

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

District: Lacey Township School District **County:** Ocean

Monitoring Dates: May 11, 12, 13 &14, 2004

Monitoring Team: Patricia Fair, Jane Marano, Julia Harmelin and Kenneth Richards

Background Information:

During the 2002–2003 school year, the Lacey Township School District conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Lacey Township School District with an opportunity to evaluate its 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 Lacey Township 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.

As the first step in the on-site monitoring process, the New Jersey Department of Education (NJDOE) held a focus group meeting for parents and community members at the Lacey Township High/Middle School on April 14, 2004. Information obtained from that meeting was used to direct the focus of the monitoring visit.

During the on-site visit, the NJDOE 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, including a representative sample of student records. Interviews were conducted with the district superintendent, district’s special education administrators, building principals, general education and special education teachers, related service staff and child study team members.

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District Strengths:

The district is commended for recognizing the need to develop an in-district program for secondary age students who would have been placed in out-of-district programs as well as those students who have the potential to drop out of high school. This program addresses behavioral and attendance issues in an environment that teaches life skills, academics and vocational training. A special education teacher and a vocational teacher are assigned to the class. Attitude and quality of life concerns are a main focus of instruction. In addition to academic instruction, students receive hands-on training in the renovation of a building made available to the district by Lacey Township. Program staff maintain a high degree of communication with high school staff regarding student progress and needs.

The district offers career guidance through the career center. An orientation to the career center is conducted in the student's freshman year. The center offers support in preparing for college, career awareness and job shadowing. Linkages with local businesses are established through the local Rotary Club. Juniors and seniors can access information regarding individual interests and preferences through the Education and Career Opportunities System. A Senior Seminar is held for those students who have not yet decided on a post secondary option. A summer job fair is conducted with several regional employers who offer summer employment. The Career Center offers much needed support to all district high school students.

The district also makes efforts to ensure students with disabilities receive recognition for their athletic accomplishments when participating in Special Olympics. Students earn varsity letters in sports when specific levels of achievement are earned. The Biology Club has supported these student efforts by purchasing varsity jackets for some students.

Part One Data Summary:

The district indicated that the majority of preschool disabled students are located in self-contained settings. In response to this concern the district has indicated a need to improve access to inclusive preschool programs in their self-assessment. During the 2001-2002 school year, 46% of students age 6-21 were placed in general education settings for more than 80% of the school day. These data indicate a 5% increase over the past three years.

Areas Demonstrating Compliance With All Standards:

Student Records was determined to be an area of compliance by the district during self-assessment and by the Office of Special Education Programs during the on-site visit.

Section I: General Provisions

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of policies and procedures and dissemination of IDEA information.

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During the self-assessment process, the district identified concerns in the areas of staff training. The district's improvement plan is sufficient to address this area.

No additional areas of need were identified during the on-site visit.

Section II: Free, Appropriate Public Education (FAPE)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of facilities, certification, extended school year and length of school day and year.

During the self-assessment process, the district identified concerns in the areas of hearing aids, related services and transfer students. The district's improvement plan is sufficient to address these areas. During the on-site monitoring, it was determined through interviews that the district has implemented activities to bring about corrective action in the area of hearing aids.

Additional areas of need were identified during the on-site visit regarding related services and transfer students.

Areas of Need:

Related Services - Information obtained through record review determined that the frequency and duration of related services is not consistently documented appropriately in the IEP. The duration of a related service may be identified by a range of time and the frequency of counseling is identified as being provided on an "as needed" basis.

- **The district will revise its improvement plan to include activities to ensure the frequency and duration of related services is specifically identified in the IEP. Implementation of these activities will ensure the student receives the related service for a specific time and frequency that provides the student with the opportunity to derive full educational benefit from his/her special education program. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Counseling - Information obtained through the interview process determined that the frequency and duration of counseling at the secondary level is not consistently based on the needs of the student but rather availability of staff.

- **The district will revise its improvement plan to include activities to ensure the frequency and duration of counseling is determined by the individual needs of the students and not on the availability of staff. These activities must include a mechanism to determine whether the district has sufficient staff to provide the required level of services needed by the students. Implementation of these activities will ensure each student receives services that will address the identified areas of need that will further ensure the student has the opportunity to derive full educational benefit from his/her special education program. The plan must include an**

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administrative oversight component to ensure the consistent implementation of the activities.

