

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

District: Lyndhurst Public School District **County:** Bergen

Monitoring Dates: February 15 and 16, 2005

Monitor: Susan Wilson, Tracey Pettiford-Bugg and Jenifer Spear

Background Information:

During the 2003- 2004 school year, the **Lyndhurst School District** conducted a self-assessment of policies, procedures, programs, services and student outcomes. This self-assessment component of the monitoring process provided the **Lyndhurst School District** with an opportunity to evaluate performance, 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 provide the district the opportunity to identify areas of strength and promising practices, as well as areas needing improvement and areas that may be noncompliant with state and federal requirements. The **Lyndhurst School District** developed an improvement plan to address these identified areas of need.

As the first step to verifying the self-assessment findings, to assessing the appropriateness of the improvement plan, and to determining any progress in implementing this plan, the New Jersey Department of Education (NJDOE) held a focus group meeting for parents and community members, at the Jefferson Elementary School on the evening of February 7, 2005. Information obtained from this meeting was used to direct the focus of the subsequent monitoring activities. Additionally, the Office of Special Education Programs (OSEP) completed a comprehensive desk audit, including review of a representative sample of student records, as well as reviews of district policies and procedures, student count information, master student lists, class lists, schedules of students, teachers, related services personnel, and other relevant information, and conducted further parent interviews by telephone. Based on these sources, OSEP staff determined that the district had conducted a thorough review during the self-assessment process and had developed a plan, warranting only minor revision, which will appropriately address all areas of identified need.

District Strengths:

Lyndhurst is committed to a broad-based inclusive education initiative. This commitment is confirmed by the large percentage of students with disabilities ages 6-21 being education in general education settings. During interviews, both general education and special education staff members indicted their support of accommodating diverse learners in general education classrooms.

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The district's provides a study skills course through the resource center program that offers instruction in note taking, time management, organizational skills, problem solving, memorization skills, test taking techniques and listening skills. The application of these study skills is supported in inclusive classrooms.

On both the elementary and high school levels, Lyndhurst provides peer tutoring, given by the National Honor Society students, to those in need. Lyndhurst High School also offers the services of a regional transition coordinator to assist students ages 14-21, educated in and out of the district, in planning for transition to adult life. There is also a transition program at the high school that provides opportunities for career exploration.

Data Summary:

The district is commended for its successful efforts in placing students with disabilities in the least restrictive environment. Based on a review of district data, it was identified that in 2003, 68.2% students with disabilities were educated with their non-disabled peers for more than 80% of the school day. This rate exceeded the state average by more than 26%. Furthermore, for students ages 6 to 21, there has been an increase during the past three years in the number of students receiving special education services in the general educational setting between 40% and 80% of the day.

The district submitted data that indicate that in 2003, 68% of the preschoolers with disabilities were educated in a special education setting. Only 24% were educated with nondisabled peers. Upon review of the data, interviews and review of records, an area of need was identified as part of the monitoring process in the area of continuum of programs for preschoolers. The district will address this area of need in revisions to the improvement plan.

Areas Demonstrating Compliance With All Standards:

General Provisions, Reevaluation, Graduation Requirements, Programs and Services and Student Records 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 compliance in the area of extended school year, length of school day, transfer students, facilities and certifications.

During the focus group meeting, additional parent interviews and comprehensive desk audit, an additional area of need was identified regarding provision of programs and related services in the area of speech.

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Area(s) of Need:

Provision of Programs and Related Services -Speech – For those students who are eligible in need of speech language services, IEPs do not include goals and objectives and location of services.

- **The district will develop an improvement plan that will include activities to ensure that IEPs for students eligible to receive speech and language services as a program or a related service will include goals and objectives and location of services. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

Section III: Procedural Safeguards

Summary of Findings:

During self-assessment the district accurately identified compliance in the areas of consent, interpreters at meetings and conducting meetings.

