

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

District: Bridgewater-Raritan Public Schools **County:** Somerset

Monitoring Dates: May 22- 26, 30 & 31, and June 1, 2000

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Background

Prior to the on-site monitoring visit, the New Jersey Department of Education (NJDOE) facilitated a focus group public meeting with parents, advocates, and district representatives. The information obtained from this meeting was used, in addition to other sources of information, to highlight areas of concern for the on-site visit. Activities conducted during the course of the on-site visit included a review of documentation accumulated and maintained by the district, interviews with district personnel and parents, as well as, a review of other relevant information as determined appropriate by the monitoring team.

The purpose of the on-site monitoring was to determine the district's compliance with the requirements of the Individuals with Disabilities Education Act (IDEA) 1997 and the New Jersey Administrative Code (N.J.A.C.) 6A: 14.

Areas of strength and areas of need were noted and are identified in the following report of findings. Additionally, improvement plan directives are provided to assist the district in correcting all identified areas of need.

District Strengths

During a focus group meeting held on May 3, 2000, parents identified the following district strengths:

The quality of the staff and services provided in the preschool disabled program. Communication with the teacher and flexibility of the staff is excellent.

Communication with special education administrative personnel and individual case managers is good. Special education staff is very responsive and timely with parent contacts. Case managers are supportive to parents and creative in regard to solving problems.

Teacher monitors have been excellent and have made a significant difference in the student's success at high school level.

Areas Demonstrating Compliance with Requirements

Of the fifteen (15) areas reviewed during the on-site monitoring visit, it was determined that the district has met the requirements in the following: **Location, Referral and Identification, Statewide Assessment, Graduation Requirements, and Programs and Services.**

Section I: General Provisions

Summary of Findings:

The Bridgewater-Raritan School district adopted board policies in May 2000 with amendments. The attached addendum negated automatic approval.

Areas of Need:

Board Policies: The district is directed to develop policy statements as required by federal and state statute and outlined in the May 23, 2000, Barbara Gantwerk memorandum.

- Upon adoption by the board, the district must forward them to the county office and to the Office of Special Education Programs.

Section II: Free, Appropriate, Public Education

Summary of Findings:

The district provides a system of free, appropriate special education and related services to students with disabilities age three through twenty-one. It is provided at public expense, under public supervision and is located in facilities that are accessible to the disabled. The length of the school day and the academic year for students with disabilities is at least as long as that established for non-disabled students. Physical education is provided for students with disabilities, including those in separate facilities. When students transfer from a New Jersey public school into the district, the child study team conducts an immediate review of the evaluation information and the IEP. Students are placed in programs without delay. A form indicating the acceptance or rejection of evaluations and the IEP is completed and placed in the student record.

However, problems were identified in the provision of FAPE regarding the consideration of an extended school year program.

Area(s) of Need:

ESY - A review of records and interviews indicated that the consideration of an extended school year is not discussed for all students. Documentation of this consideration, including a rationale for the decision was not consistently found in the review of student records.

- The district will develop an improvement plan that will ensure extended school year services are individually considered for all classified students and document those considerations in the IEP.

Section III: Procedural Safeguards

Summary of Findings:

The district has policies and procedures in effect to ensure that students with disabilities and their parents are afforded procedural safeguards. The district has developed a list of adults who are willing to be surrogate parents. They have been trained and are available when a student may be in need. A review of files and interviews with staff noted that procedures are in place to assure that all parental requests for independent evaluations are be honored in a timely manner and in accordance with N.J.A.C. 6A: 14. Documentation indicated that at least one year prior to the student reaching 18, the district informs the parent and student of transfer of all rights to the student reaching the age of majority. Annually, the district submits the required reports related to: the number of students with disabilities enrolled in the district; staff providing services to students with disabilities and the number of students with disabilities who are exiting education. The district makes available to parents of students with disabilities and to the general public all documents relating to the eligibility of the district under Part B of the IDEA. The district provides interpreters for conferences and student evaluations are completed in the native language. Meetings are convened with required participants. Notice of a meeting and written notice is documented for students classified as Eligible for Special Education and Related Services. The district documents provision of written notice within required timelines.

