



# **Special Education Program Compliance Review**

## **Final Report**

May 15, 2018

**Lionsgate Academy (4183-07)**

Diane Halpin, Director

Ryan Rehnstrand, Director of Special Education

## Table of Contents

Introduction and Authority .....	3
Scope of Monitoring.....	3
Resulting Findings and Corrective Action .....	3
District Overview.....	4
Monitoring Findings by Area.....	4
Area 1: Governance.....	4
Area 2: Facilities, Equipment and Materials .....	11
Area 3: Child Find and Evaluation.....	15
Area 4: IEP and IFSP Process and Implementation.....	19
Summary of Corrective Action Required.....	25
Appendix .....	26
Acronyms .....	26
Individual Student Record Noncompliance.....	27
Complaint Decisions .....	27
Interviews .....	27
Federal Instructional Settings by Disability.....	28
Race/Ethnicity by Disability .....	29
Age by Disability .....	30

## **Introduction and Authority**

The Minnesota Department of Education (MDE), as the state educational agency, is required by federal law to monitor the education of children with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA). 20 U.S.C. § 1412(a)(11); 34 C.F.R. § 300.600. Additionally, state law requires every local educational agency (LEA) to ensure all students with disabilities are provided specialized instruction and services appropriate to their needs. Minn. Stat. § 125A.08(b)(1). Each LEA within the state, including educational programs administered by any public agency, is under the general supervision of MDE. In order to evaluate special education programs, MDE staff has the authority to review all relevant information necessary to carry out the department's oversight responsibilities.

### **Scope of Monitoring**

Monitors from MDE's Division of Compliance and Assistance conducted a full compliance review of the special education program of Lionsgate Academy (4183-07). The monitoring process included a review of:

- The district's total special education system (TSES) plan, restrictive procedures plan (RPP), if any, and new student enrollment form
- Three district sites (2 buildings) where special education services are provided
- Interview responses from the special education director, general education administrators, special education teachers and paraprofessionals, related services personnel and general education teachers
- Previous monitoring and self-review reports
- Formal complaint history
- 12 Part B (students ages 3 through 21) student records

### **Resulting Findings and Corrective Action**

The following report identifies individual student record noncompliance, findings of systemic noncompliance and corrective action requirements. Findings of systemic noncompliance are identified based on an analysis of compliance data collected from the sources listed above. If an area is identified as a finding of systemic noncompliance, the district is required to develop and implement a corrective action plan (CAP) to address each finding within one year of the date of this report.

Individual student record noncompliance occurs when a student file is cited for violation of any state or federal special education law. Citations of individual student files must be corrected by the district by March 1, 2019. If individual student noncompliance is identified for correction, tracking is completed through the Minnesota Continuous Improvement Process: Self Review (MNCIMP:SR) system and the district may be required to develop and implement a CAP to address findings of noncompliance.

## District Overview

Lionsgate Academy is a charter school located on two campuses, one in Minnetonka and one in North St. Paul. A third campus, located in Shoreview, is set to open for the 2018-2019 school year. The Minnetonka campus serves students in grades 7-12 and the Shoreview campus will serve students in grades 7-10 during its initial year, with plans to slowly expand through 12<sup>th</sup> grade after that. The North St. Paul campus includes two specialized programs: Lynx is a federal setting IV program for students with disabilities who need a more restrictive setting and the Achieving Independence and Maturity (AIM) program is a transition program for students with disabilities aged 18-21 who have not yet graduated due to continuing IEP needs. 2018 enrollment data indicates the district's total enrollment to be 149 students, 95% of whom are identified as a child with a disability (and roughly 90% of the special education population is identified under the categorical disability of Autism Spectrum Disorder (ASD)). Currently, approximately 20% of the student population is identified as eligible for free/reduced price lunch under federal guidelines and no students are currently identified as English Language Learners (ELL).

Despite the high enrollment numbers of special education students, general education core academic and elective classes are offered in all subjects, some of which are supported by push-in services from a special education teacher. For general education classes, students are grouped by ability level for math, since numerous courses are offered at varying levels so students are placed in an appropriate math course based on academic level. Some language arts, science and social studies courses may include students from two grade levels, as appropriate based on the course content and the student's academic level.

The mission of Lionsgate Academy is to foster self-determination and preparedness for post-secondary education, employment and independent living by providing a transition-focused, personalized learning program for all students; Lionsgate Academy also specializes in educating and supporting the unique needs of students on the autism spectrum. Lionsgate Academy is authorized by Novation Education Opportunities.

## Monitoring Findings by Area

### Area 1: Governance

#### *Topic Area: Total Special Education System (TSES)*

A TSES plan describes a district's special education policies, procedures and programs. A plan for a single district identifies the district's responsibilities regarding child study procedures, methods of providing the special education services for identified pupils, administration and management plans to assure effective and efficient results, operating procedures of interagency committees and any interagency agreements into which the district has entered.

After conducting a self-review, the special education director provided MDE with an assurance that the district's TSES demonstrates 100% compliance with Minnesota Rule 3525.1100.

**Corrective Action: None**

*Topic Area: Charter School Application*

A review of the charter school application, as shared by the director of special education and located on the charter school's website, determined that the district does not require applicants to disclose more information than permitted by state law and is therefore considered compliant.

As part of the Lionsgate Academy's 2012-2013 MDE Review, significant concerns were raised regarding the district's enrollment policy. Concerns included the district's dual wait list system created to address facility/space limitations within programs for students with more significant needs. Following the review, the district revised its enrollment process and policy and submitted evidence to MDE sufficient to address the concerns. The current enrollment policy was reviewed by the lead monitor and it remains in compliance. The district also added a case manager to ensure adequate staffing is available if needed to support higher numbers of students with significant needs enrolling, all of which occur through the lottery system due to the extensive waiting list for admission to the school.

**Corrective Action: None**

*Topic Area: Restrictive Procedures Plan*

"Restrictive procedures" means the use of physical holding or seclusion of children with disabilities in an emergency. Because the special education director reported the district uses or intends to use physically holding children with disabilities in an emergency, the district is required to maintain and make publicly accessible a restrictive procedures plan (RPP) for children with disabilities. Minnesota Statute requires that the plan must, at least, list the restrictive procedures the school intends to use; describe how the school will monitor and review the use of restrictive procedures; and include a written description and documentation of the training school personnel completed.

After conducting a self-review, the special education director provided MDE with an assurance that the district's RPP demonstrates 100% compliance with Minnesota Statute, sections 125A.0941 and 125A.0942.

**Corrective Action: None**

*Topic Area: Staffing*

The district's special education administrative staffing includes a special education director, four special education coordinators and two supervisors. The special education director has worked with the district for the past two school years. Of the four special education coordinators, one is assigned to the Minnetonka campus and one at each of the two specialized programs at the North St. Paul campus. The fourth special education coordinator is assigned to the new Shoreview campus. The two supervisors have specific responsibilities: the first provides direct support and supervision to paraprofessionals (named educational assistants at Lionsgate Academy), related service providers and oversees Developmental Adaptive Physical Education (DAPE) and co-located mental health services. The second is the lead for resource room teachers and paraprofessionals.

An executive director, building principal and site administrator provide district-level administrative leadership among the campuses. The district is staffed with special education personnel consisting of 24 special education

teachers, 13 related service providers and 50 special education paraprofessionals. Related services include social work, speech-language, school psychology, nursing and occupational therapy. Lionsgate Academy contracts mental health services from two different agencies and also has a small team of behavior intervention specialists on staff.

