

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

**District:** Fair Haven

**County:** Monmouth

**Monitoring Dates:** November 1 and 2, 2005

**Monitoring Team:** Jane Marano and Kenneth Richards

***Background Information:***

During the 2004-2005 school year, the Fair Haven School District conducted a self-assessment of policies, procedures, programs, services and student outcomes. This self-assessment component of the monitoring process provided the Fair Haven 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 Fair Haven 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 State 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 administrators, 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 48.4% of students with disabilities (62 students) in the general education setting for more than 80% of the school day. This rate is higher than the state average of 41.9% for that year. All preschool students, ages three to five, attend the integrated preschool program within the district. Only six of the 139 students with disabilities were in general education classes less than 40% of the school day and two students were placed in approved private schools for students with disabilities. The district's classification rate of 11.79% was lower than the state's average of 14.61%.

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### 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 monitors during the monitoring process as compliant:

- General Provisions
- Transition to Preschool
- Statewide Assessments

### Sections Not Reviewed

These areas were not reviewed by the New Jersey Department of Education because the district does not serve a population of students who would require these services:

- Transition to adult life beginning at Age 16
- Activities, annual goals and benchmarks relative to student's desired outcomes
- Out-of district student participation in high school graduation
- Written Notice of high school graduation

### Areas Demonstrating Compliance

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

Section	Areas Demonstrating Compliance
Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> <li>▪ Oversight of individualized education program (IEP) implementation</li> <li>▪ Provision of programs</li> </ul>
Procedural Safeguards	<ul style="list-style-type: none"> <li>▪ Consent</li> <li>▪ Implementation without undue delay</li> <li>▪ Provision of notice of a meeting</li> <li>▪ Content of notice of a meeting</li> <li>▪ Meetings</li> <li>▪ Content of written notice (ESERS)</li> </ul>
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> <li>▪ Referral process</li> <li>▪ Pre-referral interventions</li> <li>▪ Direct Referrals</li> <li>▪ Identification meeting timelines</li> <li>▪ Identification meeting participants</li> </ul>

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<b>Section</b>	<b>Areas Demonstrating Compliance</b>
Evaluation	<ul style="list-style-type: none"> <li>▪ Multi-disciplinary evaluations</li> <li>▪ Educational impact statement</li> <li>▪ Standardized assessments</li> <li>▪ Bilingual evaluations</li> </ul>
Reevaluation	<ul style="list-style-type: none"> <li>▪ Reevaluation when change of eligibility is considered (ESERS)</li> <li>▪ Timelines</li> <li>▪ Planning meeting participants</li> <li>▪ Reevaluations prior to age 5</li> <li>▪ Procedures when parental consent cannot be obtained</li> <li>▪ Documentation of efforts to obtain parental consent</li> </ul>
Eligibility	<ul style="list-style-type: none"> <li>▪ Meeting participants</li> <li>▪ Eligibility Criteria</li> <li>▪ Copy of evaluation reports to parents</li> </ul>
Individualized Education Program (IEP)	<ul style="list-style-type: none"> <li>▪ Meeting participants</li> <li>▪ Implementation dates</li> <li>▪ IEP provided to parent prior to implementation</li> <li>▪ Annual reviews completed by June 30</li> <li>▪ Teachers informed of their responsibilities (knowledge of and/or access to IEPs)</li> <li>▪ 90 day timelines</li> </ul>
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> <li>▪ Documentation of LRE decisions</li> </ul>
Discipline	<ul style="list-style-type: none"> <li>▪ Suspension tracking system</li> <li>▪ Discipline procedures employed equitably for all students</li> <li>▪ IEP team meeting for first removal beyond 10 days</li> <li>▪ Procedures for determination of change in placement</li> <li>▪ Procedures for development of behavior intervention plan</li> <li>▪ Short-term removals resulting in a change of placement</li> <li>▪ Short-term removals that are not a change in placement—school personnel determining the extent of services to be provided</li> <li>▪ Interim Alternative Educational Settings</li> </ul>
Programs & Services	<ul style="list-style-type: none"> <li>▪ Class size</li> <li>▪ Age range</li> <li>▪ Group size</li> </ul>







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<b>Section</b>	<b>Area</b>	<b>Plan Is Sufficient</b>	<b>Plan Needs Revision</b>	<b>Implemented and the district has demonstrated compliance</b>
	<ul style="list-style-type: none"> <li>▪ Manifestation determinations – when a series of short term removals is a change in placement, the IEP team does not conduct a manifestation determination meeting.</li> <li>▪ Procedures for conducting functional behavioral assessment – the district does not obtain parental consent for a functional behavioral assessment.</li> </ul>			X
Programs & Services	<ul style="list-style-type: none"> <li>▪ Common planning time – special education teachers do not have sufficient time to consult with the general education staff.</li> </ul>			X

