

## New Jersey Department of Education Special Education Monitoring

**District:** Kinnelon Borough School District

**County:** Morris

**Monitoring Dates:** May 2 and May 31, 2006

**Monitoring Team:** Vanessa Leonard and Nicole Buten

### ***Background Information:***

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

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

During the onsite 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, and 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. Parents of students with disabilities were interviewed by phone.

### **Data Summary:**

A review of the district's data for students with disabilities indicated that during the 2004-2005 school year, the district had a classification rate of 10.8% for students ages 3-21. The district's classification rate was 4% lower than the state average for students ages 3-21 for that year. A total of 38.5 % of students, ages 6-21, were educated in the general education setting for more than 80% of the school day. This rate was lower than the state average of 42% for that year. 71% of preschool aged students with disabilities were educated in the district's self-contained preschool setting. The district does not have opportunities for preschool students with disabilities to participate in the general education setting. Data submitted to the NJDOE in December, 2006 indicated that preschoolers with disabilities continued to be educated in primarily separate settings. A total of 14 of 18 preschoolers with disabilities were reported to be educated in general education settings for less than 40% of their program, while the remaining 4 were placed

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in separate special education settings. The district must implement improvement activities to ensure consideration of the general education setting first when determining placement for all students with disabilities, including preschool students with disabilities ages 3-5.

### 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 onsite monitoring visit involved verification that the sections and areas identified as compliant by the district in their self-assessment were compliant with regulations. These sections were identified by the district during self-assessment and the NJDOE during the monitoring process as compliant:

- General Provisions
- Reevaluation
- Transition to Preschool
- Transition to Adult Life
- Discipline
- Statewide Assessment
- Graduation

### Areas Demonstrating Compliance

The following areas, within the remaining sections reviewed, were identified by the district's self-assessment committee and by the NJDOE as compliant. These areas were reviewed for students eligible for special education and related services (ESERS) and students eligible for speech and language services (ESLS). 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> <li>• Provision of related services</li> <li>• Transfer procedures</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 (ESERS)</li> <li>• Content of notice of a meeting</li> <li>• Meetings</li> <li>• Provision of written notice</li> <li>• Notices in native language</li> <li>• Interpreters at meetings</li> <li>• Independent evaluations</li> </ul>
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> <li>• Child Find Ages 3-21</li> <li>• Direct referrals (6-21 and ESLS)</li> <li>• Referral process (ESERS)</li> <li>• Pre-referral interventions</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 (ESLS)</li> <li>• Standardized assessments</li> <li>• Bilingual evaluations</li> <li>• Written Reports (ESERS)</li> <li>• Functional Assessment (ESERS)</li> </ul>
Eligibility	<ul style="list-style-type: none"> <li>• Meeting participants</li> <li>• Eligibility Criteria</li> <li>• Statement of eligibility (Specific Learning Disability)</li> <li>• Signature of agreement and/or disagreement and rationale (ESERS)</li> <li>• Copy of evaluation reports to parents (ESERS)</li> </ul>
Individualized Education Program (IEP)	<ul style="list-style-type: none"> <li>• Meeting participants</li> <li>• IEP required considerations and components (ESERS)</li> <li>• Implementation dates</li> <li>• IEP provided to parent prior to implementation</li> <li>• Meetings held annually, or more often if necessary, to review and/or revise the IEP</li> <li>• Annual reviews completed by June 30 for preschool students with disabilities exiting the preschool program</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 (ages 6-21)</li> <li>• Notification of and participation in non-academic and extracurricular activities for students educated outside of the district</li> <li>• Opportunity for all students with disabilities to access all general education programs (ages 6-21)</li> <li>• Placement decisions based on students' individual needs (ages 6-21)</li> </ul>
Programs and Services	<ul style="list-style-type: none"> <li>• Class size</li> <li>• Age Range</li> <li>• Group size</li> </ul>

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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 third column, of the chart below, identifies those areas where the improvement plan was successfully implemented prior to the monitoring visit and those areas where the improvement plan was sufficient, but not yet implemented. The district demonstrated implementation of oversight activities to ensure ongoing compliance for those areas corrected prior to the monitoring visit.

