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New Jersey Department of Education
Special Education Monitoring

District: East Orange **County:** Essex

Monitoring Dates: April 3,4,5,6,7,10,11,12,13, 2000

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Background Information

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

The purpose of the on-site monitoring was to determine the district's compliance with the requirements of the Individuals With Disabilities Education Act (IDEA) 1997, and the New Jersey Administrative Code (N.J.A.C.) 6A:14. Areas of need were noted and are identified in the following report of findings. Additionally, improvement plan directives are provided to assist the district in correcting all identified areas of need.

Areas Demonstrating Need

Of the fifteen (15) areas reviewed during the on-site monitoring visit, it was determined that the district needs to address areas within the following sections.

Section I: General Provisions

Summary of Findings:

The district board of education ensures that it provides publicly funded educational programs and services to students with disabilities in accordance with federal and state

regulations. The district has revised its policies to reflect changes since the adoption of N.J.A.C. 6A:14.

Annually, the district submits the required reports related to the number of students with disabilities enrolled in the district; staff (including contracted personnel) providing services to students with disabilities; and the number of students with disabilities who are exiting education. The district makes available to parents of students with disabilities and to the general public all documents relating to the eligibility of the district under Part B of the IDEA.

However, problems were identified with meeting the in-service training needs of professional and paraprofessional staff.

Area(s) of Need:

In-service Training of Professional and Paraprofessional Staff – The district has provided in-service training opportunities for district personnel at staff meetings and district sponsored workshops. However, information obtained through the interview process and comments made by parents during the public focus group meeting indicated that district personnel continue to lack knowledge regarding federal and state special education regulations.

Additionally, interviews indicated that when in-service training is provided, the district does not have a procedure in place to facilitate the “turnkey training” of information. Furthermore, the district does not employ strategies to evaluate the effectiveness of in-service training that is provided to district personnel.

- **The district will develop an improvement plan that will ensure that the in-service needs of both professional and paraprofessional staff who provide special education, general education or related services are identified, and that appropriate in-service training is provided. The plan will include:**
 1. **The development of a needs assessment instrument to identify the current training needs of district personnel;**
 2. **The development of a procedure to facilitate turnkey training throughout the district; and**
 3. **The development of a process to evaluate the effectiveness of in-service training.**

Section II: Free and Appropriate Public Education

Summary of Findings:

The district provides special education and related services to students with disabilities ages three to twenty-one at public expense, under public supervision, and with no charge to the parent. Programs are administered, supervised, and provided by appropriately certified and/or licensed professional staff members. Transportation for students in out-of-district placements is provided consistent with the calendar in the receiving school.

However, problems were identified in the provision of FAPE regarding transfer students, students placed in approved facilities, extended school year programs, related services, provision of materials and equipment, and instruction provided in the absence of teachers of the handicapped.

Area(s) of Need:

Transfer Students – Information obtained from parents at the public focus group meeting indicated a concern about the length of time it takes for children to receive services. Parents reported that they were frequently told that classes were full, and their child would have to wait to receive services.

Information obtained through the review of records supported the parents concerns about the length of time it took for children to receive services. Documentation existed within the pupil record indicating the date the students with disabilities had registered in the district. However, there was not an immediate review of the evaluation information and the IEP; documentation within the records indicated that it took over a month before these reviews were conducted. Records also demonstrated that due to the delay in the review of materials, appropriate educational programs/placements were not made immediately. Furthermore, when additional evaluations were needed, the district did not proceed to complete them without delay; records demonstrated that reevaluations that were initiated in February 2000 were still in process during this April 2000 onsite visit.

- **The district will develop an improvement plan that includes a procedure to ensure that when a student with a disability transfers into the school district the child study team conducts an immediate review of the evaluation information and the IEP; placement without delay; and completion of additional evaluations needed without delay. This plan will include the development of a tracking system for teams to complete which will be submitted to the Director for ongoing review and over-site.**

Placement in approved facilities – During the onsite visit, several classrooms and offices without windows were found throughout the district, while other rooms had

frosted glass window panes. Rooms must have viewing access. In addition, the frosted glass window panes were not safety glass.

These concerns were reported to the Essex County Office of Education for their immediate attention and review.

- **The district will develop an improvement plan that will ensure that programs and services are provided in facilities with viewing access and safety glass windows.**

Extended School Year – In February 2000, a complaint investigation was conducted regarding whether the district had considered and documented the need for extended school year services, provided transportation to and from the extended school year program, and provided extended school year services in accordance with the students' individual needs.

The investigation determined that "summer programs offered by the district serve as the mechanism to provide extended school year programs. Though services are provided, there is no relationship between those services and the services a student may need as determined through an appropriate decision-making process at an IEP meeting. There is no evidence to support that for any student, a process is in place that would ensure that an extended school year program is considered, developed and provided on an individual basis as required by N.J.A.C. 6A:14-4.3(b)."

The district was "directed to develop a corrective action plan that identifies the procedure it will follow to ensure that the need for extended school year programs are considered on an individual basis for every classified student in the district and that these considerations are appropriately documented in each IEP. Additionally, the plan must ensure that should a student require transportation or any other related service as part of that extended school year program, such services shall be provided."

- **The district will proceed with the development of the corrective action plan as directed by Complaint Investigation #C2000-1055.**

Related Services –

A. General Concerns: Concerns about the provision of all related services were expressed by parents at the public focus group meeting. Parents reported that services were unavailable when providers were absent or on a long term leave of absence, and that there were not enough providers within the district to address the needs of all of the students.

Information obtained confirmed these parental concerns. In addition, it was determined that another factor impacts the delivery of related services. The district has established "schools of choice" throughout the district. Each school has a unique theme, and

throughout the school day, activities occur which focus on these themes. These extra curricular activities supplant the related services, which are not rescheduled for another time. Therefore, students do not receive related services as indicated within IEPs.

- **The district will develop an improvement plan that will ensure that related services are provided as outlined within IEPs. The plan must include how related services can be provided to students who are involved in activities within their school of choice.**

B. Nursing and Speech-Language Services: In February 2000, a complaint investigation was conducted regarding whether the district was employing sufficient staff to provide speech services and nursing services and whether the determination of related services is based on student need and not availability of staff.

The investigation determined "that nursing services are not adequately provided nor are they adequately documented. Additionally, it is determined that though there is no evidence of a waiting list for speech services, the provision of services is based on availability of staff and not on the individual needs of students."

The district was "directed to develop a corrective action plan that ensures a more effective way to provide nursing services on a consistent basis throughout the district. That plan must include a mechanism that ensures adequate coverage on a daily basis, even when nurses are absent." In addition, the district was "directed to convene appropriately configured IEP teams to review the IEPs of those students receiving speech services to determine and document the appropriateness of the services being delivered. Once reviewed and revised as needed, the district must demonstrate, to the satisfaction of the county office, that it has sufficient staff to provide those services."

