

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

**District:** Northern Burlington County Regional

**County:** Burlington

**Monitoring Dates:** February 1 and 2, 2006

**Monitoring Team:** Julia Harmelin and Ken Richards

### ***Background Information:***

During the 2004-2005 school year, the Northern Burlington County 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 Northern Burlington Regional Public 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 Northern Burlington County 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.

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, general education and special education teachers, the speech-language specialist 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 although the district's classification rate has decreased since 2002, during the 2004-2005 school year the district's classification rate was 15.5%, which is slightly higher than the state's average of 14.7%. The district educated 76% of students with disabilities in the general education setting for more than 80% of the school day during the same year. This rate is significantly higher than the state average of 39.2% for that year. Additionally, only 2% of students with disabilities attended school in public or private schools for the disabled outside of the district compared to the state average of 6%.

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**Sections Demonstrating Compliance with All Standards**

The self-assessment process required the district 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 district in their self-assessment were compliant with regulations. These sections were identified by the district during self-assessment and the New Jersey Department of Education during the monitoring process as compliant:

General Provisions, Eligibility, Statewide Assessment, Graduation and Programs and Services.

**Area and Standard not Applicable**

Reevaluations prior to age five and Transition to Preschool were not reviewed by the New Jersey Department of Education (NJDOE) because the district does not serve a population of students for whom these regulations are applicable.

**Areas Demonstrating Compliance**

The following areas, within the 15 sections reviewed, were identified by the district's self-assessment committee and by the NJDOE 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.

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

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<b>Section</b>	<b>Areas Demonstrating Compliance</b>
Evaluation	<ul style="list-style-type: none"> <li>▪ Multi-disciplinary evaluations</li> <li>▪ Educational impact statement (ESLS)</li> <li>▪ Standardized Assessments</li> <li>▪ Bilingual evaluations</li> <li>▪ Written reports prepared by evaluators</li> </ul>
Reevaluation	<ul style="list-style-type: none"> <li>▪ Reevaluation when change of eligibility is considered</li> <li>▪ Planning meeting participants</li> <li>▪ Procedures when parental consent cannot be obtained</li> <li>▪ Documentation of efforts to obtain parental consent</li> </ul>
Individualized Education Program (IEP)	<ul style="list-style-type: none"> <li>• Implementation dates</li> <li>▪ IEP provided to parent prior to implementation</li> <li>▪ Annual reviews completed by June 30</li> </ul>
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> <li>▪ Opportunity for all students with disabilities to access all general education programs</li> <li>▪ Continuum of programs</li> <li>▪ Placement decisions based on students' individual needs</li> </ul>
Transition to Adult Life	<ul style="list-style-type: none"> <li>▪ Beginning at age 14, IEP statement of "transition service needs"</li> <li>▪ Beginning at age 16, IEP statement of "needed transition services"</li> <li>▪ Student and agency invitation to IEP meetings</li> </ul>
Discipline	<ul style="list-style-type: none"> <li>▪ Notification of removal forwarded to case manager</li> <li>▪ Suspension tracking system</li> </ul>

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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 improvement plan submitted by the district to correct noncompliance was reviewed. The table identifies the areas where the plan was sufficient and those where noncompliance was corrected prior to the onsite visit.

Section	Area	Plan Is Sufficient	Implemented and the district has demonstrated compliance
FAPE	<ul style="list-style-type: none"> <li>▪ Provision of related services – Goals and objectives are not consistently in IEPs.</li> </ul>	X	
Procedural Safeguards	<ul style="list-style-type: none"> <li>▪ Provision of written notice – Written notice is not consistently provided within 15 days of a meeting.</li> </ul>		X
Evaluation	<ul style="list-style-type: none"> <li>▪ Functional assessments – Functional assessments are not consistently addressed in every evaluation.</li> </ul>	X	
Reevaluation	<ul style="list-style-type: none"> <li>▪ Timelines – Independent evaluators do not consistently submit their reports in a timely manner.</li> </ul>	X	
IEP	<ul style="list-style-type: none"> <li>▪ IEP required consideration and components – Short-term objectives are not consistently based on Present Levels of Academic and Functional Performance.</li> <li>▪ Meetings held annually, or more often if necessary, to review and/or revise the IEP – IEP team does not consistently review the progress toward annual goals and objectives for students educated in general education settings.</li> <li>▪ Teachers informed of their responsibilities (knowledge of and/or access to IEPs) – General education teachers are not always informed of their responsibilities related to implementing the IEP.</li> <li>▪ 90-day timelines – Initial consent for evaluation and IEP implementation were not completed within 90 days.</li> </ul>		X
			X
			X
			X
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> <li>▪ Documentation of LRE decisions – IEP does not consistently address the supplementary aids and services and program modifications, to enable students to participate in general education, that were considered during IEP meetings.</li> </ul>		X

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Section	Area	Plan Is Sufficient	Implemented and the district has demonstrated compliance
	<ul style="list-style-type: none"> <li>▪ Notification/Participation of students in out-of-district placements – Notification of opportunities for participation in extracurricular activities is not consistently provided to students placed in out-of-district settings.</li> </ul>		X
Transition to Adult Life	<ul style="list-style-type: none"> <li>• Activities, annual goals and benchmarks related to students' desired outcomes – Individual assessments are not administered to determine appropriate post-secondary outcomes.</li> </ul>		X
Discipline	<ul style="list-style-type: none"> <li>▪ Discipline procedures are employed equitably for all students – Discipline procedures are in need of revision as decisions about manifestation, behavior plans, changes in IEPs and services are not made at the appropriate times.</li> <li>▪ IEP team meeting for first removal beyond 10 days – For removals of 10 or more school days, district convenes IEP team meeting. Discipline procedures are in need of revision as decisions about changes in IEP and services are not made at the appropriate times.</li> <li>▪ Procedures for determining a change in placement – Discipline procedures are in need of revision as decisions about manifestation, behavior plans, changes in IEPs and services are not made at the appropriate times.</li> <li>▪ Procedures for conducting functional behavioral assessment (FBA) and development of behavior intervention plan (BIP) – Barriers to compliance are lack of knowledge of discipline regulations and lack of options for discipline. Discipline procedures are in need of revision as decisions about manifestation, behavior plans, changes in IEPs and services are not made at the appropriate times.</li> </ul>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	



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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.

