

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

Charter School: Queen City Charter School

County: Union

Monitoring Dates: September 10, 2003

Monitoring Team: Deborah Masarsky, Barbara Tucker

Background Information:

During the 2002–2003 school year, the Queen City Charter School conducted a partial self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process was designed to provide the Queen City Charter School with an opportunity to evaluate its strengths and areas of need. **However, the staff of the Queen City Charter School only completed the first four sections of the fifteen section self-assessment document. Additionally, though the charter school had identified some areas of need, they failed to develop an improvement plan.**

The Office of Special Education Programs (OSEP) conducted a comprehensive on-site monitoring to verify the self-assessment findings and to review the other areas the charter school failed to review during the first year of this process.

The New Jersey Department of Education (NJDOE) held a focus group meeting for parents and community members at the Queen City Charter School on September 10, 2003. Information obtained from that meeting was used to direct the focus of the monitoring visit.

The NJDOE team conducted interviews, reviewed charter school documents, including charter school policies and procedures, all student files, student count information, master student lists, class lists, schedules of students, teachers, related service personnel and other relevant information.

Data Summary:

The Queen City Charter School data report and students' IEPs indicated that only six students are classified as eligible for special education programs and services. All six students are in general education for more than 80% of the school day. However, during the on-site monitoring it was determined that because the school employs only one special education teacher, all students with disabilities are placed in an in-class support program, whether that program meets their needs or not.

No findings could be made in the areas of **Reevaluation and Discipline** because the charter school has not suspended any student to date and none of the six students with disabilities have been reevaluated.

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Section I: General Provisions

Summary of Findings:

During self-assessment the charter school accurately identified themselves compliant in the area of dissemination of public information.

Areas of need were identified during the on-site visit regarding the required signed Statement of Assurances and policies and procedures.

Area(s) of Need:

Policies/Procedures/Statement of Assurances - During a consultation with the Union County Supervisor of Child Study, it was determined that the charter school does not have approved policies and procedures. Additionally, the required Statement of Assurances has not been signed and submitted to the county office.

- **The charter school will immediately submit their policies and procedures and signed statement of assurances to the Union County Office of Education for review and approval.**

Section II: Free, Appropriate Public Education (FAPE)

Summary of Findings:

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

During the self-assessment process, the charter school identified concerns in the areas of provision of speech/language, counseling and occupational therapy. **The charter school failed to submit a plan to address these areas of need. The charter school will develop activities to ensure they have sufficient staff to provide related services on a consistent basis. The plan must also include a mechanism to provide compensatory services to those students who did not receive services in accordance with their IEPs.** The charter school further identified issues regarding the appropriate review of evaluation materials and IEPs and the appropriate placement of students who are transferring into the school. **The charter school failed to develop a plan to address this area of need. The charter school will develop activities to ensure special education records are immediately reviewed by the full child study team to determine an appropriate placement for a student who is transferring into the school.**

Additional areas of need were identified during the on-site visit regarding extended school year, beginning/ending dates of speech/language services and provision of programs as required in students' IEPs.

Area(s) of Need:

Extended School Year - During the on-site monitoring it was determined that extended school year (ESY) is not considered for any student at IEP meetings.

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- **The charter school will develop an improvement plan to include procedures and training to ensure that ESY is considered for all students. The procedures and training will result in the discussion of the need for ESY as well as the inclusion of the criteria used to determine the need for ESY services, the description of the ESY program, beginning and end dates of the ESY program in the IEP and the provision of the ESY program.**

Beginning/Ending Dates of Speech/Language Services - During the on-site monitoring it was determined that the team with which the charter school contracts for child study team services does not include in the IEP the beginning and ending dates for speech/language services. Instead the IEP states that the service will "...begin immediately" and "...end when goals are met."

