



The district has made accommodations for working parents by ensuring that administrators are available in the evening to meet with them in order to handle discipline issues.

The district ensures that training is provided to students in order for the Peer Mediation Board to operate effectively.

### **Areas Demonstrating Compliance with Requirements**

Of the fifteen (15) areas reviewed during the on-site monitoring visit, it was determined that the district has met the requirements in the area of **Graduation**.

### **Areas Demonstrating Need**

Of the fifteen (15) areas reviewed during the on-site monitoring visit, it was determined that the district needs to address areas within the following sections.

## **Section I: General Provisions**

### **Summary of Findings:**

The district board of education ensures that it provides publicly funded educational programs and services to students with disabilities in accordance with federal and state regulations. Annually, the district submits the required reports related to the number of students with disabilities enrolled in the district; staff (including contracted personnel) providing services to students with disabilities; and the number of students with disabilities who are exiting education. The district makes available to parents of students with disabilities and to the general public all documents relating to the eligibility of the district under Part B of the IDEA.

However, problems were identified with the district's special education Policies and Procedures, and with meeting the in-service training needs of professional and paraprofessional staff.

### **Area(s) of Need:**

**Policies and Procedures** – Although the district has revised its Policies and Procedures to reflect changes since the adoption of N.J.A.C. 6A:14, a review of the policies reflected that they are not fully aligned with the 14 policies outlined by the Department of Education in its memo dated January 14, 2000.

- **The district will develop an improvement plan that will ensure its policies are aligned with the 14 policies outlined by the Department of Education as directed in the memo dated January 14, 2000.**

**In-service Training of Professional and Paraprofessional Staff** – The district has provided in-service training opportunities for district personnel at staff meetings and workshops offered in the district. However, information obtained through the interview process indicated that the in-service needs of regular education teachers and paraprofessionals having responsibility for students with disabilities have not been appropriately addressed.

- **The district will develop an improvement plan that will ensure that the in-service needs of both professional and paraprofessional staff who provide special education, general education, or related services are identified, and that appropriate in-service training is provided.**

## **Section II: Free and Appropriate Public Education**

### **Summary of Findings:**

The district provides special education and related services to students with disabilities ages three to twenty-one at public expense, under public supervision, and with no charge to the parent. Programs are administered, supervised, and provided by appropriately certified and/or licensed professional staff members. Transportation for students in out-of-district placements is provided consistent with the calendar in the receiving school.

However, problems were identified in the provision of FAPE regarding transfer students, students placed in approved facilities, extended school year programs, related services, the length of the school day, and instruction provided in the absence of teachers of the handicapped.

### **Areas of Need:**

**Transfer Students** - The records reviewed indicated that when students transferred into the district they were provided with an interim educational program and additional evaluations were completed when needed. However, the records did not clearly document when the student was admitted into the district. As a result, it was not possible to determine if the district conducted an immediate review of the evaluation information and the IEP.

- **The district will develop an improvement plan that includes a procedure to ensure that when a student with a disability transfers into the school district the child study team conducts an immediate review of the evaluation information and the IEP. This procedure must include a method of documenting the date of transfer, date of entrance into the district, date of child study team review, and the results of the review.**

**Placement in approved facilities** – The district requested approval from the County Office of Education to operate a Resource Center Replacement program in the same room as the computer lab in School #8. This request was denied by the County Office of Education on January 15, 2000. Interviews with the school principal and vice principal indicated that they had received this letter of denial. However, upon the on-site visitation to School #8, the resource center program was still being provided in the computer room.

- **The district will develop an improvement plan that will ensure that programs and services are provided in facilities approved by the Department of Education.**

**Extended School Year** – Documentation was provided which reflected the provision of a special education summer school program located within the district during the summer of 1999. The program, designed for five self contained classes, operated for three hours a day. This program, described as "Special Education Summer School", was announced at the May 24, 1999 Board of Education meeting. In addition, the district collaborated with the Boys and Girls Club of Passaic for the annual summer day camp program held at one of the elementary schools. Students in out-of-district settings were provided extended school year services as needed. However, extended school year services were not provided to all students with disabilities in district.

The IEPs reviewed contained documentation that extended school year services were not consistently considered. The district has begun to utilize the state model IEP form which contains a specific area for documentation of extended school year needs. However, in a review of IEPs, it was found that "N/A" was frequently written in this area. In other records, this area was left blank. Instructional staff and parents indicated that the consideration of an extended school year was not discussed at IEP meetings for all students. Additionally, some of the instructional staff did not understand the term extended school year.

