

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

**ENRICHED LEARNING CENTER
SUMMARY REPORT**

**James Cochran, Executive Director
David Kenney, Education Coordinator**

Chairperson, Visiting Team:
Jane Bergeron-Beaulieu
Education Consultant

Site Visit Conducted on February 3, 2014
Date of Report: April 8, 2014

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I. TEAM MEMBERS

Visiting Team Members:

NAME	PROFESSIONAL ROLE
Jane Bergeron-Beaulieu	Chairperson, Education Consultant
Gretchen Cook	Coordinator of Education
Harold Jones	Language Arts Teacher
Mary Steady	NHDOE Education Consultant
Nancy Pierce	Principal

Building Level Team Members from Enriched Learning Center:

NAME	PROFESSIONAL ROLE
James Cochran	Executive Director
David Kenney	Education Coordinator
Eric Tonkery	Lead Teacher
Nick Rudowski	Teacher
Clayton Vetter	Behavioral Specialist
Ed Sawtell	Behavioral Specialist

II. INTRODUCTION

Enriched Learning Center (ELC) located in Berlin, NH, is a for profit Special Education approved school that provides a comprehensive array of Special Education programming for adolescent boys and girls ages 9-21 that have been diagnosed with one or more of the following educational disabilities: Autism, Emotional Disturbance, Multiple Disabilities, Other Health Impairments, Speech and Language Impairment and Specific Learning Disabilities. ELC is approved by the New Hampshire Department of Education, Bureau of Special Education to enroll a maximum capacity of 22 students during the school year and 12 students during the summer school session. The Enriched Learning Center is in compliance with all requirements for Non-Public Approval. Additionally ELC is approved by the NHDOE, Bureau of School Approval as a nonpublic school with the ability to issue high school credits leading to a regular high school diploma. ELC is in its fifth year of operation, and despite the student enrollment decreasing in recent years, the school has diversified their services to include provision of professional development, team building programming, consultation on case management and assisting with various aspects of transition planning for students in the Berlin and Gorham school districts.

A hallmark of ELC is the strong working relationship with the Berlin School District to include the exchange of professional expertise, resources, professional development, and curriculum offerings. These well-established professional partnerships include shared curriculum, professional development master plan, department meetings at the middle and high schools, consultation to staff etc. While this is just a sampling the exchange and partnerships have resulted in open communication, impressive collaborative learning opportunities for both students and staff, and responsiveness to all requests in meeting the unique and changing needs of the student population. At ELC student instruction is differentiated, offered in small class size settings, and designed to support individual learning needs across all academic and non-academic content areas and as appropriate, meeting the requirements of individualized education plans. ELC offers adventure based programming which is incorporated into the curriculum and designed to build self-esteem and social skills through challenging yet attainable physical and recreational activities. As outlined in Individualized Education Programs (IEPs) many students are provided with instruction at both ELC and the Berlin Public Schools; which include classes at the Berlin High School Center for Technical Education. Through these well established and varied learning opportunities all students enrolled at Enriched Learning Center are provided full access to the general education curriculum.

As outlined in the materials submitted by Enriched Learning Center, their mission, guiding principles and goals are as follows:

“The mission of the ELC is to foster the social, emotional, and educational development in our students by engaging each individual’s strengths and interests in order to prepare students for transition to a less restrictive environment and/or post-secondary educational and vocational opportunities in our community.

ELC’s guiding principles and beliefs are grounded in focusing treatment and educational programming based on the cognitive, behavioral, physical and social-emotional needs of our students. Additionally, core beliefs include a focus on ensuring programming that promotes a sense of community, individual responsibility, individual achievement, facilitates family involvement in each student’s treatment. The Enriched Learning Center employs a variety of evidence- based strategies including Positive Behavioral Supports and Interventions (PBIS), Crisis Prevention Institute principles, (CPI), and Choice Therapy. Faculty and staff provides a flexible and dynamic approach to meeting the needs of each

student through teamwork and collaboration with each student, his/her family and LEA. Education and supportive therapeutic services will be individually tailored and developmentally appropriate to meet the specific needs of each student. ELC provides a safe, non-punitive, learning environment where students receive a balanced educational experience that focuses equally on academic, vocational and social skills.”

