

New Jersey Department of Education Special Education Receiving School Monitoring

Receiving School: All Can Excel (ACE) Academy **County:** Essex

Monitoring Dates: May 1, 2, & 3, 2002

Monitoring Team: Susan Smahl, Elaine Lerner, Jennifer DeSaye, Judyth Vazquez

Background Information

During the 2001 – 2002 school year, All Can Excel (ACE) Academy conducted a self-assessment of special education policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided ACE Academy with an opportunity to evaluate its strengths and areas of need with regard to:

- the provision of a free and appropriate public education for students with disabilities;
- the development and implementation of policies and procedures resulting in procedural compliance; and
- the organization and delivery of programs and services to meet the needs of the students with disabilities.

The self-assessment was designed to identify areas of strength, promising practices, areas that need improvement and areas that may be noncompliant with state and federal requirements. ACE Academy developed an improvement plan to address identified areas of need.

The Office of Special Education Programs conducted an on-site monitoring to verify the self-assessment findings, determine the appropriateness of the improvement plan, and determine the progress made in implementing the plan.

Prior to the on-site visit, the monitoring team reviewed school documents, including receiving school policies and procedures, administrative governance manual, class rosters, related services rosters, master student lists, and class lists.

During the on-site visit, the monitoring team reviewed student count information, survey results used in developing the self-assessment, and other relevant information, including a representative sample of student records, criminal history checks, fire drill logs, school calendars, teacher schedules, and therapy logs. The monitoring team conducted on-site observations of the school's special education programs. Interviews were conducted with the ACE Academy principal, supervisors of instruction, special education teachers, guidance counselor, transition and testing coordinator, and classroom assistants. Parents of students attending ACE Academy were interviewed by telephone.

This report identifies activities the school must take in order to comply with federal and state requirements. Please be advised that some of these activities require immediate action on the part of the school.

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School Strengths:

ACE Academy has a state of the art computer lab and several state of the art computers located in each classroom.

SECTION I. GENERAL PROVISIONS

Summary of Findings:

During self-assessment the school accurately identified themselves compliant in the area of provision of programs and services in non-sectarian settings.

During the self-assessment process the school identified concerns in the area of required facilities certificates. The school has developed an improvement plan that does not sufficiently address these areas of need because it fails to identify the activities the school will take to obtain the required certificates. The improvement plan submitted by the school included timelines to address these areas that have not been met. Health, fire, boiler and occupancy certificates must be submitted to the county office of education within two weeks of the receipt of this report. Further, procedures must be in place to ensure that inspections are conducted and certificates are renewed as required by regulations and maintained by the school.

Additional areas of need were identified during the on-site visit regarding policies and procedures, amendments and annual reports.

Areas of Need:

Policies and Procedures and Annual Reports – During the on-site visit, it was determined that Policies and Procedures have been submitted to the county office of education. A review of the submitted Policies and Procedures indicate that revisions are needed before the county office can approve them. Additionally, the Annual Data Report (ADR) for December 2001 has not been submitted to the county office.

- **The school will revise its improvement plan to ensure that procedures are revised and resubmitted to the county office. In addition, the school will revise their improvement plan to ensure the immediate submission of their December 2001 ADR to the county office of education and must include an administrative oversight component that identifies who will be responsible to ensure that all Annual Data Reports are submitted on a timely basis.**

Program Approval Requirements – During the on-site it was determined through a review of records that the school has not submitted changes to the nature and scope of their services nor has it submitted a list of any changes in professional staff who are providing these services to the county office of education.

- **The school will revise its improvement plan to include procedures to ensure that prior approval of services and professional staff. The improvement plan must also include an administrative oversight component to ensure that the school consistently submits a complete description of services offered and a list of professional staff when changes occur.**

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SECTION II. FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

Summary of Findings:

During self-assessment, the school accurately identified themselves compliant in the areas of length of day/year, services provided at no cost to the parents, and observation of programs.

