

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

Charter School: Jersey City Community Charter School

County: Hudson

Monitoring Dates: September 13, 2005

Monitoring Team: Deborah Masarsky, Robert Schweitzer

Background Information:

During the 2004-2005 school year, the **Jersey City Community Charter School** conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the **Jersey City Community 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 **Jersey City Community Charter School** has 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. Additionally during an on-site visit to the school, student records were reviewed and interviews were conducted with the head of the school, psychologist, special education teacher, and parent liaison 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 OSEP 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.

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Data Summary

The charter school's data indicated that for the 2004-2005 school year, 3% of the student population received special education and related services (13 special education students out of a total of 432 students). Data for the present school year (2005-2006) indicated a classification rate that has increased to 4.6% (22 special education students out of a total of 476 students), which still remains far below New Jersey's classification rate. Data also indicated that eight students were found eligible for speech and language services for the 2004-2005 school year. The school's self-assessment committee indicated that speech services were not provided during the 2004-2005 school year. During the on-site monitoring it was determined, through record review and an interview with the head of the school, that speech services are being provided to eligible students this year and that compensatory services have been planned for those students who did not receive the speech services indicated in their Individualized Education Programs last year.

Data also indicated that all special education students in the charter school spend between forty and eighty percent of their school day in general education programs. Staff interviews indicated that placement decisions were based on the individual needs of the students currently enrolled in the school. However, during the self-assessment process, the school identified a need to expand the continuum of programs to address the needs of students who may enroll at the charter school in the future. The charter school has developed an improvement plan that is sufficient to address this area of need.

Sections Demonstrating Compliance with All Standards:

The self-assessment process required the school 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 process involved verification that the sections and areas identified as compliant by the school in their self-assessment were compliant with regulations. ***Programs and Services and Statewide Assessment*** were sections determined to be in compliance by the charter school during self-assessment and by the New Jersey Department of Education, OSEP during the monitoring process.

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Areas Demonstrating Compliance

The following areas within the remaining sections were identified by the charter school's self-assessment committee and by the New Jersey Department of Education as compliant:

Section	Areas Demonstrating Compliance
Procedural Safeguards– For students who may be eligible for speech and language services (ESLS) and eligible for special education and related services (ESERS)	<ul style="list-style-type: none"> • Notices in native language • Interpreters at meeting
Free, Appropriate Public Education (FAPE)-ESERS	<ul style="list-style-type: none"> • Extended school year • Provision of programs
Location, Referral and Identification (LRI) – (ESLS and ESERS)	<ul style="list-style-type: none"> • Direct Referrals
Evaluation	<ul style="list-style-type: none"> • Multi-disciplinary evaluations (ESERS)
Reevaluation (ESLS or ESERS)	<ul style="list-style-type: none"> • Reevaluation when change of eligibility is considered • Reevaluation timelines
Eligibility (ESLS and ESERS)	<ul style="list-style-type: none"> • Eligibility Criteria
Individualized Education Program (IEP) – (ESLS and ESERS)	<ul style="list-style-type: none"> • IEP provided to parent prior to implementation
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> • Documentation of LRE decisions • Opportunity for all students with disabilities to access all general education programs • Placement decisions based on students' individual needs

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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 submitted by the district was determined by the Office of Special Education Programs to be sufficient:

Section	Areas 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"> • No administrative oversight of individualized education program (IEP) implementation is conducted • Related services are not being provided • Transfer procedures have not been developed
Procedural Safeguards– For ESLS and ESERS	<ul style="list-style-type: none"> • Actions for which consent has been obtained are not completed within required timelines • IEPs of transfer students are not implemented without undue delay • Notice of a meeting is not consistently provided to parents • Notice of a meeting does not contain required contents • Required participants do not attend meetings • Attempts to secure parental participation at meetings are not documented • Written notice is not consistently provided to parents • Written notice does not contain required contents • Independent evaluation list is not available to parents
Location, Referral and Identification (LRI) - For ESLS and ESERS	<ul style="list-style-type: none"> • Procedures for referral are incomplete • Pre-referral interventions are not provided • Health summary and vision and hearing screenings are not completed by the school nurse • Identification meeting timelines are not being met
Evaluation	<ul style="list-style-type: none"> • Multi-disciplinary evaluations are not conducted for students eligible for speech-language services. The educational impact statement is not included. • Standardized Assessments are not conducted by certified evaluators
Reevaluation - For ESLS and ESERS	<ul style="list-style-type: none"> • Required participants do not attend planning meetings
Eligibility - For ESLS and ESERS	<ul style="list-style-type: none"> • There is no documentation that eligibility conferences are convened • Signatures of agreement and/or disagreement (with rationale) with eligibility determinations are not obtained • Copy of evaluation reports are not provided to parents ten days prior to the eligibility conference

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Section	Areas of Non Compliance
Individualized Education Program (IEP) - For ESLs and ESERS	<ul style="list-style-type: none"> • Required participants do not attend meetings • Meetings are not convened annually to review and/or revise the IEP • Implementation timelines for initial IEPs are not being met • Teachers are not informed of their responsibilities (knowledge and/or access) with regard to implementing IEPs
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> • A continuum of programs is not available • Notification of non academic and extracurricular activities is not provided to students in educational settings outside of the district
Transition to Adult Life	<ul style="list-style-type: none"> • Beginning at age 14, “transition service needs” are not addressed or documented as part of the IEP process • Student and agency invitations to IEP meetings are not provided • IEP activities, annual goals and benchmarks do not relate to the student’s desired post-school outcomes
Discipline	<ul style="list-style-type: none"> • Discipline procedures have not been established to include: <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

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Additional Areas of Need

The following areas were originally identified by the charter school's self-assessment committee as compliant but were found to be noncompliant by the New Jersey Department of Education during the on-site monitoring:

Section	Area	Activity
FAPE	Speech-language specialists do not consider extended school year (ESY) for each student during IEP team meetings.	The charter school is directed to revise the improvement plan to include procedures to ensure that the school considers ESY for each student during IEP team meetings, documents the consideration of ESY, and documents a description of the ESY program when appropriate. The school's plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.
Location, Referral, and Identification	Child find information is not disseminated to the parents of the charter school's students.	The charter school is directed to revise the improvement plan to include procedures to ensure that the school conducts child find activities to locate, refer and identify students within the school who may require special education programs and services. The school's plan must include an administrative oversight component to ensure the consistent implementation of the procedures.
Evaluation	<i>Written Speech and Language</i> evaluation reports are not prepared by speech therapists following completion of the assessments.	The charter school is directed to revise the improvement plan to include procedures to ensure that speech therapists develop written evaluation reports for ESLS following completion of assessments that include the educational impact statement from the classroom teacher and that copies of those reports are provided to parents at least 10 days prior to the eligibility determination meeting. The school's plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.
Evaluation	The required components of the functional assessment are not consistently included in evaluation reports for students who are potentially eligible for special education and related services (ESERS) or speech and language services (ESLS).	The charter school is directed to revise the improvement plan to include procedures to ensure that the components of the functional assessment required by 6A:14-3.4(d)2 are included in evaluation reports for both ESERS and ESLS. The school's plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.

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Section	Area	Activity
Eligibility	The <i>Statement of Eligibility for Specific Learning Disability (SLD)</i> does not include components required by 6A14-3.5(11).	The charter school is directed to revise the improvement plan to include procedures to ensure that the <i>Statement of Eligibility for Specific Learning Disability</i> contains the area(s) of discrepancy, as well as, the statement that <i>the term SLD does not apply to students who have learning problems that are primarily the result of visual, hearing, or motor disabilities, general cognitive deficits, emotional disturbance or environmental, cultural or economic disadvantage</i> . The school's plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.
IEP	The charter school's IEPs do not contain the considerations and components or implementation dates required by 6A:14-3.7(c).	The charter school is directed to revise the improvement plan to include procedures to ensure that the school's IEPs contain the required considerations and components and implementation dates. The school's plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.

