

***POCANTICO HILLS CENTRAL
SCHOOL DISTRICT***



Audit of the Special Education Department

February 2011

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Bridge to Success, LLC

Pocantico Hills Central School District
Department of Special Education Audit

1/2011

Overview

The Pocantico Hills Central School District is a small suburban district primarily composed of high achieving students from an upper socio-economic population. It has a small pocket (8.9%) of low income families living in subsidized housing. The school is organized into three departments; Primary, Intermediate, and Middle School. High School students are educated in Tarrytown; Pleasantville or Briarcliff Manor as tuition students.

The school is rich in resources from technology (smart-boards in classrooms) to a partnership with the Stone Barns Center for Food and Agriculture. Classes are small with a high teacher to student ratio as well as a large support staff. The school is actively supported by the PTA for many extracurricular events and activities. There is also a Pocantico Schools Foundation which provides additional support for enriched educational programs.

The students in the Pocantico Hills School District do very well on the state tests. The most recent Annual Report is from 2008-09 and indicates that 96-100% of the students are scoring at or above state standards.

An audit of the Special Education Department had been conducted in January 2007 but due to changes in central administration many of the recommendations were not put into place. The administrators in the district are committed to providing the best instructional curriculum to meet the needs of all students. The new Superintendent and the BOE have requested this audit of the Special Education Department to ensure the district is meeting this goal in the most productive and beneficial manner. At the same time they want a review of the department to ensure it is meeting the compliance requirements of federal and state education regulations.

There is an understanding that through No Child Left Behind and IDEA 2004, there is a blurring of the lines between general and special education. The effectiveness of the district's special education programs and procedures are

being examined to determine compliance with regulations while providing the best and least restrictive services to students.

This is an excellent time to review and revise procedures as NYS is implementing a new IEP process and making changes to regulations and guidelines. In addition, all school districts will have to file a district Response to Intervention (RTI) plan by spring 2012 which will delineate the process and procedures the district will follow in applying the RTI model for Academic and Behavioral student support. This plan will provide and document the process the district is following to provide students with support before being recommended for special education services.

As part of the audit, interviews were conducted with the Superintendent; the Assistant Superintendent for Finance and Support Services; the Principal; the Interim Coordinator for Curriculum and Instruction; the special education teachers; speech/language pathologist and the CSE Chairperson/psychologist. District procedures and programs were reviewed, as well as the IEP format.

Child Find:

- Each new entrant and entering kindergarteners are screened with a program that assesses and monitors young children's progress. Recommendations for special supports are recommended based on these results.

District Academic Programs:

PreK - The Pocantico Central School district provides a Universal Pre-Kindergarten (UPK) program which is available to all the district's 4 year olds. The school district is financially responsible for costs above the state UPK funding. Any student classified through the Committee on Pre-School Special Education would be getting services through the Westchester County Department of Health.

Staffing

- There is 1 General Education Teacher and 1 Teacher Assistant for two half day classes. In addition, the District's Remedial and Intervention Teacher and Teaching Assistant and the Primary Special Education Teacher and her Teaching Assistant push-into the classroom. In total they provide one period a day of ELA support.

Primary - There are 2 classes on each grade K-2.

Staffing

- General Education - The class size approved by the BOE and teachers' contract is up to 25 students, there are currently two teachers per grade with class sizes ranging from 9 to 16, an average of 13 students..
- Support Staff - There is one Remedial and Intervention Teacher and one Teaching Assistant providing push-in services to each class for ELA and Math.
- Special Education - There is one Special Education Teacher and one Teaching Assistant providing the mandated Resource Room and/or Consultant Teacher services. They also push into each class on all three grade levels for general education support in ELA and Math. There is an Aide in one kindergarten class for 3 classified students. In first grade there are 2 students for whom Aides were recommended but one student has a 1:1 Aide which then requires a second Aide for the other student.

Programs

- Response to Intervention Reading groups: PreK-2 provided by the Remedial and Intervention Teacher and the Special Education Teachers
- Consultant Teacher Services (CTS) - Special Education Teacher pushes into the classroom
- Resource Room (RR) Special Education Teacher pulls students out of classroom for small group instruction and remediation
- Inclusion - the state approved program is Integrated Co-Teaching where there is a special education and general education teacher in the classroom co-teaching for the amount of time required by student's IEP. It can be a full day or half day program or for a specific academic area. In Pocantico this term is being used for when the Special Education Teacher or Teaching Assistant pushes into the classroom.

