

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

**Charter school:** Schomburg Charter School

**County:** Hudson

**Monitoring Dates:** December 9, 2004

**Monitoring Team:** Deborah Masarsky

***Background Information:***

During the 2003-2004 school year, the **Schomburg Charter School** conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the **Schomburg 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 **Schomburg Charter School** developed an improvement plan to address identified areas of need identified in their self-assessment.

The Office of Special Education Programs (OSEP) conducted parent telephone interviews, a comprehensive desk audit and held a public focus group meeting for parents and community members at the **Schomburg Charter School** on October 1, 2004. Additionally, student records were reviewed and interviews were conducted with the Chief Academic Director, social worker, LDTC and special education teacher to verify the self-assessment findings, to assess the appropriateness of the improvement plan, and to determine the progress in implementing the plan. Based on these activities, a determination was made by staff from the Office of Special Education Programs that the charter school had conducted a thorough review during the self-assessment process and had developed a plan that will appropriately address all areas of need identified by the charter school's staff during the self-assessment process.

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### ***Charter School Strengths:***

**The charter school is commended for developing a variety of unique programs offered to students with disabilities:**

The charter school is commended for their ***Home Technology Program*** in which every general and special education student is provided a computer with internet access that remains in the home for the duration of the students' enrollment in the school. The purpose of this technology is to provide the entire family access to a computer which creates and fosters a "community of learners." Students use their computers for schoolwork and research projects, and their family can communicate via e-mail with any staff member at the charter school. As a result, adults have the opportunity to continue their own learning and become responsible for their children's education by taking an active roll as well. This "community of learners" further assists students to continue their progress in the general education curriculum through the infusion of technology. Additionally, the charter school has just recently opened its doors for a ***Saturday Tutoring Program***. This program is staffed by certified teachers who work with both general and special education students every other Saturday to further assist them in meeting academic standards.

### **Data Summary:**

The **Schomburg Charter School's** data report indicates that in 2001, 100% of classified students (39) were educated for more than 80% of the day with their non-disabled peers. In 2002 only 62% (23 of 37) of the students had similar placements and by 2003 and into the 2004-2005 school year, the data indicated that none of charter school's classified students have been placed in integrated settings with their non-disabled peers for academic subjects. During the monitoring, it was determined through interviews with parents and staff, that although students are presently being placed in more restrictive environments, the IEP team continues to make individualized decisions regarding each student's needs. All students receiving special education continue to spend at least part of their school day with their non-disabled peers in non-academic classes. The charter school has sufficiently addressed this area during the self-assessment process. The administration has given assurances within the improvement plan, that as the need arises, staff will be hired in sufficient numbers to enable the charter school to provide all necessary and appropriate educational programs and services by expanding the continuum.

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

**Reevaluation and Statewide Assessment** are areas determined to be in compliance by the charter school during self-assessment process and by the Office of Special Education Programs during the monitoring.

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## **Section I: General Provisions**

### **Summary of Findings:**

During self-assessment, the charter school accurately identified compliance in the areas of dissemination of public information and parent training.

During the self-assessment process, the charter school identified concerns in the areas of policies/procedures and the statement of assurances, and a mechanism to determine the effectiveness of in-service training for school personnel. The charter school's improvement plan is sufficient to address this area.

No additional areas of need were identified during the comprehensive desk audit, staff interviews, focus group meeting and/or parent interviews.

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

### **Summary of Findings:**

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

During the self-assessment process, the charter school identified concerns in the areas of provision of programs and related services, goals and objectives for related services, transfer students and the monitoring of the implementation of students' IEPs. The charter school's improvement plan is sufficient to address these areas.

An additional area of need was identified during the monitoring regarding extended school year.

### **Area(s) of Need:**

**Extended School Year** - During monitoring it was determined through staff and parent interviews and record review that extended school year is not consistently considered for students at each IEP meeting.

- **The charter school will revise the improvement plan to include procedures to ensure that extended school year is considered for all students at IEP meetings. The criteria used to determine the provision of extended school year must be identified in IEPs. Additionally, when extended school year is warranted, a description of the program must also be included in IEPs. The plan must include in-service training and an administrative oversight component to bring about the required changes. As a result of these activities, students will have the opportunity to continue to progress in the general education curriculum throughout the year.**

## **Section III: Procedural Safeguards**

### **Summary of Findings:**

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During the self-assessment process, the charter school identified concerns in the areas of obtaining parental consent to evaluate, content/provision of notices, notices in native language, and independent evaluations. The charter school's improvement plan is sufficient to address these areas.

