

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

**CLEARWAY HIGH SCHOOL
SUMMARY REPORT**

**Carol Baldwin, Executive Director
Marianne Wiley, Director of Special Education**

Chairpersons, Visiting Team:
Jennifer Dolloff
Edward Hendry
Education Consultants

Site Visit Conducted on April 14, 2015
Date of Report: June 4, 2015
Date of Revised Report: July 2, 2015

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I. TEAM MEMBERS

Visiting Team Members:

NAME	PROFESSIONAL ROLE
Chairperson: Jennifer Dolloff	Education Consultant
Chairperson: Edward Hendry	Education Consultant
Karen Staines	Executive Director
Ann Holton	Director of Special Education
Mary Steady	Education Consultant

Building Level Team Members from Clearway High School:

NAME	PROFESSIONAL ROLE
Carol Baldwin	Adult Learning Center Executive Director
Marianne Wiley	Clearway Director
Paula Blanchette	Clearway Special Education Director
Shantel Graven	Guidance Counselor
Rebecca Hamm	English Teacher
Jess Frederick	Art Teacher
Dave Conant	Social Studies Teacher
Susan Hoyt	Math Teacher
Carol Kreik	Board Member
Jim Chisholm	Civics

II. INTRODUCTION

Clearway High School, located in Nashua, NH, is a private, non-public high school that provides educational opportunities to students in grades 9-12 who have struggled to succeed in a traditional high school setting.

Clearway's mission is to educate teenagers so that they learn to function effectively as adults.

Clearway believes that students learn to participate effectively in society as they gain knowledge and experience personal success.

Clearway's classes are held Monday through Friday from 9:45 AM to 2:00 PM at 40 Arlington Street in Nashua. The Clearway School follows the Nashua Public School calendar. Clearway is approved by the New Hampshire Department of Education for the education of both identified and non-identified students. The high school provides services for students identified with Speech-Language Impairments, Emotional Disturbance, Other Health Impairments, and Specific Learning Disability. Students approved to be enrolled must be between the ages 14 and 21. The high school is approved for a maximum capacity of 18 students with disabilities.

SCHOOL DEMOGRAPHICS	2013-2014	2014-2015
Total Student Enrollment <u>as of October 1</u>	44	54
Special Education Student Enrollment as of October 1	8	14
Do you accept out-of-state students? If so, list number from each state in 2014-15	N/A	
Number and Names of Sending New Hampshire LEAs (as of October 1, 2014)	4 LEAs: 1 – SAU 81Hudson 1-SAU 26 Merrimack 1- SAU 38 Monadnock Regional 11- SAU 42 Nashua	
# of Identified Students Suspended One or More Times	N/A	N/A
Average Length of Stay for Students	2 years	2 years
STAFF DEMOGRAPHICS		
Student/Teacher Ratio (as of October 1, 2014)	N/A	8:1
# of Certified Administrators	2	1
# of Certified Teachers	7	8
# of Current Teachers with Certification through Alt 4	3	2
# of Related Service Providers	0	0
# of Paraprofessionals	0	0
# of Professional Days Made Available to Staff	7	8

SPECIAL EDUCATION PROGRAM DATA (please put NA if not approved for the disability)		
Primary Disability Types:	2013-2014	2014-2015
Autism	NA	NA

Deaf / Blindness	NA	NA
Deafness	NA	NA
Developmental Delay	NA	NA
Emotional Disturbance	2	6
Hearing Impairment	NA	NA
Intellectual Disability	NA	NA
Multiple Disabilities	NA	NA
Orthopedic Impairment	NA	NA
Other Health Impairment	3	5
Specific Learning Disabilities	3	3
Speech-Language Impairment	0	0
Traumatic Brain Injury	NA	NA
Visual Impairment	NA	NA

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 Clearway High School on April 14, 2015 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, students were randomly selected by the NHDOE prior to the visit, and staff was asked to present these students' case studies 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
- All data collected during the visit

The New Hampshire Department of Education provided a visiting team of professional educators to work collaboratively with staff in each of the schools in 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 Clearway High School. 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 were 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 programs (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 each of the case studies 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 each school reviewed.

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

Based on review of the June 1, 2012, NHDOE Special Education Program Approval Report, there were no patterns identified as needing improvement.

Findings of Noncompliance	Status as of June 1, 2012	Status as of April 14, 2015
None	N/A	N/A

V. APRIL 14, 2015 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 look deeply into the data that surrounds the three primary aspects of the Case Study Review. This process takes time, and the entire team working with the child being reviewed must be involved in collecting and analyzing the data, as well as presenting and summarizing the data with the visiting team. As such, NHDOE works with private schools to determine the number and type of case studies to be prepared and presented, and to ensure that building teams are not inundated with more data than can be fully analyzed, allowing them to reflect upon and generalize their newly found knowledge of their programs, practices, policies and procedures.

