

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

Charter School: Lady Liberty Charter School

County: Essex

Monitoring Dates: November 22, 2005

Monitoring Team: Barbara J. Tucker

Background Information:

During the 2004–2005 school year, the Lady Liberty Charter School conducted a self-assessment of policies, procedures, programs, services and student outcomes. This self-assessment component of the monitoring process provided the Lady Liberty 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 Lady Liberty 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 progress in implementing the plan.

During the on-site visit, the Office of Special Education Programs (OSEP) monitor reviewed information from parents, including phone interviews with a sampling of parents of special education students; conducted a comprehensive review of student files and the school's policies and procedures; and interviewed the supervisor of special services, child study members, and speech-language specialists.

Data Summary:

A review of the charter school's data reflected a classification rate of 9.7% (44 out of 442 students) during the 2005-2006 school year. This number is below the state average of 14.6% for that year. The data further indicate that during the same year, only 20.5% (9 out of 44) of students with disabilities were spending more than 80% of the school day in the general education setting with their non-disabled peers compared to the state average of 42%. Although this percent is below the state average, it is significantly higher than data from the 2004-2005 school year when the rate was only 6.5% (2 students). The majority of students receiving special education (25 of 44) were educated in general education for 40-60% of their school day. During the 2005-2006 school year, 63.6% of students with disabilities were spending 40-60% of the school day in general education settings with their non-disabled peers. The number of students educated in private day schools rose from 4 in 2004-2005 to 7 in 2005-2006.

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Areas and Standards not Applicable:

Notification of and participation in non-academic and extracurricular activities for students educated outside the district, transition to preschool, the statement of needed transition services and out-of-district student participation in graduation activities are areas not reviewed by the New Jersey Department of Education (NJDOE) because the charter school does not serve a population of students for which the NJDOE would require these services.

Sections Demonstrating Compliance with All Standards:

The self-assessment process required the charter 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.

General Provisions, Procedural Safeguards, Reevaluations, IEPs, Statewide Assessments and Programs and Services are sections determined to be in compliance by the charter school during self-assessment and the NJDOE during the monitoring process.

Areas Demonstrating Compliance

The following areas, within the 15 sections reviewed, were identified by the district's self-assessment committee and by the NJDOE as compliant. These areas were reviewed for students eligible for special education and related services (ESERS) and students eligible for speech and language services (ESLS). Areas compliant for only one group of students are noted.

Section	Areas Demonstrating Compliance
II. Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> • Extended school year • Provision of programs • Transfer procedures
IV. Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> • Child Find Ages 3-21 • Referral process • Pre-referral intervention • Direct Referrals • Identification meeting timelines • Identification meeting participants
V. Evaluation	<ul style="list-style-type: none"> • Multi-disciplinary evaluations • Educational impact statement • Standardized assessments • Bilingual evaluations • Written reports prepared by evaluators
VII. Eligibility	<ul style="list-style-type: none"> • Meeting with required participants • Eligibility criteria
XI. Transition to Adult Life	<ul style="list-style-type: none"> • Beginning at age 14, IEP statement of "transition service needs" • Agency invitation to IEP meetings • Activities, annual goals and benchmarks related to the student's desired outcomes.

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Section	Areas Demonstrating Compliance
XI. Discipline	<ul style="list-style-type: none"> • Notification of removal forwarded to case manager • Discipline procedures employed equitably for all students • IEP team meeting for first removal beyond 10 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
XII. Statewide Assessments	<ul style="list-style-type: none"> • Participation documented in IEPs • Approved accommodations and modifications documented in IEPs as appropriate.

Areas of Noncompliance - Improvement Plan Review

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

Section	Area of Noncompliance	Compliance Review
V. Eligibility	Documentation of reports to parents 10 days prior to the identification meeting.	The charter school has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.
VIII. IEP	IEP required statements and considerations.	The charter school has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.
IX. LRE	Provision of a continuum of placements for students. Placement decisions based on students' individual needs. Opportunities for students with disabilities to access all general education programs.	The charter school has demonstrated compliance in this area with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.

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Additional Areas of Need

The following areas were originally identified by the charter school as compliant, but were found to be noncompliant by the NJDOE during the on-site monitoring process.

Section	Area	Activity
II. FAPE	Oversight of IEP implementation-The charter school does not have a mechanism in place to ensure that student progress is being monitored.	The charter school must revise the improvement plan to include procedures to ensure that a mechanism is in place to monitor student progress.
II. FAPE	Documentation of the Provision of Related Services- There is no documentation of the provision of the related services of counseling and speech-language services.	The charter school must revise the improvement plan to include procedures to ensure that related services are provided and that documentation of the provision of related services is maintained. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.
IV. LRI	Documentation of Health Summary and Vision and Hearing Screening-There is no documentation that the charter schools provides health summaries and conducts vision and hearing screenings for students referred for evaluations.	The charter school must revise the improvement plan to include procedures to ensure that health summaries are provided, vision/hearing screenings are conducted and documentation is maintained in student files. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.
V. Evaluation	Functional Assessments-Assessments for students eligible for special education and related services and students eligible for speech-language services lack the required components.	The charter school must revise the improvement plan to include procedures to ensure that functional assessments for students eligible for special education and related services and students eligible for speech-language services include all of the required components. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.
VII. Eligibility	Documentation of Signatures of Agreement/Disagreement-The charter school's Child Study Team members are not documenting in writing, their agreement and/or disagreement with	The charter school must revise the improvement plan to include procedures to ensure that child study members have an opportunity to state in writing whether they agree or

