

New Jersey Department of Education Special Education Monitoring

Sections Demonstrating Compliance

The self-assessment process required the district to review implementation of federal and state regulations categorized into fifteen sections. Within each section, a number of areas were reviewed. The on-site monitoring visit involved verification that the sections and areas identified as compliant by the district in their self-assessment were compliant with regulations. These sections were identified by the district during self-assessment and the NJDOE during the monitoring process as compliant:

- General Provisions
- Discipline
- Reevaluation
- Statewide Assessments
- Transition to Preschool
- Programs & Services

Areas Not Reviewed

The following areas were not reviewed by the NJDOE during the on-site monitoring because the district does not serve a population of students for whom these regulations apply: beginning at age 16, IEP statement of “needed transition services,” identification of post-secondary liaison; out-of-district student participation in graduation exercises and written notice of graduation.

Areas Demonstrating Compliance

The following areas, within the fifteen sections reviewed, were identified by the district’s self-assessment committee and by the NJDOE as compliant. These areas were reviewed for students eligible for special education and related services (ESERS) and students eligible for speech and language services (ESLS). Areas compliant for only one group of students are noted.

Section	Areas Demonstrating Compliance
Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> • Oversight of individualized education program (IEP) implementation • Extended school year • Provision of programs
Procedural Safeguards	<ul style="list-style-type: none"> • Consent • Implementation without undue delay • Provision of notice of a meeting • Meetings • Notices in native language • Interpreters at meetings • Independent evaluations
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> • Direct referrals • Identification meeting timelines • Identification meeting participants

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Section	Areas Demonstrating Compliance
Evaluation	<ul style="list-style-type: none"> • Multi-disciplinary evaluations • Educational impact statement (ESLS) • Standardized assessments • Functional assessments (ESERS) • Bilingual evaluations
Eligibility	<ul style="list-style-type: none"> • Meeting participants • Eligibility criteria • Signature of agreement and/or disagreement and rationale • Statement of eligibility (Specific Learning Disability)
Individualized Education Program (IEP)	<ul style="list-style-type: none"> • Meeting participants (ESLS) • Implementation dates • Annual reviews completed by June 30 • Teachers informed of their responsibilities (knowledge of and/or access to IEPs) • 90-day timelines
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> • Documentation of LRE decisions • Opportunity for all students with disabilities to access all general education programs • Continuum of programs • Placement decisions based on students' individual needs
Transition to Adult Life	<ul style="list-style-type: none"> • Activities, annual goals and benchmarks related to the student's desired outcomes

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Areas of Noncompliance - Improvement Plan Review

The following areas were identified by the district's self-assessment committee as noncompliant. The third column indicates the results of the review of the improvement plan.

Section	Area	Compliance Review
Free, Appropriate Public Education	<ul style="list-style-type: none"> • Transfer procedures – The district lacks a tracking system and does not consistently document the review of transfer records. As a result, placement of the transfer student may be delayed or inaccurately documented. 	Improvement plan is sufficient
Procedural Safeguards	<ul style="list-style-type: none"> • Content of notice of a meeting - Notice of meeting does not inform the parent of their right to invite others with expertise to the meeting. Students age 14 and older are not provided with notice of meeting inviting them to meetings when transition service plans are discussed and developed. The barrier identified by the district is a lack of knowledge by staff. • Provision of written notice – The district indicated that as a result of time constraints due to high caseloads and space, written notice is not consistently provided to the parent within 15 days of a meeting and proposed action. • Content of written notice – The district does not consistently provide parents with a copy of the Due Process Hearing Rules, New Jersey Administrative Code (N.J.A.C. 6A:14) and short procedural safeguards with written notice. The barrier identified by the district was a lack of sufficient copies of the documents. 	<p>Improvement plan is sufficient</p> <p>Improvement plan is sufficient</p> <p>Improvement plan is sufficient</p>

