

**New Jersey Department of Education  
Special Education Monitoring**

**District:** Bogota School District

**County:** Bergen

**Monitoring Dates:** June 3, 4 & 5, 2003

**Monitoring Team:** Tracey Pettiford-Bugg and Gladys Miller

***Background Information:***

During the 2001–2002 school year, the Bogota School District conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Bogota School District with an opportunity to evaluate its strengths and areas of need with regard to:

- The provision of a free, appropriate public education (FAPE) for students with disabilities in the least restrictive environment;
- The protection of procedural safeguards for students and their families;
- The development and implementation of policies and procedures resulting in procedural compliance; and,
- The organization and delivery of programs and services resulting in positive student outcomes.

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. The Bogota School District developed an improvement plan to address identified areas of need.

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

As the first step in the on-site monitoring process, the New Jersey Department of Education (NJDOE) held a focus group meeting for parents and community members at the Bogota High School on May 21, 2003. Information obtained from that meeting was used to direct the focus of the monitoring visit.

During the on-site visit, the NJDOE team reviewed district documents, including district policies and procedures, student count information, master student lists, class lists, schedules of students, teachers, related service personnel, and other relevant information, including a representative sample of student records. Interviews were conducted with the district's special education administrators, building principals, general education and special education teachers, speech therapists and child study team members.

**District Strengths:**

The district provides a program to develop and enhance peer relations. Through the Students Help Out program, students are spotlighted for kindness and good citizenship. The character education program also focuses on self esteem building.

The district's professional staff are also commended for their efforts to provide students with supportive educational programs and services despite staff vacancies and

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budgetary issues. Teachers have taken it upon themselves to provide additional remedial services to students above and beyond the school day in an effort to provide services to students who may not be getting the assistance they need during the school day. It was also apparent that teachers are putting forth a tremendous effort to provide quality educational services in spite of the fact that class sizes are noncompliant and staff shortages exist in all areas. Furthermore, though there are shortages in child study teams, these members are making every effort to provide services to students and to comply with regulatory requirements.

### ***Areas Demonstrating Compliance With All Standards:***

**Eligibility and Statewide Assessments** were determined to be areas of compliance by the district during self-assessment and by the Office of Special Education Programs during the on-site visit.

### ***Section I: General Provisions***

#### **Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of dissemination of IDEA information.

Areas of need were identified during the on-site visit regarding policies and procedures and parent and staff development.

#### **Area(s) of Need:**

**Staff and Parent Development** – During the on-site visit, staff interviews and a review of records indicated that although the district has recently initiated in-service training for general and special education staff, there are limited opportunities for staff to access these professional development sessions.

- **The district will revise its improvement plan to include procedures to ensure staff and parents are able to access training sessions offered by the district or offered through other means. The plan must include a needs assessment to determine the areas of training as well as an administrative oversight component to ensure the consistent implementation of the procedures.**

**Policies and Procedures** – During the on-site visit, staff interviews and record review indicated that the district has not submitted required special education policies and procedures to the Department of Education for review and approval.

- **The district will immediately submit special education policies and procedures to the county office for review and approval.**

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**Section II: Free, Appropriate Public Education (FAPE)**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of length of school day and year, transfer students, facilities and certifications.

Areas of need were identified during the on-site visit regarding extended school year and related services.

**Area(s) of Need:**

**Extended School Year** – During the on-site monitoring, staff interviews and record review indicated that extended school year is inconsistently considered or provided to students.

- **The district will revise its improvement plan to include procedures to ensure extended school year services are consistently considered and provided when appropriate. The plan must include a mechanism to document the factor(s) considered in the event these services are determined to be unwarranted as well as an administrative oversight component to ensure the consistent implementation of the procedures.**

**Related Services** – During the on-site monitoring, staff and parent interviews and record review indicated that related services for counseling and speech language services are not being provided due to insufficient staff.

- **The district will revise its improvement plan to include procedures to ensure that students receive related services as required by IEPs. The plan must include a mechanism to provide compensatory services for those services not provided during the course of the school year. The plan must further include an administrative oversight component to ensure the consistent implementation of the procedures.**

**Section III: Procedural Safeguards**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of consent, notices of meetings, written notices, meetings, native language and independent evaluations.

