

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

**District:** Hoboken Charter School

**County:** Hudson

**Monitoring Dates:** October 8, 9 & 10, 2003

**Monitoring Team:** Tracey Pettiford-Bugg and Jenifer Tucci-Spear

### ***Background Information:***

During the 2002–2003 school year, the Hoboken Charter School conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Hoboken Charter School 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 Hoboken 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 Hoboken Charter School on October 8, 2003. Information obtained from that meeting was used to direct the focus of the monitoring visit.

During the on-site visit, the NJDOE team reviewed charter school documents, including charter school 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 charter school's special education administrators, building principal, general education and special education teachers, speech therapists and child study team members.

### **Charter School Strengths:**

The Hoboken Charter School is commended for providing two certified teachers in each kindergarten through fourth grade classroom. Special education students are afforded the benefit of smaller class sizes as well as having two professionals in the classroom.

The Hoboken Charter School is also commended for its commitment to professional development. The school received a grant which provided ten teachers the opportunity

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to attend New Jersey City University where they completed training and received certification as Teachers of the Handicapped.

The Hoboken Charter School is further commended for its service learning mission. Through this mission, the charter incorporates innovative programs into the school environment. The Artsbridge Digital playground course infuses music, technology, education and culture. It is available to all middle and upper school students; the program is also continued after the school day.

### **Data Summary:**

The charter school's data from school years 2001 and 2002 indicated that 100% of students eligible for special education and related services were educated in the general education setting for more than 80% of the day.

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

**Discipline** was determined to be an area of compliance by the charter school during self-assessment and by the Office of Special Education Programs during the on-site visit.

### ***Section I: General Provisions***

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

During self-assessment the charter school accurately identified themselves compliant in the areas of policies and procedures and dissemination of IDEA information.

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

An area need was identified during the on-site visit regarding parent training.

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

**Parent Training** - During the on-site visit, interviews and a review of records indicated that although the charter school has initiated in-service training for general and special education staff, there are limited opportunities for parents to access training sessions.

- **The charter school will revise the improvement plan to include activities to ensure parents are able to access training sessions offered by the school or offered through other means. These activities must include a needs assessment to determine specific topics for these trainings. The implementation of these activities will result in parents receiving assistance in gaining knowledge of their child's educational needs.**

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

**Summary of Findings:**

During self-assessment the charter school accurately identified themselves compliant in the areas of extended school year, goals and objectives for speech, length of day and year, transfer students, facilities and certifications.

Areas of need were identified during the on-site visit regarding frequency and goals and objectives for occupational therapy, physical therapy and counseling.

**Area(s) of Need:**

**Frequency** - During the on-site monitoring it was determined through record review that frequency is not documented in IEPs for programs and related services.

- **The charter school will revise its improvement plan to include activities to ensure that frequency for the provision of programs and services is specifically identified in IEPs. Implementation of these activities will ensure parents and staff are fully informed of the program and services agreed to by the IEP team. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

**Goals and Objectives for Occupational Therapy, Physical Therapy and Counseling**- During the on-site monitoring it was determined through record review that the charter school and contracted related services providers do not consistently include OT, PT and counseling goals and objectives in IEPs.

- **The charter school will revise its improvement plan to include activities to ensure the charter school and contracted related service providers consistently develop goals and objectives for OT, PT and counseling and include these in IEPs. Implementation of these activities will ensure parents and staff are knowledgeable of the programs and services the student will receive and if the student has achieved the desired outcomes. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

**Section III. Procedural Safeguards**

**Summary of Findings:**

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

During the self-assessment process, the charter school identified concerns in the area of independent evaluations. **The charter school's plan is insufficient to address this area because it contains unreasonable projected timelines and lacks an administrative oversight component to ensure the consistent implementation of the activities.**

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An additional area need was identified during the on-site visit regarding surrogate parents.

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

**Surrogate Parents** - During the on-site monitoring, interviews indicated that the charter school does not have a procedure to select and train surrogate parents in the event one is needed.

- **The charter school will revise the improvement plan to include activities for the selection and training of a surrogate parent in the event one is needed. The implementation of these activities will ensure students have an assigned advocate to act on behalf of their parent(s) when a parent cannot be located.**

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

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

During self-assessment the charter school accurately identified themselves compliant in the areas of Child Find, direct referrals, vision and hearing screenings, summer referrals and identification meeting participants.

During the self-assessment process, the charter school identified concerns in the area of pre-referral interventions and health summary. The charter school's plan is sufficient to address these areas.

Additional areas of need were identified during the on-site visit regarding the referral process and identification meetings.

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

**Referrals** - During the on-site monitoring, record review and interviews indicated that referrals were not maintained in the file or, where a referral was maintained, it was not dated. As a result, it could not be determined whether identification meetings are being conducted within twenty days of receipt of the referral.

