It is also important to note that the one LEA who had a child placed at Bryant Academy did express concern regarding Transition Planning to a lesser restrictive environment.

As Bryant Academy continues to provide services to students with disabilities, it will be important to remember that for those children who are placed outside of their home district, Transition Planning is critical, and as the program develops it will be essential that there be well documented collaboration between LEAs and parents in the transition processes. While informal processes may be in place, the BAAM has no reference to the importance of Transition Planning, nor does there seem to be any processes in place to measure the success of students who may begin to transition to a lesser restrictive environment. While staff and administration may be knowledgeable of the importance of transitions and associated planning, it appears that in the case study presented, conflicts between the LEA and Bryant Academy may impact transition efforts for this particular student.

### **Behavior Strategies and Discipline**

The Bryant Academy policies on discipline speak clearly to positive interventions and the infusion of staff in insuring that students are treated with respect and dignity. Bryant Academy has a “hands-off” policy, and does not provide for any physical interventions with students. In the BAAM there are well defined protocols in regard to managing of student behaviors, and these appeared to be adhered to consistently, as observed during the Case Study Compliance Review. Throughout the visits, staff and administration encouraged students to be independent and respectful, and within the middle school classroom there appeared to be a sense of community and respect. Based on information provided during the case study presentation, it appears that ongoing data is collected and maintained by students

and their teacher in regard to daily behaviors and the data is regularly reviewed for the purpose of improving self-confidence, demonstrating appropriate social skills and age appropriate behaviors.

**Special Education Policies** The Bryant Academy Administrative Manual (BAAM) was submitted to the chairpersons of the team on the day of the Case Study Compliance Review (March 17, 2010). Subsequently, it was reviewed and the policies and procedures were found to be in compliance with all the applicable New Hampshire Rules for the Education of Students with Disabilities.

### **Other**

While there were many praiseworthy strategies and interventions identified during the March 17<sup>th</sup> and April 2<sup>nd</sup> 2010 NHDOE Case Study Compliance Review at Bryant Academy, the visiting team noted several issues of significance beyond that directly noted in the regulatory requirements for: Access to the General Curriculum, Transition, and Behavior Strategies and Discipline. Some of the issues identified below have been areas of concern outlined in previous reviews of Bryant Academy, and although not regulatory in nature, these concerns do have a direct and significant impact upon quality of programming and student learning.

### **Listed below are issues of significance that warrant immediate attention:**

- **Staff Recruitment & Retention, Governance, Organizational Structure**

What the visiting team observed is that Bryant Academy is a school that continues to experience significant organization changes including the relocation of the school twice in one school year and the overwhelming transitions in teaching and supervisory staff. Since August 2009 there have been two different teaching principals, and two different middle school teachers who have left the school. At the time of the March/April 2010 NHDOE Case Study visitation, there was also a new high school teacher, recently hired to fill a vacancy at that level. Additionally, as of April 2, 2010, the Executive Director indicated that position of teaching principal no longer existed and that the Executive Director will assume the role of instructional leader for Bryant Academy. It is important to note that the high staff turnover at Bryant Academy is historic and speaks directly to the need for careful hiring, extensive orientation to Bryant Academy and informed supports in professional development and mentoring in all aspects of the school's work. This presents a particular concern when the student population served includes young adolescents with complex learning and social needs. Recruiting and retaining certified and talented staff is a critical issue in the success of any school. Certainly the Bryant Academy administration must be attentive to developing a climate of continuity in instruction, application of the curriculum and relations with students and parents. Bryant Academy should pay immediate attention to the issue of staff recruitment and retention and make every effort to create meaningful opportunities for these efforts to create a stable and predictable environment for students

- **Funding/Resources**

The executive director continues to report uncertainty regarding the financial status of Bryant Academy. Low enrollments and lack of referrals from LEAs has created exceeding demands upon the program.

