

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

District: Irvington

Monitoring Dates: December 11-15, 2000

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Background Information:

The self-assessment included the collection of data and information from sources within the district to determine if the district's practices regarding the provision of special education programs and services meet federal and state requirements.

A steering committee comprised of one administrator, one regular education teacher, two special education teachers, several child study team members, and one parent was established to provide input and data analysis into the district's self-assessment. Based on this process the district identified areas of need. The district had not submitted an improvement plan to address the areas of need identified in the self-assessment document prior to the on-site monitoring. Additionally, the district did not conduct the public focus group meeting as part of the self-assessment process.

On December 7, 2000 prior to the monitoring visit, a focus group was held in the district. This focus group was facilitated by the New Jersey State Department of Education and included parents and district representatives. At this meeting, some of the concerns identified by parents included the district's lack of disciplinary procedures, transportation issues, procedures for transfer students, length of the school day, unapproved program changes, transition planning services issues, provision of related services for some students and concerns about the use of appropriate curricula for special education students. Parents did express positive comments about individual teachers and certain schools.

Section I: General Provisions

Summary of Findings:

During the self-assessment process the district identified the need for further staff development.

Area(s) of Need:

Staff Development-The district identified in the self-assessment document the need for participation by all professional and paraprofessional staff in additional training sessions regarding the participation of students with disabilities in general education and extra-curricular activities.

- The district has developed an improvement plan that does not sufficiently address this area of need. The district is directed to revise the improvement plan

to include projected dates of workshops and an oversight component to ensure the district is able to determine whether the anticipated outcome of the training sessions has been achieved.

Section II: Free, Appropriate Public Education

Summary of Findings:

During the self-assessment process the district identified the need to provide a school day for students with disabilities that is at least as long as that established for non-disabled students, conduct IEP meetings prior to any change in programs or services, provide educational programs and related services as required by the IEP, and to have administrative personnel follow appropriate procedures when students transfer into the district.

During the on-site monitoring visit, additional areas of need were identified regarding extended school year, inclusion with non-disabled peers in non-academic classes, notification to students in out-of-district placements of extracurricular activities, parent involvement in the decision-making process, and goals and objectives for related services.

Area(s) of Need:

Length of the School Day-The district identified the need to provide a school day for all students with disabilities that is at least as long as that established for non-disabled students.

- The district has developed an improvement plan that is sufficient to address this issue.

Program Changes-During the on-site monitoring visit, it was determined that program and placement changes within schools, as well as between schools, have been made unilaterally by guidance counselors without benefit of an IEP meeting and without parental involvement.

- The district is directed to immediately cease the practice of allowing guidance counselors to change IEPs.

The district has developed an improvement plan that does not sufficiently address the area of need. The improvement plan must be revised to ensure that IEP meetings are conducted prior to any change in programs or services. Those meetings must be conducted with all required members of the IEP team. The improvement plan must also include an administrative oversight component to ensure the consistent implementation of this procedure.

Provision of Programs-The district identified the need to provide educational programs required by IEPs.

- The district has developed an improvement plan that does not sufficiently address this area of need. The improvement plan must be revised to ensure

that the determination of educational programs are based on the individual needs of students and are independent of program availability or staffing limitations. Once individually determined, the plan must ensure those programs are provided.

Related Services-The district identified the need to ensure the provision of related services throughout the school year as required by IEPs.

- The district has developed an improvement plan that does not sufficiently address this area of need. The improvement plan must be revised to ensure that there are procedures to ensure the determination of related services are based on the individual needs of students and are independent of program availability or staffing limitations. The district must also ensure that related services personnel are employed in numbers sufficient to provide the required programs and services.

Goals and Objectives-During the on-site monitoring visit, it was determined that goals and objectives for related services are not consistently documented in students' IEPs.

- The district is directed to revise the improvement plan to include procedures to ensure that goals and objectives for all related services are individually determined and documented in each student's IEP. The improvement plan must also include an administrative oversight component to ensure the consistent implementation of this procedure.

Transfer Procedures-The district identified the need for principals and other appropriate school personnel to understand the district's transfer procedures to ensure students with disabilities are provided programs and services without delay when they transfer into the district. In addition, during the on-site monitoring visit it was determined that when records are not immediately forwarded to the district, transfer students are not consistently placed in appropriate education programs, nor are interim IEPs developed. When records do arrive and IEPs are developed, there is a delay in providing access to the IEPs to regular education and special education teachers.