Transfer Students - Information obtained through record review and interviews determined that students who transfer into the district are not consistently placed in programs that match the program identified in the IEP nor is an interim IEP developed in the event there is disagreement with the identified program.

- **The district will revise its improvement plan to include activities to ensure transfer students are placed in programs in accordance with their IEP. Implementation of these activities will ensure students receive the programs and services that are necessary to address the individual needs identified through the IEP process and agreed to by the members of the IEP team. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section III: Procedural Safeguards

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of surrogate parent, consent, meetings and native language.

During the self-assessment process, the district identified concerns in the areas of notice of meeting, written notice and independent evaluations. The district's improvement plan is sufficient to address the areas of written notice and notice of meetings. **The district's improvement plan is insufficient to address the area of independent evaluations because it lacks in-service to ensure staff receive training in the appropriate implementation of the procedure. Additionally, since training is required, the district must also revise its projected timelines for completion of the activities.**

Additional areas of need were identified during the on-site visit regarding notice of meeting, written notice and provision of N.J.A.C. 1:6A

Areas of Need:

Notice of Meeting - Information obtained through record review determined that in addition to the concerns identified by the district during self-assessment, notice of a meeting does not consistently inform the parent that transition services will be discussed for students fourteen years of age and older.

- **The district will revise its notice of meetings to include all required components. It is recommended the district adopt the notice of meeting forms developed by the Office of Special Education. Implementation of these activities will ensure the parents are informed of all areas that will be discussed at the meeting.**

Written Notice – Information obtained through record review determined that written notice is not consistently provided within fifteen days of a meeting.

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- **The district will revise its improvement plan to include activities to ensure parents receive written notice within fifteen days of a meeting. Implementation of these activities will ensure the parent is fully informed of all decisions made at the meeting and the factors considered in making the decisions. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Provision of N.J.A.C. 1:6A - Information obtained through record review determined that following the determination to conduct or not conduct an evaluation, the district does not consistently provide the parent with a copy of the due process hearing rules.

- **The district will revise its improvement plan to include activities to ensure a copy of the due process hearing rules (N.J.A.C. 1:6A) is provided to parents. Implementation of these activities will ensure parents are fully informed of dispute resolution opportunities and the process necessary to efficiently access these services. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section IV: Location, Referral and Identification

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of child find activities and direct referrals.

During the self-assessment process, the district identified concerns in the areas of determination and documentation of nature and scope of the evaluation, referral process, summer referrals, health summary, vision and hearing screenings, identification meeting timelines and participants. The district's improvement plan is sufficient to address the areas of referral process and determination and documentation of nature and scope of the evaluation. **The district's improvement plan in the areas of summer referrals, identification meeting participants and timelines is insufficient because the identified timelines have not been met. The district needs to identify new timelines and implement the activities by those newly identified timelines. The district did not submit improvement plans in the areas of health summary and vision and hearing screenings and is required to do so.**

An additional area of need was identified during the on-site visit regarding identification meeting participants.

Area of Need:

Identification Meeting Participants - Information obtained through record review determined that general education teachers do not consistently attend identification meetings for pre-school age children.

- **The district will revise its improvement plan to include activities to ensure a general education teacher is in attendance at identification meetings for pre-school age children. Implementation of these activities will ensure decisions made regarding the need for an evaluation are made by an**

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appropriately configured team. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.

Section V: Protection in Evaluation and Evaluation Procedures

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of multi-disciplinary assessment and written reports for students eligible for special education and related services, bilingual evaluations, standardized assessments and acceptance/rejection of reports.

During the self-assessment process, the district identified concerns in the areas of multi disciplinary assessments and written reports for students eligible for speech and language services. The district's improvement plan is sufficient to address these areas.

Additional areas of need were identified during the on-site visit regarding functional assessments and evaluations.

Areas of Need:

Functional Assessment - Information obtained through record review determined that parent interviews are not consistently documented in reports for students eligible for special education and related services. Furthermore, parent and teacher interviews, documentation of the educational impact, results of a structured observation, review of interventions and review of informal measures are not consistently documented in reports for students eligible for speech and language services.