Intermediate - There are 2 classes on each grade 3-4

Staffing

- General Education - There are two teachers per grade with class sizes ranging from 15 to 17, an average of 16 students. The class size approved by the BOE and teachers' contract is up to 25 students
- Support Staff - There is one Remedial/AIS teacher and one Remedial/AIS Teaching Assistant providing push-in and pull-out support.
- Special Education - There is one Special Education Teacher and one Teaching Assistant providing the mandated Resource Room, Consultant Teacher services and/or Special Class Reading. They also push into each class on all three grades for general education support in ELA and Math. There is one 3rd grade student who requires an Aide

Programs

- Remedial /AIS students in each class receive support in small groups either as a push-in or push-out service for all academic subjects
- Consultant Teacher Services (CTS) Special Education Teacher pushes into the classroom
- Resource Room (RR) Special Education Teacher pulls students out of classroom for small group instruction and remediation
- Inclusion (this is listed on IEPs with different variations)
- Special Class (SC) for specific subjects (this is listed on IEPs with different variations)

Middle School - There are two classes on each grade 5-8

Staffing

- General Education - There is one teacher responsible for teaching one subject for two grades for a total of 8 teachers. The class sizes range from 11 to 22, an average of 17 students. The class size approved by the BOE and teachers' contract is up to 25 students
- Support Staff - There are two ELA groups in 6th grade
- Special Education - There are two Special Education Teachers (5&6/7&8) and two Teaching Assistants providing the mandated Resource Room, Consultant Teacher services and/or Special Class They also push into each class on all 4 grade levels for general education support. There are six 5th grade students who share 2 Aides.

Programs

- There are two ELA groups for 6th grade students
- Consultant Teacher Services (CTS) - Special Education Teacher pushes into the classroom
- Resource Room (RR) - Special Education Teacher pulls students out of classroom for small group instruction and remediation
- Inclusion (this is listed on IEPs with different variations)
- Modified Class for specific subjects (this is not a state approved program)
- Special Class (SC) for specific subjects (this is listed on IEPs with different variations)

