

New Jersey Department of Education Special Education Monitoring

District: Roxbury School District

County: Morris

Monitoring Dates: December 8, 9 and 10, 2003

Monitoring Team: Jenifer Tucci-Spear, Gladys Miller, Susan Wilson and Tracey Pettiford-Bugg

Background Information:

During the 2002 - 2003 school year, the Roxbury School District conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Roxbury 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 Roxbury School District developed an improvement plan to address identified areas of need.

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

As the first step in the on-site monitoring process, the New Jersey Department of Education (NJDOE) held a focus group meeting for parents and community members at the Eisenhower Middle School on Wednesday December 3, 2003. Information obtained from that meeting was used to direct the focus of the monitoring visit.

During the on-site visit, the NJDOE team reviewed district documents, including district policies and procedures, student count information, 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 administrators, building principals, general education and special education teachers, speech therapists and child study team members.

District Strengths:

The district is commended for its creation of a Special Education Web Page. This web page offers the community information regarding special education programs, staff, current happenings within the Special Services Department, and links to agencies, organizations and other special education resources. In addition, the district has

New Jersey Department of Education Special Education Monitoring

instituted a Special Education Newsletter, *Eclipse*, which is provided to every family involved in special education within the district. It includes district news, helpful tips for parents and articles written by students.

The district is also commended for the creation of the Student Empowerment and Advocacy Program (SEA). This program encourages high school students with disabilities to learn about their disability and develop self-advocacy skills. The SEA students foster their own independence by publicly speaking at forums on various special education topics to educate other students as well as in the community.

The Service Learning Program enables students with disabilities to learn job skills within their high school setting. Staff members including teachers, secretaries, custodians and cafeteria personnel all provide students the opportunities to gain work experience during the school day while obtaining high school credits. The transition coordinator facilitates the job opportunities and encourages students to explore their career and employment goals. It should be noted that the students involved in the Service Learning Program are instrumental in the production of the quarterly Special Education Newsletter. Both the SEA program and the Service Learning Program are being implemented on a smaller scale in the middle school setting.

The district employs a reading specialist who provides specialized reading instruction to middle and high school students. In addition, the district employs a full time itinerant Teacher of the Deaf and Hard of Hearing who provides educational support services for students with hearing impairments. This teacher works directly with these students by providing pre-teaching lessons, assisting with in-class instruction during general education lessons and provides remediation after instruction from the general education classroom. The district is further commended for its dedicated staff. Two special education teachers were recipients of the Morris County Teacher of the Year Award.

Data Summary:

A three year review of district data indicated the district is providing services to more than 51% of its students aged 6-21 in the regular education setting for more than 80% of the school day. This is above the state average of 41.6%. A review of the district's classification rate indicated the district has a classification rate of 9% (without speech only students) as compared to the state's average of 13.9%. This number is significantly lower than the state average. The on-site monitoring activities identified issues with child find that may be contributing to the lower classification rate. Specifically, it was identified that the district does not have adequate child find activities in place for those students between the ages of six and twenty-one. The district submitted data that indicates that in 2002, 43.3% of the preschool disabled population is educated in a special education setting and 45% is educated in a general education setting. However, these data were questioned during the on-site because the entire preschool disabled population is educated in a self-contained setting. As a result, an area of need was identified regarding the lack of general education opportunities for preschool students with disabilities

New Jersey Department of Education Special Education Monitoring

Areas Demonstrating Compliance With All Standards:

Statewide Assessments and Student Records were determined to be areas of compliance by the district during self-assessment and by the Office of Special Education Programs during the on-site visit.

Section I: General Provisions

Summary of Findings:

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

During the self-assessment process, the district identified concerns in the area of staff training. The district's improvement plan is sufficient to address this area. The district also identified concerns in the area of parent training. **The district's improvement plan is insufficient to address the area of parent training as it does not directly provide for training of parents, but relies on child study team members including speech therapists, to provide the training. However, because these individuals have been unable to comply with the timely completion of mandated activities, it would appear that these individuals would not be able to achieve the goals identified in the improvement plan. Additionally the scope of the parent training needs to be expanded to include a variety of topics, not just information regarding eligibility categories. The improvement plan needs to be revised to include a needs assessment to determine additional parent training topics and the identification of other training resources, such as consultants or state sponsored training sessions, to provide these training sessions.**

Section II: Free, Appropriate Public Education (FAPE)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of length of day and year, transfer students, facilities and certifications.

