

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

**Coe-Brown Northwood Academy
SUMMARY REPORT**

**David Smith, Headmaster
Mary Susan Smith, Director of Special Education**

Chairpersons, Visiting Team:
Kathryn Skoglund
Robert Greenleaf
Education Consultants

Site Visit Conducted on February 12 & 18, March 28, April 8, 2014

Date of Report: May 21, 2013

TABLE OF CONTENTS

- I. Team Members
- II. Introduction
- III. Purpose and Design of The Case Study Compliance Review Process
- IV. Status of Previous Program Approval Report and Corrective Actions
- V. February 12, 18 & March 28, April 8, 2014 Case Study Compliance Review Results
 - Local Education Agency (LEA) Survey
 - Parent Participation
 - Summary of Findings from the Three Focus Areas
 - Commendations
 - Issues of Significance
 - Findings of Noncompliance
 - Suggestions for Program Improvement
- VI. Building Level Summary Reports

I. TEAM MEMBERS

Visiting Team Members:

NAME	PROFESSIONAL ROLE
Kathryn Skoglund	Chairperson, Education Consultant
Robert Greenleaf	Chairperson, Education Consultant
Debra Krajcik	NHDOE, Education Consultant
Santina Thibedeau	NHDOE, State Director of Special Education
Meeta Brown	Special Education Coordinator
Garrett Lavallee	Special Education Coordinator
Janet Reed	Director
Colleen Sliva	Special Education Director
Paula Wensley	Director of Student Services

Building Level Team Members from Coe-Brown Northwood Academy:

NAME	PROFESSIONAL ROLE
Brent Tkaczyk	Skills Math teacher, Case Manager
Michael LaChance	Vocational teacher
Amy Usinger	English teacher
Ken Haggett	Vocational teacher
Gary Colby	Social Studies teacher
Sarah Ward	Vocational teacher
Ryan Smith	Skills Study teacher
Jennifer Cox	Guidance Counselor
Shawn White	Case Manager
Peter Stivali	Social Studies teacher
Rita Dana	English teacher
Karen Carey	Sports Medicine teacher
Susan McLean	Basic Algebra teacher
Tara Tenasco	Guidance Counselor
Tim Cox	Reading teacher, Case Manager
Jessica Ryan	Orientation teacher
Allen Unrein	Art teacher
Stephen Smith	Guidance Counselor
Mary Susan Smith	Special Education Director

II. INTRODUCTION

Coe-Brown Northwood Academy (CBNA) is a private, comprehensive secondary high school for students ages 14-21 in grades 9-12, which is designated as a “public academy”, one of only two in New Hampshire. It operates under the direction of a Board of Trustees and has contractual agreements with the towns of Northwood and Strafford, towns without their own public high schools. Other nearby towns, Barrington, Nottingham, and Deerfield, send small numbers of tuition students to CBNA.

Coe-Brown is located at 907 First New Hampshire Turnpike in Northwood, NH. CBNA special education programs are currently approved for the following disabilities: Autism, Emotionally Disabled, Hearing Impaired, Intellectual Disabilities, Other Health Impaired, Specific Learning Disabilities, and Speech/Language Disabilities. Students with educational disabilities participate in the general education curriculum and, if necessary, receive additional support. The special education staff includes a director of special education, four special education teachers, two related service providers, and fifteen paraprofessionals.

As stated in materials received from Coe-Brown Northwood Academy, their mission and information regarding strategic planning is as follows:

“Coe-Brown Northwood Academy strives to produce graduates who are academically and socially prepared to be responsible, caring and contributing members of the global society.”

“The CBNA Board of Trustees has several committees, all of which work on the Strategic Plan, short-term and long-term goals of the Academy. Each committee of the Board of Trustees reviews the Strategic Plan annually and the Board makes annual updates as appropriate. The goals outlined in the Strategic Plan embody the following categories: administration, athletics and co-curriculum, communications, development, education, facilities, and finance. All goals are centered around the Academy’s mission statement.”