- **The district will proceed with the development of the corrective action plan as directed by Complaint Investigation #C2000-1055.**

C. Counseling Services: During the onsite monitoring visit, the provision of counseling was also determined to be of concern. IEPs reviewed identified students with disabilities who were to receive counseling as a related service. However, the district did not have documentation to verify that counseling services were provided. The Director indicated that provision of counseling services should be monitored by the school principals. The Director indicated that the district was utilizing the tracking form generated by the Special Education Medicaid Initiative (SEMI) as the only form to log counseling sessions. She indicated that the child study teams should be keeping a copy of these logs in order to verify the provision of counseling services.

Documentation could not support that counseling had been provided, nor that sessions were being tracked. Furthermore, the procedures that the Director had discussed were not known to principals or child study team members.

- **The district will develop an improvement plan that will ensure that the provision of counseling and all related services shall be documented and verified. The plan will include the development of procedures for district personnel to follow regarding logging, tracking, and over-site of the provision of counseling services. Additionally, the plan will include informing district staff of these procedures.**

Instruction provided in the absence of Staff - Concerns were expressed by parents at the public focus group meeting regarding the lack of substitutes for staff who are absent. Interviews with district principals and teachers of the handicapped assigned to resource programs confirmed that no substitutes are provided for these teachers whenever they are absent. District staff indicated that students assigned to resource programs do not receive these services when the resource program teacher is absent. This includes students receiving in-class as well as pull-out resource instruction. Furthermore, when paraprofessionals assigned to classes due to class size requirements or IEP requirements are absent, no substitutes are provided.

Additional concerns were identified regarding the use of teachers of the handicapped. In two of the schools visited, the teachers of the handicapped assigned to the resource programs were pulled from their assignment when a regular education teacher was absent in their school. These teachers of the handicapped acted as substitutes for regular education teachers. However, no substitutes were provided for the teachers of the handicapped.

As reported previously, the district operates "schools of choice". Special activities occur within these schools of choice, and teachers of the handicapped are pulled from their teaching assignments to participate in these activities. When they are pulled, the special education students do not receive services. During the onsite visit to Washington School, the teacher of the handicapped was pulled to instruct a group of students on drums. However, this teacher was scheduled to provide resource replacement instruction. The students with disabilities in this resource program sat in the auditorium while the teacher was providing drum instruction.

- **The district will develop an improvement plan that will ensure that special education services are provided to students with disabilities whenever the assigned teachers of the handicapped and/or paraprofessionals are absent.**
- **The district will develop an improvement plan that will ensure that teachers of the handicapped are not removed from their assignments to act as substitutes for regular education teachers.**
- **The district will develop an improvement plan that will ensure that teachers of the handicapped are not removed from their assignments to provide special instruction for schools of choice.**

Provision of Materials and Supplies— During the public focus group meeting, parents expressed concerns about the lack of materials and supplies within the schools. Parents reported that books could not be sent home with children for homework assignments. They indicated that paper and pencils were also unavailable.

Interviews with teachers indicated that basic text books and supplies were provided by the schools; however, supplemental materials designed for students with disabilities were provided by the Department of Special Services. Interviews with administrators concurred with this information. They reported that newly adopted text books were ordered by central office, and the amount ordered was based upon the total number of pupils enrolled in the district, including special education students. School principals were in charge of ordering replacement text books for all of the students in their respective school; however, administrators expressed doubts as to whether the principals were in fact including special education students in the total count. They acknowledged that the lack of materials is an issue throughout the district, and affects regular education as well.

- **The district will develop an improvement plan that will ensure that students with disabilities have the necessary materials and supplies available to them immediately, and distributed appropriately. This plan will include a procedure to ensure that each school reflects the number of students with disabilities, and materials, books and supplies are ordered reflecting these students.**

Section III: Procedural Safeguards

Summary of Findings:

The district has policies and procedures in effect to ensure students with disabilities and their parents are afforded procedural safeguards. The district obtains consent prior to conducting any initial evaluation, implementing the initial IEP, for special education and related services, and releasing student records.

Although the district has proper procedures for providing notice of a meeting and written notice, problems were identified locating these notices in student records. In addition, problems were identified in providing notices of a meeting and written notice in the native language of the parent(s), and documenting the participation of interpreters at meetings. Problems were also identified with informing parents and students that all rights will transfer to the student on reaching the age of majority, at least three years before the student reaches age eighteen.

Area(s) of Need:

Notice of a Meeting and Written Notice – While the district has procedures for providing notice of a meeting and written notices, information obtained through review of student records could not determine if notices of a meeting and /or written notice were actually provided. These documents could not consistently be located within the records of students eligible for special education and related services and for students eligible for speech and language services.

Through the interview process and focus group meeting it was reported that parents do not consistently receive notice of a meeting or written notice. A review of notices that were in the student files did not reflect all required components; this is consistent with the findings from the previous year's Program Review. The district has developed a Corrective Action Plan to address this area, however the plan has not been fully implemented.

- **The district will develop an improvement plan that will ensure that notices of a meeting and written notices are provided to parents and/or adult students.**
- **The district will develop an improvement plan that will ensure notice of meetings and written notice contain the required components as defined in N.J.A.C. 6A:14.**
- **The district will develop an improvement plan that will ensure implementation of the corrective action plan developed to address the issues cited in the 1998-1999 Program Review**

Native Language - A review of notices of meetings and written notices in records of students whose native language and/or that of their parent(s) is not English indicated that these documents were not translated. Additionally, records lacked documentation of attempts to obtain translation services.

- **The district will develop an improvement plan that will ensure notices of meetings and written notice are provided in the native language of the parent(s). The plan will also include a component to ensure attempts to obtain translation services are documented in the student record.**

Age of Majority – A review of student records, ages sixteen and one half and older, did not reflect that the parent or the student had been informed that all rights will be transfer to the student on reaching the age of majority.

- **The district will develop an improvement plan that will ensure that parents and students will be informed that all rights will transfer to the student on reaching the age of majority, at least three years before the student reaches age eighteen, as required by the June 5, 2000, N.J.A.C. 6A:14 amendments.**

Section IV: Location, Referral and Identification

Summary of Findings:

In the complaint investigation conducted by the New Jersey Department of Education Office of Special Education Programs that was issued on March 24, 2000, it was determined "the district has administrative procedures in place that either prohibit or delay the timely referral, identification, and evaluation of potentially disabled students ." The district was directed at that time to develop a corrective action in order to remedy the current practice.

Additionally, student records lacked consistent documentation to verify students referred for a special education evaluation received an audiometric and vision screening.

Area(s) of Need:

Audiometric and Vision Screenings- Information obtained through the interview process indicated that students referred for a special education evaluation receive an audiometric and vision screening. However, documentation within student records could not verify that these screenings occurred.

- **The district will develop an improvement plan that will ensure all students referred for a special education evaluation receive an audiometric and vision screening. The plan will include a procedure to ensure documentation of the results of the screening is maintained in the student file.**

Section V: Protection in Evaluation and Evaluation Procedures

Summary of Findings:

The district ensures that evaluation procedures are technically sound, are neither culturally nor racially discriminatory, and are administered by trained personnel.