- **The district will develop an improvement plan that will ensure extended school year services are considered on an individual basis for each classified student in the district, document those considerations in the IEP, and provide the services as needed.**

**Related Services** – IEP documentation reflected individual determinations of the need for related services. A review of records and interviews determined that the district provides a range of related services to students with disabilities, when required for the student to benefit from the educational program.

Several counseling and prevention programs have been implemented throughout the district. The district contracts with approved private clinics and agencies to provide physical therapy and occupational therapy, as permitted by N.J.A.C. 6A:14-5.1. Due to insufficient numbers of speech therapists on staff, the district has been contracting with approved private clinics and agencies to provide speech services; this is not permitted according to N.J.A.C. 6A:14-5.1. Districts may enter into joint agreements for speech services from local education agencies, educational services commissions, jointure commissions, or county special services school districts. Districts were reminded of this in an October 1999 clarification that was sent to them from the Office of Special Education Programs.

Interviews indicated that although students may be recommended for individual speech therapy services, sessions were provided on a group basis due to the lack of therapists available. In addition, the provision of counseling services could not be verified as schedules did not exist; upon review of counseling treatment logs, students who were determined to need this service were not found on the logs.

Further review of IEPs determined that goals and objectives for the related services were not consistently included.

- **The district will develop an improvement plan that will ensure that speech services are obtained according to the requirements outlined in N.J.A.C. 6A:14-5.1.**
- **The district will develop an improvement plan that will ensure that the provision of related services is based on the individual needs of students and is not dependent on staff availability.**
- **The district will develop an improvement plan that will ensure that the provision of related services shall be documented and verified.**
- **The district will develop an improvement plan that will ensure that goals and objectives for related services will be developed and included in IEPs.**

**Length of School Day** – Interviews with district personnel indicated that the length of school day for student with disabilities in self contained classes within the elementary schools is one half hour shorter than the day for nondisabled students. This occurs

throughout all of the elementary schools within the district. Explanations for this included transportation needs and teacher schedules.

- **The district will develop an improvement plan that will ensure the length of school day for students with disabilities is as least as long as that for nondisabled students.**

**Instruction provided in the absence of teachers of the handicapped** – Interviews with district principals and teachers of the handicapped assigned to resource room programs indicated that no substitutes are provided for these teachers whenever they are absent. District staff indicated that students assigned to resource room programs do not receive these services when the resource room teacher is absent. This includes students receiving in class as well as pull out resource instruction.

- **The district will develop an improvement plan that will ensure that resources programs are provided to students with disabilities whenever the assigned teachers of the handicapped are absent.**

### **Section III: Procedural Safeguards**

#### **Summary of Findings:**

The district has policies and procedures in effect to ensure students with disabilities and their parents are afforded procedural safeguards. The district obtains consent prior to conducting an initial evaluation, implementing the initial IEP, for special education and related services, and releasing student records.

Findings of the Program Review conducted during 1998-1999 school year indicated that parents were not consistently provided notice of Identification meetings, and that written notices following Identification meetings did not reflect all required components. Additionally, problems were identified with the provision of notice in the native language of the parent(s). The district has developed a Corrective Action Plan (CAP) to address these areas of need. However, CAP activities have not been successfully implemented, and problems with providing notice of a meeting and written notice continues to exist.

Problems were identified with ensuring that the required participants attend meetings. Areas of need regarding participants at specific meetings (e.g. Identification, Eligibility, IEP) will be addressed in subsequent sections of this report of findings.

Additionally, problems were identified with documenting the participation of interpreters at meetings, and with informing parents and students at least three years before the

students reaches age eighteen that all rights transfer to the student upon reaching the age of majority.

**Areas of Need:**

**Notice of a Meeting and Written Notice** - During the current on-site monitoring visit notices surrounding other events in the special education process were reviewed. Information obtained through the interview process and a review of student records indicated notices of meetings and written notices were not provided at the required times, and did not reflect the required components in most cases.

- **The district will develop an improvement plan that will ensure that notices of meetings and written notice are provided at required times and contain the required components.**

**Native Language** – Information obtained through the interview process indicated that the district does provide interpreters at meetings and employs a number of strategies to ensure meetings are conducted in the native language of the parents(s). However, student records lacked consistent documentation verifying the participation of interpreters at meetings.

- **The district will develop an improvement plan that will ensure that the participation of interpreters at meetings is documented in the student record.**

**Age of Majority** - A review of records of students, ages sixteen and one half and older, reflect the district did not consistently inform the parents and student that all rights will transfer to the student on reaching the age of majority. Signatures of students acknowledging they were informed of the transfer of rights were not consistently documented in the records. Additionally, the district needs to refine its statement regarding the transfer of rights at age of majority to appropriately address the requirement.

