

**NEW JERSEY DEPARTMENT OF EDUCATION
SPECIAL EDUCATION MONITORING**

District: Lenape Regional High School District

County: Burlington

Monitoring Dates: December 11, 12, 13, 14, 15, 18, 19 2000

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Background Information:

During the 1999-2000 school year, the Lenape Regional High School District conducted a self-assessment of policies, procedures, programs, services and student outcomes. This self-assessment component of the monitoring process provided the Lenape Regional High School District with an opportunity to evaluate its strengths and areas of need with regard to:

- The provision of a free and 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 Lenape Regional High School District developed an improvement plan to address the identified areas.

The Office of Special Education Programs conducted an on-site monitoring visit to verify the district's report of findings and address the appropriateness of the improvement plan and the progress made in implementing that plan.

As the first step in the on-site monitoring process, the New Jersey Department of Education held a focus group meeting for parents and community members at the Lenape Regional High School District Administration Building on December 5, 2000. From this initial focus group meeting, areas were identified that would later be reviewed during the on-site visit. In addition to these areas, information from previous monitoring activities was available to the team and helped to direct the focus of the monitoring visit.

During the on-site visit, the New Jersey Department of Education team reviewed district documentation, 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, including a representative sample of student records. Interviews were conducted with the district's special education director, building principals, and child study team members, including the speech-language specialist. Input was also received from parents of students with disabilities. In addition, all three of the district's school buildings were visited and both general and special education teachers from each school were interviewed.

District compliance with the requirements of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code for Special Education (N.J.A.C. 6A:14) was assessed. Areas identified by the district as compliant were reviewed. Systemic areas of need are identified in the findings below.

District Strengths

The district has offered a unique program for the past 20 years called the YES Program. This Youth Employed in Service (YES) program trains multiply handicapped youth and provides work experiences. The purpose of the program is to provide youth with the opportunity to learn appropriate work habits and attitudes while working and training in a real employment environment. The students are employed to perform a variety of assignments at one of the three high schools that make up the Lenape Regional High School District.

Sections Demonstrating Compliance In All Standards

Graduation Requirements 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.

I. General Provisions

Summary of Findings:

The Lenape Regional School District adopted the Policies/Statement of Assurances required by the New Jersey Department of Education. The district is currently in the process of developing and updating procedures to implement policies as required by the Office of Special Education Programs. The district accurately identified compliance with submission of annual reports to the Office of Special Education Programs and the provision of public documents to parents when requested.

During the self-assessment the district identified the need for more training for general education teachers. The improvement plan is insufficient to address this area of need.

Areas of Need:

Staff Development- During self-assessment, the district identified the need to provide training for the general education teachers in the areas of behavior interventions, including preventative strategies, modifications and adaptations of instructional strategies.

- The district is directed to revise its improvement plan to include more specific staff training activities, timelines for completion and follow-up activities to evaluate the effectiveness of the training.

II. FREE AND APPROPRIATE PUBLIC EDUCATION

Summary of Findings:

The district accurately assessed compliance in the areas of the length of school day and year for students with disabilities and ensuring that hearing aides worn by students with disabilities are functioning properly.

During the self-assessment process, the district identified concerns with extended school year, IEP meetings, and the process pertaining to transfer students. The district has developed an improvement plan that is sufficient to address transfer procedures.

Additional areas of need were identified during the on-site visit regarding consideration and documentation of extended school year in the IEP, and related services.

Areas of Need:

Extended School Year – The district indicated that the provision of extended school year services is not considered on an individual basis for all students. Additionally, on-site monitoring determined that ESY documentation in the IEP is confusing because individual IEPs contain conflicting statements regarding whether the student needs ESY services.

- The district is directed to revise its improvement plan to ensure extended school year services are considered for each student on an individual basis and that determinations are clearly documented in the IEP.

IEP Meetings – As a result of the self-assessment process the district determined that changes in IEPs are sometimes made when team members obtain verbal approval from parents but prior to convening an IEP meeting and providing the parent with written notice of the proposed changes. The improvement plan is insufficient to address this area of need.

