

# NERRC FOCUS

Northeast Regional Resource Center

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THIS ISSUE'S FOCUS:  
Special  
Education



## Systems Change in Vermont

Vermont's Special Education  
Program and Fiscal Review  
Panel 1998-2003

Left to Right: Dennis Kane, VT SEA Director, Susan Hasazi, UVM Research Team, Kelley Clark Keefe, UVM Research Team, Michael Giangreco, Panel Member, Martha Bothfeld, Panel Member, Marty Waldron, Panel Member, Judy Aiken, UVM Research Team, Dan Kucij, UVM Research Team

Vermont's Special Education Program and Fiscal Review Panel (the Panel) was created by the Vermont Legislature in 1998, to study the delivery of special education and other support services in Vermont school districts. Prompted by a long-standing concern about rising special education costs, the Panel's primary goal has been to review the programs and practices in selected school districts and to provide both the districts and the State with recommendations for more effectively meeting the needs of all students at a reasonable cost.

Facilitated by Vermont State Director of Special Education, Dennis Kane, the Panel is comprised of representatives from key stakeholders in the Vermont education community including: local special education directors and superintendents, university faculty, parents of students with disabilities, private sector business leaders and community members, policy makers from other agencies in state government (e.g., the Agency of Human Services and the Department of Employment and Training), and technical assistance providers. The Northeast Regional Resource Center has supported this state-level policy initiative through NERRC Director Kristin Reedy's participation as a member of the Panel since its inception in 1998.

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**"We were a very  
dysfunctional system.  
We took advantage  
of the opportunity to  
bring in the Panel to  
make changes we were  
not able to get going  
on our own. The Panel's  
review helped us to put  
things in perspective."**

**~ LEA Superintendent**



## UVM RESEARCH TEAM

Local school district reviews, the “work” of the Panel, have been completed by a highly skilled team of researchers from the University of Vermont (UVM). Partially funded through a grant from the U.S. Department of Education, Office of Special Education Programs, the UVM Research Team, led by Susan Hasazi, Ed.D. and Katie Furney, Ed.D., Co-Principal Investigators, has included: Johnette Hartnett, Kelly Clark Keefe, Dan Kucij, Judy Aiken, Bob Stanton, Kieran Killeen, and Ray Proulx. Over the past five-year period, the UVM Research Team has conducted extensive on-site reviews in selected Vermont school districts. A total of 60 schools in 17 of Vermont’s supervisory unions were reviewed, representing a quarter of all of the schools in the state.



Left to Right Susan Hasazi, UVM Research Team, Katie Furney, UVM Research Team, Michael Giangreco, Panel Member

## Vermont’s Policy Context

Special education, within the context of overall education reform, has been an area of focus for Vermont policymakers for many years. Beginning in 1990, three significant state policy initiatives were established that have provided the context in which the Panel’s work has been conducted. In part, the intent of the Panel’s on-site school reviews was to explore the impact of these education reform initiatives on local policy and practice.

**Act 230:** In 1990, special education reform legislation, Act 230, was enacted. The statute’s goal was to enable all students to be successful in the general education environment by requiring every Vermont school district to develop a *comprehensive system of educational and support services*. The comprehensive system of educational services refers to the capacity of schools to provide an array of educational activities, supports, and opportunities to address the needs of *all* students. These

services and supports include standards-based curricula, instructional activities, school-wide behavioral expectations, and a discipline system that pertains to and is available to all students in the school.

Within each school’s comprehensive system, the law required each public school to develop and maintain an Educational Support System (ESS) to provide services and supports for children who require additional assistance in order to have a successful education experience. The Educational Support System is required to include an Educational Support Team and a range of supports and remedial

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**“The Panel reviews brought statewide perspective and understanding of the VT context...We were able to see comparisons with other districts and see some patterns statewide. The Panel reviews have had an impact and long-term effect.”**

~LEA Superintendent

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services including instructional and behavioral interventions and accommodations. The intent of the law is for each school to build its capacity to provide a continuum of supports and services that grow from and are integrated with the basic academic, health, and social functions of the school. Special education is only one component of an ESS that may also include remedial reading and math services, counseling and mentoring services,

## what is involved in the on-site reviews?

preschool programs, drug and alcohol prevention and assistance programs, after school, weekend, and summer programs, drop-in homework help, a school-based health center, and more.