LEA SURVEYS

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, Clearway High School distributed the LEA Survey to the contact people in all LEAs that have students currently enrolled in the school. They received a 75% response from the LEAs.

See analysis of survey results at the bottom of the survey results.

SUMMARY REPORT OF SENDING LEAs

Name of Private School: Clearway High School		
Total number of surveys sent: 4	Total # of completed surveys received: 3	Percent of response: 75%
Number of students placed by: LEA: 14	Court: 0	Parent: 0

INSTRUCTIONS: PLEASE TYPE TOTAL NUMBER OF RESPONSES IN EACH BOX.

SCALE 4 STRONGLY AGREE 3 AGREE 2 DISAGREE 1 STRONGLY DISAGREE

	4	3	2	1	No Answer
1. The private school has a curriculum fully aligned to NH Curriculum Frameworks/Common Core State Standards.	3				
2. I am satisfied the student has made progress in the educational curriculum at the above school.	3				
3. There is evidence of effective instruction aligned with fidelity to the curriculum.	3				
4. The school consistently follows special education rules and regulations.	3				
5. The school has developed and implemented effective policies and procedures for management of student behavior including the use of aversives.	3				
6. The school has an effective behavioral management program.	2	1			
7. I am satisfied with the special education, related and other supplementary aids and services provided by the school.	3				
8. The school implements all parts of students' IEPs including accommodations and modifications in both instruction and assessment.	3				
9. The school effectively uses data to measure academic growth and to inform instruction.	2	1			
10. The school uses data to measure behavioral growth and to inform instruction.	2	1			
11. A mid-year review and annual evaluation of the child's progress relative to the IEP are conducted.	3				
12. The school has a comprehensive progress monitoring system that is communicated and provided to LEA and parents at least as often as the sending district (minimum 3 times per year).	3				
13. The progress monitoring 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.	3				
14. I am satisfied with the way the school communicates students' progress to the parents and the LEA.	2	1			
15. The school actively plans for future transition to a less restrictive environment.	3				
16. The school implements all aspects of the transition services needs for students turning 14 during the IEP service period and Transition Services as outlined in Indicator 13 (16 years).	3				
17. 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.	3				
18. The school team sets meeting times that are convenient for both parents and the LEA.	3				
19. I would enroll other students at the school.	3				

Analysis of Response by Clearway High School:

Clearway has worked well with the 3 LEAs who responded to the surveys. We have a long history with 2 of them, and communicate easily with all 3. The Nashua LEA refers and places the great majority of Clearway's identified students, and knows and understands Clearway and its mission. The advantage for the past several years has been that she refers students for whom Clearway is a "good fit", and Nashua students generally do very well with us. She is a strong advocate for Clearway, represents us accurately to the district and to parents, and has been an excellent support in our role and relationship with the Nashua School District. She has described Clearway as "a wonderful program that caters to students who need a second chance".

A second LEA who responded is from Merrimack, and our relationship with her has always been very positive. While always professionally impeccable, she has a warm, supportive manner with our students, communicates well with Clearway staff, and is consistently supportive and complimentary of our school. She is a veteran educator whose good favor is appreciated. She has commented that she has had "positive encounters with Clearway. While they support and nurture students, they treat them respectfully and realistically as young adults. The staff (all) are approachable and responsive".

The third LEA from Hudson is newer to Hudson and has less history with Clearway, but her positive response to the survey suggests that we can anticipate a good working relationship when she places more students in our school. In the past year, as 2 other alternative schools in the area have closed their doors, we have discovered that Clearway has been approached by LEAs regarding more students who need a more restrictive setting than Clearway provides, perhaps for students who would have been better placed, or were placed, at the other schools. Clearway has stayed focused on the students whose needs we can accommodate, rather than become a "last resort" for those who need a more restrictive setting. It seems likely that the "agree" rather than "strongly agree" responses to 2 statements in the survey involving behavioral management are reflected in the needs of districts in general as alternative schools in the area have dwindled, and the range of schools and programs offered are no longer available in close proximity.

The LEA who did not respond to our survey was emailed twice, called, and repeatedly encouraged to return the survey. He did not respond to any communication from us. He had placed a child with us very briefly when she lived for about a month in a residential setting in Nashua. When she left the facility she returned to her home district, a long distance from Clearway. It is not our impression that he was dissatisfied with our school, but that he didn't know us well after one Placement Team Meeting that we insisted on prior to her enrollment with us.

