

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

Charter School: Gateway Charter School

County: Hudson

Monitoring Dates: September 27, 2005

Monitoring Team: Deborah Masarsky, Robert Schweitzer

Background Information:

During the 2004-2005 school year, the **Gateway Charter School** conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the **Gateway 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 **Gateway Charter School** developed an improvement plan to address identified areas of need identified in their self-assessment.

The Office of Special Education Programs (OSEP) conducted parent telephone interviews and a comprehensive desk audit. Additionally, parent surveys and student records were reviewed and an interview was conducted with the charter school's director to verify the self-assessment findings, to assess the appropriateness of the improvement plan, and to determine the progress in implementing the plan. Based on these activities, a determination was made by staff from the Office of Special Education Programs that the charter school had conducted a thorough review during the self-assessment process and had developed a plan that will appropriately address all areas of need identified by the charter school's staff during the self-assessment process.

Data Review: The charter school's data indicate that for the 2004-2005 school year, 12.6% of the student population was classified (21 special education students out of a total of 167). For the present school year (2005-2006), the data indicate a classification rate increase to 18.8% (31 special education students out of a total of 165), which is above the state rate. Data also indicate that 100% of students eligible for special education and related services (ESERS) were educated in general education classes with in-class support during the 2004-2005 school year. However, during the monitoring process, an interview with the director indicated that placement decisions have not been based on the individual needs of the students. In response to this area of need, the charter school's self-assessment committee identified the need to provide a continuum of placements for students with disabilities. To ensure that future placement decisions are based on individual student's needs, the school developed an improvement plan that was determined by the OSEP to be sufficient to address this area.

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Areas Demonstrating Compliance

The following areas were identified by the district's self-assessment committee and by the New Jersey Department of Education as compliant:

Section	Areas Demonstrating Compliance
Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> • Provision of programs
Procedural Safeguards– For students who may be eligible for speech and language services (ESLS) or eligible for special education and related services (ESERS)	<ul style="list-style-type: none"> • Notices in native language • Interpreters at meeting
Evaluation- For ESLS or ESERS	<ul style="list-style-type: none"> • Standardized Assessments • Bilingual Evaluations
Individualized Education Program (IEP) - For ESLS and ESERS	<ul style="list-style-type: none"> • Teachers informed of their responsibilities (knowledge of and/or access to IEPs)
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> • Opportunity for all students with disabilities to access all general education programs
Statewide Assessments	<ul style="list-style-type: none"> • Participation documented in IEPs
Programs & Services	<ul style="list-style-type: none"> • Age range • Group size • Common planning time

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Areas of Noncompliance - Improvement Plan Review

The following areas were identified by the charter school’s self-assessment committee as noncompliant and the accompanying improvement plan was determined by the Office of Special Education Programs to be sufficient:

Section	Area of Non-Compliance
General Provisions	<ul style="list-style-type: none"> • Parent training - is not provided
Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> • Oversight of individualized education program (IEP) implementation - is not conducted • Extended school year (ESY) - is not considered for all students, nor does the charter school provide ESY programs • Related services - are not being provided as per IEPs • Transfer procedures - have not been developed
Procedural Safeguards– For ESLS and ESERS	<ul style="list-style-type: none"> • Consent - is not obtained prior to implementation of initial IEPs • Implementation without undue delay – does not occur • Notice of a meeting - is not consistently provided to parents • Notice of a meeting - does not contain required components • Required participants - do not attend meetings • Written notice - is not consistently provided to parents • Written notice - does not contain required components • Independent evaluators- list is not available to parents
Location, Referral and Identification (LRI) - For ESLS and ESERS	<ul style="list-style-type: none"> • Child find - information is not distributed to the parents of the charter school’s students • Referral Process - has not been established for I&RS, Child Study Team or Speech –language specialist • Direct referral - procedures from parents/staff to the child study team and speech therapist have not been established • Pre-referral interventions - are not provided • Health summary/vision and hearing screenings - are completed by the school nurse • Identification meeting – 20-day timelines are not being met
Evaluation	<ul style="list-style-type: none"> • Multi-disciplinary evaluations - are not conducted (ESERS) • Educational impact statement (ESLS) - is not obtained from the classroom teacher • Written reports - are not being prepared by evaluators
Reevaluation - For ESLS and ESERS	<ul style="list-style-type: none"> • Reevaluation - is not considered for change of eligibility • Reevaluation timelines – 3 year timelines are not being met • Meeting participants – required participants are not attending planning meetings • Procedures to follow when parental consent cannot be obtained (including documentation of efforts to obtain parental consent to conduct reevaluation assessments) - have not been established

