

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

Charter school: PACE Charter School

County: Mercer

Monitoring Dates: January 8 & 21, 2004

Monitoring Team: Nicole Buten and Barbara Tucker

Background Information:

During the 2002–2003 school year, the PACE Charter School conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the PACE 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 PACE 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 PACE Charter School on January 12, 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 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 all student records. Interviews were conducted with the charter school's special education administrator, building principal, lead person, general education and special education teachers and child study team members.

Charter School Strengths:

The charter school is commended for their “buddy program” where the school pairs older students with younger students to provide mentoring and assistance in a variety of different areas such as homework assistance, peer group issues and emotional support.

The charter school is also commended for implementing a monthly community service project where all students participate in community activities such as cleaning up local

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areas, making floral arrangements as centerpieces for a neighboring geriatric center and collecting bottled water to send to troops overseas.

Data Summary:

The PACE Charter School data report and students' IEPs indicated that a total of eleven students receive special education and/or related services. Of the eleven, six are classified as speech only students. The other five classified students are in general education for more than 80% of the school day. During the on-site monitoring it was determined that the school employs only one special education teacher. As a result, the child study team with which the charter school contracts (Hunterdon County Educational Services Commission) indicated that the only program they could propose was one of supplemental instruction, whether that program was appropriate for the student or not.

Areas Demonstrating Compliance With All Standards:

Reevaluation, Discipline, Statewide Assessment 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

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

During the self-assessment process, the district identified concerns in the areas of staff training. The district's improvement plan is sufficient to address this area of need.

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

Section II: Free, Appropriate Public Education (FAPE)

Summary of Findings:

During self-assessment the charter school accurately identified themselves compliant in the areas of length of the school day/year, documentation of frequency/location/duration, certifications, extended school year and facilities.

During the self-assessment process, the district identified concerns in the areas of related services goals and objectives. The district's improvement plan is sufficient to address this area of need.

Additional areas of need were identified during the on-site visit regarding the provision of speech/language services and transfer students.

Area(s) of Need:

Provision of Speech Therapy - During the on-site monitoring it was determined through record review that the speech language therapist with which the charter school

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contracts did not begin speech services on the date specified in students' IEPs, but rather began approximately one month later due to scheduling conflicts.

- **The charter school will revise its improvement plan to include activities to ensure that speech services begin on the date specified in the student's IEP. The implementation of these activities will result in students receiving the maximum educational benefit from their program. Additionally, the charter school must identify the manner in which it will provide compensatory services to those students who did not receive the services they were entitled to receive. The improvement plan must include an administrative oversight component to ensure implementation of the plan.**

Transfer Students - During the on-site monitoring it was determined through staff interviews and record review that because staff are not aware of the procedures set forth in N.J.A.C. 6A:14-4.1(g), that require the child study team to conduct an immediate review of the IEP and evaluation material, transfer students do not receive services required by their IEPs in a timely manner.

- **The charter school will revise its improvement plan to include activities to ensure that when a special education student transfers into the charter school, the child study team conducts an immediate review of the student's IEP and implements the IEP as written, or, develops an interim IEP that is consistent with the student's current program. Implementation of these activities will ensure that the charter school provides the appropriate educational programs and services for students who transfer into the charter school without undue delay. The improvement plan must include an administrative oversight component to ensure implementation of the plan.**

Section III: Procedural Safeguards

Summary of Findings:

During self-assessment the charter school accurately identified themselves compliant in the areas of native language, interpreters at meetings, independent evaluations, consent and surrogate parents.

Areas of need were identified during the on-site visit regarding notices of meetings and written notices.

Area(s) of Need:

Notices of Meetings/Written Notices - During the on-site monitoring it was determined through record review that HCESC does not provide notice of meetings and/or written notice when required. Furthermore, the notices that are sent do not contain all of the required components.

- **The charter school will revise its improvement plan to include activities to ensure that the HCESC provides notice of meetings and/or written notice each time it is required. The implementation of these activities will ensure parents are have the opportunity to participate in meetings and in the decision-making process as well as being fully informed of the actions the IEP team is**

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proposing. It is recommended that the HCESC adopt the notices developed by the Office of Special Education Programs (OSEP). The improvement plan must include an administrative oversight component to ensure implementation of the plan.

Section IV: Location, Referral and Identification

Summary of Findings:

During self-assessment the charter school accurately identified themselves compliant in the areas of referral process, pre-referral interventions, direct referrals and vision and hearing screenings.

