

New Jersey Department Of Education Special Education Monitoring

District: Trenton Public Schools

Monitoring Dates: March 27-31, and April 3-5, 2000

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Background Information

On January 12, 2000, prior to the monitoring visit, the New Jersey Department of Education (NJDOE) facilitated a focus group public meeting with parents, advocates, and district representatives. The district's superintendent, assistant superintendent, director of special services, board member, several child study team members and special education teachers, and a large number of parents were in attendance. Information was provided regarding access to the general education curriculum in the least restrictive environment, parental involvement at meetings, placement decisions, IEP development, provision of special education and related services, transfer students, and transition.

The information obtained from this meeting was used in addition to other sources of information to highlight areas of concern for the on-site visit. Other sources of information included a review of documentation, interviews with district personnel and parents, and classroom observations. A review of other relevant information included the 1998-1999 special education monitoring corrective action plan (CAP), the special conditions imposed on the district's FY 2000 IDEA, Part B award and other data determined appropriate by the monitoring team was conducted.

The purpose of the on-site monitoring was to determine the district's compliance with the requirements of the Individuals with Disabilities Education Act (IDEA) 1997 and the New Jersey Administrative Code (N.J.A.C.) 6A:14. Areas of need were noted and are identified in the following report of findings. Additionally, improvement plan directives are provided to assist the district in correcting all areas of need.

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:

Annually, the Board of Education reports and maintains documentation of the numbers 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 information regarding the IDEA application available to parents and the general public through their monthly public meetings.

Though the district is currently revising their policies and procedures to be in compliance with the new requirements of IDEA 1997 and N.J.A.C. 6A:14, the policies that were in effect at the time of the monitoring were last approved by the board of education in 1996.

Additionally, problems were identified with meeting the in-service training needs of professional and paraprofessional staff.

Area(s) of Need:

Policies and Procedures - The district's policies and procedures are in the process of being revised to be in compliance with IDEA 1997 and N.J.A.C. 6A:14.

- The district is directed to revise its current policies and procedures in accordance with the memorandum issued by the Office of Special Education Programs.

In-service Training of Professional and Paraprofessional Staff - The district has provided in-service training opportunities for district personnel at staff meetings, state conferences and workshops, and district sponsored workshops. However, information obtained through the interview process and comments made by parents during the public focus group meeting indicated that district personnel continue to lack knowledge regarding federal and state special education regulations.

Because the district provides staff development to staff on a voluntary basis, it is not targeted to specific staff or their needs. Interviews indicated that some special education teachers and CST members have attended numerous in-service trainings and/or workshops, while many other staff members have attended none. Interviews with special education and regular education teachers indicated that new programs, such as in-class support, are often implemented prior to the staff receiving instruction or training.

Additionally, interviews indicated that when in-service training is provided, the district does not have a procedure in place to facilitate the "turnkey training" to other staff

members. Furthermore, the district does not employ strategies to evaluate the effectiveness of in-service training that is provided to district personnel.

- 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. The plan must include the following components as well as a mechanism to hold staff accountable for the information and training provided to them:
 - The development of a needs assessment instrument to identify the current training needs of district personnel;
 - The development of a procedure to facilitate turnkey training throughout the district; and
 - The development of a process to evaluate the effectiveness of in-service training.

Section II: Free, Appropriate Public Education

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 of the receiving school.

However, concerns were noted in the areas of IEP implementation, provision of related services, length of the school day, extended school year, IEP meetings, extracurricular activities notification procedures for students in out-of-district placements, and procedures regarding transfer students. Problems were also noted with regard to parent outreach, parent education and transportation for students receiving services in in-district programs.

Areas of Need:

IEP Implementation - A review of IEPs, along with staff interviews and classroom observations determined that placement information contained in IEPs does not accurately reflect the actual placement of student. Additionally, it was identified that programs were not based on the individual needs of the students; instead, they were determined on the availability of programs currently offered by the district. Furthermore, it was identified that special education students are not being placed in appropriate programs in a timely manner because of regular education class size restrictions (as per

Abbott requirements). The process followed by the Central Placement Committee creates barriers that in fact delay placement of students in the event that particular placement/program is unavailable.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that students are placed in the program identified within their IEPs.
- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure programs are determined based on the individual needs of the students and not dependent on program availability.
- The district is directed to revise its current placement committee process to ensure the timely implementation of IEPs.
- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure administrative oversight of the full implementation of these procedures.