Pre- CSE Procedures

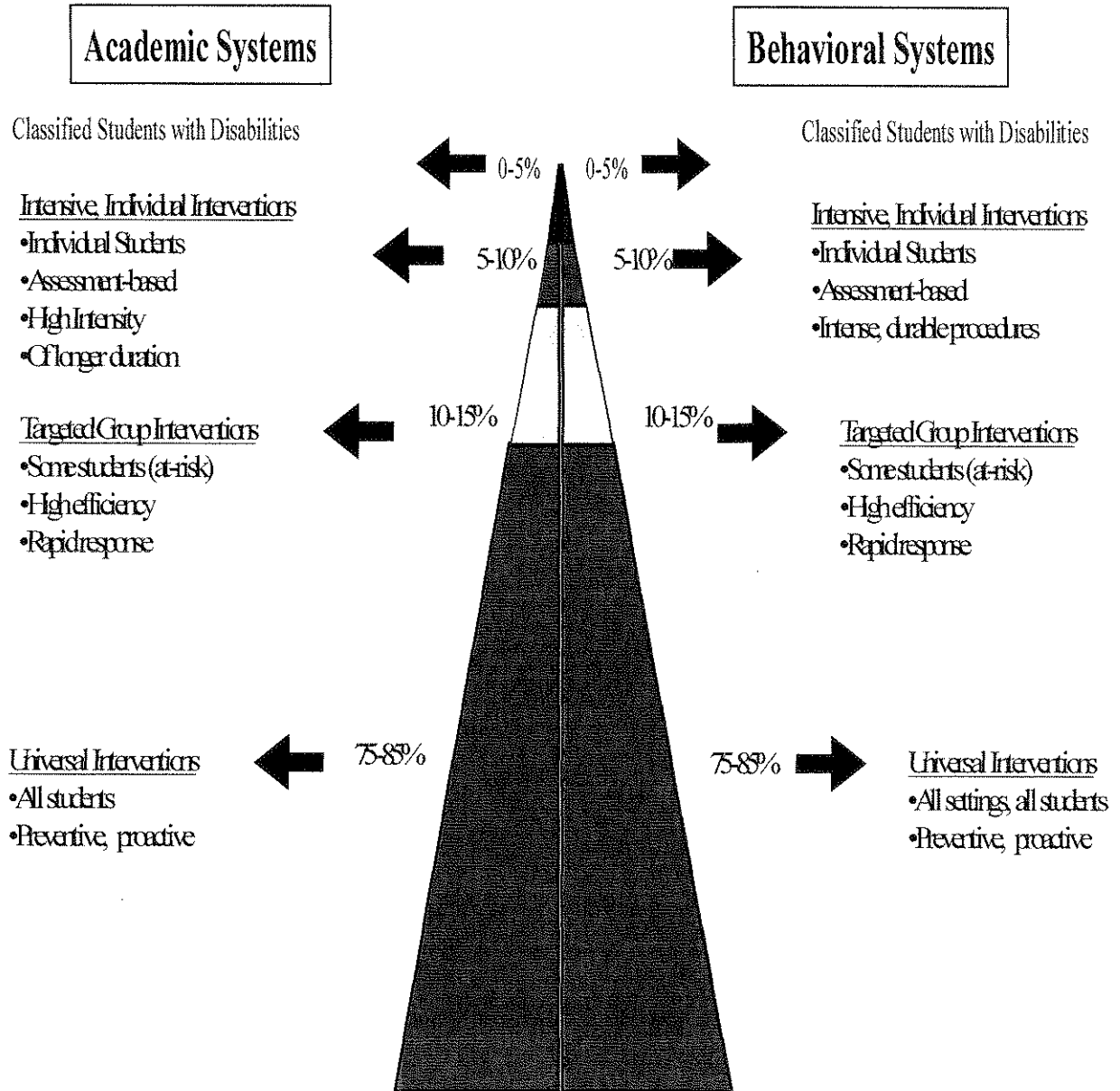
Response to Intervention (RTI) - By Spring 2012 every school district in NYS must have a written plan for implementing RTI. This program was developed in response to No Child Left Behind (NCLB) and the 2004 IDEA Reauthorization Act. The federal education department wants to reduce the numbers of students being classified for special education services and provide a mechanism for students to receive educational support without "waiting for them to fail" The basic tenets of RTI are:

- **High Quality Instruction** - the underlying assumption that all students are receiving at least 90 minutes per day of reading instruction, as well as math and science instruction by a highly qualified teacher, and that the instruction is differentiated within the classroom to meet a broad range of student needs.
- **Research-Based Instruction** - reading instruction reflects the accumulation of research on how children learn to read and how teachers meet the needs of struggling readers.
- **Universal Screening** - Curriculum Based Measurements of direct instruction are used to identify levels of proficiency for each student.

RTI Model - Two sides of the triangle, one for Academic Systems and one for Behavioral Systems, both with 4 tiers. The District is working on formalizing the programs they now provide into a RTI Plan.

- **Tier I** - Proactive and preventative. Classroom teacher differentiates instruction to meet the needs of all students. Provides individualized or small group instruction when needed.
- **Tier II** - Targeted group intervention. Specialist may push into class to provide additional instruction and/or remediation. Classroom teacher still responsible for instruction.
- **Tier III** - Intensive or individual instruction. Pull-out and specialist provides instruction.
- **Tier IV** - Referral to special education.

RTI - School-Wide Systems for Student Success



Instructional Support Team (IST)

- The committee is currently chaired by the Interim Coordinator for Curriculum and Instruction.
- The team comprises of the Principal, two Special Education teachers, the psychologist/CSE Chair, the Guidance Counselor, the Speech/Language Pathologist, and the computer teacher. Depending on the nature of the referral being made to the IST other staff members i.e. the home room teacher, the grade level's reading specialist or the ELL teacher are invited.
- The referring teacher submits a form to the IST (see Appendix A) that includes the student's current functioning in social relationships, learning style, and classroom behavior, strengths and affinities. The teacher also has to report on the Areas in Need of Improvement: Academic and Behavioral. The teacher acknowledges whether the student is currently meeting or working toward the standards in ELA and Math. Finally, any accommodations and interventions that have already been put in place should be documented.
- After discussion about the student's needs in the IST recommendations are made in the Academic and/or Behavioral areas.
- A student can move from one RTI Tier to another through IST recommendations.

