

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

District: Milford Borough School District

County: Hunterdon

Monitoring Dates: May 19, 2004

Monitoring Team: Vanessa Leonard, Kimberly Murray

Background Information:

During the 2002–2003 school year, the Milford Borough School District conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Milford Borough 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 Milford Borough 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 Milford Borough School District on May 11, 2004. Information obtained from that meeting was used to direct the focus of the monitoring visit.

During the on-site visit, the NJDOE team reviewed district documents, including district policies and procedures, student count information, 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 administrator, child study team members and speech therapist.

Data Summary:

The Milford Borough School District data indicate that 92.3% of classified students between the ages of 6-21 were placed in the general education setting for 80% of the school day. Though this is significantly higher than the state average of 41.6%, it should be noted that many of these placements may be inappropriate based on the findings of the district during self-assessment and by the monitors during the on-site visit. The

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inappropriateness of these placements is evidenced by the noncompliance identified during the on-site where it was found that the district failed to implement IEPs because it did not have the programs required by the IEPs as well as by the district during self-assessment in the area of the decision-making process regarding placement needs of students, the lack of supports and services in general education, and the significant fiscal issues the district is facing. Parents reported that they are concerned about the districts use of one teacher in combined grade level classes, especially at the 3rd and 4th grade levels, because their children are not receiving the instruction necessary to pass statewide assessments.

Areas Demonstrating Compliance With All Standards:

Reevaluation, Statewide Assessment, Transition and Graduation Requirements were determined to be areas of complete compliance by the district during self-assessment and by the Office of Special Education Programs during the on-site visit. No findings could be made in the area of **Transition to Preschool**. The district has not had a three-year-old in need of preschool transition services in the past two years.

Section I: General Provisions

Summary of Findings:

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

An area of need was found during the on-site visit regarding parent training.

Area of Need:

Parent Training - During the on-site visit, it was determined through interviews with the director that the district does not provide parent training even though it is needed.

- **The district will revise its improvement plan to include activities to ensure the provision of parent training. These activities will ensure the district has an effective procedure to identify parental needs and a mechanism to evaluate the effectiveness of the training it provides. The plan must include an administrative oversight component to bring about required change.**

Section II: Free, Appropriate Public Education (FAPE)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of provision of programs, length of school day/year, transfer student procedures and frequency, duration and location of related services.

During the self-assessment process, the district identified concerns in the areas facilities, provision of related services, revisions to IEP without reconvening an IEP meeting, and

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counseling goals/objectives/benchmarks. The district's improvement plan is sufficient to address these areas.

Additional areas of need were found during the on-site visit regarding extended school year and certifications.

Areas of Need:

Extended School Year- During the on-site visit it was determined that extended school year services are offered only to those students who are in out-of-district placements. It was determined through parent interviews, case manager interviews and document review that discussions of extended school year services do not occur for in-district students.

- **The district will revise its improvement plan to include activities to ensure extended school year services are considered for all students and provided when appropriate. These activities will result in the consideration of regression/recoupment issues for all students, as well as other factors and to further ensure the provision of programs and services to address those issues.**

Certifications- During an interview with the chief school administrator/director of special services, he stated that the board of education directed him to act as a case manager for half of the classified students in the district. The superintendent does not possess any of the certifications that would allow him to serve as a member of the child study team or perform the duties of a case manager.

- **The district is directed to immediately cease the practice of having the chief school administrator act as a case manager and child study team member, as the chief school administrator is not appropriately certified. The district must revise the improvement plan to identify members of the child study team to serve as case managers.**

Section III: Procedural Safeguards

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of consent, content/provision of notices of meetings and written notice, notices in native language, interpreters at meetings and independent evaluations.

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

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

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Section IV: Location, Referral and Identification

Summary of Findings:

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

During the self-assessment process, the district identified concerns in the areas of pre-referral interventions, child find activities, identification meeting timelines, documentation of date of referral, and health summary from the school nurse. The district's improvement plan is sufficient to address these areas.

An additional area of need was identified during the on-site visit regarding vision/audiometric screenings.

Area of Need:

Vision and Hearing Screenings- During interviews with the child study team it was determined the district does not consistently conduct vision/hearing screenings for every student referred to the child study team for evaluation.

- **The district will revise the improvement plan to include activities that will ensure that the school nurse conducts vision and hearing screenings on every student referred for an evaluation. The results will be presented to the case manager prior to the identification meeting. As a result, the identification team members will have the necessary information to identify suspected areas of disability and to determine the assessments needed to make appropriate eligibility determinations. The improvement plan must include administrative oversight to ensure the consistent implementation of these activities.**

Section V: Protection in Evaluation and Evaluation Procedures

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of multi-disciplinary evaluations, standardized assessments, functional assessments, written reports signed/dated, and bilingual evaluations.

During the self-assessment process, the district identified a concern in the area of acceptance/rejection of reports. 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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Section VII: Eligibility

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of eligibility meeting participants, eligibility criteria and statement of eligibility for specific learning disability.

During the self-assessment process, the district identified concerns in the areas provision of evaluation reports to parents, provision of notice of eligibility to parents and agreement/disagreement. The district's improvement plan is sufficient to address these areas.

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

Section VIII: Individualized Education Program (IEP)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of IEP meeting participants, Present Levels of Educational Performance, required statements, age of majority, implementation dates, annual review and 90-day timelines.

During the self-assessment process, the district identified concerns in the areas of IEP considerations, goals/objectives aligned with the core curriculum content standards, progress reporting, IEPs to parents and teacher access/responsibility. The district's improvement plan is sufficient to address these areas.