During the self-assessment process, the district identified a concern in the area of surrogate parents. The district's improvement plan is sufficient to address this area.

No additional areas of need were identified during the on-site visit.

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**Section IV: Location, Referral and Identification**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of participants at identification meetings.

During the self-assessment process, the district identified concerns in the area of Child Find 3-21. The district's improvement plan is sufficient to address this area.

Additional areas of need were identified during the on-site visit regarding the pre-referral process, direct referrals, summer referrals, health summaries, vision and hearing screenings and meeting timelines.

**Area(s) of Need:**

**Pre-referral Process/Direct Referrals** – During the on-site visit staff and parent interviews indicated that the district does not identify or provide interventions in general education to those students who are experiencing academic or behavioral difficulties, nor are these students referred to the child study team when these difficulties warrant such an action. Staff and parents indicated that at the middle and high school level there is no general education intervention committee. At the elementary level, though students are receiving intervention strategies, the process to receive these services are quite delayed.

- **The district will revise the improvement plan to include procedures to ensure students receive interventions in the general education setting when they experience difficulties that interfere with their acquisition of academic skills. The procedures must include a mechanism to ensure staff and parents have the opportunity to directly refer a student to the child study team and to participate in a meeting when they believe the nature of the student's problem is such that an evaluation is warranted without delay. At that meeting, a decision may be made that an evaluation is not warranted and that the student needs to be referred to the I & RS T committee. The improvement plan must include a mechanism to establish criteria that identifies the type of documentation that would support a staff request for a direct referral. The plan must further include the establishment of an I & RS T committee as well as an administrative oversight component to ensure the consistent implementation of the procedures.**

**Health Summary and Vision and Hearing Screenings** - During the on-site visit staff interviews and record review indicated that health summaries and vision and hearing screenings are not consistently conducted when a student is referred to the child study team.

- **The district will revise its improvement plan to include procedures to ensure the school nurse summarizes health information and conducts vision and hearing screenings and provides this information to the child study team whenever a student is referred for an initial evaluation. The plan must include an administrative oversight component to ensure the consistent implementation of the procedures.**

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**Summer Referrals** – During the on-site visit staff interviews and record review indicated the district does not conduct mandated special education activities during the summer for referrals that are not addressed during the school year because staff are not available.

- **The district will revise the improvement plan to include procedures to ensure mandated activities are conducted during the summer months. The plan must include a mechanism to determine how the district will provide the staff to conduct these activities. The plan must further include an administrative oversight component to ensure the consistent implementation of the procedures.**

**Identification Meeting, Reevaluation, Ninety Day and Annual Review Timelines** – During the on-site visit staff and parent interviews and record review indicated that all timelines were not consistently met due to insufficient staffing and inadequate procedures for tracking these timelines. As a result, students are not receiving needed programs and services to address identified needs.

- **The district will revise its improvement plan to include procedures to ensure it has the ability to track timelines on a district wide basis. The plan must further include a mechanism to determine whether the district has sufficient staff to maintain compliance with these timeline requirements. In the event it does not have sufficient staff, the plan must include procedures to obtain staff members through whatever means the district determines appropriate and cost effective. The plan must also include an administrative oversight component to ensure the consistent implementation of the procedures.**

### **Section V: Protection in Evaluation and Evaluation Procedures**

#### **Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of multi-disciplinary evaluations, standardized assessments, functional assessments, and bilingual evaluations.

During the self-assessment process, the district identified concerns in the area of acceptance and rejection of reports. **The district's improvement plan is insufficient to address this area because it lacks an administrative oversight component to ensure the consistent implementation of the procedures. The plan needs to be revised to include this component.**

An additional area of need was identified during the on-site visit regarding written reports.

#### **Area(s) of Need:**

**Written Reports** – During the on-site monitoring visit record review and interviews indicated that reports are not dated. In addition, related service providers for

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occupational and physical therapy are including eligibility determinations in their assessment reports.

- **The district will revise its improvement plan to include procedures to ensure all reports are dated and that no report will include eligibility determinations since eligibility may only be determined by an appropriately configured IEP team. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the procedures.**

### **Section VI: Reevaluation**

#### **Summary of Finding:**

During self-assessment the district accurately identified themselves compliant in the areas of planning meeting and participants at planning meeting.

An area of need was identified during the on-site visit regarding reevaluation timelines. (See section IV.)

