

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

District: Dover School District

County: Morris

Monitoring Dates: June 6, 2006

Monitoring Team: Deborah Masarsky, Vanessa Leonard and Robert Schweitzer

Background Information:

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

The New Jersey Department of Education (NJDOE) monitoring team conducted phone interviews with a sampling of parents of special education students; conducted a comprehensive review of student files, district policies and procedures; and interviewed the superintendent, assistant superintendent, director of special services, vice principals, child study team members and speech-language specialists to verify the self-assessment findings, to assess the appropriateness of the improvement plan and to determine the district's progress in implementing the plan. Based on these activities, a determination was made by OSEP staff that the district conducted a thorough review during the self-assessment process and developed an improvement plan that will appropriately address all areas of need.

Data Summary:

In December 2005, the Dover School District reported a classification rate of 12.24% as compared to the state rate for that year of 16.8%. With regard to placement, the district rate for placement of students with disabilities, ages 6 through 21, in general education classrooms for more than 80% of the time, was 27.8% (81 of 291 students) which was lower than the state rate of 42% for that category. An additional 39.5% of students with disabilities were educated in general education settings from 40 to 80% of the time. This rate exceeded the state rate of 29.75%.

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At the preschool level, 61.5% of preschoolers with disabilities were educated in general education settings. This rate exceeded the state rate of 14.5% for the 2005-2006 school year.

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 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 by the NJDOE during the monitoring process as compliant:

- General Provisions
- Statewide Assessments
- Graduation
- Programs & Services

Areas Demonstrating Compliance

The following areas in the remaining sections 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). The areas listed below were compliant for both groups of students.

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
Procedural Safeguards	<ul style="list-style-type: none"> • Consent • Implementation without undue delay • Provision of notice of a meeting • Meetings • Notices in native language • Interpreters at meetings • Independent evaluations
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> • Child Find Ages 3-21 • Direct referrals • Identification meeting participants
Evaluation	<ul style="list-style-type: none"> • Multi-disciplinary evaluations • Standardized assessments • Bilingual evaluations
Reevaluation	<ul style="list-style-type: none"> • Reevaluation when change of eligibility is considered • Reevaluations prior to age 5 • Procedures when parental consent cannot be obtained • Documentation of efforts to obtain parental consent

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Section	Areas Demonstrating Compliance
Eligibility	<ul style="list-style-type: none"> • Eligibility criteria • Statement of eligibility (Specific Learning Disability)
Individualized Education Program (IEP)	<ul style="list-style-type: none"> • Implementation dates • Annual reviews completed by June 30 • Teachers informed of their responsibilities (knowledge of and/or access to IEPs)
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> • Notification of and participation in non-academic and extracurricular activities for students educated outside the district • Continuum of Programs
Transition to Adult Life	<ul style="list-style-type: none"> • Beginning at age 16, IEP statement of “needed transition services” • Identification of post-secondary liaison • Student and agency invitation to IEP meetings
Discipline	<ul style="list-style-type: none"> • Written notification forwarded to the case manager

Areas of Noncompliance - Compliance Review

The following areas were identified by the district’s self-assessment committee as noncompliant and the accompanying improvement plan was determined by the OSEP to be sufficient. Each area was reviewed for students eligible for special education and related services (ESERS) and students eligible for speech and language services (ESLS). The third column, in the chart below, identifies those areas where the improvement plan was successfully implemented for both groups prior to the monitoring visit or the improvement activities that the district must implement within six months of receipt of this report to bring these areas into compliance.

Section	Area of Non-Compliance	Compliance Review/Improvement Activities
Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> • Extended School Year • Provision of related services • Transfer procedures 	The district has demonstrated compliance in these areas and implemented an administrative oversight mechanism to ensure ongoing compliance.
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> • Referral process 	The district has demonstrated compliance in this area and implemented an administrative oversight mechanism to ensure ongoing compliance.
	<ul style="list-style-type: none"> • Identification meeting timelines - Initial evaluation planning meetings are not consistently conducted with the 20-day timeline. 	The district is directed to implement improvement activities to ensure that an identification meeting is convened within 20 days of receipt of a referral to the child study team. The district must also implement administrative oversight to ensure correction and ongoing compliance.