Problems were noted with notice of a meeting and written notice for students classified as Eligible for Speech-Language Services, notice of IEP meetings, provision of written notice in native language, and components of written notice (nature and scope of the evaluation, IEP revisions, and the short procedural safeguards statement).

Areas of Need:

Speech-Language – A review of student records for children classified as Eligible for Speech-Language Services indicated that provision of notices of meetings and written notice, including the statement of determination of eligibility, are not provided.

- The district is directed to develop an improvement plan to identify the procedure it will follow to ensure that notices of meetings and written notice for students classified as Eligible for Speech-Language Services are provided to parents and include all required components. This plan must include a mechanism for documenting notice in student files.

Notice of IEP Meeting – Notice of an IEP meeting does not contain a statement about the parent's right to invite a person with expertise to attend the conference.

- The district will develop an improvement plan that will identify the procedure it will follow to ensure that notice of an IEP meeting contains a statement informing the parents of their right to invite a person with expertise to attend the conference.

Native Language – Notice of meetings, written notice, including the IEP when used as written notice, were not provided in the parent's native language. In addition, the district's practice is to include the evaluation reports as part of written notice. This would require that they also be provided in native language.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that notices of meetings and IEPs and evaluation reports, when used as written notice, are provided in the native language of the parents. This plan must include a mechanism for documentation of these efforts.

Written Notice—Nature and Scope of Evaluation – When the district provides notice of the nature and scope of the evaluation, the format does not adequately address the language of the assessment. It was unclear from a review of files how the decision was made regarding the language of assessment.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that notice of the nature and scope of the evaluation clearly documents the language for assessment.

Written Notice—IEP Revisions – When the district proposes a change to a student's IEP, procedures call for the parent to be provided with a copy of the complete IEP document, including items that have been revised. Procedures indicate that items are revised at the IEP meeting and secretarial staff mail out the complete document to the parent. This procedure would assure that parents receive notice, which includes all the required components. In reviewing student files, however, it was found that the district does not implement this procedure on a consistent basis.

- The district is directed to implement the procedures that are currently in place to ensure that written notice of revisions to the IEP contains all the required components.

Short Procedural Safeguards Statement – In reviewing student files, it was discovered that many notices continue to use the earlier version of the statement and do not include the statement about a student who is or may be eligible.

- The district is directed to revise its short procedural safeguards statement to ensure it complies with the statement issue by the Department of Education through the Office of Special Education Programs.

Section V: Protection in Evaluation and Evaluation Procedures

Summary of Findings:

The district ensures that evaluation procedures are technically sound, are neither culturally nor racially discriminatory, and are administered by trained personnel. The district also ensures that students with disabilities receive a comprehensive evaluation conducted by a multidisciplinary team of professionals who utilize a variety of assessment tools and strategies to assess the student in all areas of suspected disability.

Written reports prepared by child study team members are consistently signed by the individual(s) who conducted the evaluation.

However, written reports prepared by child study team members for children classified as "eligible for special education and related services" do not consistently contain all of the components of a functional assessment. For students evaluated by a speech-language specialist and classified "eligible for speech-language services", written evaluations were not consistently found in the files.

Area(s) of Need:

Child Study Team Written Reports: A review of reports prepared by child study team members indicated that they did not consistently document an interview with the referring teacher(s) or review the prior interventions according to 6A14-3.4 (d).

- The district will develop an improvement plan that will ensure that written reports prepared by child study team members include an interview with the teacher and review the prior interventions documented by the teacher.

Speech-Language Written Reports: Interviews and a review of records indicated that although speech therapists prepared written reports for students classified "eligible for special education and related services", they do not consistently prepare written reports for students classified "eligible for speech-language services" (ESLS). Additionally, those reports that were available for children classified ESLS do not consistently contain all of the components of a functional assessment.