However, problems were identified with ensuring that students are assessed in all areas of suspected disability; with evaluation procedures used to determine student's eligibility for speech-language services; and with written reports prepared by child study team members and speech-language specialists. Additionally, it was identified that student records did not consistently include documentation of the IEP team's acceptance or rejection of reports and assessments submitted by outside specialists.

Area(s) of Need:

Assessing Students in All Areas of Suspected Disability – Parents at the public focus group meeting expressed concerns that initial evaluations were not sufficiently comprehensive to identify all of the child's special education needs and related services needs. A review of referral information, including reports from early intervention programs and physicians, indicated that several preschoolers presented with suspected disabilities that warranted evaluations for occupational and/or physical therapy. However, OT and PT evaluations were frequently conducted after eligibility was determined and the IEP was developed, and after the student's program was implemented. There was no documentation in the record to indicate why the OT and PT evaluations were not included in the nature and scope of the initial evaluation plan.

- **The district will develop an improvement plan to ensure that students with disabilities receive a comprehensive evaluation, and are assessed in all areas of suspected disability. The plan will include a component to ensure that the nature and scope of the evaluation plan developed at the Identification meeting addresses all areas of suspected disability.**

Speech-Language Evaluation Procedures for Students Referred for a Speech Disorder in Articulation, Voice, or Fluency – A review of test protocols in student files indicated that speech-language specialists utilized the Goldman-Fristoe Test of Articulation, a standardized test that was individually administered, valid and reliable, and normed on a representative population. Information obtained through the interview process indicated that this is the assessment tool most commonly utilized by the speech-language specialists in the district. However, due to the fact that evaluation reports were not evident in any of the student records reviewed, the monitoring team could not verify whether speech-language evaluations included documentation of the educational impact of the speech problem provided by the student's teacher, and the required components of functional assessment.

Additional information obtained through the interview process indicated that when students were referred for a speech disorder in articulation, voice, or fluency speech-language specialists conducted informal screenings of students and interviews with classroom teachers prior to meeting with the parent to obtain consent for an initial evaluation. However, once parental consent for a speech-language evaluation was obtained, speech-language specialists did not consistently conduct a structured observation in other than a testing session and conduct an interview with the classroom teacher as part of a functional assessment of academic performance and where appropriate, behavior.

- **The district will develop an improvement plan that will ensure that, in order to meet the requirements for a multi-disciplinary team evaluation, an initial evaluation to determine a student's eligibility for speech-language services includes assessments by the speech-language specialist and documentation**

of the educational impact of the speech problem provided by the student's teacher.

- The district will develop an improvement plan that will ensure that an evaluation conducted by the speech-language specialist to determine a student's eligibility for speech-language services includes the required components of functional assessment of academic performance and where appropriate, behavior including:
 1. A minimum of one structured observation by one evaluator in other than a testing session;
 2. An interview with the student's parent;
 3. An interview with the teacher(s) referring the potentially disabled student;
 4. A review of the student's developmental/educational history including records and interviews;
 5. A review of interventions documented by the classroom teacher(s) and others who work with the student; and
 6. One or more informal measure(s) which may include, but not be limited to surveys and inventories; analysis of work; trial teaching; self-report; criterion referenced tests; curriculum based assessment; and informal rating scales.

The plan will include a component to ensure that the required components of a functional assessment are conducted after informed parental consent to conduct a speech-language evaluation has been obtained.

Child Study Team Written Reports - Written reports prepared by child study team members included an appraisal of the student's current functioning. However, written reports did not consistently include each of the required components of functional assessment of academic performance and where appropriate, behavior.

In addition, written reports did not consistently include an analysis of instructional implications appropriate to the professional discipline of the evaluator, a statement regarding relevant behavior of the student, and the relationship of that behavior to the student's academic functioning.

- The district will develop an improvement plan that will ensure written reports prepared by child study team members include:
 1. The required components of functional assessment of academic performance and where appropriate, behavior;
 2. An analysis of instructional implications appropriate to the professional discipline of the evaluator; and
 3. A statement regarding relevant behavior of the student, either reported or observed, and the relationship of that behavior to the student's academic functioning.

Speech-Language Written Reports – A review of records of students evaluated and determined eligible for speech-language services indicated that written reports of the results of speech-language evaluations were not maintained in the student files. Information obtained through the interview process indicated that, in some instances, speech-language specialists maintained their written reports in separate files. Interviews also indicated that, for the most part, speech-language specialists included a summary of their assessment findings in the current educational status section of students' IEPs.

- **The district will develop an improvement plan that will ensure the speech-language specialist prepares a written report of the results of the evaluation, and that these reports are maintained in the student files.**
- **The district will develop an improvement plan that will ensure each written report prepared by the speech-language specialist is dated and signed by the individual(s) who conducted the assessment and includes:**
 1. **The required components of functional assessment of academic performance and where appropriate, behavior;**
 2. **An appraisal of the student's current functioning and an analysis of instructional implication(s) appropriate to the professional discipline of the evaluator; and**
 3. **A statement regarding relevant behavior of the student, either reported or observed and the relationship of that behavior to the student's academic functioning.**

Outside Reports and Assessments – Information obtained through the interview process indicated that the district has a procedure to provide for the IEP team's acceptance or rejection of reports and assessments submitted by outside CST members, specialists, or professionals. However, a review of records indicated that the district has demonstrated inconsistency in the application of this procedure. Student records reflected that the district noted, in writing, acceptance of reports and assessments of child study team members from other public education agencies approved clinics or agencies, or professionals in private practice. However, the IEP team's acceptance or rejection of reports and assessments of specialists such as neurologists and psychiatrists was not reflected in the records.

- **The district will develop an improvement plan that will ensure when reports and assessments of child study team members or specialists from other public education agencies, approved clinics or agencies, or professionals in private practice are submitted to the IEP team for consideration: a) the IEP team accepts or rejects the entire report(s) or any part of the report(s); b) acceptance of the report shall be noted in writing and shall become part of the report(s) of the district; and, c) if a report or part of a report is rejected, a written rationale shall be provided to the parent or adult student by the IEP team.**

Section VI: Reevaluation

Summary of Findings:

Although the district's policies and procedures state that they ensure that students are reevaluated every three years or sooner if conditions warrant, problems were identified with meeting timelines and determining the nature and scope of reevaluations. The district does not consistently provide notice and written notice. Not only does the district inconsistently document the planning meeting, it also does not consistently obtain parental consent.

Area(s) of Need:

Timelines - Interviews with teachers, parents and child study team members indicated that reevaluations are not conducted every three years throughout the district. During the interview conducted with the child study teams they acknowledged that there is a backlog of reevaluations. Information obtained through a review of student records indicated that the district was not meeting the three year timelines.