504 Accommodation Plan

- The "504" in "504 plan" refers to Section 504 of the Americans with Disabilities Act, which specifies that no one with a disability can be excluded from participating in federally funded programs or activities, including elementary, secondary or postsecondary schooling.
- "Disability" in this context refers to a "physical or mental impairment which substantially limits one or more major life activities." This can include physical impairments; illnesses or injuries; communicable diseases; chronic conditions like asthma, allergies and diabetes; and learning problems.
- A 504 Accommodation Plan spells out the modifications and accommodations that will be needed for these students to have an opportunity perform at the same level as their peers, and might include such things as wheelchair ramps, blood sugar monitoring, an extra set of textbooks, a peanut-free lunch environment, home instruction, or a tape recorder or keyboard for taking notes.

- The School District should have policies and procedures to determine if a student requires a 504 Accommodation Plan. This is a general education program and should not be chaired by the CSE chair.

Referral to CSE

- A referral for an evaluation can be made by a teacher, parent or doctor.
- If a parent makes the referral the letter of request should be sent to the principal who then meets with the parent to discuss their concerns.
- If appropriate, it may be decided to provide building level supports first and the parent can withdraw the referral.
- If not, the parent is sent a packet with their Due Process Rights and a Consent to Evaluate form to sign and return to the Special Education Office.
- The "clock" starts ticking when the parent signs the form granting the District consent to evaluate. A CSE meeting must be held within 60 calendar days of the signed consent and the BOE must make a recommendation for placement within 60 school days.

CSE Continuum of Services -

Least Restrictive Setting -The CSE must consider program and services that provide the least restrictive setting. First

- Within the classroom then
- Within the school
- Within a school in the district
- Within a public school outside of the district
- In a state approved private school or
- A residential setting.

Continuum of State Approved services and programs from least to most restrictive

- **Related Service Only** - speech/language therapy, occupational therapy, physical therapy, counseling, vision or hearing therapy.
- **Consultant Teacher Services Direct** - *CTS* is a push-in service and (per SED Part 200.6d regulations) this service must be provided a minimum of 2 hours a week and can be a combination of Direct and Indirect support. The ratio is not limited and must indicate for which subject(s) the service is

being provided. A review of several IEPs revealed recommendation of CTS without a distinction of whether it is Direct or Indirect. Other IEPs have CTS 2x30 minutes a week which is a violation of the requisite time established by regulations.

- **Resource Room - RR** is a pull-out program and must be provided a minimum of 3 hours a week with a maximum of 5 students with one teacher.
- The state approved a combination **RR/CTS program** two years ago which allow for a combination of these two services. Per SED regulations this program must be offered for a minimum of 3 hours a week combined.
- **Inclusion** - while this term is ubiquitous it is not a state approved program. If the intention is that a special education teacher is co-teaching with the general education teacher then the program is **Integrated Co-Teaching** and the two teachers must be teaching together. The state approved ratio for this program is 12:1. Common practice is no more than a third of the class has IEPs. If it is not full day Integrated Co-Teaching program the IEP must indicate for which subjects this program would be provided. If the intention is that the special education teacher will push into the general education classroom to support the students, it is a CTS Direct service and the specific academic subjects must be listed.
- **Special Class - SC** is comprised of only students with IEPs and taught by a special education teacher. There may be one or two teaching assistants. Ratios of these classes are: 8:1:1, 12:1:1 or 15:1:1. The class can be for a full day or for a specific subject. Currently there are IEPs that have Special Class Reading, English or ELA. Other programs are listed as Modified ELA or English.
- **Out of district** - There are Pocantico students who are placed in a special class programs in another public schools, BOCES, or state approved private schools.

Classification rates and breakdown

The percentage of students classified is 18% of the total student enrollment which is far above the NYS classification rate of 12%.