- The district has developed an improvement plan that does not sufficiently address this area of need. The improvement plan must be revised to include procedures to ensure that for transfer students with disabilities, the district's child study teams conduct an immediate review of the evaluation information and IEP. If the team and parent agree, the IEP is implemented as written. When the district disagrees with the current evaluation and/or IEP, the student must be provided a program immediately through an interim IEP that is consistent with the current IEP. The improvement plan must also include an administrative oversight component to ensure the consistent implementation of this procedure.

Extended School Year-During the on-site monitoring visit, It was determined that an extended school year is neither considered nor discussed for **all** students with disabilities during IEP meetings. Additionally, the district's IEP did not contain a place to document any consideration of an extended school year program until September 2000.

- The district is directed to revise its improvement plan to include procedures to ensure that extended school year programs are considered and documented in IEPs for all students with disabilities. The improvement plan must include an oversight component to ensure the consistent implementation of the new procedures. It is recommended that certified special education teachers be hired for the district's existing summer programs to implement students' IEPs as appropriate.

Inclusion with Non-disabled Peers-During the on-site monitoring visit it was determined that students with disabilities do not have the opportunity to participate to the maximum extent appropriate with their non-disabled peers in non-academic classes such as art and music. Additionally, the scheduling of non-academic classes for students with disabilities is based on program availability and staffing limitations.

- The district is directed to revise its improvement plan to include procedures to ensure that students with disabilities are afforded the opportunity to participate to the maximum extent appropriate with their non-disabled peers in non-academic classes such as art and music. Placement decisions must be based on individual needs and must be independent of program availability or staffing limitations. The plan must include district-wide in-service workshops regarding the inclusion of students with disabilities in regular education non-academic classes and an oversight component to ensure the consistent implementation of this procedure.

Notification to Out-of District Placements-During the on-site monitoring visit, it was determined that students with disabilities in out-of-district placements are not notified of extra-curricular activities within district and therefore, are not provided the opportunity to participate in such activities.

- The district is directed to revise its improvement plan to include procedures to ensure that students with disabilities in out-of-district placements are notified of extra-curricular activities within district and to include an administrative oversight component as a part of this improvement plan to ensure the consistent implementation of this procedure.

Meeting Participants/Parent Involvement-During the on-site monitoring visit it was determined that although parents are invited to IEP meetings, many parents are unable to attend because of employment obligations and child-care responsibilities. In addition, many families do not have access to telephones making it difficult for the district to make contact. As a result of these barriers and a lack of documented attempts at alternate methods to ensure parental participation, parents are excluded from the decision-making process, thus negating parental input at IEP meetings.

- The district is directed to revise its improvement plan to include procedures that identify other mechanisms to ensure that parents are involved in the decision-making processes that impact their children's education.

Length of School Day/Transportation-During the on-site monitoring visit it was determined that pre-school and school-age students with disabilities placed within district are not provided a school day that is at least as long as that established for their non-disabled peers. It was also determined that transportation issues, such as the amount of time students are on buses, are responsible for the shortened school day of many district students.

- The district is directed to revise its improvement plan to include procedures to ensure that all students both in district and in out-of-district placements are transported to arrive at school no later than, and to depart from school no earlier than non-disabled students.

Section III: Procedural Safeguards

Summary of Findings:

During the self-assessment process the district identified surrogate parents, age of majority, sign language interpreters and notification of proposed or denied actions as areas of need.

Additional areas of need were identified during the on-site monitoring visit regarding identification meetings, 20-day timelines, notification to parents, documentation of parental participation, and notices.

Area(s) of Need:

Surrogate Parents-The district identified the need to develop procedures and policies for selecting and training surrogate parents.

- The district has developed an improvement plan that does not sufficiently address this area of need. The improvement plan must be revised to ensure that it includes procedures for selecting and training surrogate parents.

Age of Majority-The district identified the need to develop procedures for notifying parents and adult students at least one year before the student reaches age 18, rights under N.J.A.C. 6A:14, that will transfer to the student upon reaching age of majority.

- The district has developed an improvement plan that does not sufficiently address this area of need. The improvement plan must be revised to include procedures for notifying parents and adult students, at least three years prior to the student reaching age 18 of the transfer of rights.

