

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

District: Chesilhurst Borough School District **County:** Camden

Monitoring Dates: December 10 and 11, 2003

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Background Information:

During the 2002-2003 school year, the **Chesilhurst Borough School District** conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the **Chesilhurst Borough School District** with an opportunity to evaluate its performance, 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 permit the district the opportunity to identify its areas of strength and promising practices, as well as areas needing improvement and areas that may be noncompliant with state and federal requirements. The 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 Shirley B. Foster Elementary School on the evening of October 21, 2003. Information obtained from that meeting and through additional telephone interviews was used to direct the focus of the monitoring visit.

During the on-site visit, the OSEP 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, including all special education and speech only student records. Interviews were conducted with the district's superintendent/principal, the special education coordinator, general education teachers, special education teachers, related services providers, child study team members, the after-school program coordinator, and the Parent-Teacher Organization (PTO) chairperson. Further, additional parent interviews were conducted by telephone.

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District Strengths:

The Chesilhurst Borough School District is commended for contracting with the Education Intervention and Resource Center (EIRC) to provide coaches and training to all teachers – general education and special education – to enhance instruction in math, language arts, reading and writing. Over the summer, staff received inservicing and, since the start of this school year, have been partnering weekly with a consultant.

The district takes great pride in the number of supplemental programs and activities that have been implemented to support student achievement. The Reading Recovery Program targets children in first grade who are in need of individualized assistance. The Book Mates program involves adult volunteers who read to individual students on scheduled days. The Boxer Math program provides computer-facilitated instruction for students to develop fundamental math skills. Project Focus, sponsored by the Borough of Chesilhurst, is an after-school math and language development program for all students. Additionally, students volunteer within the school to work with younger children to aid them in improving reading and math skills.

Teachers provide multisensory art activities to enhance and reinforce text-based lessons. Teachers use “Gem Jar Contests” and “Student of the Week” to promote appropriate social and school behaviors. The after-school program, run by the local church, located in the school and staffed by teachers, integrates tutorial services with recreation, sports and dance, for all students, Monday through Thursday.

In addition, the district recognizes the importance of the Parent-Teacher Organization (PTO) and the Community Policing Program. The PTO has been instrumental in fund-raising and securing grants – most recently, one from Wal-Mart – that have facilitated, for example, the purchasing of television and video player/recorder equipment for each classroom. The PTO also coordinates the “Boxtops for Education” program and runs workshops and parent training programs. With Chesilhurst police officers visiting the school on a scheduled basis, staff and student safety/security issues are addressed immediately.

Data Summary:

For the past five years, the Chesilhurst Borough School District’s classification rate has experienced broad fluctuations in special education eligibility from 16.8% to 30% of the resident enrollment. The district identified areas of need regarding its referral process, pre-referral interventions and the operations of its Intervention and Referral Service (I&RS). These areas of need may be contributing to the higher number of special education students. The district will address these needs through their improvement plan.

The district’s trend over the past four years has been to place more students in the general educational settings for more than 80% of the day and between 40% and 60% of the day. Data also indicate the district places significantly fewer students in isolated settings, that is, excluded from the general education classroom more than sixty percent of the day, or in separate schools or residential facilities.

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Area Demonstrating Compliance with All Standards:

Programs and Services was determined to be an area 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 the dissemination of IDEA information and policies and procedures. Following a lengthy period of revisions, the Camden County Office approved the district's policies and procedures on July 14, 2003.

During the self-assessment process, the district identified concerns regarding in-service training needs for professional and paraprofessional staff who provide special education or general education services, particularly in the areas of supplementary aids and services, inclusionary practices, instruction aligned with the Core Curriculum Content Standards, skills assessment, and behavioral interventions. **The district's plan is insufficient because, although it indicates lesson plans will be made available in a central location and opportunities for learning will be encouraged, it does not identify a cohesive plan of professional development that is clearly connected to the provision of educational programs in the district. The district will revise the improvement plan to include activities to assess and provide professional development as well as a mechanism to evaluate the effectiveness of the training.**

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, facilities and certification.

During the self-assessment process, the district identified concerns in the areas of IEP goals and objectives and transfer procedures. **The district did not submit an improvement plan to address the area of goals and objectives and must do so. The district's plan is insufficient to address the area of transfer procedures because it does not identify how staff will be in-serviced. Further, the plan lacks an administrative oversight activity that will be consistently implemented to ensure that students who transfer from another school district will be provided with appropriate educational programs and services, without undue delay. The district will revise the improvement plan to include these elements.**

Additional areas of need were identified during the on-site visit regarding oversight and supervision, extended school year, provision of preschool programs and related services, and related services goals and objectives.