- The district is directed to revise the improvement plan to ensure IEP meetings are conducted and notice is provided prior to the implementation of IEP changes.

Related Services – On-site review of IEPs indicated that related services were not consistently provided from September through June. Instead, services were provided from October to May.

- The district is directed to revise its improvement plan to ensure that related services are provided on a consistent basis from September through June. Any decision to modify the provision of a related service must be made on an individual basis with clearly documented start and end dates in the IEP.

III. PROCEDURAL SAFEGUARDS

Summary of Findings:

The district accurately assessed compliance in the areas of obtaining parental consent for initial evaluations, reevaluations, IEPs, notice of a meeting (content) and prior written notice, responding to parental requests within 20 days, independent evaluations, and informing parents about available resources.

During the self-assessment process, the district identified concerns in the areas of surrogate parents, notification of transfer of rights at age of majority, documenting attempts to secure parent participation, and the provision of written notice within fifteen days in the parent's native language. The district's improvement plan is insufficient to address these areas of need.

Additional areas of need were identified during the on-site visit regarding parental consent prior to conducting a functional assessment, and meeting participants.

Areas of Need:

Surrogate Parents –The district has identified a need to develop and implement a method for selecting and training surrogate parents. At the current time, the district has not identified a list of surrogate parents.

- The district is directed to revise its improvement plan to include the development of policies and procedures to ensure that students with disabilities in need of a surrogate parent are provided this service without delay. The policies and procedures must include methods for selecting and training surrogate parents.

Age of Majority – During the self-assessment process the district determined that students and parents are not consistently informed that all rights will transfer to the student upon reaching the age of majority.

- The district is directed to revise its improvement plan to ensure that parents and students are consistently notified at least three years before a student reaches age 18 that all rights transfer when the student reaches the age of majority.

Parent Participation – During the self-assessment process, the district indicated that attempts to ensure parental participation at meetings has not been consistently documented and maintained in student records.

- The district is directed to revise its improvement plan to ensure consistent documentation of district efforts to afford parents the opportunity to participate in meetings.

Written Notice in Native Language – During self-assessment, the district identified that they lack a procedure to ensure that written notice is consistently provided within fifteen days in the parent's native language following eligibility and IEP meetings. The district indicated that a shortage of clerical staff has impacted their timelines.

- The district is directed to revise its improvement plan to ensure that written notice is provided to parents in their native language, when feasible, in a timely manner. The plan must identify how the district will ensure it has sufficient staff to implement this activity.

Parental Consent – IEP review determined that parental consent is not consistently obtained and documented in student IEPs prior to conducting functional behavior assessments that consist of more than record review.

- The district is directed to revise its improvement plan to include procedures to ensure that parental consent is consistently obtained prior to conducting a functional behavior assessment and that these attempts are consistently documented in student IEPs.

Meeting Participants- On-site monitoring determined that guidance counselors attend IEP meetings in place of regular education teachers, and that child study team members and special education teachers do not consistently attend meetings.

- The district is directed to revise its improvement plan to include procedures to ensure that all required participants, including regular and special education teachers and child study team members attend IEP meetings.

IV. Location Referral and Identification

Summary of Findings:

The district accurately identified compliance with direct referrals, identification meetings, and summer referrals.

During the self-assessment process, the district identified areas of need regarding child find information, a lack of a criteria to assist in determining whether a referral to the child study team is warranted, documenting interventions, timelines for interventions, health and medical information, and the need for a health appraisal. The district's improvement plan is sufficient to address the child find issue.

Areas of Need:

Timelines for Interventions - The district identified a need to establish timelines for evaluating the effectiveness of interventions and determining when to proceed with a referral to the child study team. Although the district identified this as an area of need the improvement plan did not address this component.

- The district is directed to revise its improvement plan to include procedures to ensure the timely referral of students to the child study team when interventions in the general education setting are insufficient to address student needs.