ELC Goals are:

- “To maintain and grow our student’s census and program offerings within Coos County and Berlin to maintain our current staffing level.
- Develop a career technical education programs with a focus on outdoor education and pre vocational skills related to building trades through collaboration with White Mountain Community college and possibly the Berlin Career Technical Education Program at Berlin High School.
- Maintain and grow ELC staff participation in Berlin and Gorham school district professional development and school climate initiatives through consultation.”

SCHOOL DEMOGRAPHICS	2012-2013	2013-2014
Student Enrollment as of October 1	10	10
Do you accept out-of-state students? If so, list number from each state in 2013-14	N/A	
Number and Names of Sending New Hampshire LEAs (as of October 1, 2013)	SAU #3 Berlin, NH SAU #20 Gorham, NH	
# of Identified Students Suspended One or More Times	0	0
Average Length of Stay for Students	2.75 years	1.75 years
STAFF DEMOGRAPHICS		
Student/Teacher Ratio (as of October 1, 2013)	1:5	1:4
# of Certified Administrators	1	1
# of Certified Special Education Teachers	3	5
# of Current Teachers with Certification through Alt 4	0	1
# of Related Service Providers	N/A	N/A
# of Paraprofessionals	3	1
# of Professional Days Made Available to Staff	8	8
SPECIAL EDUCATION PROGRAM DATA (please put NA if not approved for the disability)		
Primary Disability Types:	2012-2013	2013-2014
Autism	0	0
Deaf / Blindness	NA	NA
Deafness	NA	NA
Developmental Delay	NA	NA
Emotional Disturbance	7	7
Hearing Impairment	NA	NA
Intellectual Disability	NA	NA

Multiple Disabilities	0	0
Orthopedic Impairment	NA	NA
Other Health Impairment	3	3
Specific Learning Disabilities	1	1
Speech or 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 Enriched Learning Center on February 3, 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 and NHSEIS verification reports
- ♦ 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 Enriched Learning Center. 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 August 1, 2011 NHDOE Special Education Program Approval Report there were no findings of noncompliance.

Findings of Noncompliance	N/A	N/A
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V. FEBRUARY 3, 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.

Two NH students were randomly selected for the Case Studies taking into consideration the middle and high school grade levels, age, educational disabilities, and length of stay within the program. The Case Studies included a 13 year old 8th grade student identified with an Other Health Impaired and a 15 year old grade 10 student identified as having Emotional Disturbance. At the time of the February 3, 2014 Case Study Compliance Review, all of the students enrolled at ELC were from the Berlin School District; the district was notified of the selection of students and participated in all aspects of the review process. Both of the students represented in the Case Study presentations had been enrolled at ELC for more than a year and were strong examples of the programming offered to all of the students.

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, Enriched Learning Center 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.

SUMMARY REPORT OF SENDING LEAs

Name of Private School: Enriched Learning Center		
Total number of surveys sent: 4	Total # of completed surveys received: 3	Percent of response: 75%
Number of students placed by: LEA: 9	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.	1	2			
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.	2	1			
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.	2	1			
6. The school has an effective behavioral management program.	3				
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.	2	1			
9. The school effectively uses data to measure academic growth and to inform instruction.	1	2			
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.	2	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	1			
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	1			
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).	2	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.	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 LEA surveys by Enriched Learning Center:

The 75% response rate from the LEA survey was impressive and reflective of the strong working relationship with LEA's. The comments received by LEA's were very positive indicating that there is a strong satisfaction with the programming provided by Enriched Learning Center. The one area that LEA's indicate needs to be looked at further is in the area of utilization of data, which is something Enriched Learning Center recognizes.

The following statements are taken directly from the surveys:

"The Enriched Learning Center is a very vital component of our school district's educational options for students experiencing behavioral and/or emotional struggles. We have been extremely happy with the services and staff at ELC"

"We have had several students placed at ELC. These students have made positive gains and I have full confidence in the staff at ELC and the educational programs they provide."

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.