SCHOOL DEMOGRAPHICS	2012-2013	2013-2014
Student Enrollment as of October 1	721	728
Do you accept out-of-state students? If so, list number from each state in 2013-14	No	
Number and Names of Sending New Hampshire LEAs (as of October 1, 2013)	SAU 44 Northwood, Nottingham, Strafford SAU 53 Deerfield, SAU 74 Barrington	
# of Identified Students Suspended One or More Times	11	0
Average Length of Stay for Students	4 yrs / 180 days	4 yrs / 180 days
<u>STAFF DEMOGRAPHICS</u>		
Student/Teacher Ratio (as of October 1, 2013)	1/10	1/10
# of Certified Administrators	3	3
# of Certified Teachers	66	67
# of Current Teachers with Certification through Alt 4	2	2
# of Related Service Providers	2	2
# of Paraprofessionals	13	15

# of Professional Days Made Available to Staff	Approved per case based on appropriate content	Approved per case based on appropriate content
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SPECIAL EDUCATION PROGRAM DATA (please put NA if not approved for the disability)		
Primary Disability Types:	2012-2013	2013-2014
Autism	3	5
Deaf / Blindness	n/a	n/a
Deafness	n/a	n/a
Developmental Delay	n/a	n/a
Emotional Disturbance	2	1
Hearing Impairment	1	1
Intellectual Disability	1	2
Multiple Disabilities*	3	5
Orthopedic Impairment	n/a	n/a
Other Health Impairment	21	31
Specific Learning Disabilities	41	40
Speech or Language Impairment	22	24
Traumatic Brain Injury *	2	2
Visual Impairment	n/a	n/a

* Current NHDOE approval letter from the Bureau of Special Education does not reflect approval for these disabilities.

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 Coe-Brown Northwood Academy on February 12, 18 & March 28, and April 8, 2014 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 Coe-Brown Northwood 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 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 July 7, 2010, NHDOE Special Education Program Approval Report, the following patterns were identified as needing improvement:

Findings of Noncompliance	Status as of May 13, 2011 and December 8, 2011	Status as of February 12 & 18, March 28, April 8, 2014
ED1109.01, CRF 300.320 Elements of an Individualized Education Program Three out of four IEPs reviewed by the visiting team did not contain measurable goals. All IEPs must be written in measureable terms.	December 8, 2011 MET	Not Met Two out of three IEPs reviewed did not contain measurable goals.
ED 1107.01 CRF 300.301 Evaluation Two out of four of the case studies did not complete a three year evaluation in a timely fashion and did not convene an IEP Team to determine that an evaluation was not necessary or to extend the time frame. Students' most recent evaluation, including a written summary report and meeting, will be held within 45 days of parental permission, with the possibility of a 15	May 13, 2011 MET	Met IEPs reviewed reflected three year evaluations completed within the required timeframe.

<p>day extension.</p>		
<p>ED 1109.03/CFR 300.43 Transition Services Of the four IEP case studies: Four IEPs did not contain measurable Transition goals. In addition, several IEPs did not contain transition services including a coordinated set of activities, instruction and consideration of community services. One IEP out of four did not include a statement of needed transition service needs as a coordinated set of activities. One IEP out of four did not include a statement of needed transition services with consideration of instruction. Two IEPs out of four did not include a statement of needed transition services and considers community experiences. Transition plans will include coordinated, measureable, annual goals and will include transition services that will consider needed transition services as a set of coordinated activities and includes instruction and the development of employment objectives.</p>	<p>December 8, 2011 MET</p>	<p>Not Met Two of two IEPs requiring Measurable Post-secondary Goals did not contain Measurable Post-secondary Goals. One of two IEPs did not contain current transition services. One IEP reviewed did not contain a statement of transition services needs.</p>
<p>Ed 1114.03 Governance (c) The governing body shall ensure that the program is in compliance with all federal, state, and local laws concerning the education of children with disabilities including the IDEA and RSA 186-C. CBNA needs to bring its policies and procedures into compliance with the standards of the <i>New Hampshire Rules for the Education of Children with Disabilities</i> effective June 30, 2008</p>	<p>May 13, 2011 MET</p>	<p>Not Met Documents reviewed (policies and procedures) reflected language that is not in compliance with NH Rules for the Education of Children with Disabilities.</p>
<p>Ed 1114.05 Program Requirements (c), “prior to enrollment, the sending LEA shall send a copy of the IEP that meets the requirements of Ed 1109 to each private provider of special education or other non-LEA program”. CBNA accepted IEP’s that did not meet compliance.</p>	<p>May 13, 2011 MET</p>	<p>Not Met IEPs reviewed indicated that CBNA is accepting IEPs from sending districts that are not compliant with Ed 1109.01/34CFR 300.320. Further explanation can be found in child specific findings.</p>

