

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

**Every District:** chARTer~Tech High School for the Performing Arts

**County:** Atlantic County

**Monitoring Dates:** October 29 and November 1, 2004

**Monitoring Team:** Kenneth Richards

***Background Information:***

During the 2003–2004 school year, the chARTer~Tech High School for the Performing Arts conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the chARTer~Tech High School for the Performing Arts 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 chARTer~Tech High School for the Performing Arts 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 chARTer~Tech High School for the Performing Arts on September 21, 2004. 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 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 administrator/ building principal, general education and special education teachers, speech therapist and school psychologist.

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### *Charter School Strengths:*

The charter school is commended for the diversity of their performing arts program. The program affords every student opportunity to develop his or her interests and talents in a particular art. Students are encouraged to get involved in special projects such as showcases, crews for “TV” shoots, location trips, performances in the community and many cross-curricular activities. The success rate of students is high with many students placed in secondary and professional art schools following graduation.

The charter school also provides students with accessibility to computers in all academic classes. General and special education students have computers available to them at all times for class work, remedial activities, testing, etc. A specialized computer has been installed in the Animation Lab to make technology more accessible to diverse learners.

### *Data Summary:*

The charter school’s 2002-2003 classification rate for students eligible for special education and related services of 12.2% (25 of 205 enrolled students) was below the state average of 14.3%. The charter school has a two year trend of being below the state classification average. The percentage of students with disabilities participating in general education instruction more than 80% of the day is 84% (21 students) as compared to the state average of 41.6 %. The charter school has consistently exceeded the state average in this area over a three year period. As the charter school’s reputation has grown, enrollment, for both general education and students with disabilities, has increased since opening in 1999.

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

**Reevaluation** and **Student Records** were determined to be areas 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 compliance in the areas of policies and procedures and dissemination of IDEA information.

During the self-assessment process, the charter school identified concern in the area of staff development. The charter school’s improvement plan is sufficient to address this area of need.

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

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

**Summary of Findings:**

During self-assessment, the charter school accurately identified compliance in the areas of extended school year, length of school day, facilities and certification.

During the self-assessment process, the charter school identified concerns in the areas of provision of related services and transfer students. The charter school's improvement plan is sufficient to address the area of provision of related services. **The charter school's improvement plan is insufficient to address the area of transfer students because it lacks activities to ensure that a review of evaluations and the IEP is conducted by the child study team. Additionally, the improvement plan lacks activities to ensure that when a transfer student's records are incomplete or unavailable, the child study team completes any evaluations necessary to determine appropriate placement in the charter school. The plan needs to be revised to include this component.**

An additional area of need was identified during the on-site visit regarding goals and objectives for related services.

**Area of Need:**

**Related Services** – During the on-site monitoring process, information obtained through record review and the interview process determined that related service goals and objectives are not consistently documented in the IEP.

- **The charter school will revise its improvement plan to include procedures to ensure individualized related service goals and objectives are included in the IEP. Implementation of these activities will ensure specific and individualized goals and objectives are developed by the full IEP team. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.**

***Section III: Procedural Safeguards***

**Summary of Findings:**

During self-assessment, the charter school accurately identified compliance in the areas of surrogate parent, consent, native language, interpreters and independent evaluations.

During the self-assessment process, the charter school identified concerns in the areas of written notice. The charter school did not submit an improvement plan in this area and is directed to do so.

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Additional areas of need were identified during the on-site visit regarding notice of meeting and written notice.

### **Areas of Need:**

**Notice of Meeting** - During the on-site monitoring process, information obtained through record review determined that notice of meeting does not consistently inform the parent and adult student that the IEP meeting will include the development of a transition plan.

- **The charter school will revise its improvement plan to include activities to ensure transition planning is included in the notice of meeting when required. It is recommended that the charter school adopt the notice of meeting forms developed by the Office of Special Education. Implementation of these activities will ensure the parent and student have opportunity to prepare for discussions and planning that will take place at the meeting. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.**

**Written Notice** - During the on-site monitoring process, information obtained through the interview process and record review determined that due process hearing rules (N.J.A.C.1:6A) are not provided when a determination is made to conduct or not conduct an initial evaluation.

- **The charter school will revise its improvement plan to include activities to ensure due process hearing rules are provided to the parent and adult student when a determination to conduct or not conduct an initial evaluation is made. Implementation of these activities will ensure the parent and student are informed of their rights. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.**

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

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

During self-assessment, the district accurately identified compliance in the areas of direct parent and staff referrals.

During the self-assessment process, the district identified concerns in the areas of identification meeting timelines and participants, pre-referral interventions, vision and hearing screenings, and health summary. The charter school's improvement plan is sufficient to address the area of vision and hearing screenings, health summary and pre-referral interventions. **The charter school's improvement plan is insufficient to address the areas of identification meeting timelines and participants because it lacks an administrative oversight component to ensure the entire child study team is in attendance at the identification meeting. The plan needs to be revised to include this component.**

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

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

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

During self-assessment, the charter school accurately identified compliance in the areas of multi-disciplinary evaluations, standardized assessments, functional assessments, bi-lingual evaluations and written reports.