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Section	Area	Compliance Review
Location, Referral and Identification	<ul style="list-style-type: none"> • Referral process – The district lacked a procedure to ensure that pre-referral interventions are consistently documented by the general education teacher. • Pre-referral interventions – The district indicated that pre-referral interventions are not consistently documented in writing. Interventions are not always sufficient to affect the students’ educational performance and timelines are not consistently established to evaluate the effectiveness of the interventions when applied. The barriers identified by the district include a lack of training, inconsistent oversight and a lack of input by child study team members. • Health summary – The district indicated that the child study team was unaware of the requirement to ensure the health summary is available for review at the time of the identification meeting. • Vision and hearing screenings – Vision and hearing screenings are not completed and available for review at the time of the identification meeting for preschool disabled students. The district identified the barrier as a lack of knowledge by staff, scheduling and difficulty in obtaining information from the parent. 	<p>Improvement plan is sufficient</p> <p>Improvement plan is sufficient</p> <p>Improvement plan is sufficient</p> <p>Improvement plan is sufficient</p>
Eligibility	<ul style="list-style-type: none"> • Copy of evaluation reports to parents – The district indicated that due to scheduling and time constraints, case manager caseloads and limited space for testing, evaluation reports are not consistently provided to the parent at least ten days prior to the meeting and documented in student records. 	<p>Improvement plan is sufficient</p>
IEP	<ul style="list-style-type: none"> • IEP provided to parents prior to implementation – Parents are not always provided with a copy of the IEP prior to implementation since programs are started the day after the meeting with parental approval. The barrier identified is the delay in typing the final version of the IEP and providing it to the parent. 	<p>Improvement plan is sufficient</p>

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Additional Areas of Need

The following areas were originally identified by the district's self-assessment committee as compliant but were found to be noncompliant by the NJDOE during the on-site monitoring.

Section	Area	Activity
Free, Appropriate Public Education	Provision of Related Services – Contact logs are not consistently maintained for counseling and speech therapy for those students eligible for special education and related services (ESERS). As a result, the provision of counseling and speech therapy could not be verified.	The district is directed to implement activities to ensure that students receive counseling and speech therapy for the frequency and duration identified in the IEP and that contact logs are maintained to verify the provision of services. Improvement activities must include in-service and the district must implement an administrative oversight mechanism to ensure correction and ongoing compliance.
Location, Referral and Identification	Child Find ages 3-21 – District child find activities are limited to children ages 3-5. Child find information is not widely distributed throughout the community.	The district is directed to implement activities to ensure that child find activities include children ages 3-21 and is widely distributed throughout the community. Improvement activities must include in-service and the district must implement an administrative oversight mechanism to ensure correction and ongoing compliance.
Evaluation	<p>Functional assessments (ESLS) –Functional assessments do not consistently document a structured observation, parent and teacher interview, review of educational history and a review of prior interventions.</p> <p>Written reports prepared by evaluators - Written reports prepared by the speech and language therapist do not consistently include an</p>	<p>The district is directed to implement activities to ensure that functional assessments include all required components. Improvement activities must include in-service and the district must implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p> <p>The district is directed to implement activities to ensure that written reports prepared by the speech and language therapist include an appraisal of the student's current functioning and a statement of the student's relevant behavior and relationship to academic functioning.</p>

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Section	Area	Activity
	<p>appraisal of the student's current functioning and a statement of the student's relevant behavior and relationship to academic functioning.</p>	<p>Improvement activities must include in-service and the district must implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p>
IEP	<p>Meeting Participants (ESERS) –General education teachers do not consistently attend IEP meetings conducted for students receiving special education and related services in self-contained classes.</p>	<p>The district is directed to implement activities to ensure that general education teachers do attend IEP meetings conducted for students receiving special education and related services in self-contained classes. Improvement activities must include in-service and the district must implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p>
Transition	<p>Beginning at age 14, IEP statement of “transition service needs” – Courses of study are not consistently documented in the IEP for students receiving special education and related services.</p> <p>Student and agency invitation to IEP meetings – Students who are age 14 during the year the IEP is implemented and receive special education and related services are not consistently invited to attend IEP meetings when transition plans are discussed and developed. As a result student attendance is inconsistent.</p>	<p>The district is directed to implement activities to ensure that beginning at age 14, courses of study are annually documented in the student's transition plan. Improvement activities must include in-service and the district must implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p> <p>The district is directed to implement activities to ensure that students who are age 14 during the year the IEP is implemented and receive special education and related services are invited to attend IEP meetings when transition plans are discussed and developed. Improvement activities must include in-service and the district must implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p>