Paraprofessionals at Lionsgate Academy are full-time employees, working 40 hours per week and receiving full benefits. Paraprofessionals attend staff development, including cohort training described in more detail in the next section of this report, with other staff members. Reportedly many paraprofessionals hold college degrees and administrators pointed out that twenty-five of Lionsgate Academy's licensed staff were previously employed as paraprofessionals with the district.

Special education and building administration were asked to describe the delivery of special education services or support when special education teachers, related service providers, or paraprofessionals are absent. When a special education teacher absence occurs, the special education director reported that Lionsgate Academy does not hire substitutes from outside the district; full-time building substitutes employed at the Minnetonka campus are instead utilized for both short-term and long-term absences. Lionsgate Academy also employs special education-licensed due process case managers who also can fill in when a short-term absence occurs for licensed staff. The AIM and Lynx programs, located in the North St. Paul campus employ a building substitute as well. The district employs four full-time paraprofessional substitutes used both for short-term and long-term paraprofessional absences. In order to ensure staff, including substitutes, responsible for implementing IEP receive relevant IEP information, Lionsgate Academy created a secure program ("Lionsgate Apps") which allows approved staff access to students' IEP goals, accommodations and modifications. Interview responses confirmed sufficient procedures related to short- and long-term absences and the process for informing substitutes about relevant IEP information. Special education teachers create lesson plans in advance, develop written student profiles, and ensure behavior charts, behavior intervention plans (BIP) and other relevant IEP information is updated and available for review by substitute staff. Ninety-six percent of paraprofessionals, 93% of general education teachers and 91% of special education teachers and related service providers reported no concerns regarding the delivery of special education services or support when special education teachers, related service providers or paraprofessionals are absent. Concerns reportedly only arise on the rare occasions when numerous staff absences happen on the same day since there are a high number of students who have challenging behavior and/or need 1:1 support, so when there are several staffing changes or changes in responsibilities of staff for the short-term absence, students' behavior challenges can increase as do the stress levels of staff.

**Corrective Action: None**

*Topic Area: Training*

Special education professional development initiatives have been offered to licensed and non-licensed district personnel over the past two years, including the following:

- Psychology Behind Success (supervisors)
- Diversity Training (all staff)
- Behavior Boot Camp (special education teachers and paraprofessionals)
- Non-violent Crisis Intervention (sessions for new staff and returning staff)

- Life Space Crisis Intervention (special education teachers and paraprofessionals)
- Health Training (all staff)
- Positive Behavior Interventions and Supports (all staff)
- Cogmed/Fast Forward computer programs to support working memory and focus (special education teachers, occupational therapists and mental health behavioral aides)
- Nurtured Heart Approach (Lynx special education teachers and mental health behavioral aides)
- Introduction to Google Classroom (general and special education teachers)
- Learning Centers (general and special education teachers)
- Clinical-Behavioral Spectrum (licensed special education staff)
- Autism Society of Minnesota Mental Health (all staff)
- Mandated Reporting and Data Privacy (all staff)
- Curriculum Pre-Planning (transition special education teachers)
- Lesson Planning (transition special education teachers)
- Health Anaphylaxis (all staff)
- Flexible Use Space (all staff)
- Mentor 2016 (general and special education teachers)
- Harassment and Discrimination (all staff)
- Collaboration with Support Staff (18-21 AIM program special education staff)
- Mental Health (all staff)
- Back to Basics: Speech-Language Pathology – general visuals to use in all settings (all staff)
- Back to Basics: Occupational Therapy (all staff)
- Data Collection/Data-Based Decision-Making (all staff)
- Good-to-Go Assessments (general and special education teachers)
- Literacy Training (general and special education teachers)
- English Language Learners (licensed staff)
- Alexithymia and ASD (all staff)

The district provides two all-staff trainings during the school year in addition to a two week training in August prior to the start of the school year. Topics for some of the trainings are determined based on feedback from staff training surveys. Staff are given choices of two or three trainings per training “block.” In addition, administrators reported training on writing Present Levels of Academic Achievement and Functional Performance (PLAAFP) statements in the IEP already is planned for later this school year based on the results of the district’s recent self-review of student records.

Lionsgate Academy has developed a two-year cohort group training process for new staff and/or staff changing roles in the district. The first year cohort, which may include general education teachers, special education teachers, related service providers and paraprofessionals, receive “ASD 101” training along with other disability training based on the student population. The second year, the same cohort receives training on two specific topics, i.e. antecedents to behavior and interventions, at a more advanced level. The cohort moves together through training years with a similar basis of knowledge.

Other than via district-led trainings, licensed and non-licensed staff is informed of special education policies and procedures or changes to special education policies and procedures through board meetings, district website,

staff handbook, newsletter, weekly or monthly staff meetings and administrative meetings. General education teachers, special education teachers, related service providers, paraprofessionals and other non-licensed staff attend weekly all-staff meetings. Additional meetings specific to each staff group, i.e. paraprofessionals, licensed special education staff, etc., occur weekly as well. Special education and building administrators meet monthly to evaluate training needs for staff members.

Interview responses suggest that 98% of special education teachers and related service providers, 100% of paraprofessionals and 93% of general education teachers are adequately prepared to provide services and support to students receiving special education, including training in the use of assistive technology (e.g., tablet computers, communication device, software, recorders, timers, reading guides, seat cushions, calculators, graphic organizers and writing supports). Of the small percentage that did not agree, the vast majority reported they are constantly learning and developing skills to support students with disabilities. Building administrators, special education teachers and special education paraprofessionals using restrictive procedures have received the necessary training on the use of physical holds/restraint. District personnel confirmed the confidentiality of any personally identifiable data, information and records of students also is maintained. The only concern noted regarding confidentiality is the lack of a secure facsimile number to transmit medical information via this method when needed.

Eight of the district's special education teachers are assigned primarily as due process managers; the due process managers' core responsibilities are related to due process procedures and documentation so have fewer direct service minutes with students than do case managers or classroom teachers. Administrators reported that although due process managers complete the vast majority of special education paperwork, all special education teachers receive training in due process procedures and documentation requirements.

Minnesota Statute requires that for all paraprofessionals employed to work in special education programs, the district shall ensure each paraprofessional has sufficient knowledge and skills in emergency procedures, building orientation, roles and responsibilities, confidentiality, vulnerability of students and mandatory reporting of suspected abuse before or beginning at the time of employment. Building administrators reported and recently hired paraprofessionals confirmed that paraprofessionals receive sufficient information from the district in order to meet students' needs. All paraprofessionals interviewed agreed that annual training opportunities also are made available for paraprofessionals to further develop the knowledge and skills that are specific to the students with whom they work, including understanding disabilities, following lesson plans and implementing follow-up instructional procedures and activities. Paraprofessionals reported they receive the same training as licensed staff, receiving training as often as every two months in addition to two-week training before the start of each school year. Paraprofessionals within the AIM program are assigned as students' job coaches; those working in the Lynx program are assigned as mental health behavioral assistants. Overall, paraprofessionals reportedly receive consultation and training specific to their particular assignments.

All paraprofessionals reportedly receive sufficient ongoing direction from a licensed teacher. Paraprofessionals who provide IEP health-related services for a student receiving special education confirmed they receive ongoing direction from a school nurse as appropriate, noting they also receive written documentation of each student's health-related services with specific instructions.

**Corrective Action: None**



*Topic Area: Special Education Advisory Council*

Minnesota Statute, section 125A.24, requires school districts establish a special education advisory council (SEAC) to increase the involvement of parents of children with disabilities in district policy making and decision making. The special education director confirmed Lionsgate Academy has a SEAC that meets regularly and has a membership of which at least half are parents of a student with a disability. The special education director confirmed the most recent SEAC meeting occurred on November 17, 2017 and included required membership.