SUMMARY of PARENT SURVEY: Enriched Learning Center

(Find below the total numbers for the surveys responded to by ELC student parents)

Total Number of Surveys Sent 9

Total Number Replied 4

Percent Replied 44%

PLEASE RESPOND TO THE STATEMENTS BELOW USING THE FOLLOWING 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)	4			
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.	3	1		
3. I am informed on a regular basis and with clear evidence of my child's progress in the general education curriculum.	4			
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.	4			
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").	4			
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).	3	1		
7. I know whom to contact if I have questions about my child's placement or progress in this program.	4			
8. I am satisfied that the staff of this placement worked collaboratively with my school district in developing my child's current IEP.	4			
9. I have been involved in the development of my child's IEP.	4			
10. I am satisfied that my child is making progress toward his/her IEP goals	4			
FOR PARENTS OF HIGH SCHOOL STUDENTS ONLY:				
11. My child earns credits toward a regular high school diploma in all of his/her classes.	3			1
12. My child will graduate with a high school diploma	3			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.	2	2		
14. All of the people who are important to my child's transition were part of the planning (grade appropriate).	2	1	1	
15. All of the people/agencies who are required to be part of transition planning for my child were part of the transition process.	2	1	1	
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)	2			2

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

Based on the February 3, 2014 two Case Study presentations, along with review of the supporting materials submitted, it was evident that the students enrolled at Enriched Learning Center are provided highly individualized instruction and that all students are afforded the opportunity to progress at their own rate of learning. As part of the Case Study Compliance review ELC provided evidence of course offerings, a curriculum that aligned with the New Hampshire College and Career-Ready Standards (NH CCRS) and documentation that there are systems in place to ensure that all students are provided full access and participation in general education requirements. The visiting team observed a number of examples that demonstrated full access to the general education curriculum including lesson planning, student work, formative assessments aligned to the curriculum, and opportunities for students to enroll in classes at their home school for selected subjects. At ELC community service experiences for students are supported and vocational opportunities exist. As noted in the report that follows, some examples include strong connections and available offerings from the CTE Center at Berlin High School, on-site course offerings, community garden projects, recycling efforts, and connections with business and industry. High school students are earning credit toward a regular high school diploma, and there are strong partnerships between ELC and Berlin High School which enhances all aspects of the programming student learning

Examination of IEPs revealed a range of compliance with the requirement that annual goals be written in measurable terms. Measurable goals are essential in establishing clear expectations, and as appropriate, connected to the curriculum and monitoring of progress. Several of the goals reviewed were not written in measurable terms, lacking data-based current levels of performance. Present level of functional performance was not clearly articulated.

Transition

Transition Planning

Process: Provision of Free Appropriate Public Education (FAPE)

Transition Services

Staff at ELC shares information regarding curriculum, instruction and assessment during weekly staff meetings. Student response to instruction is monitored closely among staff and there are many opportunities for collaboration on specific student needs. Each faculty member knows all students which make transition planning more easily accomplished within the school, to and from their home school and as appropriate with the Career & Technical Education Center.

While there was much evidence that transition planning took place for the 16 year old student reviewed, the transition plan did not meet compliance. Specifically the goals need to be written in measurable terms, with a coordinated set of actions and services necessary to reach the goals. While the goals in the transition plan were not measurable, the case study presentation demonstrated engagement of the students in transition planning, collaboration with the LEA for transition planning,

and any necessary assessments/ inventories related to post-secondary planning, independent living and and/or possible employment opportunities.

Behavior Strategies and Discipline

In visiting ELC, it is clear that the school is implementing a sound and well established behavior support and intervention system. As part of the Case Study Compliance Review, the school wide behavior system, based on the tenets of Respect, Support, Gracious and Participation was reviewed, along with the tracking system and data collection system which expresses data in both graph and percentage form. ELC has recently developed a new behavioral system which is centered on positive behavioral supports and interventions and the abundant data collected is reviewed and utilized regularly to monitor student progress and to inform the teaching and learning that is happening within the school. The visiting team observed the newly implemented behavior management system which is designed to promote a school wide culture of respect. There are well established and documented protocols in place that include tiered levels of behavioral supports which are well monitored and supervised. There are several non-negotiable, clearly defined behavioral expectations designed to teach students to manage and monitor their own behaviors. As evidenced in the two case studies presented, for those students in need of more specialized behavioral supports plans, functional behavioral assessments are conducted, plans written and included in IEPs as determined appropriate by the IEP team.

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 and verification of these documents found the Enriched Learning Center to be in compliance with most all applicable New Hampshire Rules and the Education of Students with Disabilities and requirements for Non-Public Approval. Exceptions are noted in the findings of non-compliance.