Provision of Related Services - A review of IEPs, along with staff interviews and classroom observations indicated that there were several problems associated with the provision of related services. The following issues were identified:

Children are not consistently receiving services as stated in the IEP;
IEPs do not include implementation dates for the duration of a specified service;
Speech language services are suspended to accommodate annual review schedules;
Speech language services are not being provided due to a shortage of therapists; and
Counseling services do not address individual educational needs.

Though the district identifies services for students to benefit from the educational program, such as counseling services, rather than the district providing this service, they direct parents to obtain these services on their own.

- The district is directed to develop an improvement plan that ensures the provision of services required by IEPs. The plan must also include how the district will provide these services when staff vacancies arise.
- The district is further directed to immediately inform staff that any service determined to be a part of the student's educational need is to be provided by the district and not provided at parental expense.

Length of School Day - The district does not ensure consistently that a free, appropriate, education is provided to students attending the special education preschool program. Students in the preschool special education program are only provided half-day programs, whereas, four year olds in the regular education programs are attending full day programs.

- The district is directed to develop an improvement plan that ensures that the length of the school day for students with disabilities is at least as long as that established for non-disabled students.

Transportation - The district's current transportation procedures often resulted in delays in placement and restricts participation in extracurricular activities. It was described during staff interviews that it could take up to several weeks to change bus routes. It was also stated that delays occur even when students move a few doors away.

- The district is directed to revise its current transportation procedures to ensure the timely placement of students and to ensure students have the opportunity to participate in extracurricular activities.

Extended School Year - The district does not ensure consistently that a free, appropriate education is available to all students with disabilities between the ages of three and twenty-one, specifically with regard to an extended school year. Although the district offers summer enrichment programs, extended school year programs are not considered for all students with disabilities regardless of disability category or placement. Student records lacked documentation of individualized determinations regarding the need for an extended year program. Although staff articulated that summer enrichment programs are available, the concept of an extended school year was not clearly understood or articulated by those individuals who were interviewed.

- The district is directed to develop an improvement plan that ensures that extended school year programs are considered and discussed at IEP meetings for all classified students and that those considerations are appropriately documented in each IEP.

IEP Meetings - It was determined through staff interviews that the district does not consistently convene IEP meetings prior to making changes in the student's program or placement.

- The district is directed to develop an improvement plan that will identify a procedure to ensure that prior to any change to a student's program or placement, an appropriate IEP team is convened and an IEP meeting is conducted.

Notification of Out-Of-District Students Regarding Extracurricular Activities – As identified in this section and confirmed through additional interview and review activities conducted in monitoring Section XIV, students placed in out-of-district programs are not consistently informed of or offered opportunities to participate in extracurricular activities.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure students placed in out-of-district programs are appropriately notified of opportunities to participate in district-sponsored extracurricular activities.

Transfer Students – Record review and interviews indicated that procedures for transfer students do not consistently include an immediate review of the evaluation information and IEP. In addition, when there was disagreement regarding the current evaluation and/or IEP, there was no documentation that an interim IEP was developed and provided to instructional staff. The district's current procedures also provide barriers to students who are transferring between buildings within the district. As previously stated, the Central Placement Committee seems to delay the process for transfer students.

- The district is directed to develop an improvement plan that will identify a procedure that ensures the district conducts all required activities when students transfer both between schools within the district and into the district. Those procedures must include:
 - the immediate review of the IEP
 - the immediate implementation of the IEP if appropriate
 - the development of an interim IEP if there is disagreement over the current IEP
 - the maintenance of documentation regarding the acceptance/rejection of reports

Parent Outreach and Parent Education - The district fails to adequately address parent needs by failing to provide parents with the information necessary to advocate for their children.

- The district is directed to develop an improvement plan that will identify the procedure it will follow to ensure that parents of students with disabilities are provided with opportunities to obtain information/education regarding their children and their children's disabilities and to enable them to effectively advocate for their children.