- **The charter school will develop an improvement plan to include activities to ensure the child study team member of the IEP team identifies specific beginning and ending dates for the provision of speech and language services. The implementation of these activities will result in students receiving the maximum educational benefit from their program. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

Provision of Programs - During the on-site monitoring it was determined that the charter school does not consistently provide the programs required by IEPs because it only employs one special education teacher. As a result some students who may require pull-out programs are placed in in-class settings without reconvening an IEP meeting and without providing written notice of the proposed change in placement.

- **The charter school will immediately reconvene IEP meetings to determine whether the IEP needs to be revised or whether the school needs to provide the program identified in the IEPs. Additionally, the charter school will develop an improvement plan to include activities to ensure they have sufficient staff to consistently provide resource programs as specified in students' IEPs. This activity will ensure that students with disabilities receive the program agreed to by the parents. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section III: Procedural Safeguards

Summary of Findings:

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

Areas of need were identified regarding parental consent to evaluate for students eligible for speech/language services and content/provision of notices.

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Area(s) Need:

Parental Consent to Evaluate - During the on-site monitoring it was determined that the speech therapist obtains only verbal consent to conduct an evaluation.

- **The charter school will develop an improvement plan to include activities to ensure written parental consent is obtained prior to conducting any evaluation. The implementation of these activities will result in parents being fully informed of the reasons and the actions to which they are granting consent. The plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

Content/Provision of Notices - During the on-site monitoring it was determined that written notice is not provided when required nor do these notices contain all of the required components.

- **The charter school will develop an improvement plan to include activities to ensure the CST provides written notice when required. The implementation of these activities will result in parents being fully informed of the actions the charter school is proposing and will afford parents the right to agree or disagree with these proposals. It is recommended the child study team adopts 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 area of direct referrals from staff.

During the self-assessment process the charter school identified a concern in the area of pre-referral interventions because regular education teachers are not documenting the effectiveness of the pre-referral interventions they are implementing. **The charter school failed to develop activities to address this area of need. The charter school will develop activities to ensure members of the charter school document the effectiveness of their interventions to determine whether these interventions are successful or require revisions.**

Additional areas of need were identified during the on-site visit regarding child find activities, health/medical summaries, vision/hearing screenings and convening identification meetings for students eligible for speech/language services.

Area(s) of Need

Child Find Activities - During the on-site monitoring it was determined that the charter school does not conduct child find activities.

- **The charter school will develop an improvement plan to include procedures and staff training to ensure that it conducts child find activities to locate,**

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refer and identify students within the school who may require special education services.

Health/Medical Summaries and Vision/Hearing Screenings - During the on-site monitoring it was determined that the charter school's nurse does not conduct vision and hearing screenings nor does she summarize health and medical information for students referred to the child study team.

- **The charter school will develop an improvement plan to include activities to ensure that for every student referred to the child study team for evaluation, the school nurse summarizes all available health/medical information and conducts vision/hearing screenings. The implementation of these activities will result in the team having 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.**

Convening Identification Meetings - During the on-site monitoring it was determined that the speech therapist does not convene identification meetings for students referred for speech problems.

- **The charter school will develop an improvement plan to include activities to ensure identification meetings are conducted within 20-days of receipt of a referral by an appropriately configured team to review existing data and determine whether an evaluation is warranted. The implementation of these activities will result in the identification of potentially disabled students or in the development of a plan to address the identified area within the general education setting without special education services. 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 the on-site monitoring, standardized assessments, bilingual evaluations and acceptance/rejection of outside reports were determined to be compliant.

Areas of need were identified during the on-site visit regarding functional assessments, multi-disciplinary evaluations for students eligible for speech and language services and signed/dated evaluation reports.

Area(s) of Need:

Functional Assessments - During the on-site monitoring it was determined that the Union County Educational Services Commission child study team and the speech therapist do not include the required components of a functional assessment in their evaluation reports.

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- The charter school will develop an improvement plan to include activities to ensure that the team with which it contracts to provide child study team services and the speech therapist include the required components of functional assessments in their reports. Implementation of these activities will ensure that evaluators include all assessments needed to make appropriate eligibility determinations and develop an appropriately written report as required by N.J.A.C. 6A:14-3.4(d)2. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.