During the self-assessment process, the district identified concerns in the area of extended school year, provision of related services and functioning of hearing aids. The district's improvement plan is sufficient to address the area of the functioning of hearing aids. During the on-site visit, staff interviews indicated that the district has appropriately implemented specific activities to bring about correction in this area. **The district's improvement plan is insufficient to address the area of extended school year (ESY) as it lacks in-service training for staff on regression and recoupment and any other factors that impact the need for ESY services. The plan must be revised to include this training as well as an administrative oversight component to ensure the consistent implementation of the activities.**

Additionally, the district's improvement plan is insufficient to address the area of the consistent provision of related services because it fails to include activities to provide compensatory services when related services are not provided due to prolonged absences of staff or when services are routinely canceled to conduct other mandated activities such as testing or participation in meetings. The plan needs to be revised to include these activities.

New Jersey Department of Education Special Education Monitoring

Additional areas of need were identified during the on-site visit regarding consideration and provision of counseling services and identification of the location of the provision of related services and the development of goals and objectives for related services.

Area(s) of Need:

Provision of Counseling Services – During the on-site monitoring, interviews and record review indicated that because of large case loads and the need to conduct code mandated activities, team members do not include counseling as a related service even when a student requires it.

- **The district will revise the improvement plan to include activities to ensure counseling is provided to those students who require it. These activities must include a mechanism to determine whether the district has sufficient staff to address the needs of the students with disabilities in the district. If the district does not have sufficient staff, the plan must include activities to obtain additional staff members. Implementation of these activities will ensure related services are provided to those students who require them to enable students to derive full educational benefit from their special education program.**

Location of the Provision of Related Services – During the on-site monitoring, interviews and record review indicated that the location for related services is not included in IEPs.

- **The district will revise its improvement plan to include activities to ensure IEPs specifically identify the location in which related services will be provided. Implementation of these activities will ensure parents and staff are knowledgeable of the amount of time a student is removed from his/her program.**

Related Service Goals & Objectives – During the on-site monitoring, it was determined during record review that goals and objectives for related services are not developed and included in the IEP.

- **The district will revise its improvement plan to include activities to ensure goals and objectives are developed and included in IEPs. Implementation of these activities will ensure related service providers are aware of students' needs and are able to determine progress in meeting therapy benchmarks.**

Section III: Procedural Safeguards

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of notices of meetings, meetings, written notice and independent evaluations.

New Jersey Department of Education Special Education Monitoring

During the self-assessment process, the district identified concerns in the areas of surrogate parents, notices in native language and interpreters at meetings. The district's improvement plan is sufficient to address the area of surrogate parents. **Although the district identified notices in native language as an area of need, it did not submit improvement plan activities to address it. The district will revise the improvement plan to include these activities. The district's improvement plan is insufficient to address the area of interpreters at meetings because it lacks activities that demonstrate how the district will provide this service. The plan needs to be revised to include these activities as well as an administrative oversight component to ensure the consistent implementation of the activities.**

An additional area of need was identified during the on-site visit regarding consent to evaluate.

Area(s) of Need:

Consent to Evaluate - During the on-site monitoring, it was determined through interviews and record review that members of the high school child study team are conducting evaluations on college-bound students without obtaining written consent from the adult student or the parents.

- **The district will immediately cease conducting any evaluation without first obtaining informed written consent from the parent or adult pupil. Additionally, the district must revise its improvement plan to include activities to ensure written consent is obtained prior to conducting evaluations. Implementation of these activities will ensure parents or adult students are fully informed of and consent to any proposed action that requires their consent.**

Section IV: Location, Referral and Identification

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of identification meeting participants, identification meeting timelines for students eligible for speech and language services and direct referrals.

During the self-assessment process, the district identified concerns in the areas of referral process. The district's improvement plan is sufficient to address this area.

Additional areas of need were identified during the on-site visit regarding child find, pre-referral interventions, identification meeting timelines for students eligible for special education and related services, health summaries and hearing and vision screenings.

Area(s) of Need

Child Find – During the on-site monitoring visit, it was determined that although the district conducts sufficient child find activities for students age 3 through 5, the district does not conduct child find activities to locate and identify potentially disabled students from the ages of 6 through 21 who are in nonpublic schools or who are homeless or migrant.

