

June 1, 2015

Charter School Accountability Committee  
Delaware Department of Education  
The Townsend Building  
401 Federal Street, Suite 2  
Dover, DE 19901-3639

Via email to: [infocso@doe.k12.de.us](mailto:infocso@doe.k12.de.us)

I am writing in response to the Charter School Accountability Committee's Formal Review Initial Report (May 18, 2015), in which you requested the following information:

- A plan detailing how Freire would meet the needs of the intense and complex special education students; and
- A plan detailing how Freire would serve all special education students, including the staffing levels, plans for providing special education services, plans for providing differentiated instruction, and also meeting all compliance requirements.

Our plans are detailed below.

**Plan for Intense and Complex Special Education Students**

Freire Charter School Wilmington is presently fully enrolled with over 224 students for 2015-2016. At the time of application, we anticipated that 13% of our population would be students with Individualized Education Plans (IEP). While more students will likely be identified as students with special needs through our Child Find system, we know that currently 7.1% of our students will be entering Freire Charter School Wilmington with an existing IEP (in-state transfers per 23.4.1. of the Delaware Administrative Code). Less than 1% of our students are currently classified as complex and 1% of our students are classified as intensive. As such, we must be prepared to implement their existing IEPs from their first day of attendance, and our IEP team must meet within 60 days of the initial date of attendance to review the Eligibility Determination and the IEP to either adopt as is, revise, or develop a new IEP. We will use the Rubric for Intensive and Complex Needs Based Funding Units as a guide in this process.

While we are still in the process of receiving student records, we have had an opportunity to review our complex IEPs and a sampling of our intensive and basic IEPs. Based on this review, we have determined the following at present:

- No special education students require specialized transportation as part of their IEPs.
- 2% of our students require services beyond the school year, either Extended School Year (ESY) or 12-month services.
- Less than 1% of our students require a one-on-one instructional paraprofessional.

- Less than 1% of our students require assistive technology, and that required technology does not extend beyond a standard student laptop.
- Speech therapy is the only related service required.

Based on this IEP review, we are confident that we will be able to provide Free and Appropriate Public Education (FAPE) to all our special education students, including our complex and intensive students through our on-site Student Services<sup>1</sup> Department. We were able to reallocate the funding in our budget for private school placement toward the hiring of the full-time, one-on-one instructional paraprofessional. We anticipate employing two student services teachers per our budget for 224 students. One of our two student services teachers will be charged primarily with the small group instruction mandated in our complex and intensive students' IEPs, where our other will provide pull-out, push-in, and inclusion services largely to our basic population.

In our first year of operation, our Student Services Department will be staffed with the following:

<b>Title</b>	<b>Education/ Training</b>	<b>Employed/Contracted</b>	<b>Duties</b>
Head of Academics	Certified Delaware Teacher	Employed Full Time	Oversee the educational plans and assessments of all students with special needs, 504 plans, and manage RTI process.
Student Services Teacher (2)	Certified in Special Education in Delaware	Employed Full Time	Provide special education push in and pull out services to students with IEPs, monitor progress, participate in IST. Manage transition services.
School Psychologist	Certified in Delaware	Contracted Part Time	Evaluate student skills, achievement levels, and cognitive needs and assess students' progress for IEP development.
School Nurse	Certified in Delaware	Employed Full Time	Provide student healthcare and physical accommodations. IEP participant to represent health needs of the child.

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<sup>1</sup> At Freire Charter School Wilmington, our special education department is referred to as our Student Services Department.

Student Services Support Aide/paraprofessional	Trained in Special Education	Employed Full Time	Provide one-on-one instructional, physical, and behavioral support to student with complex needs
Occupational/Physical Therapists	Certified in Delaware	Contracted Part Time	Provide therapy to students per IEPs.
Speech Therapist/Pathologist	Certified in Delaware	Contracted Part Time	Provide speech and hearing therapy services per IEPs.
Build the Future Educational Staff	Staff trained in special education compliance	Ongoing Support	Provide ongoing mentoring to full Student Services Team

**Plan for All Special Education Students**

At Freire Charter School Wilmington, all students with IEPs will be provided an education fully compliant with their IEP in accordance with the federal Individuals with Disabilities Education Act (IDEA). Implementation of IEPs is overseen by a Head of Academics. The Student Services Teachers work with general education classroom teachers to ensure each student is provided FAPE.