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Area(s) of Need:

Oversight and Supervision – During the on-site monitoring visit, interviews with staff, record review and observations indicated that there are critical supervisory issues regarding the district's inability to monitor its own special education department and ensure systemic compliance. This finding is supported by county office staff who have direct knowledge of the district's functioning, as well as reports from parents, from agencies involved with the district, from neighboring school districts, and from the district staff itself. The Chesilhurst Borough School District's inability to fully execute federal, state and local educational policies, to complete forms with required components (e.g., notices, written notification, individual educational plans), to comprehensively assess student needs and develop an appropriate plan, to ensure the provision of mandated programs and related services, to oversee department functioning, and to recognize, address and effectively resolve issues of noncompliance, continue to go uncorrected. A major barrier is that the three part-time child study team members spend less than fifteen days a month in the district. Additionally, the learning consultant, who is also identified as the special education coordinator but who lacks supervisory certification, has limited his responsibilities to only performing case management duties. Nevertheless, several situations were identified where students were not receiving the programs required by their IEPs. Further, supervision of personnel, particularly the functioning of the speech-language specialist, but also other related services providers, is nonexistent. Also, secretarial resources are either under-utilized or not effectively deployed to address the special education clerical issues such as preparing paperwork for meetings, organizing documentation, and maintaining files.

- **The district must revise its improvement plan to include an organizational structure that will ensure the district has the ability to identify and correct noncompliance on a consistent basis and in a timely manner. The plan must further ensure it has sufficient staff to conduct mandated services and that those staff members are adequately supervised. The plan must include specific job responsibilities and must identify the chains of command and communication to ensure the district ability to bring about systemic change.**

Extended School Year – During the on-site visit, interviews and record review indicated that the district does not consider extended school year services for every student determined eligible for special education and related services or eligible for speech and language services. In addition, for those students who are found in need of extended school year programming, IEPs do not include the description of the services needed, goals and objectives, implementation dates, and frequency, duration and location of services. As a result, review of a student's IEP by a parent, case manager, teacher, related services provider or administrator would not provide a clear understanding of the service(s) required.

- **The district will revise its improvement plan to include activities that ensure that extended school year is considered and provided for every classified student when those services are necessary. These activities will result in the consideration of regression/recoupment issues for all students as well as any other factors that may impact a student's level of academic performance. Additionally, IEPs will include criteria used to determine the need for extended school year services, a description of services needed, goals and objectives, implementation dates, and frequency, duration and**

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location of services. The improvement plan must include training and an administrative oversight component to ensure the consistent implementation of these activities.

Provision of Preschool Programs and Services – During the on-site monitoring interviews and record review indicated that all of the preschool disabled students have IEPs requiring placement in a self-contained preschool disabled program. However, all of these students are placed in a general education prekindergarten class, taught by a dually certified teacher, and receive only supplemental aids and services. The parents and case manager were unaware of this situation.

- **The district will immediately conduct IEP meetings to determine the appropriate program for these students that will be based on the individual needs of the students and not on program availability. The district will also identify how it will provide compensatory services to these students for the services it failed to provide during the school year. Additionally, the district will develop activities to ensure it has the ability to self-identify and correct failures to provide required programs and services in a timely manner. Implementation of these activities will ensure not only that the appropriateness of programs and services are reviewed on an ongoing basis but also that all students are receiving the educational program and related services mandated by their IEPs.**

Related Services Goals and Objectives – During the on-site monitoring, interviews and record review indicated that therapy goals and objectives were not being developed for students requiring counseling as a related service. Goals and objectives for occupational therapy, physical therapy and speech therapy, were inconsistently included in IEPs.

- **The district will revise its improvement plan to include activities to ensure goals and objectives are developed and included in IEPs for all related services. Implementation of these activities will ensure related services providers are aware of specific student needs and are able to determine progress in meeting therapy benchmarks. The plan must include an administrative oversight component to ensure consistent implementation of the activities.**

Section III: Procedural Safeguards

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of consent, interpreters, and independent evaluations.

