

New Jersey Department of Education Special Education Monitoring

District: Butler School District

County: Morris County

Monitoring Dates: May 9 & 22, 2006

Monitoring Team: Nicole Buten & Vanessa Leonard

Background Information:

During the 2004–2005 school year, the Butler School District conducted a self-assessment of policies, procedures, programs, services and student outcomes. This self-assessment component of the monitoring process provided the Butler School District with an opportunity to evaluate 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 Butler 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.

During the on-site visit, the New Jersey Department of Education (NJDOE) monitoring team reviewed district documents, including district policies and procedures, student count information, master student lists, class lists, schedules of students, teachers and related service personnel and other relevant information. A representative sample of student records was also reviewed. Interviews were conducted with the district's special education administrator. Parents of students with disabilities were interviewed by telephone.

Data Summary:

A review of the district's data for students with disabilities indicates that during the 2005-2006 school year, the district educated 27% of students with disabilities in the general education setting for more than 80% of the school day (state average is 42%). The district reported that most of their special education students (51%) are included in general education classes between 40% and 80% of the day (state average is 29.7%). Additionally, district personnel reported that all preschool disabled children are placed in a special education early childhood setting. As a result of these data, the district was directed to develop an improvement plan that addresses placement decisions and the continuum of placement options offered to special education students, ages 3 through 21.

Furthermore, the district's classification rates for the past three years have been 20%, 22% and 20%, respectively, above the state rate for those years (16.2%, 16.3% and 16.6%, respectively). While the district addressed this area of need by developing an improvement plan regarding pre-referral interventions, the plan must be revised to assure that an oversight mechanism is in place to ensure the consistent implementation of these activities.

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Sections Demonstrating Compliance

The self-assessment process required the district to review implementation of federal and state regulations categorized into 15 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
- Transition to Adult Life
- Procedural Safeguards
- Discipline
- Reevaluation
- Statewide Assessments
- Individualized Education Program (IEP)
- Graduation
- Transition to Preschool
- Programs & Services

Areas Demonstrating Compliance

The following areas, within the 15 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 • Provision of programs • Provision of related services • Transfer procedures
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> • Referral process • Direct referrals • Identification meeting timelines (school year referrals only) • Identification meeting participants (school year referrals only)
Evaluation	<ul style="list-style-type: none"> • Multi-disciplinary evaluations • Standardized assessments • Functional assessments • Bilingual evaluations • Written reports prepared by evaluators
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)
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> • Notification of and participation in non-academic and extracurricular activities for students educated outside of the district

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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 district must revise the improvement plan for any area where there is an 'X' in the 'Needs Revision' column.

Section	Area	Plan Is Sufficient	Plan Needs Revision	Implemented and the district has demonstrated compliance
Location, Referral and Identification	<ul style="list-style-type: none"> ▪ Pre-referral Interventions- regular education teachers do not consistently attempt interventions in the regular education setting and also do not consistently document the effectiveness of interventions when they are made. The improvement plan must be revised to include an administrative oversight mechanism to ensure that interventions are considered and attempted in the regular education setting prior to referral to the CST when appropriate. 		x	
Eligibility	<ul style="list-style-type: none"> ▪ Copy of Evaluation Reports to parents (ESLS only)- Speech language specialists do not send copies of the evaluation reports 10 days prior to an eligibility meeting. The improvement plan must be revised to include procedures and an administrative oversight mechanism to ensure continued compliance. These activities will ensure the district provides parents with copies of evaluation reports prior to eligibility meetings. 		x	
Least Restrictive Environment	<ul style="list-style-type: none"> ▪ Documentation of LRE decisions- The district does not document the supplementary aids and services that were considered to meet the student's needs in the general education class. The district will revise the improvement plan to include activities to ensure that LRE decisions are documented in the IEP. The IEP must contain documentation of the considerations of appropriate supplementary aids and services and program modification; an explanation as to why the supplementary aids and services and program modifications are not appropriate; and the comparison of the benefits in each setting. The plan must include an administrative oversight component to ensure the consistent implementation of these activities. Implementation of these activities will ensure the general education setting is considered. Additionally, these activities will ensure that students are afforded the opportunity to be educated with their nondisabled peers to the maximum extent appropriate. 		x	