COMMENDATIONS

ELC Administration and faculty are commended for their conscientious attention to preparations for the NHDOE Case Study Compliance Review. The process was approached as a constructive opportunity to reflect upon program strengths, challenges and overall compliance with state and federal special education rules and regulations. This was evident in the planning and preparation for the Case Study Compliance Review and the proactive stance throughout the February 3, 2014 visit. As a result of the Case Study Compliance Review the several commendations were identified to include:

1. Leadership at ELC is shared, equitable and the school is recognized for thoughtful, proactive problem solving that is child centered and focused on results.
2. The dedicated, caring, highly skilled and motivated staff is recognized for their common interest in continuous professional growth and commitment to student success.

3. At ELC students know and demonstrate school routines, behavioral expectations and report that they feel safe, welcomed, supported, respected and that they are engaged in their own learning.
4. ELC has earned the regard and respect of the Berlin School District and the community at large which has resulted in many joint partnerships and learning opportunities for staff and students.
5. The administration and faculty are recognized as professional resources to the local school districts and the greater community of the city of Berlin.
6. Exemplifying a culture of collective responsibility, the staff works collaboratively with parents, students, LEAs and outside agencies to ensure that students are supported and that their needs are met.
7. The expansion of the facility to include additional classrooms and a multi-purpose room has allowed ELC to expand upon their educational offerings to include but limited to expansion of large and small group instruction, morning meetings, career exploration, space for interventions etc.
8. Within the school there is a sense of pride, teamwork and a sense of enthusiasm.
9. ELC continues to grow and evolve and suggestions for improvement provided are viewed as important in guiding long and short term planning.
10. Efforts to engage the students in the local community are well recognized.
11. The LEA with students enrolled has high regard for the caliber of the programming.
12. The respectful and positive relationships with parents and families are commendable.
13. The Executive Director of ELC is commended for his vision, leadership, collaboration and ability to engage LEAs, parents, students and faculty in all aspects of programming.
14. At ELC there is a sense of purpose and vision and the adults working within the school are lifelong learners and true role models for the students.

Number of Cases Reviewed
During the Enriched Learning Center, NHDOE Compliance Visitation

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

FINDINGS OF NONCOMPLIANCE IDENTIFIED AS A RESULT OF THE
FEBRUARY 3, 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. **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.*

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

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

IEP lacked annual goals written in measurable terms.

Responsible LEA: Berlin School District

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

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

Transition Services

IEP lacked transition plan that was designed to be results oriented with a focus upon academic and functional improvement facilitating movement from school to post-school goals and activities.

Responsible LEA: Berlin School District

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

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

Transition Services

IEP for student aged 14 lacked transition plan that met compliance, specifically statement of transition services that focus on the students courses of study.

Responsible LEA: Berlin School District

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.*

At Enriched Learning Center there are many praiseworthy strategies, interventions and programming provided to all of the students enrolled. And while noteworthy, it is important to identify that of the two IEPs reviewed, similar findings of noncompliance could be representative of system wide issues that need to be addressed. To fully realize the dimension of accountability ELC will need to work in collaboration with the sending LEA in addressing the following:

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

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

Both of the IEPs presented lacked annual goals that were written in measurable terms.

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

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

Transition Services

Both of the IEPs presented lacked transition plans that met compliance.

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 more formalized long term strategic planning taking into consideration avenues for further outreach to LEAs, and assisting public schools with program development.
2. Staff would benefit from ongoing professional development in the writing of IEPs that have measurable annual goals and transition plans that meet compliance.

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: Enriched Learning Center	Date: February 3, 2014	
Programs: Middle & High School	Number of Cases Reviewed: 2	
Recorder/Summarizer: Jane Bergeron-Beaulieu	Number of students reviewed age 16+: 1	Number of students age 16+ cited for Indicator13:

CLEARLY PRINT NAMES OF ALL COLLABORATIVE TEAM MEMBERS

Name: Jane Bergeron-Beaulieu	Position: Chairperson, Education Consultant	Visiting
Name: Gretchen Cook	Position: Coordinator of Education	Visiting
Name: Harold Jones	Position: Language Arts Teacher	Visiting
Name: Mary Steady	Position: NHDOE Education Consultant	Visiting
Name: Nancy Pierce	Position: Principal	Visiting
Name: James Cochran	Position: Executive Director	Building Level
Name: David Kenney	Position: Education Coordinator	Building Level
Name: Eric Tonkery	Position: Lead Teacher	Building Level
Name: Nick Rudowski	Position: Teacher	Building Level
Name: Clayton Vetter	Position: Behavioral Specialist	Building Level
Name: Ed Sawtell	Position: Behavioral Specialist	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 .		2	
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 .	1		
IF YES: within 4 years?	1		
Student will earn an IEP diploma or a certificate of completion ¹⁹ .		1	
IF YES: within 4 years?			
Does this school have a clear policy for earning a high school diploma ²⁰ ?	1		