V. FEBRUARY 12, 18, March 28, and April 8, 2014 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.

The NHDOE Case Study Program Approval process conducted IEP case studies on three randomly selected CBNA students. The students selected represented the following educational disabilities: Specific Learning Disabilities and Other Health Impaired. Two of the three students were male, one female. The three students represented grades 9, 11, and 12 and were from Nottingham, Barrington, and Strafford, respectively. CBNA requires that all students develop post-graduation plans.

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, Coe-Brown Northwood Academy distributed the LEA Survey to the contact people in all LEAs (4) that have students currently enrolled in the school. They received a 100% response from the LEAs.

Analysis of the LEA Surveys by the visiting team found that responses fell into the “Agree” category. No responses were in the “Strongly Agree” category. Issues garnering a #2 or “Disagree” response reflected concerns around curriculum alignment with NH GLE’s or CCRS, behavior management programs, progress monitoring, notification of the LEA when considering modifying an IEP, and using data to measure growth and inform instruction. Based on the Case Study presentations, the visiting team noted that in two out of three IEPs, there was clear evidence of progress, and behavior management was appropriate and effective.

SUMMARY REPORT OF SENDING LEAs

Name of Private School: Coe-Brown		
Total number of surveys sent: 4	Total # of completed surveys received: 4	Percent of response: 100%
Number of students placed by: LEA: 76	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	1		
2. I am satisfied the student has made progress in the educational curriculum at the above school.		4			
3. There is evidence of effective instruction aligned with fidelity to the curriculum.		4			
4. The school consistently follows special education rules and regulations.		4			
5. The school has developed and implemented effective policies and procedures for management of student behavior including the use of aversives.		3	1		
6. The school has an effective behavioral management program.		3	1		
7. I am satisfied with the special education, related and other supplementary aids and services provided by the school.		4			
8. The school implements all parts of students' IEPs including accommodations and modifications in both instruction and assessment.		4			
9. The school effectively uses data to measure academic growth and to inform instruction.		4			
10. The school uses data to measure behavioral growth and to inform instruction.		3	1		
11. A mid-year review and annual evaluation of the child's progress relative to the IEP are conducted.		3	1		
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).		2	2		
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.		2	2		
14. I am satisfied with the way the school communicates students' progress to the parents and the LEA.		4			
15. The school actively plans for future transition to a less restrictive environment.		2	1		n/a
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	1		
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.		2	2		
18. The school team sets meeting times that are convenient for both parents and the LEA.		4			
19. I would enroll other students at the school.		4			
<p>Analysis of Response by Coe-Brown Northwood Academy:</p> <p>"I feel that information is incomplete as I have only been in my position for three months"16</p>					

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.

Analysis of Parent Responses by CBNA staff:

“Generally, parents are completely satisfied with the access to the general curriculum, the transition planning, and the behavior strategies and discipline employed by the special education program at CBNA. There were several responses that indicated partial satisfaction with the curriculum alignment with common core, progress toward IEP goals and attendance of outside agencies attending transition planning. Overall, less than 3 out of 20 were dissatisfied with access to the curriculum and less than 2 out of 20 were dissatisfied with the behavioral strategies. Moreover, 100% indicated that they were provided with a copy of the procedural safeguards.”