During the self-assessment process, the district identified concerns in the areas of surrogate parents, notices of meetings, written notices, notices in native language, and independent evaluations. The district's improvement plan is sufficient to address these areas. During the onsite visit, a review of records and staff interviews indicated that the district has appropriately implemented activities to bring about change in the areas of notices of meetings, written notice, notices in native language and independent evaluations. It has been determined that the district's improvement plan for these areas has been successfully implemented.

No additional areas of need were identified during the focus group meeting, additional parent interviews and comprehensive desk audit.

Section IV: Location, Referral and Identification

Summary of Findings:

During self-assessment the district accurately identified compliance in the areas of pre-referral interventions, direct referrals, summer referrals health summary, vision and hearing screenings and identification meeting timelines and participants.

During the self-assessment process, the district identified concerns in the areas of Child Find for students ages 3-21 and the referral process. . During the onsite visit, a review of records and staff interviews indicated that the district has appropriately implemented activities to bring about change in the area of Child Find for ages 3-21. It has been determined that the district's improvement plan in this area has been successfully implemented.

No additional areas of need were identified during the focus group meeting, additional parent interviews and comprehensive desk audit.

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Section V: Protection in Evaluation and Evaluation Procedures

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of standardized assessments.

During the self-assessment process, the district identified concerns in the areas of multi-disciplinary evaluation, functional assessments and bilingual evaluations. **The district's improvement plan is insufficient to address the area of functional assessments and multi-disciplinary evaluations for students eligible for speech language services. The district will revise its improvement plan to include procedures that ensure that all reports are dated when developed and contain all required components. The improvement plan must reflect a statement by the teacher regarding the educational impact of the speech problem. The improvement plan must include an administrative oversight component to ensure the consistent, compliant implementation of the procedures.** During the onsite visit, a review of records and staff interviews indicated that the district has appropriately implemented activities to bring about compliance in the area of bilingual evaluations. It has been determined that the district's improvement plan for these areas has been successfully implemented.

During the focus group meeting, additional parent interviews and comprehensive desk audit, additional areas of need were identified multidisciplinary evaluations, functional assessments, acceptance and rejection of reports for students eligible for speech and language services and written reports.

Area(s) of Need:

Speech Language Written Reports – A review of records of students evaluated and determined for speech-language services indicated that, in all cases, written reports of the speech-language evaluations were not maintained in the files.

- **The district will develop an improvement plan that will ensure that the speech language specialist prepares a written report of the results of each evaluation and that these reports are maintained in the students' files.**

Section VII: Eligibility

Summary of Findings:

During self-assessment, the district accurately identified compliance in the areas of meetings, participants, criteria, statement of eligibility and copy of evaluation reports to parents and adult students 10 days prior to the meeting.

During the focus group meeting, additional parent interviews and comprehensive desk audit, an additional area of need was identified regarding signatures of agreement or disagreement with eligibility statements for students eligible for speech language services.

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Area(s) of Need:

Signatures of Agreement Disagreement Rationale – During the on-site visit, record review indicated that meeting participants are not documenting their agreement or disagreement with eligibility determinations after the eligibility meeting.

- **The district will develop an improvement plan that will include procedures to ensure all meeting participants document their agreement or disagreement with eligibility determinations. The plan must include in-service training, a mechanism to determine effectiveness of the training, and an administrative oversight component to ensure the consistent, compliant implementation of the procedures.**

Section VIII: Individualized Education Program (IEP)

Summary of Findings:

During self-assessment, the district accurately identified compliance in the areas of meeting participants, goals and objectives aligned with the Core Curriculum Content Standards, age of majority, implementation dates, IEPs to parents, 90-day timelines and teacher access and responsibility.

During the self-assessment process, the district identified concerns in the areas of considerations, required components, and annual review timelines. The district's improvement plan is sufficient to address these areas.

During the focus group meeting, additional parent interviews and comprehensive desk audit, an additional area of need was identified regarding present level of educational performance for students eligible for speech language services.