Multi-Disciplinary Evaluations - During the on-site monitoring it was determined that for students eligible for speech and language services the speech therapist does not obtain a written educational impact statement from the classroom teacher that demonstrates how the speech problem impacts the student's ability to acquire educational skills.

- The charter school will develop an improvement plan to include activities to ensure that the speech therapist obtains the written educational impact statement from the classroom teacher and includes the statement in assessment reports to fulfill the requirement for multidisciplinary evaluations in accordance with N.J.A.C. 6A:14-3.4(d). Implementation of these activities will ensure that only those students who demonstrate a speech problem that impacts their ability to acquire educational skills are evaluated and/or determined eligible for speech/language services. The plan must include an administrative oversight component to ensure consistent implementation of the activities.

Signed/Dated Evaluation Reports - During the on-site monitoring it was determined that the Union County Services Commission child study team and the speech therapist do not sign and date their evaluation reports. As a result, it cannot be determined when these reports were developed.

- The charter school will develop an improvement plan to include activities to ensure that the team with which it contracts and the speech therapist sign and date evaluation reports when developed.

Section VII: Eligibility

Summary of Findings:

During the on-site monitoring, eligibility criteria and the statement of eligibility for specific learning disability were determined to be compliant.

Areas of need were identified during the on-site monitoring regarding the provision of evaluation reports to parents at least 10 days prior to the eligibility meeting, conducting eligibility meetings for speech and language students and documenting agreement/disagreement with eligibility determinations.

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Area(s) of Need:

Provision of Evaluation Reports - During the on-site monitoring it was determined that the Union County Educational Services Commission child study team does not provide copies of the evaluation report(s) to parents at least 10 days prior to the eligibility meeting.

- **The charter school will develop an improvement plan to include activities to ensure that the team with which it contracts to provide child study team services and the speech therapist provide parent(s) with copies of evaluation report(s) at least ten days prior to the eligibility meeting and documents that provision in students' files. Implementation of these activities will enable parent(s) to review evaluation results prior to the eligibility conference and to determine if another person(s) who is knowledgeable about the student should also attend the conference. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Convening Eligibility Conferences - During the on-site monitoring it was determined that the speech therapist does not convene eligibility conferences for students eligible for speech/language services.

- **The charter school will develop an improvement plan to include activities to ensure that for students eligible for speech/language services the speech therapist convenes eligibility meetings with the required participants and provides parental notice of eligibility following the meeting. Implementation of these activities will ensure parents are provided with the required information to determine whether they agree or disagree with programming recommendations. The plan must include an administrative oversight component to ensure implementation of the procedures.**

Agreement/Disagreement with Eligibility - During the on-site monitoring it was determined that the members of the Union County Educational Services Commission child study team does not state in writing whether they agree or disagree with eligibility determinations and, in the event of disagreement, provide a rationale for that disagreement.

- **The charter school will develop an improvement plan that includes activities to ensure that the team with which it states in writing whether the members agree or disagree with eligibility. Implementation of these activities will ensure parents are informed of differing opinions regarding these eligibility determinations. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

Section VIII: Individualized Education Program (IEP)

Summary of Findings:

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During the on-site monitoring, age of majority, implementation dates and annual review timelines were determined to be compliant.

Areas of need were identified during the on-site visit regarding considerations and required statements, present levels of educational performance statements, development of IEPs for students eligible for speech/language services, and goals and objectives.

Areas of Need:

IEP Considerations and Required Statements - During the on-site monitoring it was determined that IEPs developed by the Union County Educational Services Commission child study team do not contain the required statements and considerations.

