

New Jersey Department of Education Special Education Monitoring

District: Mendham School District

County: Morris

Monitoring Dates: February 22, 2006

Monitoring Team: Robert Schweitzer and Barbara Tucker

Background Information:

During the 2004–2005 school year, the Mendham School District conducted a self-assessment of policies, procedures, programs, services and student outcomes. This self-assessment component of the monitoring process provided the Mendham School District with an opportunity to evaluate strengths and areas of need with regard to:

- The provision of a free, appropriate public education (FAPE) for students with disabilities in the least restrictive environment;
- The protection of procedural safeguards for students and their families;
- The development and implementation of policies and procedures resulting in procedural compliance; and
- The organization and delivery of programs and services resulting in positive student outcomes.

The self-assessment was designed to identify areas of strength, promising practices, areas that need improvement and areas that may be noncompliant with state and federal requirements. The Mendham 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.

During the on-site visit, the New Jersey Department of Education (NJDOE) monitoring team reviewed district documents, including district policies and procedures, student count information, master student lists, class lists, schedules of students, teachers and related service personnel and other relevant information. A representative sample of student records was also reviewed. Interviews were conducted with the district's special education administrators, building principals, general education and special education teachers, speech-language specialists and child study team members. Parents of students with disabilities were interviewed by phone.

Data Summary:

A review of the district's data for students with disabilities indicates that during the 2004-2005 school year, the district educated 61% (96 of 157) of students with disabilities in the general education setting for more than 80% of the school day. This rate is significantly higher than the state average of 41.9% for that year. Additionally, only 5% (7 of 157) of students with disabilities attended private or public schools for students with disabilities outside of the district compared to the state average of 9.6%. Due to a lack of both in-district general education and use of community-based preschool settings, there are limited opportunities for preschoolers with disabilities to be educated with nondisabled peers. The district has identified preschool continuum as an area of need and has a sufficient plan to address this area of need. In December 2005, the district

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reported a classification rate of 12.7%, which was below the state average for that same year.

Section not Applicable

Graduation requirements were not reviewed by the NJDOE because the district does not serve a population of students for which these requirements apply.

Sections Demonstrating Compliance with All Standards

The self-assessment process required the school to review implementation of federal and state regulations categorized into 15 sections. Within each section, a number of areas were reviewed. The on-site monitoring visit involved verification that the sections and areas identified as compliant by the school district in their self-assessment were compliant with regulations. These sections were identified by the district during self-assessment and the NJDOE during the monitoring process as compliant:

- **General Provisions**
- **Evaluation**
- **Individualized Education Program**
- **Transition to Preschool**
- **Transition to Adult Life**
- **Statewide Assessments**
- **Programs and Services**

Areas Demonstrating Compliance

The following areas, within the remaining sections reviewed, were identified by the district’s self-assessment committee and by the Department of Education as compliant. These areas were reviewed for students eligible for special education and related services (ESERS) and students eligible for speech and language services (ESLS). Areas compliant for only one group of students are noted.

Section	Areas Demonstrating Compliance
Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> • Oversight of individualized education program (IEP) implementation • Extended school year • Provision of programs • Transfer procedures
Procedural Safeguards	<ul style="list-style-type: none"> • Consent • Implementation without undue delay • Provision of notice of a meeting • Content of notice of a meeting • Meetings • Provision of written notice • Content of written notice • Interpreters at meeting • Independent evaluations
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> • Child Find Ages 3-21 • Referral process • Direct referrals

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Section	Areas Demonstrating Compliance
	<ul style="list-style-type: none"> • Identification meeting timelines • Identification meeting participants
Reevaluation	<ul style="list-style-type: none"> • Reevaluation when change of eligibility is considered • Planning meeting participants • Reevaluations prior to age 5 • Procedures when parental consent cannot be obtained • Documentation of efforts to obtain parental consent
Eligibility	<ul style="list-style-type: none"> • Meeting participants • Eligibility Criteria • Signature of agreement and/or disagreement and rationale • Statement of eligibility (Specific Learning Disability)
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> • Documentation of LRE decisions (ages 6 to 21) • Notification of and participation in non-academic and extracurricular activities for students educated outside of the district • Continuum of programs (ages 6 to 21) • Placement decisions based on students' individual needs (ages 6 to 21)
Discipline	<ul style="list-style-type: none"> • Suspension tracking system • Discipline procedures employed equitably for all students • IEP team meeting for first removal beyond 10 days • Procedures for determination of change in placement • Procedures for conducting functional behavioral assessment and development of behavior intervention plan • Short-term removals resulting in a change of placement • Short-term removals that are not a change in placement—school personnel determining the extent of services to be provided • Interim Alternative Educational Settings • Manifestation determinations

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Areas of Noncompliance - Improvement Plan Review

The following areas were identified by the district's self-assessment committee as noncompliant. The third column identifies those areas where the improvement plan was successfully implemented prior to the monitoring visit and those areas where revision to the improvement plan is necessary.

