

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

**District:** Lower Cape May Regional School District

**County:** Cape May

**Monitoring Dates:** November 12, 2003

**Monitoring Team:** Patricia Fair, Julia Harmelin, and Ken Richards

***Background Information:***

During the 2002–2003 school year, the Lower Cape May Regional School District conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Lower Cape May Regional 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 Lower Cape May Regional 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 Lower Cape May Regional School District Administration Building on November 12, 2003. 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's special education administrators, building principals, general education and special education teachers, speech therapists and child study team members.

**District Strengths:**

The district is commended for the introduction of wireless laptop computers into the 7<sup>th</sup> and 8<sup>th</sup> grades, as well as the high school Foreign Language, Mathematics and English

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Departments. At this time the district has over 900 computers and there are plans to increase this to include other departments in the high school.

The district received the 1997 "Best Practice" Award in the area of Transition under the School to Work Initiative. The district has sustained in-house entrepreneurs where students are applying academic knowledge specifically in the Caper Café, Bagel Shop, Auto Detailing Shop, Sunshine/Special Occasion Shop and Project Greenhouse.

In June 2002 the district received the Capacity Building Grant from NJDOE. The district has been able to transition students in out-of-district placements back into the district and include more students into the general education settings. The grant has provided the district with resources to hire an Inclusion Facilitator and Behavioral Specialist as well as two special education teachers to increase in-class support options and four paraprofessionals to provide more support options in general education for classified students.

### **Data Summary:**

The Lower Cape May Regional School District reported a classification rate of 23.1% for the 2001 – 2002 school year, which is above the state average of 13.4%. The district has identified this through the self-assessment process and has addressed this concern through their improvement plan. 2001-2002 placement data submitted by the district indicated 35.6% of school aged students are placed in general education settings for more than 80% of the day. This is below the state average of 42.0%. The district has identified this through the self-assessment process and has addressed this concern through their improvement plan. It should be noted since 2000 the district has decreased the number of students placed in out-of-district settings by creating more opportunities for in-class support and pull-out resource center programs. The creation of these programs has served to transition students out of self-contained classes and into these resource center classes. In addition, the district has included 100% of students eligible for special education and related services in statewide assessments.

### ***Areas Demonstrating Compliance With All Standards:***

**General Provisions, Statewide Assessments, and Programs and Services** were determined to be areas of compliance by the district during self-assessment and by the Office of Special Education Programs 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 extended school year, length of school day and year, facilities, and certifications.

During the self-assessment process, the district identified concerns in the areas of related services, transfer students and hearing aids. The districts improvement plan is sufficient to address these areas. The district further identified concerns regarding IEPs and their lack of goals and objectives for related services. **The district did not submit**

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**an improvement plan to address this area of need. The district will develop activities to ensure IEPs contain goals and objectives for related services.**

An additional area of need was identified during the on-site visit regarding frequency, location and duration of services.

### **Area of Need:**

**Frequency, Location and Duration of Services** – During the on-site monitoring it was determined that frequency, location, and duration of services are not consistently documented in IEPs.

- **The district will revise the improvement plan to include activities to ensure IEPs identify the specific frequency, duration and location of related services. Implementation of these activities will ensure parents and staff are fully informed of the amount of time a student will be removed from his/her program. The improvement 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 meetings, written notice, independent evaluations and interpreters at meetings.

During the self-assessment process, the district identified concerns in the areas of surrogate parents, consent for reevaluation and attempts to secure parental participation at meetings. The district's improvement plan is sufficient to address these areas.

Additional areas of need were identified during the on-site visit regarding provision of PRISE, due process hearing rules and native language.

#### **Areas of Need:**

**PRISE and Due Process Hearing Rules** – During the on-site monitoring it was determined through staff interviews that the district is not providing due process hearing rules (1:6A) to parents and a current copy of Parents Rights In Special Education (PRISE).

