

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

**District:** Woodbridge Township School District      **County:** Middlesex

**Monitoring Dates:** November 15, 16, 17, 18, 19, 22, 23, 24, 1999

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**Background Information**

Prior to the on-site monitoring visit, the New Jersey Department of Education (NJDOE) facilitated a focus group public meeting with parents, advocates, and district representatives. 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. Activities conducted during the course of the on-site visit included a review of documentation accumulated and maintained by the district, interviews with district personnel and parents, as well as a review of other relevant information as determined appropriate by the monitoring team.

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 strength and 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 identified areas of need.

**District Strengths**

The district has ensured that students attend and participate in the development of their IEP's.

The district has facilitated a strong working relationship between the Departments of Special Services and Instructional Services to provide translation services to families. The District utilizes staff to provide these services as needed.

The district has begun a relationship between School #28 and Kean University, establishing this district school as a demonstration school for the undergraduate students. This relationship has provided benefits to School #28 (increased adult to student ratios; additional role models for the students; increased opportunities for reinforcement of academic skills) and to the undergraduate students (additional training opportunities).

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

Of the fifteen (15) areas reviewed during the on-site monitoring visit, it was determined that the district has met the requirements in the following: **Statewide Assessment, Graduation, Programs and Services, and Student Records.**

### **Areas Demonstrating Need**

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

## **Section I: General Provisions**

### **Summary of Findings:**

The district board of education ensures that it provides publicly funded educational programs and services to students with disabilities in accordance with federal and state regulations. The district recently revised their policies to reflect changes since the adoption of N.J.A.C. 6A:14.

However, problems were identified in the revised policies recently developed by the district.

### **Areas of Need:**

The district recently revised their policies to comply with the adoption of N.J.A.C. 6A:14. However, 4 out of the required 14 policies were missing. The missing policies included:

- Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter experience a smooth transition and that an individualized education program has been developed and is being implemented according to N.J.A.C. 6A:14-3.3(e);
  - Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2;
  - Students with disabilities who are placed in private schools by the district board of education are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3; and
  - All personnel serving students with disabilities are appropriately certified and licensed, where a license is required.
- The district will develop an improvement plan that will address all of the required policies.

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

### **Summary of Findings:**

The district provides a system of free, appropriate special education and related services to students with disabilities age three through 21 which is provided at public expense, under public supervision and with no charge to the parent, and which is located in facilities that are accessible to the disabled. The length of the school day and the academic year for students with disabilities is at least as long as that established for nondisabled students. Physical education (regular, modified, or adaptive) is provided for students with disabilities, including those students in separate facilities. The district ensures that transfer students with disabilities are provided services without delay and according to an IEP.

However, problems were identified in the provision of FAPE regarding extended school year programs and the provision of related services.

### **Areas of Need:**

**Extended School Year** – In the past, the district was operating a four week summer program known as Camp Pace. This program focused on recreational activities for a small number of the students in the district. As part of a

Corrective Action Plan developed April 29, 1999, the district indicated that extended school year services would be considered for students with educational disabilities, and provided as needed. As part of this C.A.P., the Child Study Team was informed that Camp Pace was not going to continue, as it did not meet the requirements of an extended school year. A letter was sent to some parents in May 1999, informing them that their child would be provided a six week extended school year program that summer. The program was described to the parents as continuing all of the Camp Pace activities, with additional emphasis on academics. The letter also indicated that this extended school year program was most likely not reflected in their child's IEP. Appropriate staff were hired for this program, which was designed to provide special education and related services for specific students who were identified by child study team members.

Documentation reviewed demonstrated that the program was held as planned. Related services of OT, PT, Speech, and Counseling were provided. Progress reports from the specific disciplines were completed on each student who attended the program.

Interviews with staff and parents throughout the district indicated that the program is still referred to as Camp Pace. Interviews also indicated that the child study teams determined who would attend the program; consideration of the need for extended school year services was not discussed at IEP meetings for all students.

Information obtained through record review reflected that the district does not consistently document individualized determinations for students with disabilities regarding the need for an extended school year program. IEP's did not consistently address the consideration; when addressed, rationales for the determinations were standard.

- The district will develop an improvement plan that will ensure extended school year services are individually considered for each classified student in the district, and document those considerations in the IEP.