Overall, however, it is clear that the LEAs who responded to the survey are very positive about Clearway and our ability to meet the needs of students referred to us, and we feel confident that we can anticipate good working relationship with them in years to come. Ultimately, our students and families will benefit most from our mutually respectful and positive working relationships.

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.

See analysis of survey results below data.

SUMMARY OF PARENT SURVEY DATA

Name of Private School: Clearway High School		
Total number of surveys sent: 10	Total # of completed surveys received: 6	Percent of response: 60%

**INSTRUCTIONS FOR SCHOOL:
PLEASE FILL IN ACTUAL NUMBER OF RESPONSES (NOT PERCENT) IN EACH BOX.**

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

ACCESS TO THE GENERAL CURRICULUM:	3	2	1	No Answer
1. I am satisfied that my child has access to the general education curriculum (Academic IEP goals and school curriculum aligned with Common Core State Standards /NH Curriculum Frameworks).	6			
2. My child has opportunities to interact with non-disabled peers on a regular basis unless the IEP team has determined that the interaction is not appropriate/reasonable.	6			
3. I am informed on a regular basis and with clear evidence of my child’s progress in the general education curriculum.	6			
4. I understand that a variety of information (observations, test scores, results of evaluations, school work samples, behavioral data, etc) was considered in developing my child’s IEP for this placement.	6			
5. I am satisfied that there is a direct connection between my child’s needs and the components of his/her IEP and the supports and services (“reasonably calculated to provide educational benefit”).	6			
6. I am satisfied that the sending school district has fully considered the Least Restrictive Environment in recommending this placement for my child (to the maximum extent appropriate, my child is educated with non-disabled peers).	6			
7. I know whom to contact if I have questions about my child’s placement or progress in this program.	6			
8. I am satisfied that the staff of this placement worked collaboratively with my school district in developing my child’s current IEP.	6			
9. I have been involved in the development of my child’s IEP.	5	1		
10. I am satisfied that my child is making progress toward his/her IEP goals.	6			
FOR PARENTS OF HIGH SCHOOL STUDENTS ONLY:				
11. My child earns credits toward a regular high school diploma in all of his/her classes.	5	1		
12. My student will graduate with a high school diploma	5	1		
TRANSITION:				
13. I am satisfied with the planning and support provided for my child as he/she moves from grade to grade, school to school, public school to private school.	6			
14. All of the people who are important to my child’s transition were part of the planning (grade appropriate).	6			
15. All of the people/agencies who are required to be part of transition planning for my child were part of the transition process.	6			

16. FOR PARENTS OF STUDENTS AGE 16 OR OLDER ONLY: I am satisfied that my child's IEP meets all the requirements of Secondary Transition: measurable post-secondary goals, necessary supports and services, age-appropriate transition assessments, specific invitation to the Transition meeting, etc. (DOE Indicator #13)	4	1		1
17. I am satisfied that the post-secondary Transition Goals for my child are reviewed on a regular basis, have the necessary supports and services to be accomplished, are connected to annual IEP goals, and can lead my child to productive participation/activities post-graduation or post-21 years as appropriate.	5			1
BEHAVIOR STRATEGIES AND DISCIPLINE:				
18. 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>	YES 1 <i>(3 didn't answer either Yes or No)</i>		NO 2 1	
	3	2	1	No Answer
19. I have been involved in the development of behavior interventions, strategies and supports for my child.	2	1		3
20. I am satisfied with the way the school is supporting my child's behavioral, social and developmental needs.	2			4
OTHER:				
21. I fully participate in special education decisions regarding my child.	6			
22. I have been provided with a copy of the procedural safeguards (parental rights) at least once a year.	6			

Analysis of Parent Survey Responses by Clearway High School:

Clearway received 6 responses from 10 parents, despite considerable effort to achieve a 100% return. Surveys were mailed with self-enclosed stamped envelopes. Parents were called and reminded to return the surveys, and students were sent home with additional surveys in case the originals had been lost. It should be noted that an educational surrogate declined completion of the survey (both of the student's parents are deceased) because she felt that the boy had just recently been placed and she could not knowingly respond. Those who did respond to the survey gave very favorable responses and comments.