- **The district will develop an improvement plan that will ensure that reevaluations will be conducted every three years, or sooner if conditions warrant or if a teacher or a parent requests the reevaluation.**

Nature and Scope – A review of pupil records could not verify that a reevaluation planning meeting was conducted. Therefore, it could not be determined that the IEP team reviewed existing evaluation data and considered if additional assessments were warranted in order to determine continued eligibility.

- **The district will develop an improvement plan that will ensure that at the reevaluation planning meeting the IEP team reviews existing data and determines the need for additional assessments. Results of the reevaluation planning meeting will be documented in the student record.**

Notice and Written notice – Interviews indicated that notice of a meeting and written notice is provided to parents and adult students. However, when reviewing the student records documentation was not found. Refer to Section III – Procedural Safeguards.

- **The district will develop an improvement plan that will ensure that the district consistently documents that notice of a meeting and written notice is provided to parents and to adult students.**

Parent Consent – Child study teams indicated that parent or adult student consent was obtained prior to conducting a reevaluation. However, the review of records did not show signatures for consent nor documentation that sufficient attempts were made to obtain the signature for consent.

- **The district will develop an improvement plan that will ensure that consent for reevaluation will be obtained or that documentation demonstrates that sufficient attempts were made to obtain consent.**

Section VII: Eligibility

Summary of Findings:

The district board of education ensures that a student is determined eligible and classified "eligible for special education and related services" or determined eligible and classified "eligible for speech-language services" at the required meeting. The district also ensures that a student is not determined eligible for special education and related services if the determinant factor is due to a lack of instruction in reading or math or due to limited English proficiency.

However, problems were identified with participation of a regular education teacher at eligibility meetings; meeting the criteria in one or more of the eligibility categories defined in N.J.A.C. 6A:14-3.5 (c)1 through 13; utilizing the appropriate renamed eligibility categories at the time of the next reevaluation; appropriately documenting eligibility; and providing the parent(s) with a copy of the evaluation report(s).

Area(s) of Need:

Participation of the Regular Education Teacher – Information obtained through the interview process and a review of student records indicated a regular education teacher did not consistently participate in the meeting to determine a student's eligibility for special education and related services. In several cases, a child study team member served as the regular education teacher at the eligibility meeting.

- **The district will develop an improvement plan that will ensure the meeting to determine a student's eligibility for special education and related services shall include the following participants:**
 - a) the parent;
 - b) a teacher who is knowledgeable about the student's educational performance or, if there is no teacher who is knowledgeable about the student's educational performance, a teacher who is knowledgeable about the district's programs;
 - c) the student, where appropriate;
 - d) at least one child study team member who participated in the evaluation;
 - e) the case manager;

- f) other appropriate individuals at the discretion of the parent or the school district; and
- g) for an initial eligibility meeting, certified school personnel referring the student as potentially disabled, or the school principal or designee if they choose to participate.

Meeting the Eligibility Criteria – A review of evaluation reports and subsequent eligibility statements indicated that, in some cases, eligibility meeting participants did not appropriately utilize the eligibility categories defined in N.J.A.C. 6A:14-3.5 (c)1 through 13 when determining eligibility for special education and related services. Specifically, the evaluation reports of students determined eligible under the category of “multiply disabled” did not demonstrate the presence of two or more disabling conditions.

- The district will develop an improvement plan that will ensure that students are determined eligible and classified “eligible for special education and related services” when the student has one or more of the disabilities defined in N.J.A.C. 6A:14-3.5(c) 1 through 13.

Utilizing the Appropriate Renamed Eligibility Category – The practice of assigning classifications based on eligibility was revised with the adoption of N.J.A.C. 6A:14. Under N.J.A.C. 6A:14-3.5 there are two generic classifications, one for special education and related services and a second classification for speech-language services. The generic classifications are based on meeting the criteria for the various eligibility categories, some of which were renamed to conform to federal categories. On June 17, 1998 OSEP issued a memo to LEA’s that clarified issues regarding determination of eligibility and program criteria.

A review of student records subsequent to July 6, 1998 reflected that, in some cases, the district did not utilize the appropriate renamed eligibility category at the time of reevaluation. Records still reflected the use of the categories “perceptually impaired” and “neurologically impaired.”

- The district will develop an improvement plan that will ensure that, at the time of the student’s next reevaluation, the IEP team will identify the appropriate eligibility category in accordance with N.J.A.C. 6A:14-3.5.

Documentation of Eligibility- A review of student records indicated that the district utilizes a check-off page to document eligibility. In several records documentation of eligibility reflected that students were found eligible and classified “eligible for special education and related services” and “eligible for speech-language services” simultaneously. Additionally, several records indicated that students met the eligibility criteria for special education and related services under the categories of “specific learning disability”, “emotionally disturbed”, and “multiply disabled”.

- The district will develop an improvement plan that will ensure that documentation of eligibility reflects that a student is determined eligible and

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classified "eligible for special education and related services" or determined eligible and classified "eligible for speech-language services".

- The district will develop an improvement plan that will ensure that a student is determined eligible and classified "eligible for special education and related services" when the student has one or more of the disabilities defined under N.J.A.C. 6A:14-3.5(c) 1 through 13, the disability adversely affects the student's educational performance, and the student is in need of special education and related services. The plan will include a component to ensure that the category of eligibility is correctly reflected in the student record.

Copies of Evaluation Reports- Parents at the public focus group meeting indicated that they do not receive copies of evaluation reports conducted by child study team members and other specialists. Additional information obtained through the interview process and a review of student records conducted during the on-site visit verified that copies of evaluation reports are inconsistently provided to parents.

- The district will develop an improvement plan that will ensure a copy of the evaluation report(s) is provided to the parent(s) or adult student no later than when written notice of the eligibility determination is provided. The plan will also include a procedure for ensuring the provision of the evaluation report(s) is documented in the student record.

Section VIII: Individualized Education Program

Summary of Findings:

A review of student records found that IEP meetings are held within 30 calendar days of the eligibility determination. The district maintains documentation of the meeting participants and obtains consent prior to implementation of an initial IEP.

At the time of the onsite visit, N.J.A.C. 6A:14-2.3(i)2 required that a district representative attend IEP meetings for students determined eligible for speech-language services in addition to the speech therapist, teacher, and parent. A review of student records and information obtained through the interview process verified the district had not ensured that this participant was in attendance. However, with the adoption of the June 5, 2000 amendments, the district representative is no longer required to attend; the speech therapist may assume this role. Therefore, no corrective action is required.

Problems were identified with required participants at IEP meetings for students eligible for special education and related services, parent involvement in the IEP process,

revisions and review of IEPs, annual review timelines, access to IEPs by teachers, and IEP considerations and required statements.