**Corrective Action: None**

*Topic Area: Service Delivery, Teaching Models and Collaboration*

School-aged children with disabilities at Lionsgate Academy receive special education services via pull-out, push-in, co-teaching, resource room, indirect, itinerant instruction, homebound instruction and instruction in a hospital or other care and treatment facility in federal instructional settings I-IV, which describe the location and the amount of time that a student with an IEP receives special education services.

Lionsgate Academy administrators emphasized the wide range of unique needs present within its special education population, including sensory, social, academic, motor, communication, and behavior. The special education director highlighted individualized instruction, instructional delivery models and a continuum of services as overall strengths within special education at Lionsgate Academy, noting that Lionsgate Academy's programs are tailored to seven levels of student need. The seven levels include general education, communications, foundations, success, Leadership Enrichment Opportunities (LEO), AIM, and the Lynx program. A brief summary of the needs-based programming is noted below:

- General Education: core academic and elective classes offered at grade level, taught by general education teachers with differentiation, accommodations and modifications as appropriate to each student's needs.
- Communications: designed to support students whose primary need is a reliable and portable system of communication. Typically students working in the communications program are identified with a developmental cognitive disability (DCD) and/or ASD.
- Foundations: designed to meet the needs of students identified with a significant cognitive disability. Foundations classes are offered in math, language arts and transition. Typically, foundations classes include students who perform at more than two grade levels below the normed achievement for his/her grade level.
- Success: designed with specific classes in mathematics and language arts for students who perform one or two grade levels below peers and who have specific IEP goals within one or both subject areas. It is not uncommon for students to be placed in a success class for one subject area while placed in a general education class for another subject area.
- LEO: a pilot gifted and talented program designed to support students identified as twice exceptional. Students participating in LEO programming meet criteria for giftedness (academic and social) who also are identified with a disability. The LEO program emphasizes enriched academic, social/community, and leadership instruction and opportunities.

- AIM: a transition program for students on IEPs ages 18-21 who have not yet graduated due to continuing IEP needs.
- Lynx: a federal setting IV program targeted to meet the needs of students with disabilities with mental health needs whose needs dictate a more restrictive setting than the regular school. Students placed in the Lynx program receive individual and group mental health therapy and special education services while staying current with academic coursework.

Since all staff receive robust special education training, as described earlier in this report, differentiation of instructional material and implementation of modifications and accommodations based on individuals' needs are commonplace within the general education environment. Special education and building administration, special education teachers and related service providers did not describe any specific limitations to the variety of teaching models or types of service delivery options available to students receiving special education or related services.

Special education teachers and related service providers reported receipt of indirect services, including consultation from appropriately licensed providers, if they are not licensed in a student's category of disability and responsible for implementing an IEP. Staff meetings are held weekly and include paraprofessionals. Teaming and communication across disciplines was described by all staff groups as strong. The staffing model (due process managers, case manager and classroom teachers) at Lionsgate Academy reportedly allows for staff within each role to strengthen skills and relationships with students, families and staff, and expertise in focused areas while still allowing for professional growth. The model also reportedly facilitates sufficient teacher preparation time and consistency with compliant due process documentation.

**Corrective Action: None**

*Topic Area: Resources and Supports for Staff*

Building administrators receive adequate assistance and support from special education administrators regarding questions and concerns related to special education. Correspondingly, 93% of special education teachers and related service providers and 100% of general education teachers reported they also receive adequate assistance and support with questions and concerns related to special education from building administration, special education administration, and/or special education colleagues. One concern noted in this regard related to additional training needs or increased mentoring for new case managers and first year teachers or teachers working under a licensure variance.

The special education director also noted that Lionsgate Academy would like to develop a more robust program for students identified with a Specific Learning Disability (SLD), including additional training for staff and additional curriculum options for students with needs in the area of reading, writing and math. While very few overall concerns were noted by staff in this regard, a small sample of general and special education teachers concurred that additional staff training, resources for child find and evaluation teams, and consultation for service providers is needed in the specific area of SLD as staff are seeing an increase in the number of students at Lionsgate Academy identified as SLD, including students with somewhat complex learning diagnoses such as dyslexia, dysgraphia, and/or dyscalculia. It is recommended the district seek feedback from general and special

education staff regarding specific training and other resources needed in order to increase targeted supports for staff in this area.

**Corrective Action: None**

*Topic Area: Strengths and Concerns*

Strengths identified by district personnel related to staffing, training, resources and support and instructional delivery models include the following:

- Staff working within the Lynx program were praised for their ability to develop positive and trusting relationships with students who face significant behavioral and/or mental health challenges. AIM and Lynx staff were described as committed, creative and hardworking; the programs were praised for the use of the Nurtured Heart approach (a relationship-focused approach that empowers students and facilitates positive change).
- The vast majority of special education teachers and related service providers identified strengths related to staff training opportunities, including designated dollars for staff to pursue continuing education and a yearly tuition reimbursement stipend for staff pursuing special education licensure. Staff described the trainings provided by the district as individualized and relevant to teachers' and paraprofessionals' roles, noting that training often is delivered to small groups to facilitate discussion and collaboration afterwards.
- Paraprofessionals also commonly cited the frequency, relevance, and varied training available as a strength. Paraprofessionals reported they work with communicative, resourceful and passionate educators who work as a team to support each other and students.
- General education teachers also agreed about the high level of training available for staff related to special education as well as the high level of collaboration and communication between the special and general education departments, noting that knowledgeable special education staff are consistently available to answer questions and provide support.

## **Area 2: Facilities, Equipment and Materials**

*Topic Area: Facilities*

On January 31, 2018, an MDE monitor conducted an onsite review of the special education programs and facilities at Lionsgate Academy. The purpose of the review is to verify that the classrooms and other facilities in which students receive instruction, related services and supplementary aids and services are accessible, are essentially equivalent to the regular education program, provide an atmosphere that is generally conducive to learning and usually meet the students' special physical, sensory and emotional needs.

Administrators reported that many staff members and outside consultants were involved in the extensive planning of Lionsgate Academy's facilities. In some cases, staff visited other facilities to gain ideas for program improvement and incorporating facility design to support programming, i.e. the AIM coordinator and Work-Based Learning (WBL) coordinator toured other transition programs to plan for the AIM program and facilities. Reportedly, everything from lighting to paint colors to leveled security was considered and planned for as

Lionsgate Academy facilities have evolved; similar planning has gone into the new Lionsgate Academy facility that will open in Shoreview in fall of 2018. The lead monitor reviewed facilities at the Minnetonka and North St. Paul campuses; a summary of observational and facility-related interview data is noted below.

The Lionsgate Academy Minnetonka campus moved to its current building, from Shoreview, approximately two years ago. The current building was extensively remodeled to meet the needs of students, staff and programs within the school. The building includes accessible entrance, exit and restrooms; all levels of the building can be accessed via elevator. Since staff, including administrators, are quite mobile throughout the building, there purposefully are no designated staff offices; instead flexible work spaces for individual work, collaboration with colleagues, and completion of paperwork are available throughout the building; staff work “dens” also include private phone conference rooms. Staff can check out particular rooms when needed for use with a student, i.e., for individualized assessments, but most of the flexible work rooms are for staff only. Several break-out and conference rooms throughout the building are used for staff and IEP team meetings. The building includes a school store, media center, gymnasium, fitness center and weight room with shower area, a nursing/health coordinator office, cafeteria, an Independent Living Lab (ILL), general education classrooms, and a variety of rooms designated for the provision of direct special education and related services and supports. All students also have access to walking and bike trails nearby and receive transportation to local parks and athletic fields for various classes and activities.