SUMMARY OF PARENT SURVEY DATA

Name of Private School: Coe Brown		
Total number of surveys sent: 80	Total # of completed surveys received: 22	Percent of response: 25%

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).	19	3	0	0
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.	22	0	0	0
3. I am informed on a regular basis and with clear evidence of my child's progress in the general education curriculum.	15	5	1	1
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.	19	3	0	0

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").	18	2	2	0
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).	20	2	0	0
7. I know whom to contact if I have questions about my child's placement or progress in this program.	20	1	1	0
8. I am satisfied that the staff of this placement worked collaboratively with my school district in developing my child's current IEP.	20	0	2	0
9. I have been involved in the development of my child's IEP.	21	1	0	0
10. I am satisfied that my child is making progress toward his/her IEP goals.	17	5	0	0
FOR PARENTS OF HIGH SCHOOL STUDENTS ONLY:				
11. My child earns credits toward a regular high school diploma in all of his/her classes.	22	0	0	0
12. My student will graduate with a high school diploma	21	0	1	0
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.	18	2	2	0
14. All of the people who are important to my child's transition were part of the planning (grade appropriate).	20	2	0	0
15. All of the people/agencies who are required to be part of transition planning for my child were part of the transition process.	18	4	0	0
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: measureable post-secondary goals, necessary supports and services, age-appropriate transition assessments, specific invitation to the Transition meeting, etc. (DOE Indicator #13)	16	0	2	2
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.	8	2	0	12
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		NO	
	3	2	1	No Answer
19. I have been involved in the development of behavior interventions, strategies and supports for my child.	7	1	3	11
20. I am satisfied with the way the school is supporting my child's behavioral, social and developmental needs.	7	2	2	11
OTHER:				
21. I fully participate in special education decisions regarding my child.	16	2	0	4
22. I have been provided with a copy of the procedural safeguards (parental rights) at least once a year.	18	0	0	4

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

Coe-Brown Northwood Academy provides course offerings that meet NH requirements for high school graduation and all students, with or without IEPs, have access to appropriate course work. Some classes exist for special education students only, such as English Skills and Math Skills courses. Special education teachers teach some content area classes (Math and Reading), but are “HQT” as their course content requires. Academic supports are available to students with disabilities across the curriculum: Skills Study, co-taught classes, and small group instruction. CBNA Program of Studies reflects vocational courses which have been helpful to students in preparing for post-secondary planning. CBNA special education staff is committed to assisting students in meeting their academic goals and, according to the students we met and interviewed, are readily available to assist with academic or behavioral challenges. However, the visiting team’s observations also led to concerns that special education and general education operate predominantly independently from each other. The input from classroom teachers to the IEP process is done primarily through paper exchange and the general education teachers with whom we spoke were unclear about how or why they would have more engagement. The accommodations in students’ IEPs are general (pulled from a drop down menu in the IEP software) and, although teacher input regarding the implementation of accommodations is sought, the list of accommodations provided to teachers is generic and not specific to the students. The visiting team saw no evidence of IEP goals linked to curriculum standards and progress monitoring of IEP goals was done by special education staff with little input from content area teachers. In two of the three IEPs the visiting team reviewed progress in core content areas was not evident. The visiting team observed that improvement is needed in organization, communications, attention to compliance updates, and school-wide special education leadership. There is also a need for on-going and targeted professional development for special education staff (CBNA special staff noted to the visiting team requests for PD that had gone unanswered), increased awareness of “best practices” in special education, improved consistency and accuracy among documents and practices in the special education department, analysis of the effectiveness of current special education practices, assistance to general educators in understanding their role with students with disabilities, knowledge of curriculum and learning standards in IEPs, improved communication with sending districts concerning attendance at student meetings, and the assurance that CBNA is in full compliance with state and federal regulations.

A comparison of the compliance issues raised in the 2010 Program Approval visit with the issues raised in the current visit reveals a lack of attention to their critical nature (measurable annual goals, Transition planning, policies and procedures out of compliance, accepting IEPs not compliant with Ed 1109.01). The continuity of these issues underscores the visiting team’s concerns regarding leadership in special education at Coe-Brown Northwood Academy.

Transition

Transition Planning

Process: Provision of Free Appropriate Public Education (FAPE)

Transition Service

Post-graduate planning appears to be a strength for CBNA although documents required for special education Transition planning do not meet the requirements of Indicator #13. Work is done with all students, those with and without IEPs, with regard to career choices and vocational courses. Guidance counselors, general education staff, students and their parents are all engaged in post-graduation planning and student needs and interests are considered. While the intention of transition planning works well at CBNA as observed in the three files reviewed, there needs to be closer attention to the required procedures for Transition found in IDEA and in the New Hampshire Rules for the Education of Children with Disabilities. As noted in the findings that follow, clearer documentation, better record keeping, documentation of activities and time lines need to be established. Transition planning, particularly as required by NH Rules, needs to be more strictly monitored.