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Section	Area	Activity
	eligibility when they participate in an evaluation.	disagree with eligibility determinations. Further, the charter school will document the rationale for any disagreement. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.
VII. Eligibility	Statement of Eligibility-For a student who is determined to have a specific learning disability, the statement of eligibility is not developed.	The charter school must revise the improvement plan to include procedures to ensure that for a student who is determined to have a specific learning disability, the statement of eligibility is developed. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.
IX. LRE	Documentation of LRE in student IEPs- The charter school does not document the reason for removing a student from general education.	The charter school must revise the improvement plan to include procedures to ensure that there is documentation to support the removal of a student from the general education setting.
X. Transition	Student Invitation to IEP meetings- The charter school does not invite students to the IEP meeting when transition will be discussed.	The charter school must revise the improvement plan to include procedures to ensure that students are invited to the IEP meeting, when transition will be discussed.
XII. Discipline	Suspension Tracking-The charter school does not have a mechanism in place to accurately track the number of days a student with disabilities is removed from program.	The charter school must revise the improvement plan to include procedures to ensure that there is a mechanism in place to accurately track the number of days a student with disabilities is removed from program. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.
XIII. Graduation	Documentation of graduation requirements- The charter school does not document graduation requirements in the IEPs of students who turn age 14.	The charter school must revise the improvement plan to include procedures to ensure that beginning at age 14, graduation requirements are documented in student IEPs.

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Summary

On-site special education monitoring was conducted at the Lady Liberty Charter School on November 22, 2005. The purpose 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. The charter school is acknowledged for the comprehensive review conducted during the self-assessment process. As a result of that review, the charter school was able to identify most areas of need and demonstrate compliance in those areas during the on-site monitoring process.

A review of the charter school's data reflected a classification rate of 9.7% (44 out of 442 students) during the 2005-2006 school year. This number is below the state average of 14.6% for that year. The data further indicate that during the same year, only 20.5% (9 out of 44) of students with disabilities were spending more than 80% of the school day in the general education setting with their non-disabled peers compared to the state average of 42%. Although this percent is below the state average, it is significantly higher than data from the 2004-2005 school year when the rate was only 6.5% (2 students). The majority of students receiving special education (25 of 44) were educated in general education for 40-60% of their school day.

During the 2005-2006 school year, 63.6% of students with disabilities were spending 40-60% of the school day in general education settings with their non-disabled peers. The number of students educated in private day schools rose from 4 in 2004-2005 to 7 in 2005-2006.

Phone interviews with parents indicated that most were satisfied with the charter school's programs, services and communication. Most felt that their children were being challenged and educated in a manner not previously witnessed in district schools. One parent expressed concern over the provision of speech services after the school day.

Areas and standards for which the charter school does not serve a population included notification of and participation in non-academic and extracurricular activities for students educated outside the district, transition to preschool, the statement of needed transition services and out-of-district student participation in graduation activities.

General Provisions, Procedural Safeguards, Reevaluations, IEPs, Statewide Assessments and Programs and Services are the standards identified as consistently compliant by the charter school during self-assessment and the New Jersey Department of Education, Office of Special Education Programs during the monitoring process.

Areas identified as consistently compliant by the charter school during self-assessment and verified during the on-site monitoring visit included extended school year, provision of programs, transfer procedures, child find activities, referral process, pre-referral interventions, direct referrals, identification meeting timelines, identification meeting participants, multi-disciplinary evaluations, educational impact statement, standardized assessments, bilingual evaluations, written reports prepared by evaluators, meeting with required participants, eligibility criteria, beginning at age 14, IEP statement of transition service needs, agency invitation to IEP meetings, activities, annual goals and benchmarks related to the student's desired outcomes notification to the case manager, discipline procedures employed equitably for all students, IEP team meeting for first removal beyond 10 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

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services to be provided), interim alternative educational settings, manifestation determinations, documentation in IEPs of student participation in statewide assessments and approved accommodations and modifications documented in IEPs as appropriate.

Areas of need identified by the charter school during the self-assessment process included documentation of copies of reports to parents 10 days prior to the identification meeting, IEP required statements and considerations, placement decisions based on student's individual needs, opportunity for all students with disabilities to access all general education programs and continuum of placements for students. However, the charter school has demonstrated compliance in these areas with an administrative oversight mechanism in place to identify and correct any noncompliance in the future.

Areas of need identified during the monitoring process included oversight of individualized education programs, documentation of the provision of related services, documentation of health summary and vision and hearing screenings, functional assessments, documentation of signatures of agreement/disagreement, statement of eligibility, documentation of least restrictive environment, student invitation to IEP meetings, suspensions tracking and documentation of graduation requirements.

Within 45 days of receipt of the monitoring report, the Lady Liberty Charter School will revise and resubmit the improvement plan to the Office of Special Education Programs to address the areas of need that require revisions.