### **Section VIII: Individualized Education Program (IEP)**

#### **Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of participants, considerations and required statements, goals and objectives aligned with core curriculum content standards, age of majority and teacher access and responsibility.

During the self-assessment process, the district identified concerns in the area of transition from elementary school to secondary school. **The district's improvement plan is insufficient to address this area because it lacks an administrative oversight component to ensure the consistent implementation of the procedures. The plan needs to be revised to include this component.**

Additional areas of need were identified during the on-site visit regarding implementation dates, IEP revisions, and annual review and ninety-day timelines. Timeline issues were addressed in Section IV.

#### **Area(s) of Need:**

**Implementation Dates** - During the on-site visit, record review and interviews indicated that IEPs inconsistently included implementation dates.

- **The district will revise its improvement plan to include procedures to ensure IEPs include implementation dates for programs and services. The plan must include an administrative oversight component to ensure the consistent implementation of the procedures.**

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**IEP Revisions** – During the on-site visit, staff and parent interviews and document review indicated that IEPs were changed by a district administrator over the summer without parent or team knowledge in an effort to address issues related to program and staff limitations.

- **The district will revise its improvement plan to include procedures to ensure students receive the programs and services proposed by the IEP team and agreed to by the parent. The plan must include an administrative oversight component to ensure the consistent implementation of the procedures and to further ensure administrators do not unilaterally change these IEPs.**

### **Section IX: Least Restrictive Environment (LRE)**

#### **Summary of Findings:**

During the self-assessment process, the district identified concerns in the area of nonacademic and extracurricular participation. **The district's improvement plan is insufficient to address this area because it lacks procedures, in-service training, a mechanism to determine the effectiveness of the training and an administrative oversight component to ensure the consistent implementation of the procedures. The plan needs to be revised to include these components.**

Additional areas of need were identified during the on-site visit regarding documentation of the individualized decision-making process, Oberti factors, considerations and required statements, supplementary aids and services, and the continuum and regular education access.

#### **Area(s) of Need:**

**Documentation Issues** - During the on-site visit, record review and staff interviews indicated that the all required statements are not included in the district's IEP format.

- **The district will revise its IEP format to include all required considerations and statements. It is recommended that the district adopt the IEP format developed by the Office of Special Education Programs.**

**Continuum and Regular Education Access** - During the on-site visit, staff and parent interviews and record review indicated that preschool students are placed in existing self-contained programs because the district has failed to establish links with community based programs. As a result, these students do not have the opportunity to be educated with their nondisabled peers. Additionally, because of insufficient staff, school aged students are not able to receive services in general education settings. When they do remain, the district does not offer a variety of supports and services that would enable these students to successfully acquire academic, social and emotional skills.

- **The district will revise its improvement plan to include procedures to establish links with community based programs to afford preschoolers with disabilities the opportunity to be educated with their nondisabled peers, when appropriate.**

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**Section X: Transition to Post-School**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of age fourteen transition service needs, courses of study, preferences and interests, and age sixteen needed transition services.

During self-assessment the district identified concerns in the area of agency invitation and involvement. The district's improvement plan is sufficient to address this area.

No additional areas of need were identified during the on-site visit.

**Section X: Transition to Preschool**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of pre-school transition planning conference and transition from early intervention to pre-school disabled by age three.

No additional areas of need were identified during the on-site visit.

**Section XI: Discipline**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of documentation to case manager, suspension tracking, functional behavioral assessment, behavior intervention plan, manifestation determination and interim alternative educational setting.

During the self-assessment process, the district identified concerns in the area of procedures. **The district's improvement plan is insufficient to address this area because it lacks in-service training, a mechanism to determine the effectiveness of the training and an administrative oversight component to ensure the consistent implementation of the procedures. The plan needs to be revised to include these components.**

No additional areas of need were identified during the on-site visit.

**Section XIII: Graduation**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of graduation requirements, choice of diploma and out of district participation.

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An area of need was identified during the on-site visit regarding written notice of graduation. However, the district has begun to implement activities to bring about correction in this area.

### **Section XIV: Programs and Services**

#### **Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of age range waivers and group sizes.

Areas of need were identified during the on-site visit regarding class size and home instruction approvals.