Areas of need were identified during the on-site visit regarding Child Find, health summaries and identification meetings.

Area(s) of Need:

Child Find - During the on-site monitoring it was determined through staff interviews that charter school personnel were not aware of their obligation to conduct child find activities within the school.

- **The charter school will revise its improvement plan to include procedures to ensure that it conducts Child Find activities to locate, refer and identify students within the charter school who may require special education services. The improvement plan must include an administrative oversight component to ensure implementation of the plan.**

Health Summaries - During the on-site monitoring it was determined that because the charter school does not currently employ a full-time, school certified nurse, a summary of health and medical information for students referred to the child study team is not conducted. As a result, the team may not have the necessary information to determine whether an evaluation is warranted or the nature and scope of the evaluation.

- **The charter school will revise its improvement plan to include activities to ensure that a full-time, school certified nurse is employed. The charter school will further revise its improvement plan to include activities to ensure the school nurse summarizes all available health/medical information for every student referred to the child study team for an evaluation. The implementation of these activities will ensure the identification team has the necessary information prior to the evaluation planning meeting to identify suspected areas of disabilities and to determine assessments needed to make appropriate eligibility determinations. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Identification Meetings - During the on-site monitoring it was determined through interviews with staff and record review that identification meetings are not conducted within 20 days of receipt of referrals. Additionally, it was determined during the on-site monitoring that the speech therapist does not convene identification meetings for students referred for speech problems.

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- **The charter school will revise its improvement plan to include activities to ensure that identification meetings are conducted within 20 days of receipt of a referral to review existing data and determine whether an evaluation is warranted. The implementation of these activities will ensure the timely identification of potentially disabled students as well as the development of a plan to assess the identified area(s) of suspected disability. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

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 multidisciplinary evaluations, standardized assessments, bilingual evaluations and acceptance/rejection of reports.

Areas of need were identified during the on-site visit regarding functional assessments and written reports.

Area(s) of Need:

Components of Functional Assessment - During the on-site monitoring it was determined through interviews with staff and review of records that evaluation reports do not include student observations and interventions documented by the classroom teacher. Child study team members from the HCESC indicated during the interview process that they were unaware of the required components identified in N.J.A.C. 6A:14-3.4(d)2.

- **The charter school will revise its improvement plan to include activities to ensure that functional assessments contain all required components identified in N.J.A.C. 6A:14-3.4(d)2. Implementation of these activities will ensure eligibility determinations are based on all required data obtained through the assessment process. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Written Reports - During the on-site monitoring it was determined through record review and interviews with staff that the speech language specialist with whom the charter school contracts does not consistently develop written reports after conducting an assessment.

- **The charter school will revise its improvement plan to include activities to ensure that the speech language specialist with whom the charter school contracts consistently develops written reports after conducting an assessment. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the 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 criteria, documentation of the eligibility statement for students with a specific learning disability (SLD) and copy of evaluation reports to parents within ten days prior to a meeting.

Areas of need were identified during the on-site visit regarding agreement/disagreement with eligibility and meeting participants.

Area(s) of Need:

Agreement/Disagreement with Eligibility - During the on-site monitoring it was determined through record review that members of the HCESC do not document agreement/disagreement with eligibility determinations and, in the event of disagreement, provide a rationale for that disagreement.

- **The charter school will revise its improvement plan to include activities to ensure that at eligibility meetings child study team members document their agreement or disagreement with eligibility determinations. The inclusion of this component will ensure that charter school personnel have an opportunity to state in writing whether they agree or disagree with eligibility determinations and to provide a rationale for any disagreements and that parents are fully informed of differing opinions regarding these eligibility determinations. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Meeting Participants - During the on-site monitoring it was determined through record review that the special education teacher does not consistently attend IEP meetings because of scheduling issues.

- **The charter school will revise its improvement plan to include activities to ensure the special education teacher attends IEP meetings. Implementation of these activities will ensure parents have the opportunity to discuss the provision of special education programs and services with staff having knowledge of special education. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section VIII: Individualized Education Program (IEP)

Summary of Findings:

During self-assessment the charter school accurately identified themselves compliant in the area of annual review timelines.

During the self-assessment process, the charter school identified a concern in the area of required statements/considerations. **The charter school's improvement plan is insufficient to address this area of need because it lacks activities and an**

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administrative oversight component to ensure that all required statements/considerations are included in students' IEPs. It is recommended that the Hunterdon County Educational Services Commission adopts the IEP format developed by the Office of Special Education Programs (OSEP). The plan needs to be revised to include these components.