Area(s) of Need:

Required Participants at IEP meetings for students eligible for special education and related services – Information obtained through the review of IEPs determined that one individual from the child study teams would act as the case manager, child study team member, regular education teacher, and special education teacher at IEP meetings. Documentation reviewed included the signature page of participants at IEP meetings; the same individual signed as numerous representatives. This practice was utilized regularly by the district; they indicated that the individual possessed certifications as a learning consultant, regular education teacher, and teacher of the handicapped. On that basis, they believed that this practice was allowable. However, the role that the person assumes as an IEP Team member is determined by how they are employed and how they function in relationship to the child.

N.J.A.C. 6A:14-2.3(i)2 specifies the required participants in an IEP meeting, and outlines what additional roles, if any, a participant may assume. In addition, the Office of Special Education Programs issued a Code Clarification on the role of the teacher in IEP meetings in October 1998. The clarification specified that the intent of the special education code was to assure that the child's teacher or special education providers attend the required meetings. The district has not been implementing this requirement.

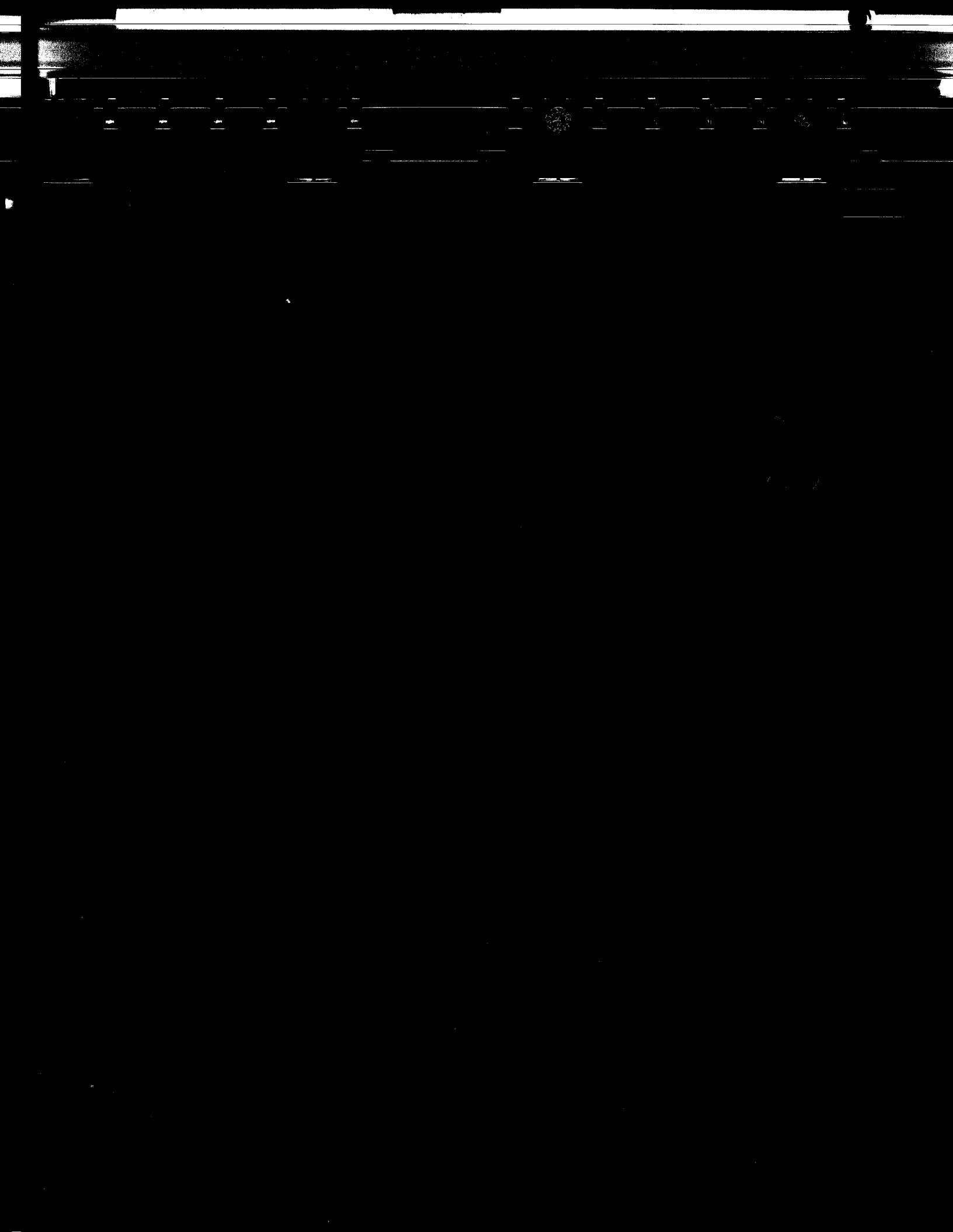
The Office of Special Education Programs issued a Code Clarification on the role of the teacher in IEP meetings in October 1998. The clarification specified that the intent of the special education code was to assure that the child's teacher or special education providers attend the required meetings. The district has not been implementing this requirement.

- **The district will develop an improvement plan that will ensure that regular and special education teachers participate in IEP meetings.**

Parent Involvement in the IEP process - In February 2000, a complaint investigation was conducted in the district. One issue was whether the parents were involved in the decision making process.

During the investigation, information indicated "that at some IEP meetings, such as annual reviews and reevaluation meetings that result in no changes to the student's program, school-based team members and the parent attend a meeting at the school and the case manager, as the district representative, has the authority to propose the continuation of the program and services. However, initial cases and reevaluations requiring a change in services follow a different procedure. "

"All initial IEP meetings are scheduled at the district's central office. Prior to this meeting, a number of meetings and discussions occur between school-based team



members and cluster leaders, and between cluster leaders and cluster administrators at central office. Once the placement and programming recommendations of the child study team members are discussed, reviewed and approved by central office administrators at this internal review committee meeting, an IEP meeting is scheduled at the central office. At this IEP meeting, the placement and program determinations are presented to the parent, not as a proposal or as an option to be considered and discussed, but as a final determination. Reevaluation meetings conducted at the school that result in a proposed change in program or placement cannot be finalized at the school level. Here, also, the recommendations are forwarded to the central office administrators for discussion, review, and approval. Once programming decisions are made by the administration, the IEP meeting is convened with the parent and the final decision is presented."

The district's current procedures preclude the parent from participating in discussions regarding program and placement options, and instead only allows the parent to be the recipient of the district's determinations. This concern was voiced by parents at the public focus group meeting; they supported the findings of the investigation, reporting that there is no input from parents in the decision making process.

The district was directed to review and revise its procedures to "ensure that parents are afforded the opportunity to attend and participate at all meetings where program and placement decisions are being made".

- **The district will proceed with the development of the corrective action plan as directed by Complaint Investigation #C2000-1055.**

Revisions and Review of IEPs – In February 2000, a complaint investigation was conducted in the district. One issue was whether the IEP team had the authority to make decisions at initial IEP meetings and reevaluation IEP meetings that result in a proposed change in placement and/or services.