**Class Size-** During the on-site visit, record review and class observations indicated that a number of classes exceeded the required number of students because the district lacks sufficient staff. As a result, students are not receiving full educational benefit from these services.

- **The district will revise its improvement plan to include procedures to ensure class sizes do not exceed those established in code. The plan must include an administrative oversight component to ensure the consistent implementation of the procedures.**

**Home Instruction Approvals** - During the on-site visit, interviews and record review indicated that the district is not obtaining approvals from the county office prior to placing students on home instruction.

- **The district will revise its improvement plan to include procedures to ensure home instruction approvals are obtained from the county office prior to implementing the program. The plan must include an administrative oversight component to ensure the consistent implementation of the procedures.**

### **Section XV: Student Records**

#### **Summary of Findings:**

During the self-assessment process, the district identified concerns in the areas of access and requests, access sheets, maintenance and destruction and documentation of other locations. **The district's plan is insufficient to address these areas because it lacks procedures, in-service training and an administrative oversight component to bring about the required changes. The plan needs to be revised to include these elements.**

No additional areas of need were identified during the on-site visit.

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### **Summary**

On-site special education monitoring was conducted in the Bogota School District on June 3, 4, and 5, 2003. 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. As a result of the district's review the district was able to identify some areas of need. Though the district developed an improvement plan, it was determined subsequent to the on-site visit that major revisions are required. Additionally, it was determined that to appropriately implement the plan, the district will be required to ensure administrative support and oversight of the activities currently identified as well as those activities that will be included during the revision process. The district's professional staff should be commended for its efforts to provide supportive educational services and programs despite vacancies and budgetary issues.

At a focus group meeting held prior to the monitoring visit, some parents expressed their satisfaction with the district's programs and services. Parents shared their many concerns regarding the lack of sufficient staff to deliver special education programs and the lack of consistency in special education administrators, child study team members and instructional personnel. Although parents did compliment the dedication and commitment of the current staff, they felt that administrative barriers interfered with their children's ability to access general and special education. The parents also expressed concerns that IEPs were changed last summer without their knowledge or staff knowledge to reflect district budgetary needs. This concern was validated by current staff when parent and teacher copies of IEPs were compared during the fall semester.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included dissemination of IDEA, length of school day and year, transfer students, facilities, certifications, consent, notices of meetings, written notices, meetings, native language, independent evaluations, ID meeting participants, multi-disciplinary, standardized assessments, functional assessments, bilingual evaluations, planning meetings and participants, eligibility meetings and participants, criteria, statement of eligibility, copy of evaluation reports to parents, signature of agreement and disagreement, IEP participants, consideration and required statements, goals and objectives aligned to core curriculum content standards, age of majority, teacher access and responsibility, pre-school transition planning conference and transition from early intervention to pre-school disabled by age three, age fourteen transition service needs, course and preference interest, age sixteen transition service needs, discipline documentation to case manager, suspension tracking, functional behavior analysis, behavior intervention plan, manifestation determination, interim alternate educational setting, participation in statewide assessments, approved accommodations and modifications, IEP documentation, alternate assessment, IEP graduation requirements, choice of diploma, out of district participation, age range waivers and group sizes.

During the self-assessment process, the district identified areas of need regarding surrogate parents, Child Find, acceptance and rejection of reports, nonacademic and extracurricular participation, agency invitation, agency involvement, discipline procedures, access and requests of student records, access sheets, maintenance and destruction of records and documentation of other locations.

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The on-site visit identified additional areas of need that significantly impact the district's ability to provide appropriate programs and services to students with disabilities. These areas included the lack of policies and procedures as well as insufficient and ineffective professional and parent development. The on-site further indicated the district has failed to provide extended school year services, related services, and programs required by IEPs. Additionally, it was determined the district does not have processes in place that would allow staff to provide appropriate interventions in general education nor does it have the ability to conduct child study team processes in a timely manner when a student is, in fact, referred for an evaluation. Furthermore, because of the lack of sufficient staff, the district has been unable to provide services along the continuum for both school age and preschool students. As a result, these students are unable to receive educational services, when determined appropriate, with their nondisabled peers or in classes that do not exceed mandated group sizes.

The Bogota School District will receive technical assistance from the Office of Special Education Programs to revise the improvement plan. Once revised, the plan will be resubmitted to the Office of Special Education Programs for approval.