

New Jersey Department of Education Special Education Monitoring

District: Learning Community Charter School

County: Hudson

Monitoring Dates: September 27, 2005

Monitoring Team: Vanessa Leonard and Nicole Buten

Background Information:

During the 2004–2005 school year, the Learning 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 Learning 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 Learning Community 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.

During the on-site visit, the New Jersey Department of Education (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. A representative sample of student records was also reviewed. Interviews were conducted with the charter school's building principals, general education and special education teachers, speech therapist and child study team members. Parents of students with disabilities were interviewed by phone.

Data Summary:

A review of the charter school's data for students with disabilities indicates that over the past three years the percentage of students with disabilities attending the charter school has been consistently low, ranging from 3.3% in 2002 to 3.9% in 2003. During the 2003-2004 school year, the charter school educated 90% (8 out of 10) students Kindergarten through grade eight with disabilities in the general education setting for more than 80% of the school day. This rate is significantly higher than the state average of 39.2% for that year. However, the school had 317 students enrolled in 2004 with only ten of those students being eligible for special education and related services. The number of students classified in 2004 represented 5% of the schools total population. The self-

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assessment committee identified the referral process as an area of need and developed a plan to affect change in this area.

Sections Demonstrating Compliance with All Standards

These sections were identified by the charter school during self-assessment and the NJDOE during the monitoring process as compliant:

Least Restrictive Environment; Discipline; and Statewide Assessment.

Areas Demonstrating Compliance

The following areas were identified by the charter school’s self-assessment committee and by the NJDOE as compliant.

Section	Areas Demonstrating Compliance
General Provisions	<ul style="list-style-type: none"> • Parent training
Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> • Provision of Programs • Oversight of individualized education program (IEP) implementation • Extended school year
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"> • Consent • Provision of notice of a meeting • Content of notice of a meeting • Meetings • Provision of written notice • Content of written notice • Notices in native language • Interpreters at meeting • Independent evaluations
Location, Referral and Identification (LRI) - For students who may be ESLS or ESERS	<ul style="list-style-type: none"> • Child Find Ages 3-21 • Direct Referrals • Health summary • Vision and hearing screenings
Evaluation- For students who may be ESLS or ESERS	<ul style="list-style-type: none"> • Multi-disciplinary Evaluations • Standardized Assessments • Functional assessments (ESERS) • Bilingual evaluations • Written reports (ESERS)

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Section	Areas Demonstrating Compliance
Reevaluation - For students who may be ESLs or ESERS	<ul style="list-style-type: none"> • Reevaluation when change of eligibility is considered • Planning meeting participants • Procedures when parental consent cannot be obtained • Documentation of efforts to obtain parental consent
Eligibility - For students who may be ESLs or ESERS	<ul style="list-style-type: none"> • Meeting • Eligibility Criteria
Individualized Education Plan (IEP) - For students who may be ESLs or ESERS	<ul style="list-style-type: none"> • Meeting participants • IEP required considerations and components • Implementation dates • IEP provided to parent prior to implementation • Meetings held annually, or more often if necessary, to review and/or revise the IEP • Annual reviews completed by June 30 • Teachers informed of their responsibilities (knowledge and/or access)
Transition to Adult Life	<ul style="list-style-type: none"> • Beginning at age 14, IEP statement of “transition service needs” • Activities, annual goals and benchmarks relative to the student’s desired outcomes
Graduation	<ul style="list-style-type: none"> • IEP requirements
Programs & Services	<ul style="list-style-type: none"> • Class size • Age range • Groups sizes for Speech

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Areas of Noncompliance – Improvement Plan Review

The following areas were identified by the district’s self-assessment committee as noncompliant. The district must revise the improvement plan for any area where there is an ‘X’ in the ‘Needs Revision’ column.