The Minnetonka campus’s special education facilities are varied and purposefully designed to address many of the district’s seven levels of student needs described in findings area one of this report. Some special education classrooms are utilized for “foundation” special education courses, i.e. specific course such as math, social studies, transition, etc. for students with disabilities. Others classrooms, called resource rooms, provide higher levels of support and programming for students with similar needs, i.e. a “communications” level classroom is designed to support students whose primary need is a reliable and portable system of communication; most students working in the communications program are identified with DCD and/or ASD. A few special education staff noted the communications room can be crowded during several times of the day due to the number of students and staff in the room and the more significant needs of students who utilize the room. Several special education resource rooms include smaller internal rooms and additional divider walls to provide visual and auditory barriers from the larger classroom and to allow for privacy when a student’s needs dictate space away from peers. The “regulation station” is a sensory, calming and motor room used by students with scheduled breaks incorporated into his/her IEP or for students who demonstrate the need to regulate behavior in order to participate successfully in the normally scheduled classroom. A member of the student response team is present in the regulation room throughout the day and tracks use of the room. Students reportedly are familiar with the check-in/check-out system that is part of the regulation room routine; students self-rate emotions and set a timer with the amount of time estimated to regulate. The regulation station includes a variety of equipment, including a large swing, mini-trampoline, comfortable seating and sensory tools. There also are two student process rooms that include a small table and chairs which can be used by staff and a student to process emotions, behaviors, or other needs. The Independent Living Lab (ILL) is a transition room that also can be checked out to use with students to address transition, OT, social, or speech-language needs. The ILL includes a kitchen, table and chairs, washer and dryer, and Murphy bed. More information about the use of the ILL is included under the topic area of transition in findings area four of this report. DAPE services are provided in the gymnasium and the fitness/work-out rooms, which also are locations that can be used during students’

scheduled motor breaks. Specific break-out rooms are available for OT and PT assessments as well as pull-out speech-language services. Additional information about special equipment and instructional materials contained in special education facilities is noted in the next topic area of this report.

The North St. Paul campus includes the AIM and Lynx programs, located in the same one-level building. The AIM program for students on IEPs aged 18-21 is comprised of three “traditional” classrooms for specific courses of study; a pull-out room for the provision of individual or small group social work, speech-language, OT and DAPE services; a flexible work space for itinerant staff and technical support staff; an on-site work room; a conference room used for staff and IEP team meetings; a student center/common area with tables, chairs and student lockers; a sensory pull-out room/therapy room which also can be used by related service providers; an expansive ILL that includes multiple kitchen appliances and other equipment used to gain independent living skills; and a Practical Assessment Exploration System (PAES) lab/simulated workplace curriculum classroom shared with the Lynx program. Much more information about how AIM facility space is utilized to support IEP needs, including post-secondary transition goals, is described under the topic area of transition in findings area four of this report. Overall, the AIM program facilities were observed to offer a range of specialized instructional and experiential space to support transition needs in an atmosphere that is conducive to learning.

The Lynx program, Lionsgate Academy’s federal setting IV site, is located on the other side of the building from the AIM program. Students access Lynx from a separate entrance into an open lobby with lockers. For security purposes, all doors, including restrooms, can only be locked from the outside. A hallway within the building, with locked doors on each end, connects the two sides of the building (one side being the AIM program) and allows access to the shared PAES lab. The Lynx program includes two identical classrooms, each of which includes a smaller internal break out space. A room previously used as a seclusion room (but now inactive) is also inside one of the classrooms; the former seclusion room is no longer accessed by staff or students. The Lynx program also includes a large movement space where DAPE services and motor breaks can occur. Adjoining the large motor space area are offices for the case managers as well as a small room equipped with a TV, video games, board games, and comfortable seating utilized as one incentive as part of the program’s leveled behavior system. An office for the mental health practitioner is located within the wing of two classrooms. The Lynx program also has its own cafeteria. Facilities within the Lynx program also were observed to be conducive to learning and able to meet the unique needs of students placed in the setting IV site.

Lionsgate Academy’s Shoreview campus, opening this fall, reportedly will be a replica of the Minnetonka campus, yet larger in size. The Shoreview campus will include specialized programming for students identified with a Developmental Cognitive Disability (DCD) in addition to special education resource rooms and general education classrooms.

Results of the onsite review and interviews completed by building administration, special education service providers, paraprofessionals and general education teachers overwhelmingly conclude that classrooms and other facilities in which students receive instruction, related services and supplementary aids and services overall meet the requirements outlined in Minnesota Rule 3525.1400.

Special education and building administration described sufficient procedures, including timelines and individuals involved, when determining classroom needs or locations of classrooms for special education and related services. Since over 90% of the student population at Lionsgate Academy are identified with a disability,

special education facilities discussions are frequent and systematized. Special education teachers discuss facilities requests with assigned supervisors to determine next steps. The executive director and special education coordinators meet each spring to review building needs and specific requests from special education staff to make adjustments to facilities prior to the upcoming school year.

**Corrective Action: None**

*Topic Area: Equipment and Supplies*

Minnesota Rule requires districts supply special equipment and instructional materials necessary to provide instruction, related services and supplementary aids and services. Ninety-six percent of special education service providers, 100% of paraprofessionals and 100% of general education teachers confirmed they are adequately equipped with special equipment and instructional materials to provide instruction and supports to students receiving special education services, including the use of assistive technology. The only outlier to 100% agreement across staff groups was a suggestion that the district increase assistive technology or other instructional materials and supports that may better support students identified with a SLD.

Administrators described equipment and facilities at Lionsgate Academy to be state-of-the-art; many aspects of the facility, i.e. lighting, technology, security, etc., were based on research supporting the unique needs of the specialized programs the school offers. Staff have access to secure locker rooms to store belongings and to check out walkie-talkies using a thumb print log in system. Administrators highlighted that the district also employs four technology specialists to support staff training and maintenance of technology, including assistive technology assigned to specific students based on IEP needs and staff training related to technology.

The facility tour confirmed that special education facilities at both of Lionsgate Academy's campuses have been well-planned to meet the unique and wide-ranging needs of students with disabilities. The majority of conference rooms include screens or TVs since IEP team meetings are shared via power point presentations; classrooms include standing desks, tables of various shapes and sizes for individual and small group instruction; and rocking chairs, stability balls, and other seating/work station options. Classrooms also include portable divider walls to offer flexible and individualized learning spaces, white noise and dimmable lighting, interactive white boards, noise-cancelling headphones, computer tablets and other technology. ILL and other classrooms used to support secondary transition skills are very well-equipped as well; household appliances and furniture and specialized equipment and instructional supplies to support work skills, social skills and independent living skills were observed in all transition classrooms and programs. Again, observations and staff interview feedback confirm that one of Lionsgate Academy's strengths includes access to varied special equipment, instructional supplies, sensory tools and curriculum needed to support special education and related services.

Staff sufficiently described in interviews steps and procedures special education teachers and related service providers follow in order to obtain special equipment, instructional materials, consumables, etc. necessary to implement IEPs in both general and special education settings. The special education teacher meets with his/her supervisor to request materials or equipment. Once approved by the supervisor, the teacher completes a purchase order which is then given the special education director for final approval. The executive director and special education director also meet each spring to review budget needs associated with special equipment and instructional materials for IEPs, programs, classrooms and general facilities to plan for the upcoming school year.

## **Corrective Action: None**

### *Topic Area: Room Used for Seclusion*

The Lionsgate Academy Lynx program previously included a seclusion room registered for use with MDE. However, as of August 25, 2015, the seclusion room is reported as “inactive.” No current seclusion room was reported in interviews or observed by the MDE monitor during the onsite review.