Health and Medical Information – The district identified a need to ensure the timely review of available health and medical information by the school nurse and the timely provision of the summary of that information to the child study team prior to the identification meeting. Although

the district identified this as an area of need, the improvement plan did not address this component.

- The district is directed to revise its improvement plan to ensure that health and medical information is available at the time of the identification meeting.

Health Appraisal – The district identified a need to more appropriately determine whether a health appraisal or specialized medical evaluation is required. Although the district identified this as an area of need, the improvement plan does not address this component.

- The district is directed to revise its improvement plan to include procedures to ensure that appropriate determinations are made regarding the need for a health appraisal or a specialized medical evaluation.

Referral Procedures – The district identified a need to establish a criteria to determine whether a student would benefit from interventions in general education or whether the need was such that a referral to the child study team was warranted. Although the district identified this as an area of need, the improvement plan does not address this component.

- The district is directed to revise its improvement plan to include procedures for determining whether a direct referral is warranted or whether the student would benefit from continued interventions in general education.

V. EVALUATION

Summary of Findings:

The district accurately assessed compliance in the areas of obtaining parental consent for evaluations, conducting multi-disciplinary assessments that are both technically sound and are neither culturally nor racially discriminatory, appropriate use of standardized assessments, written reports, 90 day timelines, bilingual evaluations, and signed and dated speech-language evaluations.

During the self-assessment process, the district identified areas of need regarding functional assessments, signed and dated child study team reports, acceptance and rejection of reports, and documentation of severe discrepancy. The district's improvement plan is insufficient to address these areas of need.

Areas of Need:

Functional Assessments - During the self-assessment process, the district identified a need to provide a minimum of one structured observation of the student in a setting other than the testing situation.

- The district is directed to revise their improvement plan to ensure that observations of students are conducted as part of the functional assessment.

Reports – During self-assessment, the district indicated that written reports and assessments conducted by child study team members (not including the speech/language specialist) are not consistently dated and signed by the individual who conducted the assessment.

- The district is directed to revise the improvement plan to ensure that written reports and assessments are dated and signed by the individuals who conducted the assessment.

Documentation of severe discrepancies – During the self-assessment process, the district identified the need to document a severe discrepancy between student achievement and ability that is not correctable without special education and related services.

- The district is directed to revise its improvement plan to ensure the consistent documentation of a severe discrepancy .

Acceptance and rejection of reports - During self-assessment, the district identified a concern in the area of consistently documenting the acceptance or rejection of reports and assessments submitted to the IEP team for consideration.

- The district is directed to revise its improvement plan to ensure consistent documentation of the acceptance or rejection of reports and assessments submitted to the district for consideration.

VI. REEVALUATION

Summary of Findings:

The district accurately assessed compliance in the areas of obtaining parental consent, and conducting reevaluation planning meetings.

During the self-assessment process, the district identified an area of need regarding delays in meeting reevaluation timelines.

Additional areas of need were identified during the on-site visit regarding written notice components following evaluation planning meetings, and documentation of the provision of written notice. Meeting participants have been addressed in Section III.

Areas of Need:

Timelines - During the self-assessment process, the district indicated that timelines are met approximately 90% of the time. Delays may occur as a result of reevaluations that require specialized assessments. Delays also occur as a result of team members having insufficient time resulting in the need to contract for additional child study team services.

- The district is directed to revise its improvement plan to include procedures to ensure the completion of reevaluations within the three-year timeline. The plan must include specific activities to address the issues identified by the district during self-assessment.

Written Notice – On-site monitoring determined that written notice is not consistently documented in student files and that written notice following an evaluation does not consistently document that functional assessments were conducted as part of the reevaluation process.

- The district is directed to develop an improvement plan to ensure consistent documentation of the provision of written notice that includes all required components. The district is advised to adopt the notice forms developed by the Office of Special Education Programs.

