

## Department of Education Special Education Monitoring

**District:** Upper Saddle River School District

**County:** Bergen

**Monitoring Dates:** May 8, 2006

**Monitoring Team:** Michelle Fenwick and Jenifer Spear

### **Background Information:**

During the 2004-2005 school year, the Upper Saddle River School District conducted a self-assessment of policies, procedures, programs, services and student outcomes. This self-assessment component of the monitoring process provided the Upper Saddle River School District with an opportunity to evaluate 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 Upper Saddle River 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.

During the on-site visit, the New Jersey Department of Education (NJDOE) monitoring team reviewed district documents, including district policies and procedures, student count information, master student lists, class lists, schedules of students, teachers and related service personnel, and other relevant information. A representative sample of student records and parent intake information was also reviewed. Interviews were conducted with the district's special education administrators, building principals, general education and special education teachers, speech-language specialists and child study team members.

### **Data Summary:**

The district reported a classification rate of 15.59% (209 of 1341 students enrolled) in December, 2005. This rate was below the state rate for that year of 16.8% although a comparison must be made with caution since the state rate includes students ages 3 through 21, while Upper Saddle River serves students from preschool through eighth grade.

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With regard to placement of students with disabilities, ages 6 through 14, 44.9% were receiving special education in general education settings more than 80% of their school day for the 2005-2006 school year. Another 36.7% were educated in general education between 40 and 80% of the time, with 11.2% primarily in special education classrooms. During the same school year, a total of 6.6% of students with disabilities were educated in special education public or private separate settings as compared to the state rate of 9.2%. For students with disabilities ages 3 through 5, 35% were reported as educated in either general education or a combination of general and special education settings (7 students) which was higher than the state average for 2005-2006 of 26.6%.

### Sections Demonstrating Compliance with All Standards

The self-assessment process required the district to review implementation of federal and state regulations categorized into 15 sections. Within each section, a number of areas were reviewed. The on-site monitoring visit involved verification that the sections and areas identified as compliant by the district in their self-assessment were compliant with regulations. These sections were identified by the district during self-assessment and the NJDOE during the monitoring process as compliant:

- General Provisions
- Free, Appropriate Public Education (FAPE)
- Reevaluation
- Transition to Preschool
- Transition to Adult Life
- Discipline
- Statewide Assessments
- Graduation

### Areas Demonstrating Compliance

The following areas, within the remaining sections reviewed, were identified by the district's self-assessment committee and by the NJDOE as compliant. These areas were reviewed for students eligible for special education and related services (ESERS) and students eligible for speech and language services (ESLS). Areas compliant for one group of students are noted.

Section	Areas Demonstrating Compliance
Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> <li>• Oversight of individualized education program (IEP) implementation</li> <li>• Extended school year</li> <li>• Provision of programs</li> <li>• Provision of related services</li> </ul>
Procedural Safeguards	<ul style="list-style-type: none"> <li>• Consent</li> <li>• Implementation without undue delay</li> <li>• Provision of notice of a meeting</li> <li>• Content of notice of a meeting</li> <li>• Meetings</li> <li>• Provision of written notice</li> <li>• Interpreters at meetings</li> <li>• Independent evaluations</li> </ul>

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<b>Section</b>	<b>Areas Demonstrating Compliance</b>
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> <li>• Referral process</li> <li>• Direct referrals</li> <li>• Identification meeting timelines</li> <li>• Identification meeting participants</li> </ul>
Evaluation	<ul style="list-style-type: none"> <li>• Multi-disciplinary evaluations</li> <li>• Educational impact statement (ESLS)</li> <li>• Standardized assessments</li> <li>• Bilingual evaluations</li> <li>• Written reports prepared by evaluators</li> </ul>
Eligibility	<ul style="list-style-type: none"> <li>• Meeting participants</li> <li>• Eligibility criteria</li> <li>• Signature of agreement and/or disagreement and rationale</li> <li>• Statement of eligibility (Specific Learning Disability)</li> </ul>
Individualized Education Program (IEP)	<ul style="list-style-type: none"> <li>• Meeting participants</li> <li>• Implementation dates</li> <li>• Meetings held annually, or more often if necessary, to review and/or revise the IEP</li> <li>• Annual reviews completed by June 30</li> <li>• Teachers informed of their responsibilities (knowledge of and/or access to IEPs)</li> <li>• 90 day timelines</li> </ul>
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> <li>• Notification of and participation in non-academic and extracurricular activities for students educated outside of the district</li> <li>• Continuum of programs</li> </ul>
Programs & Services	<ul style="list-style-type: none"> <li>• Class size</li> <li>• Age range</li> <li>• Group size</li> </ul>

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**Areas of Noncompliance – Compliance Review**

The following areas were identified by the district’s self-assessment committee as noncompliant and the accompanying improvement plan was determined by the OSEP to be sufficient. Each area was reviewed for students eligible for special education and related services (ESERS) and students eligible for speech and language services (ESLS). It was determined that for both groups of students, the accompanying improvement plan for each area was implemented and compliance was demonstrated. An administrative oversight mechanism was also implemented to ensure ongoing compliance.