### *Topic Area: Strengths and Concerns*

Strengths identified by the special education director, district administrators, special education teachers, related service personnel, paraprofessionals and general education teachers regarding facilities, equipment and technology included the following:

- Seventy-five percent of special education teachers and related service providers reported that Lionsgate Academy’s facilities, equipment and resources are one of the key factors facilitating student success. The variety and quality of facilities, i.e. sensory rooms, independent living labs, on-site work rooms, PAES lab, and well-planned classrooms, reportedly allow students to learn and practice the skills needed to be successful after high school. Special education providers noted that technology is up-to-date, well-maintained and available in a variety of formats for individual and classroom use. The security measures taken by the school to ensure a safe environment for all was given high praise by staff as well.
- General education teachers and paraprofessionals also frequently cited technology, sufficient physical space and specialized rooms to support unique needs as strengths within Lionsgate Academy overall.

Concerns or suggestions for improvement identified by district staff included the following:

- A few paraprofessionals noted that there are some classrooms that have poor temperature control, resulting in too hot or too cold classrooms.
- One special education provider reported that though a swing and rocking chair was requested for the classroom, this equipment was not received. Another special education provider suggested that assistive technology to support learning disability needs would be beneficial.

## **Area 3: Child Find and Evaluation**

### *Topic Area: Child Find Process*

“Child find” under the Individuals with Disabilities Education Act refers to the local education agency’s obligation to locate, identify and evaluate all children with disabilities.

Minnesota Rule requires that before a school-aged student is referred for a special education evaluation, the district must conduct and document at least two instructional strategies, alternatives or interventions (i.e., “pre-referral interventions”) while the student is in the regular classroom. General and special education teachers at Lionsgate Academy confirmed students are receiving and teachers are documenting at least two pre-referral interventions in the regular classroom. The majority of general education teachers at Lionsgate Academy described participation in a variety of pre-referral process activities including participating in regularly scheduled

meetings with a variety of staff to discuss concerns regarding students in general education who may need pre-referral interventions and to discuss progress data and next steps for students who are receiving pre-referral interventions, receiving consultation and resources from special education teachers regarding pre-referral interventions, and receiving resources for collecting data, recording progress and documenting other pre-referral information. General education teachers noted that all staff receive training on the pre-referral process and many staff share input, expertise and decision-making roles throughout the child find process.

Lionsgate Academy has established a Tiered Support Team (TST) that meets weekly and typically includes a general education administrator, special education teacher, related service provider, school social worker and/or school psychologist, and general education teacher, as appropriate to the student(s) being discussed. Often the mental health coordinator and building supervisors also attend TST meetings. The TST not only facilitate the child find process, but also implement multi-tiered levels of support across district programs. Over 75% of special education teachers and related service providers mentioned the collaboration, support and effectiveness of the TST when asked to describe any strengths related to the identification or evaluation process in the district.

Approximately five years ago, the Dean of Students spearheaded a system of school-wide positive behavior interventions and supports (PBIS) so all so all students acquire appropriate behaviors and skills. The PBIS committee established by the district attended MDE's PBIS cohort training and brought information back to all staff to facilitate investment/buy-in about the school-wide initiatives. Staff also recently participated in refresher PBIS training. In 2016-2017, Lionsgate Academy was recognized by MDE as a 'Sustaining Exemplar School.'" In order to receive this recognition, a school needs to have completed training and continued implementation of school-wide PBIS with fidelity. Schools applying to be a sustaining exemplar school must document the work of its leadership team, a data system measuring effort, fidelity and outcome data, a system of data analysis and action planning, sustainability efforts, and giving back at the local, state or national level. Many special education teachers and related service providers mentioned district-wide PBIS initiatives as a strength for general and special education programs.

PBIS at Lionsgate Academy are based on four primary areas: safety, flexibility, respect and responsibility. These four pillars of behavior are posted in all classrooms and throughout the building. Students exhibiting behaviors representative of these areas receive ROAR tickets which recognize positive behavior. A large bucket in the lobby holds the completed ROAR tickets and drawings from the ROAR tickets are held weekly when students are further recognized with his/her photo on the wall and name in the weekly school newsletter. Regularly scheduled ½ day celebrations are earned for positive behavior. As noted earlier, Lionsgate Academy employs a team of behavioral intervention specialists, comprising the district's support response team, who are in the building on a full time basis. The behavior specialists assist in developing proactive school-wide initiatives, including activities designed to support social competence and executive functioning. Members of the student response team are on-call throughout the day to observe, assist with crisis intervention, support students' needs in the lunch room and other common areas of the building, and assist classroom teachers whenever needed.

PBIS also is utilized at the AIM program for 18-21 year old students and include the same 4 behavioral expectations as the Minnetonka campus as well as ROAR recognition tickets. AIM students helped define the behavioral expectations to be meaningful in adult life. Administrators would like to see PBIS move to the next level within the AIM program, so to further encourage PBIS participation, staff have been added to the ROAR



ticket drawing, i.e. whenever a staff member recognizes positive student behavior, the staff member's name goes into a drawing as well. Within the Lynx program, a program-wide level system for positive behaviors started this year. The level system includes a check-in/check-out process for each class/experience between the staff member and student, with a 0-2 rating system for staff to assess success of four behavioral areas. While all students have safety as a behavioral area, the remaining three areas are individualized to the student. Staff track daily points and as students earn points they can move up the three-level system. Each level includes incentives and once the student reaches the top level and maintains the level over a specified period of time, the IEP team discusses transition options for mainstreaming at the Minnetonka campus.

A child study process also is in place within the AIM and Lynx program. Case consults take the place of a TST at Lynx and consultation members include mental health practitioners, behavior specialists, special education teachers and paraprofessionals who regularly discuss concerns regarding students placed in the district's federal setting IV site. At both programs, TST or case consultation meetings involve discussion of the student's current levels, progress, and changing or emerging needs, with a plan of action for next steps, i.e. review/revision of the IEP, reevaluation, etc., as appropriate.

With the understanding that identifying students potentially in need of special education assistance takes time, 100% of general education teachers still agreed that pre-referral interventions do not result in an unreasonable delay of initial evaluation for special education services. Interview responses did not describe a policy or practice of delaying initial special education evaluations of English language learner students based on his or her English language learner status. The district does not have a policy or practice restricting the timing of referral for a special education evaluation (e.g., may only submit referrals the 1st of each month or must submit the referral by April 1st).

**Corrective Action: None**

*Topic Area: Transfer Process*

Interview responses from special education teachers and related service providers suggest that Lionsgate Academy has sufficient processes in place to ensure the provision of comparable services to special education students who transfer to the district from another district (in-state or out-of-state), as required by federal regulation. Interview responses offered no concerns regarding the prompt transmittal and request of records as well as immediate provision of services upon enrollment.

Lionsgate Academy's transfer process typically starts two months in advance of the transfer date whenever possible and involves abundant communication with parents and an IEP team meeting. Following a transfer student's acceptance to the school, Lionsgate Academy requests the student's prior educational records. Two enrollment meetings are scheduled with the student and family prior to the student's first day, each designed to support a smooth transition for the student and ensure comparable services are in place. The first meeting includes a meeting between the family and school administrators. Lionsgate Academy staff also arrange to observe the student in his/her current academic setting. The second meeting is an optional half-day for the student to shadow a current Lionsgate Academy student, which is followed by an IEP team meeting to discuss the results of the student's experience, review supports in the student's current school placement, and plan for the student's program at Lionsgate Academy. A few special education providers noted it would be very helpful if

service providers were present during enrollment meetings to share their expertise regarding comparable services, direct/indirect service minutes' needs, etc., based on the transferring student's current IEP.