- **The charter school will revise the improvement plan to include activities to ensure each referral for an evaluation is dated and maintained in the student's file. Implementation of these activities will ensure referrals are addressed in a timely manner to further ensure students and parents are afforded their procedural safeguards. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

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

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

During self-assessment the charter school accurately identified themselves compliant in the areas of multi-disciplinary, standardized assessments, written reports signed and dated, bilingual evaluations and independent evaluations.

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

An additional area need was identified during the on-site visit regarding functional assessments.

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

**Functional Assessments** - During the on-site, interviews and record review indicated CST members do not include an observation of the student in other than testing situations.

- **The charter school will revise the improvement plan to include activities to ensure that all components of the functional assessment are included in the evaluation process. Implementation of these activities will ensure eligibility determinations are based on a variety of assessment results. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

### **Section VI: Reevaluation**

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

During self-assessment the charter school accurately identified themselves compliant in the areas of planning meetings and participants.

Areas of need were identified during the on-site visit regarding timelines.

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

**Reevaluation Timelines** - During the on-site monitoring visit, record review and interviews indicated that reevaluations are not conducted every three years.

- **The charter school will revise its improvement plan to include activities to ensure that reevaluations are conducted every three years or sooner, if conditions warrant. Implementation of these activities will ensure an appropriately configured IEP team reviews existing data at least once every three years to determine the need for additional assessments and then to determine the student's eligibility status based on that review. The plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

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### **Section VII. Eligibility**

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

During self-assessment the charter school accurately identified themselves compliant in the areas of meetings and participants.

During the self-assessment process, the charter school identified concerns in the areas provision of a copy of evaluation reports to parents and signatures of agreement and disagreement rationale. The charter school's improvement plan is sufficient to address these areas of need.

Additional areas of need were identified during the on-site visit regarding criteria for specific learning disabilities (SLD).

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

**Criteria for SLD** - During the on-site monitoring, interviews and record review indicated the charter school has not adopted a statistical formula to determine the existence of a severe discrepancy to establish eligibility under the category of SLD.

- **The charter school will revise the improvement plan to include activities and training to ensure child study team members use a statistical formula to determine eligibility under the category of SLD. Implementation of these activities will ensure only those students who demonstrate that severe discrepancy are classified as SLD. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

### **Section VIII: Individualized Education Program (IEP)**

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

During self-assessment the charter school accurately identified themselves compliant in the areas of meetings and participants, considerations and required statements, present level of educational performance, age of majority, implementation dates, annual review and teacher access.

During the self-assessment process, the charter school identified concerns in the area of alignment of goals and objectives with the core curriculum content standards and teacher responsibility. The charter school's plan is sufficient to address the area of alignment of goals and objectives with the core curriculum content standards. **The charter school's improvement plan is insufficient to address the area of teacher responsibility because it contains unreasonable timelines and lacks an administrative oversight component to ensure the consistent implementation of the activities.**

Additional areas of need were identified during the on-site visit regarding, ninety-day timelines and provision of the IEP to parents.

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

**Ninety-day timelines** - During the on-site monitoring, interviews and record review indicated that ninety-day timelines were not consistently being met.

- **The charter school will revise the improvement plan to include activities to ensure ninety-day timelines are met. Implementation of these activities will ensure students receive programs and services in a timely manner. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

**Provision of IEP to Parents** - During the on-site monitoring, interviews and record review indicated that parents do not receive a copy of the IEP prior to its implementation.

- **The charter school will revise the improvement plan to include activities to ensure that parents are provided with a copy of the IEP prior to its implementation. Implementation of these activities will ensure that parents are aware of programs and services their children are entitled to receive as agreed to by the IEP team. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

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

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

During self-assessment the charter school accurately identified themselves compliant in the decision-making process, regular education access and nonacademic and extracurricular participation.

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

An area need was identified during the on-site visit regarding consideration and documentation of least restrictive environment decision.

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

**Consideration and Documentation** - During the on-site monitoring, interviews and record review indicated that the charter school's IEP does not consistently include all four statements required when considering the least restrictive environment. Additionally, when statements are documented they are not addressed appropriately.

- **The charter school will revise the improvement plan to include activities to ensure that the IEP specifies the considerations of appropriate supplementary aids and services and program modification; the explanation of why the supplementary aids and services and program modifications are not appropriate; and documentation of the comparison of benefits in each setting. Implementation of these activities will document the decision-making process and more clearly define the rationale for specific placement decisions. The plan must include an administrative**

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**oversight component to ensure the consistent implementation of the activities. It is recommended the charter school adopt the model IEP developed by the Office of Special Education Programs.**

### ***Section X: Transition to Post-School***

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

During self-assessment the charter school accurately identified themselves compliant in the areas student and agency invitation

During the self-assessment process, the charter school identified concerns in the area of age fourteen transition service needs, preferences and interests, agency involvement and age sixteen needed transition services. **The charter school's improvement plan is insufficient to address these areas because it contains unreasonable timelines and lacks an administrative oversight component to ensure the consistent implementation of the activities.**

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

### ***Section XII: Statewide Assessment***

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

During the self assessment the charter school accurately identified themselves compliant in the areas of IEP documentation and alternate assessment.