<b>Section</b>	<b>Area</b>	<b>Activity</b>
Procedural Safeguards	<p>Content of Notice of a Meeting – Notices do not include a statement informing parents of their right to invite others with expertise, and do not address transition when appropriate.</p> <p>Provision of Written Notice – N.J.A.C. 6A:14 and N.J.A.C. 1:6A are not provided to parents when they do not attend the evaluation planning meeting.</p>	<p>The district is directed to ensure that notices of a meeting contain all of the required components. Administrative oversight must be conducted to ensure correction and ongoing compliance. The district is advised to use the notice forms developed by the NJDOE available at <a href="http://www.state.nj.us/education">www.state.nj.us/education</a>.</p> <p>The district is directed to ensure that copies of N.J.A.C. 6A:14 and N.J.A.C. 1:6A are sent to parents when they do not attend the evaluation planning meeting. The district must conduct in-service training and an administrative oversight to ensure correction and ongoing compliance.</p>
Location, Referral, and Identification (LRI)	<p>Vision and Hearing Screenings/Health Summary – These are not consistently provided when the referral source is a parent or when the referral is received during the summer.</p>	<p>The district is directed to ensure that a vision and hearing screening and a health summary are consistently completed prior to the evaluation planning meeting for each student when a parent makes a referral and when the referral is received by the Child Study Team during the summer. The district must develop procedures, conduct in-service training, and conduct administrative oversight to ensure correction and ongoing compliance.</p>

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<b>Section</b>	<b>Area</b>	<b>Activity</b>
Individualized Education Program (IEP)	Meeting Participants – A general education teacher does not consistently attend IEP meetings for students in self-contained classes who may be participating in general education programs.	The district is directed to ensure that a general education teacher attends IEP meetings, or that consent for excusal is obtained for students with disabilities, if the student is or may be participating in the general education classroom. The district must develop procedures, conduct in-service training and conduct administrative oversight to ensure correction and ongoing compliance.



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## *Summary*

On-site special education monitoring was conducted in the Northern Burlington County Regional School District on February 1 and 2, 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 will bring about correction of noncompliance. 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 although the district's classification rate has decreased since 2002, during the 2004-2005 school year the district's classification rate was 15.5%, which is slightly higher than the state's average of 14.7%. The district educated 76% of students with disabilities in the general education setting for more than 80% of the school day during the same year. This rate is significantly higher than the state average of 39.2% for that year. Additionally, only 2% of students with disabilities attended school in public and private schools for the disabled outside of the district compared to the state average of 6%.

During interviews conducted with parents by phone, many parents expressed their satisfaction with the district's programs and services and staff. Parents reported that the district staff worked with their children to ensure success in their academics and in nonacademic and extracurricular activities.

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

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included: oversight of IEP implementation, extended school year, provision of programs, transfer procedures, consent, implementation without undue delay, provision of notice of a meeting, meetings, content of written notice, notices in native language, interpreters at meetings, independent evaluations, child find ages 3-21, referral process, pre-referral interventions, direct referrals, identification meeting timelines, identification meeting participants, multi-disciplinary evaluations, educational impact statement (ESLS), standardized assessments, bilingual evaluations, written reports prepared by evaluators, reevaluation when a change of eligibility is considered, planning meeting participants, procedures when parental consent cannot be obtained, documentation of efforts to obtain parental consent, IEP implementation dates, IEP provided to parents prior to implementation, annual reviews completed by June 30, opportunity for all students with disabilities to access all general education programs, continuum of programs, placement decisions based on students' individual needs, age 14 IEP statement of transition service needs, age 16 IEP statement of needed transition services, student and agency invitation, notification of removal forwarded to case manager and suspension tracking system.

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 provision of written notice within 15 days, IEP includes all required considerations and statements, meetings held

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annually or more often if necessary to review/revise the IEP, teachers informed of their responsibilities (knowledge and/or access to IEPs), 90 day timelines, documentation of LRE decisions, notification of and participation in non-academic and extracurricular activities for students educated outside of the district and activities, annual goals and benchmarks related to the student's desired outcomes.

During the self-assessment process, the district identified areas of need regarding provision of related services, functional assessments, reevaluation timelines, 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 plans, short-term removals resulting in a change in placement, short-term removals that are not a change in placement, and school personnel determining the extent of services to be provided, interim alternative educational settings and manifestation determinations.

The on-site visit identified additional areas of need within the various standards, regarding content of notice of a meeting, provision of written notice of a meeting (N.J.A.C. 6A:14 and 1:6A), vision and hearing screenings, health summary and attendance of a general education teacher at IEP meetings for students in self-contained classrooms.

The improvement plan submitted to the OSEP will be reviewed for final approval. The district is expected to implement the activities described in the report to achieve compliance in all of the areas of need identified during self-assessment, and areas of need identified during the on-site visit, within six months of the date of this report. Verification of compliance will be conducted by the County Office of Education.