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Section	Area of Non-Compliance	Compliance Review/Improvement Activities
LRI continued	<ul style="list-style-type: none"> • Pre-referral interventions – The effectiveness of interventions attempted by the classroom teacher is not documented. • Health summary and vision and hearing screenings – The school nurse does not provide a summary of available health information or the results of a vision and hearing screening to the case manager prior to the identification meeting. 	<p>The district is directed to implement improvement activities to ensure that the district documents the effectiveness of the interventions attempted. In accordance with N.J.A.C. 6A:14-3.3(c), the district must also document the type, frequency and duration of interventions in the general education class. The district must also implement administrative oversight to ensure correction and ongoing compliance.</p> <p>The district is directed to implement improvement activities to ensure that for each child referred for an initial evaluation, the school nurse provides a health summary and vision and hearing screening results to the case manager prior to the identification meeting. The district must also implement administrative oversight to ensure correction and ongoing compliance.</p>
Evaluation	<ul style="list-style-type: none"> • Educational impact statement (ESLS) • Written reports prepared by evaluators. 	<p>The district has demonstrated compliance in these areas with an administrative oversight mechanism in place to ensure ongoing compliance.</p>
Reevaluation	<ul style="list-style-type: none"> • Timelines – Reevaluations are not conducted within the three-year timeline. • Planning meeting participants – General education teachers do not consistently attend reevaluation planning meetings. 	<p>The district is directed to implement improvement activities to ensure that reevaluations are conducted in accordance with N.J.A.C. 6A:14-3.8. The district must also implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p> <p>The district is directed to implement improvement activities to ensure that required participants consistently attend reevaluation planning meetings and that attendance of the participants is documented in students' files. The district must also implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p>

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Section	Area of Non-Compliance	Compliance Review/Improvement Activities
Eligibility	<ul style="list-style-type: none"> Meeting participants – All required participants do not attend eligibility meetings. 	<p>The district is directed to implement activities to ensure that required participants consistently attend eligibility meetings and that attendance of the participants is documented in students’ files. The district must also implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p>
	<ul style="list-style-type: none"> Signature of agreement and/or disagreement and rationale – Student files do not contain documentation of agreement or disagreement of evaluators with eligibility decisions. 	<p>The district is directed to implement improvement activities to ensure that those members of the child study team who evaluate a student as part of an initial evaluation document agreement or disagreement with the eligibility decision and provide a written rationale for any disagreement. The district must also implement an administrative oversight component to ensure correction and ongoing compliance.</p>
IEP	<ul style="list-style-type: none"> IEP provided to parents prior to implementation 	<p>The district has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.</p>
	<ul style="list-style-type: none"> Meeting participants at IEP meetings 	<p>The district has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.</p>
	<ul style="list-style-type: none"> IEP required considerations and components – IEPs for students (ESERS and ESLS) do not contain the required considerations and components. 	<p>The district is directed to implement improvement activities to ensure that IEPs for students receiving special education and/or related services (ESERS or ESLS) contain all required considerations and components. The district is advised to use the IEP forms developed by the NJDOE available at www.state.nj.us/education. The district must also implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p>
IEP	<ul style="list-style-type: none"> Meetings held annually or more often if necessary to review and/or revise the IEP –Meetings are not consistently conducted annually to review IEPs. 	<p>The district is directed to implement improvement activities to ensure that annual review meetings are consistently conducted within required timelines. The district must also implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p>