- **Curriculum/Instruction/Assessment/Professional Development/Staff Supervision**

While the completion of a new middle school curriculum is recognized, it will now be essential that there be evidence that the school's instruction is connected to the curriculum. The delivery of the curriculum at Bryant Academy must be viable, utilized by staff in lesson planning and strategically approached to ensure that the scope and expanse of all grade level curriculum requirements are provided in the multi-grade setting. Additionally, there must be evidence that the newly developed teacher supervision/evaluation model is implemented and that instructional leadership is directed toward quality day to day supervision and support for staff. Bryant Academy would be well served by bringing a renewed focus upon curriculum and assessment strategies employed within the school. Attention to strengthening the academic culture must include focused time for teacher planning and consultation beyond that which is currently available. Given the unique student population and the small staffing patterns at Bryant Academy, it will be critical that professional development be an integral part of a deliberately developed improvement effort.

### **NEW PROGRAMS SEEKING APPROVAL FROM THE NHDOE, BUREAU OF SPECIAL EDUCATION**

At the time of the 2010 visitation to the Bryant Academy Middle School Program, there were no requests for changes to the program. The high school component of Bryant Academy is newly developed and will be reviewed separately with a separate summary report.

### **COMMENDATIONS**

The Bryant Academy staff and administration are commended for their willingness to work with the visiting team in conducting all of the Case Study Compliance Review Activities. It is hoped that the process was viewed as a constructive opportunity to reflect upon the scope, relevance and strengths of the overall programming provided within the Bryant Academy Middle School Program. The staff and administration are recognized for their hard working attention to the Case Study Presentation and for their willingness to adjust their schedules to accommodate the varied NHDOE program approval activities. The hospitality extended to the visiting team throughout the visit was exceptional and greatly appreciated.

As a result of the completion of the Case Study Compliance Review the following commendations were identified:

- The support that Bryant Academy extends to parents and families was most evident.
- Parent involvement in the school is noteworthy.
- The facility and middle school classroom is well designed, warm, welcoming and child centered.
- There is a favorable staff/student ratio.
- The availability of technology for student and teachers is impressive.

**FINDINGS OF NONCOMPLIANCE IDENTIFIED AS A RESULT OF THE  
MARCH 17, 2010 AND APRIL 2, 2010 CASE STUDY COMPLIANCE REVIEW**

Findings of Noncompliance are defined as deficiencies that have been identified through the Case Study Compliance Review Process, which are in violation of state and federal special education rules and regulations. Findings of Noncompliance may result from review of policies and procedures and related application materials, case study presentations, review of student records or any other program approval activity related to the visit. **It is important to note that all Findings of Noncompliance listed below must be addressed in a corrective action plan and resolved within one year of this report. A template and instructions for such planning will be provided.**

**Program Specific Findings of Noncompliance to Be Addressed by the Private School Setting:**

**Ed 1114.05 (g) (j) Program Requirements, Equal Educational Opportunities/Full Access to the General Curriculum  
CFR 300.320**

Bryant Academy must give immediate attention to this requirement. Students enrolled in the Bryant Academy Middle School need to have full access to middle school curriculum requirements. The newly established curriculum must have a direct connection to daily instruction and there must be evidence that all aspects of the curriculum are being implemented. The expanse of middle school curricular offerings as required by the NHDOE must be provided. Also, the established curriculum must have a direct connection to either 'in house' certified staff or certified consultants for each of the curricula requirements. In addition, assessment strategies must be developed that are consistent with the published curriculum.

**Ed 1114.10 (a) Qualifications and Requirements for Instructional, Administrative and Support Personnel**

Bryant Academy must demonstrate that 'in house' teachers are being provided with technical assistance and consultation in all of the required curricular content areas. At the time of the March/April 2010 NHDOE Case Study Review at Bryant Academy, a personnel roster of certified consultants was provided, however due to the extreme turn over in staff, the consultants have not been utilized.

**Ed 1114.11 (a) Employee and Volunteer Background Investigations**

Consistent with the provisions of RSA 189:13-a, prior to an offer of employment, Bryant Academy must complete a background investigation, for all staff, administration and volunteers providing direct services to students.