Sign Language Interpreters-The district identified the need to develop a list of sign language interpreters and to ensure that these interpreters are available at no cost to the parent.

- The district has developed an improvement plan that does not sufficiently address this area of need. The improvement plan must be revised to ensure that sign language interpreters are identified and made available to serve at no cost to the parent.

Proposed or Denied Action regarding Placement-The district identified the need to revise their written notice to include a description of the proposed or denied action.

- The district is directed to revise its improvement plan to include procedures to ensure the prompt revision of its notices.

Identification Meetings-During the on-site monitoring visit, a review of student records indicated that when parents walk into the building and request an evaluation, the district immediately obtains parental consent without affording the parent the opportunity to participate in an identification meeting to review available data and without affording the parent the opportunity to consider the proposed action to evaluate for the 15-day time period allowed by code.

- The district is directed to revise its improvement plan to include procedures to ensure that parents are afforded the opportunity to participate in identification meetings and be provided with appropriate written notice of the determinations made at those meeting within 15 days. The improvement plan must also include an administrative oversight component to ensure the consistent implementation of this procedure.

20-Day Timelines-An additional area of need was identified during the on-site monitoring visit regarding 20-day timelines. A review of student records indicated that initial referrals are not clocked in, resulting in the team's inability to determine whether identification meetings are conducted within the required 20-day timeline.

- The district is directed to revise its improvement plan to include a procedure to ensure the date of receipt of a request for an evaluation is clearly documented to ensure child study teams comply with the 20-day timeline. The improvement plan must also include an administrative oversight component to ensure the consistent implementation of this procedure.

Written Notice-The district identified the need to develop procedures for providing parents with written notice prior to any proposed action to initiate or change the placement of a student with disabilities.

- The district is directed to revise its improvement plan to ensure the provision of notice in a timely manner.

Documentation of Parental Participation-An additional area of need was identified during the on-site monitoring visit regarding the need to document all attempts to obtain parental participation at meetings.

- The district is directed to revise its improvement plan to include procedures to ensure the documentation of all attempts to obtain parental participation at meetings.

Native Language-An additional area of need was identified during the on-site monitoring visit regarding the provision of notices in the native language of the parent. Some copies of notices in students' files were in the parent's native language, while other notices were in English.

- The district is directed to revise its improvement plan to include procedures to ensure that all notices are consistently provided in the native language of the parent, when feasible.

Section IV: Location, Referral & Identification:

Summary of Findings:

During the self-assessment process the district identified the need for pre-referral interventions and strategies and the need to expand Child Find outreach activities. Timeline issues are addressed in Section III of this document.

Additional areas of need were identified during the on-site monitoring visit regarding direct referrals, identification meetings and summer referrals.

Area(s) of Need:

Pre-referral Interventions/Strategies-The district identified the need for general education staff to use pre-referral interventions that are sufficient in scope to have an anticipated impact on student performance and to maintain written documentation of the implementation and effectiveness of alternative instructional strategies and interventions.

- The district has developed an improvement plan that does not sufficiently address this area of need. The district is directed to revise the improvement plan to include procedures that ensure the implementation and documentation of appropriate pre-referral interventions. The improvement plan must also include an oversight component and district-wide training to ensure the consistent implementation of this procedure.

Child Find Outreach-The district identified the need to expand its Child Find outreach activities throughout the year including the summer months.

- The district has developed an improvement plan that does not sufficiently address this area of need. The improvement plan must be revised to include procedures to ensure that efforts are made throughout the year including the summer months, to locate and refer potentially disabled students, including migrant and homeless students.

Direct Referrals-During the on-site monitoring visit it was determined that the district's procedures do not include a process for direct referrals by parents and/or staff to the Child Study Team for school age students suspected of having a disability.

- The district is directed to revise its improvement plan to include procedures to ensure parents and staff have the option to directly refer a student to the Child

Study Team and to participate in meetings to determine whether an evaluation is warranted. The improvement plan must include an oversight component and district-wide training to ensure consistent application and implementation of this procedure.

Identification Meetings-During the on-site monitoring visit, it was determined that although parental consent is documented in the records, identification meetings are not consistently convened for pre-school students who are referred to the child study team by their parents. This issue has been addressed in Section III.

Summer Referrals-The district identified the need to complete evaluations for students referred during the summer.