- There are a total of 302 students being educated by the school district.
 - 56 CSE students
 - 2 CPSE students
- There are 15 students with 504 Accommodation Plans- 9 of the students are receiving special education services that are similar to students who are classified in addition to test accommodations. If they were counted as children receiving special education services the percentage would increase to over 20%.
- There is an over representation of students who are Black who are classified (20%). Their representation in the total school populations is 12-14%
- There have been 3 students Declassified in each of the 2008-2009 and 2009-2010 school years.
- While Pocantico Hills Central School District is financially responsible for the services and programs classified high school students receive, the school of location holds the Annual Reviews where the recommendations are made for the following year.

Program Modifications and Test Accommodations

- **Program Modifications** are put on a student's IEP in order for the classroom teacher to know what modifications need to be made in the classroom so the student can learn and perform to the best of their ability. For example a student with a word retrieval deficit may need classroom test to be in a multiple choice format or a child with ADHD may need preferential seating so s/he can be close to the teacher and kept on task allowing for minimal distraction. There must be documentation on the student's IEP to warrant any program modification
- **Test Accommodations** are changes to the test presentation that will assist the student in performing to their best ability. The accommodation may not change the construct of the test, i.e. can't read a reading test or use a calculator on a math test.

- Any teacher can modify a test or conditions needed for a student to take a test. In order to have accommodations for state tests there has to be documentation for the accommodations listed on an IEP.
- There are students in first and second grade who have test accommodations on their IEPs. This is not necessary.
- There needs to be documentation for each accommodation recommended i.e. scores on a diagnostic test within the time allotted and then without a time limit are compared so it can be determined if the student performed better with extended time. The test accommodations on 2010-2011 IEPs were reviewed and it appears that they are not student specific.

Entry and exit criteria for programs and related services

- There are no written criteria for entry and exit from special education services. This may lead to over classification or services.
- There is a lack of consistency as programs and services are listed by many different names.
- There is a low rate of declassification.

Policies and Procedures

- There is no written handbook or manual that would provide guidelines for classification, procedures for mandated paperwork, monitoring of recommendations and consistency of practice.
- There is no District Plan on file.

Records and Record Keeping

- The CPSE/CSE chairperson/school psychologist is responsible for the district complying with federal and state regulations and mandates as well as maintaining all records. She and her secretary receive assistance from the LHRIC center to file state reports. There is no District Plan on file.

Defensibility of IEPs

- NYS has mandated, as of January 1, 2011 that all IEPs in the state are using the same format. This represents a great many changes to how IEPs are

written. Pocantico Hills contracts with IEP Direct, a computerized IEP management system. IEP Direct conducted webinars in the fall of 2010 to help special education staff learn how to write defensible IEPs. Pocantico Hills staff have participated in the webinars but no additional training has been provided.

Parent Involvement

- Parents are individually involved in their child's special education program. There is not a Special Education PTA or handbook for parents informing them of the special education process in the district.

Summary and Recommendations

The following recommendations are respectfully submitted

- **The District needs to formalize procedures and policies** to ensure consistency across services, placements, programs and paperwork. A two year district plan should be written
- **A Handbook for policies and procedures** should be created.
- **Staff development needs to be ongoing to keep up with changes in federal and state regulations**
- **The schedules of the special education teachers, remedial teachers and teaching assistants could be more efficiently created to provide more consistency.** Currently there may be up to four adults, in addition to the classroom teacher, pushing into the classroom at any given time. In the Elementary classrooms a child may work with several different adults due to the manner in which the staffing schedules are configured. By having one teacher provide the services to the two classes on the grade and participate in that grade's team meeting the curriculum, instruction and support can be less fragmented.
- **The provision of services for the UPK program should be reviewed.** Some of the support may and/or should be provided by the county.