Act 230 also permitted increased local level flexibility to use state special education dollars to support students served through the Educational Support System, whether or not they have an IEP.

The Educational Support System is considered to be part of the overall school's general education program. Although students with disabilities benefit from the supports and services provided through the ESS, the Educational Support System is not a special education activity. Rather, its focus is on the provision of assistance, early intervention and prevention. Based on the assumption that the provision of comprehensive early intervention and schoolwide supports may reduce and/or prevent the eventual need for special education services, Vermont's Educational Support System requirement is intended to benefit and support the instructional needs of the increasingly diverse student population experienced by today's schools and communities...before special education becomes necessary. The opposite of a "wait to fail" model, Vermont's Educational Support Systems establish school-wide support, joint accountability, and shared responsibility on the part of the entire school community for the education of all students.

**Act 60:** In 1997, education reform legislation, Act 60, was enacted for the purpose of equalizing educational opportunity throughout the state. In addition, state standards were established for curriculum, assessment, and student achievement, and LEAs were required to develop local action plans for school improvement that involved the greater community.

**Act 117:** In the spring of 2000, the Vermont Legislature enacted Act 117, an act to strengthen the capacity of Vermont's education systems to meet the educational needs of all Vermont students. The goals of Act 117 are as follows:

- ⦿ To increase general education capacity to address the needs of all students by strengthening Educational Support Systems.
- ⦿ To improve the consistency and cost effective implementation of special education programs across the state.
- ⦿ To improve cost containment and cost effectiveness.

On-site reviews were conducted by the UVM Research Team and used both quantitative and qualitative approaches to the collection of information. These included interviews, observations, document reviews, data analysis and a longitudinal fiscal analysis. Individual and/or group interviews were conducted with key stakeholders in each school district, including central office and building administrators, school board members, special and general education teachers, parents of children with and without disabilities, early education staff, guidance personnel and paraeducators. Site visits were made to all school districts and most included classroom observations. The Research Team also observed staff meetings in a number of school districts. Four to six weeks were allocated for collection of the qualitative and financial data for each review.

Preliminary findings were verified with key administrators, whose feedback was incorporated into the final reports for each school district. The Research Team provided frequent progress updates to the Panel. When the data collection was complete, the data from each school district were presented to the Panel and reviewed and discussed at length with the UVM Research Team. The Panel then reached consensus on recommendations for each school district and, based on the findings and observations in each individual report, developed the observations, conclusions and recommendations that were used to develop the Panel's Annual Summary Report.

- ◉ To assess the extent to which school districts have absorbed health and human services costs for children receiving special education.
- ◉ To provide assistance to school districts with unusual special education costs.
- ◉ To identify external factors affecting special education costs.



Left: Michael Giangreco, Panel Member  
 Right: Brian Vachon, Panel Member

### Areas of Focus

In its on-site school district reviews, the Panel has focused on the following content areas:

- ◉ Educational Support Systems (ESS) – support services available to all students (guidance, health, teacher advisor systems, etc.), support services for those eligible for certain programs (Title 1, Reading Recovery, etc.), and special education;
- ◉ Educational Support Teams (EST) – organization, membership, and evaluation of ESTs, as well as the eligibility and placement practices for special education and other support services;
- ◉ Financial decision-making and management;
- ◉ Leadership, governance, and decision-making;
- ◉ Standards-based curriculum, instruction and assessment; participation of students with disabilities in assessment;
- ◉ Professional development needs and opportunities;

- ◉ School and community partnerships; and
- ◉ Factors affecting special education costs: student, staffing and expenditure data.

### School Selection Process

Each year, school boards across the state were invited to request a review of their local programs and practices. Based upon these self-nominations, the Panel selected the sites to be reviewed each year. Site selection criteria included: statewide geographic representation, distribution across urban/rural, large/small, whole school district/supervisory union/single school, and elementary/middle/high school representation, and historically low and high spenders in special education. Through regular monthly meetings and an annual two-day retreat, the Panel reviewed the qualitative and quantitative data collected by the UVM Team through the on-site reviews, advised the Department of Education on special education program and fiscal matters, developed individual school district reports including findings and recommendations, and submitted an *Annual Summary Report* to the Vermont Legislature and State Board of Education.