**Related Services** – Although the district provides a variety of related services, determinations regarding the frequency and duration were not based on the individual needs of students. In a majority of cases, services such as speech-language therapy and counseling are provided on a standard basis.

As part of a Corrective Action Plan developed April 29, 1999, the district indicated that counseling goals and objectives would be included in IEP's for students identified as needing this related service. The district indicated that goals and objectives for counseling were developed by the district counselors

between June and September 1998. However, a review of student records demonstrated that in IEP's developed after September 1998, counseling goals and objectives were not consistently included for students identified as needing this related service.

- The district will develop an improvement plan that will ensure determinations regarding the provision of related services are based on the individual needs of students and are not dependent on district-wide scheduling practices.
- The district will develop an improvement plan that will ensure that goals and objectives for counseling are included in IEP's for students receiving this service.

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

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

The district has policies and procedures in effect to ensure students with disabilities and their parents are afforded procedural safeguards. The district obtains consent prior to conducting any initial evaluation, implementing the initial IEP, conducting any reevaluation, and releasing student records. In addition, the district implements without undue delay the action for which consent was granted.

Although the district has proper procedures for providing notice and written notice, problems were identified locating these notices in student records. In addition, problems were identified in providing notices and written notices in the native language of the parent(s), and documenting the participation of interpreters at meetings. Problems were also identified with informing parents and students that all rights will transfer to the student on reaching the age of majority, at least one year before the student reaches age eighteen.

#### **Areas of Need:**

**Notice and Written Notice** – While the district has proper procedures for providing notices and written notices, information obtained through the review of student records could not determine if notices and/or written notices were actually provided. These documents could not be located within the student records.

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

**Native Language** – A review of notices and written notices in records of students whose native language and/or that of their parent(s) is not English indicated that these documents were not translated. Additionally, records lacked documentation of attempts to obtain translation services.

- The district will develop an improvement plan that will ensure notices and written notices are provided in the native language of the parent(s). The plan will also include a component to ensure attempts to obtain translation services are documented in the student record.

**Age of Majority** – A review of student records of students, ages sixteen and one half and older, did not reflect that the parent or student had been 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 one year before the student reaches age eighteen.

#### **Section IV: Location, Referral, and Identification**

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

The district board of education has written procedures to locate, refer, and identify students ages 3 to 21. The school district provides interventions in general education programs to alleviate the student's educational problems. Written documentation has been maintained and found in student records and verified through interviews.

However, problems were identified in the referral process.

##### **Areas of Need:**

Although the district has written procedures for the referral of students for evaluations, information obtained through interviews with the child study teams, administrators and teachers indicated that direct referrals to the child study team are not implemented in the manner in which the procedures are written. Referrals

are required to go to the Pupil Assistance Committee (PAC). Interviews and records indicated that direct referrals by teacher for a speech and language evaluation occurs only after the building principal approves the referral.

- The district will develop an improvement plan that will ensure procedures for direct referral from teachers to the child study team or to the speech language specialist are implemented correctly.

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

### **Summary of Findings:**

The district ensures that evaluation procedures are technically sound, are neither culturally nor racially discriminatory, and are administered by trained personnel. The district ensures that students receive a comprehensive evaluation. However, problems were identified in the procedures followed for evaluations conducted to determine students' eligibility for speech-language services.

### **Areas of Need:**

**Evaluations Conducted to determine eligibility for speech-language services** - An initial evaluation to determine students' eligibility for speech-language services must include assessments by the speech-language specialist and documentation of the educational impact of the speech problem provided by the student's teacher. This meets the requirements for a multi-disciplinary team evaluation.

A review of records indicated that evaluations of students by speech-language specialists did include the use of standardized tests that were individually administered, valid and reliable, and normed on a representative population. However, documentation of the educational impact of the speech problem provided by the student's teacher was not evident in the student records. Functional assessments of academic performance were documented; however, evaluations were inconsistent in providing documentation of structured observations and a review of interventions by the classroom teacher(s) and others who work with the student. Written reports were signed and dated, and provided an appraisal of the student's current functioning. Reports, however, lacked an analysis of instructional implication(s) and a statement regarding the

relationship of relevant behavior of the student, either reported or observed, to the student's academic functioning.