- The district will develop an improvement plan to ensure that written reports are prepared for all students evaluated for speech and/or language services and these reports must be provided to parents. Furthermore, these assessments and the subsequent reports must contain all of the components according to 6A: 14-3.6.

Section VI: Re-Evaluations

Summary of Findings:

Although the district's policies state that they ensure that students are re-evaluated every three years or sooner if conditions warrant, problems were identified with meeting timelines.

Area(s) of Need:

Re-evaluation- The district's re-evaluation computerized data base sheets, staff interviews and record review noted that these evaluations were not consistently completed within the three-year timeline.

- The district will develop an improvement plan that will ensure that all students with disabilities be evaluated within three years of the previous classification, and that a multi-disciplinary re-evaluation is completed to determine whether the student continues to be a student with a disability. Furthermore, this plan shall identify how the district will monitor their data base and ensure that all re-evaluations are completed in a timely manner.

Section VIII: Individual Education Plan

Summary of Findings:

The district revised its IEP format following technical assistance training with Office of Special Education staff. As training and technical assistance has been provided through the Office of Special Education Programs and the Learning Resource Center the district continues to amend their IEP format. These

changes reflect improvement in documentation of the least restrictive environment considerations. Due to the ongoing revisions this monitoring team did not have the opportunity to review the most current IEP format which will be utilized for students determined eligible for special education and related services. The district plans to implement use of the newly revised IEP document in the summer of 2000. Therefore, the information contained in this section of the report is based upon a review of the records available at the time of this monitoring visit.

The district ensures that the appropriate team members conduct meetings to develop and review the IEP developed for students determined eligible for special education and related services and speech-language services. IEPs are implemented and in effect as required, students receive services according to their IEP and IEPs are reviewed at least annually. Preschool age children determined eligible for special education and related services enter programs by their third birthday. However, the IEPs reviewed did not consistently contain all required documentation and the records of students determined eligible for speech-language services did not consistently contain an IEP.

Area(s) of Need:

IEP Documentation- IEPs developed for students determined eligible for special education and related services did not consistently document the appropriate considerations and required statements, including:

- Parental concerns for enhancing the education of their child
 - Whether the student requires assistive technology devices and services
 - Beginning at age 14, the need for technical consultation from DVRS
 - In the case of a student whose behavior impedes learning: Strategies (including positive behavioral interventions) and supports to address that behavior
 - How the student's parents will be regularly informed of their child's progress toward the annual goals, and the extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year
- The district will develop an improvement plan that will ensure that IEPs are developed with the appropriate considerations and all required statements.

The IEPs developed for students determined eligible for speech-language services did not consistently contain the following:

- The strengths of the student

- Parental concerns for enhancing the education of their child
- Results of the most recent evaluation
- Communication needs of the student
- Whether the student requires assistive technology devices and services
- Present levels of educational performance, including but not limited to: a description of the student's status in speech-language performance
- Measurable annual goals
- Program modifications or supports provided for school personnel on behalf of the student
- The extent to which the student will not participate with non-disabled students in the general education class and in nonacademic and extracurricular activities.
- Individual modifications in the administration of Statewide or district wide assessments
- Frequency, location, and duration of services and modifications
- How the student's progress toward annual goals will be measured
- How the student's parents will be regularly informed of their child's progress toward the annual goals, and the extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year.