VII. ELIGIBILITY

Summary of Findings:

The district accurately assessed compliance regarding eligibility meetings, the components of prior written notice, notice of a meeting, and establishing eligibility based on required criteria.

During the self-assessment process, the district identified areas of need regarding timelines for provision of written notice, conducting meetings with all required participants, and provision of copies of evaluation reports to parents. The areas regarding meeting participants and the timely provision of notice have been addressed in previous sections.

Areas of Need:

Provision of Evaluation Reports - During the self-assessment process, the district indicated that parents do not consistently receive reports of evaluations within the required timelines. The district identified a lack of technological support for child study team members as the primary barrier to compliance. Improvement plan activities include a “district laptop initiative,” however, this activity was not discussed in sufficient detail to determine whether it would correct this area of need.

- The district is directed to revise its improvement plan to include more specific activities to ensure the provision of evaluation reports to parents no later than when written notice of the determination of eligibility is provided.

VIII. IEP

Summary of Findings:

The district accurately assessed compliance with components of notice of a meeting and timelines for conducting IEP meetings within 30 days of determining eligibility. The district maintains signatures of IEP meeting participants and IEPs are implemented as soon as possible following parental consent. IEPs are in effect at the start of the school year and instructional staff members with responsibility for implementation of IEPs are notified of those responsibilities at the start of the school year. In addition, parents are afforded the opportunity to observe proposed placements.

During the self-assessment process, the district identified areas of need regarding timelines for the provision of written notice, provision of the IEP to parents, IEP implementation dates, components of the IEP, and goals and objectives. The district has developed an improvement plan that is sufficient to address the areas of need regarding notice timelines, the provision of IEPs to parents, and implementation dates.

Additional areas of need were identified during the on-site visit regarding IEP components, reporting of progress to parents, meeting participants, and annual reviews. The area of meeting participants has been addressed in Section III.

Areas of Need:

IEP Components - During the self-assessment process, the district indicated that IEPs do not consistently reflect the amount of time that an in-class support teacher will be in the classroom. In addition, during the on-site monitoring visit, a review of records and interviews with staff and parents indicated that IEPs do not include a comparison of the benefits of regular and special education. IEPs list the benefits of special education and potentially harmful effects of regular education. The benefits of regular education are not documented. Additionally, on-site monitoring identified that speech-language IEPs do not include a consideration of needed accommodations and modifications for statewide assessments, supports for school personnel, or an explanation of the extent to which a student will not participate in regular education.

- The district is directed to revise its improvement plan to ensure IEPs contain all required statements. It is recommended the district adopt the state's model IEPs.

Goals and Objectives - During the self-assessment process, the district indicated that IEP goals and objectives are not consistently based on student needs. The district further indicated that goals and objectives are not specific enough to guide instruction and are not related to the core curriculum content standards. In addition, they indicated IEPs do not consistently include goals and objectives for related services. The district's improvement plan indicates that IEP goals and objectives will reflect the core curriculum content standards, but does not identify methods for achieving this or ensuring implementation. Furthermore, the plan does not address the need to develop goals and objectives for related services.

- The district is directed to revise its improvement plan to identify methods for ensuring that IEP goals and objectives are reflective of the core curriculum content standards. The plan must include the procedures it will follow to ensure that IEP goals and objectives are individualized and specific enough to guide instruction.
- The district is directed to revise its improvement plan to include procedures to ensure that IEPs include goals and objectives for related services.

Reporting of Progress to Parents - During the on-site visit, a review of records and interviews with staff and parents indicated that reports of progress for students receiving speech-language services are not disseminated at the same rate as non-disabled students. Instead, they are provided twice a year - mid-year and at the annual review.

- The district is directed to revise its improvement plan to identify the procedures it will follow to ensure that reports of progress for speech-language goals and objectives are given to parents at least as often as those for non-disabled students.