Area(s) of Need:

Present Levels of Educational Performance for Students Receiving Speech-Language Services– During the on-site monitoring visit, it was determined that IEPs for students eligible for speech-language services did not contain detailed statements of present levels of educational performance (PLEP) and did not contain sufficient information to identify specific areas to assist in the determination of appropriate instruction.

- **The district will develop an improvement plan that will include procedures to ensure the IEPs for students eligible for speech-language services contain all required components. The plan must include in-service training, a mechanism to determine effectiveness of the training, and an administrative oversight component to ensure the consistent, compliant implementation of the procedures.**

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Section IX: Least Restrictive Environment (LRE)

Summary of Findings:

During self-assessment, the district accurately identified compliance in the area of decision making process, considerations of supplemental aides and services, notification and participation of out-of-district nonacademic and extracurricular activities.

During the focus group meeting, additional parent interviews and comprehensive desk audit, an additional area of need was identified regarding least restrictive environment documentation, general education access and continuum of programs.

Area(s) of Need:

Documentation Least Restrictive Environment - During the on-site monitoring, record review indicated that the district's least restrictive environment documentation does not consistently include all four required statements. Additionally, when statements are documented they are not complete.

- **The district will develop an improvement plan to include activities to ensure that the IEP specifies the considerations of appropriate supplementary aides and services and program modifications; the explanations of why the supplementary aids, services and program modification are not appropriate; the documentation of the comparison of benefits for the student and a statement regarding extracurricular and nonacademic participation. The plan must include an administrative oversight component to ensure consistent implementation of these activities.**

General Education Access and Continuum Programs at the Preschool Level-

During the on-site monitoring visit, staff and parent interviews and record review indicated that preschool students are placed in out-of-district programs because the district has failed to establish links with community based program. As a result, these students do not have the opportunity to be educated with their nondisabled peers.

- **The district will revise its improvement plan to include procedures to establish links with community based programs to afford preschoolers with disabilities the opportunity to be educated with their nondisabled peers, when appropriate. The plan must include an administrative oversight component to ensure the consistent, compliant implementation of the procedures.**

Section X: Transition to Preschool

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of early intervention to preschool disabled placement by age three.

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During the self-assessment process, the district identified concerns in the areas of pre-school transition planning conference. The district's improvement plan is sufficient to address this area.

No additional areas of need were identified during the focus group meeting, additional parent interviews and comprehensive desk audit.

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, surveys and assessment, age 16 needed transition services and student and agency invitation. During the onsite visit, a review of records and staff interviews indicated that the district has appropriately implemented activities to bring about compliance in these areas. It has been determined that the district's improvement plan in these areas has been successfully implemented.

No additional areas of need were identified during the focus group meeting, additional parent interviews and comprehensive desk audit.

Section XI: Discipline

Summary of Findings:

During self-assessment, the district accurately identified compliance in the areas of functional behavioral assessment, behavior implementation plan, manifestation determination and procedural safeguards.

During the self-assessment process, the district identified concerns in the areas of documentation to case manager, suspension tracking, and interim alternative educational settings (IAES) and forty-five day return. The district's improvement plan is sufficient to address these areas. During the onsite visit, a review of records and staff interviews indicated that the district has appropriately implemented activities to bring about compliance in the areas of documentation to case manager and suspension tracking. It has been determined that the district's improvement plan in these areas has been successfully implemented.

No additional areas of need were identified during the focus group meeting, additional parent interviews and comprehensive desk audit.

Section XII: Statewide Assessment

Summary of Findings:

During self-assessment, the district accurately identified compliance in the areas of participation, approved accommodations and modifications and IEP documentation.

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

No additional areas of need were identified during the focus group meeting, additional parent interviews and comprehensive desk audit.

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Summary

Special education monitoring was completed in the **Lyndhurst School District** on February 15 and 16, 2005. The purpose of this phase of the monitoring process 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 its comprehensive review conducted as part of the self-assessment activities. As a result of that review, the district was able to identify nearly all areas of need and to develop an improvement plan that, with some revision, will bring about systemic change. The district is further commended for the many areas identified as compliant by the district during self-assessment and verified by the Office of Special Education Programs.