Section III: Procedural Safeguards

The district has a history of problems with procedural safeguards and has developed corrective action plans resulting from monitoring and compliant investigations. Because the corrective action plans have not been fully implemented, the district has failed to demonstrate improvement in this area. Problems continue to exist with parent consent, notice, participation at meetings, and native language. An additional problem was noted regarding the notification of the transfer of rights at the age of majority.

Areas of Need:

Parent Participation – There was no documentation of attempts to secure parent participation beyond the initial notice of a meeting letter. Interviews indicated that the district does not make repeated attempts to secure parent participation at meetings. The district does not accommodate the parents when scheduling a meeting. Meetings are not rescheduled unless initiated by the parent.

- The district is directed to develop an improvement plan that identifies an appropriate procedure for securing parent participation at meetings. That procedure must include a mechanism to document these attempts.

Notice of a meeting letter – The format that the district uses for notice of a meeting is a letter that contains a variety of check off options. However, the identified options do not contain all of the information necessary to identify the activities that may occur at the meetings. Additionally, the notice of meeting letter for the eligibility meeting and the IEP meeting does not inform the parent that they may bring other appropriate individuals at their discretion.

- The district is directed to revise their notice of a meeting to ensure it contains the required components as defined in N.J.A.C. 6A:14. The district is further directed to immediately implement the activities identified in their corrective action plan developed in response to issues of noncompliance identified in the 1998-1999 Program Review Report.

Consent – The district does not consistently obtain parental consent prior to implementing the action for which consent was sought. There were cases where initial evaluations were conducted without obtaining consent.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that parental consent is obtained prior to implementing the action for which consent is required.

Transfer of Rights at the Age of Majority – The district does not consistently document that parents and students are informed that all rights will transfer to the student on reaching the age of majority.

- The district will develop an improvement plan that will ensure that 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 by the June 5, 2000, N.J.A.C. 6A:14 amendments.

Documentation of Written Notice – The district does not consistently document that written notice following the evaluation meeting, eligibility meeting, and IEP meeting is provided to the parent within 15 days of the meeting.

- The district will develop an improvement plan that will ensure that written notices are provided to parents and/or adult students within 15 days of the meeting.

Components of Notice – A review of the notice letters used by the district indicates either missing components or team members failing to provide required information. This is consistent with the findings from the 1998-1999 program review report. For example, teams are not documenting information necessary to support decisions regarding evaluation and classification. Additionally, teams are not clearly describing the connection between the classification decision and the rationale for program/placement. Written notice following the identification meeting does not document that N.J.A.C 1:6A and N. J. A. C. 6A:14 was provided to the parents. When the IEP is used as written notice it is not translated into the native language of the parent when the parent is non – English speaking.

- The district is directed to review and revise their written notices to ensure they each contain the components required by N.J.A.C. 6A:14. The procedure must include staff development to ensure the appropriate completion of these revised notice forms.

Section IV- Location, Referral and Identification

Summary of Findings:

The district utilizes Child Find location efforts via mailings to various agencies and medical facilities concerned with the education of children ages 3-21.

However, issues were identified regarding the referral process, the nature and scope of the evaluation, required participants in identification meetings, and timelines for the provision of notice. Though many of the same areas were determined to be

noncompliant during Program Review in the 1998-99 school year and the district was required to develop a corrective action plan, that plan has not been implemented.

Areas of Need:

Referral Process – Interviews indicated that procedures for referral vary from building to building throughout the district. There is also inconsistency in the manner in which direct referrals are handled. Parent referrals are submitted directly to the child study team. Teachers, however, are generally unaware that they may refer students directly to the team. Teachers report that all referrals must first go through the PAC (Pupil Assistance Committee) process. In addition, current procedures require referrals be submitted to the Special Education central office, where they are logged in and then forwarded to the appropriate team. In many instances, this delays the process and results in identification meetings not being held within 20 days. A review of files indicated that a number of referrals were not date-stamped so it was impossible to determine when they were actually received, thereby making it impossible to determine whether the identification meeting was conducted within 20 days.