Annual Reviews - During the on-site monitoring visit, a review of records indicated that annual reviews for students in grades 10-12 are completed within one year. IEPs for students in grade nine, however, are not consistently reviewed within 12 months. Interviews with school personnel indicate that annual review meetings for these students are held in the sending district in the spring of grade eight. IEP meetings are held again in the spring of grade nine by Lenape personnel, however, the meeting dates are not within 12 months of the previous IEP.

- The district is directed to revise its improvement plan to include the procedures it will follow to ensure that annual reviews for all students in grade nine are conducted within 12 months of the previous IEP review.

IX. Least Restrictive Environment

Summary of Findings:

The district accurately identified compliance with the continuum of services, participation in non-academic and extracurricular activities and the provision of supplementary aides and services.

During the self-assessment process the district identified that the placement of a student with a disability is not always based on the IEP. The district has developed an improvement plan that is sufficient to address this area of need.

An additional area of need was identified during the on-site visit regarding in-class support programs.

Areas of Need:

In-class Support Programs – A review of class rosters indicated that In-class support classes contain few regular education students and instead consist mainly of classified students receiving instruction that is neither modified nor adapted and classified students receiving in-class support. The intent of an in-class support program is to provide instruction to classified students in a setting that affords those students the opportunity to participate and interact with nondisabled peers and not to provide instruction in segregated settings.

- The district is directed to revise its improvement plan to ensure that students requiring in-class support are enrolled in mainstream classes that include a number of regular education students that demonstrates the implementation of both the letter and spirit of the regulation by affording those classified students the opportunity to participate and interact with their nondisabled peers.

X. TRANSITION

Summary of Findings:

The district accurately assessed compliance with agency participation in meetings and IEP transition components.

During the self-assessment process, the district identified an area of need regarding the provision of vocationally oriented programs.

Additional areas of need were identified during the on-site visit regarding the decision-making process for transition, documentation of student interests and preferences, documentation of other steps to obtain student input, and identification of the post-secondary liaison.

Areas of Need:

Provision of Vocationally Oriented Programs - During the self-assessment process, the district indicated a need for more vocational programs in-district, such as job shadowing, job development, and job coaching, to more effectively meet the needs of students with disabilities. Improvement plan activities include the development of curricula for these courses. No additional activities or timelines were identified regarding these programs.

- The district is directed to revise its improvement plan to identify specific activities and timelines to ensure the implementation of needed activities to develop these programs.

Decision-making for Transition Planning- During the on-site monitoring, a review of records indicated that documentation of transition planning does not reflect individualized decision-making. Although the format of the IEP includes the required components, transition plans are generic.

- The district is directed to develop an improvement plan to include the activities it will follow to ensure that the decision-making process for transition planning is individualized and appropriately documented in student IEP's.

Student Interests and Preferences- During the on-site monitoring, a review of records and interviews with staff and parents indicate that although student interests and preferences are noted in the IEP, there is no documentation as to how this information was obtained nor how the information was gathered in the event the student did not attend the IEP meeting.

- The district is directed to revise its improvement plan to include the activities it will follow to ensure that the source of student interests and preferences are documented in student files.

Post-Secondary Liaison- During the on-site monitoring, a review of records indicated that IEPs do not consistently identify the post-secondary liaison for transition planning.

- The district is directed to revise its improvement plan to include the activities it will follow to ensure that student IEPs identify the post-secondary liaison.

XI. Discipline

The district accurately assessed compliance in the areas of behavior intervention plans, short - term removals that are not a change in placement, expedited evaluations, and placement in interim alternative educational settings.

During the self-assessment process, the district identified concerns with notification to the case manager, conducting functional behavior assessments, conducting IEP meetings and in-school disciplinary options. The district has developed an improvement plan that sufficiently addresses the notification and assessment issues.

Additional areas of need were identified during the on-site visit regarding consent for functional behavioral assessments, meeting participants for manifestation determinations and written

notice of manifestation determination meetings. Meeting participants and consent have been addressed in previous sections.

Areas of Need:

In School Disciplinary Options – The district has indicated the need to expand its in-school suspension programs. This option is currently available only at Cherokee High School.