Behavior Strategies and Discipline

CBNA has a discipline policy in place for all students that is integrated into its day-to-day operations. Faculty reports that students who need more support for behavioral issues work directly with teachers and/or guidance counselors. Students with IEPs who require behavioral attention may have behavior plans included in their IEPs and are supported by special education staff. If needed, CBNA does have a special educator certified in the area of emotional disability. Of the three students reviewed during this visit, none needed behavioral plans.

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 Coe-Brown Northwood Academy was not in compliance with all applicable New Hampshire Rules and the Education of Students with Disabilities and requirements for Non-Public Approval.

Special Education Policies and Procedures Manual:

It was evident from the visiting team's review of CBNA's Special Education Policies and Procedures Manual that there were items lacking as well as things that needed to be brought up to date. In an effort to clarify these items, one of the chairpersons on the visiting team returned following the visit to meet again with the Special Education Director and the Headmaster. The following citations emerged from the visit, as well as some suggestions found on pages 16-17.

- Ed 1114.05(j) Program Requirements; Ed 1114.10(a) Qualifications and Requirements for Personnel
The individual currently serving in the position called Director of Special Education does not hold special education administrator certification.

- Ed 1114.05(f) Program Requirements
Private providers shall not accept any students with disabilities for which the program is not approved. CBNA has 5 students with Multiple Disabilities and 2 students with Traumatic Brain Injury for which they are not approved.
- Ed 1113.01(a) IEP Team/34CFR300.321(a)(4) IEP Team
Currently CBNA does not consistently include the appropriate LEA rep at IEP meetings.

COMMENDATIONS

The following commendations emerged from the discussion by the visiting team following the three case study presentations:

1. An Art class observed by visiting team members reflected collaborative planning and addressed multiple instructional and assessment methods, addressing all learning styles and modalities. All students were fully engaged and allowances were made for a variety of products, all meeting class expectations which were explained in advance. Portfolios were in evidence and technology was appropriately used throughout the class.
2. A strong personal connection between students and case managers was evident in the case study presentations and was cited by the students as a factor in their success at CBNA.
3. CBNA offers a comprehensive range of vocational classes, providing students with several classes to choose from to round out their secondary experience. This includes career exploration and awareness offered to all students through the guidance department.
4. CBNA offers a non-credit “Math Lab” which provides comprehensive Math assistance for any student.

Number of Cases Reviewed **During the Coe-Brown Northwood Academy, NHDOE Compliance Visitation**

Preschool	0
Elementary School	0
Middle School	0
High School, Age Below 16	1
High School, Age 16 or Above	2
Number of Noncompliance for Indicator 13	2
Total Number of Case Studies Reviewed	3

**FINDINGS OF NONCOMPLIANCE IDENTIFIED AS A RESULT OF THE
FEBRUARY 12, 18; MARCH 28; APRIL 8, 2014 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.

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.*

Ed 1120.03 Written Prior Notice (Determination of Eligibility)

34CFR300.503

Two out of three IEPs reviewed did not have evidence of Written Prior Notice for placement.

Responsible LEA: Barrington and Strafford

Ed 1109.01(a)(1) Elements of an Individualized Education Program

34CFR 300.320(a)(2)(i) Definition of an Individualized Education Program

Two out of three IEPs reviewed did not contain measurable annual goals.

Responsible LEA: Nottingham and Strafford

Ed 1109.03 (h) When an Individualized Education Program is in Effect; IEP Meetings; Development, Review, and Revision of an IEP; Transition Services.

34CFR 300.324(b)(1)(i) Development, Review and Revision of Individualized Education Program

In one of the three IEPs reviewed it was not possible to determine if the student had made progress on the goals as no progress reports were available for review.

Responsible LEA: Strafford

Ed 1109.01(a)(10) Elements of an Individualized Education Program

34CFR 300.320(b)(1) Definition of an Individualized Education Program

In two out of the three IEPs reviewed, measurable post-secondary goals did not contain the language “upon graduation”.

One out of three IEPs reviewed did not contain updated or revised transition services.

One out of three IEPs reviewed contained no evidence that measurable post-secondary goals were updated annually.