- There is a large amount of support services being provided to the classrooms. Tier 1 of the RTI model requires the teacher to differentiate instruction to meet the needs of the students. With the assistance of the AIMSWeb program ongoing assessment should be providing the data to inform the instruction. When support staff is pushing into the classroom beginning at the Pre-K through 8th grade, the classroom teacher does not have sole responsibility of the students with learning differences. **There needs to be clear benchmarks for all students across all curriculum subjects and criteria for the different levels of RTI and Special Education services and programs this would make policy clearer and more consistent.**
- **By consolidating the schedules of the support staff and creating a Tier 1 level of services staffing levels/resources can be more efficiently utilized.**
- **In the RTI plan there should be criteria for entry and exit levels and criteria for each Tier i.e. students who require Tier 2 intervention, which provides push-in services, should be 6 months to a year delayed. The support given to the student must supplement, not supplant regular instructions; therefore, student must still receive instruction as part of the class along with the additional remediation or modifications by a specialist.**
 - After a predetermined amount of time, the efficacy of the push-in support needs to be assessed. If the child is not making significant progress then pull-out support, i.e. reading should be provided. This intervention may take the place of in-class instruction. For instance, a group of students who are not making progress with the Balanced Literacy instruction may go to the Reading teacher for a multi-sensory instructional approach to reading for an hour a day.
- **As per federal regulations, a formal RTI plan will be required to provide support and services to reduce the number of classified students.**
- **The IST process needs to be formalized and be a resource to general education teachers in providing instruction. In addition to the Chair, principal and guidance counselor, the IST committee should be comprised of general education staff in order for it to be what it is designed to be - a**

general education initiative rather than a special education driven process. There should be at least one general education teacher who is familiar with the curriculum on the grade the referred student is in. One special education teacher can be on the committee and its best if that person is also familiar with the curriculum on the grade the referred student is in. Depending on the referral question other staff can be invited; i.e. nurse, speech/language therapist, etc. This will allow the student's classroom teacher to hear ideas and recommendations from staff familiar with the issues the teacher is raising. The teacher and IST team can then decide which recommendations they want to try and a plan created. This plan should include a time when the IST will reconvene to determine if the intervention was successful or not and to identify next steps. If the parent is not part of the IST then the parent should be given a copy of the IST Plan.

- **The district needs to create and document a formal Referral Process.** There needs to be a referral form that is completed and sent to the Special Education Office. A BOE designated person needs to sign off on the referral to the CSE. This is usually an administrator.
- **There needs to be specific criteria for each special education service and program.** There needs to be consistency in program recommendations and only state approved programs should be provided. If a student needs remediation and support outside of the classroom as well as support and/or modification in the classroom then a RR/CTS program should be recommended. Recommendations must be in line with state mandated minimum and maximum amounts of time allotments.
2010-2011 Annual Reviews should not be scheduled until this is done.
- **The district should consider Integrated Co-Teaching classes for students who are currently receiving 3 or 4 different programs.** This could be addressed through relocation of current resources
- **There needs to be criteria for specific test accommodations and documentation to support a student's meeting the criteria before a recommendation said before test modification is made.**

- ❖ Special Education services are a large part of a school district's budget. The creation, supervision and monitoring of the department require an administrator rather than a teacher on special assignment. There needs to be a leader with the knowledge and authority to make changes recommended and ensure policy and procedures are being followed.
- ❖ Additionally, supervision of staff cannot be done by a member of their bargaining unit. Review of programs and staff needs to be done by an administrator with an objective point of view. The recommendations that result from the review will have implications for grants and budgets so they should be made in collaboration with the Asst. Supt for Finance.
- ❖ Therefore I recommend the creation of a Director of Special Education position to assume oversight of the department.

It has been a pleasure working with the administration and staff of the Pocantico Hills Central School District. The dedication of the administration in providing the best education to the students is commendable. They are actively seeking ways to improve the curriculum demands and monitoring that are now required. The staff is also dedicated to the students and the work they are doing to help students achieve their educational goals. They are eager to improve their practice through staff development.

Roni Kramer

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APPENDIX A

POCANTICO HILLS CENTRAL SCHOOL DISTRICT

CLASSROOM OBSERVATION TEACHER'S REPORT

Student:	Date of Report:
Teacher:	Subject Area:
Grade:	

Description of classroom functioning in academic and/or special subjects

Social relationships:	
Learning style:	
Classroom behavior:	
Strengths and Affinities	
Page 1 of 2	
Areas in Need of Improvement	
Academic:	
Behavioral:	
Meeting the Standards	
ELA	MATH
Currently meeting the standards <input type="checkbox"/>	Currently meeting the standards <input type="checkbox"/>
Currently working toward the standards <input type="checkbox"/>	Currently working toward the standards <input type="checkbox"/>
Accommodations and Interventions	

Recommendations
Academic:
Behavioral:
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