

New Jersey Department of Education Special Education Monitoring

District: Ocean City School District

County: Cape May

Monitoring Dates: October 15, 16 and 17, 2001

Monitoring Team: C. Carthew, J. Harmelin, and J. Marano

Background Information

During the 2000 – 2001 school year, the Ocean City School District conducted a self-assessment of special education policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Ocean City 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 Ocean City School District developed an improvement plan to address identified areas of need.

The Office of Special Education Programs conducted an on-site monitoring to verify the self-assessment findings, determine the appropriateness of the improvement plan, and determine the progress in implementing the plan.

As the first step in the on-site monitoring process, the NJDOE held a focus group meeting for parents and community members at Ocean City Intermediate School on October 11, 2001. Information obtained from that meeting was used to direct the focus of the monitoring visit.

During the on-site, 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 administrator, building principals, general education and special education teachers, child study team members, and speech therapists. Parents of students with disabilities were interviewed by telephone.

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SECTION I. GENERAL PROVISIONS

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the area of public information.

During the self-assessment process, the district identified concerns regarding policies and procedures and professional development. The district has developed an improvement plan that is sufficient to address these issues.

No additional areas of need were identified 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 provision of speech, physical therapy, occupational therapy, transportation, length of school day and year, transfer students during the school year, facilities, and certifications.

During the self-assessment process, the district identified concerns in the areas of extended school year, provision of personal nursing services, sign language interrupters and male aides, IEP revisions, and summer transfer students. The district has developed an improvement plan that sufficiently addresses these areas.

Additional areas of need were identified during the on-site regarding documentation of the provision of counseling and consultative CST services and implementing programs and services in accordance with the IEP (High School).

Areas of Need:

IEP Revisions - During the on-site visit, interviews with staff and a review of records indicated that students were not always receiving the program identified in their IEPs.

- **The district will revise its improvement to include procedures to ensure students receive the programs and services required by their IEPs. The plan must include an administrative oversight component to ensure implementation of these procedures.**

Counseling and Consultative CST Services – During the on-site, it was determined the district does not maintain documentation of the provision of counseling and consultative services. In addition, IEPs do not consistently identify the frequency and duration of consultative services.

- **The district will revise its improvement plan to ensure the district documents the provision of counseling and consultative services. The**

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plan must include a mechanism to ensure the district indicates the frequency and duration of consultative CST services.

SECTION III. PROCEDURAL SAFEGUARDS

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of the provision of special education rules (N.J.A.C. 6A:14), due process hearing rules (N.J.A.C. 1:6A), Parental Rights in Special Education (PRISE), and the short procedural safeguard statement.

During the self-assessment process, the district identified concerns in the areas of surrogate parents, undue delay in implementing actions consented to during the summer, native language, and independent evaluations. The district has developed an improvement plan that sufficiently addresses these areas. In addition, the district identified concerns with notices of meetings, written notices, meetings, and participants at IEP meetings. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks an administrative oversight component to ensure implementation of procedures. The improvement plan needs to be revised to include this component.

Additional areas of need were identified during the on-site visit regarding written consent, and participants at all meetings.

Areas of Need:

Consent – During the on-site monitoring, it was determined that the district does not consistently obtain written consent prior to implementing the action for which verbal consent was granted.

- **The district will revise the improvement plan to include procedures to ensure that written consent is obtained prior to implementation of the proposed action. The improvement plan must include an administrative oversight component to ensure implementation of the procedures. It is recommended that the district use the sample consent forms developed by the Department of Education, Office of Special Education Programs (issued on September 29, 2000).**

Meeting Participants – During the on-site monitoring it was determined that though district personnel signed as participants at IEP meetings, they were not in attendance. Additionally, during on-site monitoring it was determined that regular education teachers were not participating in identification meetings or eligibility meetings for students ages 3-5. Furthermore, it was determined that both special education and regular education teachers did not consistently participate in meetings where they were required participants of the IEP team.

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- **The district will revise its improvement plan to include procedures to ensure that all required participants attend meetings when they are required members of the team. The improvement plan must include an administrative oversight component to ensure implementation of the procedures.**

SECTION IV. LOCATION, REFERRAL, IDENTIFICATION

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of child find information during the school year, direct referrals from parents and staff and identification meetings for school-aged children (6-21 years).

During the self-assessment process, the district identified concerns in the areas of child find during the summer, referral process (including pre-referral, interventions and documentation), health summary, summer referrals, and vision and hearing screenings. The district has developed an improvement plan that sufficiently addresses health summary and vision and hearing screenings. The district's improvement plan does not sufficiently address child find and the referral process because it lacks procedures for child find and an administrative oversight component for the referral process. The improvement plan needs to be revised to include these components.

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

SECTION V. EVALUATION

Summary of Findings:

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

During the self-assessment process, the district identified concerns in the areas of written reports, bilingual evaluations, documentation of acceptance and rejection of reports, assessing in all areas of suspected disability and functional assessments. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks an administrative oversight component to ensure implementation of the procedures. The improvement plan needs to be revised to include this component.