- **The district will develop an improvement plan that will ensure parents and students will be informed that all rights will transfer to the student on reaching the age of majority, at least three years before the student reaches age eighteen, as required under the amended special education code, N.J.A.C. 6A:14 effective as of June 5, 2000.**

## Section IV: Location, Referral and Identification

### Summary of Findings:

The district board of education has written procedures to locate, refer, and identify students ages 3 to 21. The school district provides interventions in general education programs to alleviate the student's educational problems.

However, problems were identified in the referral process.

### Areas of Need:

Although the district has written procedures for the referral of students for evaluations, information obtained during review of records showed that there was a delay in the referral process from the time the referral form (golden form) is generated until it was officially date stamped in special services. In one case the child remained in the Pupil Assistance Committee (PAC) for three years before he was referred to the child study team. There was also a delay in the procedure from the time the department date stamped the referral until the time the Identification meeting was held. The delay in holding the Identification meeting was also cited in the Year 3 – Program Review of 1998-1999. Interviews indicated that vision and hearing screenings are conducted yet the review of records did not show documentation that screenings were conducted. Also, there was no documentation found in the student record to support that an Identification meeting was held for a student potentially eligible for speech and language services.

- **The district will develop an improvement plan that will ensure that the Identification meeting for students potentially eligible for speech language services or special education and related services will be held within 20 days of receipt of the written request. The plan will include a procedure to ensure that the receipt date is clearly documented and include a mechanism to ensure administrative oversight.**
- **The district will develop an improvement plan that will ensure that all students referred for evaluation are screened for hearing and vision. Additionally, the plan will include a procedure to ensure documentation of the results of the hearing and vision screening maintained in the student file.**



## **Section V: Protection in Evaluation and Evaluation Procedures**

### **Summary of Findings:**

The district ensures that evaluation procedures are technically sound, are neither culturally nor racially discriminatory, and are administered by trained personnel. The district also ensures that, when it is determined an evaluation by the child study team is warranted, students with disabilities receive a comprehensive evaluation conducted by a multi-disciplinary team of professionals who utilize of a variety of assessment tools and strategies to assess the student in all areas of suspected disability.

Problems, however, were identified with evaluation procedures used to determine students' eligibility for speech-language services. In addition, student records lacked documentation to verify that parental consent was obtained prior to conducting a initial evaluation. Written reports prepared by child study team members and speech-language specialists lacked documentation of specific evaluation requirements, and were not consistently signed and dated. Furthermore, student records did not consistently include documentation of the IEP team's acceptance or rejection of reports and assessments submitted by outside child study team members, specialists, or professionals.

### **Area(s) of Need:**

**Speech-Language Evaluation Procedures** – Information obtained through the interview process indicated an evaluation to determine a student's eligibility for speech-language services is conducted only after the student has been identified as potentially educationally disabled and informed parental consent has been obtained, this was not verified through record review.

Documentation in student records indicated that observations/informal screenings of students were conducted prior to the Identification meeting. Once parental consent to conduct the speech-language evaluation was obtained the speech-language specialist did not consistently conduct a structured observation in other than a testing situation as part of a functional assessment.

A review of test protocols in student files indicated that speech-language specialists used standardized tests that were individually administered, valid and reliable, and normed on a representative population. However, due to the fact that evaluation reports were not evident in several of the student records reviewed, the monitoring team could not verify whether speech-language evaluations included documentation of the educational impact of the speech problem provided by the student's teacher, and the required components of functional assessment.

- The district will develop an improvement plan that will ensure that parent consent is obtained prior to conducting an initial evaluation for speech language services, and documentation is maintained in the student record.
- The district will develop an improvement plan that will ensure that the speech-language specialist conducts a structured observation of the student in other than a testing situation as part of a functional assessment of academic performance and where appropriate, behavior. The plan will ensure that this observation is conducted only after parent consent to conduct the assessment has been obtained.
- The district will develop an improvement plan that will ensure an initial evaluation to determine a student's eligibility for speech-language services includes assessments by the speech-language specialist and documentation of the educational impact of the speech problem provided by the student's teacher. This will meet the requirements for a multi-disciplinary team evaluation.
- The district will develop an improvement plan that will ensure that evaluations to determine a student's eligibility for speech-language services include all the components of functional assessment of academic performance and where appropriate, behavior as required under N.J.A.C. 6A:3.4(d)2.