During the investigation, interviews were conducted with district personnel, including team members, teachers, and principals. Personnel indicated that *"when the initial evaluation was completed, the child study team members would meet to discuss results and formulate recommendations regarding eligibility category, programs and services. This recommendation sheet would then be provided to the cluster leader. The recommendations are then reviewed and discussed with the cluster leader and/or supervisor. The cluster leader has the authority to disagree with the recommendations and require the team to change the recommendation sheet. Once the recommendations are approved by the cluster leader and/or supervisor, the recommendations are discussed at central office during the Internal Review Committee (IRC) meeting. At that time, once again changes to the recommendations may be made. Once "IRCD", the IEP meeting is conducted at central office. Team members indicated that their recommendations are routinely changed and that, at times, they will inform parents of the team's recommendations prior to the central office meeting. "During a reevaluation IEP meeting, if a change is being considered, once again that case must be "IRCD" with central office administrators. Team members have indicated*

that though parents have attended reevaluation IEP meetings at the school level and have agreed to the recommended changes to the IEP, at times, the central office meeting will overturn the original proposal."

The district's current procedures preclude the parent from full participation in the IEP decision making process, as identified earlier. Furthermore, these procedures do not allow the IEP team to make determinations regarding programming and placement. The district's use of the Internal Review Committee removes all decision making from the IEP team, which is in direct violation of N.J.A.C. 6A:14 and IDEA 1997.

- **The district will proceed with the development of the corrective action plan as directed by Complaint Investigation #C2000-1055. This plan will ensure that program and placement decisions are determined by the IEP team, and are not dependent upon prior administrative approval.**

Annual Review Timelines – A review of IEPs demonstrated that annual reviews were not consistently conducted on an annual basis. In many instances, IEPs had not been reviewed for over a 12-month period. Teachers who were interviewed concurred that IEP meetings had not been held at the expected time, and that the IEPs that they were utilizing for their students were over 12 months old. Since the IEPs were over 12 months old, many were not in effect at the beginning of the school year.

- **The district will develop an improvement plan that will ensure that IEPs are reviewed at least annually, and in effect at the beginning of the school year.**

Access to IEPs by Teachers – Information obtained from interviews indicated that regular education teachers frequently are unaware of modifications and accommodations that students in their classes may require. They do not have copies of IEPs, nor do they have any knowledge of where they can access the IEPs. Furthermore, teachers were unaware that they would need to know about this information.

- **The district will develop an improvement plan that will ensure that IEPs are accessible to each teacher and provider who is responsible for its implementation. The plan will include a component that will address how each teacher and provider will be informed of their specific responsibilities related to implementing the student's IEP, and the specific accommodations, modifications, and supports to be provided for the student.**

IEP Considerations and Required Statements – In the summer and fall of 1999, the district formed a committee of child study team members to revise the IEP format for students eligible for special education and related services. The committee worked on the new IEP for the district, which was implemented in late October 1999. IEPs that were developed from this time period forward were reviewed during this onsite visit. The IEPs reviewed, which included a copy of the blank format, indicated that this document contains some of the pages from the NJDOE model IEP; however, the document does

not contain all of the components in a manner which consistently meets the requirements in N.J.A.C. 6A:14.

The IEP document for students eligible for speech language services have had a revision in the cover page to reference N.J.A.C. 6A:14; however, the remainder of the document was formatted in 1992. There has been no alignment of this IEP to the NJDOE model Speech IEP; therefore, this document also does not reflect the requirements of N.J.A.C. 6A:14.

The district addresses some of the information required regarding the present levels of educational performance in the section titled "Current Educational Status". Three pages are formatted for teams to complete information regarding previous assessment information, academic performance, cognitive/adaptive functioning, personal/social development, speech/language, medical, pertinent findings from additional evaluations, and special accommodations. Findings from the review of records indicated that most of these sections were not completed. There was no description of how the child's disability affected involvement and progress in the general education curriculum. For preschool students, there was no documentation explaining how the disability affects participation in appropriate activities. Neither strengths of the child nor concerns of parents were included in the IEPs.

One page of the IEP was a check off page titled "Factors Considered by the IEP Team in Developing This Educational Plan". This page addresses whether the student has Behavior issues, has Limited English Proficiency, is Blind or Visually Impaired, has Communications Needs, is Deaf/Hearing Impaired, requires Assistive Technology, and requires Transition Services. If this page is completed correctly, any identified need is addressed at length further on in the IEP document. A review of IEPs found that no additional documentation could be located in the IEPs.

In February 2000, a complaint investigation was conducted addressing the provision of assistive technology devices. Interviews with team members and other district staff "indicated that they never put these devices in the IEP because central office needed to approve these items and put the costs into the budget." The district "was directed to develop a corrective action plan that ensures team members are considering, discussing, and documenting, as appropriate, the need for assistive technology devices in IEPs."

Further review of IEPs found that goals and objectives were not measurable, and the date services and modifications will begin and the frequency, location, and duration of services and modifications were not consistently addressed.

- **The district will proceed with the development of the corrective action plan as directed by Complaint Investigation #C2000-1055 regarding documenting the need for assistive technology in IEPs.**

- **The district will develop an improvement plan that will ensure IEPs are developed with the appropriate considerations and required statements. The improvement plan will ensure proper documentation is contained within IEPs and those staff members responsible for IEP development receive training on the code requirements relevant to IEP development. In order to facilitate this, it is recommended that the district begin utilizing the state model IEP for both students eligible for special education and related services, and for students eligible for speech language services, which addresses required considerations and statements.**

Section IX: Least Restrictive Environment

Summary of Findings:

This requirement was reviewed during the previous year's Program Review visit. Additional procedures were used to determine compliance for this year's visit, including a more extensive review of different types of student records, and interviews with more parents and with additional district staff (including regular and special education teachers, all building principals, and more child study team members).

Information obtained through the interview process indicated district personnel attended a technical assistance session provided by the Office of Special Education Programs (OSEP) on September 23, 1999 which focused on implementation of N.J.A.C. 6A:14 with regard to providing students with disabilities access to the general education curriculum and general education programs. IEPs generated after November 1, 1999 were reviewed by the on-site monitoring team to assess the district's progress in implementing the decision making process and documentation requirements for placement in the least restrictive environment.

As a result of this year's on-site monitoring, problems were identified with the decision making process and IEP documentation, access to regular education programs, and the participation of students in extra-curricular activities when they are educationally placed in out-of-district settings. In addition, problems with continuum of placement options previously identified in the 1998-99 onsite monitoring visit were verified.

Area(s) of Need:

Decision-Making Process and IEP Documentation – The district had recently received technical assistance in providing students with disabilities access to general education programs. However, information obtained through a review of records indicated that IEPs did not reflect documentation to verify the IEP team considers a

variety of supplementary aids and services and program modifications in determining whether the student can be educated satisfactorily in a regular classroom.