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

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SECTION VI. REEVALUATION

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of planning meetings, conducting reevaluations by June 30th of a student's last year in a program for preschool students with disabilities, and conducting reevaluations when a change in eligibility is considered.

During the self-assessment process, the district identified concerns in the area of timelines. The district had developed an improvement plan that does not sufficiently address this area of need because it lacks procedures, in-service and an administrative oversight component to ensure that the procedures are implemented to bring about the required changes.

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 eligibility meetings and establishing eligibility for speech and language services based on required criteria.

During the self-assessment process, the district identified concerns with the provision of evaluation reports to parents, documentation of eligibility, and criteria for SLD. The district has developed an improvement plan that does not sufficiently address these areas because it lacks an administrative oversight component to bring about required changes. The improvement plan needs to be revised to include this component.

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 area of implementation dates.

During the self-assessment process, the district identified concerns in the areas of frequency and amount of instructional time for in-class resource programs, and documentation of the extent progress. The district has developed an improvement plan that sufficiently addresses these areas. In addition, the district identified concerns in the areas of participants for IEP meetings, considerations and required statements, present levels of educational performance, benchmarks or short term objectives, age of majority, annual review timelines, 90-days timelines, teacher knowledge/access, provision of IEP

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prior to implementation and observation of the proposed placement. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks an administrative oversight component to ensure implementation of the procedures. The improvement plan needs to be revised to include this component.

An additional area of need was identified during the on-site visit regarding goals and objectives related to the Core Curriculum Content Standards (CCCS).

Area of Need:

Goals and Objectives/Core Curriculum Content Standards – During the on-site monitoring visit, it was determined through interviews and record review, that the district does not align IEP goals and objectives with the Core Curriculum Content Standards.

- **The district will revise its improvement plan to include procedures to ensure the alignment of goals and objectives with the Core Curriculum Content Standards. The improvement plan must include in-service training and an administrative oversight component to ensure implementation of these procedures.**

SECTION VIII. LEAST RESTRICTIVE ENVIRONMENT

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of the individualized decision-making process, documentation of IEP considerations, and supplementary aids and services.

During the self-assessment process, the district identified concerns in the areas of participation in nonacademic and extracurricular activities, regular education access, and continuum of placement options. The district has developed an improvement plan that is sufficient to address participation in nonacademic and extracurricular activities for out-of-district students. The district's improvement plan is not sufficient to address the continuum of placement options because the assigned timelines are inappropriate. The plan needs to be revised to amend the timelines for completion during the 2002-2003 school year. Additionally, the district identified concerns regarding the consideration of regular education as the first option. The district did not submit an improvement plan to address this area of need. The district needs to revise the plan to include procedures, in-service and an administrative oversight component to bring about the required changes.

Additional areas of need were identified during the on-site monitoring visit regarding placement options for students with disabilities in kindergarten, and participation in nonacademic activities for in-district students with disabilities.

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Areas of Need:

Continuum of Placement Options for Kindergarten – During the self-assessment process, the district identified a continuum of placement options for the middle school as an area of need. During the on-site monitoring visit, it was determined, through interviews, observations, and record review, that the district has limited placement options for preschool students with disabilities exiting preschool and entering kindergarten. The only available options are in-class support (replacement), or out-of-district placement.

- **The district will revise its improvement plan to include procedures to ensure that a continuum of placement options is available for all disabled students ages 3 through 21. The improvement plan must include a mechanism to determine district needs and the manner in which those needs will be addressed and funded.**

Participation in Nonacademic Activities – During the on-site monitoring it was determined that students with disabilities were placed in nonacademic subjects such as music, art, woodshop, computer technology, etc., based upon administrative convenience (scheduling) and not on individual need. For example, a sixth grade special education student might be placed in a seventh grade music class during the 2001-2002 school year and in a sixth grade music class the following year. Content area teachers expressed concerns that the special education students were missing grade level instructional content or were receiving instruction in areas where foundation skills had not yet been taught.

- **The district will revise its improvement plan to include procedures to ensure that placement in nonacademic activities is based on individual needs and not administrative decisions resulting from scheduling difficulties. The improvement plan must include an administrative oversight component to ensure the implementation of the procedures.**

SECTION X. TRANSITION (Preschool and Post-Secondary)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of preschool transition planning conferences, evaluation and placement in preschool programs by the third birthday, identification of post-secondary liaison and availability of career guidance activities for disabled students.

During the self-assessment process the district identified concerns with IEP transition statements. The district has developed an improvement plan that sufficiently addresses this area of need. The district identified concerns with agency invitation/involvement and student attendance at IEP meetings, and consideration of student interests and preferences when students do not attend meetings. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks an administrative oversight component to ensure implementation of the

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procedures. The plan needs to be revised to include this component. The district also identified concerns with the development of employment and post-school living objectives and student self-advocacy. The district has developed an improvement plan that does not sufficiently address these areas of need because the timelines are inappropriate. The plan needs to be revised to reflect implementation dates during the 2002-2003 school year.