Additional areas of need were identified during the monitoring regarding surrogate parents and interpreters at meetings.

### **Area(s) of Need:**

**Surrogate Parents** - During monitoring it was determined that the charter school does not have procedures to select and train surrogate parents.

- **The charter school will revise the improvement plan to include procedures to select and train surrogate parents who must be utilized in accordance with NJAC 6A:14-2.2. As a result of these activities, students' rights will be protected.**

**Interpreters at Meetings** - During monitoring it was determined through staff interviews and record review that although the charter school staff stated that interpreters are provided at meetings for non-English speaking parents, the record of meeting attendance does not indicate that any participant acted as an interpreter. Therefore, the charter school has been unable to document the provision of interpreters at meetings.

- **The charter school will revise the improvement plan to include procedures to ensure that when a person acts as an interpreter at a meeting, that person signs the *Participants at a Meeting* page, indicating that they participated in the meeting as the interpreter. The improvement plan must include an administrative oversight component to ensure consistent implementation of the procedures. As a result of these activities, non-English speaking parents will have the opportunity to fully participate in meetings.**

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

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

During the self-assessment process, the charter school identified concerns in the areas of child find, the referral process, pre-referral interventions, direct referrals from parents and staff, health summaries and vision/hearing screenings, and the convening of identification meetings with required participants within the 20-day timeline. The charter school's improvement plan is sufficient to address these areas.

No additional areas of need were identified during the comprehensive desk audit, staff interviews, focus group meeting and/or parent interviews.

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

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

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During self-assessment, the charter school accurately identified compliance in the area of bilingual evaluations.

During the self-assessment process, the charter school identified concerns in the areas of multi-disciplinary evaluations for students eligible for speech and language services, individualized choice of standardized assessments, functional assessment for students eligible for speech and language services and students eligible for special education and related services, development of written reports for students eligible for speech and language services, and acceptance/rejection of outside reports. The charter school's improvement plan is sufficient to address these areas.

No additional areas of need were identified during the comprehensive desk audit, staff interviews, focus group meeting and/or parent interviews.

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

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

During self-assessment, the charter school accurately identified compliance in the areas of convening of eligibility determination meetings and provision of evaluation reports to parents at least 10 days prior to the eligibility conference.

During the self-assessment process, the charter school identified concerns in the areas of criteria used to determine eligibility for special education and related services or speech/language services. The charter school's improvement plan is sufficient to address these areas.

Additional areas of need were identified during monitoring regarding the statement of eligibility for specific learning disability and agreement/disagreement with eligibility determinations.

#### **Area(s) of Need:**

**Statement of Eligibility for Specific Learning Disability** - During monitoring it was determined that the charter school does not include the specific area(s) of discrepancy when documenting the Statement of Eligibility for Specific Learning Disability.

- **The charter school will revise the improvement plan to include procedures to ensure that the specific area(s) of discrepancy is included when documenting the Statement of Eligibility for Specific Learning Disability. The charter school's plan must include an administrative oversight component to ensure the consistent implementation of the procedures. As a result of these activities, parents will be informed of the criteria used to determine their child's eligibility for special education and related services under the category of specific learning disability.**

**Agreement/Disagreement with Eligibility** - During monitoring it was determined through staff interviews and record review that at eligibility conferences, the charter

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school does not obtain written agreement with eligibility determinations or document any opposing opinion.

- **The charter school will revise the improvement plan that includes a mechanism with which to document agreement with eligibility determinations or any opposing opinion. This documentation must be maintained in the student's file. The charter school's plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures. As a result of these activities, parents will be fully informed of differing opinions regarding eligibility determinations.**

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

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

During self-assessment, the charter school accurately identified compliance in the areas of goals and objectives aligned with the core curriculum content standards, implementation dates, IEPs to parents prior to implementation, and teacher access to IEPs.

During the self-assessment process, the charter school identified concerns in the areas of IEP considerations and required statements, convening annual review meetings within required timelines, 90-day timelines to implement initial IEPs, and opportunity for parents to observe proposed placements. The charter school's improvement plan is sufficient to address these areas.

