

June 29, 2005

Dr. Daniel D. Curry, Superintendent  
Lake Forest School District  
5423 Killens Pond Road  
Felton, DE 19943 S690

Dear Dr. Curry:

On order to carry out its general supervisory responsibilities under the Part B requirements of the Individuals with Disabilities Education Act, the Delaware Department of Education must monitor districts and agencies to ensure that students with disabilities are identified, evaluated, and receive a free appropriate education (FAPE) in the least restrictive environment (LRE). The Department's goal is to make sure programs are effective so that there are positive outcomes for students; ensure that federal and state requirements are followed, and verify that the protections that are guaranteed to students with disabilities and their parents are enforced.

There are numerous activities that the DOE engages in to carry out the general supervisory responsibility, including the investigation of complaints and managing the Due Process and mediation system; conducting yearly on-site visits in every district through the September 30 audits; requiring self-assessments and improvement plans from all districts and, now, focused monitoring.

The April visit to Lake Forest was informative and validated many of the strategies for improvement previously identified by the District.

The focused monitoring visit and the outcome are described more fully in the attached report. Please feel free to contact me or Louann Vari of our staff if you need additional information.

Sincerely,

Martha L. Toomey, Director  
Exceptional Children & Early Childhood Education Group

MLT:de

cc: Ms. Ellen Coulston, Parent, Montitor  
Ms. Lori Duer, DOE Education Associate  
Ms. Sharon Keller, Monitor, Colonial School District  
Ms. Janice Parsons, Lake Forest District Supervisor  
Ms. Louann Vari, Esq., Education Associate  
Mr. John Werner, Parent, Monitor

## **Focused Monitoring Report for Lake Forest School District**

Lake Forest School District participated in a pilot special education “focused monitoring” visit in April 2005. Focused monitoring is a term used by the federal Office of Special Education Programs (OSEP) and is described as “A process that purposefully selects priority areas to examine for compliance/results while not specifically examining other areas for compliance to maximize resources, emphasize important variables, and increase the probability of improved results.”

Given the charge by OSEP to develop a focused monitoring system, the DOE, along with its stakeholder group, the Partners’ Council for Students with Disabilities (PCCD) selected two priority areas. The areas selected were LRE (least restrictive environment) and student outcomes. LRE was selected because placement for students with disabilities has been a compliance issue for Delaware. Delaware, when ranked against other states, “triggered” as a low performing state with a small percentage of students being served in the regular setting.

The federal Office of special Education Programs requires yearly data collections of all states. One of those data collections concerns the placement of students with disabilities. When reviewing those data, the PCCD looked specifically at how many students with disabilities were being served in Setting A, the regular setting. These students are served outside the regular class placement less than 21% of the school day. The placement data for Lake Forest indicated that fewer than 30% of students were served in Setting A.

When focusing on the second priority area of student outcomes, DSTP scores were examined for grades 3, 5, 8 and 10 specifically in reading. Districts were chosen based on poor results in three out of the five grades. Poor results were defined as students scoring either a level 1 or level 2 of not meeting the standards in reading.

For this monitoring visit, and likely for future visits, the DOE constructed a team consisting of DOE and special education staff from a district not being monitored and a parent of a child receiving special education services in another district. Conceptually, using peers in the monitoring visit allows good ideas or practices which surface to spread more quickly into general acceptance within the state, since at least four districts were affected; the two being visited and the two peer monitors. Using parents of students receiving special education services allows the perspective of the primary stakeholders in special education.

Prior to the visit, data were reviewed as described above and districts were chosen for the pilot because both priority areas were evidenced as areas of concern.

The Monitoring team of Martha Toomey and Lori Duerr, DOE; Sharon Keller, Director of Student Services, Colonial School District, and John Werner and Ellen Colston, Parents from Red Clay and Brandywine School Districts, respectively, visited Lake Forest on April 11 and 12, 2005. The team visited four schools: Lake Forest East Elementary, Central Middle School, Lake Forest High School and Lake Forest North Elementary. Principals were interviewed at every school. Fourteen staff of both general and special educators were interviewed. Approximately 15 records were reviewed including IEPs, IEP minutes, and other documentation.

Data shared with school staff during the interview included DOE data regarding disproportionality, placement and DSTP scores.

At the end of each school visit, principals were both interviewed and debriefed.

A parent meeting was held and two parents attended, sharing concerns as well as recommendations or suggestions.

### **Priority Areas:**

#### LRE

“Each Public Agency shall ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are non-disabled; and (2) That special classes, separate schooling or other removal from the regular educational environment occurs only if the nature or severity for the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.” IDEA regulations 34 C.F.R. § 300.550 (b) (1) (2)

#### Student Outcomes

“The IEP for each child with a disability must include... (3) A statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child (ii) to be involved and progress in the general curriculum....”  
IDEA regulations 34 C.F.R. § 300.347 (a) (3) (ii).

### **Promising Practices**

Lake Forest is moving toward more inclusive practices in a planned and systemic manner. Additionally, there are professional development opportunities to support access to the general education curriculum that include all teachers. Special education staff stated that there is access to the same books and professional development opportunities as for general education teachers. In addition, special education staff reported access to supplemental and specialized instructional materials.