- **The district will revise its improvement plan to include activities to ensure procedures to ensure that Due Process Hearing Rules and a current copy of PRISE are provided to parents. Implementation of these activities will ensure parents are provided with written materials that explain their rights and the rights of their children.**

**Native Language** – During the on-site monitoring it was determined through record review and staff interviews that notice of a meeting and written notice is not provided in native language.

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- **The district will revise its improvement plan to include activities to ensure that notice of a meeting and written notice is provided in the native language of the parent. Implementation of these activities will ensure parents are provided with written materials that explain their rights and the rights of their children in a language that is understandable to them.**

### **Section IV: Location, Referral and Identification**

#### **Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of direct referrals and identification meeting participants.

During the self-assessment process, the district identified concerns in the areas of child find ages 3-21, identification meeting timelines, referral process, pre-referral interventions, health summary and vision and hearing screenings. The district's improvement plan is sufficient to address these areas.

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

### **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 evaluations, written reports, bilingual evaluations and accept/rejection of reports.

During the self-assessment process, the district identified concerns in the areas of standardized assessments, functional assessments and determining nature and scope of the evaluation for students identified as potentially eligible for speech and language services only. **The district did not submit a plan to address these areas of need. The district will develop activities to ensure students are assessed with a variety of assessment tools in all areas of suspected disability. The plan must include an administrative oversight component to ensure consistent implementation of these activities.**

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

### **Section VI: Reevaluation**

#### **Summary of Finding:**

During self-assessment the district accurately identified themselves compliant in the areas of planning meetings and participants.

During the self-assessment process, the district identified concerns in the areas of three-year timelines and reevaluations conducted without undue delay. The district's improvement plan is sufficient to address three-year timelines. **The district did not submit a plan for reevaluations conducted without undue delay. The district will**

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**develop activities to ensure that when a reevaluation is conducted sooner at the request of a parent of teacher or because conditions warrant the reevaluation is completed in a timely manner.**

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

### ***Section VII: Eligibility***

#### **Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of meeting and participants.

During the self-assessment process, the district identified concerns in the areas of criteria, signature of agreement/disagreement rationale and provision of copies of evaluation reports to parents/adult students ten days prior to eligibility meetings. The district's improvement plan is sufficient to address these areas.

An additional area of need was identified during the on-site visit regarding eligibility determinations.

#### **Area of Need:**

**Documentation of Eligibility** – During the on-site monitoring visit it was determined through record review and staff interviews that when a parent does not attend eligibility meetings and after several attempts of contact by the district, the child study team does not provide written notice of eligibility and if eligible, does not develop an IEP.

- **The district will revise the improvement plan to include activities to ensure notice of eligibility is provided and an IEP is developed even when a parent fails to attend the meeting. The implementation of these activities will ensure the district has provided the parent with the information necessary to either agree or disagree with these determinations of eligibility and to grant consent to the recommended program and services.**

### ***Section VIII: Individualized Education Program (IEP)***

#### **Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of goals and objectives aligned with Core Curriculum Content Standards and annual review timelines.

During the self-assessment process, the district identified concerns in the areas of meeting participants, considerations and required statements, present level of educational performance statements, IEPs to parents, 90-day timelines and teacher access and responsibility. The district's improvement plan is sufficient to address these areas.

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Additional areas of need were identified during the on-site visit regarding implementation dates and transfer of rights.

### **Areas of Need:**

**Implementation Dates** – During the on-site monitoring visit it was determined through record review and staff interviews that IEPs do not consistently document implementation dates.

- **The district will revise the improvement plan to include activities to ensure IEPs identify the date that IEP will be implemented. Implementation of these activities will ensure the student receives the program and services in a timely manner.**

**Transfer of Rights** – During the on-site monitoring visit it was determined through record review and staff interviews that transfer of rights is not consistently discussed with parents and students.

