

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

School: Soaring Heights Charter School

County: Hudson

Monitoring Date: May 31, 2006

Monitoring Team: Robert Schweitzer and Deborah Masarsky

Background Information:

During the 2004–2005 school year, the Soaring Heights Charter School conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Soaring Heights 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 Soaring Heights Charter School developed an improvement plan to address identified areas of need.

The Office of Special Education Programs (OSEP) conducted an onsite monitoring to verify the self-assessment findings, to assess the appropriateness of the improvement plan and to determine the progress in implementing the plan.

During the onsite visit, the New Jersey Department of Education (NJDOE) monitoring team reviewed school documents, including school policies and procedures, student count information, master student lists, class lists, schedules of students, teachers and related service personnel, and other relevant information. A representative sample of student records was also reviewed. Interviews were conducted with the school's special education administrators, building principals, general education and special education teachers, speech-language specialists and child study team members. Parents of students with disabilities were interviewed by phone.

Data Summary:

A review of the data for the 2005-2006 school year indicated that the charter school had a classification rate for students with disabilities of 4.5% which was significantly lower than the state rate of 14.85% for that same year. In addition, for the 2005-2006 school year, the charter school educated 40% (6 of 15) of students with disabilities in the general education setting for more than 80% of the school day. During interviews, some staff and a sampling of parents indicated that for the 2005-2006 school year, some placements were made according to staff availability rather than based on the needs of individual students. The school must develop and implement improvement activities to address this issue.

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

Sections Demonstrating Compliance with All Standards

The self-assessment process required the school to review implementation of federal and state regulations categorized into 15 sections. Within each section, a number of areas were reviewed for students in kindergarten through grade 8, the grade range served by the charter school. The onsite monitoring visit involved verification that the sections and areas identified as compliant by the school in their self-assessment were compliant with regulations. Of the 15 sections, one section, **Programs and Services**, was identified by the school during self-assessment and the NJDOE during the monitoring process as compliant.

Areas Not Reviewed

The following areas of the self-assessment were not reviewed by the NJDOE since the charter school does not serve a population of students for whom these regulations apply:

- Annual reviews completed by June 30 for preschool students with disabilities
- Transition to Preschool
- Beginning at age 16, IEP statement of “needed transition services”

Areas Demonstrating Compliance

The following areas were identified by the school’s self-assessment committee and by the NJDOE as compliant. These areas were reviewed for students eligible for special education and related services (ESERS) and students eligible for speech and language services (ESLS), grades kindergarten through 8. Areas compliant for only one group of students are noted.

Section	Areas Demonstrating Compliance
Free, Appropriate Public Education (FAPE)	<ul style="list-style-type: none"> • Oversight of individualized education program • Provision of programs • Provision of related services • Transfer procedures
Procedural Safeguards	<ul style="list-style-type: none"> • Consent (ESERS) • Implementation without undue delay • Provision of a notice of a meeting (ESERS) • Content of a notice of a meeting (ESERS) • Provision of written notice • Content of written notice (ESERS) • Notices in native language • Interpreters at meetings • Independent evaluations
Location, Referral and Identification (LRI)	<ul style="list-style-type: none"> • Referral process • Direct referrals • Identification meeting participants (ESERS)
Evaluation	<ul style="list-style-type: none"> • Multi-disciplinary evaluations • Educational impact statement (ESLS) • Standardized assessments • Functional assessments (ESERS)