As reported in Section VIII: Individualized Education Program, the district has begun to utilize a new IEP format which was developed in October 1999. The document contains a "Least Restrictive Environment Rationale", which is a standard paragraph without any individualization. When students were removed from general education programs, IEPs did not reflect an individualized discussion of what supplementary aids and services and program modifications were considered to support the student, and an explanation of why they were not appropriate to meet the student's individual needs within the general education class. In addition, IEPs did not document a "comparison of the benefits provided in a regular class and the benefits provided in a special education class". IEPs contained the statement of "the potentially beneficial or harmful effects a placement may have on the student with disabilities or the others in the class" without any further elaboration or explanation of what the effects would be.

- **The district will develop an improvement plan that will ensure the decision-making process and documentation requirements for removing a student from general education programs includes:**
 - a) **an individualized discussion of what supplementary aids and services and program modifications were considered to support the student, and**
 - b) **an explanation of why the supplementary aids and services and program modifications were not appropriate to meet the student's individual needs within the general education class.**
- **The district will develop an improvement plan that will ensure that IEPs document a comparison of the benefits provided in a regular class and the benefits provided in a special education class.**
- **The district will develop an improvement plan that will ensure that IEPs document the potentially beneficial or harmful effects a placement may have on the student with disabilities or the others in the class.**

Access to Regular Education Programs – Parents at the public focus group meeting raised concerns regarding the limited access students with disabilities have to the regular education curriculum and programs. Parents reported that there were not enough mainstream classes for their children to participate in besides lunch and physical education. They also reported concerns that regular education teachers do not accept or take any responsibility for students with disabilities.

Information obtained through the interview process confirmed parent concerns. Students in self-contained classrooms do not regularly participate with their nondisabled peers. Art, Music, and Physical Education are provided to these students within their self-contained grouping. Furthermore, administrators reported that regular education teachers have not had any instruction in accommodations, modifications, or

supplementary aids and services for over four years. This lack of training impacts on the ability for students with disabilities to be involved and progress in the general education curriculum. Section I: General Provisions has addressed this, and includes a directive for an improvement plan.

- **The district will develop an improvement plan that will ensure that students with disabilities have access to regular education.**

Participation of students in extra-curricular activities - Parents at the public focus group meeting raised concerns regarding the involvement of students in extra-curricular activities when they are placed in out-of-district settings. Parents expressed that there was a lack of communication from the district informing them of the activities that their children could participate in.

Information obtained through interviews indicated there is no district-wide procedure outlining who was responsible for sending notices about activities to students placed in out-of-district settings. The only students who were notified were students on the high school level. Students on elementary and middle school levels in out-of-district settings were not informed or involved in district activities; involvement would occur only when parents took the initiative to contact the district to inquire about activities for their children.

- **The district will develop an improvement plan that will ensure that students who are placed in out-of-district settings are provided opportunities for participation in district sponsored extra-curricular activities. This plan will include a component outlining procedures for notifying students of activities.**

Continuum of Placement Options – Space constraints and staffing schedules were issues that were identified during the 1998-99 onsite monitoring visit. These issues were verified during this year's onsite visit.

Interviews with district staff indicated that staffing also impacts on the continuum; the provision of in-class support is limited due to staff availability.

- **The district will develop an improvement plan that will ensure that a continuum of placement options is available.**

Section X: Transition

A. Transition to Preschool

Summary of Findings:

Information obtained through the interview process indicated the district works cooperatively with local early childhood programs, pediatricians, and early intervention programs to locate, refer and identify preschool aged children. However, problems were identified with district participation in the preschool transition planning conference and with the implementation of IEPs of preschoolers with disabilities by age three.

Areas of Need:

IEP implementation by age three - A review of student records indicated that preschool aged children are evaluated when transitioning from early intervention. However, the evaluation process takes longer than 90 days. IEPs are implemented after the preschoolers turns age three.

- **The district will develop an improvement plan that will ensure that preschoolers with disabilities will have their IEPs implemented no later than age three.**

Participation in the preschool transition planning conference - In order to facilitate the transition from early intervention to preschool, a child study team member of the district board of education is required to participate in preschool transition planning conferences arranged by the Department of Health and Senior Service. The district has not routinely participated in these preschool transition planning conferences.

Staff members from Special Child Health Services acknowledged that procedures have been in place since the Fall of 1999 to involve local districts in the preschool transition planning conference. They indicated that the district is invited to participate in these meetings. However, no documentation exists within the pupil record indicating that the district had been invited, or that they had participated.

- **The district will develop an improvement plan that will ensure that they participate in the transition planning conference arranged by the Department of Health and Senior Services.**

B. Transition From School to Post-School

Summary of Findings:

Representatives from OSEP conducted an on-site technical assistance session in East Orange during the 1999-2000 school year. This session focused on federal and state requirements for transition from school to post-school.

In addition, a complaint investigation was conducted in February 2000. One of the issues was whether the district had developed and implemented transition plans based on students' individual needs.

The investigation determined that the district has limited transition services. The interests, preferences, and needs of students are not being considered. "Information obtained through interviews and document review indicates that the district has implemented some transition activities that result in the identification of student interests and preferences. However, because staff members acknowledge that job experiences and coursework options are limited, these interests and preferences usually cannot and are not considered or accommodated in the transition planning." Transition plans are developed based on availability of services and not on individual student needs. The district was "directed to develop a corrective action plan that ensures the provision of transition services based on individual needs of students. It is suggested that the district contact the Department of Education for additional technical assistance regarding the procedures the district will follow to ensure the provision of more appropriate and comprehensive services."

Interviews during the on-site monitoring indicated that child study team members have started to implement transition requirements. The district has begun to utilize the recommended NJDOE IEP pages for both the Statement of Transition Service Needs and the Statement of Needed Transition Services. However, problems were identified with documentation of the transition requirements.

Area(s) of Need:

Notice of the IEP meeting - Students age 14 and above did not consistently attend IEP meetings, although information obtained through a review of records and through interviews indicated that students were regularly invited verbally to participate in their IEP meetings. The notice of meetings were not provided to the students. In addition, there was no evidence that agencies that would be likely to provide transition services were invited to attend the IEP meeting.

- **The district will develop an improvement plan that will ensure that if the purpose of the meeting is to consider transition services, the student and agencies likely to provide transition services are invited to attend.**

Statement of Transition Service Needs - A statement of transition service needs was documented in some of the IEPs reviewed; however, it did not indicate if technical consultation from the Division of Vocational Rehabilitation was warranted and did not consistently contain the required courses of study for the ensuing school year.

- The district will develop an improvement plan that will ensure that beginning at age 14 or younger, if appropriate, the Statement of Transition Service Needs will address the student's courses of study and technical consultation from the Division of Vocational Rehabilitation, if warranted.

Statement of Needed Transition Services – Although the district has begun to utilize the recommended NJDOE IEP transition pages, IEPs did not consistently meet the requirements for the statement of needed transition services, including:

- Instruction
 - Related Services
 - Community Experiences
 - Employment and other post-school adult living objectives; and
 - If appropriate, acquisition of daily living skills and functional vocational evaluation
- The district will develop an improvement plan that will ensure that beginning at age 16, or younger if appropriate, the IEP contains a statement of needed transition services, including where appropriate, a statement of the interagency responsibilities or any needed linkages.