- The district will develop an improvement plan that will ensure that an initial evaluation to determine eligibility for speech-language services includes the following:
  1. documentation of the educational impact of the speech problem provided by the student's teacher;
  2. the functional assessment of academic performance includes a review of interventions documented by the classroom teacher(s) and other who work with the student;
  3. each written report includes an analysis of instructional implication(s); and
  4. each written report includes a statement regarding relevant behavior of the student, either reported or observed, and the relationship of that behavior to the student's academic functioning.

## **Section VI: Reevaluation**

### **Summary of Findings:**

Although the district's policies and procedures state that they ensure that students are reevaluated every three years or sooner if conditions warrant, problems were identified with meeting timelines and determining the nature and scope of reevaluations.

### **Areas of Need:**

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

In addition, interviews and pupil records verified that the nature and scope of the reevaluation was not identified when additional data was needed.

- The district will develop an improvement plan that will ensure that reevaluations will be conducted every three years (or sooner if conditions warrant or if the student's parent or teacher requests). In addition, the improvement plan will address the requirement of determining the nature and scope of the reevaluation if additional data is needed.

## **Section VII: Eligibility**

### **Summary of Findings:**

A review of evaluation reports indicated that students were not determined eligible for special education and related services if the determinant factor was due to a lack of instruction in reading or math or due to limited English proficiency. Assessments conducted included evaluations by child student team members and assessments by other specialists as required. However, problems were determined with the documentation within the eligibility reports, demonstrating that students met the criteria in one or more of the eligibility categories as specified in N.J.A.C. 6A:14-3.5 (c) 1 through 13.

### **Areas of Need:**

Evaluation reports did not consistently demonstrate that students met the criteria in one or more of the eligibility categories as specified in N.J.A.C. 6A:14-3.5 (c) 1 through 13.

- The district will develop an improvement plan that will ensure that eligibility is determined by meeting the criteria in one or more of the eligibility categories as defined in N.J.A.C. 6A:14-3.5 (c) 1 through 13.

## **Section VIII: Individual Education Program**

### **Summary of Findings:**

The district ensures that the appropriate team members conduct an IEP meeting to develop, review, and if necessary, revise the IEP. The district ensures that IEP's are implemented and in effect as required. However, problems were identified in the IEP's with the required considerations and components

### **Areas of Need:**

The district does not consistently ensure that IEP's are developed with the appropriate considerations and contain the required statements. IEP's do not always reflect the following:

- The strengths of the student and the concerns of the parents for enhancing the education of their child;
  - The communication needs of the student;
  - Whether the student requires assistive technology devices and services;
  - Beginning at age 14, the need for technical consultation from DVRS;
  - Present levels of educational performance, including how the student's disability affects involvement and progress in the general curriculum;
  - Measurable annual goals;
  - Supplementary aids and services for the student;
  - The extent to which the student will not participate with nondisabled students in the general education class and in nonacademic and extracurricular activities;
  - The person(s) responsible to serve as the liaison to post-secondary resources; and
  - How the student's progress toward the annual goals will be measured.
- The district will develop an improvement plan that will ensure that IEP's are developed with the appropriate considerations and components.

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

### **Statement of Findings:**

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

As a result of this year's onsite monitoring, areas of need identified in the previous year's program review visit were confirmed. A review of student records

reflected inconsistent documentation to support that the IEP team decision making process includes a discussion of what supplementary aids and services would enable the student to access and progress in general education programs.

**Areas of Need:**

**Removal from Regular Education** - The district ensures that the placement of a student with a disability is determined at least annually, and that the placement is based on his/her IEP.

The following area of need were identified during the previous year's on-site visit, and were confirmed during this current review: the district does not ensure consistently that special classes, separate schooling or other removal of students with educational disabilities from the regular educational environment only occurs when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

- The district will develop an improvement plan that will ensure that special classes, separate schooling, or other removal of students with educational disabilities from the regular educational environment only occurs when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

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

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

**Decision Making Process and IEP Documentation** – While the district had recently received technical assistance in providing students with disabilities access to general education programs, information obtained through a review of records indicated that IEP's did not reflect documentation to verify the IEP team

considers a variety of supplementary aids and services and program modifications in determining whether the student can be educated satisfactorily in a regular classroom. In addition, IEP's did not document a comparison of the benefits provided in a regular class and the benefits provided in a special education class, and the potentially beneficial or harmful effects a placement may have on the student with disabilities or the others in the class.