- The district is directed to develop an improvement plan that identifies a more effective procedure for processing referrals to the Child Study Team. This plan must also include a mechanism that ensures the documentation of the date of receipt of the referral. The plan must also include a plan that ensures administrative oversight of these procedures.
- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that school personnel are afforded the opportunity to directly refer a student to the child study team. This plan must also include a mechanism for informing staff members of this procedure.

Identification Meetings – The district does not consistently ensure that a regular education teacher participates in identification meetings. In addition, provision of written notice either proposing or denying an evaluation was not consistently and completely documented within required timelines for each student. Notice issues have been addressed in Section III—Procedural Safeguards.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure general education teachers attend each identification meeting. The plan must identify a component that ensures any building level barrier to implementing this procedure is removed.

Nature and Scope of the Evaluation – The district does not document that decisions regarding the nature and scope of the evaluation are made on an individualized basis. Most, if not all, initial evaluations included all three basic child study team assessments.

In addition, the rationale for proposal and/or denial of evaluations was not sufficiently documented for identified students.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that decisions regarding the nature and scope of the evaluation are made and documented on an individualized basis. This plan must include a staff development component to ensure the appropriate implementation of this plan.

Section V- Protection In Evaluation and Evaluation Procedures

Summary of Findings:

The district implements evaluation procedures that are technically sound, are neither culturally nor racially discriminatory, and are administered by trained personnel. The district conducts evaluations using a multi-disciplinary team. At least one evaluator is knowledgeable in the area of the suspected disability. Written reports are signed and dated by the evaluators and include the required components.

Problems were noted with consent for evaluation, evaluating in all areas of suspected disability, and the 90-day timeline.

Areas of Need:

Evaluations – The district does not consistently ensure that students are evaluated in all areas of suspected disability because issues and areas identified in referrals and raised at identification meetings do not consistently get addressed during the evaluation process. In addition, the evaluation process was not consistently completed within required timelines. While the district has addressed the backlog of initial evaluations from last year, initial evaluations from the current school year continue to exceed the 90-day requirement.

- The district is directed to develop an improvement plan that identifies the procedures it will follow to ensure that students are evaluated in all areas of suspected disability.
- The district is directed to develop an improvement plan that identifies a more effective procedure to ensure that, within 90 days of obtaining parental consent for initial evaluation, a determination is made regarding eligibility, and if eligible, the IEP is developed and implemented.

Consent for evaluation – While the district obtains consent for initial evaluations, it is not consistently obtained prior to conducting assessments.

- The district is directed to develop an improvement plan that identifies the procedures it will follow to ensure that consent is obtained prior to conducting initial assessments.

Standard VI- Re-evaluation

Summary of Findings:

The district conducts multi-disciplinary reevaluations. The IEP teams review existing data to determine whether additional data is needed. If additional data is needed, the IEP teams determine the nature and scope of the reevaluation.

Problems were noted with 3-year timelines, conducting re-evaluations sooner than 3 years, and rationales when no additional assessments are required.

Areas of Need:

Re-evaluation – A review of the records demonstrated that in many cases, reevaluation does not take place within three years. The district has addressed the backlog of reevaluations from last year, however, cases from the current school year have not been addressed within required timelines. When referrals for reevaluations are received prior to three years, IEP teams consider those requests and make decisions regarding the nature and scope of the reevaluation, if warranted. However, many teachers interviewed were unaware that they could request reevaluations sooner than three years. Additionally, when additional assessments were determined to be unwarranted, there was little documentation in student files to support that decision. In fact, some student files contained no information pertaining to that decision-making process.

- The district is directed to develop an improvement plan that identifies the procedure the district will follow to ensure that re-evaluations are conducted at least every three years or sooner, if conditions warrant, or if the student's parent or teacher requests the reevaluation. This plan must include a mechanism for informing teachers of their right to request a reevaluation.
- The district is directed to develop an improvement plan that identifies the procedure the district will follow to ensure that when additional assessments are not required to reestablish eligibility, written notice documents the reasons for that determination.