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
<ol style="list-style-type: none"> 1. The Enriched Learning Center has strong and genuine connections and partnerships with the Berlin School District to ensure that students have full access to the general education curriculum and that they are earning high school credits leading to a regular high school diploma. 2. The pre-vocational and vocational opportunities available to students are impressive. 3. ELC is exploring options for the implementation of “Project Running Start” which would enable high school students to earn college credit for some course offerings. 4. The implementation of Aims Web as a progress monitoring tool will enable staff to monitor student progress more closely. 5. The utilization of experiential learning in the implementation of the curriculum ensures a high level of student engagement and interest in learning activities. 	

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. 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 .		
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 .		
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 .		
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 .		
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 .		
7. There is evidence that the student and parents have been involved in transition discussions and activities ²⁸ .		
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

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 .		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 .		

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		1
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?		1
<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>		1
2. Is (are) the postsecondary goal(s) updated annually?	1	
<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?		1
<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	

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

<p><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)?</i></p> <p>• If yes, then check Y OR if no, then check N.</p>			
5. Do the transition services include courses of study that will reasonably enable the student to meet his or her postsecondary goal(s)?	1		
<p><i>Do the transition services include courses of study that align with the student's postsecondary goal(s)?</i></p> <p>• If yes, then check Y OR if no, then check N.</p>			
6. Is (are) there annual IEP goal(s) related to the student's transition services needs?	1		
<p><i>Is (are) an annual goal(s) included in the IEP that is/are related to the student's transition services needs?</i></p> <p>• If yes, then check Y OR if no, then check N.</p>			
7. Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?	1		
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?</i>	1		
<p>• If yes, then check Y OR if no, then check N.</p>			
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?	1		
<p>10. <i>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?</i></p> <p><i>Was consent obtained from the parent (or student, for a student the age of majority)?</i></p> <p>• If yes to both, then check Y.</p> <p>• 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.</p> <p>• 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.</p> <p>• If parent or individual student consent (when appropriate) was not provided, check NA.</p>	1		
11. Student is informed prior to age 17 of his/her rights under IDEA ³² .			
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)		1	

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 .	1		
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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
<ol style="list-style-type: none"> 1. Enriched Learning Center has many well established processes in place for transitioning students. 2. Transition to a lesser restrictive environment is emphasized upon admission to the school. 3. For ELC students who are attending the public school setting, there are supports and consultation available. 4. Staff and administration are intentional in transition planning and providing supports to family, students, vocational rehabilitation and local school districts. 5. The connections and partnerships with Vocational Rehabilitation are impressive. 6. The emphasis on pre-vocational skills and experiential learning components of the program are commendable. 	<p>Transition plans as reflected in IEPs could be more individualized.</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
<ol style="list-style-type: none"> 1. The environment in the classrooms is productive and there are high expectations for positive behaviors. 2. Staff and administration provide consistent behavioral expectations for students. 3. The staff and administration target intentional use of specific data in addressing student behaviors. 4. The behavior specialist provides consultation and consistency in regard to behavior management, monitoring of data and writing of behavior plans. 5. A significant amount of data is collected regarding student behaviors and the data are reviewed regularly to plan appropriate programming for students and to measure success rate of students. 6. By using a strength based non-punitive system, students can clearly articulate behavioral expectations, and report that the system is having a positive impact on them. 7. Students are respected and treated as individuals regardless of the behavioral challenges that may need to be addressed. 8. Crisis Prevention Intervention (CPI) training is conducted in collaboration with the Berlin School District 9. Staff, students, parents have ongoing conversations regarding behavioral data and the data is utilized as a means for self-reflection and self-advocacy on the part of students. 	<ol style="list-style-type: none"> 1. As the new behavior data collection systems evolves, consider reporting the behavioral progress with academic progress reporting. 2. Consider utilizing positive behavior data collection reports as a facet of career/college ready skills in transition planning process.