***Plans for Providing Special Education Services:*** Freire Wilmington expects that approximately 13% of our students will be students with cognitive, physical and/or emotional disabilities. We expect that several students will enter the school with Individual Education Plans, and several students will need to participate in RTI through recommendations from teachers, Student Services Team, and/or their parent or guardian per Child Find. This may lead to formal identification as special education by the school psychologist. Students identified as having a disability will be provided an Individual Education Plan that will be reviewed regularly, and implemented according to the recommendations of the IEP Team members. The school will provide services that meet the letter and spirit of the federal Individuals with Disabilities Education Act (IDEA) and all required regulations of Delaware’s Education Code, including a 3 tiered system of interventions in a Response to Intervention Model as required in 14 DE Admin 925.12. Each student’s IEP will be managed by a certified Student Services teacher assigned to their particular grade, who will work with teachers and administrators to monitor their interventions to ensure that they are progressing in all subjects, but particularly in their mastery of the Common Core standards in Reading, Language Arts and Mathematics. The ACT assessment system and Smarter Balanced tests will be used, with any necessary accommodations or in Alternate forms, to ensure that the interventions being used at the particular RTI tiers to which the student is assigned are moving the student effectively toward mastery.

Students with IEPs will be held largely to mastering the school’s and Delaware’s academic standards, including the Common Core Standards, as students without IEPs, albeit with special accommodations and supports. Their progress will be monitored using the same sets of assessments as students without IEPs, including standards-linked curriculum based tests developed by Freire’s teachers, the ACT graduated tests of college readiness in Reading, Writing, Math, and Science (8<sup>th</sup> to 11<sup>th</sup> grades) to gauge progress within and across school years, the Smarter Balanced Math and Reading tests in 8<sup>th</sup> and 11<sup>th</sup> grades, the end of course tests in Biology and US History, and the SAT, when necessary. These tests will

be used to monitor the progress of students with IEPs throughout the year and in annual re-evaluations (or whenever a re-evaluation is requested or deemed necessary). The exception will be with students who have such severe cognitive impairments that they require the DCAS ALT1 instead of other state assessments. In the event that a student is not making progress in the core academic areas based on their formal assessment targets as established in the IEP, the student's Student Services Team will examine additional interventions that may be necessary, and recommend any changes to the education plan that are deemed to help the student to progress more quickly. The education tiers in the RTI system will be reviewed by the Team which tier to place the student in and when to adjust this placement. Progress monitoring will happen at frequently and routinely in Tier 1 and Tier relative to the Common Core Reading or Math standards, and the assigned student services teacher will review the results to manage intervention strategies in the Tiers and/or in the regular classroom.

Students at Freire Wilmington will be evaluated following procedures in accordance with 14 DE Admin. Code 925.4.0 through 925.12.0, which specify how a school's instructional support team determines whether a child has a disability and the nature and extent of the special education and related services that the child needs. If a teacher, administrator or a parent has a reason to believe, based on student performance, medical information or other evidence, that the student might have a disability that might require accommodations in their education, the school will attempt to obtain consent from a parent or legal guardian to evaluate that student. The school will make every attempt to obtain parental consent, but if parental consent is not obtained, the official special education evaluation will not be held. However, the school will still make all available accommodations to ensure that that student is receiving a Free and Appropriate Public Education (FAPE) and that student will continue to be part of the Response to Intervention program which can provide additional academic support. Within forty-five (45) school days or ninety (90) calendar days, whichever is less, of receiving written parental consent, the initial evaluation shall be conducted; and the child's eligibility for special education and related services will be determined at a meeting convened for that purpose. The initial evaluation shall consist of procedures to determine if the child is a child with a disability as defined in 14 DE Admin. Code 922.3.0; and to determine the educational needs of the child. A Student Services Team, as described below, will be convened to conduct any necessary evaluation of the student and to develop an IEP for that student if it is warranted based on the available evidence. Identified disabilities requiring IEPs include: Autism/Pervasive Developmental Delay, Deaf-blindness, Deafness, Emotional Disturbance, Hearing Impairment, Intellectual Disability, Multiple Disabilities, Orthopedic Impairment, Other Health Impairment (e.g., limited alertness), Specific Learning Disability (e.g., language processing or dyslexia), Speech or Language Impairment, Traumatic Brain Injury, or Visual Impairment Including Blindness.