Responsible LEA: Barrington and Strafford

Ed 1109.01(10) Elements of an Individualized Education Program

34CFR 300.320(b)(2) Definition of an Individualized Education Program

One out of three IEPs reviewed did not contain a complete course of studies. Courses were specified only for grade 9.

Responsible LEA: Nottingham

Ed 1120.01(b) Applicability; Transfer of Rights

34CFR 300.320(c) Transfer of rights at age of majority

One out of three IEPs reviewed did not contain any evidence that the student was informed of the transfer of rights prior to turning 18.

Responsible LEA: *Strafford*

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.*

Ed 1120.03 Written Prior Notice (Determination of Eligibility)

34CFR300.503

Two out of three IEPs reviewed did not have evidence of Written Prior Notice for placement.

Ed 1109.01(a)(1) Elements of an Individualized Education Program

34CFR 300.320 Definition of an Individualized Education Program

Two out of three IEPs reviewed did not contain measurable annual goals.

Ed 1109.01(a)(10) Elements of an Individualized Education Program

34CFR 300.320(b)(2) Definition of an Individualized Education Program

In two out of the three IEPs reviewed, measurable post-secondary goals did not contain the language “upon graduation”.

Ed 1114.05(c) Program Requirements

CBNA shall not accept any students with disabilities for which the program is not approved. At the time of the February 2014 Case Study Compliance Review, there were 7 students identified with the disability code of Multiple Disabilities (5) and Traumatic Brain Injury(2); Coe-Brown Northwood Academy is not approved to service students with these identifications.

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 re-defining the co-teaching model currently practiced by the CBNA special education staff so that lesson design, instruction, and student assessment are equally shared by general and special education teaching staff.

2. In speaking with general educators some confusion was expressed regarding the role of the general educator in special education. Work to enhance communication and collaboration between and among general and special education staff to encourage a more “seamless” and comprehensive system of supports and services provided to students with disabilities.
3. There is a need for focused and carefully designed professional development in special education practices and procedures for all special education staff at CBNA.
4. Upon review of the CBNA Special Education Policies and Procedures Manual, reference is made to “child care” and “children in residence”. It is our understanding the CBNA does not offer child care or residential services; this language should be removed.
5. Upon review of the CBNA Special Education Policies and Procedures Manual, it was determined that the “Program Evaluation” section contains language for evaluating student progress. Language in this section should reflect processes for evaluating the effectiveness of the special education programming that CBNA offers to its students with disabilities.

V. 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: Coe-Brown Northwood Academy	Date: 2/12/2014, 2/18/2014. 3/28/2014.	
Programs:	Number of Cases Reviewed: 3	
Recorder/Summarizer: K. Skoglund	Number of students reviewed age 16+: 2	

CLEARLY PRINT NAMES OF ALL COLLABORATIVE TEAM MEMBERS

Colleen Sliva	Special Education Director	Visiting
Meeta Brown	Special Education Coordinator	Visiting
Paula Wensley	Director of Student Services	Visiting
Janet Reed	School Director	Visiting
Garrett LaVallee	Special Education Coordinator	Visiting
Kathy Skoglund	Education Consultant	Visiting
Bob Greenleaf	Education Consultant	Visiting
Debra Kracjik	Education Consultant, NHDOE	Visiting
Allen Unrein	Art teacher	Building
Shawn White	Study Skills teacher, case manager	Building
Tim Tenasco	Social Studies teacher	Building
Brent Tkaczyk	Math teacher, case manager	Building
Stephen Smith	Guidance Counselor	Building
Peter Stivali	Social Studies teacher	Building
Rita Dana	English teacher	Building
Karen Carey	Sports Medicine teacher	Building
Susan McLean	Basic Algebra teacher	Building
Tara Tenasco	Guidance Counselor	Building
Tim Cox	Reading teacher, case manager	Building
Jessica Ryan	Orientation teacher	Building
Michael LaChance	Vocational teacher	Building
Amy Usinger	English teacher	Building
Ken Haggett	Vocational teacher	Building
Gary Colby	Social Studies teacher	Building

