

New Jersey Department of Education Special Education Monitoring

District: Eatontown School District **County:** Monmouth

Monitoring Dates: October 5 and 6, 2005

Monitoring Team: Kenneth Richards, Julia Harmelin and Jane Marano

Background Information:

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

The Office of Special Education Programs (OSEP) conducted an on-site monitoring to verify the self-assessment findings, to assess the appropriateness of the improvement plan and to determine the progress in implementing the plan.

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

Data Summary:

A review of the district's data for students with disabilities indicates that during the 2004-2005 school year, the district educated 36% of students with disabilities in the general education setting for more than 80% of the school day as compared to the state rate of 41.9 %. During the same school year, the district educated 45.3% of students with disabilities in the general education setting between 40%-80% of the school day as compared to the state average of 29.6%. Additionally, only 3.6% of students with disabilities attended school in private or public schools outside of the district compared to the state average of 9.5%. The district's classification rate for the 2004-2005 school year was 15.12% as compared to the state classification rate of 14.61. The district classification rate has decreased by 3.18 % over the last three years.

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With regard to preschoolers, of the 12 students eligible for special education as reported in 2004, 9 were educated in general education settings.

Sections Demonstrating Compliance with All Standards

The self-assessment process required the district to review implementation of federal and state regulations categorized into 15 sections. Within each section, a number of areas were reviewed. The on-site monitoring visit involved verification that the sections and areas identified as compliant by the district in their self-assessment were compliant with regulations. These sections were identified by the district during self-assessment and the NJDOE during the monitoring process as compliant: Transition to Preschool, Discipline, Statewide Assessment and Programs and Services.

Areas Demonstrating Compliance

The following areas were identified by the district’s self-assessment committee and by the Department of Education as compliant. The areas were reviewed for students eligible for special education and related services (ESERS) and for students eligible for speech-language services (ESLS). Areas compliant for only one group are noted as such.

| Section | Areas Demonstrating Compliance |
|---|---|
| Free, Appropriate Public Education (FAPE) | <ul style="list-style-type: none"> ▪ Oversight of Individualized Education Program (IEP) implementation ▪ Extended School Year (ESERS) ▪ Provision of programs ▪ Transfer procedures |
| Procedural Safeguards | <ul style="list-style-type: none"> ▪ Consent ▪ Implementation without undue delay ▪ Provision of notice of meeting (ESERS) ▪ Content of notice of meeting (ESERS) ▪ Meetings (ESERS) ▪ Content of written notice (ESERS) ▪ Provision of written notice (ESERS) ▪ Interpreters at meeting ▪ Independent evaluations |
| Location, Referral and Identification (LRI) | <ul style="list-style-type: none"> ▪ Child Find Ages 3-21 ▪ Referral process ▪ Pre-referral interventions ▪ Direct referrals ▪ Health summary ▪ Vision and hearing screenings ▪ Identification meeting timelines (ESERS) ▪ Identification meeting participants |
| Evaluation | <ul style="list-style-type: none"> ▪ Multi-disciplinary evaluations ▪ Educational impact statement (ESLS) ▪ Standardized Assessments ▪ Functional assessments (ESERS) ▪ Bilingual evaluations |

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| Section | Areas Demonstrating Compliance |
|--|--|
| | <ul style="list-style-type: none"> ▪ Written reports prepared by evaluators |
| Reevaluation | <ul style="list-style-type: none"> ▪ Reevaluation when change of eligibility is considered ▪ Planning meeting participants (ESERS) ▪ Reevaluations prior to age 5 ▪ Procedures when parental consent cannot be obtained ▪ Documentation of efforts to obtain parental consent |
| Eligibility | <ul style="list-style-type: none"> ▪ Meeting participants ▪ Eligibility Criteria (ESLS) ▪ Signature of agreement and/or disagreement and rationale (ESERS) ▪ Statement of eligibility (Severe Learning Disability) |
| Individualized Education Program (IEP) | <ul style="list-style-type: none"> ▪ Meeting participants ▪ IEP required considerations and components (ESERS) ▪ Meetings held annually, or more often if necessary, to review and/or revise the IEP ▪ Annual reviews completed by June 30 ▪ Teachers informed of their responsibilities (knowledge of and/or access to IEPs) ▪ 90 day timelines |
| Least Restrictive Environment (LRE) | <ul style="list-style-type: none"> ▪ Documentation of LRE decisions ▪ Opportunity for all students with disabilities to access all general education programs ▪ Continuum of programs ▪ Placement decisions based on students' individual needs |