- **The charter school will develop an improvement plan to include activities to ensure the IEPs used by the team with which it contracts contains all required statements and considerations. It is recommended that the team adopts the IEP format developed by the Office of Special Education Programs.**

Present Levels of Educational Performance Statements - During the on-site monitoring it was determined that the present levels of educational performance statements developed by the Union County Educational Services Commission child study team do not contain a description of how the child's disability affects his/her progress in the general education curriculum or other educational needs that results from the student's disability. As a result, there is no way to determine whether program and services determinations were based on the individual needs of the students or based on program availability.

- **The charter school will develop an improvement plan to include activities to ensure team members develop present levels of educational performance statements that contain sufficient information to determine the student's current performance/progress and how the student's disability impacts his/her involvement in the general education curriculum. Implementation of these activities will ensure program and services decisions are based on the individual needs of the students. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

IEP Meetings/Development of IEPs - During the on-site monitoring it was determined that the speech therapist develops IEPs without convening IEP meetings for students eligible for speech/language services.

- **The charter school will develop an improvement plan to include activities to ensure that for students eligible for speech/language services the speech therapist convenes meetings to ensure all members of the IEP team have the opportunity to provide input into the development of IEPs. The plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

Goals and Objectives - During the on-site monitoring it was determined that the Union County Educational Services Commission child study team does not consistently

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develop goals and objectives. In those cases where goals and objectives were developed, they did not include how the student's progress towards meeting annual goals would be measured.

- **The charter school will develop an improvement plan to include activities to ensure that the team with which it contracts to provide child study team services develops measurable goals and objectives. Implementation of these activities will ensure teachers and parents have information available to them that will allow them to determine the level of progress being made by the student.**

Section IX: Least Restrictive Environment (LRE)

Summary of Findings:

An area of need was identified during the on-site visit regarding the decision-making process.

Area(s) of Need:

Decision-Making Process - During the on-site monitoring it was determined that the Union County Educational Services Commission child study team does not consider the individual needs of student because only one placement option is available in the charter school. As a result, all students are placed in an in-class support program, regardless of their educational needs.

- **The charter school will develop an improvement plan to include activities to ensure placement decisions made by its contracted team are based on the individual needs of students and not on program availability. Implementation of these activities will ensure students are receiving programs and services that address their individual educational needs and will provide them with the opportunity to achieve positive educational outcomes' needs in the general education class.**

Section X: Transition to Post-Secondary

Summary of Findings:

Areas of need were identified during the on-site regarding post-secondary transition planning process for students beginning at age 14.

Area(s) of Need:

Provision of Transition Services/Transition Statements - During the on-site monitoring it was determined that the Union County Educational Services Commission child study team does not address transition issues for 14 year old students.

- **The charter school will develop an improvement plan to include activities to ensure that the team with which it contracts for child study team**

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services addresses transition needs for students age 14 or younger at an IEP team meeting. These activities must ensure the team identifies courses of study that are aligned with the student's assessed interests and preferences. Implementation of these activities will ensure the student has the opportunity to participate in classes and other experiences that are related to the interests and preferences identified by the student and to achieve successful post-secondary outcomes. The plan must include an administrative oversight component to ensure the consistent implementation of the activities.

Section X: Transition to Preschool - This charter school services grades K-8.

Section XIII: Statewide Assessment

Summary of Findings:

During the on-site monitoring student participation in statewide assessment was determined to be compliant.

An area of need was determined during the on-site visit regarding statewide assessment, accommodations and modifications.

Area(s) of Need:

Statewide Assessment, Accommodations and Modifications - During the on-site monitoring it was determined that the Union County Educational Services Commission child study team does not indicate the names of the statewide assessments the students will be participating in, nor does it consider any appropriate accommodations and modifications. As a result, students may not be able to demonstrate their actual abilities on statewide assessments because they are not being provided with appropriate accommodations and modifications.

- **The charter school will develop an improvement plan to include activities to ensure that the team with which it contracts for child study team services identifies specific statewide assessments in IEPs and considers on an individual basis the need for accommodations and modifications. Implementation of these activities will ensure that students are afforded the opportunity to participate in statewide assessment by meeting their individual needs.**

Section XIII: Graduation

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

Area(s) of Need:

Graduation Requirements - During the on-site monitoring it was determined that the Union County Educational Services commission team does not include graduation

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requirements in the IEPs of 14 year old students transitioning from grade eight to high school.