An area of need was identified during the on-site visit regarding acceptance and rejection of reports.

#### **Area of Need:**

**Acceptance and Rejection of Reports** – During the on-site monitoring process, information obtained through record review and the interview process determined that when a student transfers into the charter school, the child study team does not conduct a review of evaluation material and the IEP and document their acceptance or rejection of the written reports and assessments. The barrier identified was the lack of availability of the child study team to conduct such a review.

- **The charter school will revise its improvement plan to include activities to ensure the child study team reviews evaluations and the IEP of students transferring into the charter school and documents the review in the student's records. Implementation of these procedures will ensure a thorough review and consideration of reports and IEP by the charter school and if rejected, the rational for rejection. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.**

### ***Section VII: Eligibility***

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

During self-assessment, the district accurately identified compliance in the areas of meetings, participants, statement of eligibility and criteria.

Areas of need were identified during the on-site visit regarding signature of agreement / disagreement and rational and evaluation reports to parents ten days prior to a meeting.

#### **Areas of Need:**

**Signature of Agreement/Disagreement and Rational** - During the on-site monitoring process, information obtained through record review and interview process determined

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that the entire team determining eligibility does not document in writing their agreement or disagreement with the eligibility determination. The charter school was not fully aware of this code requirement.

- **The charter school will revise its improvement plan to include activities to ensure team members involved in the process of determining eligibility certify in writing their agreement or disagreement with eligibility determinations. Implementation of these activities will ensure parents and students are provided with the information regarding dissenting opinions and the reason for that dissent. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.**

**Provision of Reports to Parents Ten Days Prior to a Meeting** - During the on-site monitoring process, information obtained through record review and interview process determined that evaluation reports are not consistently provided to parents at least ten days prior to a meeting.

- **The charter school will revise its improvement plan to include activities to ensure evaluation reports are provided to the parent at least ten days prior to a meeting. Implementation of these activities will ensure the parent is provided sufficient time to review the report prior to the meeting. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the procedure.**

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

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

During self-assessment, the charter school accurately identified compliance in the areas of meetings, annual review timelines, PLEP and teacher access and knowledge of IEPs.

During the self-assessment process, the charter school identified concerns in the areas of meeting participants, implementation dates for related services and ninety-day timelines. The charter school's improvement plan is sufficient to address the area of meeting participants. The charter school's improvement plan is insufficient to address the area implementation of the IEP (speech therapy) because the plan lacks sufficient activities to ensure speech therapy commences at the beginning of the beginning of the school year and is provided through out the school year to a time mutually agreed upon by the IEP team. The plan needs to be revised to include this component. The charter school's improvement plan is insufficient to address the area of ninety day timelines because it lacks an administrative oversight component to ensure the IEP is implemented within ninety days of obtaining parental consent to evaluate. The plan must revised to include this component.

Additional areas of need were identified during the on-site visit regarding age of majority, goals and objectives related to the Core Curriculum Content Standards.

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**Area of Need:**

**Age of Majority** - During the on-site monitoring process, information obtained through record review determined that age of majority is not consistently documented in the IEP three years prior to age eighteen.

- **The charter school will revise its improvement plan to include activities to ensure age of majority is documented in the IEP three years prior to reaching age eighteen. Implementation of these activities will ensure the parent and adult student are informed of the transfer of rights to the student at age eighteen. The plan must include an administrative oversight component to ensure consistent implementation of the procedure.**

**Goals and Objectives/Core Curriculum Content Standards** - During the on-site monitoring process, information obtained through record review determined that goals and objectives are not consistently aligned with the Core Curriculum Content Standards.

- **The charter school will revise its improvement plan to include activities to ensure goals and objectives are aligned with the Core Curriculum Content Standards. Implementation of these activities will ensure goals and objectives are aligned with the general education curriculum. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.**

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

During the self-assessment the charter school accurately identified themselves compliant in the areas of decision-making process, least restrictive environment documentation, general education access and continuum of programs.

**Supplemental Support** - During the on-site visit, information obtained through the interview process determined that students are fully included in the general education programs offered by the charter school. However, staff members indicated that additional supports in the classroom are needed for some students.

- **The charter school will revise its improvement plan to include activities to ensure that appropriate supports are discussed and documented in each student's IEP. The plan must include an oversight mechanism to ensure that supports are provided as indicated in IEPs.**

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

**Summary of Findings:**

During self-assessment, the charter school accurately identified compliance in the areas of age fourteen transition service needs, preferences and interests, student and agency invitation.

No additional areas of need were identified during the on-site visit regarding age sixteen needed transition services.

**Section X: Transition to Preschool**

The chARTer~Tech High School for the Performing Arts is a high school and preschool transition is not applicable.

**Section X: Discipline**

**Summary of Findings:**

During self-assessment, the charter school accurately identified compliance in the areas of disciplinary procedures, suspension tracking, Functional Behavior Assessment/Behavior Intervention Plan, manifestation determination and interim alternative educational setting.

An area of need was identified during the on-site visit regarding notification to the case manager.