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Section	Area of Non-Compliance
Eligibility - For ESLs and ESERS	<ul style="list-style-type: none"> • Meeting participants – required participants do not attend eligibility conferences • Eligibility criteria - have not been established for SLD • Signatures of agreement and/or disagreement with rationale - are not documented • <i>Statement of Eligibility for Severe Learning Disability</i> – does not contain required components • Copy of evaluation reports - is not being provided to parents ten days prior to the eligibility conference
Individualized Education Program (IEP) - For ESLs and ESERS	<ul style="list-style-type: none"> • Participants- required participants do not attend meetings • IEPs - do not include required considerations and components • Implementation dates - are not documented in IEPs • IEPs to parents - are not provided to parent prior to implementation • Annual Review meetings - are not convened annually to review and/or revise the IEP • Implementation timelines - for initial IEPs are not met
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> • LRE decisions – decisions are not documented • Continuum of programs – is not available • Placement decisions - are not based on students' individual needs
Transition to Adult Life	<ul style="list-style-type: none"> • <i>Statement of Transition Service Needs</i> - is not addressed beginning at age 14 • Student and agency invitations - are not provided • Activities, annual goals and benchmarks - do not relate to the student's desired outcomes
Discipline	<p>Discipline procedures - have not been established to include:</p> <ul style="list-style-type: none"> ○ Notification of removal forwarded to case manager ○ Suspension tracking system ○ IEP team meeting for first removal beyond ten days ○ Procedures for determination of change in placement ○ Procedures for conducting functional behavioral assessment and development of behavior intervention plan ○ Short-term removals resulting in a change of placement ○ Short-term removals that are not a change in placement—school personnel determining the extent of services to be provided ○ Interim Alternative Educational Settings ○ Manifestation determinations
Statewide Assessments (SWA)	<ul style="list-style-type: none"> • Appropriate approved accommodations and modifications - are not documented in IEPs
Graduation	<ul style="list-style-type: none"> • IEP requirements - are not addressed
Programs & Services	<ul style="list-style-type: none"> • Class sizes for pull-out resource – are above code limits

No additional areas of need were identified during the monitoring process.

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Summary

The monitoring of **Gateway Charter School** was completed on September 27, 2005. The purpose of the monitoring was to verify the charter school's report of findings resulting from their self-assessment. The charter school is commended for the comprehensive review conducted during the self-assessment process. As a result of that review, the district was able to identify all areas of need and develop an improvement plan that will bring about systemic change.

Data Review: The charter school's data indicate that for the 2004-2005 school year, 12.6% of the student population was classified (21 special education students out of a total of 167). For the present school year (2005-2006), the data indicated a classification rate increase to 18.8% (31 special education students out of a total of 165), which is above the state rate. Data also indicate that 100% of students eligible for special education and related services (ESERS) were placed in in-class support classes during the 2004-2005 school year. However, during the monitoring process, an interview with the director indicated that placement decisions have not been based on the individual needs of the students. In response to this area of need, the charter school's self-assessment committee identified the need to provide a continuum of placements for students with disabilities. To ensure that future placement decisions are based on individual student's needs, the school developed an improvement plan that was determined by the Office of Special Education Programs to be sufficient to address this area of need.

Of the parents who were interviewed and those who participated in the parent survey, all expressed their satisfaction with the district's programs and the communication between themselves and staff. However, parents of students who did not receive speech services last school year expressed concern with the lack of staff.

Areas identified as consistently compliant by the charter school during self-assessment and verified during the monitoring process included provision of programs, notices in native language, interpreters at meetings, standardized assessments, bilingual evaluations, teachers informed of their responsibilities to implement IEPs, opportunities for all students with disabilities to access all general education programs, participation of statewide assessment documented in IEPs, age range group size and common planning time.

Areas of need identified by the charter school as non compliant during the self-assessment process included parent training, oversight of IEPs, extended school year, provision of related services, transfer student procedures, parental consent to implement initial IEPs, implementation without undue delay, content/provision of notices, convening meeting with required participants, independent evaluation list, child find activities, the referral process, pre-referral interventions, direct referrals, health summaries, vision/hearing screenings, identification meeting timelines, nature and scope (multidisciplinary evaluations), educational impact statement for ESLs, written reports by evaluators, reevaluation considered for change in eligibility, reevaluation timelines, procedure to obtain and document efforts to obtain parental consent for reevaluations, eligibility criteria, signatures of agreement and / or disagreement with eligibility determination, copy of evaluation reports to parents at least ten days prior to eligibility conference, IEP considerations and components, IEP implementation dates, IEPs to parents prior to implementation, annual review timelines, IEP implementation timelines, documentation of least restrictive environment decisions, continuum of programs, placement decisions based on individual student's needs, transition service needs for students beginning at age 14 or who are transitioning into with high school, student/agency invitations, activities / goals / benchmarks related to the student's desired outcomes, all discipline procedures, statewide assessment accommodations and modifications, graduation requirements addressed in IEPs of students transitioning into high school, and class size for resource program.

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No additional areas of need were identified during the monitoring process and no revisions to the district's improvement plan are required. As a result, the improvement plan submitted to the Office of Special Education Programs will be reviewed for final approval. Verification of the implementation the improvement plan will be conducted by the County Office of Education.