- **The district will revise its improvement plan to include activities to ensure the transfer of rights is discussed with parents and students at least three years before the student attains the age of majority. Implementation of these activities will ensure parents have the opportunity to initiate guardianship proceedings in a timely manner.**

### **Section IX: Least Restrictive Environment (LRE)**

#### **Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of Oberti, regular education access, nonacademic and extracurricular activities and continuum of programs.

During the self-assessment process, the district identified concerns in the areas of decision-making process and supplemental aids and services. The district's improvement plan is sufficient to address these areas.

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

### **Section X: Transition to Post-School**

#### **Summary of Findings:**

During the self-assessment process, the district identified concerns in the areas of age 14 transition service needs, preferences and interests, age 16 needed transition services needs and student and agency invitation. During the on-site visit it was determined the district has implemented activities to bring about correction in these areas.

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

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**Section X:** Transition to Preschool – This district is a 7<sup>th</sup> to 12<sup>th</sup> grade district

**Section XI: Discipline**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of suspension tracking, manifestation determinations, functional behavioral assessments, and behavioral intervention plan,

During the self-assessment process, the district identified concerns in the areas of interim alternative educational settings and procedural safeguards. The districts improvement plan is sufficient to address these areas. In addition, the district identified concerns with the provision of documentation to case managers. **The district's improvement plan is insufficient to address this area because it lacks appropriate activities to describe how the district staff will notify case managers whenever a student with disabilities is removed. The plan needs to be revised to include these activities.**

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

**Section XIII: Graduation**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of IEP requirements and out of district participation.

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

**Area of Need:**

**Written Notice of Graduation** – During the on-site visit it was determined through record review and staff interviews that written notice of graduation is not provided.

- **The district will revise its improvement plan to include activities to ensure that written notice of graduation is provided. Implementation of these activities will ensure that students and parents are informed that graduation is a change in placement.**

**Section XV: Student Records**

**Summary of Findings:**

During self-assessment the district accurately identified themselves compliant in the areas of access/request, access sheets and documentation of other locations.

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

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 Lower Cape May Regional School District on November 12, 2003. 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 changes. 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.

A review of data indicated the district has decreased the number of students placed in out-of-district settings by creating more opportunities in district and through activities associated with their Capacity Building Grant.

At a focus group meeting held at the administrative building, parents expressed their satisfaction with many of the district's programs and services. They also expressed their satisfaction with the level of collaboration with the child study team.

Standards identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included General Provisions, Statewide Assessments and Programs and Service.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included extended school year, length of day and year, facilities, certifications, meetings, written notice, interpreters at meetings, independent evaluations, direct referrals, identification meeting participants, multi-disciplinary evaluations, written reports, bilingual evaluations, accept/rejection of reports, planning meetings, participants, goals and objectives aligned with core curricular content standards, annual review timelines, regular education access, notification/participation in out of district and nonacademic and extracurricular activities, continuum of programs, IEP requirements, out of district participation, age range, group sizes, home instruction, consultation time, schedules, parent/adult student access to records and documentation of other locations.

Areas of need originally identified by the district but determined to have been corrected prior to the on-site monitoring visit by the NJDOE are surrogate parents, child find and transition. In addition the district has recently purchased a new data based system Contour Data Base and through this system will be implementing the use of state notice for special education.

During the self-assessment process, the district identified areas of need regarding related services, transfer students, facilities, hearing aides, consent, referral process, pre-referral interventions, health summary, vision and hearing screenings, identification meetings, timelines, standardized assessments, functional assessments, criteria, signatures of agreement/disagreement rational, copy of evaluation reports to parents 10 days prior to meeting, meeting participants, consideration / required statements, present level of educational performance, goals and objectives for related services, IEPs to parents, teacher access / responsibility, decision-making process, supplemental aides and services, discipline documentation to case manager, interim alternative educational setting, discipline procedural safeguards and maintenance and destruction of records.

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The on-site visit identified additional areas of need within the various standards regarding frequency location and duration of services, notice of a meeting, written notice, provision of due process hearing rules and current copy of parents' right in special education, native language, eligibility determinations, implementation dates and age of majority.

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