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

SECTION IX. DISCIPLINE

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the area of application of the same procedures for disabled and non-disabled pupils.

During the self-assessment process, the district identified concerns in the area of provision of interim alternative educational settings. The district has developed an improvement plan that sufficiently addresses this area of need. In addition, the district identified concerns in the areas of documentation to case manager, suspension tracking, behavioral intervention plans, functional behavior assessments, and procedures for conducting manifestation determination meetings. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks an administrative oversight component to ensure implementation of the procedures. The improvement plan needs to be revised to include this component.

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

SECTION XII: STATEWIDE ASSESSMENT

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of provision of approved accommodations and modifications and IEP documentation.

During the self-assessment process, the district identified concerns in the areas of participation and alternative assessments. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks an administrative oversight component to ensure implementation of the procedures. The improvement plan needs to be revised to include this component.

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

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SECTION XIII: GRADUATION

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of provision of diploma, participation at graduation, and written notice.

During the self-assessment process, the district identified concerns in the areas of IEP requirements. The district has developed an improvement plan that does not sufficiently address this area of need because it lacks an administrative oversight component to ensure implementation of the procedures. The plan needs to be revised to include this component.

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

SECTION XIV. PROGRAMS AND SERVICES

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of age range, group size for speech, aides, schedules, and home instruction approvals.

During the self-assessment process, the district identified concerns in the areas of class size and description for special education classes. The district's improvement plan is sufficient to address these areas of need.

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 parent/adult student access to records, documentation of access to student records, and procedures for maintenance and destruction of pupil records.

During the self-assessment process, the district identified concerns with documentation of other locations of student files and staff knowledge in regards to student record policies and procedures. The district has developed an improvement plan that does not sufficiently address these areas because the timelines are inappropriate to ensure change in a timely fashion. The improvement plan needs to be revise to identify more reasonable timelines for implementation of these procedures.

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 Ocean City School District on October 15 - 17, 2001. 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. As a result of this review the district was able to identify nearly all areas of need and develop an improvement plan that with some revision, will be sufficient to bring about systemic change. The district is further commended for the many areas that were determined by the district and verified by the Office of Special Education Programs as compliant with federal and state statutes and regulations.

At a focus group meeting held prior to the monitoring visit, many of the concerns raised by the parents during the focus group meeting had already been identified by the district during the self-assessment process. Parents indicated they believed the in-class support programs are excellent at the high school. Some parents and students indicated transition services and access to elective classes were issues that they deemed to be problematic.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included the dissemination of IDEA, provision of speech, physical therapy, occupational therapy, and transportation, length of school day and year, facilities, certifications, provision of special education rules, due process rules, PRISE, and the short procedural safeguard statement, direct referral from parents and staff, multi-disciplinary evaluations, standardized assessments, reevaluations completed by age five, documentation of eligibility, implementation dates, individualized decision making, documentation of IEP considerations and supplementary aids and services, preschool transition, placement in preschool program by third birthday, provision of approved accommodations, modifications, and IEP documentation, participating in graduation, provision of diploma, age range, group size for speech, home instruction approvals, access to student records, and procedures for the maintenance/destruction of student records.

During the self-assessment process, the district identified areas of need regarding policies and procedures, staff development, extended school year, provision of related services, transfer students, surrogate parents, consent, native language, independent evaluations, notices of meetings, written notices, meetings, participants at IEP meetings, child find, referral process, health summary, summer referrals, vision and hearing screenings, provision of written reports, bilingual evaluations, documentation of acceptance/rejection of reports, assessing in all areas of suspected disability, functional assessments, timelines, provision of evaluation reports to parents, documentation of eligibility, criteria for SLD, considerations and required statements, age of majority, annual review timelines, 90 days timelines, teacher having knowledge of/access to the IEP, IEP prior to implementation, observation of the proposed placement, participation in nonacademic/extracurricular activities, regular education access, continuum of placement options, consideration of regular education, transition, discipline, participation in statewide assessments, provision of alternative assessments, IEP requirements for graduation, class size, description for special education classes, documentation of other location of student files, and staff knowledge in regards to student record policies and procedures.

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The on-site visit identified additional areas of need within the various standards regarding documentation of counseling and consultative CST services, revisions to the IEP at the high school, written consent, notices of meetings, participants at all meetings, goals and objectives related to CCCS, placement options for students with disabilities in kindergarten, and participation in nonacademic activities for in district students with disabilities.

Within forty-five days of receipt of the monitoring report, the district will revise and resubmit the improvement plan to the Office of Special Education Programs to address the areas of need identified during the on-site visit and those areas that require revisions to the improvement plan.