Several special education providers mentioned the positive growth and self-confidence they see after a student transfers to Lionsgate Academy, noting the specialized programming and expertise of staff who can provide support contributes to students' progress within the new environment.

According to the special education director, for a student placed in care and treatment by the district, the district ensures the student receives an appropriate educational program. The IEP team reviews the student's IEP to ensure the student is receiving FAPE and the special education administrative team consults with the care and treatment facility.

**Corrective Action: None**

*Topic Area: Evaluations*

Federal regulation requires that assessments and other evaluation materials used to assess a student are provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally and functionally, unless it is clearly not feasible to so provide or administer; are used for the purposes for which the assessments or measures are valid and reliable; are administered by trained and knowledgeable personnel; and are administered in accordance with any instructions provided by the producer of the assessments. Based on the district's self-review of student records, the district appropriately uses evaluation materials and procedures first to determine if a student is a student with a disability as well as the educational needs of the student.

Federal regulation also requires districts to ensure assessments and other evaluation materials used to assess a student are not discriminatory on a racial or cultural basis. Interview responses affirm that special education teachers and related service providers know when and how to address concerns related to racial or cultural discrimination when evaluating students.

Many licensed special education providers noted that Lionsgate Academy's evaluation process is extremely comprehensive and inclusive of a wide variety of data sources, including team members with expertise across many domains. Evaluations reportedly run very smoothly and the workload for conducting various assessments throughout the process is efficiently delegated.

**Corrective Action: None**

*Topic Area: Exit Procedures*

Federal regulation requires districts to evaluate a child with a disability before determining that the child is no longer a child with a disability. Special education teachers and related service providers described compliant procedures for exiting a student from special education services when he or she has made adequate progress such that continuing need for services no longer exists.

An evaluation is not required before the termination of a child's eligibility due to graduation from secondary school with a regular diploma, or due to exceeding the age eligibility for a free and appropriate public education (FAPE) under state law. For a student whose eligibility terminates under these circumstances, the district must provide him or her with a summary of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting his or her postsecondary goals. Again, special education teachers and related service providers described compliant procedures in this regard.

**Corrective Action: None**

*Topic Area: Due Process Compliance*

As part of the MDE Review process, the district reviewed a sample of special education records and reported the results to MDE. The results reported by the district and verified by MDE indicate that those records are in 100% compliance with Timeline, Evaluation and Eligibility Standards related to the evaluation process and identification of special education needs and related services. The district's self-review of special education records during the 2015-2016 school year resulted in one finding of non-compliance related to evaluation timelines. The district is commended for improving and ongoing successful compliance efforts.

**Corrective Action: None**

#### **Area 4: IEP Process and Implementation**

*Topic Area: Least Restrictive Environment*

Interview responses suggested that each school-aged child with a disability is educated with non-disabled peers to the maximum extent possible, has equal access to extra-curricular and nonacademic activities (e.g. counseling services, athletics, transportation, health services, district-sponsored clubs, recess, meals, etc.) available to non-disabled peers and is fully integrated with non-disabled peers to the maximum extent appropriate. If a student is removed from the general education environment, the removal occurs only if the nature or severity of the child's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. While staff from all groups overwhelmingly agreed with the above statements, the level of involvement possible between students with disabilities and non-disabled peers is very low due to the very high percentage of special education students enrolled at Lionsgate Academy. While a student with a disability may be participating in many general education classrooms, since only seven students enrolled at Lionsgate Academy are identified as non-disabled, it is likely that general education classroom includes very few or no general education students. Special education teachers and related service providers noted that Lionsgate Academy pays very close attention to information from parents, student progress and students' needs that may warrant a reevaluation or review of the IEP so that LRE is a continual consideration updated as appropriate.

Lionsgate Academy was required to complete a corrective action plan (CAP) related to LRE following its 2012-2013 monitoring review. Because almost all students enrolled at Lionsgate Academy are identified with a disability, participation of disabled students with non-disabled peers is very low by sheer nature of the enrollment demographics. While the percentage of special education students has not changed since 2012-2013 (currently a total of 7 students are not served by an IEP), all parents are informed about the student

demographics and associated limited access to general education peers upon enrollment at the district. The two enrollment meetings scheduled with the student and family (described in findings area three of this report) are scheduled in part to ensure the family sees the school as a good fit for their child despite the limited access to general education peers. Administrators and special education teachers reported that LRE is discussed thoroughly at IEP team meetings. As part of corrective action taken by the district, IEPs for Lionsgate Academy students now include LRE statements that begin with a description of the student special vs. general education population, including the limited number of general education peers, and how all LRE factors have been considered by the IEP team. The statement includes language confirming the parent's choice to enroll the student at Lionsgate Academy as one of several appropriate least restrictive environment options with the understanding of these LRE factors. The LRE statement and service grid of students' IEPs, several of which were reviewed by the lead monitor, include detailed information regarding location of services and what general education classes/activities the student misses when the student receives services in the special education setting.

Throughout the facility tour, the lead monitor observed general and special education classrooms designed to accommodate a wide range of skills, incorporating a progressive order of movement through the curriculum or activity and options for student responses based on a variety of learning styles and needs. One example is within art class: students are grouped in the class based on experience level with the art medium. The less experienced group (the yellow group) first learns how to use the tools associated with a project and background information about the art medium. Once comfortable with this stage, the students move to the blue group where they are directly involved in creating the art. In a math classroom, a series of letters A-D, each representing a possible answer to a question, are posted in various spots around the classroom. As an alternative to responding verbally or in writing, students can move to the area with the letter of the answer/response they believe is correct. Reportedly, these classroom and instructional delivery/student response designs also facilitate movement from the special education setting to the mainstream environment and success within general education.

No concerns were noted by staff regarding educational placement decisions or options available to students receiving special education, though a few staff would like to see more opportunities for students with significant special education needs to participate in general education.

Lionsgate Academy started its own federal setting IV site, the Lynx Program, three years ago. The district contracted with a consultant to plan the program over the course of one year in order to be very intentional about programming, embedded mental health services, and a leveled system designed to support students' return to mainstream whenever possible; administrators also reported that the setting IV programming is reevaluated each year to determine what changes or improvements are needed. Academic programming at the Lynx program is closely aligned with instruction, topic areas and curriculum being covered within the Minnetonka campus courses. While additional modifications and accommodations may be in place at Lynx appropriate to students' needs, the program strives to provide the academic rigor and paralleled activities to facilitate the student's success when he or she is ready for mainstream involvement. Lynx's program-wide leveled incentive system described in findings area 3 of this report is designed to support consistent data collection over stages of readiness for mainstream participation as exhibited by the student. During the first two weeks after a student is placed at Lynx, the student spends extra time with his/her special education teacher as the student is slowly introduced to classroom activities. As students become accustomed to the program and

are able to move up the leveled system, more positive reinforcements are available to the student. When the student moves to the highest level and is able to maintain expected behaviors, IEP teams discuss transition options for mainstream, which may begin with one or more classes at the Minnetonka campus. The district provides transportation between the two campuses depending on the student's transition schedule. Special education providers within the Lynx program reported the leveled system at Lynx supports measurable data collection for student readiness for mainstream and students' levels and LRE are a central point of daily discussion amongst staff.

The special education director described sufficient procedures that ensures a student placed outside of the district by an IEP team receives an appropriate IEP, the student is placed in the least restrictive environment and due process procedures associated with these responsibilities are followed.