- **The charter school will develop an improvement plan to include activities to ensure that the team with which the charter school contracts for child study team services obtains input from the receiving high school regarding graduation requirements when it develops IEPs for students transitioning from grade eight into high school. Implementation of these activities will ensure parents and students are fully informed of the requirements the student must fulfill to receive a diploma.**

Section XIV: Programs and Services

Summary of Findings:

During the on-site monitoring, class and group size, age range, home instruction and consultation time between the special education teacher and regular education teachers were determined to be compliant.

An area of need was identified regarding consultation time between regular education teachers and the Union County Educational Services Commission case manager.

Area(s) of Need:

Consultation Time - During the on-site monitoring it was determined that although the special education teacher is available for consultation with regular education teachers, the Union County Educational Services Commission case manager is not available for consultation as required by IEPs under the section "supports for school personnel." As a result, IEPs are not being monitored by any team member as required by code.

- **The charter school will develop an improvement plan to include activities to ensure case management responsibilities are assumed by a member of the 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.**

Section XV: Student Records

Summary of Findings:

During the on-site monitoring parental access to student records was determined to be compliant.

An area of need was identified during the on-site visit regarding the location of other student records.

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Area(s) of Need:

Location of Other Student Records - During the on-site monitoring, it was determined that the charter school does not identify the location of other records in the central file.

- **The charter school will develop an improvement plan to include activities to ensure that the locations of other student records maintained by the school are identified in the central file. The implementation of this activity will ensure that parent(s) and school personnel have knowledge of and access to all records maintained by the school.**

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Summary

On-site special education monitoring was conducted in the Queen City Charter School on September 10, 2003. The purpose of the monitoring visit was to conduct a comprehensive monitoring of the charter school since it failed to complete the self-assessment process.

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 open communication with staff members.

Areas identified as compliant during the on-site monitoring visit included dissemination of IDEA information, documentation of frequency, duration and location of related services, length of school day/year and facilities and certifications, surrogate parents, notices in native language, interpreters at meetings, independent evaluations and direct referrals from staff. Areas verified as consistently complaint during the on-site monitoring included standardized assessments, bilingual evaluations, acceptance/rejection of outside reports, three-year timeline for reevaluations, reevaluations completed by June 30th of a student's last year in preschool, eligibility criteria, statement of eligibility for specific learning disability, age of majority, IEP implementation dates for provision of programs, statewide assessment participation, class and group sizes, age range, home instruction, consultation time for regular and special education teachers, access to student records and maintenance/destruction of student records.

The charter school identified areas of need during its limited review of the first four standards of the self-assessment document regarding staff development, provision of programs and related services, transfer students and pre-referral interventions.

The on-site visit identified additional areas of need within the various standards regarding policies and procedures, statement of Assurances, extended school year, beginning ending dates of speech/language services, in-class support teacher's prescribed amount of time, parental consent to evaluate, parental consent for release of student records, content/provision of notices, child find activities, summary of health/medical information, vision/hearing screenings, convening identification meetings, functional assessments, multidisciplinary evaluations for students eligible for speech/language services, signed/dated evaluation reports, convening eligibility conferences, agreement/disagreement with eligibility determinations, provision of evaluation reports to parents at least 10 days prior to the eligibility conference, IEP considerations/required statements, present levels of educational performance statements, convening IEP meetings, goals and objectives, progress reporting, the decision-making process, post-secondary transition planning, consideration of accommodations and modifications for statewide assessment, graduation requirements, consultation time between teachers and the case manager, and location of other student records.

Within forty-five days of receipt of the monitoring report, the Queen City Charter School will develop and submit the improvement plan to the Office of Special Education Programs to address all areas of need.