Section	Area of Noncompliance	Compliance Review
FAPE	<ul style="list-style-type: none"> <li>▪ Extended school year - IEPs lacked sufficient documentation of the nature of the ESY services that were being provided.</li> </ul>	Onsite monitoring by the NJDOE verified that improvement plan activities have been implemented and the district has demonstrated compliance.
Procedural Safeguards	<ul style="list-style-type: none"> <li>▪ Provision of notice of a meeting (ESLS) - Speech-language specialists did not consistently document provision of notice of a meeting in student files.</li> <li>▪ Content of written notice- Case managers did not consistently include all required components in written notices provided to parents and/or adult students.</li> </ul>	<p>Onsite monitoring by the NJDOE verified that improvement plan activities have been implemented and the district has demonstrated compliance.</p> <p>Onsite monitoring by the NJDOE verified that improvement plan activities have been implemented and the district has demonstrated compliance.</p>
LRI	<ul style="list-style-type: none"> <li>▪ Referral process (ESLS) - Procedures for referring students were not consistently used by all staff.</li> <li>▪ Direct referrals for students ages 3-5- Procedures for direct, written referral were not routinely followed.</li> </ul>	<p>Onsite monitoring by the NJDOE verified that improvement plan activities have been implemented and the district has demonstrated compliance.</p> <p>Onsite monitoring by the NJDOE verified that improvement plan activities have been implemented and the district has demonstrated compliance.</p>
Evaluation	<ul style="list-style-type: none"> <li>▪ Written reports (ESLS) – Written reports did not include the date the report was written.</li> <li>▪ Functional assessments (ESLS)- Speech-language reports did not include all of the required components.</li> </ul>	<p>Onsite monitoring by the NJDOE verified that improvement plan activities have been implemented and the district has demonstrated compliance.</p> <p>Onsite monitoring by the NJDOE verified that improvement plan activities have been implemented and the district has demonstrated compliance.</p>

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<b>Section</b>	<b>Area of Noncompliance</b>	<b>Compliance Review</b>
Eligibility	<ul style="list-style-type: none"> <li>▪ Copy of evaluation reports to parents (ESLS)-Speech-language specialists did not ensure that parents received copies of reports 10 days prior to the eligibility meeting.</li> </ul>	Onsite monitoring by the NJDOE verified that improvement plan activities have been implemented and the district has demonstrated compliance.
IEP	<ul style="list-style-type: none"> <li>▪ Required considerations and statements (ESLS) - ESLS IEPs did not consistently address all of the required components.</li> </ul>	Onsite monitoring by the NJDOE verified that improvement plan activities have been implemented and the district has demonstrated compliance.
Programs and Services	<ul style="list-style-type: none"> <li>▪ Common planning time- The district identified a need to create more opportunities for common planning time within the district.</li> </ul>	The district has developed a sufficient improvement plan to address the need for common planning time for special and general education teachers.

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**Additional Area of Need**

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

<b>Section</b>	<b>Area</b>	<b>Improvement Activity</b>
Least Restrictive Environment	Documentation of LRE decisions, opportunity for all students with disabilities to access all general education programs and individual decision making for preschool students with disabilities- A review of files indicated that IEPs for preschoolers did not contain appropriate documentation of decision making to ensure that general education placement was considered first with appropriate supplementary aids and services. Placement decision documentation was not individualized for preschoolers.	The district is directed to ensure that case managers document the consideration of appropriate supplementary aids and services and program modification in the IEP for preschool students with disabilities outside of general education settings for more than 20% of their school day. The district must implement an administrative oversight mechanism to ensure correction and ongoing compliance. Implementation of these activities will ensure that students with disabilities, ages 3-5, are afforded the opportunity to be educated with their non-disabled peers.

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## *Summary*

Onsite special education monitoring was conducted in the Kinnelon Borough School District on May 2 and 31, 2006. The purpose of the monitoring visit was to verify the district's report of findings resulting from their self-assessment and to review the district's improvement plan. The district is acknowledged for the comprehensive review conducted during the self-assessment process. The district is further acknowledged for the many areas determined by the district and verified by the Office of Special Education Programs as compliant with federal and state statutes and regulations.