**The opposite of a “wait to fail” model, Vermont’s Educational Support Systems establish school-wide support, joint accountability, and shared responsibility on the part of the entire school community for the education of all students.**

### UVM’S REPORT OF SCHOOLS REVISITED 2002-2003

During the 2002-2003 school year, the UVM Research Team revisited a selected number of schools that had been reviewed by the Panel over the past five-year period. The researchers interviewed LEA leadership teams to determine what changes had taken place at the local level in response to the original review. In general, the LEAs who were reviewed reported that the Special Education Program and Fiscal Review Panel’s analysis and report on their district “really made a difference.” LEAs took the Panel’s recommendations seriously and have

# what does the future hold?

implemented the majority of the Panel's recommendations, overall. The review process served as a catalyst for reform that either initiated or helped to sustain and reinforce local school improvement efforts.

## Five-Year Findings

Schools have expanded Educational Support Systems (ESS) and Educational Support Teams (ESTs) for all students. Areas of particular emphasis include early literacy and prevention, on-going assistance and support prior to special education identification. There is a stronger connection between special education and the general education curriculum, instruction, professional development and the comprehensive system of education services, including human services agencies. There is evidence of increased commitment and involvement among school leaders regarding curriculum and assessment.

- Superintendents and principals are becoming real “instructional leaders,” knowledgeable about assessment and school performance data, and how it translates into action planning.
- Building-based administrators are working in closer partnership with the district's central office.
- Special Education Directors are part of the school improvement team, working with their general education colleagues on curriculum and instruction.
- Student assessment data has improved in many districts.
- Statewide, the annual rate of increase in special education child count is slowing down.

1998	3.8% increase	2000	3.6% increase
1999	5.7% increase	2001	2.1% increase

- In some schools, there has been a shift in resources from special to general education, which may be linked to strengthening the Educational Support Systems through general education.
- There is increased integration of state standards in Individualized Education Program (IEP) development; special educators now have a stake in knowing the general education curriculum.

The original charge, the Vermont Special Education Program and Fiscal Review Panel, has been accomplished. The challenge now is how to continue to support local districts in an on-going process of self-assessment and action planning that will bring additional districts into the process. A self-assessment tool, *Analyzing Educational Systems for Fiscal and Instructional Effectiveness: A Self-Assessment and Planning Guide*, has been developed by consultants Martha Bothfeld and Zeldia Zeleski, both special education directors in Vermont LEAs, in collaboration with UVM Research Team members Susan Hasazi and Katie Furney. The Department will seek additional state and/or federal grant funds so that technical assistance and support to districts choosing to engage in the self-assessment process will be available.

## Challenges

- How to keep the focus on instruction: The more emphasis districts placed on improving instruction, the more success they had in improving achievement and the less they relied on special education for students who were not performing well.
- How to continue to provide a range of curriculum offerings for all students, given the increased emphasis on standards-based curriculum and student achievement in academic areas.
- How to impact high schools: Change is more rapid at the elementary than at the middle school and high school levels.
- How to reduce pressure on teachers; how to increase support: The emphasis on student achievement is creating a

sense of increased pressure among some teachers. If teachers have not received adequate professional development in differentiated instruction, they may not feel competent to meet the needs of diverse students. This can lead to increased referrals to special education or over-reliance on alternative programs and other more segregated placements.



Dennis Kane,  
 VT SEA Director

## Conclusions

- ⦿ Given additional resources, schools will “do the right thing.” Schools want to meet the needs of all students so that all students can achieve at high levels. They may need additional resources to do so. Capacity development is critical if we expect schools to bring all students, including students with disabilities, to high standards.
- ⦿ Schools are increasingly using data to improve instruction, analyzing what is going well, and targeting resources in areas where improvement is needed.
- ⦿ Leadership makes a difference. Schools with strong building-based and central office leadership, working in partnership, seem to get the best results.
- ⦿ Coupling additional resources with increased accountability appears to be a productive policy strategy; but
- ⦿ Increased accountability without additional resources may lead to unintended

consequences such as increased referrals to special education, increased use of segregated or alternative placements, or the need to make choices between quality programs and school basics, e.g. transportation or building maintenance.