Freire Wilmington will provide a continuum of placements that enables each student to attend school in the Least Restrictive Environment in accordance with the federal IDEA and No Child Left Behind laws and Delaware Code 14 DE § 925.27.0. We will monitor the progress of all students with disabilities regularly, in accordance with our RTI model as described below. Freire follows an inclusion model of education for our IEP students to the greatest extent possible, which is supported by a Student Services teacher. We anticipate that the school will be able to accommodate most students with IEPs with only minimal or no pull-out support. Some students will require some amount of pull-out support with that support provided in small groups in resource rooms, for example for approximately 25% of the school day. Some students may require larger amounts of specialized attention, such as special classroom instruction in separate rooms for approximately more than 60% of the day.

Freire Charter School Wilmington will implement a Response to Intervention program as described in and required in Delaware's Education Code 14 DE Admin 925.12.0. All of our students will be considered

potentially at-risk of not mastering the demanding college readiness standards and Common Core Standards held by the school, and therefore we employ an RTI process throughout the school, continually monitoring the progress of all of our students with curriculum-based benchmarks and nationally normed reading and mathematics tests. All of our students have an Instructional Support Team (IST), which consists of a certified Student Services teacher/case manager, the Head of Academics where needed to meet regularly with the team, and the grade level teachers. All students follow a Tier 1 program, some with required IEP modifications, with a benchmark placement test provided to determine their need for more intervention given at the beginning of the school year. However, when a student is identified in the bottom quartile of students nationally, or remains at a low level of performance over multiple weeks, the student will be provided Tier 2 interventions. Tier 2 interventions will be at least 2 sessions in addition to their core program instruction in Reading and/or Math, with 90 to 120 minutes of small group instruction (one subject or two subjects, depending on need), for at least 6 weeks, with monitoring every 2 weeks. If the student is making progress to meet end of year benchmarks by the end of 2 weeks, that student might be moved back to Tier 1 with additional curriculum-related monitoring. If the student is not making adequate progress, the IST might provide an additional 6 weeks of Tier 2 support to determine whether the student is progressing, might provide a different set of supports (such as online math instruction), or might place the student in Tier 3 support. Tier 3 intervention is in addition to core program study (e.g., English and Math class), with at least 4 sessions per week of 150 minutes minimum in the qualifying area (e.g., Reading or Math). If both are required, 180 minutes minimum instruction will be provided. Groups will be smaller than Tier 2 groups, and progress in the curriculum will be monitored every week. After 6 weeks, the student will be re-evaluated to see if they need another 6 weeks of Tier 3 intervention, and adjustment to their intervention (e.g., even smaller group, different type of instruction). After 12 weeks of Tier 3 intervention, if the student has made progress in the curricular area they may be moved to Tier 2 or 1, with additional monitoring, or they might be referred for special education evaluation or a review of an existing IEP.

Freire Wilmington will have Intervention Support Teams (ISTs) that consist of the Head of Academics, a Student Services teacher, and a general education teacher. These ISTs will monitor the progress of students at least bi-weekly to determine the success of RTI interventions, and to determine whether students with IEPs are making adequate progress toward their IEP goals and/or the academic standards, with evidence-based tools appropriate to the progress in question in accordance with 14 DE Admin Code 923.11. If a student is not succeeding within the RTI Tiers, the IST might recommend that that student be evaluated for special education services and development of an IEP.