Regarding Access to the General Curriculum, there are 12 statements in the survey. All 12 statements were responded to with "#3 - Completely" with 3 exceptions. One parent checked "#2 - Partially" to statement #10: *"I am satisfied that my child is making progress toward his/her IEP goals"*. Every effort is made to communicate regularly with parents, to send weekly and quarterly and as-needed progress reports regarding student progress, and to make phone contact as appropriate. IEP Progress Reports are sent with each report card, and this parent would have only received one so far this year. A second will be mailed as soon as the semester ends. She did hand-deliver the survey, and we know that her child, the youngest in our school and only enrolled since September, is new to high school and has just started living at home again. He is, in fact, progressing well and she has been informed of his progress. Since the parent's responses were otherwise all checked as "#3 - Completely", we can reasonably assume that the parent feels that her child is doing well at Clearway and is very satisfied with the school. A second parent checked "#2 - Partially" to statements #11: *"My child earns credits toward a regular high school diploma in all of his/her classes"* and #12: *"My child will graduate with a high school diploma."* Due to the anonymity of this survey, it is difficult to know the perspective of the parent or situation of the student, but it is likely that the student's possible failure to earn credits is due to weak attendance. Students who attend school regularly at Clearway and accept support when they are in school, simply can't fail. The message is reinforced regularly to the whole student body, to parents at interviews, Placement and Progress meetings, and in all contact with students and parents. Once again, however, this parents has checked "#3 - Completely" to all other statements, and it can appear that the parent does feel that her child is doing well in terms of Access to the General Curriculum.

Regarding Transition, there are five statements in the survey to which parents responded. All 5 statements were responded to with "#3 - Completely", with 2 exceptions. With one parent, no response at all was provided to #17, presumably an oversight. Another parent responded "#2 - Completely" to statement #16: *"I am satisfied with my child's IEP post-secondary goals, necessary supports and services, age-appropriate transition assessments, specific invitation to the Transition meeting, etc."* The parent commented that she wants her son to attend summer school to catch up on his grades and suggested "extra work at home". Her comment is not directly related to her only "#2" response on the survey, and the parent chose not to identify herself, but both summer school and work to do at home are not offered at Clearway. We do provide public summer school information to all students every spring, and it is considered at Team Progress Meetings at any time of year for any student who has failed to earn credits (often in public school), prior to Clearway enrollment. Most of our students, however, do not achieve their desired goal in summer school, and we are more inclined to encourage them to do what's required at Clearway, with appropriate supports and modifications, to progress toward a diploma. Often students are placed at Clearway after lack of success elsewhere, and arrive very short of the credits needed for diplomas during the time frame they'd prefer.

Regarding Behavior Strategies and Discipline, parents' responses suggest some misunderstanding with the formatting of some statements. They generally seemed confused by the "Yes/No" section (#18) regarding the child's classroom behavior, and responses to #19 and 20 did not typically correspond to Y/N in #18, as instructed. Only 2 answered "Yes" and one "No" to #18 while others left it blank, yet they inconsistently did or did not respond to #19 and #20. Overall, however, all responses in this section were positive. Those who did respond all checked "#3 - Completely" to all statements provided, with one exception. One parent who checked neither yes nor no, but instead wrote *"I would have to say maybe sometimes...she is a teen"*, seemed to take the statement in another direction. She then went on to respond to #19: *"I have been involved in the development of behavior interventions, strategies and supports for my child"* with a "#2 - Partially" response. Again, parent contact at Clearway is frequent and regular. All parents are invited to Team Meetings and weekly feedback is provided to all parents of identified students. Parents are encouraged to be as involved as possible in communicating with the school and responding to our efforts to include and communicate with them. Again, this parent's responses were otherwise very positive and she does seem satisfied with issues related to Behavior Strategies and Discipline. Her final comment on the form was, *"I think you are doing an amazing job and I haven't seen grades like this since elementary. She is happy and wants to be there and eager to learn which I don't think I've ever seen."*

Based on the survey data provided, we can conclude that Clearway parents are very positive about their child's Clearway experience. Our families often have long histories of negativity with schools and can be distrustful of them. To have received such positive responses from parents reassures us that their children are now having a successful educational experience. It also seems, however, that we could consider taking more time explaining the language of some terminology at Team Meetings. Despite our efforts to do so, some Clearway parents do seem to respond to statements in the survey in ways that don't seem to relate to the statements themselves, as though they're "off topic". Clearway should make significant effort to clarify, explain and interpret any special education language to parents during all communications with them, including but not limited to formal meetings.

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

Access to the General Curriculum

Implementation of Individualized Education Programs (IEPs) Provision of Non-Academic Services Full Access to the District's Curriculum Equal Education Opportunity

Staff members at Clearway High School provide students with an academically challenging and comfortable learning environment. The leadership team and teachers work closely with local LEAs, parents, and agencies, to develop and monitor educational programming. Academic expectations are clearly defined and individual achievement is monitored on a consistent basis. Progress reports are mailed to LEAs and parents on a weekly basis. Classrooms are ample in size and have appropriate materials.

In order for students to have equal access to the general curriculum, the Clearway High School provides consultants in areas where certified staff are not available. The high school has a comprehensive general education curriculum grade 9 through 12 that is aligned with the New Hampshire GLE's and Common Core State Standards. Evidence of implementation was noted during classroom observations and upon review of student work samples.