New Jersey Department of Education Special Education Monitoring

- **The district will revise the improvement plan to include procedures to expand the scope of their child find activities to ensure these activities result in the location, referral and identification of children between the ages of 6 and 21 who are enrolled in nonpublic schools or who are migrant or homeless. Implementation of these activities will ensure every child who may require special education services is identified in a timely manner.**

Pre-referral Interventions - During the on-site visit, interviews and record review indicated that although students are reviewed by the Intervention and Referral Service Team (I&RST), the district does not provide adequate interventions in general education to those students who are experiencing academic or behavioral difficulties, nor does the district follow up to determine whether interventions are sufficient or need to be revised. Furthermore, I&RS team members indicated that students are held in the I&RS process for an excessive amount of time because they know child study teams are overwhelmed with large caseloads and will not be able to evaluate these students in a timely manner. Additionally, some of these students are tested by I&RS members, without parental consent, to determine whether the difficulties are such that the child study team needs to be involved.

- **The district will revise the improvement plan to include activities and training to ensure strategies and interventions are provided to students referred to the I&RS committee and that the effectiveness of these interventions are determined and documented. The plan must include activities to ensure that when a student requires an evaluation by the child study team, that student is referred to the child study team to determine the need for an evaluation and not tested by members of the I&RST. Implementation of these activities will ensure students receive supports and services within the general education program to address their needs. It will further ensure that students are referred to the child study team when it is determined these interventions are insufficient to address the potential disability the student may have. The plan must include an administrative oversight component to ensure the consistent implementation of the procedures.**

Identification Meeting Timelines – During the on-site visit, record review and interviews indicated that identification meetings are not being conducted within twenty-days of receipt of the referral because of large caseloads and other mandated activities.

- **The district will revise the improvement plan to include activities to ensure that identification meetings are conducted within twenty days of receipt of the referral by the district. The plan must also include activities to ensure the district has sufficient staff to meet the needs of the district. If the district determines it has insufficient staff, the plan must include activities to obtain the additional staff necessary to conduct mandated activities in a timely manner. The plan must also include an administrative oversight component to ensure the consistent implementation of the activities.**

New Jersey Department of Education Special Education Monitoring

Health Summaries and Health and Vision Screenings – During the on-site monitoring visit, record review and interviews indicated that health summaries are not developed and hearing and vision screenings are not conducted.

- **The district will revise the improvement plan to include activities to ensure that health summaries and vision and hearing screening results are provided to the child study team for the identification meetings. Implementation of these activities will ensure team members have sufficient health information when determining the nature and scope of the evaluation. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section V: Protection in Evaluation and Evaluation Procedures

Summary of Findings:

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

During the self-assessment process, the district identified concerns in the areas of racially non-biased assessments, insufficient staff to conduct evaluations according to code, and timelines for conducting evaluations. The district's improvement plan is sufficient to address this area.

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

Section VI: Reevaluation

Summary of Finding:

During self-assessment the district accurately identified themselves compliant in the areas of reevaluation timelines, planning meetings and participants at planning meetings.

An area of need was identified during the on-site visit regarding reevaluations for preschoolers.

Area(s) of Need

Reevaluations of Preschool Students Turning Age 5 – During the on-site visit, interviews and record review indicated that though reevaluation planning meetings are occurring and Nature and scopes for evaluations are identified, all of the identified assessments are not being completed.

- **The district will revise the improvement plan to include activities to ensure that assessments identified in the nature and scope of the reevaluation are conducted. Implementation of these activates will ensure that students are determined eligible based on a review of**

New Jersey Department of Education Special Education Monitoring

assessments results that address the identified areas of disability. The plan must also include an administrative oversight component to ensure the consistent implementation of the activities and training.

Section VII: Eligibility

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of meetings, participants and signatures of agreement and disagreement.

During the self-assessment process, the district identified concerns in the areas of documentation of eligibility and criteria for students eligible for speech and language services. The district's improvement plan is sufficient to address these areas. During the on-site visit, a review of records and staff interviews indicated that the district has appropriately implemented specific activities to bring about correction in these areas.

An additional area of need was identified during the on-site visit regarding provision of evaluation reports to parents ten days prior to eligibility meetings.

Area(s) of Need:

Provision of Evaluation of Reports to Parents - During the on-site monitoring visit, interviews and record review indicated that parents are not provided with a copy of evaluation reports ten days prior to eligibility meetings.

- **The district will revise the improvement plan to include activities to ensure that copies of evaluation reports are provided to parents ten days prior to eligibility meetings. Implementation of these activities will ensure parents are informed of the results of their child's evaluation and if necessary, can seek additional information prior to the eligibility meeting. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section VIII: Individualized Education Program (IEP)

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of IEP meetings, ninety-day timelines, IEPs to parents, teacher knowledge and access, considerations and required statements, PLEPs, goals and objectives aligned with core curriculum content standards, age of majority and annual review timelines.