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Section	Area of Non-Compliance	Compliance Review/Improvement Activities
	<ul style="list-style-type: none"> • 90-day timelines – Required timelines for initial evaluations and IEP implementation are not being met. 	<p>The district is directed to implement improvement activities to ensure that initial evaluations are conducted and initial IEPs are consistently being implemented within the required 90-day timeline. The district must also implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p>
LRE	<ul style="list-style-type: none"> • Placement decisions based on student’s individual needs – Placement decisions are not consistently based on the individual needs of the student but rather on the availability of staff and programs. • Documentation of LRE decisions – When students are removed from general education for more than 20% of school day, the supplementary aids and services that were considered to support the student in general education, and the reasons why they were rejected, are not documented in the IEP. 	<p>The district is directed to implement improvement activities to ensure that at each IEP meeting, placement in general education is discussed first as well as the supplementary aids and services that would enable the child to remain in general education. If supplementary aids and services are rejected, the reasons why must be documented in the IEP. The individual needs of the student must be considered when determining placement. The district must also implement an administrative oversight mechanism to ensure correction and ongoing compliance.</p>
Transition to Preschool	<ul style="list-style-type: none"> • Child study team participation in transition planning conference • IEPs for preschool students with disabilities implemented no later than age 3 	<p>The district has demonstrated compliance in these areas with an administrative oversight mechanism to ensure ongoing compliance.</p>
Transition to Adult Life	<ul style="list-style-type: none"> • Beginning at age 14, IEP statement of “transition service needs” 	<p>The district has demonstrated compliance in this area with an administrative oversight mechanism to ensure ongoing compliance.</p>

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Section	Area of Non-Compliance	Compliance Review/Improvement Activities
Discipline	<ul style="list-style-type: none"> • Suspension tracking system • IEP team meeting for first removal beyond ten days • Procedures for determination of change in placement • Procedures for conducting functional behavioral assessment and development of behavior intervention plan • Short-term removals resulting in a change of placement • Short-term removals that are not a change in placement (school personnel determining the extent of services to be provided) • Interim alternative educational setting • Manifestation determinations • Discipline procedures employed equitably for all students 	<p>The district has demonstrated compliance in these areas with an administrative oversight mechanism in place to ensure ongoing compliance.</p>

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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 for students eligible for special education and related services (ESERS) and students eligible for speech and language services (ESLS). The third column, of the table below, identifies activities that must be implemented within six months of receipt of this report to bring these areas into compliance.

Section	Area	Improvement Activities
Procedural Safeguards	Content of notice of a meeting and written notice – District notice form letters do not contain the required components.	The district is directed to implement improvement activities to ensure that district notices to parents contain the required components. The district is advised to use the sample notices developed by the NJDOE available at www.state.nj.us/education . The district must also implement an administrative oversight mechanism to ensure correction and ongoing compliance.
	Provision of written notice - Parental notice of eligibility is not consistently provided to parents.	The district is directed to implement improvement activities to ensure that written notice of eligibility is consistently provided to parents within 15 days of the eligibility meeting. The district must also implement administrative oversight to ensure correction and ongoing compliance.
Evaluation	Functional assessment - The required components of a functional assessment are not consistently included in initial evaluation reports.	The district is directed to implement improvement activities to ensure that the required components of a functional assessment are conducted and that the results are included in initial evaluation reports. The district must also implement administrative oversight to ensure correction and ongoing compliance.
Eligibility	Copy of evaluation reports to parents - The district does not document the provision of reports to parents.	The district is directed to implement improvement activities to ensure documentation of the provision of reports to parents. The district must also implement administrative oversight to ensure correction and ongoing compliance.
LRE	Opportunity for all students with disabilities to access all general education programs	Due to noncompliance in the area of decision making for placement, this area could not be reviewed. The district must implement improvement activities to ensure that all students with disabilities have the opportunity to access all general education programs and that a full continuum of programs is available for each student with a disability. The district must also implement administrative oversight to ensure correction and ongoing compliance.

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Summary

Onsite special education monitoring was conducted in the Dover School District on June 6, 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. As a result of that review, the district was able to identify many areas of need and develop an improvement plan that, when fully implemented, will bring about compliance.