**SUGGESTIONS FOR PROGRAM-WIDE IMPROVEMENT**

Suggestions for improvement, simply stated, are recommendations provided by the visiting team that are intended to strengthen and enhance programs, services, instruction and professional development, and the NHDOE strongly encourages that serious consideration be given to the suggestions. However, discretion may be used in this area; suggestions for improvement are not considered to be required corrective actions and you may determine which suggestions most warrant follow up and address those in your corrective action plan. **System-wide suggestions for improvement are listed below.** It should be noted that, in the Building Level Data Summary Report on the following pages, any suggestion made by a visiting team member that is actually a finding of noncompliance, has an asterisk (\*) before it, and it is also listed above with the findings of noncompliance. The suggestions are:

1. Bryant Academy should give serious attention to sustaining school wide staffing capacity in order to sustain long-term success.



2. Bryant Academy would benefit from a school wide academic accountability system that is aligned with the curriculum and collects data to support demonstration of student learning proficiencies.
3. Professional learning and ongoing professional development aligned to the Professional Development Master Plan should be available to staff and documented.
4. Bryant Academy would benefit from long term strategic planning that includes data collection from referral sources along with the development and implementation of a needs assessment of current programs and procedures.
5. The administration and staff at Bryant Academy are strongly encouraged to shift from expressed intentions to evidence based outcomes. The school currently lacks an effective system for data collection that would demonstrate short and long term results that instruction is having upon students.
6. Serious attention should be given to a reflection upon the root causes for the school's inability to retain staff.
7. High priority should be placed upon quality instructional leadership, including the daily support and supervision that staff requires insuring integrity in instruction.
8. Bryant Academy should extend regular and collaborative opportunities for program development and progress monitoring with the LEAs who are sending students with disabilities to the school. This should include the development and monitoring of the student's IEP and documentation of academic and social development while at Bryant Academy.

## VI. BUILDING LEVEL SUMMARY REPORTS

### USING COMPLIANCE DATA FOR CONTINUOUS IMPROVEMENT

#### BUILDING LEVEL CASE STUDY DATA SUMMARY

#### NEW HAMPSHIRE DEPARTMENT OF EDUCATION SPECIAL EDUCATION PROGRAM APPROVAL AND IMPROVEMENT PROCESS

School: Bryant Academy

Date: March 17, 2010 and April 2, 2010

Programs: Bryant Academy Middle School

Number of Cases Reviewed: 1

How many of the reviewed students are age 16+ N/A

Recorder/Summarizer: Jane Bergeron Beaulieu

Name: Michael Bryant	<u>Building Level</u> or Visiting
Name: Joan Binder	<u>Building Level</u> or Visiting
Name: Bryant Parents	Building Level or <u>Visiting</u>
Name: Bryant Student	Building Level or <u>Visiting</u>
Name: Nancy Brogden	Building Level or <u>Visiting</u>
Name: Laura Spratt	Building Level or <u>Visiting</u>
Name: Richard Ayers	Building Level or <u>Visiting</u>
Name: Jane Bergeron-Beaulieu	Building Level or <u>Visiting</u>
Name: Nancy Pierce	Building Level or <u>Visiting</u>

Based on data collected from the Data Collection Forms, Interview Forms, Classroom Observations, etc. the following summary is intended to provide a “snapshot” of the quality of services and programs in the school in the areas of: **Access to the General Curriculum, Transition and Behavior Strategies and Discipline.**