Section	Areas of Non-Compliance	Compliance Review
FAPE	<ul style="list-style-type: none"> ▪ Provision of related services - Due to a number of half-day sessions, students have missed several physical therapy sessions. 	The district has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.
Procedural Safeguards	<ul style="list-style-type: none"> ▪ Notices in native language – The district needs to explore resources for translations in a variety of languages. 	The district has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> ▪ Pre-referral interventions – Pre-referral interventions are not consistently documented and timelines are not established to document effectiveness. 	The district has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.
Reevaluation	<ul style="list-style-type: none"> ▪ Timelines – Reevaluations were not completed within three years. 	The district has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.
Eligibility	<ul style="list-style-type: none"> ▪ Copy of evaluation reports to parents – Copies are not provided 10 days prior to eligibility meetings. 	The district has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.
Least Restrictive Environment	<ul style="list-style-type: none"> • Opportunity for all students with disabilities to access all general education programs and continuum of programs (ages 3-5) – There is no in-district preschool program for general education students. Therefore, there are limited opportunities for the integration of general education and special education students. 	The district is directed to revise the improvement plan to include activities to ensure in-district and/or community based opportunities for all students to access all general education programs. These activities must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.
Discipline	<ul style="list-style-type: none"> • Notification of removal forwarded to case manager –The case manager does not receive written notification of a removal for disciplinary action. 	The district has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.

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Additional Areas of Need

The following areas were originally identified by the district's self-assessment committee as compliant but were found to be noncompliant by the New Jersey Department of Education during the on-site monitoring:

Section	Area	Activity
Location, Referral, and Identification (LRI)	<ul style="list-style-type: none"> • Health summaries- Health summaries are not conducted prior to identification meetings. • Vision and hearing screenings are not conducted on a consistent basis. 	The district is directed to revise the improvement plan to include activities to ensure that health summaries and vision and hearing screenings are conducted for every student referred to the child study team for evaluation. Health summaries and vision and hearing screenings must be completed prior to identification meetings. These activities must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.

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Summary

On-site special education monitoring was conducted in the Mendham School District on February 22, 2006. The purpose of the monitoring visit was to verify the district's report of findings resulting from their self-assessment and to review the district's improvement plan. The district is acknowledged for the comprehensive review conducted during the self-assessment process. As a result of that review, the district was able to identify nearly all areas of need and develop an improvement plan that appropriately addresses areas of non-compliance. The district is further acknowledged for the many areas determined by the district and verified by the Office of Special Education Programs as compliant with federal and state statutes and regulations.

A review of the district's data for students with disabilities indicates that during the 2004-2005 school year, the district educated 61% (96 of 157) of students with disabilities in the general education setting for more than 80% of the school day. This rate is significantly higher than the state average of 41.9% for that year. Additionally, only 5% (7 of 157) of students with disabilities attended private or public schools for students with disabilities outside of the district compared to the state average of 9.6%. Due to a lack of both in-district general education and community-based preschool settings, there are limited opportunities for preschoolers with disabilities to be educated with nondisabled peers. The district has identified preschool continuum as an area of need and has a sufficient plan to address this area of need. In December 2005, the district reported a classification rate of 12.7%, which was below the state average for that same year.

Interviews conducted with parents by phone indicated that most of the parents felt a strong satisfaction with the district's programs, services and staff. Most of the parents interviewed indicated that the district is highly responsive to their concerns regarding evaluation and placement of their children in appropriate settings. The majority of parents interviewed believed that their opinions were valued at meetings and that they were kept well-informed of their children's progress. Two parents indicated that they were extremely dissatisfied by the district's level of communication and lack of support for their child's disability. These parents were directed to contact the district as well as the County Office of Education regarding their concerns.

Graduation was not reviewed by the New Jersey Department of Education (NJDOE) because the district does not serve a population of students for which these requirements apply.

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

- General Provisions
- Evaluation
- Individualized Education Program
- Transition to Preschool
- Transition to Adult Life
- Statewide Assessments
- Programs and Services

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

- Oversight of individualized education program (IEP) implementation
- Extended school year
- Provision of programs
- Transfer procedures
- Consent
- Implementation without undue delay
- Provision of notice of a meeting
- Content of notice of a meeting
- Meetings
- Provision of written notice
- Content of written notice
- Interpreters at meeting
- Independent evaluations
- Child Find Ages 3-21
- Referral process
- Direct referrals
- Identification meeting timelines
- Identification meeting participants
- Reevaluation when a change of eligibility is considered
- Reevaluation planning meeting participants
- Reevaluations prior to age 5
- Procedures when parental consent cannot be obtained
- Documentation of efforts to obtain parental consent
- Eligibility meeting participants
- Eligibility criteria
- Signature of agreement and disagreement
- Statement of eligibility (Specific Learning Disability)
- Documentation of LRE decisions (ages 6-21)
- Notification of and participation in non-academic and extracurricular activities for students educated outside of the district
- Continuum of programs (ages 6-21)
- Placement decisions based on students' individual needs (ages 6-21)
- Suspension tracking system
- Discipline procedures employed equitably for all students
- IEP team meeting for first removal beyond 10 days
- Procedures for determination of change in placement
- Procedures for conducting functional behavioral assessment and development of behavior intervention plan
- Short-term removals resulting in a change of placement
- Short-term removals that are not a change in placement—school personnel determining the extent of services to be provided
- Interim alternative educational settings
- Manifestation determinations

During the self-assessment process, the district identified the following areas of need. During the monitoring process, it was determined by the New Jersey Department of Education that the district has revised its practices and demonstrated compliance in these areas:

- Provision of related services
- Notices in native language
- Pre-referral interventions
- Reevaluation timelines
- Copy of evaluation reports to parents
- Notification of removal forwarded to case manager

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During the self-assessment process, the district identified opportunity for all students with disabilities ages 3-5 to access all general education programs and continuum of programs as areas of need. During the monitoring process it was determined by the New Jersey Department of Education that the district has not demonstrated compliance in this area.

The on-site visit identified additional areas of need within the various standards regarding:

- Health summaries
- Vision and hearing screenings

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