Additional areas of need were identified during monitoring regarding present levels of educational performance statements, teacher responsibility in implementing students' IEPs, and provision of progress reports.

#### **Area(s) of Need:**

**Present Levels of Educational Performance Statements** - During monitoring it was determined through staff interviews and record review that the charter school does not include sufficient information in the present levels of educational statements.

- **The charter school will revise the improvement plan to include procedures to ensure that sufficient information is included in the present levels of educational performance. The charter school's plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures. As a result of these activities, this information will enable the IEP team to make individualized decisions that lead to placement in appropriate programs with services.**

**Teacher Responsibility in Implementing IEPs** - During monitoring it was determined through interviews with parents, child study team members and the Chief Academic Director that although the school has a mechanism to ensure that teachers have access to IEPs, there is no procedure in place to ensure that general education teachers are informed of their educational responsibility to provide the supports and services required

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by the IEPs. The Chief Academic Director cited lack of funds and insufficient supervisory personnel as the barriers to the oversight of IEP implementation.

- **The charter school will revise the improvement plan, to include activities to ensure that general education teachers understand their educational responsibilities to provide supports and services as documented in students' IEPs. As a result, students will have the opportunity to receive instruction in the general education setting with the supports and services they need in order to benefit from instruction. The improvement plan must include staff training and an administrative oversight to ensure the consistent implementation of the activities.**

**Provision of Progress Reports** - During monitoring it was determined through parent and staff interviews that the charter school does not provide progress reports to parents.

- **The charter school will revise the improvement plan to include procedures to ensure that progress reports are provided to parents. The charter school's plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures. As a result of these activities, parents will be informed of their children's progress towards meeting annual goals and objectives.**

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

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

During self-assessment, the charter school accurately identified compliance in the areas of individual decision-making, regular education access within the charter school and notification to out-of-charter school students regarding extracurricular and non-academic activities within the charter school.

During the self-assessment process, the charter school identified a concern in the area of continuum of programs. The charter school's improvement plan is sufficient to address this area.

An additional area of need was identified during the monitoring regarding supplementary aids/services.

#### **Area(s) of Need:**

**Supplementary Aids and Services** - During monitoring it was determined through staff and parent interviews that the school's personnel rely on a limited set of supplementary aids and services to meet students' needs when considering placement in a regular education class. The staff further indicated a need to expand their knowledge of available supplementary aids and services that can be provided to students with disabilities in the regular education classroom. Additionally, it was determined through record review that the charter school's IEP format does not include the required LRE components. Therefore, documentation within this section of the IEP is incomplete.

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- The charter school will revise the improvement plan to include procedures to ensure that during IEP meetings, a variety of supplementary aids/services that may be appropriate to meet the student's individual needs in the general education class are considered and discussed prior to the student's removal from regular education. In addition the plan must include an activity to ensure all required components of the IEP are included. The resulting discussion affords IEP team members the opportunity to document in the revised IEP, the decision-making process. The improvement plan must include staff training and an administrative oversight component to ensure the consistent implementation of the procedures.

**Section X: Transition to Post-School** (*This is not applicable in this K- 5 school*)

**Section X: Transition to Preschool** (*This is not applicable in this K- 5 school*)

**Section XI: Discipline**

During the self-assessment process, the charter school identified a concern in the area of discipline procedures that include documentation to the case manager, suspension tracking, functional behavior assessments, manifestation determinations, interim alternative educational setting and procedural safeguard rights for potentially disabled students. The charter school's improvement plan is sufficient to address these areas.

No additional areas of need were identified during the comprehensive desk audit, staff interviews, focus group meeting and/or parent interviews.

**Section XIII: Graduation** (*This is not applicable in this K- 5 school*)

**Section XIV: Programs and Services**

### **Summary of Findings:**

During self-assessment, the charter school accurately identified compliance in the area of age range.

During the self-assessment process, the charter school identified concerns in the areas of sufficient staff to provide programs and services, class size for in-class support resource programs, consultation time between regular and special education teachers and descriptions of special education programs. The charter school's improvement plan is sufficient to address these areas.