**Child Study Team Written Reports** - Written reports prepared by child study team members included an appraisal of the student's current functioning. However, written reports did not consistently include each of the required components of functional assessment of academic performance and where appropriate, behavior. In addition, written reports were not consistently signed and dated, and did not consistently include an analysis of instructional implications appropriate to the professional discipline of the evaluator, a statement regarding relevant behavior of the student, and the relationship of that behavior to the student's academic functioning.

- The district will develop an improvement plan that will ensure written reports prepared by child study team members is signed and dated by the individual(s) who conducted the assessment and includes:
  1. The required components of functional assessment of academic performance and where appropriate, behavior as required under N.J.A.C. 6A:14-3.4(d)2;
  2. An analysis of instructional implications appropriate to the professional discipline of the evaluator; and
  3. A statement regarding relevant behavior of the student, either reported or observed, and the relationship of that behavior to the student's academic functioning.

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

- The district will develop an improvement plan that will ensure the speech-language specialist prepares a written report of the results of the evaluation, and that these reports are maintained in student files.
- The district will develop an improvement plan that will ensure each written report prepared by the speech-language specialist is dated and signed by the individual(s) who conducted the assessment and includes:
  1. The required components of functional assessment of academic performance and where appropriate, behavior;
  2. An appraisal of the student's current functioning and an analysis of instructional implication(s) appropriate to the professional discipline of the evaluator; and
  3. A statement regarding relevant behavior of the student, either reported or observed and the relationship of that behavior to the student's academic functioning.

**Outside Reports and Assessments** – Information obtained through the interview process and record review indicated that, although the district has a procedure to provide for the IEP team's acceptance or rejection of reports and assessments submitted by outside CST members, specialists, or professionals, this procedure is not consistently implemented.

- The district will develop an improvement plan that will ensure when reports and assessments of child study team members or specialists from other public education agencies, approved clinics or agencies, or professionals in private practice are submitted to the IEP team for consideration: a) the IEP team accepts or rejects the entire report(s) or any part of the report(s); b) acceptance of the report shall be noted in writing and shall become part of the report(s) of the district; and, c) if a report or part of a report is rejected, a written rationale shall be provided to the parent or adult student by the IEP team.

## Section VI: Reevaluation

### Summary of Findings:

Although the district's policies and procedures state that they ensure that students are reevaluated every three years or sooner if conditions warrant, problems were identified with meeting timelines and determining the nature and scope of reevaluations. The district does not consistently provide notice and written notice. Not only does the district inconsistently document the planning meeting, it also does not consistently obtain parental consent.

### Areas of Need:

**Timelines** - Interviews with teachers, parents and child study team members indicated that reevaluations are not conducted every three years throughout the district. During the interview conducted with the child study teams they acknowledged that there is a backlog of reevaluations. Information obtained through a review of student records indicated that the district was not meeting the three year timelines.

- **The district will develop an improvement plan that will ensure that reevaluations will be conducted every three years. The procedure must include a mechanism to ensure that the district considers requests for reevaluations made by the parent or teacher prior to three years.**

**Nature and Scope** – A review of pupil records could not verify a reevaluation meeting was conducted. Therefore it could not be determined that the IEP team reviewed existing evaluation data and considered if additional assessments were warranted in order to determine continued eligibility.

- **The district will develop an improvement plan that will ensure that at the reevaluation planning meeting the IEP team reviews existing data and determines the need for additional assessments. Results of the reevaluation planning meeting will be documented in the student record.**

**Notice and Written notice** – Interviews indicated that notices and written notice is provided to parents and adult students. However when reviewing the student records documentation was not found.

- **The district will develop an improvement plan that will ensure that the district consistently documents that notice of a meeting and written notice is provided to parents and to adult students.**

**Parent Consent** – Child study teams indicated that parent or adult student consent was obtained prior to conducting a reevaluation. However, the review of records did not show signatures for consent nor documentation that sufficient attempts were made to obtain the signature for consent.

- **The district will develop an improvement plan that will ensure that consent for reevaluation will be obtained or that documentation demonstrates that sufficient attempts were made to obtain consent.**

## **Section VII: Eligibility**

### **Summary of Findings:**

The district ensures that a student is determined eligible and classified “eligible for special education and related services” when the student has one or more of the disabilities defined in N.J.A.C. 6A:14-3.5(c) 1 through 13, the disability adversely affects the student’s educational performance, and the student is in need of special education and related services. The district also ensures that students are determined eligible and classified “eligible for speech-language services” when the student has a speech-language disorder that adversely affects classroom performance and the student requires only speech-language services.