During the self-assessment process, the district identified concerns in the area of surrogate parents. **The district failed to submit a plan to address this area of need and needs to do so. The district will develop activities to ensure the selection and training of surrogate parents, in the event one is needed. Implementation of these activities will ensure the protection of students' educational rights when it is not possible to locate the parent.**

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Additional areas of need were identified during the on-site visit regarding notice of meeting, meetings and participants at meetings, written notice, provision of N.J.A.C. 1:6A, and notice in native language.

Area(s) of Need:

Notice of a Meeting – During the on-site monitoring, review of district documents and student records indicated that notice of a meeting does not contain all the required components. While the district is using the State’s format, required information is not being incorporated into the form. In addition, parent interviews indicated that while they frequently receive a telephone call informing them of a meeting, they do not consistently receive written notice of a meeting.

- **The district will revise its improvement plan to include activities to ensure that notice of a meeting contains all required components and is provided when required. Implementation of these activities will ensure that parents and the other members of the IEP team are provided with the opportunity to fully participate in the decision-making process. The improvement plan must include an administrative oversight component to ensure consistent implementation of the activities.**

Meetings and Participants at Meetings – While interviews confirmed that staff are aware who should be attending meetings, record review conducted during the on-site monitoring indicated that IEP team members, primarily general education teachers but also child study team members and special education teachers, are frequently not in attendance. In several cases, it could not be confirmed that a meeting had been held. Evidence that one participant was signing for all IEP team members was found in numerous documents.

- **The district will revise its improvement plan to include activities to ensure all required participants attend IEP meetings. Implementation of these activities will ensure information is obtained from all required participants and that the decision-making process includes input from each participant. The plan must include an administrative oversight component to ensure consistent implementation of the activities.**

Written Notice – During the on-site monitoring, review of district documents and student records indicated that written notice does not contain all the required components. While the district is using the State’s format, required information is not being incorporated into the form. Also, when the district employs the IEP as written notice, the document is frequently not completed in a timely manner and is therefore not provided to the parent prior to implementation of the IEP.

- **The district will revise its improvement plan to include activities to ensure that written notice includes all required components and is provided when required. Implementation of these activities will ensure not only that parents are fully informed of the actions the child study team is proposing but also will afford parents the right to agree or disagree with these proposals. The improvement plan must include an administrative oversight component to ensure consistent implementation of the activities.**

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Provision of N.J.A.C. 1:6A – During the on-site visit, record review and interviews indicated that, following the determination to conduct or not conduct an initial evaluation, the district does not provide parents with a copy of the due process hearing rules (N.J.A.C. 1:6A).

- **The district will revise its improvement plan to include activities that ensure a copy of the due process hearing rules (N.J.A.C. 1:6A) is provided to parents. Implementation of this activity will ensure parents are fully informed of dispute resolution opportunities and the procedures necessary to efficiently access these services.**

Notice in Native Language – During the on-site monitoring, interviews and review of district documents and student records indicated that the district does not maintain notices in languages other than English. Additionally, the district does not have a procedure in place for obtaining such documents in a timely manner.

- **The district will revise its improvement plan to include activities to ensure notices are provided in languages other than English, when feasible. Implementation of these activities will ensure that parents have the opportunity to be made aware in their native language of appointments, procedures, rights, decisions and plans, relevant to their child's education. The plan must include an administrative oversight component to ensure consistent implementation of the activities.**

Section IV: Location, Referral and Identification

Summary of Findings:

During the self-assessment process, the district identified concerns in the area of Child Find 3-21. Though the plan contains appropriate activities, the date for completion of the activities has passed. In addition, the district's plan lacks a mechanism to ensure this information is disseminated routinely. **The district will identify another date and ensure it implements the activities and corrects this area of need by that date if not sooner. The plan must include an administrative oversight component to ensure consistent implementation of the activities.** The district also identified areas of need regarding its referral process and pre-referral interventions. **The district did not submit an improvement plan to address these areas and needs to do so.**

Additional areas of need were identified during the on-site visit regarding direct referrals, health summary, vision and hearing screenings, identification meeting timelines, and participation of child study team members.

Area(s) of Need:

Direct Referrals – During the on-site monitoring, interviews and record review indicated that direct referrals, from parents and teachers, are routed through the Intervention & Referral Service (I&RS) first. The staff member receiving the referral, often the special education coordinator, makes a judgment about the urgency for child study team testing or the lack of any prior interventions. Additionally, when a referral does go to the team, identification meetings, with required personnel, are not being held within twenty days.

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- **The district will revise its improvement plan to include activities that will ensure that direct referrals are immediately forwarded to the child study team and result in an identification meeting within twenty days of the receipt of the request for a special education evaluation. Implementation of these activities will ensure that decisions are made by an appropriately configured team regarding the need for an evaluation. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

Health Summary and Vision and Hearing Screenings – During the on-site visit, interviews and record review indicated that, at the time of the identification meeting, information concerning the health summary and results of the vision and hearing screenings are not available.

- **The district will revise its improvement plan to include activities that will ensure that the school nurse develops health summaries and conducts vision and hearing screenings on every child referred for an evaluation and provided to the Team prior to the identification meeting. Implementation of these activities will ensure the identification team members have the necessary information to identify suspected areas of disability and to determine the assessments needed to make an appropriate eligibility determination. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

Identification Meeting Timelines – During the on-site monitoring, interviews and record review indicated that identification meetings are not held within twenty days of the receipt of the I&RS, teacher or parent referral. The district's failure to date stamp documents upon receipt only complicates this situation. Staff reported that availability of teachers and of the part-time child study team members, as well as clerical barriers, contribute to this delay.

- **The district will revise its improvement plan to include activities to ensure identification meetings are held within twenty days of the receipt of the referral. Implementation of these activities will ensure that staff and parents have the opportunity to discuss available information and determine the need for a child study team evaluation. The plan must include an administrative oversight component to ensure consistent implementation of the activities.**

Participation of Child Study Team Members – During the on-site visit, interviews and record review indicated that, when a preschool age or school age student is referred for an initial evaluation, the full child study team is not in attendance at the initial identification meeting, along with a parent and general education teacher.

- **The district will revise its improvement plan to include activities that will ensure the full child study team participates in identification meetings. This will ensure that the other members of the identification team are afforded the expertise of these specialists in the areas of appropriate assessments and suspected disability. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

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Section V: Protection in Evaluation and Evaluation Procedures

Summary of Findings:

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

Areas of need were identified during the on-site visit regarding provision of evaluation plan, multidisciplinary evaluations, speech and language evaluation reports, components of functional assessment, signing and dating of reports, and acceptance or rejection of reports.

Area(s) of Need:

Provision of Evaluation Plan – During the on-site monitoring, child study team interviews and record review indicated that assessments in the evaluation plan are not being conducted as written. Because of the unavailability of staff, in some cases, a required assessment is not done or another is substituted in its place. The majority of cases involved learning assessments, although some social history reports were also not written.

- **The district will revise its improvement plan to include activities to ensure all assessments identified in written notice are fully executed as they were developed by the identification team. Implementation of these activities will ensure that information from the required evaluations is developed into a report for consideration by the eligibility team members to make appropriate eligibility determinations. The plan must include an administrative oversight component to ensure consistent implementation of the activities.**

Multidisciplinary Evaluations – During the on-site monitoring, interviews, observations and record review indicated that one child study team member conducts two of the evaluations identified in the evaluation plan. The school psychologist, who is also certified as a learning consultant but is not employed by the district in that capacity, has conducted both evaluations for some students. In the majority of cases, these two evaluations are combined into one written report. Additionally, there are occasions when a member of the team was required to provide his signature to the second report, even though he did not conduct the assessment. This has also occurred in cases involving a child of preschool age where the report is erroneously identified as a collaborative effort even though only one individual conducted the two assessments.

- **The district will immediately cease the practice of having one child study team member conduct more than one assessment of the same student. The district will also immediately cease the practice of having team members sign assessment reports that they neither conducted nor wrote. The district will revise its improvement plan to include activities to ensure multidisciplinary evaluations are conducted and represent the findings of each evaluator. Implementation of these activities will ensure eligibility determinations are based on assessment results that have been generated by a multidisciplinary team and that each team member has the opportunity to develop a written report that contains his/her findings and conclusions.**

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The plan must include an administrative oversight component to ensure consistent implementation of the activities.

Speech and Language Evaluation Reports – During the on-site monitoring, record review indicated that speech and language reports do not contain an educational impact statement from the classroom teacher, thus failing to fulfill the multidisciplinary component of the evaluation.

- **The district will revise its improvement plan to include activities to ensure speech and language reports include all required components for a multidisciplinary assessment. Implementation of these activities will ensure that evaluators include all elements needed to make appropriate eligibility determinations for students demonstrating speech and/or language difficulties, as they impact on that student’s ability to acquire educational skills. The plan must include an administrative oversight component to ensure consistent implementation of the activities.**

Components of Functional Assessment – During the on-site monitoring, interviews and record review indicated that child study team members and the speech/language specialist do not include all required components of a functional assessment in their evaluation reports. While in the majority of cases the parent interview was missing, teacher interview/input, a non-testing situation observation, and the educational history were also left out.

- **The district will revise its improvement plan to include activities to ensure that evaluators include all required components of functional assessments in their reports. Implementation of these activities will ensure eligibility determinations are based on all required data obtained through the assessment process. The plan must include an administrative oversight component to ensure consistent implementation of the activities.**

Signing and Dating of Reports – During the on-site monitoring, interviews and record review indicated that child study team members and the speech/language specialist do not date their reports and inconsistently sign these reports. As a result, it cannot be determined who developed a report and the date it was developed.

- **The district will revise its improvement plan to include activities to ensure that the child study team members and the speech/language specialist sign and date evaluation reports, when developed.**

Acceptance or Rejection of Reports – During the on-site monitoring, interviews and record review indicated that the district does not document the acceptance or rejection of outside reports.

- **The district will revise its improvement plan to include activities that will ensure that reports written by personnel not employed by the district are accepted or rejected by the Chesilhurst Borough child study team. This acceptance or rejection will be documented in the student file. Implementation of these activities will ensure that relevant and necessary information is considered for each student and becomes part of the report(s) of the district. The improvement plan must include an**

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administrative oversight component to ensure the consistent implementation of these activities.

Section VI: Reevaluation

Summary of Finding:

During self-assessment the district accurately identified themselves compliant in the area of reevaluations completed by June 30th of student's last year in preschool.

An area of need was identified during the on-site visit regarding reevaluation timelines.

Area(s) of Need:

Reevaluation Timelines – During the on-site monitoring, interviews and record review indicated that three-year reevaluation timelines are not being consistently met because the district lacks a tracking mechanism to ensure administrators and case managers are aware of evaluation due dates.

- **The district will revise its improvement plan to include activities to ensure reevaluations are conducted within three years of the previous determination of eligibility unless conditions warrant one sooner. The plan must include a mechanism to ensure the district has the ability to identify due dates and monitor compliance with those dates on a consistent basis. Implementation of these activities will ensure each student with a disability is provided with an appropriate program and services on a consistent basis.**

Section VII: Eligibility

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the area of criteria of eligibility.

During the on-site monitoring, areas of need were identified regarding convening eligibility conferences, agreement or disagreement rationale, and provision of evaluation reports to parents.

Area(s) of Need:

Convening Eligibility Meetings – During the on-site monitoring, interviews and record review indicated that the child study team or the speech/language specialist does not consistently convene eligibility meetings nor does it provide notice of eligibility for students found eligible for special education or eligible for speech/language services. Following the evaluations, the district moves directly to a meeting where the IEP is developed.

- **The district will revise its improvement plan to include activities that will ensure that eligibility meetings are conducted, with the required**

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participants, and appropriate notice of the meeting, documentation of eligibility and written notice are provided. Implementation of these activities will ensure that parents are afforded the opportunity to agree or disagree with the actions the district is proposing. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.

Signatures of Agreement or Disagreement – During the on-site monitoring, interviews and record review indicated that the IEP team does not express assenting or dissenting opinions regarding eligibility determinations for students eligible for special education or for students eligible for speech and language services only. As a result, teachers are not afforded the opportunity to express a dissenting opinion and parents are not made aware of this point of view regarding eligibility determinations.

- **The district will revise its improvement plan to include activities that will ensure that district personnel have an opportunity to state in writing whether they agree or disagree with eligibility determinations. Further, the district will document the rationale for any disagreement. Implementation of these activities will ensure parents are fully informed of any differing opinions regarding these eligibility determinations. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

Provision of Evaluation Reports to Parents – During the on-site monitoring, interviews and record review indicated that the district is not providing copies of the evaluation reports to parents prior to any meeting where eligibility or the ongoing need for services is to be discussed. Since the district goes directly to an IEP meeting, the eligibility status is understood though not discussed at this meeting. Nevertheless, parents are not provided with the information in the reports or with the opportunity to be fully prepared to participate in the decision-making process regarding the student's eligibility and programming needs.

- **The district will revise its improvement plan to include activities that will ensure that evaluation reports are provided to parents ten days prior to the eligibility meeting. Implementation of these activities will ensure that parents have an opportunity to discuss issues related to eligibility, as well as having the opportunity to invite other individuals to the meeting, when needed. The improvement plan must also include an administrative oversight component to ensure the consistent implementation of these activities.**

Section VIII: Individualized Education Program (IEP)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of age of majority, implementation dates, annual reviews and ninety-day timelines.

During the self-assessment process, the district identified concerns in the areas of developing short term goals and objectives for academic subject areas, as well as permitting parents the opportunity to observe proposed placements prior to IEP

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implementation. **The district did not submit an improvement plan to address these areas of need and needs to do so.**

Additional areas of need were identified during the on-site visit regarding IEP required statements, speech IEPs, revisions to IEPs, teacher knowledge and access, parental consent, and provision of IEP to parents.

Area(s) of Need:

IEP Required Statements – During the on-site monitoring, it was determined during record review that required statements are not being completed; they are left blank or filled in incorrectly. Staff and parent interviews indicated that the majority of these ignored areas were not discussed during the development of the IEP.

- **The district will revise its improvement plan to include activities to ensure that the IEP team accurately addresses all required statements in the student's IEP. Implementation of these activities will ensure that the IEP team members will have the opportunity to document the decision-making process that led to the proposed programs and services. The improvement plan must include an administrative oversight component to ensure consistent implementation of the activities.**

Speech IEPs – During the on-site monitoring, interviews and record review indicated that the speech/language specialist conducts separate meetings and develops separate IEPs for students eligible for special education and receiving speech as a related service. These students have two IEPs. There is no coordination of efforts between the special education case manager and the speech/language specialist. Further, all students determined to be eligible for speech and language services are also identified as eligible for special education and related services.

- **The district will revise its improvement plan to include activities to ensure that a student determined eligible for speech and language services only is classified as Eligible for Speech and Language Services and has an IEP for that classification. The activities must further ensure that students who receive special education programs and are receiving speech as a related service are classified as Eligible for Special Education and Related Services and that one IEP is developed that includes goals and objectives for speech. Implementation of these activities will ensure each student is appropriately classified and that all staff members who have educational responsibility for a student work collaboratively to provide these educational services. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Revision to IEPs – During the on-site monitoring, interviews and record review indicated that the teacher or the case manager have changed a student's program or service(s) without convening an IEP team meeting. Although in some cases, the parent might have provided verbal consent, at no time were all required participants involved in the decision-making process. Additionally, though these programs or services were changed, the changes were not reflected in the IEP.

- **The district will revise its improvement plan to include activities to ensure that IEP team meetings are conducted prior to changing a student's**

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program or services and that the parent is provided with written notice of the proposed changes. Implementation of these activities will ensure that all required participants are included in the decision-making process as well as ensure parents have the opportunity to consider the proposed changes and dispute the changes, if necessary.

Teacher Knowledge and Access – During the on-site monitoring, interviews and record review indicated that general education teachers do not have access to current IEPs because there are generally delays in generating the final version of the IEP and/or the case manager is not available to unlock special education files. As a result, it may take weeks for a teacher to access the current document. In some cases, general education teachers and special education teachers have continued to implement the previous IEP even though changes may have been made to the program and/or services. In other cases, general education teachers were not always aware of the classified students for whom they had educational responsibility and, as a result, did not provide the supports and services required by the IEPs.

- **The district will revise its improvement plan to include activities to ensure teachers have access to IEPs as soon as those documents are required to be implemented. Implementation of these activities will ensure teachers are providing students with the required programs and services contained in the IEP which in turn will afford these students the opportunity to receive full educational benefit from the special education program and services. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Parental Consent Prior to Immediate Implementation – During the on-site monitoring, interviews and record review indicated that parental consent is not being obtained before implementing an IEP less than fifteen days following the provision of written notice.

- **The district will revise its improvement plan to include activities to ensure written parental consent is obtain in the event the district implements the IEP prior to the completion of the fifteen day review period. Implementation of these activities will ensure the district has the ability to demonstrate it had the authority to implement the IEP immediately.**

Provision of IEP to Parents – During the on-site monitoring, interviews and record review indicated that parents do not receive a copy of the IEP prior to its implementation.

- **The district will revise its improvement plan to include activities to ensure that parents are provided with a copy of the IEP prior to its implementation. As a result, parents will be aware of programs and services their child is entitled to receive, as agreed to by the IEP team. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

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Section IX: Least Restrictive Environment (LRE)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of supplemental aids and services, general education access, and notification and participation in nonacademic and extracurricular activities.

An area of need was identified during the on-site visit regarding considerations and documentation.

Area(s) of Need:

Oberti Consideration and Documentation – During the on-site monitoring, interviews and record review indicated that the district's IEP does not consistently include all four statements required when considering the least restrictive environment. Although the district is using the state IEP format, team members are either not responding to the formatted questions or are providing responses that have no relevance to the information sought by the formatted question.

- **The district will revise its improvement plan to include activities to ensure the IEP specifies: the considerations of appropriate supplementary aids and services and program modification; the explanation why the supplementary aids and services and program modifications are not appropriate; and, the documentation of the comparison of benefits in each setting. Implementation of these activities will ensure the team has documented the decision-making process and more clearly defined the rationale for a specific placement. The plan must include an administrative component to ensure the consistent implementation of the activities.**

Section X: Transition to Preschool

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of early intervention to preschool disabled placement by age three and agency involvement.

An area of need was identified during the on-site visit regarding the preschool transition planning conference.

Area(s) of Need:

Preschool Transition Planning Conference – During the on-site monitoring, interviews and record review indicated that district personnel do not participate at transition planning conferences.

- **The district will revise its improvement plan to include activities to ensure a member of the child study team participates in the early childhood transition planning conference. Implementation of these activities will ensure sufficient information is obtained from early intervention staff**

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regarding the student's strengths and needs to further ensure the district has the opportunity to provide appropriate programs and services. This plan must include an oversight component to ensure the consistent implementation of the activities.

Section X: Transition to Post-School

Summary of Findings:

The Chesilhurst Borough School District services students from pre-Kindergarten to sixth grade and is not required to address issues of transition to post-school.

Section XI: Discipline

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of documentation to case manager, manifestation determination, and interim alternative educational setting.

Areas of need were identified during the on-site visit regarding behavioral intervention plans and suspension tracking.

Area(s) of Need:

Behavioral Intervention Plans – During the on-site monitoring, record review, staff interviews and observations indicated that, despite documented behavioral issues, teams are not developing behavioral intervention plans.

- **The district will revise its improvement plan to include activities to ensure behavior intervention plans are developed and included in the IEP for those students who exhibit behavioral issues. Implementation of these activities will ensure students are provided with appropriate supports and interventions to address the behaviors that result in disciplinary actions.**

Suspension Tracking – During the on-site monitoring, interviews, observations and record review indicated that there is significant variation in the manner in which student removals are tracked. While the use of an in-school suspension room is believed to all but have eliminated the need to remove students from the school environment, there were several cases – one occurring during the on-site visit – where a student was excluded from school for a significant period of time and did not receive any services. This removal was not counted or recorded in the district's tracking system. These findings serve to raise questions about the accuracy of the district's suspension data.

- **The district will revise its improvement plan to include activities to ensure every removal is accurately tracked by the case manager and that services are provided when required. Implementation of these activities will ensure students have the opportunity to progress in the general education curriculum as well as in their goals and objectives. The plan must include**

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an administrative oversight component to ensure the consistent implementation of these activities.

Section XII: Statewide Assessment

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the area of student participation in statewide assessment, alternative assessment and process for exemption from passing.

An area of need was identified during the on-site visit regarding statewide assessment accommodations and modifications.

Area(s) of Need:

Statewide Assessment Accommodations and Modifications – During the on-site monitoring, interviews and record review indicated that although the IEP team has identified in the IEP specific accommodations or modifications for a student to participate in statewide assessments, teachers actually decide what they will provide to the students.

- **The district will revise its improvement plan to include activities to ensure that accommodations and modifications are provided as required by the IEP. Since teachers are required members of the IEP team, they will be a part of that decision-making process. Implementation of these activities will ensure that each student has the opportunity to more effectively demonstrate the acquisition of a specific educational skill because the appropriate accommodation and/or modification has been identified by an appropriately configured team and provided by the individual who was a part of the decision-making process.**

Section XIII: Graduation

Summary of Findings:

The Chesilhurst Borough School District services students from pre-Kindergarten to sixth grade and is not required to address issues of graduation.

Section XV: Student Records

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the area of requests for access to records.

Areas of need were identified during the on-site visit regarding access sheets, maintenance and destruction of records, and documentation of locations.

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Area(s) of Need:

Access Sheets – Not only during the on-site monitoring but also during earlier, separate visits by county office staff and OSEP staff, record review indicated that the case manager will not include or maintain these access sheets in student files despite being directed to do so by department staff.

- **The district will immediately place access sheets into student files to ensure the district has the ability to monitor compliance with access regulations.**

Maintenance and Destruction of Records – During the on-site monitoring, interviews and record review indicated that the district is not maintaining any part of the student's record when the students transition to their receiving school district.

- **The district will revise its improvement plan to include activities to ensure it appropriately maintains and/or destroys student records when required. Implementation of these activities will ensure that these records are maintained for the periods of time required by the pupil records code. The improvement plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.**

Documentation of Locations – During the on-site visit, record review determined that the district does not identify in the central file the location of other records maintained by the district.

- **The district will revise its improvement plan to include an activity to ensure that the locations of other student records maintained by the district are identified in the central file. Implementation of these activities will ensure that parents and school personnel have knowledge of and access to all records relevant to that student.**

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Summary

On-site special education monitoring was conducted in the **Chesilhurst Borough School District** on December 10 and 11, 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.

Although the opinions expressed by parents at the public focus group meeting were generally positive and indicated a satisfaction with many of the district's programs and services, extensive areas of need were identified during the on-site visit through interviews with staff, record review and, in some cases, direct observation. The district failed to recognize these issues during the self-assessment phase of the monitoring and, as a result, will be required to make substantial revisions to its improvement plan. The Chesilhurst Borough School District's inability to fully execute federal, state and local educational policies, to complete forms with required components (e.g., notices, written notification, individual educational plans), to comprehensively assess student needs and develop an appropriate plan, to ensure the provision of mandated programs and related services, and to recognize, address and effectively resolve issues of noncompliance, continue to go uncorrected. It is apparent that the administration has failed to ensure the oversight and supervision of the special education department.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included dissemination of IDEA information, policies and procedures, length of school day, facilities, certifications, consent, interpreters at meetings, independent evaluations, standardized assessments, bilingual evaluations, reevaluations completed by June 30th of the student's last year in preschool, criteria of eligibility, age of majority, implementation dates, annual review timelines, ninety-day timelines, supplemental aids and services, general education access, notification and participation in nonacademic and extracurricular activities, early intervention to preschool placement by age three, agency involvement, discipline documentation to case manager, manifestation determination, interim alternative educational setting, student participation in statewide assessment, alternative assessment, process for exemption from passing, and access to records.

During the self-assessment process, the district identified areas of need regarding in-service training for professional staff, transfer students, surrogate parents, Child Find 3-21, referral process, pre-referral interventions, goals and objectives, and parents having the opportunity to observe a proposed placement prior to IEP implementation.

The on-site visit identified additional areas of need within the various standards, regarding oversight and supervision, extended school year, provision of preschool programs and related services, related services goals and objectives, notice of meetings, meetings and participants at meetings, written notice, notices in native language, provision of N.J.A.C. 1:6A, direct referrals, health summary, vision and hearing screenings, participation of child study team members at initial identification meetings, identification meeting timelines, multidisciplinary evaluations, provision of evaluation plan, functional assessments, signing and dating of written reports, speech/language reports, acceptance or rejection of reports, reevaluation timelines, convening eligibility meetings, agreement or disagreement rationale, copy of evaluation reports to parents, IEP considerations/required components, speech IEPs, revisions to IEPs, IEPs to parents, teacher knowledge and access of IEPs, parental consent prior to immediate implementation, least restrictive environment/Oberti considerations,

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preschool transition planning conference, discipline procedures, suspension tracking, behavior intervention plans, statewide assessment accommodations and modifications, access sheets, maintenance and destruction of records and documentation of locations of additional records.

Because of the pervasive nature of the noncompliance the district will be required to demonstrate correction of these areas in a timely manner. If this does not occur, sanctions may be applied.

Within forty-five days of receipt of the monitoring report, the **Chesilhurst Borough School District** will revise and resubmit the improvement plan to the Office of Special Education Programs to address those areas that require revisions.