Section	Area	Plan Is Sufficient	Plan Needs Revision	Implemented and the district has demonstrated compliance
FAPE	<ul style="list-style-type: none"> ▪ Provision of Related Services- The charter school lacks staff which prevents related services from being provided. The improvement plan must be revised to include reasonable timelines to ensure compliance. ▪ Transfer Procedures- The charter school did not have procedures to ensure transfer students receive services without undue delay. 	X	X	
Procedural Safeguards	<ul style="list-style-type: none"> ▪ Implementation without undue Delay- After consent is received, the action for which it is given is not implemented in a timely manner. 	X		
LRI	<ul style="list-style-type: none"> ▪ Referral Process- The charter school’s Intervention and Referral Services committee did not meet regularly. ▪ Pre-referral Interventions- General education teachers do not maintain or provide written documentation of the implementation and effectiveness of interventions. The improvement plan must be revised to include reasonable timelines to ensure compliance. 	X	X	
Reevaluation	<ul style="list-style-type: none"> • Three year timelines- Reevaluation planning meeting dates need to be scheduled prior to the date of the three year timeline. 	X		
IEP	<ul style="list-style-type: none"> ▪ 90 day timelines –IEPs are not implemented 90 days after consent for an initial evaluation. 	X		

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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
LRI	Identification meeting timelines- Referrals were not date stamped or they were missing from student files.	The charter school will revise the improvement plan to include activities to ensure that identification meetings are held within the 20 day timeline. These activities must include documenting the date of receipt of referral by any staff member in the charter school. Files did not contain documentation of the identification meetings conducted within required timelines. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities. Implementation of these activities will ensure that decisions regarding evaluation are made in a timely manner.
LRI	Identification meeting participants- Identification meetings were held without required members.	The charter school will revise the improvement plan to include procedures to ensure all of the required participants attend required meetings and that their participation is documented. The plan must include an administrative oversight component to ensure the consistent, compliant implementation of these procedures. These activities will ensure that all required participants will have the opportunity to participate in decision making.
Evaluation	Educational Impact Statement- Speech-Language reports do not contain an educational impact statement from the classroom teacher.	The charter school will revise the improvement plan to include activities that ensure that the speech-language specialist includes a statement from the classroom teacher documenting the impact of the speech problem on student performance in the classroom. The plan must include an administrative oversight component to ensure consistent implementation of the activities.
Evaluation	Functional Assessments for ESLS- Speech-Language reports do not contain all components of a functional assessment	The charter school will revise the improvement plan to include activities to ensure that evaluations conducted by the speech-language specialist include the components necessary to constitute a functional assessment. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities. Implementation of these activities will ensure eligibility determinations are based on a variety of assessments.

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Section	Area	Activity
Evaluation	Written Reports for ESLS- The ESLS written reports did not include the date the evaluation was given and the date of the report was written.	The charter school will revise the improvement plan to include activities to ensure that reports written by the speech-language specialist include the date of the report, as well as the date of the evaluation. Implementation of these activities will ensure that staff and parents are aware of the timeliness of the evaluations.
Eligibility	Eligibility meeting participants- ESERS and ESLS eligibility meetings were held without the required participants.	The charter school will revise the improvement plan to include activities to ensure that child study team members and the speech-language specialists convene the eligibility meetings with the required participants. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities. This will ensure that all members of the eligibility team have the opportunity to participate in the decision-making process.
Eligibility	Signature of agreement/disagreement- The charter school does not provide personnel with the opportunity to state in writing whether they agree or disagree with eligibility determinations.	The charter school will revise the improvement plan to include activities to ensure that personnel have an opportunity to state in writing whether they agree or disagree with eligibility determinations. Furthermore, 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. These activities will ensure parents are informed of the differing opinions regarding eligibility determinations.
Eligibility	Statement of eligibility for Specific Learning Disability (SLD)- The charter school's eligibility reports for SLD students do not contain a statement of eligibility.	The charter school will revise the improvement plan to include procedures to ensure that the <i>Statement of Eligibility for Specific Learning Disability</i> is developed and maintained in the student's file for all initial evaluations and reevaluations. The plan must include an administrative oversight component to ensure the consistent, compliant implementation of the procedures.