- ⦿ Professional development must include an emphasis on instruction as well as the development of standards-based curriculum.
- ⦿ Schools need to guard against a limited interpretation of standards-based reform; otherwise, capacity may actually be decreased. Schools need to include expanded learning opportunities for all students beyond a focus on basic academics.
- ⦿ We need to pay more attention to reform at middle and high school levels.
- ⦿ Policymakers need to be vigilant regarding intended and unintended consequences of new requirements for students with disabilities and well as those at risk for school failure.
- ⦿ School-based Educational Support Systems and Educational Support Teams are effective in reducing referrals to special education and providing effective early intervention and support for all students.

## IMPLICATIONS FOR POLICYMAKERS

The efforts of the Vermont Special Education Program and Fiscal Review Panel, assisted by the UVM Research Team, have helped the Department of Education to gain a statewide perspective on the “state of special education” programs, services, and practices based upon extensive case study reviews of selected Vermont school districts. Based on its work over the past five years, the Panel has identified a number of “lessons learned” about policy implementation at the local level.

- ⦿ Variability is the rule and uniformity the exception when it comes to state-to-local policy implementation.
- ⦿ Understanding local context is a prerequisite to any external evaluation or technical assistance effort. Consider how state level policies are likely to interact with local context.
- ⦿ Competing policy goals (e.g., individualizing instruction, high standards for all students, high stakes accountability, the interest in reducing/stabilizing child count, and the need to contain special education costs) need to be considered and unintended consequences anticipated.

## what are the implications of Vermont's strategy for other states?

- ⦿ While state policy can set the direction, stable, and shared local leadership is the key to sustained implementation over time.
- ⦿ The issues surrounding special education costs are very complex, and the ability to understand that complexity is critical to finding solutions that will work to contain cost increases and ensure that the needs of all students are met. In addition, it is important to view special education costs in relation to the other components of the educational system. Special education fiscal issues cannot be separated from special education program issues and special education cannot easily be separated from general education or the health and human services areas. All components of the system impact the other parts.
- ⦿ What makes a difference in number of students being found eligible for special education?
  - Curriculum and instruction; what is happening in the general education classroom.
  - Leadership and ability to analyze data.
  - The ability of individuals to have conversation concerning the data. To ask the question, "How can the school make this work for all students?"
  - To the degree that the Educational Support System develops capacity to support the diverse instructional needs of all students, the school's reliance upon special education may be reduced.
  - While state level policy initiatives can influence outcomes for all students, the promise of this approach will only be achieved if implementation is considered over time, in context, and in relation to anticipated as well as unanticipated consequences. ■

The emphasis in both IDEA and the No Child Left Behind Act on increased access to the general education curriculum, high standards and improved achievement for all students means that all states are engaged in an ongoing process of school improvement. Vermont's strategy of using the Special Education Program and Fiscal Review Panel to review and make recommendations in local school districts has served as a catalyst for reform at the local level. It has highlighted the significance of local leadership and the critical importance of a sustained and long-term focus on improving instruction. The process has also pointed to the need for additional resources, professional development and support through general education to ensure that schools have the capacity to achieve improved outcomes for all students, including students with disabilities.

### Documents available on the Vermont Department of Education's Web site

- ➔ **Act 117 Report to the House and Senate Education Committees (January 2004)**  
[www.state.vt.us/educ/new/html/pgm\\_act117.html](http://www.state.vt.us/educ/new/html/pgm_act117.html)
- ➔ **FY02 Annual Report Yearbook Edition Initiatives and Updates**  
[www.state.vt.us/educ/new/html/pgm\\_spед/pubs/annual\\_report\\_02.html](http://www.state.vt.us/educ/new/html/pgm_spед/pubs/annual_report_02.html)
- ➔ **Special Education Program and Fiscal Review Panel: Recommendations to the Legislature**  
[www.state.vt.us/educ/new/pdfdoc/pgm\\_spед/pubs/fiscal\\_review\\_011504.pdf](http://www.state.vt.us/educ/new/pdfdoc/pgm_spед/pubs/fiscal_review_011504.pdf)

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