Section VII- Eligibility

Summary of Findings:

Eligibility is determined by meeting the criteria in one or more of the eligibility categories and is based on all assessments conducted, including assessment by CST members and other specialists. The district employs appropriate specialists who use diagnostic instruments to determine eligibility. Eligibility is determined consistent with N.J.A.C. 6A:14-3.5 (c) and 3.6 (b), and is based on the required assessments. The district documents eligibility statements.

However, concerns were noted with the statements of the determination of eligibility, provision of copies of reports to parents, and provision of written notice within required timelines. (Corrective action regarding provision of written notice within 15 days is addressed in Section III—Procedural Safeguards.)

Area of Need:

Eligibility Meetings - The district does not consistently document that parents are provided with the statement of the determination of eligibility or with copies of the evaluation reports used to determine eligibility status no later than 15 days of the eligibility meeting. In addition, the statements of the determination of eligibility do not consistently document the connection between evaluation results and eligibility decisions. These statements are usually canned and lack any individualization.

- The district is directed to develop an improvement plan that identifies the procedure the district will follow to ensure that copies of the evaluation reports are provided to parents within 15 days of the eligibility meeting. The plan must include the manner in which the district will document the implementation of this procedure.
- The district is directed to develop an improvement plan that identifies the procedure the district will follow to ensure the appropriate development of individualized statements of the determination of eligibility.

Section VIII- Individualized Education Program

Summary of Findings:

The district does not ensure that the appropriate team members conduct an IEP meeting to develop, review and if necessary, revise the IEP. Problems include appropriate IEP meeting timelines, IEP implementation dates, dates that IEPs are in effect, meeting participants, notice of meetings and documentation of goals and objectives in IEPs.

Areas of Need:

IEP meeting timeliness- A review of student records indicated inconsistent documentation that IEPs are reviewed annually. As a result, the district does not ensure that IEPs are current. Although eligibility and IEP meetings are often held on the same date, notice of the meeting does not inform parents that should the student be determined eligible, an IEP will be developed (addressed in Section III – Procedural Safeguards). In addition, it was determined that team members routinely revise IEPs without convening an IEP meeting.

- The district is directed to develop an Improvement plan that ensures that IEPs are reviewed at least annually.
- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure an IEP meeting is conducted prior to revising an IEP. The plan must include the manner in which the district will ensure administrative oversight of this procedure.

IEP Implementation and effective dates- The district fails to ensure that IEPs are implemented and in effect as required. Specific problems noted in this area include the district's failure to consistently implement IEPs for preschool students with disabilities prior to their third birthday, and not providing copies of IEPs to parents and teachers prior to the implementation of those IEPs. Some parents and staff members indicated that because the IEP is not provided to them prior to implementation of the program, both general and special education teachers are unaware of their roles and responsibilities in implementing the IEP.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that parents and teachers are provided with a copy of the IEP prior to the implementation of that IEP.

Meeting participants- A review of documentation in student records did not consistently indicate that all required members of the IEP team were present at the IEP meetings. Signatures on the IEP documented that general education and special education teachers were not always present at the IEP meetings, as required. In reviewing IEP signature pages and verified through staff interview, it was determined that when teachers attended the meeting, it was not for the full meeting. It should also be noted that there was a lack of collaboration between elementary and secondary staff at IEP meetings for those students who were transitioning from one level to the next.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that teachers, both general education and special education, who know the student (or in the case when no such teacher exists, a teacher who knows the

program) attend IEP meetings and meaningfully participate in the decision-making process. This plan must include a mechanism to ensure appropriate coverage for these teachers by building administrators and the manner in which participation will be documented in the student record.

Notice of Meetings - Interviews noted that there was no consistent procedure among team members for ensuring and documenting that notice was sent to the parent. As identified and addressed in Section III – Procedural Safeguards, the notice of meeting did not identify that parents could bring persons with expertise to the IEP meeting.

- The district is directed to develop an improvement plan that identifies how the district will ensure a more consistent process for documenting and providing notice of a meeting to parents and adult students.

IEP Documentation - The student records reviewed did not consistently document annual goals and short term objectives to address the needs identified in individual IEPs. In addition, while observing classes, instruction did not address the goals that were identified in the IEPs. Furthermore, IEPs do not contain required statements and considerations.

