

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

**District:** Emily Fisher Charter School of Advanced Studies      **County:** Mercer

**Monitoring Dates:** February 1 and 18, 2005

**Monitoring Team:** Vanessa Leonard, Nicole Buten and Barbara Tucker

***Background Information:***

During the 2003-2004 school year, the Emily Fisher Charter School conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Emily Fisher Charter School 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 Emily Fisher Charter School developed an improvement plan to address identified areas of need.

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

As the first step in the on-site monitoring process, the New Jersey Department of Education (NJDOE) held a focus group meeting for parents and community members, at the Emily Fisher Charter School, on January 26, 2005.

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

**Charter School Strengths:**

The charter school provides the Mentoring Program which matches each student, general and special education, with a faculty mentor at the beginning of the school year. Mentors meet with students once a month for an hour to discuss any problems or concerns the students may have.

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### **Data Summary**

The Emily Fisher Charter School had a classification rate of 40.39% for 2004. This is significantly higher than the state classification rate of 14.61%. The mission of the charter school is to build an innovative school culture that addresses the needs of seriously disruptive students while maintaining high academic standards. This mission has resulted in a higher percentage of students eligible to receive special education.

### ***Areas Demonstrating Compliance With All Standards:***

**General Provisions, Evaluation, Reevaluation, IEP, Transition, Statewide Assessment, Graduation Requirements and Student Records** were determined to be areas of compliance by the charter school during self-assessment and by the Office of Special Education Programs during the on-site visit.

### ***Section II: Free, Appropriate Public Education (FAPE)***

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

During self-assessment, the charter school identified compliance in the areas of extended school year, goals and objectives for related services, length of school day/year, transfer students and certifications.

During the self-assessment process, the charter school identified concerns in the areas of provision of related services and facilities. The charter school's improvement plan is sufficient to address this area.

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

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

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

During self-assessment, the charter school identified themselves compliant in the areas of consent, content and provision of notice of a meeting/written notice, notices in native language, interpreters at meetings and independent evaluations.

During the self-assessment process, the charter school identified concerns in the area of surrogate parents. The charter school's improvement plan is sufficient to address this area.

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

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

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

During self-assessment, the charter school identified themselves compliant in the areas of referral process, direct referrals and identification meeting timelines/participants.

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During the self-assessment process, the charter school identified concerns in the area of child find. The charter school's improvement plan is sufficient to address this area. The charter school also identified concerns in the areas of pre-referral process, health summaries and vision/hearing screenings. **The charter school's improvement plan is insufficient to address these areas because it lacks an administrative oversight component to ensure the consistent implementation of the procedures. The plan needs to be revised to include this component.**

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

### **Section VII: Eligibility**

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

During self-assessment, the charter school identified compliance in the areas of eligibility meetings/participants and criteria.

During the self-assessment process, the charter school identified concerns in the area of statement of eligibility for students eligible for a specific learning disability. The charter school's improvement plan is sufficient to address this area. The charter school also identified concerns in the area of evaluation reports to parents. **The charter school's improvement plan is insufficient to address the area of need because it lacks an administrative oversight component to ensure the consistent implementation of the procedures. The plan needs to be revised to include this component.**

An additional area of need was identified during the onsite visit regarding signature of agreement or disagreement with rationale.

#### **Area(s) of Need:**

**Signature of Agreement/Disagreement-** During the on-site monitoring, it was determined through record review that child study team members do not document agreement/disagreement with eligibility determinations.

- **The charter school will develop the improvement plan to include activities to ensure that the child study team states in writing whether the team members agree or disagree with the findings of eligibility. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities. These activities will ensure parents are informed of differing opinions regarding eligibility determinations.**

### **Section IX: Least Restrictive Environment (LRE)**

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

During self-assessment, the charter school identified compliance in the areas of consideration of supplementary aids and services, general education access within the

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charter school, non-academic and extracurricular participation of participation of out-of-district students and continuum of programs.

Additional areas of need were identified during the on-site visit regarding the decision-making process and LRE documentation.

### **Area(s) of Need:**

**Decision-making Process/LRE Documentation** – During the on-site monitoring record review indicated that the child study team does not consistently include all four statements required when considering the least restrictive environment.