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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	Extended School Year -The district does not consistently document the discussion of an extended school year.	The improvement plan must be revised to include in-service training on the requirements of the consideration and documentation of an extended school year. The improvement plan must also include timelines for implementation, activities and an administrative oversight mechanism to ensure continued compliance with this area. These activities will ensure that decisions about extended school year eligibility are discussed and documented by the IEP team.
Location, Referral & Identification	Child Find Ages 3-21 - The district does not include migrant and homeless students in its Child Find procedures.	The improvement plan must be revised to ensure that all students who reside within the district and may have disabilities are identified and referred to the district's child study team. The improvement plan must include an administrative oversight component to ensure continued compliance in this area.
	Health Summary – Health summaries are not consistently provided.	The improvement plan must be revised to ensure that the school nurse develops health summaries and conducts audiometric and vision screenings on every child referred for an evaluation. The improvement plan must include an oversight component to ensure continued compliance with this area.
	Vision and Hearing screenings - Screenings are not consistently provided.	The improvement plan must be revised to ensure that the school nurse develops health summaries and conducts audiometric and vision screenings on every child referred for an evaluation. The improvement plan must include an oversight component to ensure continued compliance with this area.
	Identification meeting timelines (summer referrals only) - Identification meetings are not consistently held during the summer months due to lack of staff.	The district will revise the improvement plan to include activities to ensure that identification meetings are held within 20 days of receipt of a referral during the summer months. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities. Implementation of these activities will ensure that decisions regarding evaluations are made in a timely manner.
	Identification meeting participants (summer referrals only) - Identification meetings are not consistently held during the summer months due to lack of staff.	The district will revise the improvement plan to include activities to ensure that district personnel are available to conduct identification meetings within 20 days of receipt of a referral during the summer months. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities. Implementation of these activities will ensure that decisions regarding evaluations are made in a timely manner.
Evaluation	Educational Impact statement (ESLS) - Speech therapists do	The district will revise the improvement plan to include activities and administrative oversight to ensure a speech-language evaluation includes a written statement from the

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	not consistently include an educational impact statement from the classroom teacher in a speech evaluation.	teacher indicating the impact of the speech problem in the classroom. Implementation of these activities will ensure eligibility determinations are based on assessment results that have been generated by a multidisciplinary team.
Least Restrictive Environment	Continuum/Placement decisions based on student's individual needs – Document review and staff interviews indicated that the district does not provide a continuum of programs for students with disabilities (including preschoolers).	The district will revise the improvement plan to include activities to ensure a continuum of programs is available to all students. The district will identify barriers to providing a continuum of programs, procedures for removing the barriers, timelines for implementation of the improvement plan and an administrative oversight to ensure that the district provides students with an education in the least restrictive environment. This activity will ensure that the district develops programs or expands existing ones along the continuum of placement options, over a period of time, to effectively address the needs of students with disabilities within the district.

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Summary

On-site special education monitoring was conducted in the Butler School District on May 9 & 22, 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. The district is further acknowledged for the many areas determined by the district and verified by the OSEP as compliant with federal and state statutes and regulations.

A review of the district's data for students with disabilities indicates that during the 2005-2006 school year, the district educated 27% of students with disabilities in the general education setting for more than 80% of the school day (state average is 42%). The district reported that most of their special education students (51%) are included in general education classes between 40% and 80% of the day (state average is 29.7%). Additionally, district personnel reported that all preschool disabled children are placed in a special education early childhood setting. As a result of these data, the district was directed to develop an improvement plan that addresses placement decisions and the continuum of placement options offered to special education students, ages 3 through 21.

Furthermore, the district's classification rates for the past three years have been 20%, 22% and 20%, respectively, above the state rate for those years (16.2%, 16.3% and 16.6%, respectively). While the district addressed this area of need by developing an improvement plan regarding pre-referral interventions, the plan must be revised to assure that an oversight mechanism is in place to ensure the consistent implementation of these activities.

During interviews conducted with parents by telephone, parents expressed their satisfaction with the district's programs and services and staff.

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

- General Provisions
- Procedural Safeguards
- Reevaluation
- Individualized Education Program (IEP)
- Transition to Preschool
- Transition to Adult Life
- Discipline
- Statewide Assessments
- Graduation
- 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
- Provision of programs
- Provision of related services
- Transfer procedures
- Referral process
- Direct referrals
- Identification meetings timelines (school year only)
- Identification meetings participants (school year only)
- Multi-disciplinary evaluations
- Standardized assessments
- Functional assessments
- Bilingual evaluations
- Written reports prepared by evaluators
- Eligibility meeting participants
- Eligibility criteria
- Signature of agreement and/or disagreement and rationale
- Statement of eligibility (Specific Learning Disability)
- 90-day timelines
- Notification of and participation in non-academic and extracurricular activities for students educated outside of the district

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

- Pre-referral interventions
- Copy of evaluation reports to parents
- Documentation of LRE decisions

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

- Extended School Year
- Child Find ages 3-21
- Health summaries
- Vision and hearing screenings
- Identification meeting timelines (summer referrals only)
- Identification meeting participants (summer referrals only)
- Educational impact statement (ESLS)
- Continuum of placement options
- Placement decisions placed on student's individual needs

Within 45 days of receipt of the monitoring report, the Butler School District will revise and resubmit the improvement plan to the OSEP to address those areas that require revisions.