**Corrective Action: None**

*Topic Area: Communicating IEP Content*

General education teachers, related service providers, paraprofessionals and special education teachers reportedly have access to the IEP of each school-aged student with a disability for whom they are responsible via receipt of relevant portions of the IEP and through discussion of IEP content with service providers at the beginning of the school year and when appropriate. All licensed service providers have access to the entire IEP. Paraprofessionals reportedly receive a snapshot version of the IEP and participate in case conferences to discuss IEP content throughout the year on a need-to-know basis.

Paraprofessionals and general education teachers indicated they are sufficiently informed of their specific responsibilities and the specific accommodations, modifications and supports required by the IEPs of the students with whom they work. Over 85% of paraprofessionals reported that case managers do an excellent job of communicating updates about students and IEPs; case conferences are thorough, frequent, and attended by a variety of staffing familiar with the student so teams can problem-solve and quickly attend to student-related issues.

Special education staff working within the AIM and Lynx program noted that because the programs are small, team members can communicate frequently with each other and with parents regarding IEP content and student progress. When a student may be transferring from the high school to the AIM program, staff from both campuses reported a strong level of communication with team members well in advance of the transfer to ensure IEPs are updated and clearly communicated with everyone responsible for IEP implementation.

**Corrective Action: None**

*Topic Area: Team Members and Meetings*

Each IEP team must include a representative of the public agency (i.e., "district representative"). The district representative must be qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; knowledgeable about the general education curriculum; and knowledgeable about the availability of resources of the public agency. Building administration, special

education teachers and related service providers confirmed that the district representatives at IEP meetings held at both Lionsgate Academy campuses meet these qualifications.

All general education teachers agreed they receive timely notice of IEP meetings; as members of the IEP team, all general education teachers also agreed they fully participate in the determination of IEP services such as supplemental aids and services, behavioral supports and program modifications. Some general education teachers shared that overall, general education teachers are closely involved in the IEP team meeting process. Each of the student's teachers completes written documentation about the student's current levels in general education and the general education teacher attending the IEP team meeting summarizes the data during the meeting. Updates from IEP team meetings are reportedly disseminated to the general education teachers of the student in a timely manner.

Administrators reported that the four conference rooms at the Minnetonka campus may be simultaneously in use by four different IEP teams since there are hundreds of IEP team meetings each year. IEP team discussions occur verbally and through power point presentation. The district also uses a visual meeting platform available within the conference rooms so staff working remotely or staff at another campus may join virtually in an IEP team or staff meeting. For example, if an IEP team is discussing a student at the Minnetonka campus who may be transferring to the AIM program in North St. Paul, AIM staff can participate in the IEP team discussion without having to drive to the other campus.

**Corrective Action: None**

*Topic Area: Extended School Year*

Federal and state regulations require school districts provide extended school year (ESY) services as necessary to ensure FAPE as determined by a student's IEP team on an individual basis. Based on interview responses from building administration, special education teachers and related service providers, ESY services are made available as appropriate. Additionally, the district does not limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of those services.

**Corrective Action: None**

*Topic Area: Progress Reporting*

Each district also must ensure an IEP team reviews a school-aged child's IEP periodically, but not less than annually, to determine whether the student is achieving annual goals; and revise the IEP, as appropriate, to address any lack of expected progress, the results of any reevaluation or information about the student, or the student's anticipated needs. All of the district's special education teachers and related service providers who were interviewed described existing practices that satisfy progress reporting requirements. While formal progress reports are completed quarterly, special education teachers reported that student progress is a daily topic of communication amongst staff who also communicate frequently with parents.

The special education director reported that for students placed in care and treatment by the district, the case manager of the student requests quarterly progress notes on the student, which is reviewed to determine if adequate progress is being made and if a review or revision of the IEP is warranted due to a lack of progress.

**Corrective Action: None**

*Topic Area: Secondary Transition*

Transition services are coordinated activities for a student with a disability that are focused on improving the academic and functional achievement of the student to assist the student's shift from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. Transition services are based on the individual student's needs, taking into account the student's strengths, preferences and interests.

All groups of staff emphasized via interviews that facilitating students' readiness for post-secondary life is central to the mission of Lionsgate Academy. The special education director, special education teachers and related service providers at Lionsgate Academy described secondary transition services, activities or programming opportunities provided or available to students with a disability, including the following:

- Work experience programs
- Courses of study available specific to students needs
- College visits
- Partnerships with community agencies to support employment
- Post-secondary education options
- Independent living skills instruction and experiences
- Community-based instruction via regularly scheduled student outings within the community including the library, local fitness center, bowling, volunteer experience, grocery store, movie theater, etc.
- Specific transition-related courses to support pre-employment needs, employment skills and personal living skills are available as special education transition courses or general education electives.

The Minnetonka campus is beginning to look into a formal Work Experience Program (WEP) as currently one teacher holds a Work-Based Learning license. On-site work based learning options at the Minnetonka campus include a student internship experience with composting, a school store, and a student-run coffee and tea cart business. Students can take an applied business course to learn marketing and design skills and create a video portfolio with the goal of students managing the school store. Students already have created a commercial video advertising the coffee and tea cart; currently both the school store and coffee and tea cart are in the beginning stages of development as staff determine how to most effectively implement on-site work experience into transition programming.

As noted previously, Lionsgate Academy includes a transition program, AIM, designed for students ages 18-21 who have not yet graduated and have continuing IEP needs. In order to support a smooth transition to the AIM program, current AIM staff visit the Minnetonka campus to share information about the program; students who may be attending AIM also have an opportunity to visit the program in advance. Each spring, AIM holds an open house for families and AIM staff meet with the student's prior case manager to plan appropriate services for the following year. The AIM program includes community and work experiences and programming specific to post-secondary education, training and employment, and independent living skills. A student who participates in the AIM program may attend his/her senior year graduation ceremony; however, the student receives an official

diploma upon completing the AIM program. Prior to graduation from AIM, students are connected with adult service providers, county social workers, Vocational Rehabilitation and other support networks, as appropriate. The special education coordinator assigned to the AIM program reported that courses of study are very purposeful and follow a scope and sequence tailored toward the needs of the individual. If none of the established courses of study “fit” the individual, the case manager assists with developing an independent study course for graduation credit that is better aligned with the student’s needs. AIM students also can access post-secondary enrollment options; one case manager at AIM is specifically assigned to support students who attend post-secondary institutions.

Work-based learning is in full operation at the AIM program where students participate at least two times per week at work-based opportunities on or off-site. The on-site work room includes card-making tools, a button maker, a 3-D printer, jewelry-making supplies and a T-shirt press. Students reportedly utilize these tools to support job skills. Many students participate in paid employment off-site at local retail stores, restaurants, Goodwill, etc. A representative from Vocational Rehabilitation visits the AIM program weekly to support students’ employment needs. Job coaches support students at job sites, during public transportation and during the major social/entertainment events planned off-site three times per year. The AIM facility includes an expansive ILL to support students’ skills related to independent living. AIM students have access to several classes that incorporate food-budgeting, meal planning, and off-site grocery shopping as students are responsible for making their own lunches and washing dishes, using the ILL. The PAES lab includes a washing machine and dryer and various sewing supplies, though reportedly the PAES lab is not used to the level that it could be; the WBL coordinator is reportedly working on improving the effective use of the lab.

**Corrective Action: None**

*Topic Area: Due Process Compliance*

As part of the MDE Review process, the district reviewed a sample of special education records and reported the results to MDE. The results reported by the district and verified by MDE indicate that those records are in 100% compliance with Timeline Standards related to the IEP process and provision of special education and related services, but not in 100% compliance with a few areas related to IEP Standards. The district corrected all findings of individual noncompliance prior to April 1, 2018. The district’s self-review of special education records during the Self-Review year of the program monitoring cycle also resulted no findings related to the IEP process. The district is again commended for its compliance efforts.