- **The district will revise its improvement plan to include activities to ensure functional assessments contain all required components. Implementation of these activities will ensure reports contain sufficient information upon which eligibility determination can be made. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Speech and Language Evaluations - Information obtained through record review determined that evaluation reports consisted of a small paragraph that indicated the student needed services. Reports did not include the components required by N.J.A.C. 6A:14-3.4(f)1-5.

- **The district will revise its improvement plan to include activities to ensure speech and language reports include all required components. Implementation of these activities will ensure a comprehensive evaluation is conducted and that reports contain required information upon which eligibility determination can be made. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

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Section V: Reevaluation

Summary of Finding:

During the self-assessment the district accurately identified themselves compliant in the area of reevaluation by June 30th of the student's last year in preschool.

During the self-assessment process, the district identified concerns in the areas of three year timelines and planning meetings. **The district's improvement plan is insufficient to address the area of three year timelines because timelines identified for completion of the activities have not been met. The district needs to identify new timelines and implement the activities by those newly identified timelines.** The district's improvement plan is sufficient to address the area of reevaluation planning meetings. During the on-site monitoring, it was determined through interviews and record review that the district has implemented activities to bring about corrective action in this area.

An additional area of need was identified during the on-site visit regarding planning meeting participants.

Area of Need:

Planning Meeting Participants – Information obtained through record review determined that general education teachers are not consistently in attendance at meetings conducted for preschool students who turn age five.

- **The district will revise its improvement plan to include activities to ensure general education teachers attend reevaluation meetings for preschool students who turn age five. Implementation of these activities will ensure all required participants are involved in the decision making process and are afforded the opportunity to provide input in determining the nature and scope of the evaluation, eligibility status and placement determinations. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section VII: Eligibility

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of meetings and criteria for eligible for special education and related services.

During the self-assessment process, the district identified concerns in the areas of the provision of a copy of evaluation reports to parents/adult students ten days prior to the meeting, criteria for eligible for speech and language services and statement of eligibility. The district's improvement plan is sufficient to address these areas.

An additional area of need was identified during the on-site visit regarding signature of agreement/disagreement and rationale.

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Areas of Need:

Signature of Agreement- Disagreement and Rationale - Information obtained through record review determined that team members do not consistently document their agreement or disagreement with eligibility determinations.

- **The district will revise its improvement plan to include activities to ensure the district members of the IEP team certify in writing their agreement or disagreement with eligibility determinations. Implementation of these activities will ensure parents are aware of any dissenting opinions and the reason for the disagreement. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section VIII: Individualized Education Program (IEP)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of annual review timelines, age of majority, teacher knowledge and access.

During the self-assessment process, the district identified concerns in the areas of 90-day timelines, IEPs to parents, implementation dates, considerations and required statements, goals and objectives aligned to the core curriculum content standards and student participation. **The district's improvement plan is insufficient to address the areas of 90-day timelines, IEPs to parents and implementation dates because the timelines identified for completion of activities have not been met. The district needs to identify new timelines and implement the identified activities by the newly identified timeline.** The district's improvement plan is sufficient to address the areas of student participation, goals and objectives/core curriculum content standards considerations and required statements. During the on-site monitoring, it was determined through interviews and record review that the district has implemented activities to bring about corrective action in these areas.

Additional areas of need were identified during the on-site visit regarding implementation dates, required components of speech IEPs, participants and reconvening meetings.

Areas of Need:

IEP Format for Students Eligible for Speech and Language Services - Information obtained through record review determined that the IEP does not include documentation of the consideration of extended school year programs and transition services beginning for students age fourteen and older.

- **The district will revise its IEP format for students eligible for speech and language services to ensure it contains all required components. It is recommended the district adopt the IEP format developed by the Office of Special Education Programs.**

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Meeting Participants - Information obtained through record review and interviews determined that in addition to the areas of need identified in the self-assessment, general education teachers do not consistently attend annual review meetings.

- **The district will revise its improvement plan to include activities to ensure general education teachers participate in annual review meetings. Implementation of these activities will ensure decisions are made based on information obtained from all required participants. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Reconvening Meetings – Information obtained through record review and interviews determined that multiple attempts are not made to ensure parents have the opportunity to participate in annual review meetings. As a result, parents are typically not attending nor is the district rescheduling the meeting when a parent requests a rescheduling.