As stated above, the district has also revised the IEP format for students determined eligible for speech-language services. Completed IEPs utilizing this format were not available at the time of this monitoring. However, after reviewing the sample format, the following problems were identified:

- The date services and modifications will begin was not included in the "description of services" chart.
- The age of majority was identified as 16 or younger which will not comply with the code revisions in effect as of June 5, 2000
- Progress reporting is scheduled for 2 times per 10-month school year. This does not meet the regulatory requirements which states, the parents of a student with a disability are informed of their child's progress at least as often as parents of a non-disabled student are informed of their child's progress.
- The "description of services" states, "Services will be provided whenever school is in session as per the board approved school calendar with the following exception: speech-language services will not be provided during the first ten days of school to allow for scheduling. Occasionally, speech-language services may be cancelled to allow for pupil observation, evaluation, and or/IEP meetings. Every effort will be made to minimize such cancellations." This procedure must be revised to reflect an individualized decision process in regard to the implementation of services.
- Beginning at age 14, the need for technical consultation from DVRS was not found in the new IEP format.

- The district will develop an improvement plan that will ensure systemic implementation of required IEP considerations and components for students determined eligible for speech and language services.

Section IX: Least Restrictive Environment

Summary of Findings:

Record review, staff and parent interviews as well as student schedules validate that classified students have access to the general education curriculum. Students participate in many general education programs and non-academic and extra curricular activities. Although the district is exploring the possibility of developing an integrated pre-school program, at the current time there are limited options for pre-school disabled students to be educated with non-disabled peers. Additionally, problems were found with the documentation of the decision making process with regard to the least restrictive environment.

Area of Needs:

Pre-School Program Options- The district does not consistently consider and document regular class placement as an option for pre-school disabled children.

- The district must develop an improvement plan that will ensure the consideration and documentation of a regular pre-school program as an option for children with disabilities.

Documentation of Least Restrictive Environment- Although improvement has been noted in the most recent IEPs developed, the district has not demonstrated consistent documentation regarding least restrictive environment (LRE) requirements.

- The district must develop an improvement plan that will ensure the consideration and documentation of LRE, including the use of supplementary aids and services, in the IEPs developed for children classified eligible for special education and related services.

Section X: Transition

***Pre-school* Summary of Findings:**

Information obtained through the interview process indicated the district works cooperatively with local early intervention programs and pediatricians to locate, refer and identify pre-school aged children.

A review of student records indicated that pre-school aged children received timely evaluations when transitioning from early intervention. The early intervention staff notifies the district when a child may be transitioning to a preschool disabled program. A child study team member of the district board of education will participate in pre-school transition planning conferences arranged by the Department of Health and Senior Services. The district has coordinated transition with many local pre-school programs as well as early intervention programs.

Post-School

Summary of Findings:

Representatives from Office of Special Education Programs conducted an on-site technical assistance session in Bridgewater-Raritan Public Schools. This session focused on federal and state requirements for transition from school to post-school. Additionally, the district has been working with a consultant on an ongoing basis over the past year to facilitate the development and implementation of transition programs. A part-time transition coordinator has been employed by the district in order to meet the transition needs of students. This individual implemented employment programs, work-study opportunities, short-term volunteer experiences and social skills activities. Consultation with potential employers and the child study team is also available.

The School to Employment Program (STEP) assesses students' interests and places classified students in local businesses in order to sample various jobs. At the completion of the job sampling cycle, some students were offered part-time employment. A video presentation of the STEP program was developed to be used as an informational tool.

The transition coordinator facilitated student involvement in the statewide advocacy conference. Self-advocacy on a district level has also been initiated through activities implemented by the transition coordinator.

Parent meetings have been held to disseminate information regarding services offered through the Social Security Office, the Department of Developmental Disabilities and the Division of Vocational Rehabilitation.

Finally, a newsletter entitled; "Transition Times" has been distributed to parents and school personnel to inform them of social skills activities available to classified children.

Interest and ability assessments are provided by the transition counselor, case manager and the guidance department. The transition counselor has attended a number of training programs in order to develop and implement appropriate assessment instruments in the district.

Although the district has implemented transition programs, problems were noted with the consistent documentation of transition requirements in the IEP. Additionally, the transition programs developed are provided to a small number of classified students. Furthermore, the services that are provided through the guidance department to assist students with post high school transition do not consistently address the needs of classified students. For example, parents report that knowledge of college programs for students with learning disabilities varies considerably within the guidance department.