- The district has submitted an improvement plan that is insufficient to address this area of need. The district is directed to revise its improvement plan to include procedures to ensure that students referred during the summer months are evaluated within the required timelines. The improvement plan must include an administrative oversight component to ensure consistent implementation of this procedure.

V. Evaluation

Summary of Findings:

During the self-assessment process the district identified the need to have written speech/language reports provided to parents, to have each speech-language report dated and signed, and to include in the IEP criteria and a formula for determining whether there is a severe discrepancy between ability and achievement, and uniform use of notices and IEP forms.

Additional areas of need were identified during the on-site monitoring visit regarding functional assessments in speech/ language reports, acceptance or rejection of outside assessments, and evaluation plans.

Area(s) of Need:

Copies of Speech/Language Reports to Parents-The district identified the need to consistently provide parents with copies of Speech/Language reports.

- The district has submitted an improvement plan that is insufficient to address this area of need. The district is directed to revise its improvement plan to include procedures to ensure that copies of Speech/Language reports are consistently provided to parents and to ensure that action is documented in the student file.

Speech Assessments-The district identified the need to have personnel date and sign assessment reports.

- The district has developed an improvement plan that does not sufficiently address this area of need. The district must revise the plan to include

procedures to ensure that written reports are dated and signed by the individual(s) who conducted the assessment.

Criteria and Formula for Determining Severe Discrepancy-The district identified an area of need regarding the adoption of a statistical formula and criteria when making a determination whether a severe discrepancy exists for the category Specific Learning Disability.

- The district has submitted an improvement plan that is insufficient to address this area of need. The district is directed to revise its improvement plan to ensure the adoption of a statistical formula and criteria for determining severe discrepancy for the category of Specific Learning Disability.

Uniform use of Notices and Forms-The district identified the need to rewrite its speech/language forms, letters and notices to comply with code.

- The district has submitted an improvement plan that does not sufficiently address this area of need. The district is directed to revise its forms, notices, and letters to ensure compliance with code. It is recommended that the district consider the use of notices and forms developed by the NJDOE, Office of Special Education Programs.

Functional Assessments-The district identified that speech-language reports for both students eligible for special education and related services and students eligible for speech language services did not consistently include all of the required components of a functional assessment.

- The district has submitted an improvement plan that is insufficient to address this area of need. The district is directed to revise its improvement plan to include procedures to ensure that all the required components of a functional assessment are included in reports.

Acceptance/Rejection of Outside Reports-An additional area of need was identified during the on-site monitoring visit regarding the inconsistent documentation of acceptance or rejection of outside reports and assessments.

- The district is directed to revise its improvement plan to ensure consistent documentation of the acceptance or rejection of a report or assessment that may be provided for consideration by outside specialists, agencies or other districts.

Evaluation Reports-The district identified that it does not provide copies of evaluation reports to parents.

- The district has submitted an improvement plan that is insufficient to address this area of need. The district is directed to revise its improvement plan to ensure consistent provision of evaluation reports to parents no later than when it provides notice of the student's eligibility.

Section VI: Reevaluation

Summary of Findings:

An area of need was identified during the on-site monitoring visit regarding the need to ensure that students are reevaluated every three years or sooner if conditions warrant. Meeting participants were addressed in Section II and timelines and notices were addressed in Section III.

Area(s) of Need:

Reevaluations-During the on-site monitoring visit, it was determined that reevaluations are not conducted every three years. Additionally, when a reevaluation is requested prior to the mandatory three-year evaluation date, the reevaluation is not completed in a timely manner.

- The district is directed to revise its improvement plan to include a procedure to ensure that reevaluations are conducted every three years or sooner if conditions warrant. The improvement plan must also include a component to ensure administrative oversight of the implementation of this procedure.

Section VII. Eligibility

Summary of Findings:

During the self-assessment process the district identified the need to conduct assessments for communication-impaired students and to document a severe discrepancy in the eligibility statement. Notice issues have been addressed in Section III.

Area(s) of Need:

Documentation of Determination of Eligibility-The district has identified the need to document a severe discrepancy between achievement and ability that is not correctable without special education and related services.

- The district has submitted an improvement plan that is insufficient to address this area of need. The district is directed to revise its improvement plan to include procedures to ensure that when a student is suspected of having a specific learning disability, the documentation of the determination of eligibility includes a statement as to whether or not there is a severe discrepancy between achievement and ability that is not correctable without special education and related services.