- **The charter school will revise the improvement plan to include procedures to ensure that the child study team consistently documents consideration of the least restrictive environment. The improvement plan must also include an administrative oversight component to ensure the consistent implementation of these activities. The implementation of these activities will ensure that students are afforded the opportunity to be educated with their non-disabled peers.**

### ***Section XI: Discipline***

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

During self-assessment, the charter school identified compliance in the areas of documentation to case manager, suspension tracking, functional behavior assessment, behavior intervention plans and procedural safeguards.

An additional area of need was identified during the on-site monitoring regarding interim alternative education settings and manifestation determination meetings.

#### **Area(s) of Need:**

**Interim Alternative Education Setting** – During the on-site monitoring interviews with staff indicated, that the charter school utilizes a transition program as an interim alternative education setting (IAES) although the county office has not approved the transition program. In addition, the decision to place students with disabilities in the IAES is not made by an appropriately configured IEP team, nor is the student's IEP revised to reflect the new placement.

- **The charter school will develop a procedure to ensure that an IAES is used only when the decision to do so is done by an appropriately configured IEP team and that the IEP is revised to reflect the new placement. This will ensure that students with behavioral issues are served appropriately.**

**Manifestation Determination Meetings** – During the on-site monitoring visit, through interviews with staff, it was determined that manifestation determination meetings are not consistently held or documented in students' files.

- **The charter school will revise the improvement plan to include procedures to ensure that IEP team conducts manifestation determination meetings to**

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review the relationship between the student's disability and the behavior. Additionally, the meeting and its determinations must be documented in students' files. These activities will ensure that prior to a change in placement due to disciplinary action; the IEP team meets to determine that the behavior that resulted in the removal was a manifestation of the student's disability.

### ***Section XIV: Programs and Services***

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

During self-assessment, the charter school identified compliance in the areas of class size, age range, group size, home instruction and consultation time.

During the self-assessment process, the charter school identified concerns in the areas of provision an appropriately configured child study team members. The charter school's improvement plan is sufficient to address this area.

An additional area of need was identified regarding description of programs.

#### **Area of Need:**

**Description of Programs** - Through interviews with staff it has been determined the charter school has not developed a written description of the transition program and submitted it to the Mercer County Office for approval.

- **The charter school will revise the improvement plan to include the submission of a written description of the transition program for approval by the Mercer County Office in accordance with 6A: 14-4.7 (b). The inclusion of this activity will ensure that the charter school provides special class programs which are organized to provide environments where the nature of the student's impairment is the primary focus.**

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### Summary

On-site special education monitoring was conducted in the Emily Fisher Charter School on **February 1 and 18, 2005**. The purpose of the monitoring visit was to verify the charter school's report of findings resulting from their self-assessment and to review the charter school's improvement plan.

A focus group meeting was held prior to the monitoring visit, to provide parents with the opportunity to express opinions regarding the charter schools special education services. No parents attended the focus group.

Areas Demonstrating Compliance With All Standards by the charter school during self assessment and verified during the on-site monitoring were General Provisions, Evaluation, Reevaluation, IEP, Transition, Statewide Assessment, Graduation and Student Records.

Areas identified as consistently compliant by the charter school during self-assessment and verified during the on-site monitoring visit included extended school year, length of school day year, transfer students, certifications, consent, content/provision notice of a meeting/written notice, notices in native language, interpreters at meetings, independent evaluations, referral process, direct referrals, identification meeting timelines/participants, eligibility meetings/participants, criteria, consideration of supplementary aids and services, general education access within the charter school, notification/participation of out-of-district students of nonacademic/extracurricular activities, continuum of programs, documentation to case manager, suspension tracking, functional behavior assessment, behavior intervention plans, procedural safeguards, class size, age range, group size, home instruction and consultation time.

During the self-assessment process, the charter school identified areas of need regarding facilities, provision of related services, surrogate parents, child find, pre-referral process, health summary, vision and hearing screenings, statement of eligibility for students with specific learning disabilities, copy of evaluation reports to parents and provision of a child study team.

The on-site visit identified additional areas of need within the various standards regarding signatures of agreement or disagreement, decision making process, documentation of least restrictive environment, interim alternative educational setting, manifestation determination setting and description of programs.

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