Transition

Transition Planning Process: Provision of Free Appropriate Public Education (FAPE) Transition Services

Staff members at Clearway High School work with LEAs, parents, and students, to coordinate student transitions at every level. Transition planning includes frequent teacher dialogue, parental and student contributions, and frequent updates. Transition planning is tied to post-secondary goals and is student-specific.

Through the review of transition plans in IEP's evidence indicated that the transition plan is designed within a results oriented process focused on improving academic and functional improvement to facilitate movement from school to post school goals and activities. Evidence indicated that students were informed prior to age 17 of their rights under IDEA, students were invited to the IEP/ Transition Plan meeting, and complete courses of study were included in IEPs.

Behavior Strategies and Discipline

School-wide behavioral expectations are reviewed with students upon enrolling in the school. No behavioral incidents were observed during the visit and parents and students report that behavior is rarely an issue at the school. Staff and student interactions were all respectful and positive.

SPECIAL EDUCATION POLICIES/ NHDOE BUREAU OF SCHOOL APPROVAL

NON-PUBLIC SCHOOL APPLICATION MATERIALS

In addition to the above noted focus areas for the case study presentations, material submitted as part of the application for program approval included: Health/Fire Facility Inspection Reports, the Private School Self Study, Special Education Policies and Procedures, Administrative Policy and Procedures, Current Program Information, and Personnel Roster and Consultant Roster Review. Verification of these documents found the Clearway High School to be in compliance with all applicable New Hampshire Rules and the Education of Students with Disabilities and requirements for Non-Public Approval. All of the policies and procedures were reviewed, all met compliance and there were no related findings. All necessary consultants are available, as well as an approved master professional development plan.

COMMENDATIONS

1. The Clearway High School Administrative Team, teaching staff, and support staff are commended for providing high school students with an alternative learning environment that is academically rigorous and engaging. Adults in the High School were witnessed interacting with parents and students in a highly respectful and professional manner.

Number of Cases Reviewed During the Clearway High School, April 14, 2015, NHDOE Compliance Visitation

Preschool	0
Elementary School	0
Middle School	0
High School, Age Below 16	0
High School, Age 16 or Above	2
Number of Noncompliance for Indicator 13	0
Total Number of Case Studies Reviewed	2

FINDINGS OF NONCOMPLIANCE IDENTIFIED AS A RESULT OF THE APRIL 14, 2015 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.

Child Specific Findings of Noncompliance to be Addressed by Both the LEA and Private School

Setting: Please Note: *The NH Department of Education, Bureau of Special Education requires that Child Specific Findings of Noncompliance be addressed and resolved within 45 days of notification.*

No Child Specific Findings of Noncompliance were identified during the visit.

Systemic Findings of Noncompliance to Be Addressed by the Private School Setting

Please Note: *The NH Department of Education, Bureau of Special Education requires that Systemic Findings of Noncompliance be addressed in a corrective action plan and met within one year of the date of the report; a template and instructions for such planning will be provided.*

No Systemic Findings of Noncompliance were identified during the visit.

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.

1. Consider additional ways to incorporate technology in the high school program.

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: Clearway High School	Date: April 14, 2015	
Programs: Clearway High School, Adult Learning Center	Number of Cases Reviewed: 2	
Recorder/Summarizer: J. Dolloff	Number of students reviewed age 16+: 2	Number of students age 16+ cited for Indicator 13: 0

CLEARLY PRINT NAMES OF ALL COLLABORATIVE TEAM MEMBERS

Chairperson: Jennifer Dolloff	Position: Education Consultant	Visiting
Chairperson: Edward Hendry	Position: Education Consultant	Visiting
Name: Karen Staines	Position: Executive Director	Visiting
Name: Ann Holton	Position: Director of Special Education	Visiting
Name: Mary Steady	Position: Education Consultant	Visiting
Name: Carol Baldwin	Position: Adult Learning Ctr Exec. Dir.	Building Level
Name: Marianne Wiley	Position: Clearway Director	Building Level
Name: Carol Baldwin	Position: Executive Director	Building Level
Name: Carol Kreik	Position: Board of Directors	Building Level
Name: Paula Blanchette	Position: Special Education Director	Building Level