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

Section	Areas Demonstrating Compliance
	<ul style="list-style-type: none"> • Bilingual evaluations • Written reports prepared by evaluators
Reevaluation	<ul style="list-style-type: none"> • Reevaluation when change of eligibility is considered • Timelines
Eligibility	<ul style="list-style-type: none"> • Eligibility criteria • Signature of agreement and/or disagreement and rationale • Statement of eligibility (Specific Learning Disability) • Eligibility meeting participants (ESERS)
Individualized Education Program (IEP)	<ul style="list-style-type: none"> • Meeting participants • Implementation dates • IEP provided to parent prior to implementation • Meetings held annually, or more often if necessary, to review and/or revise the IEP • Annual reviews completed by June 30 for students transitioning from elementary to secondary programs • Teachers informed of their responsibilities (knowledge of and/or access to IEPs)
Least Restrictive Environment (LRE)	<ul style="list-style-type: none"> • Continuum of programs
Transition to Adult Life	<ul style="list-style-type: none"> • Beginning at age 14, IEP statement of “transition service needs” • Student and agency invitation to IEP meetings
Discipline	<ul style="list-style-type: none"> • Suspension tracking system • Discipline procedures employed equitably for all students • IEP team meeting for first removal beyond 10 days • Procedures for determination of change in placement • Procedures for conducting functional behavior assessments and development of behavior intervention plan • Short-term removals resulting in a change of placement • Short-term removals that are not a change in placement—school personnel determining the extent of services to be provided • Interim Alternative Educational Settings • Manifestation determinations
Statewide Assessments	<ul style="list-style-type: none"> • Participation documented in IEPs

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

Area of Noncompliance - Compliance Review

The following area was identified by the school’s self-assessment committee as noncompliant and the accompanying improvement plan was determined by the OSEP to be sufficient. The third column, in the table below, lists results of a compliance review conducted during the onsite visit.

Section	Areas of Non-Compliance	Compliance Review
Least Restrictive Environment (LRE)	Notification of and participation in non-academic and extracurricular activities for students educated outside the school.	The charter school has demonstrated compliance in this area with an administrative oversight mechanism in place to ensure ongoing compliance.

Additional Areas of Need

The following areas were originally identified by the charter school’s self-assessment committee as compliant, but were found to be noncompliant by the NJDOE during the onsite monitoring, for students eligible for special education and related services (ESERS) and students eligible for speech and related services (ESLS):

Section	Area	Improvement Activity
General Provisions	Parent training – The charter school does not provide training to meet the needs of parents of students with disabilities regarding the special education process.	The charter school is directed to implement improvement activities to ensure that training is provided to meet the needs of parents of students with disabilities regarding the special education process. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Free Appropriate Public Education (FAPE)	Extended school year - Extended school year services are not considered at all IEP meetings.	The charter school is directed to implement improvement activities to ensure that extended school year services are considered at all IEP meetings and documented in IEPs. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Procedural Safeguards-	Consent (ESLS) – Parental consent to evaluate students for speech and language services is not documented.	The charter school is directed to implement improvement activities to ensure that written parental consent is obtained prior to evaluating students for ESLS and maintained in students’ files. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Procedural Safeguards	Provision of a <i>Notice of a Meeting</i> (ESLS)-The provision of a <i>Notice of a Meeting</i> for speech and language services is not consistently documented in the students’ files.	The charter school is directed to implement improvement activities to ensure that provision of a <i>Notice of a Meeting</i> for ESLS is consistently provided and documented in the students’ files. The school must also implement administrative oversight to ensure correction and ongoing compliance.