In December 2005, the Dover School District reported a classification rate of 12.24% as compared to the state rate for that year of 16.8%. With regard to placement, the district rate for placement of students with disabilities, ages 6 through 21, in general education classrooms for more than 80% of the time, was 27.8% (81 of 291 students) which was lower than the state rate of 42% for that category. An additional 39.5% of students with disabilities were educated in general education settings from 40 to 80% of the time. This rate exceeded the state rate of 29.75%.

At the preschool level, 61.5% of preschoolers with disabilities were educated in general education settings. This rate exceeded the state rate of 14.5% for the 2005-2006 school year.

Of the parents who participated in phone interviews, all expressed positive comments about the district's special education programs and services. Some parents expressed appreciation for the ongoing communication with case managers.

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

- General Provisions
- Statewide Assessments
- Graduation
- Programs & Services

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
- Provision of programs
- Consent
- Implementation without undue delay
- Provision of notice of a meeting
- Meetings
- Notices in native language
- Interpreters at meetings
- Independent evaluations
- Child find ages 3-21
- Direct referrals
- Identification meeting participants
- Multi-disciplinary evaluations
- Standardized assessments
- Bilingual evaluations

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- Reevaluation when change of eligibility is considered
- Reevaluations prior to age 5
- Procedures when parental consent cannot be obtained
- Documentation of efforts to obtain parental consent
- Eligibility criteria
- Statement of eligibility (Specific Learning Disability)
- IEP implementation dates
- Annual reviews completed by June 30th of students' last year in preschool
- Teachers informed of their responsibilities (knowledge of and/or access to IEPs)
- Notification of and participation in non-academic and extra curricular activities for students educated outside the district
- Opportunities for all students with disabilities to access all general education programs
- Continuum of programs
- Beginning at age 16, IEP statement of "needed transition services"
- Identification of post-secondary liaison
- Student and agency invitation to IEP meetings when transition will be discussed
- Written notification of suspension forwarded to the case manager

Areas of need identified by the district in self-assessment for which the improvement plan has been approved included:

- Pre-referral interventions
- Identification meeting timelines
- Health summary
- Vision and hearing screenings
- Reevaluation timelines
- Reevaluation planning meeting participants
- Eligibility meeting participants
- Signature of agreement and/or disagreement and rationale
- IEP require considerations and components
- Meetings held annually or more often if necessary to review and/or revise the IEP
- 90-day timelines
- Documentation of LRE decisions
- Placement decisions based on student's individual needs

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During the monitoring process, it was determined by the NJDOE that the district has demonstrated compliance in the following areas identified during self-assessment:

- Extended school year
- Provision of related services
- Transfer procedures
- Referral process
- Educational impact statement (ESLS)
- Written reports prepared by evaluators
- IEPs to parents prior to implementation
- IEP meeting participants
- Child study team participation in transition planning conferences
- IEPs for preschool students implemented no later than age 3
- Beginning at age 14, IEP statement of transition service needs
- Suspension tracking system
- IEP team meeting for first removal beyond ten days
- Procedures for determination of change in placement
- Procedures for conducting functional behavioral assessment and development of behavior intervention plan
- Short-term removals resulting in a change of placement
- Short-term removals that are not a change in placement (school personnel determining the extent of services to be provided)
- Interim alternative educational setting
- Manifestation determinations
- Discipline procedures employed equitably for all students

During the onsite monitoring visit, the following additional areas of need were identified within the various standards regarding:

- Content of notice of a meeting and written notice
- Provision of written notice
- Functional assessment
- Copy of evaluation reports to parents
- Opportunity for students with disabilities to access all general education programs

The district is directed to implement improvement activities to correct all remaining areas of non-compliance identified through the self-assessment process, and those identified during the onsite monitoring visit, within six (6) months of receipt of this monitoring report. The district must also implement administrative oversight to ensure ongoing compliance. The verification of correction of non-compliance will be conducted by the county office of education.