**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:

<b>Section</b>	<b>Area</b>	<b>Activity</b>
Transition to Adult Life	<p>Beginning at age 14 or younger, if appropriate, IEP must contain a statement of “transition service needs” - IEP does not include student’s strengths, interests and preferences, postsecondary goals outcomes and courses of study.</p> <p>Student and agency invitation to IEP meetings - the district does not invite the student with disabilities and a representative of any agency that is likely to be responsible for providing or paying for transition services to the IEP meeting where transition services will be discussed.</p>	<p>The district is directed to revise the improvement plan to include activities to ensure that IEPs for students beginning at age 14 or younger, if appropriate, contain a statement of transition service needs including student’s strengths, interests and preferences, post secondary goals outcomes, courses of study aligned to the student’s interests, preferences and desired postsecondary goals and statement of technical consultation, when appropriate.</p> <p>In addition, the district is directed to revise the improvement plan to include activities to ensure that when a purpose of an IEP meeting for a student with disabilities beginning at age 14, or younger, if appropriate, is a discussion of transition services needs, the notice of the IEP meeting indicates that the purpose is to</p>

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Section	Area	Activity
		<p>develop a statement of the transition services needs and that the student with disabilities and a representative of any agency that is likely to be responsible for providing or paying for transition services are invited to attend the meeting.</p> <p>Implementation of these activities will ensure the student is afforded the opportunity to participate in decisions regarding postsecondary outcomes. The activities must include procedures, in-service training and oversight to ensure that the IEPs and notice of a transition meeting include all required transition components.</p>
Graduation	IEP requirements - the district does not address graduation requirements during IEP meetings for students who are age 14 or who will become 14 during the timeframe of the IEP. Graduation is not addressed until the student transitions to high school.	The district is directed to revise the improvement plan to include activities to ensure that graduation requirements are addressed for students age 14 and documented in the IEP. As a result of these activities parents and students will have the opportunity to participate in decisions regarding requirements the student must fulfill to receive a high school diploma. These activities must include procedures, in-service training and oversight to ensure that the IEPs include all required graduation components.

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## Summary

On-site special education monitoring was conducted in the Fair Haven School District on November 1 and 2, 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. As a result of that review, the district was able to identify nearly all 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 indicates that 139 students with disabilities were enrolled in the Fair Haven School district during the 2004 school year. The district educated 48.4% of students with disabilities (62 students) in the general education setting for more than 80% of the school day. This rate is higher than the state average of 41.9% for that year. All preschool students, ages three to five, attend the integrated preschool program within the district. Only six of the 139 students with disabilities were in general education classes less than 40% of the school day and two students attend private day schools. The district's classification rate for the 2004 school year was 11.79% compared to the state classification average of 14.61%.

During interviews conducted with parents by telephone, many parents expressed their satisfaction with the district's programs and services and staff. The majority of the parents interviewed felt that they were part of the IEP team and that their opinions were valued when planning for their child's education.

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

- General Provisions
- Transition to Preschool
- Statewide Assessments (SWA)

Areas identified as consistently compliant by the district during the self-assessment and verified during the on-site monitoring visit include:

- Oversight of individualized education program (IEP) implementation
- Provision of programs
- Consent
- Implementation without undue delay
- Provision of notice of a meeting
- Content of notice of a meeting
- Meetings
- Content of written notice (ESERS)
- Referral process
- Pre-referral interventions
- Identification meeting timelines
- Identification meetings participants
- Multi-disciplinary evaluations
- Educational impact statement
- Standardized assessments
- Bilingual evaluations
- Reevaluation when change of eligibility is considered (ESERS)
- Reevaluation timelines
- Planning meeting participants
- Reevaluations prior to age 5
- Procedures when parental consent cannot be obtained
- Documentation of efforts to obtain parental consent

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- Eligibility meeting participants
- Eligibility criteria
- Copy of evaluation reports to parents
- IEP meeting participants
- Implementation dates of IEP
- IEP provided to parent prior to implementation
- Annual reviews completed by June 30
- Teachers informed of their responsibilities (knowledge of and/or access to IEPs)
- 90-day timelines
- Documentation of LRE decisions
- Suspension tracking system
- Discipline procedures employed equitably for all students
- IEP team meeting for first removal beyond 10 days
- Procedures for determination of change in placement
- Procedures for development of behavior intervention plan
- Short-term removals resulting in a change of placement
- Short-term removals that are not a change in placement—school personnel determining the extent of services to be provided
- Interim Alternative Educational Settings
- Class size
- Age range
- Group size

Areas of need originally identified by the district but determined to have been corrected prior to the on-site monitoring visit by the NJDOE include:

- Extended school year
- Transfer procedures
- Content of written notice (ESLS)
- Provision of written notice
- Interpreters at meetings
- Independent evaluations
- Child Find
- Direct referrals
- Health summary
- Vision and hearing screenings
- Functional assessments
- Reevaluation when change of eligibility is considered (ESLS)
- Statement of eligibility
- Signature of agreement and/or disagreement and rationale
- IEP considerations and components
- Opportunity for all students with disabilities to access all general education programs
- Continuum of programs
- Placement decisions based on students' individual needs
- Notification of removal forwarded to case manager
- Manifestation determinations
- Procedures for conducting functional behavioral assessment
- Common planning time

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

- Provision of related services
- Notices in native languages
- Meetings held annually or more often if necessary, to review and/or revise the IEP

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- Notification of and participation in non-academic and extracurricular activities for students in out of district placements

The on-site visit identified additional areas of need within the various standards, regarding:

- Beginning at age 14, IEP statement of “transition service needs”
- Student and agency invitation to IEP meetings
- IEP requirements for graduation – beginning at age 14, the IEP identifies graduation requirements

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