During the self-assessment process, the district identified concerns in the area of IEP participants from vocational settings, parental input in the IEP process and input from teachers and related service providers. The district's improvement plan is sufficient to address these areas. During the on-site visit, a review of records and staff interviews indicated that the district has appropriately implemented specific activities to bring about correction in these areas.

New Jersey Department of Education Special Education Monitoring

An additional area of need was identified during the on-site monitoring regarding implementation dates for annual review IEPs.

Area(s) of Need:

Implementation Dates for Annual Reviews – During the on-site monitoring visit, interviews and record review indicated that nearly all annual reviews are conducted during the last few months of the school year. The IEP indicates an implementation date of the first day of the next school year and includes the program that will be implemented at that time; it does not include a program that will be implemented from the date of the annual review to the end of the current school year. As a result, these students do not have a valid IEP in place for the last few months of the school year.

- **The district will revise the improvement plan to include activities to ensure annual review IEPs include the program and services the students will receive through the end of the school year as well as the program and services for the coming school year. Implementation of these activities will ensure that students have a valid IEP throughout the school year.**

Section IX: Least Restrictive Environment (LRE)

Summary of Findings:

During the self-assessment process, the district accurately identified themselves compliant in the areas of regular education access and continuum at the elementary and high school level.

During the self-assessment process, the district identified concerns in the areas of nonacademic and extracurricular participation, individualized decision-making, LRE documentation, considerations and required statements and supplemental aids and services. The district indicated that a lack of training has led to these areas of need. The district's improvement plan is sufficient to address these areas. During the on-site visit, a review of records and staff interviews indicated that the district has appropriately implemented specific activities to bring about correction in these areas.

Additional areas of need were identified during the on-site monitoring regarding regular education access and continuum of programs at the preschool level.

Area(s) of Need:

Regular Education Access and Continuum of Programs at the Preschool Level – During the on-site monitoring visit, though interviews with district personnel indicated that the district has established links with community based preschools, interviews with parents of preschool disabled students indicated that the only option discussed at IEP meetings was the in-district preschool disabled program. District personnel further indicated that all the students in the preschool disabled program could not be placed in general education settings because of their educational needs. However, upon further interviews with the preschool disabled teachers, it was indicated that many of these students might benefit from placement in general education settings with appropriate supports and services. Furthermore, interviews with directors at the district named community based preschools indicated that there had been no contact

New Jersey Department of Education Special Education Monitoring

with the district and that there was no agreement with the Roxbury School District to provide services. They additionally noted that to date, neither a team member nor a parent had ever visited the sites to determine whether a general education setting would be appropriate to meet the needs of students.

- **The district will revise the improvement plan to include activities to ensure regular education placements with appropriate supports and services is the first option considered. The plan must include in-service training for the child study team members to ensure they have an understanding of the LRE requirements as well as knowledge of supports and services that can be provided to successfully educate students in general education settings. Implementation of these activities will ensure preschool students with disabilities have the opportunity to be educated with their non-disabled peers.**

Section X: Transition to Post-School

Summary of Findings:

During the self-assessment process, the district identified concerns in the areas of student and agency invite, agency involvement, age fourteen transition service needs, courses, preferences and interests, age sixteen needed transition services and partnerships with community resources. The district's improvement plan is sufficient to address these areas. During the on-site visit, a review of records and staff interviews indicated that the district has appropriately implemented specific activities to bring about correction in these areas, specifically through the creation and implementation of a transition coordinator's position.

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

Section Xi: Transition to Preschool

Summary of Findings:

During the self-assessment process, the district accurately identified themselves compliant in the areas of pre-school transition planning conference and transition from early intervention to pre-school disabled by age three.

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

Section XI: Discipline

Summary of Findings:

During the self-assessment, the district accurately identified themselves compliant in the areas of procedural safeguards, suspension tracking, functional behavior analysis and manifestation determination.

New Jersey Department of Education Special Education Monitoring

During the self assessment process, the district identified concerns in the areas of documentation to case manager, behavioral intervention plans, interim alternative educational settings and short term removals. The district's improvement plan is sufficient to address these areas.

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

Section XIII: Graduation Requirements

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of IEP requirements, choice of diploma and out-of-district participation

During the self-assessment process, the district identified concerns in the area of written notice of graduation. The district's improvement plan is sufficient to address this area. During the on-site visit, a review of records and staff interviews indicated that the district has appropriately implemented specific activities to bring about correction in this area.

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 consultation time, class size waivers, age range waivers and group sizes for speech therapy.

During the self-assessment process, the district identified concerns in the area of provision of home instruction services, case management time and description of 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.