However, it was determined that a regular education teacher does not consistently participate in the meeting to determine a student’s eligibility for special education and related services. Additionally, parents do not consistently receive copies of evaluation reports prepared by child study team members and specialists.

### **Area(s) of Need:**

**Participation of the Regular Education Teacher** – Information obtained through the interview process and a review of student records indicated a regular education teacher does not consistently participate in the initial meeting to determine a student’s eligibility for special education and related services.

- **The district will develop an improvement plan that will ensure the initial meeting to determine a student’s eligibility for special education and related services shall include the following participants: The parent; a teacher who is knowledgeable about the student’s educational performance or the district’s programs; the student, where appropriate; at least one child study team member who participated in the evaluation; the case manager; other appropriate individuals at the discretion of the parent or the school district;**

**and certified school personnel referring the student as potentially disabled, or the school principal or designee if they choose to participate.**

**Copies of Evaluation Reports** - Information obtained through record review and the interview process indicated the district does not consistently provide parents with a copy of the evaluation report(s) conducted by child study team members or other specialists.

- **The district will develop an improvement plan that will ensure a copy of the evaluation report(s) is provided to the parent(s) or adult student no later than when written notice of the eligibility determination is provided. The plan will also include a procedure for ensuring the provision of the evaluation report(s) is documented in the student record.**

## **Section VIII: Individualized Education Program**

### **Summary of Findings:**

A review of student records found that IEP meetings are held within 30 calendar days of the eligibility determination. The district maintains documentation of the meeting participants and obtains consent prior to implementation of an initial IEP.

The district has recently begun to utilize the NJDOE model IEP form, however consistent implementation of this document has not been fully accomplished.

Additional problems were identified with the provision of notices and written notices, participants at IEP meetings, review of IEPs annually, IEP considerations and required statements, and the implementation of IEPs.

### **Areas of Need:**

**Provision of Notices and Written Notices** – Information obtained through a review of pupil records could not demonstrate that notices of meetings were consistently provided to parents or adult students. In addition, written notice of the IEP determinations were not consistently provided with 15 days of the meeting. There was also no documentation that reflected that parents received a copy of the IEP. Although the district has begun to utilize the NJDOE model IEP form which includes the requirements for written notice, consistent use of this document as written notice has not been accomplished.

- **The district will develop an improvement plan that will ensure that notices of meetings and written notices are provided to parents or adult students.**

- **The district will develop an improvement plan that will ensure that parents receive copies of IEPs.**
- **The district will develop an improvement plan that will ensure that the NJDOE model IEP form will continue to be implemented by the district.**

**Participants in IEP meetings** – At the time of the onsite visit, N.J.A.C. 6A:14-2.3(i)2 required that a district representative attend IEP meetings for students determined eligible for speech-language services in addition to the speech therapist, teacher, and parent. A review of student records and information obtained through the interview process verified the district had not ensured that this participant was in attendance. However, with the adoption of the June 5, 2000 amendments, the district representative is no longer required to attend; the speech therapist may assume this role. Therefore, no corrective action is required.

Problems were identified with the required participants in IEP meetings for students eligible for special education and related services. The district does not provide for the participation of regular education teachers in any IEP meetings for students identified as preschool disabled.

- **The district will develop an improvement plan that will ensure that regular education teachers participate in IEP meetings for students identified as preschool disabled.**

**Review of IEP's Annually** – A review of IEPs demonstrated that annual reviews were not consistently conducted on an annual basis. In many instances, IEPs had not been reviewed for over a 12 month period. Teachers who were interviewed concurred that IEP meetings had not been held at the expected time, and that the IEPs that they were utilizing for their students were over 12 months old. Since the IEPs were over 12 months old, many were not in effect at the beginning of the school year.

- **The district will develop an improvement plan that will ensure that IEPs are reviewed at least annually.**

**IEP Considerations and Required Statements** – The district has revised its IEP format to reflect the state IEP document; however, the records reviewed indicated that this document was not being utilized in a manner which consistently meets the requirements in N.J.A.C. 6A:14.