An additional area of need was found during the on-site visit regarding implementation of the Individual Education Plan.

Area of Need:

Implementation of IEP- During the on-site visit it was determined that there are times when the district is unable to implement the program/placement specified in the IEP because it does not have the capacity to provide the required program.

- **The district will revise its improvement plan to include activities to ensure that students are provided with the programs required by the IEP. These activities must include the allocation of funds to support the development or expansion of programs within the district or activities to explore the possibility of shared programs with neighboring districts. Implementation of these activities will ensure students receive the programs and services required to address their individual needs.**

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Section IX: Least Restrictive Environment (LRE)

Summary of Findings:

During the self-assessment process, the district identified concerns in the areas of decision-making process, least restrictive environment documentation, consideration of supplementary aids and services and notification/participation of out-of-district students in nonacademic/extra-curricular activities. The district's improvement plan is sufficient to address these areas. The improvement plan that will be developed for IEP implementation will further address these areas of need.

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

Section XI: Discipline

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of interim alternative educational setting list/45-day return and procedural safeguards for potentially disabled students.

During the self-assessment the district identified concerns in the areas of functional behavioral assessments and behavioral intervention plans. The district's improvement plan is sufficient to address these areas. The district identified manifestation determination meetings as an area of need. The district's improvement plan is insufficient to bring about required change. **The district will revise its improvement plan to include procedures to ensure that students receive required educational services. These activities will ensure that prior to a change in placement due to disciplinary action the IEP team meets to determine whether the behavior that resulted in the removal was a manifestation of the student's disability. The improvement plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.**

An additional area of need was found regarding documentation to case manager/suspension tracking.

Area of Need:

Documentation to Case Manager/Suspension Tracking- The district did not identify documentation to case manager or suspension tracking as an area of need. However, while reviewing the district's improvement plan it was determined that case managers do not receive written notification each time a student is removed from the program. Case managers are notified only after students are suspended for 10 days. Therefore, case managers cannot track suspensions.

- **The district will revise its improvement plan to include activities to ensure the provision of notification to the case manager each time a student has been suspended. This will ensure case managers are afforded the opportunity to accurately track removals and to further ensure students are provided with educational services on the 11th day of removal from school.**

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Section XIV: Programs and Services

Summary of Findings:

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

During the self-assessment process, the district identified concerns in the area of child study team consultation time. The district's improvement plan is sufficient to address this area. The district also identified description of special class programs with instruction in the core curriculum content standards. **The district's improvement plan is insufficient to address this area. The improvement plan must be revised to clearly address the area of need by identifying barriers and developing activities for compliance. The improvement plan must also include administrative.**

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

Section XV: Student Records

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of access/requests, maintenance/destruction of student records and documentation of other locations of student records.

During the self-assessment process, the district identified concerns in the areas of access sheets and staff knowledge of student record policies and procedures. The district's improvement plan is sufficient to address these areas.

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 Milford Borough School District on May 19, 2004. The purpose of the monitoring visit was to verify the district's report of findings resulting from their self-assessment and to review the district's improvement plan.

Five parents attended a focus group meeting held prior to the monitoring visit. Parents expressed their satisfaction with many of the district's programs and services. Two parents expressed concerns about the chief school administrator case managing their children. They felt it was a conflict of interest and needed to be addressed by hiring appropriately certified staff members. Parents also expressed concerns regarding the difficulty in hiring related service personnel. The district has written an improvement plan to address this issue.

Reevaluation, Statewide Assessment, Transition and Graduation Requirements 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.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included policies and procedures, staff training, dissemination of IDEA information, provision of programs, length of school day/year, transfers student procedures, frequency/duration/location of related services, consent, content/provision of notices of meetings and written notice, notices in native language, interpreters at meetings, independent evaluations, referral process, direct referrals, identification meeting participants, multi-disciplinary evaluations, standardized assessments, functional assessments, written reports signed/dated, bilingual evaluations, eligibility meeting participants, eligibility criteria, statement of eligibility for specific learning disability, IEP meeting participants, Present Levels of Educational Performance, required statements, age of majority, implementation dates, annual review, 90-day timelines, regular education access for in-district students, continuum of program options, Transition Service Needs, preferences/interests and survey/assessment, student/agency invitation, interim alternative educational setting list/45-day return, procedural safeguards for potentially disabled students, class size waivers, age range waivers, group size for speech therapy, home instruction, consultation time for teachers, access/requests, maintenance/destruction of student records and documentation of other location of student records.

During the self-assessment process, the district identified areas of need regarding facilities, provision of related services, revisions to IEP without reconvening an IEP meeting, counseling goals/objectives/benchmarks, surrogate parents, documentation of parental participation, pre-referral interventions, child find activities, identification meeting timelines, documentation of date of referral, health summary, acceptance/rejection of reports, IEP considerations, provision of evaluation reports to parents, provision of notice of eligibility to parents, agreement/disagreement, goals/objective aligned with the core curriculum content standards, progress reporting, IEPs to parents, teacher access/responsibility, decision-making process, least restrictive environment documentation, consideration of supplementary aids and services, notification/participation to out-of-district students in nonacademic/extra-curricular activities, functional behavioral assessments, behavioral intervention plans, manifestation determination meetings, child study team consultation time, description of

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special class programs with instruction in the core curriculum content standards, access sheets and staff knowledge of student record policies and procedures.

The on-site visit identified additional areas of need within the various standards regarding extended school year, parent training, vision and hearing screenings, implementation of IEPs and documentation to case managers for disciplinary actions.

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