Additionally, the charter school identified a concern in the area of goals and objectives. **The charter school's improvement plan is insufficient to address this area of need because it lacks activities and an administrative oversight component to ensure that goals and objectives are individualized and included in each student's IEP. The plan needs to be revised to include these components.**

An additional area of need was identified during the on-site visit regarding 90-day timelines.

Area(s) of Need:

90-Day Timelines - During the on-site monitoring it was determined through staff interviews and record review that HCESC does not complete initial evaluations within 90 calendar days of receiving parental consent.

- **The charter school will revise the improvement plan to include activities to ensure that initial evaluations are completed within 90 calendar days as required by N.J.A.C. 6A:14-3.4(c). The implementation of these activities will ensure that students who are determined eligible for special education and/or related services receive the programs and services to address all identified needs in a timely manner. The plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

Section IX: Least Restrictive Environment (LRE)

Summary of Findings:

During self-assessment the charter school accurately identified themselves compliant in the areas of regular education access and nonacademic/extracurricular activities.

During the self-assessment process, the charter school identified a concern in the area of the full continuum of placement options. **The charter school's improvement plan is insufficient to address this area of need because it lacks activities to ensure that programs are developed or existing programs are expanded to effectively address the individual needs of students. The plan needs to be revised to include these activities.**

Additionally, the charter school identified a concern in the area of the individualized decision-making process. **The charter school's improvement plan is insufficient to address this area of need because it lacks activities to ensure that placement decisions made by its contracted team are based on the individual needs of students and not on program availability. The plan needs to be revised to include these activities.**

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

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Section X: Transition to Post-School is not applicable in this K-3 charter school.

Section X: The charter school does not have a preschool program.

Section XIII: Graduation is not applicable in this K-3 charter school.

Section XIV: Programs and Services

Summary of Findings:

During self-assessment the charter school accurately identified themselves compliant in the areas of class size and age range waivers, home instruction and instructional/personal aides.

Areas of need were identified during the on-site visit regarding group sizes for speech therapy and case management responsibilities.

Area(s) of Need:

Group Sizes (Speech Therapy) - During the on-site monitoring it was determined through staff interviews and record review that the charter school does not specify whether a student will receive speech services in a group or individually.

- **The charter school will revise its improvement plan to include activities to ensure that the charter school specifies in the student's IEP whether that student will receive speech services in a group or individually. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Case Management Responsibilities - During the on-site monitoring it was determined through staff interviews that although the special education teacher is available for consultation with regular education teachers, the HCESC case manager is not. As a result, IEPs are not being monitored by any team member as required by code.

- **The charter school will revise its improvement plan to include activities to ensure that case management responsibilities are assumed by a member of HCESC child study team. Implementation of these activities will ensure IEPs are properly monitored by a code-mandated individual to further ensure any needed changes are promptly identified and addressed through the IEP process. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

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Summary

On-site special education monitoring was conducted in the PACE Charter School on January 8, 2004 and January 21, 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.

At a focus group meeting held prior to the monitoring visit, the one parent that attended expressed satisfaction with the charter school's program and the open communication with staff members and administrators.

Areas identified as consistently compliant by the charter school during self-assessment and verified during the on-site monitoring visit included policies and procedures, dissemination of public information, length of the school day/year, documentation of frequency/location/duration, facilities, areas of native language, interpreters at meetings, independent evaluations, consent, surrogate parents, referral process, pre-referral interventions, direct referrals, vision and hearing screenings, multidisciplinary evaluations, standardized assessments, bilingual evaluations, consent, acceptance/rejection of reports, multidisciplinary evaluations, standardized assessments, bilingual evaluations, acceptance/rejection of reports, criteria, documentation of the eligibility statement for students with a specific learning disability (SLD) and copy of evaluation reports to parents within ten days prior to a meeting, annual review timelines, regular education access, nonacademic/extracurricular activities, class size and age range waivers, home instruction and instructional/personal aides.

During the self-assessment process, the charter school identified areas of need regarding staff training, related services goals and objectives, required statements/considerations, goals and objectives, full continuum of placement options, and the individualized decision-making process.

The on-site visit identified additional areas of need within the various standards regarding the provision of speech/language services, transfer students, notices of meetings, written notices, Child Find, health summaries, identification meetings, functional assessment, written reports, agreement/disagreement with eligibility and meeting participants, 90-day timelines, group sizes for speech therapy and case management responsibilities.

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