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Areas of Noncompliance – Improvement Plan Review

The following areas were identified by the district’s self-assessment committee as noncompliant. The district must revise the improvement plan for any area where there is an ‘X’ in the ‘Needs Revision’ column.

| Section | Area | Plan Is Sufficient | Plan Needs Revision | Implemented and the district has demonstrated compliance |
|---------------------------------------|---|--------------------|---------------------|--|
| General Provisions | <ul style="list-style-type: none"> ▪ Parent Training – Need was identified to increase parent training opportunities. | | | X |
| Free and Appropriate Public Education | <ul style="list-style-type: none"> ▪ Extended School Year – The speech and language IEP does not include all required components including consideration and documentation of extended school year programs. ▪ Related Services – Contact logs are not maintained. As a result, the district does not have a mechanism for verifying and overseeing the provision of related services according to students’ IEPs. | X | | |
| Procedural Safeguards | <ul style="list-style-type: none"> ▪ Notice in Native Language – Notices have not been translated into Spanish. ▪ Provision and content of notice of meeting (ESLS) – Documentation is not maintained to verify the provision of written notice. Notice does not include language to inform the parent of their right to invite others with expertise. Documentation is not maintained by the district to verify the provision of Parental Rights in Special Education (PRISE) and Due Process Hearing Rules. The district’s improvement plan is insufficient to address this area of need because it lacks an activity to ensure the provision of PRISE and Due Process Hearing Rules. The plan must be revised to include this activity. | X | X | |

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| Section | Area | Plan Is Sufficient | Plan Needs Revision | Implemented and the district has demonstrated compliance |
|---------------------------------------|--|--------------------|---------------------|--|
| | <ul style="list-style-type: none"> ▪ Notice of Meeting–Notice of meeting for students age 14 and older does not state that one purpose of the meeting is transition planning and indicate that the student will be invited to attend the meeting. ▪ Meetings–Speech-language specialists do not document multiple attempts to invite parents to meetings. ▪ Provision and content of written notice (ESLS)–Written notice is not consistently provided within 15 days following a meeting and does not contain all required components. | X | | |
| Location, Referral and Identification | <ul style="list-style-type: none"> ▪ Identification meeting timelines (ESLS)–Documentation is not maintained to verify that identification meetings are conducted within 20 days of receipt of the referral by the child study team. | X | | |
| Evaluation | <ul style="list-style-type: none"> ▪ Functional Assessment (ESLS) – All required components are not included in the written report. | | | X |
| Reevaluation | <ul style="list-style-type: none"> ▪ Three Year Timelines - Reevaluations and determination of eligibility are not completed within three years of the previous classification date. | X | | |
| Eligibility | <ul style="list-style-type: none"> ▪ Eligibility Criteria (ESERS)–The district does not consistently use a formula to determine eligibility for the classification Specific Learning Disability. | X | | |

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| Section | Area | Plan Is Sufficient | Plan Needs Revision | Implemented and the district has demonstrated compliance |
|-------------------------------|--|--------------------|---------------------|--|
| | <ul style="list-style-type: none"> ▪ Signature of agreement and/or disagreement and rationale (ESLS) – The eligibility form does not provide an area for team members who conduct evaluations to document a dissenting opinion. ▪ Copy of evaluation reports to parents–Evaluation reports are not consistently provided to parents 10 days prior to eligibility meetings due to inconsistent implementation of the district procedures. | X | | |
| Individual Education Program | <ul style="list-style-type: none"> ▪ IEP required considerations and components (ESLS)–All required components are not included in IEPs. ▪ Implementation Dates-The district cannot ensure the provision of related services because staff members do not document when services begin. ▪ IEP provided to parent prior to implementation–The district does not document the provision of the IEP to the parent. | X | | X |
| Least Restrictive Environment | <ul style="list-style-type: none"> ▪ Notification of and participation in non-academic and extracurricular activities for students educated outside of the district–The district does not have a procedure to inform students, placed outside of the district, of non-academic and extra-curricular activities. | X | | |

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Additional Areas of Need

The following areas were originally identified by the district's self-assessment committee as compliant but were found to be noncompliant by the NJDOE during the on-site monitoring.