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.**

SUMMARIZE YOUR BUILDING LEVEL DATA

ACCESS TO THE GENERAL CURRICULUM STATEMENTS

Fill in the combined <u>number</u> of times a statement is marked on all Data Collection Forms for this school or building.			
	YES	NO	N/A
1. There is evidence that when developing the IEP the IEP Team considers: the strengths of the child; (ii) The concerns of the parents for enhancing the education of their child; (iii) The results of the initial or most recent evaluation of the child; and (iv) The academic, developmental, and functional needs of the child ¹ .	2		
2. There is evidence of a system among <i>all</i> staff members who provide direct services for the child, including instructional and residential, of their participation in the process of planning for that child and knowing the contents of the IEP and all other reports and evaluations, as appropriate to their roles and responsibilities ² .	2		
3. There is evidence that the Team uses multiple measures to design, implement and monitor the student's program ^{3,4} .	2		
4. All IEP goals are written in measurable terms ⁵ .	1	1	
5. Student's IEP has at least one functional goal (as applicable) ⁶ .	2		
6. There is evidence that the student has made progress in IEP Goals over the past three years ^{7,8} .	2		
7. There is evidence that the special education, supplementary aids and/or related services described in the IEP have been delivered ⁹ .	2		
8. There is evidence that NH Minimum Standards for required subjects (credits) are met and provided to the student ¹⁰ .	2		

¹ Ed 1109.03 When an IEP Is in Effect; IEP Meetings; Development, Review, and Revision of an IEP; Transition Services; 34 CFR 300.324 Development, review, and revision of IEP

² Ed 1114.05(h) Program Requirements

³ Ed 1109.01 (a)(1) Elements of an Individualized Program; 34 CFR 300.320 (a) Definition of IEP

⁴ Ed. 1109.01 Elements of an Individualized Program; 34 CFR 300.320 (3)(i)(ii); Definition of IEP

⁵ Ed. 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

⁶ Ed 1102.01(u) Definitions Functional Goal *Functional goal* means a measurable outcome that is developed by the IEP team to address a need detailed in the analysis of the student's functional performance

⁷ Ed 1109.01 Elements of an IEP

⁸ Ed 1109.03 When an IEP Is in Effect; IEP Meetings; Development, Review, and Revision of an IEP; Transition Services; 34 CFR 300.324 Development, review, and revision of IEP

⁹ Ed 1109.04 (b) Copies of the IEP and evidence of implementation

¹⁰ Ed 1114.05 (g) Program Requirements 34 CFR 300.320 Content of IEP

9. There is evidence the student <u>has access to, is participating and progressing in the general education curriculum (aligned with NH Curriculum Frameworks/CCSS)</u> ¹¹ .	2		
10. There is evidence that the accommodations ¹² and/or modifications ¹³ , as described in the IEP allows the student to access, participate and show progress in the general curriculum ¹⁴ .	2		
11. There is evidence in the IEP of individual accommodations necessary to measure academic achievement or functional performance in state, school-wide or classroom assessments ^{15, 16} .	2		
12. There is evidence that supports and accommodations are provided to this student to allow participation in extracurricular and other non-academic activities ¹⁷ .	2		
13. There is evidence that the IEP team made the placement decision based on Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) ¹⁸ .	2		
14. There is evidence the student's IEP is reasonably calculated to result in educational benefit.	2		
For High School Students:			
Student is earning credits toward a regular high school diploma ¹⁹ .	2		
IF YES: within 4 years?		2	
Student will earn an IEP diploma or a certificate of completion ¹⁹ .			
IF YES: within 4 years?			
Does this school have a clear policy for earning a high school diploma ²⁰ ?	2		

¹¹ Ed 1113.08 Curricula; Ed. 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

¹² "Accommodation" means any change in instruction or evaluation determined necessary by the IEP team that does not impact the rigor and/or validity of the subject matter being taught or assessed.

¹³ "Modification" means any change in instruction or evaluation determined necessary by the IEP team that impacts the rigor and validity or rigor or validity, of the subject matter being taught or assessed.

¹⁴ Ed 1113.08 Curricula; Ed. 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

¹⁵ Ed 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

¹⁶ Ed 1109.01 Elements of an IEP; 34 CFR 300.320 (6)(i) Definition of Individualized Education Program

¹⁷ Ed 1113.08 Curricula; Ed 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

¹⁸ Ed 1111.02 Placement Decisions; 34 CFR 300.116 Placements

¹⁹ Ed 1113.13 Diplomas (a)(b)(c); 34 CFR 300.102 Limitation-Exception to FAPE for certain ages

²⁰ Ed 1114.05 Program Requirements (a)(b)

Access Strengths	Access Suggestions for Improvement
<p>Board members and the superintendent of the local school have a strong relationship with the Clearway High School.</p> <p>Clearway is a diploma granting school.</p> <p>Positive supports are evident throughout the high school.</p> <p>Staff turnover rate is very low.</p> <p>Weekly progress reports are prepared for students and parents.</p> <p>It is evident that staff members are knowledgeable about each student's strengths and weakness.</p>	<p>Continue to consider new ways to incorporate technology in the high school.</p> <p>Consider adding Extended Learning Opportunities with guidance from the Nashua District.</p>