Additional areas of need were identified during the on-site visit regarding the provision of health/physical education instruction, extended school year and provision of services in accordance with IEPs.

Area of Need:

Health/Physical Education – During the on-site visit, a review of classroom schedules, student schedules, classroom observations and staff interviews indicated that the school is not providing the minimum of 150 minutes of health/physical education instruction per week.

- **The school will revise its improvement plan to include procedures to ensure the school provides a minimum of 150 minutes of health/physical education instruction per week. The plan must include an administrative oversight component to ensure the consistent implementation of the procedures. The plan must also address how districts will be notified that the required physical education hours have not been provided and the arrangements that ACE Academy will make to provide compensatory services.**

Extended School Year (ESY) - During the on-site visit, a calendar for an extended school year program was provided; however a review of records indicates that this program has not been approved.

- **The school will revise its improvement plan to include procedures to ensure that the school obtains approval from the county office of education for the ESY program prior to the beginning of the ESY program and identify who will be responsible for implementation.**

Provision of Services – During the on-site visit, through a review of related service logs, related service provider schedules, IEPs, and the staff interview process, it was determined that related services are not being provided as per the students' IEPs.

- **The school will revise its improvement plan to include procedures to ensure that related services are provided in accordance with student IEPs. The plan must include a mechanism to determine whether they employ sufficient staff to implement the IEPs. The plan must also include in-service training to ensure that new staff members are familiar with procedures and activities necessary to implement IEPs. The plan must further address how districts will be notified that the required related services have not been provided and the arrangements made to provide compensatory services. The plan must include an administrative oversight component to ensure consistent provision of related services as required by student IEPs.**

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SECTION III. STAFF REQUIREMENTS

Summary of Findings:

During the self-assessment process, the school identified concerns regarding job descriptions of paraprofessionals. The school's improvement plan is sufficient to address this area of need. The school also identified areas of need regarding criminal history verification and having an approved Professional Development Plan. The school's improvement plan is insufficient to address the area of criminal history verification because it lacks a procedure and an administrative oversight component to ensure that the procedures are implemented whenever additional staff is hired. The school's improvement plan is insufficient to address the requirement of a Professional Development Plan because it lacks appropriate activities to develop a Plan. The plan needs to be revised to include this component. The improvement plan must include new and reasonable timelines to ensure consistent and timely implementation of the procedures.

Additional areas of need were identified during the on-site visit regarding certification of staff and private school dual employment.

Areas of Need:

Certified/Licensed Staff – During the on-site visit it was determined through staff interviews and record reviews that staff members were not appropriately certified in their respective areas of instruction and supervision. Though personnel holding full-time teaching positions were certified as substitutes, a review of records indicated that staff members were serving for more than twenty consecutive days in the same position. Additionally, two staff members who are holding supervisory positions do not have supervisor certificates.

- **The school will immediately review the current staff list to determine whether all employees are appropriately certified for the positions they hold. ACE Academy will terminate the employment of any staff member who does not hold an appropriate certification. The school may reassign staff to positions for which they hold appropriate certification. By September 2002 all employees of ACE Academy must hold appropriate certifications for their positions. A staff list must be provided to the county office of education prior to the start of the school year. In addition, the school will revise its improvement plan to include procedures to ensure that no staff person will be hired unless they hold the appropriate certification. The plan must include an administrative oversight component to ensure consistent implementation of the procedures.**

Dual Employment – During the on-site visit it was determined through record review and interviews that a related service provider was also employed by a sending school district.

- **The school will immediately end the employment of any staff also employed by a sending school district. In addition the school will revise its improvement plan to include procedures to ensure that related services providers are not dually employed by a sending public school district and the approved private school for the disabled. The plan must include an administrative oversight component to ensure consistent implementation of the procedures.**

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SECTION IV. FACILITY REQUIREMENTS

Summary of Findings:

During the self-assessment process, the school identified a concern regarding the area of approved facilities. As stated in the General Provisions Section of this report, the school will revise its improvement plan to include requirements for approved facilities. Please note that activities to correct this area of need were inappropriate and must be revised.