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

Section	Area	Improvement Activity
Procedural Safeguards	Content of a <i>Notice of a Meeting (ESLS)</i> -The charter school's <i>Notice of a Meeting</i> for speech and language services does not contain all required components.	The charter school is directed to implement improvement activities to ensure that <i>Notice of a Meeting</i> for ESLS contains all required components. The charter school is advised to review the notice of a meeting developed by the Office of Special Education Programs available at www.state.nj.us/education . The school must also implement administrative oversight to ensure correction and ongoing compliance.
Procedural Safeguards	Participants at meetings - Participants' attendance at required meetings (identification, eligibility and reevaluation) is not documented.	The charter school is directed to implement improvement activities to ensure that participants' attendance at meetings is documented in students' files. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Procedural Safeguards	Content of written notice (ESLS) - Written notice forms for speech and language services do not contain all required components.	The charter school is directed to implement improvement activities to ensure that written notice for speech and language services contains all required components. The charter school is advised to review the written notices developed by the Office of Special Education Programs available at www.state.nj.us/education . The school must also implement administrative oversight to ensure correction and ongoing compliance.
Location, Referral and Identification (LRI)	Child Find -The charter school does not have procedures for locating students who may have a disability.	The charter school is directed to implement improvement activities to ensure that child find procedures are developed and implemented. The charter school must also implement administrative oversight to ensure correction and ongoing compliance.
Location, Referral and Identification (LRI)	Pre-referral interventions- The Intervention and Referral Services (I&RS) committee does not document the interventions attempted by classroom teachers or the effectiveness of the interventions.	The charter school is directed to implement improvement activities to ensure that the I&RS committee documents interventions, including the type of interventions utilized, the frequency and duration of each intervention and the effectiveness of each intervention. The district must review N.J.A.C. 6A:14-3.3(c) for new regulations regarding documentation of interventions. Additionally, this information must be provided to the case manager prior to the identification meeting. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Location, Referral, and Identification (LRI)	Health summaries and vision and hearing screenings are not completed prior to the identification meetings.	The charter school is directed to implement improvement activities to ensure that health summaries and the results of vision and hearing screenings are provided by the school nurse to the case manager prior to the identification meeting. The school must also implement administrative oversight to ensure correction and ongoing compliance.

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

Section	Area	Improvement Activity
Location, Referral, and Identification (LRI)	Identification meeting timelines-Identification meetings are not consistently conducted within 20 days of receipt of the referral.	The charter school is directed to implement improvement activities to ensure that identification meetings are consistently conducted within 20 days of receipt of a referral. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Evaluation	Functional assessments - Initial evaluation reports for students who are ESLs, developed by speech-language specialists, do not include all required components of the functional assessment.	The charter school is directed to implement improvement activities to ensure that initial evaluation reports for students who are ESLs, developed by speech-language specialists, include all required components of the functional assessment. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Reevaluation	Consent -The charter school does not have procedures to obtain or document attempts to obtain parental consent to conduct assessments as part of a reevaluation.	The charter school is directed to implement improvement activities to ensure that parental consent to conduct assessments as part of a reevaluation is obtained and documented, or that attempts to obtain parental consent are documented. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Eligibility	Copy of evaluation reports to parents –There is no evidence that copies of evaluation reports are sent to parents 10 days prior to the eligibility meeting.	The charter school is directed to implement improvement activities to ensure that copies of evaluation reports are sent to parents 10 days prior to the eligibility meeting and that provision of the reports is documented in students' files. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Individualized Education Program	IEP considerations and components - IEPs do not contain the required considerations and components.	The charter school is directed to implement improvement activities to ensure that IEPs contain the required considerations and components to sufficiently describe students' programs and services. The district is referred to the sample IEP form available at www.state.nj.us/education . The school must also implement administrative oversight to ensure correction and ongoing compliance.
Individualized Education Program	90-day timelines – Initial IEPs are not implemented within the 90-day timeline.	The charter school is directed to implement improvement activities to ensure that initial IEPs are implemented within the 90-day timeline. The school must also implement administrative oversight to ensure correction and ongoing compliance.