A review of student records, including records of students eligible for speech and language services, indicated the IEPs developed did not contain documentation of all

the appropriate considerations or required statements. The following considerations were not consistently documented in the student records reviewed:

- The strengths of the student
- Parental concerns for enhancing the education of their child
- Results of the most recent evaluation
- Communication needs of the student
- Whether the student requires assistive technology devices and services
- Beginning at age 14, the need for technical consultation from DVRS
- When behavior impedes learning, strategies (including positive behavior interventions) and supports to address that behavior

The following required statements were not consistently documented in the student records reviewed:

- Present levels of educational performance, including but not limited to: how the student's disability affects involvement and progress in the general curriculum (this requirement was not documented in the IEPs reviewed for the students found eligible for speech and language services)
- Measurable annual goals (the district is using the state IEP format; however, the documentation reviewed does not reflect an understanding of requirement and does not meet the standard of a measurable annual goal in all areas recorded)
- Special education and related services, and supplementary aids and services for the student
- Extent to which the student will not participate with non-disabled students in the general education class and in nonacademic and extracurricular activities
- Individual modifications in the administration of Statewide or district assessments or a statement of why that assessment is not appropriate, and how the student will be assessed
- Date services and modifications will begin and the frequency, location, and duration of services and modifications
- Beginning at age 14, (or younger, if appropriate) the transition service needs
- Beginning at age 16, (or younger, if appropriate) the needed transition service needs
- The person(s) responsible to serve as the liaison to post-secondary resources
- By age 17, a statement that the student has been informed of the rights under
- N.J.A.C 6:14 that will transfer to the student on reaching the age of majority
- How the student's parents will be regularly informed of their child's progress toward the annual goals, and the extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year.

The documentation reviewed reflected inconsistencies in the use of the current IEP, as well as a misunderstanding of various sections of the IEP. For example, in one of the records reviewed, attendance and discipline requirements were listed under the goals and objectives. In another IEP, the programs indicated a self contained program in all



academic areas, yet modifications for these specific academic areas were listed under regular education.

- **The district will develop an improvement plan that will ensure IEPs are developed with the appropriate considerations and required statements. The improvement plan will ensure proper documentation is contained within IEPs and those staff members responsible for IEP development receive training on the code requirements relevant to IEP development.**

**Implementation of IEPs** – Information obtained through interviews with district personnel indicated that there was a period of time that elapsed between the IEP meeting and the implementation of the IEP. In a review of records, it was determined that in many instances there was a 2 month period of time before IEPs were implemented. In many of these cases, the students were awaiting placement within the district, in programs that were developed and operational.

In addition, interviews with special education teachers indicated that although they had participated in IEP meetings, they were still awaiting the new IEP document. They were unable to implement the new IEP as they were without access to the document; it was delayed in the typing pool. Interviews with general education teachers indicated that they were unfamiliar with IEPs, and had not reviewed any of these documents for the students within their classes.

- **The district will develop an improvement plan that will ensure that IEPs are implemented as soon as possible after the IEP meeting.**
- **The district will develop an improvement plan that will ensure that both special education teachers and general education teachers have access to newly developed IEPs in a timely fashion.**
- **The district will develop an improvement plan that will ensure that general education teachers are reviewing IEPs for their students.**

## **Section IX: Least Restrictive Environment**

### **Summary of Findings:**

Information obtained through the interview process indicated district personnel attended a technical assistance session provided by the Office of Special Education Programs (OSEP) on September 23, 1999 which focused on implementation of N.J.A.C. 6A:14 with regard to providing students with disabilities access to the general education

curriculum and general education programs. IEPs generated after November 1, 1999 were reviewed by the on-site monitoring team to assess the district's progress in implementing the decision making process and documentation requirements for placement in the least restrictive environment.

As a result of this year's onsite monitoring, areas of need identified in the previous year's program review visit were confirmed. It was determined that the district does not consistently ensure that to the maximum extent appropriate, students with disabilities age three to twenty-one are educated with students who are not disabled. In addition, a review of student records reflected inconsistent documentation to support that the IEP team decision making process includes a discussion of what supplementary aids and services would enable the student to access and progress in general education programs.

### **Areas of Need:**

#### **Students with disabilities are educated with students who are not disabled-**

Information obtained through the interview process indicated that students in self-contained classrooms do not regularly participate with their nondisabled peers. Art, Music, and Physical Education are provided to these students within their self-contained grouping; only a few students are mainstreamed with their grade level peers for these and other academic subjects. In addition, the high school does not provide mainstreaming during homeroom period for students in the self-contained classes. Student schedules confirmed these findings.

During the 1999-2000 school year, the district moved their four preschool disabled classes to rented classrooms within a facility operated by the county educational services commission. While this facility is within the district, there is no opportunity for these preschool disabled students to participate with their nondisabled peers.