| Section | Area | Activity |
|--------------------------|--|---|
| Transition to Adult Life | IEP statement of "transition service needs" is not documented for students turning age 14 during the timeframe covered by the IEP. | The district is directed to revise the improvement plan to include activities to ensure that IEPs for all students beginning at age 14 include all required components of the statement of needed transition services. These activities must include procedures, in-service training and oversight to ensure that the IEPs include all required transition components. |
| | Students who turn age 14 during the timeframe of the IEP are not invited to annual review meetings. | The district is directed to revise the improvement plan to include activities to ensure that all students who turn age 14 during the timeframe of the IEP are invited to attend annual review meetings since transition services will be discussed. These activities must include procedures, in-service training and oversight to ensure that the IEPs include all required transition components. |
| Graduation | High School graduation requirements are not documented in IEPs of students turning age 14. | The district is directed to revise the improvement plan to include activities to ensure that IEPs document high school graduation requirements for all students beginning at age 14. These activities must include procedures, in-service training and oversight to ensure that the IEPs include all required transition components. |

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Summary

On-site special education monitoring was conducted in the Eatontown School District on October 5 and 6, 2005. The purpose of the monitoring visit was to verify the district's report of findings resulting from their self-assessment and to review the district's improvement plan. The district is acknowledged for the comprehensive review conducted during the self-assessment process. The district was able to identify areas of need and develop an improvement plan that will bring about systemic change. The district is further acknowledged for the many areas determined by the district and verified by the OSEP as compliant with federal and state statutes and regulations.

A review of the district's data for students with disabilities indicates that during the 2004-2005 school year, the district educated 36% of students with disabilities in the general education setting for more than 80% of the school day as compared to the state rate of 41.9 %. During the same school year, the district educated 45.3% of students with disabilities in the general education setting between 40%-80% of the school day as compared to the state average of 29.6%. Additionally, only 3.6% of students with disabilities attended school in private or public schools outside of the district compared to the state average of 9.5%. The district's classification rate for the 2004-2005 school year was 15.12% as compared to the state classification rate of 14.61. The district classification rate has decreased by 3.18 % over the last three years.

With regard to preschoolers, of the 12 students eligible for special education as reported in 2004, 9 were educated in general education settings.

During interviews conducted by phone, parents expressed their satisfaction with the district's programs, services and staff. Parents indicated that students receive the services provided in their Individual Education Programs (IEPs) and that the services provided challenge the students. Parents stated that programs are developed to meet the individual needs of their children. Parents also indicated that case managers are accessible and that the district makes efforts to accommodate the parents to ensure parental participation.

Standards identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included Discipline, Statewide Assessment and Programs and Services.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit for students eligible for special education and related services only (ESERS) included: extended school year, provision and content of notice of meeting, meetings, provision and content of written notice, identification meeting participants and timelines, functional assessments, reevaluation planning meetings and participants, signature of agreement-disagreement and rationale and IEP required considerations and components.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit for both students eligible for special education and related services and students eligible for speech-language services (ESLS) included: oversight of Individualized Education Program (IEP), provision of programs, transfer procedures, consent, implementation without undue delay, interpreters at meetings, independent evaluations, Child Find ages 3-21, referral process, pre-referral interventions, direct referrals, health summary, vision and hearing screenings,

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identification meeting participants, multi-disciplinary evaluations, educational impact statement, standardized assessments, bilingual evaluations, written reports, reevaluation when a change in eligibility is considered, reevaluation by age 5, procedures for obtaining parental consent, eligibility meeting participants, statement of eligibility (Specific Learning Disability), IEP meeting participants, annual review timelines, annual reviews completed by June 30, teachers knowledge of and access to IEPs, 90-day timelines, documentation of LRE decisions, general education access, continuum of programs, individual decision making, child study team participation in transition planning conference and IEPs for preschool students with disabilities implemented no later than age 3. Eligibility criteria was an area compliant for students receiving speech-language services.

Areas of need originally identified by the district as noncompliant but determined to have been corrected prior to the on-site monitoring visit by the NJDOE include parent training, functional assessments conducted for students eligible for speech and language services and the provision of the IEP to the parent prior to implementation.

During the self-assessment process, the district identified areas of need regarding Extended School Year (ESLS), related services, notice in native language, content and provision of notice of meeting (ESLS), content and provision of written notice (ESLS), meetings (ESLS), identification meeting timelines (ESLS), functional assessments (ESLS), three year timelines, reevaluation planning meetings (ESLS), eligibility criteria (ESERS), signature of agreement or disagreement (ESLS), copy of evaluation reports to parents, IEP components and required statements (ESLS), IEP implementation dates and notification of non-academic and extra curricular activities for students receiving services in out-of district programs.

The on-site visit identified additional areas of need within the various standards, regarding transition service needs, student participation at annual review meetings and documenting graduation requirements in the IEP.

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