An area of need was identified during the onsite visit regarding frequency of fire drills. A staff member from the county office conducted an on-site facility inspection subsequent to the monitoring team's visit. A separate report regarding any issues identified by that staff member will be issued through the county office.

Area of Need:

Frequency of Fire Drills –During the on-site visit, through interviews and a review of fire drill logs, it was determined that the school does not conduct at least two fire drills per month.

- **The school will revise its improvement plan to include procedures and an administrative oversight component to ensure that fire drills are conducted at least twice a month.**

SECTION V. IEP/ANNUAL REVIEW

Summary of Findings:

During self-assessment, the school accurately identified themselves compliant in the areas of observations of proposed placement, accessibility to IEPs, and the provision of opportunities for participation in age-appropriate activities.

Additional areas of need were identified during the on-site visit regarding IEP meetings conducted at least annually, staff attendance at IEP meetings, signatures on IEPs, current IEPs, communication with sending districts, participation in statewide assessment, informing teachers/providers of IEP responsibilities, provision of progress reports, graduation and implementation of transition planning.

Areas of Need:

Annual Reviews– During the on-site visit it was determined through record reviews that annual reviews are not consistently conducted within a twelve month period of time.

- **The school will revise its improvement plan to include procedures to ensure the school tracks annual review dates and notifies the districts in a timely manner to ensure the completion of the annual review process in a compliant manner. The plan must include an administrative oversight component to ensure consistent implementation of the procedures.**

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Required Participants – During the on-site visit, it was determined through record reviews and interviews that special education teachers are not consistently attending IEP meetings. In addition, many IEPs indicated that a guidance counselor from the school, who was identified as the responsible party for transition services was invited, but did not attend.

- **The school will revise its improvement plan to include procedures to ensure that required participants are in attendance at IEP meetings. The plan must include an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

Signatures on IEPs – During the on-site visit, it was determined through record review and interviews, that though students are attending the IEP meetings they are not signing as participants.

- **The school will revise its improvement plan to include procedures to ensure that all participants attending IEP meetings sign the IEP. The plan must include an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

Current IEPs – During the on-site visit, it was determined through record reviews, that the IEPs of many students attending the school were significantly outdated.

- **The school will revise its improvement plan to include procedures for notifying the district when an IEP is not current. The plan must include an administrative oversight component to ensure that each student attending the school has a current IEP. Documentation of attempts to obtain current IEPs must be in place by September 1, 2002.**

Communication with Sending Districts – During the on-site visit, through record reviews, it was determined that the school does not communicate with sending districts when IEP components are missing. Sections consistently omitted included behavior intervention plans, involvement and progress in the general education curriculum.

- **The school will revise its improvement plan to include procedures to ensure the school communicates with sending districts when IEP components are missing and why services are not being provided. The plan must include an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

Staff knowledge of IEP responsibilities – During the on-site visit, it was determined through interviews and classroom observations, that staff members are not consistently informed of their responsibilities in implementing IEPs. Many teachers and related service providers were not aware of individualized student goals and objectives, modifications, accommodations and other IEP components.

- **The school will revise its improvement plan to include procedures to ensure teachers and related service providers are knowledgeable of their responsibilities for implementation. The plan must include in-service staff training and an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

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Provision of Progress Reports – During the on-site visit, it was determined through record review and teacher interviews that the school does not provide parents with reports of progress toward annual goals and objectives.

- **The school will revise its improvement plan to include procedures to ensure that students' progress toward annual goals and objectives is measured and reported to parents. The plan must include in-service staff training and an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

Participation in Statewide Assessment – During the on-site visit, it was determined through an interview with the testing coordinator and observations, that the school was not administering statewide tests on the assigned testing dates, as per state regulations.