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Summary

On-site special education monitoring was conducted at the **Jersey City Community Charter School** on September 13, 2005. The purpose of the monitoring was to verify the charter school's report of findings resulting from their self-assessment and to review the school's improvement plan. The district is commended for the comprehensive review conducted during the self-assessment process. As a result of that review, the district was able to identify most areas of need and develop an improvement plan that will bring about systemic change.

The charter school's data indicated that for the 2004-2005 school year, 3% of the student population received special education and related services (13 special education students out of a total of 432 students). Data for the present school year (2005-2006) indicated a classification rate that has increased to 4.6% (22 special education students out of a total of 476 students), which still remains far below New Jersey's classification rate. Data also indicated that eight students were found eligible for speech and language services for the 2004-2005 school year. The school's self-assessment committee indicated that speech services were not provided during the 2004-2005 school year. During the on-site monitoring it was determined, through record review and an interview with the head of the school, that speech services are being provided to eligible students this year and that compensatory services have been planned for those students who did not receive the speech services indicated in their IEPs last year.

Data also indicated that all special education students in the charter school spend between forty and eighty percent of their school day in general education programs. Staff interviews indicated that placement decisions were based on the individual needs of the students currently enrolled in the school. However, during the self-assessment process, the school identified a need to expand the continuum of programs to address the needs of students who may enroll at the charter school in the future. The charter school has developed an improvement plan that is sufficient to address this area of need.

During phone interviews with parents, most expressed their satisfaction with the school's programs and services and communication with the school staff. All parents commented that they are grateful that their children attend the school which they feel provides a safe and caring environment.

Programs and Services and *Statewide Assessment* are the standards identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit.

Areas identified as consistently compliant by the charter school during self-assessment and verified during the on-site monitoring visit included notices in native language, interpreters at meetings, extended school year for ESERS, direct teacher referrals, multi-disciplinary evaluations for ESERS, reevaluation when change of eligibility is considered, reevaluation timelines, eligibility criteria, IEP provided to parent prior to implementation, documentation of LRE decision, opportunity for all students with disabilities to access all general education programs, and placement decisions based on student's individual needs.

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Areas of need identified by the charter school during the self-assessment process included parent training; provision of related services; administrative oversight of individualized education program (IEP) implementation; transfer procedures; actions for which consent has been obtained; content and provision of notices; required participants at meetings; attempts to secure parental participation at meetings; independent evaluation list; referral procedures; pre-referral interventions; health summary/vision and hearing screenings completed by the school nurse; identification meeting timelines; multi-disciplinary evaluations (speech-language - educational impact statement); standardized assessments eligibility conferences; signatures of agreement and/or disagreement with eligibility determinations; copy of evaluation reports to parents ten days prior to the eligibility conference; annual review timelines; implementation timelines for initial IEPs; teachers informed of their responsibilities (knowledge and/or access); continuum of programs; notification and participation in non academic and extracurricular activities; beginning at age 14 - IEP *Statement of Transition Service Needs*, post-school transition activities, annual goals and benchmarks relate to the student's desired outcomes; discipline procedures to include: notification of removal forwarded to case manager, suspension tracking system, IEP team meeting for first removal beyond ten days, determination of change in placement, 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 with school personnel determining the extent of services to be provided, interim alternative educational settings, and manifestation determinations.

Areas of need identified during the monitoring process included consideration of extended school year for students receiving speech and language services, child find, contents of written reports for students eligible for speech and language services, required components of functional assessments, statement of eligibility for students with specific learning disabilities, and IEP considerations, components and implementation dates.

Within forty-five days of receipt of the monitoring report, the **Jersey City Community Charter School** will revise and resubmit the improvement plan to the Office of Special Education Programs to address those areas of need identified during the monitoring process.