A review of the district's data for students with disabilities indicated that during the 2004-2005 school year, the district had a classification rate of 10.8% for students ages 3-21. The district's classification rate was 4% lower than the state average for students ages 3-21 for that year. A total of 38.5 % of students, ages 6-21, were educated in the general education setting for more than 80% of the school day. This rate was lower than the state average of 42% for that year. 71% of preschool aged students with disabilities were educated in the district's self-contained preschool setting. The district does not have opportunities for preschool students with disabilities to participate in the general education setting. Data submitted to the NJDOE in December, 2006 indicated that preschoolers with disabilities continued to be educated in primarily separate settings. A total of 14 of 18 preschoolers with disabilities were reported to be educated in general education settings for less than 40% of their program, while the remaining 4 were placed in separate special education settings. The district must implement improvement activities to ensure consideration of the general education setting first when determining placement for all students with disabilities, including preschool students with disabilities, ages 3-5.

During interviews conducted with parents by phone, many parents expressed their satisfaction with the district's programs and services and staff.

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

- General Provisions
- Reevaluation
- Transition to Preschool
- Transition to Adult Life
- Discipline
- Graduation
- Statewide Assessment

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

<ul style="list-style-type: none"> <li>• Parent training</li> <li>• Oversight of individualized education program (IEP) implementation</li> <li>• Provision of programs</li> <li>• Provision of related services</li> <li>• Transfer procedures</li> <li>• Consent</li> <li>• Implementation without undue delay</li> <li>• Provision of notice of a meeting (ESERS)</li> <li>• Content of notice of a meeting</li> <li>• Meetings</li> <li>• Provision of written notice</li> <li>• Notices in native language</li> <li>• Interpreters at meetings</li> <li>• Independent evaluations</li> <li>• Child Find Ages 3-21</li> <li>• Direct Referrals (6-12 and ESLS)</li> <li>• Referral Process (ESERS)</li> <li>• Pre-referral interventions</li> <li>• Identification meeting timelines</li> <li>• Identification meeting participants</li> <li>• Multi-disciplinary evaluations</li> <li>• Educational impact statement (ESLS)</li> <li>• Standardized Assessments</li> <li>• Functional assessments(ESERS)</li> <li>• Bilingual evaluations</li> <li>• Written reports prepared by evaluators (ESERS)</li> <li>• Eligibility Participants</li> </ul>	<ul style="list-style-type: none"> <li>• Eligibility Criteria</li> <li>• Statement of Eligibility for specific learning disability</li> <li>• Signature of agreement/disagreement</li> <li>• Copy of evaluation reports to parents (ESERS)</li> <li>• IEP meeting participants</li> <li>• IEP required considerations and components (ESERS)</li> <li>• Implementation dates</li> <li>• IEP provided to parent prior to implementation</li> <li>• Meetings held annually, or more often if necessary, to review and/or revise the IEP</li> <li>• Annual reviews completed by June 30 for preschool students exiting the preschool program</li> <li>• Teachers informed of their responsibilities (knowledge of and/or access to IEPs)</li> <li>• 90 day timelines</li> <li>• Documentation of LRE decisions (6-21)</li> <li>• Notification of and participation in non-academic and extracurricular activities for students educated outside of the district</li> <li>• Opportunity for all students with disabilities to access all general education programs (6-21)</li> <li>• Placement decisions based on students' individual needs (6-21)</li> <li>• Approved accommodations and modifications documented in IEPs as appropriate (ESERS)</li> <li>• Class size</li> <li>• Group size</li> <li>• Age range</li> </ul>
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Areas of need originally identified by the district, but determined to have been corrected prior to the onsite monitoring visit by the NJDOE, included:

- Extended School Year
- Provision of notice of a meeting (ESLS)
- Content of written notice
- Referral Process (ESLS)
- Direct referrals for students age 3-5
- Referrals for students age 3-5
- Health summary
- Vision and hearing screenings
- Written Reports (ESLS)
- Functional Assessments (ESLS)
- Signature of agreement and/or disagreement and rationale (ESLS)
- Copy of evaluation reports to parents (ESLS)
- Required consideration and statements (ESLS)



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During the self-assessment process, the district identified areas of need for which improvement activities must be implemented. The areas included:

- Continuum
- Common planning time.

The onsite visit identified additional areas of need within the various standards regarding:

- Documentation of LRE decision for students ages 3-5
- Placement decisions based on individual needs for students ages 3-5
- Opportunity for all students with disabilities to access all general education programs, including preschool students with disabilities, ages 3-5

The district is expected to implement the improvement activities described in the report to achieve compliance in the areas of need identified during self-assessment and those identified during the onsite visit within six months of the date of this report. Verification of compliance will be conducted by the County Office of Education.