- The district is directed to develop an improvement plan that identifies the procedure the district will follow to ensure each IEP has annual goals and short term objectives in each area identified within the IEP and that each goal and objective is addressed by the general education and/or special education teacher.
- The district is directed to revise its IEP to ensure it contains all of the required components established in code. The district must include a staff development component as well as identify the manner in which it will ensure administrative oversight of the consistent implementation of these procedures. It is recommended that the district use the IEP developed by the Department of Education.

Section IX- Least Restrictive Environment

Summary of Findings:

The district failed to consistently document that the individualized decision-making process was used regarding placement or that the removal of students with disabilities only occurs when the nature and severity of the disability is such that education in the regular class with the use of supplementary aids and services cannot be achieved satisfactory.

Areas of Need:

LRE Documentation- The IEPs reviewed did not consistently document that the individualized decision-making process was used regarding placement or that the removal of students with disabilities only occurs when the nature or severity of the disability is such that education in the regular education class with the use of supplementary aids and services cannot be achieved satisfactorily. Some of the IEPs did state that the regular education class was considered, although the records did not consistently document what supplementary aids and services were considered. IEPs also lacked a comparison of the benefits provided in a regular class to those provided in a special class. Staff indicated that there are students currently placed in pull-out support and replacement programs that would benefit from and be recommended for in-class resource programs if such programs existed in their buildings.

Though the district has developed a corrective action plan as a result of Program Review 1998-99 that addresses these identified LRE issues, the district has failed to effectively implement that CAP.

- The district is directed to immediately implement the activities it identified in the 1998-1999 program review corrective action plan.

Section X- Transition From School To Post-School**Summary of Findings:**

During the time of the DOE monitoring visit, there was little evidence of transition planning for students as required by code. Problems were noted in the area of invitations, meeting notices and the development of appropriate transition plans.

Areas of Need:

Transition Invitations- Problems noted in the area of transition include lack of documentation of student invitation to IEP meetings and the district's failure to obtain agency participation. Staff interviews indicated that agencies such as the Division of Developmental Disabilities (DDD) and Division of Vocational Rehabilitation (DVR) had not been a part of IEP meetings. These statements were verified through document review. IEPs did not identify the person(s) responsible to serve as a liaison to post-secondary resources and make referrals as appropriate. Additionally, all required members of the IEP team did not develop IEPs.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure the invitation and participation of all required participants at transition planning meetings.

Transition Meeting Notice - Through record reviews it was determined that the district failed to provide appropriate notice for students for whom transition may be discussed. For students with a disability beginning at age 14, or younger, if appropriate, the notice must indicate that the purpose of the meeting will be the development of a statement of the transition service needs of the student. For students with disabilities beginning at age 16, or younger, if appropriate, the notice must indicate that the purpose of the meeting is the consideration of the needed transition services for the student and must indicate that the school will invite the students.

- The district is directed to develop an improvement plan that ensures that the purpose of the meeting to discuss transition services is included in written notice for those students as required by code.

Transition Plans- The district fails to provide appropriate documentation to ensure that the statement of needed transition services is based on individual student needs, taking into account the student's preferences and includes instruction, related services, community experiences and other components as required by code. It should also be noted that more district effort needs to be placed on the establishment of appropriate transition programs.

- The district is directed to develop an improvement plan that identifies the procedure the district will follow to ensure the development of appropriate transition plans that include all required components. The plan must include the manner in which the district will ensure documentation of the planning process as well as the plan itself.

Section XI – Discipline

Summary of Findings:

Although building principals and vice principals have received in-service training on discipline, they are not consistently applying appropriate disciplinary procedures. Special education students are being disciplined without being afforded their rights as identified in federal and state statute and regulations.. Behavioral plans are not in place for students with known behavioral problems. Parents expressed concerns that discipline is handled through repeated exclusion until the child loses interest in school and drops out.

Areas of Need:

Lack of Compliance with Discipline Procedures – Building administrators and team members are not implementing discipline procedures on a district-wide basis. As a

result classified students are not receiving programs and services during extended periods of removal.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure district-wide compliance with the discipline requirements established in federal and state law. The plan must include the manner in which the district will ensure administrative oversight of the implementation of these discipline procedures.