Assessments for Communication Impaired Students-The district has identified the need to conduct assessments for students suspected of being communication impaired.

- The district has submitted an improvement plan that is insufficient to address this area of need. The district is directed to revise its improvement plan to

ensure that assessments for students suspected of being communication impaired are conducted in accordance with N.J.A.C. 6A:14-3.5(c)4.

Section VIII. IEP:

Summary of Findings:

During the self-assessment process, the district identified the need to: have regular education teachers in attendance at IEP meetings, invite agency representatives to IEP meetings; include vocational personnel in IEP meetings (these issues will be addressed in Section X); provide copies of IEPs to parents and adult students; inform responsible staff of their roles in implementing IEPs; inform all appropriate individuals of the IEP contents; include in the IEP of preschoolers a statement of how the disability affects the student, provide a statement of measurable goals in all students' IEPs and complete annual reviews by June 30.

Notices have been addressed in Section III.

Additional areas of need were identified during the on-site monitoring visit regarding Present Levels of Educational Performance statements and LRE statements.

Area(s) of Need:

Attendance of Regular Education Teacher at IEP Meetings-The district has identified the need for regular education teachers to participate in IEP/eligibility meetings, if a student is, or may be participating in the regular education classroom.

- The district is directed to immediately cease the practice of allowing teachers to submit written narratives to the child study team in lieu of their actual attendance at meetings.

The district has developed an improvement plan that does not sufficiently address this area of need. The improvement plan must be revised to include procedures to ensure the attendance of regular education teachers at all IEP meetings and to ensure appropriate documentation of that attendance. The improvement plan must also include an administrative oversight component to ensure the implementation of this procedure.

Copies of IEPs to Parents and Adult Students-The district has identified the need to provide a copy of the IEP to parents and adult students.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to ensure that a copy of the IEP is provided to the parent and/or adult student in a timely manner.

Role of Staff in Implementing IEPs/IEP Content-The district has identified the need to inform staff of their role in implementing students' IEP. The district has also identified the need to inform staff of the contents of the IEP.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to include procedures to ensure that all staff are informed of the contents of the IEP and are informed of their role in implementing students' IEPs.

Preschool IEPs-The district has identified the need to include a statement of how the disability affects the student's participation in appropriate activities in the IEPs of preschool students with disabilities.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to ensure that procedures are developed to include in the IEPs of preschool students with disabilities a statement of how the disability affects the student's participation in appropriate activities

Statement of Measurable Goals-The district has identified the need to include in students' IEPs a statement of measurable annual goals related to the core curriculum content standards.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to ensure that not only are the goals and objectives related to the core curriculum content standards, but that they are developed on an individual basis.

Completion of Annual Reviews for Elementary Students- The district identified the need to complete annual reviews by June 30.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to include procedures to ensure that IEPs are reviewed at least annually and are in effect at the beginning of the school year. The improvement plan must include an administrative oversight component to ensure the implementation of this procedure.

Present Levels of Educational Performance Statements and LRE Statements- During the on-site monitoring visit, it was determined that IEPs did not contain detailed statements of present levels of educational performance (PLEP) and did not contain sufficient information to identify specific areas to assist in the determination of appropriate instruction. In addition, there was an unclear relationship between these statements and the rationale for placement in the least restrictive environment (LRE).

- The district is directed to revise its improvement plan to include procedures to ensure that IEPs document the decision-making process for placement in the least restrictive environment and to demonstrate how the current level of performance led to that decision.

Section IX. Least Restrictive Environment:

Summary of Findings:

During the self-assessment process, the district identified the need for a continuum of placement options, the need to consider the comparison of benefits provided in regular education and students' participation in regular education.

An additional area of need was identified during the on-site monitoring visit regarding preschool program options.

Area(s) of Need:

Program Options-The district has identified the need to make more placement options available to meet the needs of students with disabilities. Specifically, in-class support and supplemental supports and services were the least available options for students with disabilities due to staff shortages and financial resources in the district.

During the on-site monitoring visit, a review of the December 1999 Annual Data Report indicated the majority of classified students are placed in either self-contained classes or private schools for the disabled.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to ensure that a continuum of placement options is considered and available to meet the needs of students with disabilities.

Statements and Considerations-The district has identified the need to include a statement of the comparison of benefits provided in regular classes when considering LRE and an explanation of the extent to which a student will participate in regular education.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to ensure that all required statements and considerations are included in IEPs. It is recommended the district adopt the state's model IEP.