**SUMMARY OF BUILDING LEVEL DATA**

<b>ACCESS TO THE GENERAL CURRICULUM STATEMENTS</b>					Filled in with the combined number of times a statement is marked on all Data Collection Forms for this school or building				
<b>Ed. 1109.01 Elements of an IEP CFR 300.320 Content of IEP</b> <b>Ed. 1109.05, Implementation of IEP 20 U.S.C. 1414 (d)</b> <b>Ed. 1115.07, Ed 1119.01(f) Provision of Non-Academic Services/Settings</b> <b>CFR 300.320(a) CFR 300.34 Ed. 1113.08, Full Access to District's Curricula</b> <b>Ed. 1113.13, Diplomas</b> <b>Ed. 1107.04 (d) Qualified Examiner</b> <b>Ed. 1109.01 CFR 300.320 Program Requirements, Content of IEP</b> <b>Ed. 1119 Protections Afforded to Children with Disabilities</b> <b>CFR 300.320(a)(1)(i)</b> "... general curriculum (i.e. ,the same curriculum as for nondisabled children)" <b>CFR 300.320(a)(4)(iii)</b> "To be educated and participate with other children with disabilities and non disabled children"					YES	NO	N/A		
A1.) Team uses multiple measures to design, implement and monitor the student's program.					1				
A2.) All IEP goals are written in measurable terms.					1				
A3.) Student's IEP has at least one functional goal.							1		
A4.) Student has made progress over the past three years in IEP goals. Goal 1					1				
A5.) Student has made progress over the past three years in IEP goals. Goal 2									
A6.) Student <u>has access to</u> the general curriculum (as outlined by the district, sending district or NH frameworks.)						1			
A7.) Student <u>participates in</u> the general curriculum <u>in a regular education setting with non-disabled peers</u> , as appropriate, with necessary supports.						1			
A8.) When <u>participating in a regular education setting with non-disabled peers</u> with necessary supports, student <u>has made progress in</u> the general curriculum.							1		
A9.) Student <u>participates</u> appropriately in state, district and school-wide assessments.					1				
A10.) Student <u>shows progress</u> in state, district and school-wide assessments.						1			
A11.) Student <u>has opportunities</u> to participate in general extracurricular and other non-academic activities with necessary supports.					1				
A12.) Student <u>does participate</u> in general extracurricular and other non-academic activities with necessary supports.					1				
A13.) Was the student's most recent individual evaluation (initial or reevaluation), including a written summary report and meeting, held within 45 days of parental permission to test? <b>If not, was it due to:</b> (check all that apply)					<b>1</b>				
a.) Extension in Place	b.) Lack of Qualified Personnel ___Psychologist ___Educator ___Related Services ___Other	c.) Evaluation Not Completed in Time	d.) Summary Report Not Written in Time	e.) Meeting Not Held in Time	f.) Other				
<b>For High School Students:</b>					<b>YES</b>	<b>NO</b>			
A14.) Student is earning credits toward a regular high school diploma.									
A15.) <i>IF YES:</i> within 4 years?									
A16.) Student will earn an IEP diploma or a certificate of competency.									
A17.) <i>IF YES:</i> within 4 years?									
A18.) Does this school have a clear policy for earning a high school diploma?									

Access Strengths	Access Suggestions for Improvement
<ol style="list-style-type: none"> <li>1. Bryant Academy has a newly established written curriculum that aligns with the NHDOE Middle School Requirements.</li> <li>2. There is sufficient technology to implement and support the curriculum.</li> <li>3. Staff reports that they would be open to professional learning opportunities that would enhance implementation of the curriculum.</li> </ol>	<p>See Report Page 17 for Suggestions</p>