**Corrective Action: None**



## Summary of Corrective Action Required

Formal findings of individual student record noncompliance were issued from 0 of the 12 files reviewed. Individual student files must be corrected by the district and verified by MDE within one year of the date that the district was notified of individual student noncompliance. Lionsgate Academy (4183-07) was notified of individual student noncompliance on April 1, 2018. As of the date of this report, the district has demonstrated correction of 100 percent of those findings.

Congratulations! The Minnesota Department of Education commends Lionsgate Academy for demonstrating compliance with the Individuals with Disabilities Education Act (IDEA) and corresponding State statute and rule. The district's demonstration of its ability and commitment to implementing special education programs that meet or exceed minimum requirements is reflective of its administration, teachers, staff and community. MDE appreciates all of the district's efforts on behalf of children with disabilities and their families.

For questions regarding the content of this report, please contact the district's lead monitor:

Rachael Arndt, Compliance Specialist  
Division of Compliance and Assistance  
1500 West Highway 36  
Roseville, MN 55113  
651-582-8293  
Rachael.Arndt@state.mn.us

## Appendix

The appendix includes special education child count data related to disability and federal instructional setting, race/ethnicity and age, as well as data on individual student record noncompliance, complaint decisions and interview and survey reliability.

### Acronyms

#### Data sources

CC	Child count
Srv	Students served by the district
RR	Students sampled for the record review

#### Disability categories

ASD	Autism Spectrum Disorders
DB	Deaf-Blind
DCD-MM	Developmental Cognitive Disability: Mild to Moderate
DCD-SP	Developmental Cognitive Disability: Severe to Profound
DD	Development Delay
DHH	Deaf and Hard of Hearing
EBD	Emotional or Behavioral Disorders
OHD	Other Health Disabilities
PI	Physically Impaired
SLD	Specific Learning Disability
SLI	Speech or Language Impairments
SMI	Severely Multiply Impaired
TBI	Traumatic Brain Injury
VI	Visually Impaired

#### Child Count

In the December 1, 2017, Part B and Part C federal child count, students identified as receiving special education and related services are 95.3 percent (n = 184) of the district total enrollment compared to the statewide average of 15.5 percent.

## Individual Student Record Noncompliance

Individual citations of noncompliance are identified by student and reported through the web-based MNCIMP:SR tracking system. The district was formally notified of 4 individual findings on April 1, 2018. All individual student noncompliance has already been corrected by the district. No further corrective action is required.

A summary of each area of identified individual student noncompliance is referenced in the chart below. Column one indicates whether the compliance area is related to Part B or Part C of IDEA. Column two identifies the compliance area for each citation. Column three provides the legal reference for each citation. Column four indicates the number of student records cited during the record review.

IDEA Part	Compliance Area	General Citation(s)	Records Cited
B	IEP Standards: Present Levels of Academic and Functional Performance	34 CFR § 300.320	2
B	IEP Standards: When IEP Must Be In Effect	34 CFR § 300.320	1
B	IEP Standards: Secondary Transition	34 CFR § 300.320 (b)	1

## Complaint Decisions

Complaint files were reviewed for records of formal complaints filed regarding Lionsgate Academy (4183-07) and no formal complaints were opened during the relevant time period.

## Interviews

Online interviews were completed by building administrators, special education staff, general education teachers and special education paraprofessionals, with follow-up telephone and on-site interviews completed as deemed necessary.

## Federal Instructional Settings by Disability

The following table shows the distribution of students ages six through 21 receiving special education and related services across each of the eight federal instructional settings. The federal instructional settings can be referenced using the following:

- FS 1 – Outside of the regular class room less than 21 percent of the day
- FS 2 – Resource room between 21 percent and 60 percent of the school day
- FS 3 – Separate classroom more than 60 percent of the school day
- FS 4 – Public separate day school facility greater than 50 percent of the school day
- FS 5 – Private separate day school facility greater than 50 percent of the school day
- FS 6 – Private residential facilities greater than 50 percent of the school day
- FS 7 – Private residential facility greater than 50 percent of the school day
- FS 8 – Homebound/hospital placement

Disability	FS 1			FS 2			FS 3			FS 4			FS 5-8		
	CC	Srv	RR	CC	Srv	RR	CC	Srv	RR	CC	Srv	RR	CC	Srv	RR
ASD	22	22	20	38	38	40	13	13	40	27	27				
DB															
DCD-MM				29	29	100	29	29		43	43				
DCD-SP							100	100							
DD															
DHH															
EBD	71	71		29	29										
OHD	48	48		48	48	100				5	5				
PI				100	100	100									
SLD	50	50					50	50							
SLI															
SMI	22	22	100	22	22		11	11		44	44				
TBI															
VI															

Note: Each **row** will total approximately 100 percent (due to rounding) for each data source. Some cell values may have been suppressed to protect data privacy.

## Race/Ethnicity by Disability

The following table shows the distribution of students ages birth through 21 across racial/ethnic groups. The race/ethnicity can be referenced using the following:

- Amer. Indian – American Indian
- Asian – Asian or Pacific Islander
- Black – black, non-Hispanic
- Hisp. – Hispanic, regardless of race
- White – white, non-Hispanic

Disability	Amer. Indian CC	Amer. Indian Srv	Amer. Indian RR	Asian CC	Asian Srv	Asian RR	Hisp. CC	Hisp. Srv	Hisp. RR	Black CC	Black Srv	Black RR	White CC	White Srv	White RR
ASD				80	80					76	76		71	71	56
DB															
DCD-MM													5	5	11
DCD-SP													2	2	
DD															
DHH															
EBD													5	5	
OHD				10	10	50				18	18		11	11	22
PI										6	6	100	1	1	
SLD													1	1	
SLI															
SMI				10	10	50							5	5	
TBI															
VI															

Note: Each **column** will total approximately 100 percent (due to rounding) for each data source. Some cell values may have been suppressed to protect data privacy.

## Age by Disability

The following two tables show the distribution of students ages birth through 21 by disability.

Disability	0-2 CC	0-2 Srv	0-2 RR	3-5 CC	3-5 Srv)	3-5 RR	6 CC	6 Srv	6 RR	7 CC	7 Srv	7 RR	8 CC	8 Srv	8 RR	9 CC	9 Srv	9 RR	10 CC	10 Srv	10 RR	11 CC	11 Srv	11 RR	12 CC	12 Srv	12 RR	
ASD																									91	91		
DB																												
DCD-MM																												
DCD-SP																												
DD																												
DHH																												
EBD																												
OHD																									9	9		
PI																												
SLD																												
SLI																												
SMI																												
TBI																												
VI																												

Disability	13 C	13 Srv	13 RR	14 CC	14 Srv	14 RR	15 CC	15 Srv	15 RR	16 CC	16 Srv	16 RR	17 CC	17 Srv	17 RR	18 CC	18 Srv	18 RR	19 CC	19 Srv	19 RR	20 C	20 S	20 RR	21 CC	21 Srv	21 RR	
ASD	48	48		57	57		60	60	43	78	78	50	83	83		89	89		73	73		100	100		75	75		
DB																												
DCD-MM				5	5		3	3	14				9	9		5	5		13	13								
DCD-SP	4	4											9	9														
DD																												
DHH																												
EBD	13	13		10	10		3	3		4	4																	
OHD	30	30		24	24		17	17	14	7	7	50							7	7								
PI							7	7	14																			
SLD	4	4								4	4																	
SLI																												
SMI				5	5		10	10	14	7	7					5	5		7	7						25	25	
TBI																												
VI																												

Note: Each **column** will total approximately 100 percent (due to rounding) for each data source. Some cell values may have been suppressed to protect data privacy.