Preschool Program Options-During the on-site visit, it was determined that special education preschoolers are excluded from approved community preschool settings that accommodate the district's regular education preschool students.

- The district is directed to develop an improvement plan that includes procedures to ensure that special education preschoolers have available the same program options as nondisabled preschoolers.

Section X. Transition

A. Transition from EIP to PSD

Summary of Findings :

During the self-assessment process the district identified the need to facilitate a smooth transition from early intervention to preschool and placement and development of IEPs by the third birthday.

During the on-site monitoring visit, it was determined that the district has a cooperative relationship with local early childhood programs and early intervention programs to locate, refer, and identify preschool aged children.

Area(s) of Need:

Participation in the Transition Planning Conference-The district identified the need to ensure a child study team member participates in the transition planning conference.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to include procedures to facilitate the district's participation in the transition planning conferences arranged by the Department of Health and Senior Services.

Timely Implementation of IEPs and Placement-The district identified the need to implement the initial IEP of preschoolers no later than age three.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to include procedures to ensure that preschoolers with disabilities have their initial IEP implemented no later than age three. The improvement plan must include an administrative oversight component to ensure the consistent implementation of this procedure.

B. Transition from School to Post-school

Summary of Findings:

On April 19, 2000, NJDOE representatives visited the Irvington School District and provided technical assistance for improvement. Issues included: documentation of student invitation to the IEP meeting; documentation of the process used to determine student interests and preferences; IEP documentation of the statement of transition services needs, the statement of needed transition services, justification for not providing transition services, and alternate strategies in response to agency failures to provide transition services; agency invitation to meetings for in-district students; increased internal procedures to ensure the involvement and participation of identified agencies when they fail to send a representative to the meeting.

Although the district has begun to address transition concerns, systemic implementation of improvement activities has not yet begun. To date, the district has incorporated the recommended NJDOE IEP pages for both the Statement of Transition Services Needs and the Statement of Needed Transition Services into the IEP. However, not all team members complete these sections.

During the self-assessment process, the district identified many of the issues raised during the technical assistance sessions.

Area(s) of Need:

Student Invitations-The district identified the need to consistently invite students age 14 and above to attend IEP meetings and to prepare them to self-advocate at IEP meetings.

- The district has submitted an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to include procedures to ensure that students are consistently invited to their IEP meetings. The plan must include a component to address how the district will prepare all students to participate and self-advocate at these IEP meetings.

Agency Invitation-The district identified the need to invite representatives of agencies such as Division of Vocational Rehabilitation Services (DVRS) and Division of Developmental Disabilities (DDD) that would be likely to provide transition services to IEP meetings when transition services were going to be discussed.

- The district has submitted an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to include procedures to ensure the agencies likely to provide transition services are invited to attend. The plan must include a component to address how the district will document attempts to obtain participation when invited agency representatives do not attend IEP meetings.

Attendance of Vocational Personnel at IEP Meetings-The district has identified the need to invite vocational school personnel to participate in IEP meetings when a student with disabilities attends a shared-time vocational program.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to include procedures to ensure that when a student with disabilities attends a shared-time vocational program, vocational school personnel will be invited to participate in the IEP meetings. The procedures will include documentation of the invitation and attendance in the student record.

Statement of Transition Services Needs-The district has identified the need to determine students' interests, preferences and identified post-school outcomes and to ensure these areas are reflected in the student's courses of study. Additionally, when there is a change to the student's course of study, the district does not consistently reconvene the IEP meeting to revise the IEP. Furthermore, district staff were unfamiliar with the technical consultation services available through the Division of Vocational Rehabilitation Services (DVRS) and other agencies.

- The district has submitted an improvement plan that is insufficient to address this area of need. The district is directed to revise its improvement plan to include procedures to ensure the Statement of Transition Services Needs identifies the students' interests and preferences, consistently reflects post-school outcomes in the student's course of study, and lists specific courses of study for the coming year. The plan must include a component to ensure the reconvening of an IEP meeting when there are changes to a student's program.

Statement of Needed Transition Services-The district has identified the need to ensure IEPs consistently meet the requirements for this statement. Record reviews indicated that the transition categories in students' IEPs are not clearly addressed or left blank. In addition, there is no consistent relationship between the IEP goals and objectives and the students' desired post-school outcomes. Most importantly, individually determined career exploration and vocational programs are not available within the district.