<b>Section</b>	<b>Self-Identified Area of Need</b>
Procedural Safeguards	<ul style="list-style-type: none"> <li>• Content of written notice - The content of notices did not comply with current code requirements.</li> <li>• Notices in native language - Notices were not provided in the native language of the parent.</li> </ul>
Free Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> <li>• Provision of Programs - Programs were not consistently provided as required by students’ IEPs.</li> <li>• Provision of Related Services - Related services were not consistently provided as required by students’ IEPs.</li> </ul>
Location, Referral, & Identification (LRI)	<ul style="list-style-type: none"> <li>• Child Find Ages 3-21 - Child Find activities did not comply with regulatory requirements.</li> <li>• Pre-referral Interventions - Intervention and Referral Services procedures were not effective in meeting the needs of students prior to referral to the child study team.</li> <li>• Health Summary and Vision and Hearing Screenings - Health summaries and vision/hearing screening results were not provided to the case manager prior to the initial evaluation planning meeting.</li> </ul>
Evaluation	<ul style="list-style-type: none"> <li>• Functional Assessments - Evaluators did not complete all required components of the functional assessment.</li> </ul>
Eligibility	<ul style="list-style-type: none"> <li>• Copy of evaluation reports to parents – Evaluation reports were not provided to parents 10 days prior to eligibility meetings.</li> </ul>
Individualized Education Program (IEP)	<ul style="list-style-type: none"> <li>• IEP required considerations and components - IEPs did not consistently contain the required considerations and components.</li> <li>• IEP provided to parent prior to implementation - IEPs were not consistently provided to parents prior to implementation.</li> </ul>
Programs & Services	<ul style="list-style-type: none"> <li>• Common planning time – Staff members did have common planning time scheduled.</li> </ul>

**Additional Areas of Need**

The following area was originally identified by the district’s self-assessment committee as compliant, but was found to be noncompliant by the NJDOE during the on-site monitoring

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for students eligible for special education and related services. The third column identifies improvement activities that must be implemented within four months of receipt of this report to bring this area into compliance.

Section	Area	Improvement Activity
Least Restrictive Environment (LRE)	Documentation of LRE decisions - IEPs do not specify the supplemental aids and services that were considered and an explanation as to why those aids and services were rejected.	The district is directed to implement improvement activities to ensure that the IEP specifies the supplemental aids and services that were considered and an explanation as to why those aids and services were rejected. The district must also implement administrative oversight to ensure correction and ongoing compliance.
	Placement decisions based on individual needs and opportunity for all students with disabilities to access all general education programs - Since IEPs for students placed in special education settings do not include consideration of supplemental aids and services, the monitors could not determine whether or not decisions were made based on individual needs of students. This area will be reviewed by the County Office of Education during verification of correction of areas of noncompliance.	The district is directed to implement improvement activities to ensure that all students have the opportunity to access general education programs and that placement decisions are made based on individual needs. The district must also conduct in-service and administrative oversight to ensure correction and ongoing compliance.

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## Summary

On-site special education monitoring was conducted in the Upper Saddle River School District on May 8, 2006. 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 acknowledged for the comprehensive review conducted during the self-assessment process. As a result of that review, the district was able to identify nearly all areas of need and develop and implement an improvement plan that corrected noncompliance. The district is further acknowledged for the many areas determined by the district and verified by the Office of Special Education Programs as compliant with federal and state statutes and regulations.

The district reported a classification rate of 15.59% (209 of 1341 students enrolled) in December, 2005. This rate was below the state rate for that year of 16.8% although a comparison must be made with caution since the state rate includes students ages 3 through 21, while Upper Saddle River serves students from preschool through eighth grade.

With regard to placement of students with disabilities, ages 6 through 14, 44.9% were educated in general education settings more than 80% of their school day for the 2005-2006 school year. Another 36.7% were educated in general education between 40 and 80% of the time, with 11.2% primarily in special education classrooms. During the same school year, a total of 6.6% of students with disabilities were educated in special education public or private separate settings as compared to the state rate of 9.2%. For students with disabilities ages 3 through 5, 35% were reported as educated in either general education or a combination of general and special education settings (7 students) which was higher than the state average for 2005-2006 of 26.6%.

During interviews conducted with parents by phone, many parents expressed their satisfaction with the district's programs and services and staff.

Standards identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included:

- General Provisions
- Free, Appropriate Public Education (FAPE)
- Reevaluation
- Transition to Preschool
- Transition to Adult Life
- Discipline
- Statewide Assessments
- Graduation

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included:

- Oversight of individualized education program (IEP) implementation
- Extended school year
- Provision of programs
- Provision of related services
- Consent
- Implementation without undue delay
- Provision of notice of a meeting
- Content of notice of a meeting
- Meetings
- Provision of written notice
- Interpreters at meetings
- Independent evaluations
- Referral process

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- Direct referrals
- Identification meeting timelines
- Identification meeting participants
- Multi-disciplinary evaluations
- Educational impact statement (ESLS)
- Standardized assessments
- Bilingual evaluations
- Written reports prepared by evaluators
- Eligibility meeting participants
- Eligibility criteria
- Signature of agreement and/or disagreement and rationale
- Statement of eligibility (SLD)
- IEP meeting participants
- Implementation dates
- Meetings held annually, or more often if necessary, to review and/or revise the IEP
- Annual reviews completed by June 30
- Teachers informed of their responsibilities (knowledge of and/or access to IEPs)
- 90 day timelines
- Notification of and participation in non-academic and extracurricular activities for students educated outside of the district
- Continuum of programs
- Class size
- Age range
- Group size

All of the following areas identified by the district as non-compliant during the self-assessment process have been determined to be compliant by the OSEP:

- Content of written notice
- Notices in native language
- Child Find Ages 3-21
- Pre-referral interventions
- Health summary
- Vision and hearing screenings
- Functional evaluations
- Copy of evaluation reports to parents
- Provision of programs
- Provision of related services
- IEP required considerations and components
- IEP provided to parent prior to implementation
- Common planning time

The on-site visit identified an additional area of need within the various standards regarding:

- Documentation of LRE decisions
- Placement decisions based on individual needs
- Opportunity for all students to access general education programs

The district is directed to implement improvement activities to correct the area of non-compliance identified during the on-site monitoring visit within four (4) months of receipt of this monitoring report. The verification of correction of non-compliance will be conducted by the County Office of Education.