- **The district will revise it's improvement plan to include activities to ensure multiple attempts are made by the district to secure parental participation at meetings and that meetings are reconvened at a mutually agreeable time if the parent is unable to attend the scheduled meeting but, instead, offers an alternative date and time. Implementation of these activities will ensure all required members of the IEP team participate in the decision-making process. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section IX: Least Restrictive Environment (LRE)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of supplemental aides and services and school age general education access.

During the self-assessment process, the district identified concerns in the areas of preschool individualized decision-making, continuum, general education preschool access, and the lack of supplemental aids and services. The district identified the lack of a preschool disabled program as the barrier in the decision-making process. The district's improvement plan is sufficient to address these areas. The district also identified concerns in the areas of least restrictive environment documentation and participation of out-of-district students in non academic and extra curricular activities. The district's improvement plan is sufficient to address these areas.

An additional area of need was identified during the on-site visit continuum and individualized decision-making for school aged students.

Area of Need:

Individual Decision-Making/Continuum – Information obtained through the interview process determined that the district needs to expand its in-class support program and pull-out resource programs to meet the growing needs of students. Because these

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programs have not been expanded, students are placed in available programs even if they don't address their individual needs.

- **The district will revise its improvement plan to include activities to ensure program and placement decisions are based on the needs of the individual student and not on program availability. These activities must include a needs assessment to determine where program expansion needs to occur as well as the identification of needed resources to bring about the necessary expansion. Implementation of these programs will ensure each student receives the programs and services that are necessary to address the individual needs of the student identified by and agreed to by the IEP team. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section X: Transition to Post-School

Summary of Findings:

During the self-assessment process, the district identified concerns in the areas of transition service needs, needed transition services, student interests and references and agency representation. **The district's improvement plan is insufficient to address the areas of transition service needs and needed transition services because the timelines identified for completion have not been met. The district needs to identify new timelines and implement the identified activities by those newly identified dates.** During the on-site monitoring, it was determined through interviews and record review that the district has implemented activities to bring about corrective action in the areas of student interests and preferences and student attendance at transition meetings.

An additional area of need was identified during the on-site visit regarding agency participation.

Area of Need:

Agency Participation - Information obtained through record review and interviews determined that when an agency does not attend a meeting where transition plans are discussed and developed, the district does not take other actions to obtain their participation.

- **The district will revise its improvement plan to include activities to ensure the district takes action to ensure agency participation in the development of a transition plan when the agency does not attend the meeting. Implementation of these activities will ensure participation by all participants identified as having responsibility in developing and implementing a transition plan. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

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Section X: Transition to Preschool

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of preschool transition planning conference.

An area of need was identified during the on-site visit regarding implementing preschool disabled programs by age three.

Area of Need:

Implementing Preschool Disabled Programs By Age Three - Information obtained through record review and interviews determined that the district does not consistently provide preschool disabled programs by the time the student reaches his/her third birthday.

- **The district will revise its improvement plan to include activities to ensure that by age three, students receive the programs and services required by their IEPs. Implementation of these activities will ensure students receive the programs and services in a timely manner. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section X: Discipline

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of procedural safeguards and interim alternative educational settings.

During the self-assessment process, the district identified concerns in the areas of documentation to case manager, suspension tracking, functional behavior assessment/behavior intervention plan and manifestation determination. **The district's improvement plan is insufficient to address these areas because the timelines identified for completion have not been met. The district needs to identify new timelines and implement the identified activities by those newly identified dates. The district must also identify the frequency of administrative oversight activities.**

No additional areas of need were identified during the on-site visit.

Section XII: Statewide Assessment

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of participation, IEP documentation and alternative assessment.

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During the self-assessment process, the district identified concerns in the areas of approved accommodations and modifications. The district's improvement plan is sufficient to address this area.

No additional areas of need were identified during the on-site visit.

Section XIII: Graduation

During self-assessment the district accurately identified themselves compliant in the areas of written notice of graduation and participation of students in out-of-district placements.