- The district is directed to revise its improvement plan to ensure that in-school disciplinary options are available to every student with a disability in the district.

Manifestation Determination – Records for students with more than 10 days of suspension were reviewed. Though there was documentation that a manifestation meeting was conducted, written notice of the results of that meeting were not consistently documented.

- The district is directed to revise its improvement plan to ensure that notice of the results of manifestation determination meetings are consistently provided and documented.

XII. STATEWIDE ASSESSMENT

Summary of Findings:

The district accurately assessed compliance regarding the provision of modifications and accommodations in student IEPs and participation in the SRA process.

During the self-assessment process, the district identified areas of need regarding participation in statewide assessments and CST knowledge of the content of statewide assessments. The district has developed an improvement plan that is sufficient to address these areas of need.

An additional area of need was identified during the on-site visit regarding alternate assessments.

Areas of Need:

Alternate Assessments—During the on-site monitoring, a review of IEPs indicated that though alternate proficiencies are identified for students exempt from participating in statewide assessments, alternate assessments are not consistently identified.

- The district is directed to revise its improvement plan to include the procedures it will follow to ensure that IEPs identify alternate assessments when students are exempt from participating in statewide assessments.

XIV. Programs and Services

Summary of Findings:

The district accurately assessed compliance in the area of age range, the provision of aides where required, appropriately certified staff, group size and home instruction approval.

During the self-assessment process, the district identified concerns in the areas of child study team personnel, resource room class size, common planning time, the description of the team

teaching model, case management responsibilities and entry into district for students residing in a state institution. The district has developed an improvement plan that is sufficient to address these areas of need.

XV. Student Records

Summary of Findings:

The district accurately identified compliance with maintaining a record of persons accessing student files, Child Study Team records documenting the location of other files, maintenance and destruction of records, and responding to parental requests to review and obtain copies of records.

An additional area of need was identified during the on-site visit regarding the identification of the location of other records in central files.

Areas of Need:

Location of Student Records- Central files do not document the location of other student files maintained by the district.

- The district is directed to revise its improvement plan to ensure that central files document the location of other student records.

Summary

An on-site special education monitoring was conducted in the Lenape Regional School District on December 11, 12, 13, 14, 15, 18, 19, 2000. The purpose of the monitoring was to verify the district's report of findings resulting from self-assessment and to determine the appropriateness of the district's improvement plan. As a result of the thorough and comprehensive review conducted by the district during the self-assessment process, the district was able to self-identify a number of areas that require improvement.

During the on-site monitoring, the monitoring team identified a unique and beneficial program called Youth Employed in Service (YES), which provides students with the opportunity to learn appropriate work habits and develop appropriate work attitudes while working and training in a real employment environment.

At the focus group meeting held prior to the visit, parents expressed their satisfaction with many of the district's programs and services. In addition, many of the concerns raised by the parents had already been identified and addressed by the district during the self-assessment process.

The on-site visit confirmed that the district is compliant with regard to length of school day and year, obtaining parental consent, timelines for responding to parental requests, encouraging student participation in academic and non-academic extracurricular activities, transition components in the IEP, behavioral interventions, the provision of modifications and accommodations, and documentation of access to student files.

During the self-assessment process, the district identified areas of need regarding training for general education teachers, extended school year, IEP changes, transfer student procedures, surrogate parents, transfer of rights at the age of majority, native language, documenting parental participation, child find procedures, referral procedures for child study teams, functional behavioral assessments, meeting timelines, vocational programs, participation in statewide assessments, resource room class size, common planning time, and entry into the district for students residing in state institutions.

The on-site visit further identified areas of need within the various standards regarding documentation of manifestation determinations, alternate assessments, student interests and preferences, and the location of student records. Additional areas of need were identified regarding timelines for the delivery of related services, consent for functional assessments, meeting participants, and in-class support programs.

Within forty-five (45) days of receipt of the monitoring report, the district is required to revise and resubmit its improvement plan to the Office of Special Education Programs.