- **The school will revise its improvement plan to ensure that statewide tests are administered only on the assigned dates. The plan must include an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

Transition- During the on-site visit, it was determined through staff interviews and record reviews, that though ACE Academy staff may provide some transition services, they do not document these services.

- **The school will revise its improvement plan to include procedures to ensure that transition services being provided by the school are documented. The plan must include in-service staff training and an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

Graduation- During the on-site visit, it was determined through record reviews and staff interviews that courses included in IEPs are not being provided by the school. As a result graduation requirements are not being met.

- **The school will revise its improvement plan to ensure students are not accepted into the program if the school cannot provide the courses indicated in the IEP. The plan must include an administrative oversight component to ensure consistent, compliant implementation. In addition, the plan must further address how districts will be notified that the required courses have not been provided for students currently enrolled and the arrangements that ACE Academy will make to provide compensatory services. The plan must include administrative oversight component to ensure the consistent provision of courses as required by IEPs.**

SECTION VI. DISCIPLINE

Summary of Finding:

During self-assessment, the school accurately identified themselves compliant in the areas of discipline procedures and interim alternative educational settings.

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Additional areas of need were identified during the on-site visit regarding the termination of placements.

Areas of Need:

Termination of Placement– During the on-site visit, it was determined through record reviews, that when considering termination of a student’s placement prior to the end of the academic year, the school does not consistently contact the sending district to request an IEP meeting. In addition, staff members from the receiving school are often not in attendance at the subsequent IEP meeting.

- **The school will revise its improvement plan to include procedures to ensure that sending districts are notified when considering the termination of a student’s placement prior to the end of the academic year. The procedure must include components which ensure that staff members attend IEP meetings. The plan must include in-service staff training and an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

SECTION VII. PROGRAMS AND SERVICES

Summary of Findings:

During self-assessment, the school accurately identified themselves compliant in the area of collaboration for home instruction due to medical reasons.

During the self-assessment process, the school identified concerns regarding the submission of a description of special class programs to the county office of education. The school has developed an improvement plan that is sufficient to address this area of need. In addition, the school identified concerns regarding administration of medication, nursing and medical services. The school has developed an improvement plan that does not sufficiently address these areas of need because it lacks staff training, reasonable timelines and an administrative oversight component to ensure consistent and timely implementation of the procedures.

Additional areas of need were identified during the on-site visit regarding instructional class size, age range, collaboration with sending districts for exceptions, teachers knowledgeable in the Core Curriculum Content Standards (CCCS) and written policies and procedures regarding school functions and services.

Areas of Need:

Instructional Class Size and Age Ranges– During the on-site visit, it was determined through classroom observation, teacher interviews and record reviews that instructional class sizes and age ranges in individual classes exceeded code requirements.

- **The school will revised its improvement plan to ensure that ACE Academy will submit a list of all classes which shows initials and birth dates of all students by class to ensure that the school meets class size and age range requirements prior to the opening of school in September 2002. The school will revise its improvement plan to**

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include procedures to ensure that instructional class sizes and age ranges will not exceed code requirements. The plan must include an administrative oversight component to ensure consistent, compliant implementation of the procedures.

Exceptions– During the on-site visit, it was determined through interviews and record reviews that the school was not aware of the requirement regarding the need for exceptions for class sizes and age ranges that exceed those permitted by code.

- **The school will revise its improvement plan to include procedures to ensure that any necessary class size or age range exceptions are obtained by the sending school district. The school will not accept new students who exceed the class size or age range requirements without prior county approval of the required exceptions. The plan must include an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

Teachers Knowledgeable in CCCSs– During the on-site visit, it was determined through classroom observations, interviews and record reviews that classroom teachers were providing instruction in the CCCSs.

- **The school will revise its improvement plan to include procedures to ensure that teachers are trained and knowledgeable in providing instruction in the CCCSs. The plan must include in-service staff training and an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

Goals and Objectives – During the on-site visit it was determined through classroom observations, interviews and record reviews that classroom teachers were not providing instruction in accordance with goals and objectives in IEPs.