During the self-assessment process, the district identified concerns in the areas of documentation of graduation requirements in the IEP. The district's improvement plan is sufficient to address the area of documentation of graduation requirements. During the on-site monitoring, it was determined through record review that the district has implemented activities to bring about corrective action in this area.

No additional areas of need were identified during the on-site visit.

Section XIV: Programs and Services

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of class size, age range, group size for speech therapy, home instruction, and consultation time.

During the self-assessment process, the district identified concerns in the areas of insufficient child study team staff and replacement resource programs. **The district's improvement plan is insufficient to address these areas because the timelines identified for completion of the activities have not been met. The district needs to identify new timelines and implement the identified activities by those newly identified dates.**

No additional areas of need were identified during the on-site visit.

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Summary

On-site special education monitoring was conducted in the Lacey Township School District on May 11, 12, 13 and 14, 2004. 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 commended for the comprehensive review conducted during the self-assessment process. As a result of that review the district was able to identify areas of need and develop an improvement plan that with some revision will bring about systemic change. The district is further commended 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 as well as the implementation of activities to bring about correction in some of the identified areas of need.

At a focus group meeting held prior to the monitoring visit, parents expressed their satisfaction with many of the district's programs and services. Parents generally agreed that students have current IEPs. Some parents indicated the IEPs did not challenge their children enough. Parents were in agreement that student progress is not consistently reviewed and that case management caseloads are very high. The district contracts out for related services and this presents a problem when staff are out for an extended period of time. Parents indicated there is a need to expand in-class support options. The district has a very active parent support group that maintains a positive relationship with the district. Parents are welcomed to visit their child's class. Parents expressed their satisfaction with the preschool transition process.

Student Records was identified by the district during self-assessment and verified during the on-site monitoring visit included as a standard that was consistently compliant.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included policies and procedures, dissemination of IDEA information, facilities, certification, extended school year, length of school day and year, surrogate parent, consent, meetings, native language, child find activities, direct referrals, multi disciplinary assessment and written reports for eligible for special education and related services, bilingual evaluations, standardized assessments, acceptance/rejection of reports, reevaluation by June 30th, eligibility meetings, criteria for eligible for special education and related services, annual review timelines, age of majority, teacher knowledge and access, supplemental aides and services and regular education access, preschool transition planning conference, disciplinary procedural safeguards, interim alternative educational settings, written notice of graduation, participation of students placed in out-of-district programs in graduation, statewide assessment participation, IEP documentation, alternative assessment, class size, age range, group size for speech therapy, home instruction and consultation time.

During the self-assessment process, the district identified areas of need regarding staff training, hearing aides, related services, transfer students, notice of meeting, written notice, independent evaluations, determination and documentation of nature and scope of the evaluation, referral process, summer referral, health summary, vision and hearing screenings, identification meeting timelines and participants, multi disciplinary assessment and written reports for eligible for speech and language services, three year timelines and planning meetings, copy of evaluation reports to parents/adult student ten days prior to meeting, criteria for eligible for speech and language services, statement of eligibility, 90 day timelines, IEPs to parents, implementation dates, considerations and

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required statements, Present Levels of Educational Performance, goals and objectives aligned to the core curriculum content standards, participation of students and vocational/agency personnel, preschool individual decision-making, continuum, regular education preschool access, and supplemental aides and services, transition service needs, needed transition services, student interests and references, agency representation, documentation of removal from school to case manager, suspension tracking, functional behavior assessment/behavior intervention plan, manifestation determination, documentation of graduation requirements in the IEP, approved accommodations and modifications for statewide testing, child study team staff and replacement resource programs.

The on-site visit identified additional areas of need within the various standards regarding related services, transfer students, notice of meeting, written notice, provision of N.J.A.C. 1:6A, identification meeting participants, functional assessments, speech and language evaluations, planning meeting participants, signature of agreement and/or disagreement and rationale, eligibility meeting participants, implementation dates, required components of speech IEP, participants, reconvening meetings, school age continuum, individual decision-making, implementing preschool disabled programs by age three and agency participation.

Within forty-five days of receipt of the monitoring report, the Lacey Township School District will revise and resubmit the improvement plan to the Office of Special Education Programs to address those areas that require revisions.