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

## **Section X: Transition**

### **Transition to Preschool**

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

During the onsite-monitoring visit, no areas of concern were identified regarding the transition from early intervention program to a preschool program for a child with a disability.

### **Transition from School to Post-School**

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

Representatives from OSEP conducted an on-site technical assistance session in Woodbridge Township Public Schools in the Spring of 1999. This focused on federal and state requirements for transition from school to post-school. Areas of need were identified and the following recommendations for improvement were provided to the district:

- documentation of student invitation to the IEP meeting;
- documentation of the process used to determine student interests and preferences;
- IEP documentation of the statement of transition service needs, the statement of needed transition services, justification for not providing transition services, and alternate strategies for agency failure to provide transition services; and
- the wording of the required 'transfer of rights' statement.

Information obtained through record review and interviews with staff reflect that the district has begun to address the Transition requirements. The IEP document, revised July 31, 1999, now incorporates the Transition pages from the state model IEP format. However, problems were identified with the implementation of this document.

**Areas of Need:**

Although the district has begun to address the above recommendations, systemic implementation of this has not been established to date. As part of a Corrective Action Plan developed April 29, 1999, the district indicated that they would begin using the transition section of the state's IEP by July 31, 1999. A review of IEP's generated after July 31, 1999 reflected that although the transition pages had been included into the IEP document, all team members did not consistently complete them. The post-secondary liaison was not regularly identified. In addition, the district does not consistently ensure that a statement of transition service needs are included in IEP's for students with disabilities beginning at age 14, or younger, if appropriate. IEP's for students with disabilities younger than age 14 did not address transition service needs in those cases where it was appropriate.

- The district will develop an improvement plan that will ensure consistently that a statement of transition service needs are included on IEP's for students beginning at age 14, or younger, if appropriate, and a statement of needed transition services are provided beginning at age 16, or younger, if appropriate. The plan will include continued use of the district's revised IEP format.

## Section XI: Discipline

### Summary of Findings:

Information obtained from interviews and from a review of district procedures indicated that when a student with a disability is removed from his or her educational placement, the district imposes the same district board of education procedures as for nondisabled students. However, problems were identified in the following areas.

### Areas of Need:

**Notification of Suspension to Case Manager** - Information obtained through a review of documentation indicated that although the district has established policies and procedures in place to inform and provide written notification to the case manager regarding the reason for removing a student from his/her placement, the district has demonstrated a pattern of inconsistency in the application of the process. A number of record reviews showed that the district's own "Notification of Suspension of a Classified Student" form did not always identify the specific child study team (child study teams are identified alphabetically), to which the notification was to be forwarded.

- The district will develop an improvement plan that will ensure that the case manager is notified of suspensions.

**Documentation of In-School Suspensions** - A review of student records and interviews with special education teachers, regular education teachers and principals indicated that the district operates an extensive In-School-Suspension (ISS) program. However, the district failed to develop, implement or maintain documentation of students placed in ISS. This information is required in order for the district to document and determine whether or not a series of short-term placements in ISS could constitute a change in placement for a student with disabilities.

- The district will develop an improvement plan that will ensure that documentation of students placed in In-School Suspensions is maintained.

**Behavioral Intervention Plans** - The student records reviewed did not contain documentation that IEP teams convened meetings to review and modify the Behavioral Intervention Plans (BIP) of classified students. IEP teams must ensure that for students having a BIP, meetings are conducted to review and modify the plans as necessary.

- The district will develop an improvement plan that will ensure that the IEP team will meet to review and modify Behavioral Intervention Plans as necessary.

**Removal to an Interim Alternative Educational Setting** - Information obtained through a review of student records and interviews with child study team members and principals indicated that in discipline cases involving a students' use of weapons, drug possession, or sale of a controlled substance, the district referred students to an appropriate interim alternative educational setting. However, there was no evidence that students placed in interim alternative educational settings participate in the general education curriculum. The district must ensure that students placed in interim alternative educational settings are afforded the opportunity to participate in the regular education curriculum.

A review of student records demonstrated that the district has not exceeded the 45-day timelines when placing students in an appropriate interim alternative educational setting.

- The district will develop an improvement plan that will ensure that students placed in interim alternative educational settings participate in the general education curriculum.