- **The school will revise its improvement plan to include procedures to ensure that teachers are providing instruction in accordance with goals and objectives in IEPs. The plan must include in-service staff training and an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

School Functions and Services- During the on-site visit it was determined through record review and interviews that the school lacks written policies and procedures governing school functions and services in accordance with N.J.A.C. 6A:16, as applicable.

- **The school will revise its improvement plan to include written policies and procedures governing school functions and services in accordance with N.J.A.C. 6A:16, as applicable. The plan must include in-service staff training and an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

SECTION VIII. STUDENT RECORDS

Summary of Findings:

During self-assessment, the school accurately identified themselves compliant in the areas of daily attendance, access to records and location of records.

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Additional areas of need were identified during the on-site visit regarding conformance to pupil record code, notification to districts of tardiness/absences, and mandated health records. .

Areas of Need:

Pupil Record Code– During the on-site visit, it was determined through record review that the school maintains records that include the names of other students in specific student files, records belonging to students included in another student’s record, access sheets that do not contain the required components and the failure to consistently return records to sending districts and written notice of attendance.

- **The school will revise its improvement plan to include procedures to ensure that the school maintains records that do not include the names of other students in specific student files, only those records belonging to students are included in their individual records, access sheets that contain the required components, timely return of records to sending districts and written notice of attendance. The plan must include procedures, in-service training and an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

Notification to Districts of Tardiness/Absences– During the on-site visit, it was determined through record reviews, that the school does not notify the sending districts when students are tardy or absent.

- **The school will revise its improvement plan to include procedures to ensure that the school notifies the sending districts when students are habitually tardy or absent. The plan must include an administrative oversight component to ensure consistent, compliant implementation.**

Health Records– During the on-site visit, through record reviews, it was determined that the school does not maintain mandated health records.

- **The school will revise its improvement plan to include procedures to ensure that the school maintains mandated health records. The plan must include an administrative oversight component to ensure consistent, compliant implementation of the procedures.**

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Summary

On-site special education monitoring was conducted at ACE Academy on May 1, 2 & 3, 2002. The purpose of the monitoring visit was to verify the school's report of findings resulting from their self-assessment and to review the school's improvement plan. As a result of the self-assessment, the school was able to identify some areas of need and develop an improvement plan. The plan will require substantial revisions in order to bring about systemic change. The monitoring team acknowledges that the school maintains a state of the art computer lab and computers in each classroom.

Areas identified as consistently compliant by the school during self-assessment and verified during the on-site monitoring visit included services in nonsectarian settings, length of day/year, services provided at no cost to the parents, observation of programs, observation of proposed placement, provision of opportunities to participate in age-appropriate activities, programs serving students of similar needs, home instruction and IEP accessibility.

During the self-assessment process, the school identified areas of need regarding facilities, policies and procedures to obtain required facilities certificates, job descriptions of paraprofessionals, criminal history verification, having an approved professional development plan, description of special class programs, administering medication, and nursing and medical services.

The on-site visit identified a significant number of additional areas of need within the various standards regarding policies and procedures, staff development, annual reports, program approval requirements, health/physical education, extended school year, provision of services, certificated/licensed staff, dual employment, frequency of fire drills, annual reviews, IEP participants, signatures on IEPs, maintaining current IEPs on file, communication with sending districts regarding IEPs, informing teachers/providers of IEP responsibilities, implementation of IEPs, provision of progress reports, participation in statewide assessment, transition, IEP requirements for graduation, informing sending district of termination of students, instructional class size, age ranges, obtaining waivers/exceptions, appropriate teacher certifications, teachers knowledgeable in CCCS, providing instruction in IEP goals and objectives, conformance to pupil record code, notification of tardiness/absences, and mandated health records.

This report identifies several areas of non-compliance that require immediate action by the school administration. These have been identified within the report. The school will revise and resubmit the improvement plan to the Office of Special Education Programs to address the remaining areas of need within forty-five days of receipt of the monitoring report.