<u>TRANSITION STATEMENTS</u>		Filled in with the combined <u>number</u> of times a statement is marked on all Data Collection Forms for this school or building		
		YES	NO	
<u>Ed .1102 Transition Services CFR 300.43</u> <u>Ed. 1106 Process: Provision of FAPE CFR 300.124 Part C Transition</u> <u>Ed. 1109.01 Elements of an IEP (Transition Services)</u> <u>CFR 300.320(a)(7)(b) 20 U.S.C. 1402 (34)</u> <u>20 U.S.C. 1414 (d)(1)(A) and (d)(6)</u> <u>Ed. 1103 IEP Team CFR 300.320(b)</u> This includes movement from (a) Early Supports and Services (ESS) to preschool, (b) preschool to elementary school, or (c) age 16 or older, as well as from grade to grade and school to school.		1		
T1.) Transition Planning from grade to grade takes place.		1		
T2.) Transition Planning from school to school takes place.			1	
T3.) Collaboration has occurred between general and special education staff in IEP development and in Transition Planning.			1	
T4.) <b>For a student who will turn age 14 during the IEP service period</b> (or younger if determined appropriate by the IEP team,) does the IEP include <b>a statement of the transition service needs</b> that focuses on the student's course of study, such as participation in advanced-placement courses or a vocational education program? <b>Ed 1109.01 (10)</b>				
<b>For students under age 16, answer only the first 4 statements above. Then skip to the next page. If the student is age 16 or older during the course of the IEP, answer all statements on this page.</b>				
T5.) Transition Planning is designed as a results oriented process that promotes movement from school to the student's desired post-school goals.				
T6.) IEP team includes parent as part of Transition Planning.				
T7.) IEP team and process includes student as part of Transition Planning.				
T8.) IEP includes current level of performance related to transition services.				
T9.) There is documentation that the student has been invited to attend IEP meetings.				
T10.) A statement of the transition service needs is included in the IEP.				
T11.) The statement of transition service needs focuses on the student's course of study (e.g. vocational programming, advanced placement).				
T12.) Transition plan includes coordinated, measurable, annual IEP goals and includes transition services that will reasonably enable the student to meet the post-secondary goals. <b>(required data for federal statistics purposes)</b>				
T13.) Statement of needed transition services is presented as a coordinated set of activities.				
T14.) The IEP includes a statement of needed transition services and considers instruction.				
T15.) The IEP includes a statement of needed transition services and considers community experiences.				
T16.) The IEP includes a statement of needed transition services and considers development of employment skills.				
T17.) Student is informed prior to age 17 of his/her rights under IDEA.				
<b>Only the following 4 statements may be answered N/A if appropriate. All statements above must be answered Yes or No.</b>		<b>YES</b>	<b>NO</b>	<b>N/A</b>
T18.) There is documentation that representatives of other agencies have been invited to IEP meetings.				
T19.) The IEP includes a statement of needed transition services and considers related services.				
T20.) The IEP includes a statement of needed transition services and considers development of daily living skills.				
T21.) If the student is preparing to graduate this year, there is a summary of the student's <b>academic achievement and functional performance</b> , which includes recommendations on how to assist the student in meeting his or her post-secondary goals.				

<b>Transition Strengths</b>	<b>Transition Suggestions for Improvement</b>
<p>Based on the case study presented, the visiting team was not able to identify strengths in Transition Planning.</p>	<p>See Report Page 17 For Suggestions</p>

## SUMMARY OF BUILDING LEVEL DATA

<b>BEHAVIOR STRATEGIES AND DISCIPLINE</b>		<b>Filled in with the combined number of times a statement is marked on all Data Collection Forms for this school or building</b>		
<u>Ed. 1109 Program</u> <u>CFR 300.324</u> <u>Ed. 1124 Disciplinary Procedures</u> <u>CFR 300.530-300.536</u> <u>20 U.S.C. 1415 (K)</u> <u>Child Management – Private Schools</u> <u>RSA 169-C Child Protection Act</u>		YES	NO	N/A
B1.) Data are used to determine impact of student behavior on his/her learning.		1		
B2.) Has this student ever been suspended from school?			1	
B3.) If yes, for how many days?				
B4.) If appropriate, a functional behavior assessment has been conducted.				1
B5.) IEP team has addressed behaviors that are impacting student learning.		1		
B6.) A behavior intervention plan has been written to address behaviors.				1
B7.) All individuals working with the student have been involved in developing behavior intervention strategies.		1		
B8.) Specialized training for implementing interventions, strategies and supports has been provided to parents, providers and others as appropriate.				1
B9.) Results of behavior intervention strategies are evaluated and monitored.				1
B10.) A school-wide behavior intervention model exists.		1		
<b>Behavior Strategy Strengths</b>	<b>Behavior Strategy Suggestions for Improvement</b>			
<ol style="list-style-type: none"> <li>1. Students respect staff and demonstrate age appropriate behaviors.</li> <li>2. There is an open line of communication between Bryant Academy staff and parents of the students enrolled. This assists in insuring that any behavioral issues are addressed.</li> <li>3. Bryant Academy has well defined processes in place to address behavioral issues that may occur during the school day.</li> </ol>	<ol style="list-style-type: none"> <li>1. Bryant Academy may want to consider a school wide electronic system for collection of behavioral data which would track student progress over time.</li> <li>2. While parents are kept well informed of any behavioral issues, Bryant Academy may want to strengthen the line of communication with LEAs to ensure that they are also made aware of any behavioral concerns that may be surfacing.</li> </ol>			