For Freire students age 14 or older or entering 8th grade who will need transition planning and services, we will follow all procedures outlined in 14 DE Admin C. 923.10, 925.20.2, and 925.29. While we will not be providing a vocational/technical program at Freire, we will provide the opportunity for our students to participate in desired and appropriate vocational and technical programs that fit their plan for career transition after high school. We will ensure that the program that the student participates in- for example a program for working in a local grocery store developed with a vocational training center- will be provided in the Least Restrictive Environment possible. If a student desires to participate in a vocational program after high school completion, their IEP will reflect that path and their support team will ensure that that student is provided the opportunity to prepare for that path. In accordance with Delaware Education Code 925.29, we will continue to educate students with IEPs until their 21st birthday if they desire, and we will provide a Certificate of Completion in lieu of a High School Diploma

upon graduation if they have not been able to fulfill the school's and state's requirements for full high school graduation.

**Staffing Levels:** As stated previously in the plan above, the school will utilize the following staff, with the defined level of training and specified duties to fully support our students with disabilities, and to fulfill the needs of students with 504 plans. This team may be expanded as needed to serve the varying needs of students in accordance with their IEPs and 504 Plans.

<b>Title</b>	<b>Education/ Training</b>	<b>Employed/Contracted</b>	<b>Duties</b>
Head of Academics	Certified Delaware Teacher	Employed Full Time	Oversee the educational plans and assessments of all students with special needs, 504 plans, and manage RTI process.
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Build the Future	Staff trained in special education compliance	Ongoing Support	Provide ongoing mentoring to full Student Services Team

**Plans for Providing Differentiated Instruction:** Our school is built on the idea that all students have different learning needs, interests and inclinations, and that particular mix of needs, abilities and interests is the centerpiece of their individualized plan for mastering the academic standards and preparing for post-secondary education and/or a career after high school. Each student’s IEP is reviewed and revised with them and their guardian as they enter the school, and is frequently monitored and revisited by their teachers, and a certified special education teacher. Students who need IEPs are provided accommodations in class and in their testing as needed according to their IEP, with a Response to Intervention system that is tiered to assist them with mastery of all of the required standards. Opportunities are provided in class to work in small groups at a variety of levels that allow students to work in a manner that best suits their learning needs. Pull-out and push-in instruction is also provided for students who need particular attention from a certified special education teacher.

Our students will have equitable access to the school’s curriculum. Our school has been designed to serve students with a wide range of entering skill levels, and to help them to prepare for the challenges of a post-secondary education as quickly as possible. Each student’s academic program is individually planned using assessment data and input from their teachers, their parents or guardians, and the student. Special needs students are provided accommodations in their classroom learning and assessment if necessary, in accordance with their Individual Education Plan, with monitoring by a school team and support given by a certified special education teacher.

**Compliance:** To ensure compliance with all laws and regulations, staff will receive training in all applicable state and federal laws related to the identification, evaluation and education of students with disabilities, with mandatory workshops devoted to IDEA, Child Find, and the DE Admin Code held each summer in the professional development session prior to the start of school. These workshops will include discussions of participation on Intervention Support Teams (IST), RTI methods, curricular adjustments and accommodations for students with special needs, pull-out and push-in student services services, and related topics.

School administrators will participate in special education leadership and charter school special education director’s training each offered three times annually by the Delaware Department of Education, as well as training in IEP Plus (August 13 or 14, 2015)

To further ensure compliance with IDEA, Child Find, and the DE Admin Code, our Student Services department will be supported with ongoing special education guidance from the Build the Future Education Collaborative and as needed support by our Delaware legal counsel.

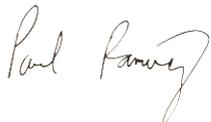
To ensure parents and students are aware of their rights, the Delaware Procedural Safeguards Notice will be distributed to all families participating in any part of the special education program.

Finally, Freire Charter School will participate in the Delaware Department of Education’s multi-tiered system of monitoring and accountability to ensure both compliance and results.

In summary, the two plans detailed above illustrate that Freire Charter School Wilmington understands the intricacies of Delaware special education law, has a plan for serving special education students with a staffing structure accommodated by our budget, and has paid specific attention toward ensuring that our complex and intensive students will have the supports that their IEPs require in place on the first day of school. We will execute our Student Services Program with fidelity. For these reasons, we kindly request that you permit Freire the ability to open as scheduled in August 2015.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Paul Ramirez".

Paul Ramirez  
Head of Academics

Sincerely,

A handwritten signature in cursive script that reads "Felicia K. Wenell".

Felicia K. Wenell  
Head of Academic Supports