Manifestation Determination – After interviewing the staff and reviewing the documentation in the student files, it is evident that there is confusion as to when a manifestation determination meeting is required. When meetings are conducted, though the IEP team determines the behavior was a manifestation of the student's behavior, that student is still removed from his current placement. A review of other files indicated that some meetings are held without the appropriate IEP team members in attendance to conduct a manifestation determination.

- The district is directed to develop an improvement plan that identifies the procedures it will follow to ensure manifestation determinations are made at meetings with all required participants, and that all decisions are documented. The plan must include a mechanism that ensures compliance with decisions by building administrators.

Behavioral Intervention Plans - Student files did not consistently document behavioral intervention plans for students who required them. In those records that did contain behavioral plans, it was indicated that all plans were the same for every student.

- The district is directed to develop an improvement plan that identifies the procedures it will follow to ensure the development and implementation of individualized behavior intervention plans for each student who requires one.

Section XII - Statewide Assessment

Summary of Findings:

Through record reviews it was determined that the majority of the students participate in the statewide assessments. However, most of the students are exempt from passing the tests. Additional problems were noted in the documentation and provision of accommodations and modifications approved by the Department of Education when administering the test.

Areas of Need:

IEP Documentation - Through record reviews, it was determined that IEPs do not include documentation of accommodations and/or modifications approved by the Department of Education for students who require them. In addition, staff were unable to articulate any knowledge or information regarding the availability of appropriate accommodations and/or modifications for classified students.

- The district is directed to develop an improvement plan that ensures the provision and documentation of accommodations and/or modifications approved by the Department of Education for students who require them.

Section XIII- Graduation**Summary of Findings:**

A review of the records indicated that graduation requirements were not consistently addressed in the IEP.

Areas of Need:

Graduation Requirements- The IEPs of students with disabilities who enter a high school program do not fully address graduation requirements or contain appropriate statements and rationales for exemptions.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that, for high school students, the IEP format addresses graduation requirements.

Section XIV – Programs and Services**Summary of Findings:**

The district has a corrective action plan (CAP) addressing the issue of providing programs and services for students with disabilities according to state requirements. However, in spite of this corrective action plan class sizes at the high school continue to exceed those allowed by code. Additionally, there is an insufficient number of speech therapists and counselors to meet the needs of the students.

As noted in other sections, program options were often determined by availability of programs, extracurricular opportunities were not consistently offered to students with disabilities who are in out of district placements, and summer assessments were often not done in a timely manner.

Areas of Need:

Class size - Through interviews and review of documentation, It was determined that the number of classified students in special education classes at the high school exceed that which is allowed by code.

- The district is directed to implement the corrective action plan to ensure that class size does not exceed the state requirements.
- The district is further directed to develop a procedure that will ensure consistent administrative oversight of class sizes to ensure compliant class and group sizes on a district-wide basis.

Sufficient staff - The district has a shortage of speech therapists and counselors. This shortage prevents students from receiving required services and programs. The district has previously developed a corrective action plan to address employing school personnel in numbers sufficient to ensure the provision of speech and other related services. The corrective action plan needs to be fully implemented.

- The district is directed to implement their corrective action plan to ensure that speech therapists and counselors are employed in sufficient numbers to provide the required programs and services.
- The district is further directed to develop a plan that will identify the manner in which these students will be compensated for the services the district has failed to provide in spite of the development of a corrective action plan.

Section XV- Student Records**Summary of Findings:**

The district permits the parent and adult students to inspect and review student records related to that student which have been collected, maintained, or used by the Trenton School District. Each student file contained an access sheet.

Problems were identified when students moved from one school to another school within the district.

Areas of Need:

Transfer of Records - The transfer of student records from elementary school to middle school and then on to the high school is not conducted in a timely manner. A review of student records indicated that when a student moved from his or her current school in the district to a new school location in the district, the records often did not

follow the student for many months. As a result, students were often inappropriately placed or failed to receive the program and services required by the IEP.

- The district is directed to develop an improvement plan that identifies the procedure it will follow to ensure that student records are transferred to the next school site along with the student in a timely manner.