- **The district will develop an improvement plan that will ensure that students with disabilities, ages three through twenty one, are educated with students who are not disabled.**

**Provision of a Continuum of Alternative Placements** - The district does not consistently ensure placement in the least restrictive environment by making available a continuum of alternative placements to meet the needs of students with disabilities. While the district has begun to address increasing the placement continuum, in-class support as a program option along the continuum is still offered mainly at the middle and high school levels.

- **The district will develop an improvement plan that will ensure that a continuum of alternative placements to meet the needs of students with disabilities is available.**

**Decision Making Process and IEP Documentation** – The district has recently received technical assistance in providing students with disabilities access to general education programs. However, information obtained through a review of records indicated that IEPs did not reflect documentation to verify the IEP team considers a variety of supplementary aids and services and program modifications in determining whether the student can be educated satisfactorily in a regular classroom. In addition, IEPs did not document a comparison of the benefits provided in a regular class and the benefits provided in a special education class, and the potentially beneficial or harmful effects a placement may have on the student with disabilities or the others in the class.

- **The district will develop an improvement plan that will ensure that the IEP team considers and documents a variety of supplementary aids and services and program modifications in determining whether the student can be educated satisfactorily in a regular classroom.**
- **The district will develop an improvement plan that will ensure that IEPs document a comparison of the benefits provided in a regular class and the benefits provided in a special education class, and the potentially beneficial or harmful effects a placement may have on the student with disabilities or the others in the class.**

## **Section X: Transition**

### **A. Transition From School to Post-School**

#### **Summary of Findings:**

Representatives from OSEP conducted an on-site technical assistance session in Passaic on October 6, 1999. This session focused on federal and state requirements for transition from school to post-school. At the time of this monitoring the district had not received the written feedback resulting from the technical assistance.

Interviews during the on-site monitoring indicated that child study team members have started to implement transition requirements. The district has begun to utilize the recommended NJDOE IEP format, which addresses all of the required sections for both the Statement of Transition Service Needs and the Statement of Needed Transition Services. However, problems were identified with documentation of the transition requirements.

### **Areas of Need:**

**Notice of the IEP meeting** - Students age 14 and above did not consistently attend IEP meetings, although information obtained through a review of records and through interviews indicated that students were regularly invited verbally to participate in their IEP meetings. The notice of meetings were not provided to the students. In addition, there was no evidence that agencies that would be likely to provide transition services were invited to attend the IEP meeting.

- **The district will develop an improvement plan that will ensure that the notice of the meeting is provided to the student and agencies likely to provide transition services if the purpose of the meeting is to consider transition.**

**Statement of Transition Service Needs** - A statement of transition service needs was documented in some of the IEPs reviewed; however, it did not indicate if technical consultation from the Division of Vocational Rehabilitation was warranted and did not consistently contain the required courses of study for the ensuing school year. Although students' interests and preferences were identified in the IEP, documentation did not explain how these determinations were made.

- **The district will develop an improvement plan that will ensure that beginning at age 14 or younger, if appropriate, the Statement of Transition Service Needs will address the student's courses of study and technical consultation from the Division of Vocational Rehabilitation, if warranted.**
- **The district will develop an improvement plan that will ensure that student's interests and preferences are documented in IEPs, with an explanation of how these determinations are made.**

**Statement of Needed Transition Services** – Although the district has begun to utilize the recommended NJDOE IEP format, IEPs did not consistently meet the requirements for the statement of needed transition services, including:

- Instruction
  - Related Services
  - Community Experiences
  - Employment and other post-school adult living objectives; and
  - If appropriate, acquisition of daily living skills and functional vocational evaluation
- **The district will develop an improvement plan that will ensure that beginning at age 16, or younger if appropriate, the IEP contains a statement of needed transition services, including where appropriate, a statement of the interagency responsibilities or any needed linkages.**

## **B. Transition to Preschool**

### **Summary of Findings:**

Information obtained through the interview process indicated the district works cooperatively with local early childhood programs, pediatricians, and early intervention programs to locate, refer and identify preschool aged children. However, problems were identified with district participation in the preschool transition planning conference and with the implementation of IEPs of preschoolers with disabilities by age three.

### **Areas of Need:**

**IEP implementation by age three** - A review of student records indicated that preschool aged children are evaluated when transitioning from early intervention. Interviews with child study teams indicated that although evaluations are completed and eligibility is determined, implementation of IEPs does not occur as soon as possible after the IEP is developed. A review of student records confirmed the information obtained during the interview process that preschoolers with disabilities do not have their IEPs implemented by age three.