Section XI: Discipline

Summary of Findings:

In February 2000, a complaint investigation was conducted in the district. One of the issues was whether the district had implemented appropriate disciplinary procedures for students identified as potentially educationally disabled. Findings also applied to students eligible for special education and related services.

Areas of Need:

As reported in the complaint investigation, *"Interviews with team members, teachers, and principals at the elementary and middle schools indicated that students, classified or in the evaluation process, are rarely removed from their programs for more than ten days in the school year. Principals and teachers indicated that misbehavior was addressed by the teacher within the class and/or with the assistance of the parents. Team members indicated that a "Tolerance Day" is implemented with acting out students who were being evaluated at the middle school. A tolerance day was described as placing a student on a half-day program to avoid a home instruction placement pending completion of the evaluation process. Team members indicated that this programming change was always done with parental agreement.*

"Interviews with district personnel at the high school indicated that these students are more routinely removed from their programs for extended periods of time. Staff indicated that students are removed for under ten days but are told they may not return without a parent. According to staff, this often results in removals that exceed ten days.

"Though team members indicated they conducted functional behavior assessments and developed behavior intervention plans, neither were documented in the reviewed records of students who had been suspended. Additionally, there was no documentation of manifestation determinations for classified students who had been removed for more than ten consecutive days."

It was determined that the district had not demonstrated systemic compliance with the discipline procedures established in federal statute and regulations for either classified students or students in the evaluation process, and corrective action was required.

The district was directed to "develop a corrective action plan that identifies the procedure it will follow to ensure the appropriate implementation of the discipline regulations. That procedure must include a mechanism that ensures that every district staff member receives the necessary in-servicing to appropriately implement the discipline procedures identified in the regulations. Additionally, the district must identify the method it will utilize to ensure its oversight of the appropriate and consistent implementation of these procedures."

- **The district will proceed with the development of the corrective action plan as directed by Complaint Investigation #C2000-1055.**

Section XII: Statewide Assessment

Summary of Findings:

The district ensures that students with disabilities participate in statewide assessments, and documentation exists within IEPs reflecting this participation. However, problems were identified with determining exemptions from participation in statewide assessments and providing and documenting the necessary accommodations and/or modifications needed by students for their participation in these assessments.

Area(s) of Need:

Determining exemptions from participating in statewide assessments -Information obtained through interviews found that students with educational disabilities regularly

participate in statewide assessments. Staff reported that very few students were exempt from participating. Exemptions were determined solely by student's performance on a district determined performance rating on a standardized test; interviews indicated that this is the district policy.

N.J.A.C. 6A:14-4.11 (a) 2 indicates that exemptions are made if the nature of the student's disability is so severe that the student is not receiving instruction in any of the knowledge and skills measured by the Statewide assessment and the student cannot complete any of the questions on the assessment in a subject area with or without accommodations. The decision about student participation in statewide assessments was not made by the IEP team. Furthermore, the district policy determining exemption did not factor in whether a student was exposed to the core curriculum standards, or if they could complete any of the questions.

- **The district will develop an improvement plan that will ensure that determinations about student participation in statewide assessments according to N.J.A.C. 6A:14-4.11.**
- **The district will develop an improvement plan that will ensure that if the IEP team determines that a student shall not participate in any part of the statewide assessment, the IEP will include an explanation of why that assessment is not appropriate and what the alternate assessment will be.**

Accommodations and/or modifications - Documentation reviewed within IEPs clearly indicated that students with disabilities participate in statewide assessments. However, necessary accommodations and/or modifications required by the students were not consistently addressed within the IEPs. Present Levels of Educational Performance would document the need for accommodations and/or modifications. However, upon review of the IEP section designated for statewide and district wide assessment, no documentation existed explaining the needed accommodations and/or modifications.

In addition, parents expressed concerns about this at the public focus group meeting. They indicated that modifications were needed for their children to participate in statewide assessments; however, modifications were not being provided.

- **The district will develop an improvement plan that will ensure that IEPs address the necessary accommodations and/or modifications needed by students in order for them to participate in statewide assessments.**
- **The district will develop an improvement plan that will ensure that the necessary accommodations and/or modifications needed by students in order for them to participate in statewide assessments are provided as outlined in their IEPs.**

Section XIII: Graduation

Summary of Findings:

The district ensures that students with disabilities have the opportunity to graduate and participate in graduation exercises. However, problems were identified with the required documentation in IEPs.

Area(s) of Need:

Although the district ensures that students with disabilities have the opportunity to graduate and participate in graduation exercises, IEPs did not consistently document graduation requirements.

In the summer and fall of 1999, the district formed a committee of child study team members to revise the IEP format. The committee worked on the new IEP for the district, which was implemented in late October 1999.

A review of IEPs which were developed after the new format was implemented did not address graduation requirements. However, IEPs generated prior to the implementation of the new document did address graduation requirements.

Upon review of the new IEP document format, it was determined that graduation requirements had not been included.

- **The district will develop an improvement plan that will ensure that graduation requirements are consistently addressed in IEPs. The plan will contain a component that will revise the new IEP document to include graduation requirements.**

Section XIV: Programs and Services

Summary of Findings:

The district provides a variety of resource programs and special class programs for students with disabilities. However, problems were identified with group sizes and age-spans throughout the district programs. The district being an Abbott district, operates early childhood programs for 3 and 4 year olds. These programs were found to be over

subscribed. Furthermore, these programs operate according to a team teaching model of instruction rather than the in class support model that was approved by the county office.

Area(s) of Need:

Class Size and Age Range – Upon review of the class rosters, it was determined that many of the district classes were over subscribed. In addition, some classes included students whose ages were beyond the permitted four-year span.

- **The district will develop an improvement plan that will ensure that instructional class sizes will not exceed the limits specified under N.J.A.C. 6A:14.**
- **The district will develop an improvement plan that will ensure that age ranges within classes will not exceed four years as specified under N.J.A.C. 6A:14.**
- **The district will develop an improvement plan that will ensure that in class support is a program option available to eligible district students and that the district provides accurate descriptions of special class programs and resource programs to the county office for approval.**

Section XV: Student Records

Summary of Findings:

The district ensures that student records are collected, maintained, secured, and destroyed in accordance with state and federal law and regulations. The district maintains a record of the parties other than parents, students or other individuals who are assigned educational responsibility who obtained access to a student's record.

However, problems were identified with documenting the types and locations of student records collected and maintained by the district.

Area(s) of Need:

Documenting Types and Locations of Student Records – A review of randomly selected student cumulative files indicated that the district does not identify the types and locations of student records collected and maintained by the district.

- **The district will develop an improvement plan that will ensure that the district documents the types and locations of student records collected and maintained by the district as required under 6:3-6.2(g)3.**