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

Section	Area	Improvement Activity
Least Restrictive Environment (LRE)	Placement decisions based on students' individual needs, opportunity for all students with disabilities to access all general education programs and LRE documentation – IEPs for students removed from general education classes for more than 20% of the day do not document the specific supplementary aids and services considered and the reasons why they were rejected. Additionally, interviews with staff indicated that placement decisions are sometimes made based on program availability rather than students' needs.	The charter school is directed to implement improvement activities to ensure that placement decisions are based on individual student needs. In addition, for students who are removed from general education for more than 20% of the school day, IEPs must document the supplementary aids and services discussed to support the student in general education and the reasons why they were rejected. Further, the school must implement administrative oversight to ensure correction and ongoing compliance.
Discipline	Notification of removal forwarded to case manager - Written notification is not provided to the case manager when a student is suspended.	The charter school is directed to implement improvement activities to ensure that written notification is provided to the case manager when a student is suspended from his or her program. The school must also implement administrative oversight to ensure correction and ongoing compliance.
Statewide Assessments	Approved accommodations and modifications documented in IEPs - Approved accommodations and modifications for statewide assessments are not documented in students' IEPs, as appropriate.	The charter school is directed to implement improvement activities to ensure approved accommodations and modifications for statewide assessments are documented in students' IEPs, as appropriate. Additionally, the school must ensure that those accommodations and modifications are provided to students as required by their IEPs. The charter school must also implement administrative oversight to ensure correction and ongoing compliance.
Graduation	IEP requirements - IEPs of students turning 14 during the implementation period, or older, do not contain graduation requirements.	The charter school is directed to implement improvement activities to ensure that IEPs document graduation requirements for each student. The school is referred to the IEP sample form, developed by the NJDOE and available at www.state.nj.us/education . The school must also implement administrative oversight to ensure correction and ongoing compliance.

New Jersey Department of Education Special Education Monitoring

Summary

Onsite special education monitoring was conducted in the Soaring Heights Charter School on May 31, 2006. 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 acknowledged for the review conducted during the self-assessment process.

A review of the data for the 2005-2006 school year indicated that the charter school had a classification rate for students with disabilities of 4.5% which was significantly lower than the state rate of 14.85% for that same year. In addition, for the 2005-2006 school year, the charter school educated 40% (6 of 15) of students with disabilities in the general education setting for more than 80% of the school day. During interviews, some staff and a sampling of parents indicated that for the 2005-2006 school year, some placements were made according to staff availability rather than based on the needs of individual students. The school must develop and implement improvement activities to address this issue.

Programs and Services was the only standard identified as consistently compliant by the school during self-assessment and verified during the onsite monitoring visit.

Areas identified as consistently compliant by the school during self-assessment, and verified during the onsite monitoring visit, included:

- Oversight of individualized education program (IEP) implementation
- Provision of programs
- Provision of related services
- Transfer procedures
- Consent (ESERS)
- Implementation without undue delay
- Provision of notice of a meeting (ESERS)
- Content of a notice of a meeting (ESERS)
- Provision of written notice
- Content of written notice (ESERS)
- Notices in native language
- Interpreters at meetings
- Independent evaluations
- Referral process
- Direct referrals
- Identification meeting participants (ESERS)
- Multi-disciplinary evaluations
- Educational Impact Statement (ESLS)
- Standardized assessments
- Functional assessments (ESERS)
- Bilingual evaluations
- Written reports prepared by evaluators
- Reevaluation when change in eligibility is considered
- Reevaluation timelines
- Eligibility meeting participants (ESERS)
- Eligibility criteria
- Signature of agreement and/or disagreement and rationale
- Statement of eligibility (Specific Learning Disability)
- IEP meeting participants
- IEP implementation dates
- IEP provided to parent prior to implementation
- IEP meetings held annually, or more often if necessary, to review and/or revise the IEP
- Annual reviews completed by June 30 for students transitioning from elementary to secondary programs
- Teachers informed of their responsibilities (knowledge of and/or access to IEPs)
- Continuum
- Beginning at age 14, the IEP statement of "transition service needs"
- Student and agency invitation to IEP meetings when transition will be discussed
- Suspension tracking system
- Discipline procedures employed equitably for all students

New Jersey Department of Education Special Education Monitoring

- IEP team meeting for first removal beyond 10 days
- Procedures for determination of change in placement
- Procedures for conducting functional behavior assessments and development of behavior intervention plans
- Short-term removals resulting in a change of placement
- Short-term removals that are not a change in placement—school personnel determining the extent of services to be provided
- