

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

District: Union Beach School District

County: Monmouth

Monitoring Dates: September 25, 26,27, 2001

Monitoring Team: Barbara J. Tucker, Robby Friedman

Background Information:

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

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

As the first step in the on-site monitoring process, the NJDOE held a focus group meeting for parents and community members on September 20, 2001. Information obtained from that meeting was used to direct the focus of the monitoring visit.

During the on-site, the NJDOE team reviewed district documents, including district policies and procedures, student count information, master student lists, class lists, schedules of students, teachers, related service personnel, and other relevant information, including a representative sample of student records. Interviews were conducted with the district's special education administrator, building principal, general education and special education teachers, and child study team members.

Section I: General Provisions

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of Policy and Procedures and dissemination of IDEA information. The required Statement of Assurances and procedures have been submitted to the county office.

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During the self-assessment process, the district identified concerns regarding in-service training activities to assure student involvement and progress in the general education curriculum, student participation in general education classrooms and extra-curricular activities, use of strategies to address the conduct of students with disabilities, training for both regular and special education staff and revisions of the special education curriculum. The district has developed an improvement plan that is sufficient to address these areas of need.

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

Section II: F.A.P.E.

Summary of Findings:

During the self-assessment process the district accurately identified themselves compliant in the areas of related services, length of school day/year, and facilities.

During the self-assessment process, the district identified concerns regarding extended school year, the provision of regular, modified or adaptive physical education for all students with disabilities, the provision of adaptive physical education, the transfer process, the need to hire sufficient staff, and implementation dates for related services. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks procedures, in-service and an administrative oversight component to bring about the required changes. The plan must be revised to include these three components.

Additional areas of need were identified during the on-site visit regarding the provision of programs, program changes and related service schedules.

Areas of Need:

Provision of Programs - During the on-site monitoring visit it was determined that currently, the district provides services in pullout resource center programs or self-contained classes, only. As a result of this limited continuum of placement options, teams determine placements based on what is available within the district and not on the individual needs of students.

- **The district will revise the improvement plan to include procedures to ensure placement decisions are based on the individual needs of students and not on the availability of program options.**

Related Service Schedules - During the on-site monitoring visit a review of records indicated that although the IEP format includes a section to document the duration of related services, IEPs did not consistently document the duration of counseling as a related service. Additionally, individual service providers do not maintain documentation of the provision of services.

- **The district will revise the improvement plan to include procedures to ensure that IEPs accurately document the duration of counseling sessions and that individual service providers maintain documentation of the provision of services. The improvement plan must include an**

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administrative oversight component to ensure the implementation of this procedure.

Section III: Procedural Safeguards

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of independent evaluations.

During the self-assessment process, the district identified concerns regarding foreign language interpreters or translators, written notice, parental assistance in understanding procedural safeguards and parents' refusal to provide consent for an initial evaluation. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks procedures, in-service and an administrative oversight component to bring about the required changes. The plan must be revised to include these components.

Additional areas of need were identified during the on-site visit regarding surrogate parents, native language, 15 and 20-day timelines, and parental participation.

Areas of Need:

Surrogate Parents - During the on-site monitoring visit it was determined that the district does not have procedures in place for the selection and training of surrogate parents.

- **The district will revise the improvement plan to ensure that it includes procedures for selecting and training surrogate parents.**

Native Language Notices - During the on-site monitoring visit it was determined that for parents who speak a language other than English, the district does not provide notices in the parent's native language, when feasible.

- **The district will revise the improvement plan to ensure that it includes procedures for consistently providing notices in the native language of the parent, when feasible.**

15/20-Day Timelines - During the on-site monitoring visit it was determined that the district does not provide notice of a proposed action within 15-days of making that determination. Additionally, it was determined that since referral dates are not documented, it could not be determined whether identification meetings are being convened within 20-days of receipt of the referral.

- **The district will revise the improvement plan to include procedures to ensure that written notice is provided to parents within 15 days of making that determination and the provision of notice is documented in the student record. In addition, the improvement plan must include procedures to ensure that each referral is dated and that identification meetings are conducted within 20-days of receiving the referral. The improvement plan**

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must include staff training and an administrative oversight component to ensure the implementation of these procedures.

Documentation of Parental Participation - During the on-site monitoring visit it was determined that the district does not document attempts to obtain parental participation at meetings.

- **The district will revise the improvement plan to include procedures to ensure the documentation of all attempts to obtain parental participation at meetings.**

Section IV: Location, Referral, and Identification

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of vision and hearing screenings.

During the self-assessment process, the district identified concerns regarding the need to establish pre-referral intervention timelines and provision of the nurse's summary to the CST in a timely manner. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks procedures, in-service and an administrative oversight component to bring about the required changes. The plan must be revised to include these components.

Additional areas of need were identified during the on-site monitoring visit regarding child find procedures, the referral process and summer referrals.

Areas of Need:

Child Find Outreach - During the on-site monitoring visit, it was determined that although the district reported that it has child find activities, the district needs to conduct those activities during the summer months. The district also needs to include migrant and homeless students in those activities.

- **The district will revise the improvement plan to include procedures to ensure that child find activities are conducted throughout the year including the summer months, to locate and refer students, including migrant and homeless students who may be identified as potentially disabled.**

Referral Process - During the on-site monitoring visit it was determined that although parents can make direct referrals to the child study team, district staff may not.

- **The district will revise the improvement plan to include procedures to ensure that staff have the ability to directly refer a student to the child study team and to participate in a meeting when they believe the nature of the student's problem is such that an evaluation is warranted without delay. At that meeting a decision may be made that an evaluation is not warranted and that the student needs to be referred to the PAC.**

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Summer Referrals - During the on-site monitoring visit, it was determined that the district does not conduct evaluations for students referred during the summer months because child study team members are not employed during the summer.

- **The district will revise the improvement plan to include procedures to ensure that when required, child study team services are available during the summer months.**

Section V: Evaluations

Summary of Findings:

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

During the self-assessment process, the district identified concerns regarding tests and evaluation procedures, students' progress in the general education curriculum, and classification rates. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks procedures, in-service and an administrative oversight component to bring about the required changes. The plan must be revised to include these components. The district further identified the need to have at least two members of the child study team conduct assessments as part of the initial evaluation process. The district has developed an improvement plan that is sufficient to address this area of need.

Additional areas of need were identified during the on-site monitoring visit regarding the nature and scope of the evaluation, functional assessments, bilingual evaluations, acceptance/rejection of reports and dating assessment reports.

Areas of Need:

Nature and Scope of the Evaluation/Reports - During the on-site visit it was determined that the district does not maintain documentation of the notice of the nature and scope of the evaluation or the provision of copies of evaluation reports to parents. Additionally, evaluators do not date their reports.

- **The district will revise the improvement plan to include procedures to ensure the district maintains documentation of the provision of notice of the nature and scope of the evaluation and the provision of copies of evaluation reports to parents. The district must also include procedures to ensure reports are dated by the evaluator who conducted the assessment.**

Functional Assessments - During the on-site monitoring visit it was determined that evaluation reports for both students eligible for special education and related services and students eligible for speech language services do not include all of the required components of a functional assessment.

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- **The district will revise the improvement plan to include procedures to ensure that all the required components of a functional assessment are included in accordance with 6A:14-3.4 (d) 2. The improvement plan must also include staff training and an administrative oversight component to ensure the implementation of this procedure.**

Bilingual Evaluations - During the on-site monitoring visit it was determined that the district does not conduct evaluations in the student's native language, when feasible.

- **The district will revise the improvement plan to include procedures to ensure that evaluations are conducted in the native language of the student, when feasible. The improvement plan must also include an administrative oversight component to ensure the implementation of this procedure.**

Acceptance/Rejection of Reports - During the on-site monitoring visit an additional area of need was identified regarding the inconsistent documentation of acceptance or rejection of outside reports and assessments.

- **The district will revise the improvement plan to include procedures to ensure the district maintains documentation of the acceptance or rejection of reports or assessments.**

Section VI: Reevaluation

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the area of parental consent.

Areas of need were identified during the on-site monitoring visit regarding three-year timelines and meeting participants.

Areas of Need:

Three-year timelines - During the on-site monitoring visit it was determined that although the district conducts reevaluations, they are not completed within the three-year timeline. Additionally, it was determined that when the speech/ therapists believes a student no longer requires speech/language services, the speech/language therapist terminates services without benefit of a meeting and without the provision of written notice to the parent.

- **The district will revise the improvement plan to include procedures to ensure that reevaluations are conducted within three years of the previous determination of eligibility or sooner if warranted. Additionally, the plan must include procedures to ensure that when it is believed a student no longer requires speech/language services, the speech/language therapist conducts a meeting with all required participants and provides the parents with appropriate written notice.**

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The improvement plan must include an administrative oversight component to ensure implementation of these procedures.

Meeting Participants - During the on-site monitoring visit it was determined that teachers do not attend IEP meetings because the district does not always provide substitutes or coverage.

- **The district will revise the improvement plan to include procedures to ensure that all required participants attend meetings and that their attendance is documented in the student record. The improvement plan must include an administrative oversight component to ensure the implementation of this procedure.**

Section VII: Eligibility

Summary of Findings:

During the self-assessment process the district identified themselves compliant in all areas relating to eligibility.

An area of need was identified during the on-site monitoring visit regarding the lack of a severe discrepancy formula.

Areas of Need:

Severe Discrepancy Formula - During the on-site monitoring visit it was determined that the district has not adopted a statistical formula/criteria for determining whether a severe discrepancy exists.

- **The district will revise the improvement plan to include procedures to ensure that a statistical formula/criteria for determining severe discrepancy for the category of Specific Learning Disability is adopted.**

Section VIII: IEP

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the area of annual reviews.

During the self-assessment process, the district identified concerns regarding attempts to obtain agency participation at IEP meetings, IEPs for preschoolers, progress reports to parents, documentation of supplementary aids and services, parental receipt of annual review IEPs prior to implementation, IEP statements, teacher access to IEPs, staff and parent understanding of IEPs, parental understanding of special education programs, and 90-day timelines. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks procedures, in-service and an administrative oversight component to bring about the required changes. The plan must be revised to include these components.

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Additional areas of need were identified during the on-site monitoring visit regarding required IEP components and statements, in-class support teacher access to IEPs, documentation of the provision of IEPs to parents, documentation of LRE, and the components of the PLEP statement.

Areas of Need:

IEP Components and Statements - During the on-site monitoring visit it was determined that all required IEP components and statements are not included in the district's IEP format.

- **The district will revise the improvement plan to include procedures to ensure that required components and statements are included in the district's IEP format. It is recommended that the district use the IEP format developed by the New Jersey Department of Education, Office of Special Education Programs.**

Teacher Access to IEPs - During the on-site monitoring visit it was determined that in-class support teachers do not have access to current IEPs.

- **The district will revise the improvement plan to include procedures to ensure that in-class support teachers have access to IEPs.**

Documentation of the Provision of IEPs to Parents - During the on-site monitoring visit it was determined that although parents reported they receive copies of IEPs, the district does not document that provision.

- **The district will revise the improvement plan to include procedures to ensure the district maintains documentation of the provision of IEPs to parents.**

Documentation of the LRE Decision-Making Process - During the on-site monitoring visit it was determined that LRE statements are not individualized and do not document the individual decision-making process or considerations that led to the removal of the student from regular education.

- **The district will revise the improvement plan to include procedures to ensure that LRE statements include the necessary information to document the considerations that resulted in the student's removal from regular education. The improvement plan must include staff training and an administrative oversight component to ensure the implementation of this procedure. It is recommended that the district use the IEP form developed by the Department of Education, Office of Special Education Programs.**

PLEP Statement - During the on-site monitoring visit it was determined that although the district develops PLEP statements, they do not always contain all of the required components.

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- **The district will revise the improvement plan to include procedures to ensure that PLEP statements include the student's strengths and abilities for each subject area, current performance and progress, impact of disability on a particular subject and instructional strategies/modifications that have been used. The improvement plan must also include staff training and an administrative oversight component to ensure the implementation of this procedure.**

Section IX: Least Restrictive Environment

Summary of Findings:

During the self-assessment process the district identified themselves compliant in all areas relating to Least Restrictive Environment.

An area of need was identified during the on-site monitoring visit regarding out-of district placements.

Areas of Need:

Out-of District Placements - During the on-site monitoring visit it was determined that out-of-districts students with disabilities are not provided with the opportunity to participate in non-academic and extra-curricular activities within the district because they are not notified of these activities.

- **The district will revise the improvement plan to include procedures to ensure that all students with disabilities placed in out-of-district placements are afforded the opportunity to participate in non-academic and extra-curricular activities within the district. The plan must include a mechanism to notify these students of those activities.**

Section X: Transition to Post-School

Summary of Findings:

During the self-assessment process, the district identified concerns regarding agency involvement in transition planning. The district has developed an improvement plan that does not sufficiently address this area of need because it lacks a procedure to bring about the required changes. The plan must be revised to include this procedure.

Additional areas of need were identified during the on-site monitoring visit regarding the statement of transition service needs and student and agency invitations.

Areas of Need:

Statement of Transition Service Needs - During the on-site monitoring visit it was determined that for students ages 14 or older, specific courses of study are not included in the IEP as part of the student's transition service needs.

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- **The district will revise the improvement plan to include procedures to ensure that the Statement of Transition Service Needs includes all required components, including courses of study for students 14 or older.**

Student/ Agency Invitations - During the on-site monitoring visit it was determined that the district does not the invite the student or agencies responsible for providing and/or paying for transition services, to IEP meetings when transition will be discussed.

- **The district will revise the improvement plan to include procedures to ensure that students and agencies responsible for providing and/or paying for transition services are invited to IEP meetings. The district must include documentation of the letters of invitation to both the student and agency in the student's file.**

Section X: Transition to Pre-School

Summary of Findings:

During the self-assessment process, the district identified concerns regarding transition planning meetings. The district has developed an improvement plan that does not sufficiently address this area of need because it lacks a procedure to bring about the required changes. The plan must be revised to include this procedure.