Data submitted by Lake Forest indicate that the district has a dedicated staff member who is an inclusion facilitator.

The Improvement Plan submitted by Lake Forest includes planned professional development activities for all staff regarding inclusion and access to the general education curriculum.

Lake Forest has begun analysis of LRE data, and the percentage of students in Setting A is 32%, slightly higher than data that were used in identifying districts for focus. Most students are served in Settings A and B.

Most schools are providing more models of service delivery that ensure access to the general education curriculum. Models generally include co-teaching or team teaching.

### **Recommendations and Corrective Action**

#### **Supporting Evidence:**

##### Infrastructure

Lake Forest East staff commented on the difficulties that exist in small schools. The number of students in special education is small, therefore fewer units are generated. With only two special education teachers and grades one through three to cover, it is difficult to have a co-teaching model. The 12.5 hour rule is a barrier to using a more consultative model. Generally it appears as if a “readiness” model is used when decisions are made about moving a student to a more inclusive environment. Because there is no co-teaching or consultative model available, it is difficult to deliver special education services in the general education class.

During staff interviews at Central Elementary, there were some concerns raised about the high number of special education students in the general education class. Discussion also stated that there were more teaming options at the elementary school but there were fewer when students transitioned into middle school. There were general worries expressed about students moving to larger settings.

Lake Forest High School Staff interviewed mentioned common planning time, finding time to discuss curriculum, and scheduling as all challenges,

There was a concern that there was not sufficient support from a special education teacher for electives.

### Professional Development

General and special education staff commented on the need for more professional development in differentiated instruction. In addition, there were concerns expressed by both regular and special education teachers about their abilities to serve all students and about everyone “getting on board” in terms of more inclusive practices.

It was noted in interviews that general education teachers would benefit from training in understanding special education responsibilities.

Staff indicated that special and regular educators are trained together in content area. It does not appear that regular educators receive specific training in special educator processes.

In general, staff thought they were getting training on inclusion, and special education staff thought that the general education staff benefited from the training in understanding the responsibilities of all staff.

Some staff thought that special education teachers also need specific special education training.

### Policies and Procedures

Interviews with staff and a review of the placement page revealed that, in general, phrases such as “does not meet student’s needs” were the rationale for moving to a more restrictive environment. It was not clear that IEP teams began placement discussions with accommodations and supports in the general education setting before moving to a more restrictive setting.

A public meeting was held for parents. There were only two parents who participated. Although there were specific questions to be asked, because of the small number, much of the conversation focused on child specific issues.

Both parents indicated interest in the development of a disability awareness program, and one parent who was new to special education expressed an interest in understanding more about special education. Each parent had specific or particular questions that were relevant to their own children, and it is difficult to generalize about any district-wide or systemic issues based on such small numbers.

### Daily Practice

Staff reported that there is an expectation that the curriculum, including texts, were the same for all students. Special education staff described supplementary curricular materials, such as DISTAR used for students with disabilities.

Record reviews revealed that it is not always clear why some students are removed from the regular class. One IEP indicated a student was pulled out for two subject areas, and the reason why was not apparent. There was nothing in needs or under accommodations and supports that indicated why student needed to be removed from the regular class.

Finally, there was much discussion about the block scheduling at the high school. Staff and data indicate that many students are outside the regular setting about 25% of the day. It is recommended that the district analyze the percentage of time students are in setting B. It appears that the small percentage of students in Setting A, the trigger that was used in ranking districts, is not a good indicator of the significant percent of the day that many students are spending in regular classes. During our discussions, it was suggested that the Partner Council for Children with Disabilities (PCCD) may want to consider other triggers, such as percent of students in Setting C, to get a more complete picture of where students are for the majority of the day.

### Conclusions

In general, Lake Forest's improvement plan, data provided, and interviews with administration and staff support an effort to move students with disabilities to less restrictive settings. It is recommended that the District continue the action plan presented to the DOE before the focused monitoring visit and continue implementation of their improvement plan. When submitting data in the Annual Performance Report regarding LRE, an explanation regarding placements should be given. For example, if there are small numbers of students in setting A, an explanation regarding block scheduling and the effect on settings would be beneficial.

The District should consider more explicit training for general education teachers about IEPs.

A strategy for Improvement submitted by Lake Forest stated "through the district Parent Advisory Council create a network of parents of special needs students to serve as advocates to other parents." The conversation in the public meeting indicated that this identified strategy is relevant, and the DOE looks forward to an update on this improvement strategy in the Annual Performance Report.

This focused monitoring visit validated many of the activities that started as a result of the districts' self assessment and subsequent improvement plan. The DOE looks forward to submission of the first Annual Performance Report (APR) wherein the District can continue to document areas of continuous improvement or areas of concern.

**Finally, the District must address the compliance issue regarding removal of students from the general education class when there is no documented need on the IEP or no documented**

**required support that can only be delivered outside the general education class. In order to ensure compliance with IDEA regulation 34 C.F.R. § 300.550 (b) (1) (2), the District must ensure that all staff who are responsible for making IEP placement decisions understand that students are only removed when the nature or severity of their disability indicates such removal, and the reason for such removal is documented in the IEP. District must submit a plan for informing staff to the DOE within 45 calendar days of receipt of this report.**

**End of Report.**