

## New Jersey Department of Education Special Education Monitoring

**District:** Cliffside Park School District

**County:** Bergen

**Monitoring Dates:** April 3, 2006

**Monitoring Team:** Tracey Pettiford-Bugg, Michelle Fenwick and Jenifer Spear

### ***Background Information:***

During the 2004–2005 school year, the Cliffside Park School District conducted a self-assessment of policies, procedures, programs, services and student outcomes. This self-assessment component of the monitoring process provided the Cliffside Park 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 Cliffside Park School District developed an improvement plan to address identified areas of need.

The Office of Special Education Programs (OSEP) conducted an onsite 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 onsite 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 a representative sample of student records. Interviews were conducted with the district's special education administrators, building principals, general education and special education teachers, speech-language specialists and child study team members. Telephone interviews were conducted with a sample of parents of students with disabilities.

### **Data Summary:**

A review of the district's data for students with disabilities indicated that the district's classification rate was reported to be 12.56% for 2004-2005, which was lower than the state's rate of 14.6% for that year. The rate dropped to 10.66% in 2005-2006 which was again lower than the state rate of 14.85% for that year. These rates do not include students receiving only speech-language services.

With regard to educational placement, during the 2004-2005 school year, the district educated 36.8% of students with disabilities, ages 6 through 21, in the general education setting for more than 80% of the school day which was slightly below the state rate of 41.9%. The rate dropped slightly during 2005-2006 to 34.3%. However, 45.3% of

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students with disabilities, ages 6 through 21, were in general education classes for 40-80% of the time, a percentage higher than the state rate of 29.7% for that same category. For that same year, 76.2% (16 of 21) of preschoolers with disabilities were educated in a combination of general and special education settings. This exceeded the state rate of 8.7% for that category; however, no preschoolers with disabilities were educated in a general education early childhood setting for their entire program.

### Sections Demonstrating Compliance with All Standards

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 onsite monitoring visit involved verification that the sections and areas identified as compliant by the district in their self-assessment were compliant with regulations. These sections were identified by the district during self-assessment and the NJDOE during the monitoring process as compliant:

- General Provisions
- Discipline
- Transition to Preschool
- Statewide Assessments

### Areas Demonstrating Compliance

The following areas, within the remaining 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"> <li>• Oversight of individualized education program (IEP) implementation</li> <li>• Provision of programs</li> </ul>
Procedural Safeguards	<ul style="list-style-type: none"> <li>• Consent (ESERS)</li> <li>• Implementation without undue delay</li> <li>• Interpreters at meetings</li> <li>• Independent evaluations</li> </ul>
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> <li>• Direct referrals</li> <li>• Identification meeting participants (ESERS)</li> </ul>
Evaluation	<ul style="list-style-type: none"> <li>• Multi-disciplinary evaluations</li> <li>• Standardized assessments</li> <li>• Bilingual evaluations</li> </ul>
Reevaluation	<ul style="list-style-type: none"> <li>• Reevaluation when a change of eligibility is considered</li> <li>• Planning meeting participants</li> <li>• Procedures when parental consent cannot be obtained</li> <li>• Documentation of efforts to obtain parental consent</li> </ul>
Eligibility	<ul style="list-style-type: none"> <li>• Meeting participants</li> <li>• Signature of agreement and/or disagreement and rationale</li> <li>• Statement of eligibility (Specific Learning Disability)</li> </ul>

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<b>Section</b>	<b>Areas Demonstrating Compliance</b>
Individualized Education Program (IEP)	<ul style="list-style-type: none"> <li>• Implementation dates</li> <li>• Meetings held annually, or more often if necessary, to review and/or revise the IEP</li> <li>• Annual reviews completed by June 30 for preschoolers going on to kindergarten</li> <li>• Teachers informed of their responsibilities (knowledge of and/or access to IEPs)</li> </ul>
Transition to Adult Life	<ul style="list-style-type: none"> <li>• Beginning at age 14, IEP statement of “transition service needs”</li> <li>• Beginning at age 16, IEP statement of “needed transition services”</li> <li>• Identification of post-secondary liaison</li> <li>• Activities, annual goals and benchmarks related to the student’s desired outcomes</li> </ul>
Graduation	<ul style="list-style-type: none"> <li>• IEP requirements</li> <li>• Out-of-district student participation</li> </ul>
Programs & Services	<ul style="list-style-type: none"> <li>• Age range</li> <li>• Group size</li> <li>• Common planning time</li> </ul>

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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 improvement plan submitted by the district to achieve correction of noncompliance in the listed areas was sufficient and is approved.

Section	Area of Need
FAPE	<ul style="list-style-type: none"> <li>▪ Provision of related services – Speech-language services are inconsistently provided.</li> <li>▪ Transfers procedures – The district identified that all personnel are not aware of transfer procedures.</li> </ul>
Procedural Safeguards	<ul style="list-style-type: none"> <li>▪ Provision of notice of meeting – Written notice of meetings is not consistently provided to adult students and/or parents.</li> <li>▪ Content of notice of a meeting – Notices of meetings do not contain all required components.</li> <li>▪ Meetings – Staff members do not make multiple attempts to secure parental participation in meetings.</li> <li>▪ Provision of written notice – Written notice of a proposed action is not provided within required timelines.</li> <li>▪ Content of written notice – Parents and/or adult students are inconsistently provided with copies of special education rules and due process hearing rules.</li> <li>▪ Notices in native language – Written notice is not consistently provided in native language of the parent, unless it is clearly not feasible to do so.</li> </ul>
Location, Referral & Identification	<ul style="list-style-type: none"> <li>▪ Child Find ages 3-21-The district identified the need to expand Child Find activities.</li> <li>▪ Referral process – Staff members are not aware of the referral process.</li> <li>▪ Pre-referral interventions –General education staff members do not maintain written documentation of the effectiveness of attempted interventions.</li> <li>▪ Health summary – Health summaries are not consistently provided to the child study team prior to the identification meeting.</li> <li>▪ Vision and hearing screenings – The results of screenings are not consistently provided to the child study team prior to identification meetings.</li> </ul>
Evaluation	<ul style="list-style-type: none"> <li>▪ Written reports prepared by evaluators – Evaluations do not consistently contain all required information.</li> <li>▪ Functional assessments – All components of functional assessments are not included in evaluation reports.</li> </ul>
Reevaluation	<ul style="list-style-type: none"> <li>▪ Timelines – Reevaluations are not completed within 3 years of the prior classification.</li> <li>▪ Reevaluation by June 30 of student's last year of eligibility for a program for preschoolers with disabilities - Reevaluations for preschoolers are not consistently conducted prior to June 30 of student's last year in a preschool special education program.</li> </ul>

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Section	Area of Need
Eligibility	<ul style="list-style-type: none"> <li>▪ Meetings – Eligibility meetings are not held consistently.</li> <li>▪ Eligibility criteria – The district utilizes the severe discrepancy methodology; however, they do not have procedures that utilize a statistical formula and criteria to determine severe discrepancy for students who may have a specific learning disability.</li> <li>▪ Copy of evaluation reports to parents – Evaluation reports are not provided to parents 10 days prior to meetings.</li> </ul>
Individualized Education Program	<ul style="list-style-type: none"> <li>▪ Meeting participants–All required participants do not consistently attend meetings.</li> <li>▪ IEP required considerations and components - The district identified that goals and objectives for related services are not consistently included in IEPs.</li> <li>▪ IEP provided to parent prior to implementation - Parents and or adult students are not consistently provided with copies of the IEP prior to implementation.</li> <li>▪ 90 day timelines – Initial evaluations are not completed within 90 days of consent.</li> </ul>
Least Restrictive Environment	<ul style="list-style-type: none"> <li>▪ Notification of and participation in non-academic and extracurricular activities – Students who are educated in out-of-district placements are not notified of the opportunity to participate in non-academic and extracurricular activities available within the district.</li> </ul>
Transition to Adult Life	<ul style="list-style-type: none"> <li>▪ Student and agency invitation to IEP meetings – The district identified that notices of meetings do not contain all required components. Additionally, the district identified the need to ensure that students age 14 and older are prepared to participate in IEP meetings.</li> </ul>
Graduation	<ul style="list-style-type: none"> <li>▪ Written notice of graduation – Parents and adult students are not provided with written notice of graduation.</li> </ul>
Programs & Services	<ul style="list-style-type: none"> <li>▪ Class size – The district identified the need to be compliant with resource program class sizes.</li> </ul>

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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 onsite monitoring.

<b>Section</b>	<b>Area</b>	<b>Improvement Activity</b>
FAPE	<b>Extended School Year (ESY)</b> – ESY is not considered and documented for all students with IEPs.	The district is directed to implement improvement activities to ensure that ESY is considered at each annual review meeting. Additionally, the district must ensure that IEPs contain documentation of the consideration of ESY and a description of the program when ESY is to be provided. The district must also implement an oversight mechanism to ensure correction and ongoing compliance.
Procedural Safeguards	<b>Consent (ESLS)</b> – Parental consent is not obtained prior to conducting speech-language assessments as part of an initial evaluation.	The district is directed to implement improvement activities to ensure that parental consent is obtained and documented prior to conducting initial speech-language evaluations. The district must also implement an oversight mechanism to ensure correction and ongoing compliance.
LRI	<p><b>Identification Meeting Timelines</b> – Identification meetings are not conducted within 20 days of the date a referral is received.</p> <p><b>Identification meetings participants (ESLS)</b> – General education teachers do not attend identification meetings.</p>	<p>The district is directed to implement improvement activities to ensure that identification meetings are conducted within 20 days of receipt of initial referrals. The district must also implement an oversight mechanism to ensure correction and ongoing compliance.</p> <p>The district is directed to implement improvement activities to ensure that all required participants attend identification meetings. The district must also implement an oversight mechanism to ensure correction and ongoing compliance.</p>
Evaluation	<b>Educational Impact Statement (ESLS)</b> – Speech and language reports do not contain the educational impact statement from the classroom teacher.	The district is directed to implement improvement activities to ensure that speech-language specialists obtain the educational impact statement from the classroom teacher and summarize the statement within the speech-language evaluation report. The district is advised to refer to the speech evaluation template available at <a href="http://www.state.nj.us/education">www.state.nj.us/education</a> . The district must also implement an oversight mechanism to ensure correction and ongoing compliance.

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<b>Section</b>	<b>Area</b>	<b>Improvement Activity</b>
Least Restrictive Environment (LRE)	<p><b>Documentation of LRE decisions</b> - For those students who are placed in special education classes for more than 20% of the school day, specific supplementary aids and services that are considered, and reasons for rejection, are not documented in the IEP.</p> <p>Compliance with the requirements of providing the opportunity for all students with disabilities to access all general education programs and continuum of programs could not be determined due to the lack of consideration of supplementary aides and services during placement decision making.</p>	<p>The district is directed to implement improvement activities to ensure that placement in general education programs with appropriate supplementary aids and services is considered first and that rejection of any supplementary aids and services is documented in IEPs of students removed from general education for more than 20% of the time.</p>

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## Summary

Onsite special education monitoring was conducted in the Cliffside Park School District on April 3, 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 conducted a comprehensive review during the self-assessment process and as a result, was able to identify nearly all but six areas of need. The improvement plan developed to achieve compliance in the areas identified during self-assessment was reviewed and approved.

A review of the district's data for students with disabilities indicated that the district's classification rate was reported at 12.56% for 2004-2005, which was lower than the state's rate of 14.6% for that year. The rate dropped to 10.66% in 2005-2006 which was again lower than the state rate of 14.85% for that year. These rates do not include students receiving only speech-language services.

With regard to educational placement, during the 2004-2005 school year, the district educated 36.8% of students with disabilities, ages 6 through 21, in the general education setting for more than 80% of the school day which was slightly below the state rate of 41.9%. The rate dropped slightly during 2005-2006 to 34.3%. However, 45.3% of students with disabilities, ages 6 through 21, were in general education classes for 40-80% of the time, a percentage higher than the state rate of 29.7% for that same category. For that same year, 76.2% (16 of 21) of preschoolers with disabilities were educated in a combination of general and special education settings. This exceeded the state rate of 8.7% for that category; however, no preschoolers with disabilities were educated in a general education early childhood setting for their entire program.

During phone interviews, some parents expressed their satisfaction with the district's services and staff. However, most parents expressed concern with the class sizes of the district's resource programs. The district has identified class sizes as an area of need and has developed an improvement plan that is sufficient to address this area, when implemented.

Sections identified as consistently compliant by the district during self-assessment and verified during the onsite monitoring visit included:

- General Provisions
- Discipline
- Transition to Preschool
- Statewide Assessments

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

- Oversight of individualized education program (IEP) implementation
- Identification meeting participants (ESERS)
- Provision of programs
- Multi-disciplinary evaluations
- Consent (ESERS)
- Standardized assessments
- Implementation without undue delay
- Bilingual evaluations
- Reevaluation when a change of eligibility is considered
- Interpreters at meeting
- Planning meeting participants
- Independent evaluations
- Procedures when parental consent cannot be obtained
- Direct referrals



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- Documentation of efforts to obtain parental consent
- Eligibility meeting participants
- Signatures of agreement and/or disagreement and rationale
- Eligibility criteria (Specific Learning Disability)
- IEP implementation dates
- Meetings held annually, or more often if necessary, to review and/or revise the IEP
- Annual reviews completed by June 30 for preschoolers going on to kindergarten
- Teachers informed of their responsibilities (knowledge of and/or access to IEPs)
- Beginning at age 14, IEP statement of “transition service needs”
- Beginning at age 16, IEP statement of “needed transition services”
- Identification of post-secondary liaison
- Activities, annual goals and benchmarks related to the student’s desired outcomes
- IEP requirements for graduation
- Out-of-district student participation in graduation
- Age range
- Group size
- Common planning time

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

- Provision of related services
- Transfer procedures
- Provision of notice of a meeting
- Content of a notice of a meeting
- Meetings
- Provision of written notice
- Content of written notice
- Notices in native language
- Child Find ages 3-21
- Referral process
- Pre-referral interventions
- Health summary
- Vision and hearing screenings
- Written reports prepared by evaluators
- Functional assessments
- Reevaluation timelines
- Reevaluations prior to age 5
- Eligibility meetings
- Eligibility criteria
- Copy of evaluation reports to parents
- IEP meeting participants
- IEP required considerations and components
- IEP provided to parent prior to implementation
- 90 day timelines
- Notification of and participation in non-academic and extracurricular activities for students educated outside the district
- Student and agency invitation to IEP meetings
- Written notice of graduation
- Class size for resource room programs

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The onsite monitoring visit identified additional areas of need within the various standards regarding:

- Extended school year
- Consent (ESLS)
- Identification meeting timelines
- Identification meeting participants (ESLS)
- Educational impact statement (ESLS)
- Documentation of LRE decisions

The district is expected to implement the improvement activities described in the monitoring report to achieve compliance in the areas of need identified during self-assessment and those identified during the onsite visit within six months of the date of this report. Verification of compliance will be conducted by the County Office of Education.