TRANSITION STATEMENTS²¹

Fill in the combined <u>number</u> of times a statement is marked on all Data Collection Forms for this school or building.		
	YES	NO
1. There is evidence that at the time of transition the evaluation summary and other related documents were received in a timely manner ²² .	2	
2. There is evidence and documentation that special education, supplementary aids and/or related services described in the IEP were delivered at the time of transition ²³ .	2	
3. There is evidence that the information on this student has been shared between each transition including school to school, grade to grade and teacher to teacher including academic and behavior ²⁴ .	2	
4. There is evidence that the placement decision is made at least annually by the IEP team with consideration that the student is placed in the least restrictive environment ²⁵ .	2	
5. There is evidence that there is collaboration between the LEA and the non-public school in the development, review and revision of the IEP ²⁶ .	2	
6. There is evidence of a collaboration process between general and special education staff in the development, review and revision of IEPs, including transition planning for this student ²⁷ .	2	
7. There is evidence that the student and parents have been involved in transition discussions and activities ²⁸ .	2	
8. If the student turned 14 during the IEP period (or younger if determined by the IEP team), there is evidence that the IEP includes a statement of transition service needs that focuses on the students courses of study ²⁹ .	2	

²¹ 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.

²² 34 CFR 300.323(g) Transmittal of records

²³ Ed 1114.06 Responsibilities of Private Providers of Special Education or Other Non- LEA Programs in the Implementation of IEPs.

²⁴ Ed 1114.05 Program Requirements

²⁵ Ed 1111.02 Placement Decisions; 34 CFR 300.116 Placements

²⁶ Ed 1109.05 IEPs for Children Placed in Private Providers of Special Education or other non-LEA Programs by Public Agencies; 34 CFR 300.325 Private school placements by public agencies

²⁷ Ed 1103.01 IEP Team; 34 CFR 300.321 IEP Team

²⁸ Ed 1103.01 IEP Team; 34 CFR 300.321 IEP Team

²⁹ Ed 1109.01 (10) Elements of the individualized education program

9. If the student turned 16 during the IEP period, there is evidence that the transition plan is designed within a results-oriented process focused on improving academic and functional improvement to facilitate his or her movement from school to post-school goals and activities ³⁰ .	2	
10. There is evidence that outside agencies who are involved with this student's transition have participated in transition planning (e.g. DCYF, DJJS, and Area Agency) ³¹ .	2	

TRANSITION STATEMENTS	YES	NO
(Transition questions must be answered Yes or No, not N/A)		
For a student who will turn age 14 during the IEP service period (or younger if determined appropriate by the IEP team): The IEP includes a statement of the transition service needs that focuses on the student's course of study, such as participation in advanced-placement courses or a vocational education program		
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. (required data for federal statistics purposes)		
1. Is there an appropriate measurable postsecondary goal or goals that covers education OR training AND employment, and, as needed, independent living?	2	
<i>Can the goal(s) be counted? Will the goal(s) occur after the student graduates from school? Based on the information available about this student, does (do) the postsecondary goal(s) seem appropriate for this student? • If yes to all three, then check Y OR if a postsecondary goal(s) is (are) not stated, check N.</i>	2	
2. Is (are) the postsecondary goal(s) updated annually?	2	
<i>Was (were) the postsecondary goal(s) addressed/ updated in conjunction with the development of the current IEP? • If yes, then check Y OR If the postsecondary goal(s) was (were) not updated with the current IEP, check N.</i>	2	
3. Is there evidence that the measurable postsecondary goal(s) were based on age appropriate transition assessment?	2	
<i>Is the use of transition assessment(s) for the postsecondary goal(s) mentioned in the IEP or evident in the student's file? • If yes, then check Y OR if no, then check N.</i>	2	
4. Are there transition services in the IEP that will reasonably enable the student to meet his or her postsecondary goal(s)?	2	

³⁰ Ed 1109.01 (a)(10) Elements of an IEP; 34 CFR 300.320 Definition of an IEP (b); 34 CFR 300.43 Transition Services (a)(1)