During the self-assessment process, the charter school identified concerns in the area of participation and approved accommodations and modification. **The charter school's improvement plan is insufficient to address these areas because it lacks appropriate activities to correct the area of need. The charter school will develop activities to ensure members of the CST are knowledgeable of the content of the statewide assessments. In addition, CST members are not knowledgeable about the approved accommodations and modifications. Therefore, the plan must also include in-service training and an administrative oversight component to ensure the consistent implementation of these activities.**

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

### ***Section XIII: Graduation***

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

During self assessment the charter school accurately identified themselves compliant in the areas of out-of-district participation and choice of diploma.

Areas of need were identified during the on-site visit regarding graduation requirements and written notice of graduation.



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### Area(s) of Need:

**Graduation Requirements** – During the on-site monitoring, interviews and record review indicated that IEPs do not include graduation requirements.

- **The charter school will revise the IEP format to ensure it contains graduation requirements.**

**Written Notice of Graduation** – During the on-site monitoring, interviews and record review indicated that written notice of graduation is not provided to graduating seniors.

- **The charter school will revise the improvement plan to include activities to ensure that notice of graduation is provided to all graduating seniors. It is recommended that the district adopt the form developed by the Office of Special Education Programs.**

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

#### Summary of Findings:

During self-assessment the charter school accurately identified themselves compliant in the areas of class size waivers, age range waivers, group sizes for speech and home instruction.

During the self-assessment process, the charter school identified concerns in the area of case management time and hiring of teachers. **The charter school did not submit a plan to address the area of case management time. The charter school will develop activities to ensure case managers have an apportioned time for case management responsibilities since they are not employed full-time.** The charter school's plan for hiring teachers is sufficient to address this area.

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

### **Section XV: Student Records**

#### Summary of Findings:

During self-assessment the charter school accurately identified themselves compliant in the areas of access sheets, maintenance and destruction of records and documentation of locations.

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

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

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## **Summary**

On-site special education monitoring was conducted in the Hoboken Charter School on October 8, 9 & 10, 2003. The purpose of the monitoring visit was to verify the Hoboken Charter School's report of findings resulting from their self-assessment and to review the Hoboken Charter School's improvement plan. The school is commended for the comprehensive review conducted during the self-assessment process. As a result of that review the Hoboken Charter School was able to identify areas of need and develop an improvement plan that with some revision will bring about systemic change. The Hoboken Charter School is further commended for the many areas determined by the school and verified by the Office of Special Education Programs as compliant with federal and state statutes and regulations.

At a focus group meeting held during the monitoring visit and through the interview process, parents expressed their satisfaction with many of the charter school's programs and services and with the school's responsiveness to the needs of their children. Parents echoed an overall feeling of being informed by the teachers, the director and child study team members. Parents were concerned with the part-time status of the Director of Special Services, as well as coverage of the position when the director was on leave. Some parents expressed concerns regarding the charter school's transition planning services and contact with outside transition service agencies. One parent also shared concerns with the continuum of services specifically for students with more involved disabilities.

Areas identified as consistently compliant by the Hoboken Charter School during self-assessment and verified during the on-site monitoring visit included policies and procedures, dissemination of IDEA, speech goals and objectives, extended school year, length of day and year, transfer students, facilities, certifications, consent, content and provision of notices of meetings, content and provision of written notices, meetings, notices in native language, interpreters at meetings, Child Find, direct referrals, vision and hearing screenings, summer referrals, identification meeting participants, multi-disciplinary evaluation, standardized assessments, written reports, signed and dated, bilingual evaluations, planning meetings, participants, eligibility meetings and participants, IEP meeting and participants, considerations and required statements, present level of educational performance, age of majority, implementation dates, annual review and teacher access, individualized decision making, regular education access, nonacademic and extracurricular participation, student and agency invitations, procedural safeguards, documentation to case manager, suspension tracking, behavioral intervention plan, functional behavior analysis, manifestation determination, interim alternative educational setting, IEP documentation, alternate assessment, out of district participation, choice of diploma, class size and waivers, age range and waivers, group sizes for speech, home instruction, access to student records, access sheets, maintenance and destruction and documentation of locations.

During the self-assessment process, the Hoboken Charter School identified areas of need regarding professional development, independent evaluations, pre-referral interventions, health summary, acceptance and rejection of reports, provision of a copy of evaluation reports to parents, signatures of agreement and disagreement rationale, goals and objectives aligned to the core curriculum content standards, teacher responsibility, continuum of programs, age fourteen transition, preferences and interests, age sixteen transition, agency involvement, statewide assessment participation, accommodations and modifications, case management time and hiring of teachers.

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The on-site visit identified additional areas of need within the various standards regarding parent training, frequency, goals and objectives, surrogate parents, referral process, functional assessments, reevaluation timelines, eligibility criteria, statement of eligibility, ninety day timelines, provision of IEP to parents, least restrictive environment statement, consideration and required statements, graduation requirements and rationale and written notice of graduation.

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