Area(s) of Need:

Documentation of Transition Requirements- A review of records indicated inconsistent and incomplete documentation of the transition requirements. A statement of transition service needs was documented in some of the IEPs reviewed. However, it did not indicate if technical consultation from the Division of Vocational Rehabilitation was warranted and did not consistently contain the required listing of specific courses for the ensuing school year. Although students' interests and preferences were identified in the IEP, documentation did not explain how these determinations were made. Interviews indicated that students' interests are assessed using a variety of tools including formal assessment instruments, interviews and questionnaires. Additionally, IEPs did not consistently meet the requirements for the statement of needed transition services.

As noted earlier, the district has made numerous changes in their IEP document. Therefore, the documentation of transition requirements varied depending on when the IEP was developed and the child study team that developed the IEP. Consistent documentation of the following requirements was not found:

- specific courses of study
 - students' interests and preferences
 - the need for technical consultation from DVR
 - a complete statement of needed transition services
 - identification of the person responsible to serve as a liaison to post-secondary resources
- The district will develop an improvement plan that will ensure consistent documentation of a statement of transition service needs for students beginning at age 14, or younger if appropriate, and a statement of needed transition services for students age 16, or younger, if appropriate.

Section XI: Discipline

Summary of Findings:

The interviews noted that district staff has had discipline training and are aware of the State code regulations. The district has discipline policies that they follow for all students unless an individual IEP notes otherwise. The district has an in-school suspension, out of school suspension and Saturday detention programs.

There have been occasions when students have been suspended from the school bus. It was unclear whether the students who were suspended from the bus were able to get to school. It was likewise not clear whether or not the days the student was not in school due to bus suspension were counted by the vice-principal towards the total number of days the student was removed from instruction. Additionally, there was no documentation that all of the suspension information is given to the CST. The student records contain suspension dates that did not coincide with the district listing. It is believed that the CST are not informed of all the dates that student's are suspended.

The interviews noted that the vice-principals track the number of days that a student has been suspended and informs the CST and the principal. The director and CST were aware of the code requirements for a manifestation determination meeting and a decision of when a series of short-term removals constitutes a change in placement. The teams noted that there were a few manifestation meetings conducted during the year. There was, however, no documentation of these meetings in the student records.

The record review revealed several students who have a history of behavioral problems. There was inconsistency in developing/implementing a behavioral intervention plan for these students.

Areas of Need:

Documentation and Tracking Number of Days Removed from Instruction- Although the director and CST were aware of the procedures for disciplining special education students, there was insufficient documentation in the folders. It was unclear if days suspended from the bus were counted toward the total number of days. There also was no tracking mechanism that ensured CST members were informed of each suspension.

- The district must develop an improvement plan that ensures discipline procedures are appropriately documented. The plan must delineate how the number of days a student has been removed from instruction will be counted. Additionally, the plan must provide a tracking mechanism that ensures that each notice of suspension is forwarded to the CST.

Manifestation Determination - There was no documentation found to document that manifestation determination meetings had been held.

- The district must develop a plan that ensures that students who require a manifestation determination meeting are afforded one in a timely manner. The plan must state how the meeting will be documented, both the invitation and the results.

Behavior Intervention Plan - The record review noted that not all students who have a history of behavioral problems have a behavioral intervention plan.

- The district must develop a plan that establishes criteria for determining when a student with a history of behavior problems will receive a behavior intervention plan. Staff development must be included to increase the knowledge base of the CST of how to develop a behavioral plan with measurable objectives that contain a timeframe of review.

Section XV: Student Records

Summary of Findings:

The Bridgewater School District has met its responsibility to ensure records are collected, maintained, secured, assessed and destroyed in accordance with state and federal guidelines. However, numerous special education students' files did not contain access sheets.

Areas of Need:

Access Sheets – Access sheets were not consistently found in student records.

- The district will develop an improvement plan to ensure that access sheets are maintained in all student records.