A review of data indicated the district has maintained a rate of classification of 14.7% slightly above the state average for the past three years. Further, the appropriate consideration of placement in least restrictive environments for a majority of the school day is reflected in the district's placement data for students age 6-21. A review of the data submitted for preschoolers, in addition to interviews and record review, indicated an area of need with regard to placement of preschoolers in settings with nondisabled peers.

At a public focus group meeting, eighteen parents expressed their satisfaction with many of the district's programs and services. In general, the district was praised for its academically challenging courses and instruction, the professionalism and high quality of staff, the availability of training opportunities for teachers, paraprofessionals and parents and the functional utility of technology throughout the student's school day. Parents noted that special education timelines are maintained, meetings are conducted when necessary, IEP documents are kept current and the range of programming options is adequate. However, specific concerns were raised over budgetary constraints and the availability of services. While several parents expressed their frustration in "always having to fight to get more" for a child and in having to hear "funding is an issue," the majority reflected that no student is denied what the IEP mandates. Other parent concerns were raised in the area of compensatory services when a resource room teacher, or related service provider is absent or late in commencing services.

Areas identified as consistently compliant by the district during self-assessment and verified during the focus group meeting, additional parent interviews and comprehensive desk audit included policies and procedures, staff and parent training, dissemination of IDEA information, extended school year, provision of programs and related services (OT, PT and counseling, length of school day, transfer students, facilities, certifications, consent, interpreters at meetings, meetings, pre-referral interventions, direct referrals, summer referrals, health summary, vision and hearing screenings, identification meeting timelines, standardized assessments, three year timelines, planning meeting and participants, reevaluations completed by June 30th of the student's last year in preschool, eligibility meetings and participants, copy of evaluation reports to parents and adult students ten days prior to meeting, statement of eligibility, IEP meetings and participants, goals and objectives aligned with the Core Curriculum Content Standards, age of majority, implementation dates, IEP timelines, 90-day timelines, teacher access and responsibility, decision-making process, consideration of supplemental aides and services, notification and participation out-of-district nonacademic and extracurricular activities, pre-school transition planning conference, functional behavioral assessment, behavioral intervention plan, manifestation determination, procedural safeguards, statewide assessment participation, approved accommodations and modifications, IEP

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documentation, process for exemption from passing, IEP graduation requirements, out-of-district participation, written notice of graduation, diploma, class size waivers, age range waivers, group size for speech, home instruction, consultation time, case management time. Access and request to records, access sheets, maintenance of records and documentation of locations of additional records.

During the self-assessment process, the district identified areas of need regarding provision of programs and related services -speech, notices of meetings, written notices, notices in native language, independent evaluations, Child Find 3-21, referral process, multi-disciplinary evaluation, functional assessments, bilingual evaluations, considerations/required components, annual review timelines, pre-school transition planning conference, age fourteen transition service needs, preferences and interests, survey and assessments, student transition invitation, age sixteen needed transition services, documentation to case manager, interim alternative educational setting, and alternative assessment.

During the onsite visit, a review of records and staff interviews indicated that the district has appropriately implemented activities to bring about change in the areas of written notice of meetings, written notice, notices in notice language, independent evaluations, Child Find 3-21, bilingual evaluations, post-school transition ages fourteen and sixteen, documentation to case manager and suspension tracking.. It has been determined that the district's improvement plan in these areas has been successfully implemented and can be closed out.

The focus group meeting, additional parent interviews and comprehensive desk audit identified additional areas of need within the various standards, regarding provision of programs and related services in the area of speech, speech language multi-disciplinary evaluations and functional assessments, speech language written reports signed and dated, speech-language specialists' documentation of agreement or disagreement with rationale, present level of educational performance IEP components for students receiving speech-language services, least restrictive environment documentation, and general education access and continuum of programs at the pre-school level.

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