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Summary

On-site special education monitoring was conducted in the Linwood School District on May 5, 15 and 16, 2006. The purpose of the monitoring visit was to verify the district's report of findings resulting from their self-assessment and to review the district's improvement plan. The district is acknowledged for the comprehensive review conducted during the self-assessment process. As a result of that review, the district was able to identify nearly all areas of need and develop an improvement plan that will bring about compliance.

A review of the district's data for students with disabilities ages 3-21, reported in December 2005, indicates that a total of 17.03% of students enrolled in Linwood were receiving special education and related services. This rate was above the state rate for that year of 16.8%. A total of 4.26% of enrolled students are classified as eligible for speech-language services only. During 2005-2006, the district educated 63.7% of students with disabilities, ages 6 through 21, in general education settings for more than 80% of the school day as compared to the state rate of 42% for that year. During the same year, 83.3% of students with disabilities, ages 3 to 5, were educated in a combination of special education and general education settings.

During interviews conducted with parents by phone, parents indicated that their children were receiving the programs and services identified in the IEP. Most parents expressed satisfaction with the programs and services provided by the district and stated that their children were being challenged academically. Some parents stated that the programs did not meet the needs of their children because the programs were not individualized and did not address the behavioral needs of the child. Although parents are asked to participate in meetings, some parents did express concerns in the areas of inconsistent communication between the schools and parents and the need for the district to take into consideration parental input with regard to programs and services.

Standards identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included:

- General Provisions
- Reevaluation
- Transition to Preschool
- Discipline
- Statewide Assessments
- Programs & Services

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included:

- Oversight of individualized education program (IEP) implementation
- Extended school year
- Provision of programs
- Consent
- Implementation without undue delay
- Provision of notice of a meeting
- Meetings
- Notices in native language
- Interpreters at meetings
- Independent evaluations
- Direct referrals
- Identification meeting timelines
- Identification meeting participants
- Multi-disciplinary evaluations
- Educational impact statement (ESLS)
- Standardized assessments

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- Functional assessments (ESERS)
- Bilingual evaluations
- Eligibility meeting participants
- Eligibility criteria
- Signature of agreement and/or disagreement and rationale
- Statement of eligibility
- IEP meeting participants (ESLS)
- IEP implementation dates
- Annual reviews completed by June 30
- Teachers informed of their responsibilities (knowledge of and/or access to IEPs)
- 90-day timelines
- Documentation of LRE decisions
- Opportunity for all students with disabilities to access all general education programs
- Continuum of programs
- Placement decisions based on students' individual needs
- Activities, annual goals and benchmarks related to the student's desired outcomes

During the self-assessment process, the district identified areas of need regarding:

- Transfer procedures
- Content of notice of meeting
- Provision of written notice
- Content of written notice
- Referral process
- Pre-referral interventions
- Health summary
- Vision and hearing screening
- Copy of evaluation reports to parents
- IEP provided to parents prior to implementation
- IEP required considerations and components
- Meetings held annually, or more often if necessary, to review and/or revise the IEP
- Notification of and participation in non-academic and extracurricular activities for students educated outside of the district
- IEP requirements for graduation

The on-site visit identified additional areas of need within the various standards, regarding:

- Provision of related services
- Child Find ages 3-21
- Functional assessments (ESLS)
- Written reports prepared by evaluators
- IEP meeting participants (ESERS)
- Beginning at age 14, IEP statement of transition service needs
- Student and agency invitation to IEP meetings

The improvement plan submitted to the Office of Special Education Programs has been reviewed and approved. The district is expected to implement the improvement activities described in the monitoring report to achieve compliance in all of the areas of need identified during self-assessment and areas of need identified during the on-site visit, within six month months of the date of this report. Verification activities will be conducted by the County Office of Education.