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

Section XI: Discipline

During self-assessment the district accurately identified themselves compliant in the area of suspension tracking.

During the self-assessment process, the district identified concerns regarding written notice to the case manger, development of behavioral intervention plans and functional assessments, provision of services during short-term removals, interim alternate educational settings, manifestation determination meetings and information to parents regarding placements. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks procedures, in-service and an administrative oversight component to bring about the required changes. The plan must be revised to include these components.

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

Section XII. Statewide Assessment

Summary of Findings:

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

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An area of need was identified during the on-site monitoring visit regarding alternative assessments.

Areas of Need:

Alternate Assessments – During the on-site monitoring visit it was determined that the district has not adopted an alternate assessment for those students who are exempted from participation in the statewide assessment program.

- **The district will revise the improvement plan to include procedures to ensure that students who are exempted from participating in the statewide assessment program participate in the alternate assessment program (APA) as indicated in the August 1, 2001 memo issued by the Office of Special Education Programs. District personnel must identify, as soon as possible, students who have been exempt from participating in the HSPA, provide in-service training and begin the assessment process in November. It is recommended that each child study team member receive a copy of “The Directory of Test Specifications” (DTS) for each content area and/or the sample form of the ESPA, GEPA and HSPT/HSPA.**

Section XIII: Graduation

Since Union Beach is a K-8 district, this section does not apply.

Section XIV: Programs and Services

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of class size/waivers, age waivers and group sizes for speech.

During the self-assessment process, the district identified concerns regarding the need to employ school personnel in sufficient numbers, collaborative time for resource room and regular education staff, provision of a description of the team teaching model to the county office, supplementary instruction in addition to primary instruction and provision of supplementary instruction. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks procedures, in-service and an administrative oversight component to bring about the required changes. The plan must be revised to include these components.

Additional areas of need were identified during the on-site monitoring visit regarding home instruction, IEP implementation and instructional time.

Areas of Need:

Home Instruction - During the on-site monitoring visit it was determined that the district does not request approval from the county office prior to placing students on home instruction.

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- **The district will revise the improvement plan to include procedures to ensure they obtain county office approval prior to placing a student on home instruction.**

IEP Implementation - During the on-site monitoring visit it was determined the district employs non-certified Educational Associates to provide in-class support instead of certified Teachers of the Handicapped.

- **The district will revise the improvement plan to include procedures to ensure the district employs appropriately certified staff in sufficient numbers to provide educational services to students.**

Section XV: Student Records

Summary of Findings:

During self-assessment the district accurately identified themselves compliant in the areas of parental access to records, maintenance of records, destruction of records and documentation of the location of other records. The district has developed an improvement plan that does not sufficiently address these areas of need because it lacks procedures to bring about the required changes. The plan must be revised to include these procedures.

An additional area of need was identified during the on-site monitoring visit regarding access sheets.

Areas of Need:

Access Sheets - During the on-site monitoring visit it was determined that access sheets were not consistently maintained in student files.

- **The district will revise the improvement plan to include procedures to ensure that access sheets are maintained in student files.**

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Summary

On-site special education monitoring was conducted in the Union Beach School District on September 25-26, 2001. The purpose of the monitoring visit was to verify the district's report of findings resulting from their self-assessment and to review the district's improvement plan.

At a focus group meeting held prior to the monitoring visit, parents expressed their satisfaction with many of the district's programs and services. Many of the concerns raised by the parents during the focus group meeting had already been identified by the district during the self-assessment process.

During the self-assessment process, the district identified areas of need regarding staff development, extended school year, provision of regular, modified or adaptive physical education, transfer students, sufficient staff, implementation of related services, foreign language interpreters, consent written notice, pre-referral interventions, health summaries, evaluation procedures, meeting participants, provision of IEPs, timelines, agency involvement in post-school transition planning, pre-school transition planning meetings, discipline procedures, collaborative planning time for special education and regular education teachers, team teaching model, supplementary instruction, and class size.

The on-site visit identified additional areas of need within the various standards regarding the provision of programs, program changes, documentation of the provision of related services, surrogate parents, notices in native language, timelines, documentation of meeting participants, child find procedures, the referral process, summer referrals, multidisciplinary evaluations, nature and scope of an evaluation, functional assessments, bilingual evaluations, acceptance/rejection of reports, dating of reports, IEP components and required statements, teacher access/knowledge of IEPs, documentation of IEPs to parents, notification to out-of-district students of extracurricular activities within the district, statement of transition service needs, student invitations to transition IEP meetings, alternate assessments, home instruction, IEP implementation, instructional time and access sheets in student files.

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