Sarah Ward Ryan Smith Jennifer Cox Mary Susan Smith	Vocational teacher Skills Study Guidance Counselor Special Education Director	Building Building Building
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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 .	3		
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 .	3		
3. There is evidence that the Team uses multiple measures to design, implement and monitor the student's program ^{3,4} .	3		
4. All IEP goals are written in measurable terms ⁵ .	1	2	
5. Student's IEP has at least one functional goal (as applicable) ⁶ .	1		2
6. There is evidence that the student has made progress in IEP Goals over the past three years ^{7,8} .	2	1	

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

7. There is evidence that the special education, supplementary aids and/or related services described in the IEP have been delivered ⁹ .	3		
8. There is evidence that NH Minimum Standards for required subjects (credits) are met and provided to the student ¹⁰ .	3		
9. There is evidence the student <u>has access to, is participating and progressing in</u> the general education curriculum (aligned with NH Curriculum Frameworks/CCSS) ¹¹ .	3		
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 .	3		
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} .	3		
12. There is evidence that supports and accommodations are provided to this student to allow participation in extracurricular and other non-academic activities ¹⁷ .	3		
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 .	1	2	
14. There is evidence the student's IEP is reasonably calculated to result in educational benefit.	2	1	
For High School Students:			
Student is earning credits toward a regular high school diploma ¹⁹ .	3		
IF YES: within 4 years?	3		

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

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

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 ?	yes		

Access Strengths	Access Suggestions for Improvement
<ol style="list-style-type: none"> 1. Course offerings: breadth of vocational classes, exploratory courses, career exploration. 2. Art class (Unrein): “Universal Design for Learning”. 3. Math Lab: all students can access. 4. Growth in self-advocacy (one student). 5. Strong relationship between case managers and students. 	<ol style="list-style-type: none"> 1. Consider refining co-teaching model so that special educator is doing actual instruction/assessment; design and planning shared. 2. Work to reduce “separation: between general and special education; avoid parallel systems. 3. Need for focused PD for special educators with general education: UDL, co-teaching, progress monitoring shared with general education teachers, goals connected to curriculum standards.

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 .	1	
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 .	1	

²⁰ Ed 1114.05 Program Requirements (a)(b)

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.

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 .	1	
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 .	1	
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 .	1	
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 .	1	
7. There is evidence that the student and parents have been involved in transition discussions and activities ²⁸ .	1	
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 .		1
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 .		1
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 . ** There has been no request by parent or school to have outside agencies present	NA	

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		

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

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

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. 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>			
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>			
4. Are there transition services in the IEP that will reasonably enable the student to meet his or her postsecondary goal(s)?	1	1	
<i>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.</i>			
5. Do the transition services include courses of study that will reasonably enable the student to meet his or her postsecondary goal(s)?			
<i>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.</i>		2	
6. Is (are) there annual IEP goal(s) related to the student's transition services needs?	2		
<i>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.</i>			
7. Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?	2		
8. <i>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.</i>			
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?			
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.			
11. Student is informed prior to age 17 of his/her rights under IDEA ³² .	1	1	
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	
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 . ** Only one student should have had SOP		1	

Transition Strengths	Transition Suggestions for Improvement
<ol style="list-style-type: none"> 1. Requirement of 40 hours of “Community Awareness” 2. Guidance curriculum: career exploration/awareness, grade 9 Orientation. 	

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

³³ Ed 1109.04 Copies of the IEP and Evidence of Implementation (c) 34 CFR 300.305 (e)(2)

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 .	1	2 (NA)
2. There is evidence that data are used to determine impact of student behavior on his/her learning.		3
3. There is evidence that the IEP team conducted a functional behavior assessment of the student's behavior ³⁵ .		3
4. If appropriate, there is evidence that the IEP team developed a behavior intervention plan that described strategies and supports ³⁶ .		3
5. There is evidence that the interventions, strategies and supports have been developed to address the student's behavior ³⁷ .		3
6. There is evidence that positive interventions, strategies and supports been communicated to the student, parents and key school personnel ³⁸ .		3
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 .		3
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} .		3
9. There is evidence that that the team uses data to demonstrate the results of the behavioral interventions, strategies and supports ⁴² .		3
10. A school-wide behavior intervention model exists.	yes	

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
<p>1. No behavior strategy strengths were identified by the visiting team.</p>	