No additional areas of need were identified during the comprehensive desk audit, staff interviews, focus group meeting and/or parent interviews.



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***Section XV: Student Records***

**Summary of Findings:**

During self-assessment, the charter school accurately identified compliance in the area of parental access to student records.

No additional areas of need were identified during the comprehensive desk audit, staff interviews, focus group meeting and/or parent interviews.

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### Summary

The monitoring of Schomburg Charter School was completed on December 9, 2005. The purpose of the monitoring was to verify the charter school's report of findings resulting from their self-assessment.

At a focus group meeting held prior to the monitoring, the 12 parents that attended expressed satisfaction with the charter school's programs, communication between themselves and the staff, and with the provision of individual home computers. Most of the parents reported that their children had made great strides and have acquired many skills since attending this charter school. Several parents expressed concerns regarding insufficient staff needed to provide speech and occupational therapy services to their children. Other parents were concerned that the charter school could not meet the needs of the students with behavioral issues because of lack of funding for personal aides. The charter school has addressed these issues during the self-assessment process.

The **Schomburg Charter School's** data report indicates a continued trend of placing students in more restrictive environments over the last three years. During 2004-2005 school year, the data indicated that none of charter school's classified students have been placed in integrated settings with their non-disabled peers for academic subjects. During the monitoring, it was determined through interviews with parents and staff, that although students are presently being placed in more restrictive environments, the IEP team continues to make individualized decisions regarding each student's needs. It was further determined that all of the classified students presently attending this charter school are low functioning and have been appropriately placed in pull-out replacement programs for academics. However, these students participate in non-academic classes and extra-curricular activities with their non-disabled peers. The charter school has sufficiently addressed this area during the self-assessment process. Furthermore, the administration has given assurances within the improvement plan, that as the need arises, staff will be hired in sufficient numbers to enable the charter school to provide all necessary and appropriate educational programs and services by expanding the continuum.

**Areas identified as consistently compliant by the charter school during self-assessment and verified during the on-site monitoring visit included** dissemination of public information, parent training, length of school day/year, facilities, certifications, bilingual evaluations, 3-year reevaluation timelines, reevaluation planning meeting with required participants, convening of eligibility determination meetings, provision of evaluation reports to parents at least 10 days prior to the eligibility conference, individual decision-making, goals and objectives aligned with the core curriculum content standards, implementation dates, provision of IEPs to parents prior to implementation, teacher access to IEPs, regular education access within the charter school, notification to out-of-charter school students regarding extracurricular and non-academic activities within the charter school, statewide assessment participation, approved accommodations/modification for statewide assessment, IEP documentation of statewide assessment, and the provision of the alternate proficiency assessment when appropriate, age range, and parental access to student records.

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**Areas of need identified by the charter school during the self-assessment process included** policies/procedures and the Statement of Assurances, a mechanism to determine the effectiveness of in-service training for school personnel, provision of programs and related services, goals and objectives for related services, transfer students, the monitoring of the implementation of students' IEPs, obtaining parental consent to evaluate, content/provision of notices, notices in native language, independent evaluations, child find, the referral process, pre-referral interventions, direct referrals from parents and staff, health summaries and vision/hearing screenings, the convening of identification meetings with required participants within timelines (20-day timeline, multi-disciplinary evaluations for students eligible for speech and language services, individualized choice of standardized assessments, functional assessment for students eligible for speech and language services and students eligible for special education and related services, development of written reports for students eligible for speech and language services, acceptance/rejection of outside reports, criteria used to determine eligibility for speech services, and/or special education and related services, IEP considerations and required statements, convening annual review meetings within required timelines, 90-day timelines to implement initial IEPs and opportunity for parents to observe proposed placements, continuum of programs, discipline procedures that include documentation to the case manager, suspension tracking, functional behavior assessments, manifestation determinations, interim alternative educational setting, procedural safeguard rights for potentially disabled students, sufficient staff to provide programs and services, class size for in-class support resource programs, consultation time between regular and special education teachers and descriptions of special education programs.

**Areas of need identified during the monitoring process included** extended school year, surrogate parents, interpreters at meetings, the statement of eligibility for specific learning disability, agreement/disagreement with eligibility determinations, present levels of educational performance statements, teacher responsibility in implementing students' IEPs, provision of progress reports, and supplementary aids/services.

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