- **The district will develop an improvement plan that will ensure that preschoolers with disabilities will have their IEPs implemented no later than age three.**

**Participation in the preschool transition planning conference** - A child study team member of the district board of education has not routinely participated in preschool transition planning conferences arranged by the Department of Health and Senior Services. Information obtained through the interview process indicated that the district is rarely invited to participate in these meetings. Staff members from Special Child Health Services acknowledged that currently procedures are not in place to involve local districts in the preschool transition planning conference. Both Special Child Health Services and the district expressed an interest in developing procedures to implement this requirement.

- **It is recommended that the district develop a procedure that will document contact with local early intervention programs to facilitate the district's participation in the transition planning conference.**

## Section XI: Discipline

### Summary of Findings:

Information obtained from interviews with guidance counselors, principals, assistant principals, child study team members, and other school personnel indicated that when a student with a disability is removed from his or her educational placement, the district imposes the same district procedures for disabled and nondisabled students.

However, problems were identified with providing Notice of Suspensions to Case Managers and conducting Functional Behavioral Assessments and Behavioral Intervention Plans.

### Areas of Need:

**Notice of Suspensions to Case Managers** - Information obtained through interviews indicated that there is a procedure that requires that written notification of suspensions be forwarded to case managers. However, this procedure has not been formalized; interviews and documentation indicated that notifications are not consistently provided.

- **The district will develop an improvement plan that will ensure that procedures are developed and implemented requiring written notification of suspensions to case managers.**

### **Functional Behavioral Assessments and Behavioral Intervention Plans –**

Documentation indicated that Manifestation Determinations were consistently conducted when a student had been suspended for more than 10 days. However, functional behavioral assessments were not consistently completed. Furthermore, behavioral intervention plans were not developed to address behaviors.

- **The district will develop an improvement plan that will ensure that Functional Behavioral Assessments and Behavioral Intervention Plans are conducted as needed.**

## Section XII: Statewide Assessment

### Summary of Findings:

The district must ensure that the individual education plans developed for students determined eligible for special education and related services or speech and language services consistently document whether the students will participate in statewide

assessments. If it is determined that a student will not participate in the assessment, the IEP team must document the reason for this exemption, and the alternative assessment that will be given to the student. In addition, any necessary accommodations and/or modifications in the administration of statewide and district assessments needed by students must be documented. Problems were identified with the required documentation in IEPs.

### **Areas of Need:**

**Exemptions and Alternate Assessments** – When a student was determined to be exempt from taking the statewide assessment, documentation in the IEP did not support the rationale for exemption, nor the alternative assessment to be used.

- **The district will develop an improvement plan that will ensure that when a student is determined to be exempt from taking the statewide assessment, documentation in the IEP will support the rationale for exemption, and identify the alternative assessment that will be used for that student.**

**Accommodations and/or Modifications** - The IEPs reviewed did not consistently document accommodations and/or modifications approved by the Department of Education for students with disabilities who require them in order to participate in statewide or district assessments.

- **The district will develop an improvement plan that will ensure that IEPs will address the necessary accommodations and/or modifications needed by students in order for them to participate in statewide or district assessments.**

## **Section XIV: Programs and Services**

### **Summary of Findings:**

The district ensures that programs and services are provided according to state requirements; however, problems were identified with group sizes in pull-out resource programs at both the elementary and secondary levels.

### **Area(s) of Need:**

**Group Size** – A review of pull-out resource programs at the both the elementary and secondary levels reflected that, in several instances, group sizes exceeded the limits permitted under N.J.A.C. 6A:14-4.6(h). The Passaic County Office of Education verified that the district had not received any approvals to exceed the group size limits.

- **The district will develop an improvement plan that will ensure group sizes in pull-out resource programs at both the elementary and secondary levels do not exceed the limits specified under N.J.A.C. 6A:14-4.6(h).**

## **Section XV: Student Records**

### **Summary of Findings:**

The district ensures that student records are collected, maintained, secured, and destroyed in accordance with state and federal law and regulations. However, problems were identified with documenting the locations of student records maintained, and access to student records.

### **Area(s) of Need:**

**Documenting Locations of Student Records Collected** – A review of central files maintained within school buildings reflected that these records lacked documentation indicating where additional student records are located.

- **The district will develop an improvement plan that will ensure that central files indicate where additional student records are located.**

**Access to Records** – A review of student records reflected that the district does not maintain a record of the parties who obtained access to records of students identified as eligible for special education and related services or eligible for speech-language services.

- **The district will develop an improvement plan that will ensure that a record of parties who obtained access to the records of students identified as eligible for special education and related services or eligible for speech-language services will be maintained.**