³¹ Ed 1103.01 IEP Team; 34 CFR 300.321 IEP Team

Is a type of instruction, related service, community experience, or development of employment and other post-school adult living objectives, and if appropriate, acquisition of daily living skills, and provision of a functional vocational evaluation listed in association with meeting the post-secondary goal(s)? • If yes, then check Y OR if no, then check N.	2		
5. Do the transition services include courses of study that will reasonably enable the student to meet his or her postsecondary goal(s)?	2		
Do the transition services include courses of study that align with the student's postsecondary goal(s)? • If yes, then check Y OR if no, then check N.	2		
6. Is (are) there annual IEP goal(s) related to the student's transition services needs?	2		
Is (are) an annual goal(s) included in the IEP that is/are related to the student's transition services needs? • If yes, then check Y OR if no, then check N.	2		
7. Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?	2		
8. For the current year, is there documented evidence in the IEP or cumulative folder that the student was invited to attend the IEP Team meeting? • If yes, then check Y OR if no, then check N.	2		
Only the following statement may be answered N/A if appropriate. <u>All statements above must be answered Yes or No.</u>	YES	NO	N/A
9. If appropriate, is there evidence that a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority?			2
10. For the current year, is there evidence in the IEP that representatives of any of the following agencies/services were invited to participate in the IEP development including but not limited to: postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation for this post-secondary goal? Was consent obtained from the parent (or student, for a student the age of majority)? • If yes to both, then check Y. • If no invitation is evident and a participating agency is likely to be responsible for providing or paying for transition services and there was consent to invite them to the IEP meeting, then check N. • If it is too early to determine if the student will need outside agency involvement, or no agency is likely to provide or pay for transition services, check NA. • If parent or individual student consent (when appropriate) was not provided, check NA.			2
11. Student is informed prior to age 17 of his/her rights under IDEA ³² .	2		
12. Does the IEP meet the requirements of Indicator 13? (Check one) Yes (all Ys or NAs for each item (1 – 10) on the Checklist or No (one or more Ns checked)	2		

³² Ed 1120.01 Applicability; Transfer of Rights 34 CFR 300.320 (c) Transfer of Rights at age of majority

13. There is evidence of the summary of the student's academic achievement and functional performance , which includes recommendations on how to assist the student in meeting his or her post-secondary goals ³³ .	2		
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³³ Ed 1109.04 Copies of the IEP and Evidence of Implementation (c) 34 CFR 300.305 (e)(2)

Transition Strengths	Transition Suggestions for Improvement
<p>The staffs are realistic with students about the future and allow students to have a voice in planning.</p> <p>Students participate in a college visit each year.</p> <p>Relationships with LEAs are very strong, resulting in smooth and effective transition planning.</p> <p>Upon graduation, students are provided with a packet of information detailing how they can contact Clearway Staff post graduation.</p>	<p>None</p>

BEHAVIOR STRATEGIES AND DISCIPLINE

Fill in the combined <u>number</u> of times a statement is marked on all Data Collection Forms for this school or building		
	YES	NO
1. There is evidence that, where it has been determined that a child's behavior impedes learning, the use of positive behavioral interventions and supports, and other strategies to address that behavior have been implemented ³⁴ .		2
2. There is evidence that data are used to determine impact of student behavior on his/her learning.		2
3. There is evidence that the IEP team conducted a functional behavior assessment of the student's behavior ³⁵ .		2
4. If appropriate, there is evidence that the IEP team developed a behavior intervention plan that described strategies and supports ³⁶ .		2
5. There is evidence that the interventions, strategies and supports have been developed to address the student's behavior ³⁷ .		2
6. There is evidence that positive interventions, strategies and supports been communicated to the student, parents and key school personnel ³⁸ .		2
7. There is evidence that professional development, and specialized training has been provided to staff, parents, providers and others as appropriate to support the implementation of the behavior plan and strategies ³⁹ .		2
8. If aversive behavioral interventions were used, there is evidence that they were authorized in writing by a physician, and the IEP team, and included in the student's IEP ^{40,41} .		2
9. There is evidence that that the team uses data to demonstrate the results of the behavioral interventions, strategies and supports ⁴² .		2
10. A school-wide behavior intervention model exists.		2

³⁴ Ed 1114.07 Behavioral Interventions; Ed 1109.01 Elements of an IEP; 34 CFR 300.320 Content of IEP

³⁵ Ed 1124.01 (f)(1)(i)(ii) Disciplinary Procedures; 34 CFR 300.530 Authority of school personnel

³⁶ Ed 1102.01 Definitions (n)

³⁷ Ed 1114.07 Behavioral Interventions

³⁸ Ed 1114.05 Program Requirements

³⁹ Ed 1114.10 Qualifications and Requirements for Instructional, Administrative, and Support Personnel

⁴⁰ Ed 1113.06 (a)(b) Use of Aversive Behavioral Interventions "Aversive Behavioral Interventions" mean (1) A non-medical mechanical restraint that physically restricts student's movement; and (2) physical restraint, not in response to a threat of imminent, serious, physical harm.

⁴¹ Ed 1114.09 Use of Aversive Behavioral Interventions

⁴² Ed 1114.07 (a) Behavioral Interventions

Behavior Strategy Strengths	Behavior Strategy Suggestions for Improvement