- The district has submitted an improvement plan that is insufficient to address this area of need. The district is directed to revise its improvement plan to include procedures to ensure the IEP transition section includes a statement of Needed Transition Services. This plan must document a consistent relationship between the IEP goals and objectives and the students' desired post-school outcomes. The plan must also include a component to address how the district will develop career exploration and vocational programs that are currently not available for students with disabilities within the district.

Identification of Post Secondary Resource Liaison-The district has identified the need to include in the IEP the person(s) responsible to serve as a liaison to post-secondary resources and for making referral to resources as appropriate.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to ensure that the person(s) responsible to serve as a liaison to post-secondary resources and for making referrals to the resource as appropriate is identified in a student's IEP.

Agency Failure to Provide Transition Services-During the on-site monitoring visit, it was determined that the district does not have a procedure to follow when an outside agency fails to provide agreed transition services for students.

- The district is directed to revise its improvement plan to ensure that there are procedures for child study teams to follow when an outside agency fails to provide agreed upon transition services.

Job Training-During the on-site monitoring visit, it was determined that the district provides limited opportunities for job training. There is a need for hands-on job training other than what the district currently offers during the summer.

- The district is directed to revise its improvement plan to include procedures to increase job opportunities for students with disabilities.

XI: Discipline

Summary of Findings:

During the self-assessment process the district identified the need to notify the case manager when students are removed from their educational placement.

During the on-site monitoring visit, it was determined that student removals are tracked and calculated differently from building to building. Additionally, problems were identified regarding manifestation determinations, functional behavior assessment plans, behavior intervention plans, and the identification of interim alternative educational settings.

Area of Need:

Notification to Case Managers-The district has identified the need to develop procedures to ensure that written notification is provided to the case manager when a student is removed from his/her placement. Interviews indicated that case managers are notified verbally.

- The district has developed an improvement plan that is insufficient to address this area of need. The plan must be revised to include procedures to ensure that written notification of suspensions are provided to a student's case manager.

Suspensions-During the on-site monitoring visit, it was determined that student suspensions are not tracked or correctly calculated. Though the district has a data base (SASI) that could be used to accurately track suspensions, few staff members at the elementary, middle or high school levels are trained in its use. As a result, staff do not accurately record, track or calculate the number of days a student has been removed.

- The district is directed to revise its improvement plan to include procedures to ensure that student suspensions are accurately recorded, tracked, and calculated. The improvement plan must include an administrative oversight component to ensure the uniform implementation of the procedures.

Manifestation Determination Meetings-During the on-site monitoring visit, it was determined that manifestation determination meetings are inconsistently conducted and when they are these determinations are not documented.

- The district is directed to revise its improvement plan to include procedures to ensure IEP teams conduct manifestation determination meetings at the required times. The improvement plan will also include a mechanism to document this meeting and its determinations.

Functional Behavioral Assessments-During the on-site monitoring visit, it was determined that functional behavioral assessments are not conducted for students. Additionally, it was determined that although members of the IEP team meet prior to a

student's removal to discuss strategies and techniques to address the behavior, these discussions are not documented in the student records.

- The district is directed to revise its improvement plan to include procedures to ensure Functional Behavioral Assessments (FBAs) are conducted when warranted.

Behavioral Intervention Plans-During the on-site monitoring visit it was determined that behavioral intervention plans are neither developed nor reviewed for students identified as having behavioral problems.

- The district is directed to revise its improvement plan to ensure that behavioral intervention plans are developed and documented for those students who are identified as having behavioral issues.

Procedural Safeguards for students identified as potentially disabled-During the on-site monitoring visit, it was determine that the district does not afford procedural safeguard rights to students who have been identified as potentially disabled. When a student identified as being potentially disabled is suspended, the district does not notify the child study team or track the number of days that student is suspended and therefore, the student is not afforded the same procedural safeguards as a student with disabilities.

- The district is directed to revise its improvement plan to include procedures to ensure that students who are identified as potentially disabled are afforded procedural safeguards.

Interim Alternative Educational Settings-During the on-site monitoring visit, it was determined that the district has not identified an Interim Alternative Educational Setting for students removed for weapons, illegal drugs or controlled substances, and/or those students who are considered a danger to themselves or others.