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Section	Area	Activity
Eligibility	Copy of evaluation reports to parents ESERS and ESLS- Evaluation reports are not consistently provided to parents ten days prior to the eligibility meeting.	The charter school will revise the improvement plan to include activities to ensure evaluation reports are provided to parents at least ten days prior to the eligibility meeting. The plan must include an administrative oversight component to ensure the consistent implementation of the activities. Documentation of reports being sent to parents will be kept in students' files. Implementation of these activities will provide parents the opportunity to review the information contained in each report to more effectively participate in the decision-making process.
Transition to Adult Life	Student Invitation- Students are not provided with a written invitation to IEP meetings where transition to adult life is discussed.	The charter school will revise the improvement plan to include activities to ensure that students are provided with a written invitation to IEP meetings when transition to adult life is discussed. These activities must include procedures, in-service training and oversight mechanism to ensure consistent implementation.

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Summary

On-site special education monitoring was conducted in the Learning Community Charter School on September 28, 2004. 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. The charter school is commended for the comprehensive review conducted during the self-assessment process. As a result of that review, the charter school was able to identify nearly all areas of need and develop an improvement plan that will bring about systemic change. The charter school is further commended for the many areas determined by the charter school and verified by the Office of Special Education Programs as compliant with federal and state statutes and regulations.

A review of the charter school's data for students with disabilities indicates that in 2004, the school educated 90% (8 out of 10) students with disabilities in the general education setting for more than 80% of the school day. The number of students classified in 2004 represented only 5% of the school's total population. The charter school identified the referral process as an area of need. Their improvement plan will help them to move towards correcting deficiencies in the referral process.

During interviews conducted with parents by phone, many parents expressed their satisfaction with the charter school's programs and services and staff. Parents were pleased with the administration and faculty at the Learning Community Charter. They felt that their children were receiving a challenging education. Parents also stated that they were valued members of the IEP team.

Standards identified as consistently compliant by the charter school during self-assessment and verified during the on-site monitoring visit included parent training, provision of programs, oversight of individualized education program implementation, extended school year, consent, provision of notice of a meeting, content of notice of a meeting, meetings, provision of written notice, content of written notice, notices in native language, interpreters at meeting, independent evaluations, child find, direct referrals, health summary, vision and hearing screenings, multi-disciplinary evaluations, standardized assessments, functional assessments (ESERS), bilingual evaluations, written reports (ESERS), reevaluation when change of eligibility is considered, planning meeting participants, procedures when parental consent cannot be obtained, documentation of efforts to obtain parental consent, eligibility meetings, eligibility criteria, annual review meeting participants, IEP required considerations and components, implementation dates, IEP provided to parent prior to implementation, meetings held annually or more often if necessary to review and/or revise the IEP, annual reviews completed by June 30, teachers informed of their responsibilities (knowledge and/or access), IEP statement of "transition service needs", annual goals and benchmarks relative to the student's desired outcomes, IEP graduation requirements, class size, age range and groups sizes for speech.

Areas identified as consistently compliant by the charter school during self-assessment and verified during the on-site monitoring visit included Least Restrictive Environment, Discipline and Statewide Assessment.

During the self-assessment process, the charter school identified areas of need regarding provision of related services, transfer procedures, implementation without

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undue delay, referral process, pre-referral Interventions, three-year timelines and 90 day timelines.

The on-site visit identified additional areas of need within the various standards, regarding identification meeting timelines, identification meeting participants, educational impact statement, functional assessments for students eligible for speech language services (ESLS), written reports for ESLS, eligibility meeting participants, signature of agreement/disagreement, statement of eligibility for Specific Learning Disability, copy of evaluation reports to parents and student invitation to meetings where transition is discussed.

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