**Area of Need:**

**Notification to the Case Manager** - During the on-site monitoring visit, information obtained through the interview process determined that the case manager is not notified in writing of each student's suspension and reason for such action.

- **The charter school will revise its improvement plan to include activities to ensure the case manager is promptly informed in writing of each student's suspension and reason for suspension. Implementation of these activities will ensure the case manager is made aware of each suspension when it occurs. The plan must include an administrative oversight component to ensure the consistent implementation of the procedures.**

**Section XII: Statewide Assessment**



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### **Summary of Findings:**

During self-assessment, the district accurately identified compliance in the areas of participation, accommodations and modifications, IEP documentation and alternative assessment.

During the self-assessment process, the charter school identified concern in the area of increased student performance and success in the HSPA in math, science and language arts literacy.

**The charter school's improvement plan is insufficient because it lacks an administrative oversight component to review the effectiveness of the plan. The plan must be revised to include this component.**

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 compliance in the area of written notice of graduation.

An area of need was identified during the on-site visit regarding IEP requirements.

#### **Area of Need:**

**IEP Requirements** - During the on-site monitoring visit, record review determined that beginning at age fourteen, the IEP does not include documentation of high school graduation requirements.

- **The charter school will revise its improvement plan to include activities to ensure high school graduation requirements are documented in the IEP beginning at age fourteen. Implementation of these activities will ensure the parent and adult student are made fully aware of the requirements that would qualify the student for a State endorsed diploma issued by the charter school. The plan must include an administrative oversight component to ensure the consistent implementation of the procedure.**

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

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

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During self-assessment, the charter school accurately identified compliance in the areas of class size, age range, home instruction, common planning time, and group size for speech.

During the self-assessment process, the charter school identified concerns in the areas of staffing of the child study team and program description. **The charter school must ensure that the program descriptions are submitted to the county office of education for review.** The improvement plans pertaining to staffing of the child study have been addressed in other sections of the report where the lack of availability of the child study team has resulted in non compliance with code requirements.

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

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### **Summary**

On-site special education monitoring was conducted in the chARTer~Tech High School for the Performing Arts on October 29 and November 1, 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 areas of need and develop an improvement plan that with some revision 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.

The charter school's enrollment, including students classified eligible for special education and related services increased since opening in 1999. The need for case management has doubled over the last three years. Students with disabilities are included in all program areas and benefit from small class size and hands on instruction. Information obtained through the self-assessment process, at the parent focus group meeting and information obtained during the on-site monitoring process identified need for increased staffing in the areas of child study team support and support in the general education classroom. The charter school's classification rate is below the state average and participation in general education classes exceeds the state average.

At a focus group meeting held prior to the monitoring visit, parents expressed their satisfaction with many of the charter school's programs and services. The focus group meeting was scheduled to precede the charter school's back to school night and as a result, parent turnout was high. The charter school places strong emphasis on the performing arts and parents are pleased with the programs offered to students. Parents also expressed confidence that the students receive instruction in the performing arts that will result in positive post secondary outcomes. Parents stated that students with disabilities have access to all programs and spoke highly of the diversity of programs. A strength of the charter school is the amount of hands on instruction and the level and expertise of instruction in the performing arts. Parents did express concern about the amount of support provided to students in the general education classroom. Parents stated that additional staff support is needed for students to have opportunity to receive maximum benefit from the general education and special education programs offered. Specific areas cited by parents included reading and note taking.

Reevaluation, and Student Records were sections demonstrating compliance with all standards.

Areas identified as consistently compliant by the district during self-assessment and verified during the on-site monitoring visit included policies and procedures, dissemination of IDEA information, extended school year, length of school day/year, facilities, certifications, surrogate parents, consent, native language, interpreters, independent evaluations, direct referrals, multi-disciplinary evaluations, standardized assessments, functional assessments, bi-lingual evaluations, written reports, eligibility meetings and participants, criteria, annual review timelines, meetings, PLEP, teacher

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knowledge and access, individual decision-making process, least restrictive environment documentation, regular education access, continuum, age fourteen transition service needs, interests and preferences, student and agency invitation, discipline procedures, suspension tracking, functional behavior assessment/behavior management plan, manifestation determination, interim alternative educational setting, participation in statewide assessment, accommodations and modifications, alternative assessments, documentation in the IEP, written notice of graduation, class size, age range, group size for speech and home instruction,

During the self-assessment process, the district identified areas of need regarding staff development, provision of related services, transfer students, written notice, identification meeting timelines and participants, pre-referral interventions, vision and hearing screenings, health summary, annual review meeting participants, ninety day timelines, implementation dates (related services), and child study team staffing.

The on-site visit identified additional areas of need within the various standards regarding related services, notice of meeting, acceptance and rejection of reports, signature of agreement-disagreement, evaluation reports to parents at least ten days prior to a meeting, age of majority, goals and objectives/Core Curriculum Content Standards, support in the general education classroom, age sixteen needed transition services, disciplinary notification to case manager, and documentation of graduation requirements in the IEP.

Within forty-five days of receipt of the monitoring report, the chARTer~Tech High School for the Performing Arts will revise and resubmit the improvement plan to the Office of Special Education Programs to address those areas that require revisions.