- The district is directed to revise its improvement plan to identify Interim Alternative Educational Settings for students who require such placements.

Section XII. Statewide Assessment:

Summary of Findings:

During the self-assessment process the district identified in-service needs in the areas of statewide assessments, alternative assessments, and the use of the special review assessment process. This area was addressed in Section I.

An additional area of need was identified during the on-site monitoring visit regarding documentation in students' IEPs.

Area(s) of Need:

Assessment Documentation-During the on-site monitoring visit, it was determined that participation in statewide assessments was not consistently included and/or correctly

identified in students' IEPs. Additionally, modifications and/or accommodations for statewide or alternative assessments are not consistently included in IEPs.

- The district is directed to revise its improvement to include procedures to ensure the identification of participation is either statewide assessments or alternative assessments are consistently included and identified in students' IEPs. The improvement plan must also include procedures to ensure that any necessary modifications and/or accommodations for students who take these assessments are included in the IEPs.

Section XIII. Graduation Requirements

Summary of Findings:

During the self-assessment process, the district identified the need to encourage out-of-district students to participate in graduation ceremonies and graduation requirements in IEPs.

An additional area of need was identified during the on-site monitoring visit regarding written notice.

Area (s) of Need:

Out-of-district Students' Participation in Graduation-The district identified the need to encourage out-of-district students to participate in the district's graduation ceremonies.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to include procedures to ensure that out-of-district students have the opportunity to participate in the district's graduation ceremonies.

Graduation requirements in IEPs-The district identified the need to develop procedures to ensure that specific graduation statements are included in the students' IEPs.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to include procedures to ensure that beginning at age 14, there are specific graduation requirements documented in IEPs.

Written notice-During the on-site monitoring visit, an additional area of need was identified regarding the documentation of the provision of written notice prior to graduation.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to ensure the provision of written notice prior to graduation. It is recommended that the district use the "Notices of Graduation" form developed by the NJDOE, Office of Special Education Programs.

Section XIV. Programs and Services

Summary of Findings:

During the self-assessment process the district identified the need to revise the description of special education programs.

An additional area of need was identified during the on-site monitoring visit regarding the provision of collaborative planning time for teaching staff and program options.

Area(s) of Need:

Description of Special Education Programs-The district identified the need to revise the description for each special education program.

- The district has developed an improvement plan that is insufficient to address this area of need. The improvement plan must be revised to ensure that a description of each special education program is revised and that a copy of these revisions is forwarded to the county office.

Collaborative Planning Time-During the on-site monitoring visit, it was determined that special education teachers are not provided the time to consult with appropriate general education staff.

- The district must revise its improvement to ensure that special education teachers are provided time for consultation with appropriate general education staff.

Section XV. Student Records

Summary of Findings:

During the on-site monitoring, it was determined the district does not consistently include access sheets in files.

Area(s) of Need:

Access sheets-A review of records indicated that access sheets were not consistently found in student records.

- The district will revise its improvement plan to ensure that access sheets are available in all child study team records.

SUMMARY

An on-site special education monitoring was conducted in the Irvington School District on December 11-15, 2000. The purpose of the monitoring was to verify the district's report of findings resulting from self-assessment and to review the district's improvement plan.

At a focus group meeting held on December 7, 2000, parents expressed positive comments about individual teachers, schools and programs. However, parents also expressed concerns regarding the district's lack of disciplinary procedures, transportation issues, procedures for transfer students, length of the school day, related services for some students and concerns about the appropriateness of curricula for special education students.

The on-site monitoring visit determined that the district provides publicly funded educational programs and services, provides a free and appropriate education for all students and a variety of educational programs and services that are available to their non-disabled peers. The district also demonstrated compliance with the regulatory requirements regarding consent. The district has developed and implemented in an appropriate manner its procedures for conducting evaluations, for ensuring that all students have the opportunity to participate in statewide assessments, and for maintaining and securing pupil records.

As a result of the district's self-assessment process, they were able to self-identify a significant number of areas of need. In addition to that self-identification, the on-site monitoring visit identified additional areas of need regarding documentation issues, written notice issues, procedural requirements, related services, and IEP issues. When combined, these areas of need indicate systemic noncompliance that negatively impact the district's ability to provide special education programs and services in an effective, efficient manner.

The district will revise its improvement plan to address these systemic areas of need and submit it to the Office of Special Education Programs within 45 days of receipt of this report of findings.