New Jersey Department of Education Special Education Monitoring

Summary

On-site special education monitoring was conducted in the Roxbury School District on December 8, 9 and 10, 2003. 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 commended for the comprehensive review conducted during the self-assessment process. As a result of that review, the district was able to identify areas of need and develop an improvement plan that has already resulted in systemic change in some areas. The district is further commended for the many areas determined by the district as compliant with federal and state statutes and regulations and verified by the Office of Special Education Programs.

A review of district data indicated the district is providing services to a significant number of students age 6-21 in the regular education setting for more than 80% of the school day. However because the district has not established links with community based preschool programs, they give no consideration to placement in regular education settings. Instead, all preschool disabled students are educated in a segregated setting.

At a focus group meeting held prior to the monitoring visit, parents expressed their satisfaction that administration piloted a progressive reading program during the summer; however they were disappointed that this program was not continued during the academic year. Furthermore parents feel that the district should provide more specialized reading programs by specially trained and certified reading instructors within the district. While parents of school aged students are very satisfied with regular education access, they feel that more teacher and paraprofessional training would enhance the experience for their children. Some parents indicated that because collaborative or inclusive teacher partners were not trained until after the team had been created and in place, it was not as successful as it could have been. Several parents expressed concerns regarding transition to post-secondary settings while other parents reported success when the transition coordinator's position was filled. Parents are concerned that case managers have very high caseloads and may not be able to make accurate decisions regarding their children.

Additionally, parents feel that considerable administrative barriers prevent the provision of appropriate services and programs for their children. To address these concerns, members of the Roxbury Parents of Exceptional Children requested a meeting with the superintendent where they discussed their concerns. According to the parents, the issues parents are most concerned about include staff training, the timely provision of assistive technology, delivery of related services and their frustration with communicating with the director. Some parents did experience relief by reaching out directly to the superintendent, but the over-riding sense of the parents is that the Special Education Department exists as a separate entity and the district lacks a cohesive special education philosophy that is embraced by everyone in the district.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included policies and procedures, dissemination of IDEA, length of day and year, facilities, certifications, notices of meetings, meetings, written notice, independent evaluations, identification meetings, identification timelines for students eligible for speech and language services, direct referrals, summer referrals, multi-disciplinary evaluations, standardized assessments,

New Jersey Department of Education Special Education Monitoring

functional assessments, signed and dated written reports, bilingual evaluations, accept and rejection of reports, reevaluation timelines, planning meetings and participants, eligibility meetings and participants, signatures of agreement and disagreement rationale, IEP meetings, ninety day timelines, IEPs to parents, teacher knowledge and access, consideration and required statements, PLEPs, goals and objectives aligned to core curriculum content standards, age of majority, annual review timelines, regular education access and continuum for elementary and high school aged students, preschool planning conference, early intervention plan to preschool disabled program by age 3, discipline procedural safeguards, suspension tracking, functional behavior analysis, manifestation determination, participation in statewide assessments, approved accommodations and modifications, IEP documentation, alternate assessment, IEP graduation requirements, choice of diploma, out-of-district participation, written notice of graduation, consultation time, class size waivers, age range waivers, group sizes for speech therapy, parent and adult student access to records, access sheets, maintenance and destruction of records and documentation of other locations.

During the self-assessment process, the district identified areas of need regarding professional and parent development, extended school year, provision of related services, functioning of hearing aids, surrogate parents, notices in native language, interpreters at meetings, referral process for minority students, criteria for students eligible for speech and language services, racially non-biased assessments, sufficient staff to conduct evaluations, documentation of eligibility, vocational teachers participating at IEP meetings, parental input in IEPs, teacher and related service providers' input in IEPs, individualized decision-making process, Oberti factors, considerations of supplemental aids and services, nonacademic and extracurricular participation for out of district students, student and agency invitation, agency involvement, age fourteen transition service needs, courses and preferences, age sixteen needed transition services, partnerships with community resources, discipline documentation to case manager, behavior intervention plans, interim alternative educational settings, short term removals, written notice of graduation, home instruction, case management time and description of classes.

The on-site visit identified additional areas of need within the various standards regarding provision of counseling services, location of related services, provision of goals and objectives, consent to evaluate, child find 6-21, pre-referral interventions, identification meeting timelines for students eligible for special education and related services, health summaries, vision and hearing screenings, reevaluations for students turning age five, provision of a copy of evaluation reports to parents ten days prior to eligibility meeting, annual review IEPs and regular education access and continuum for preschool aged students.

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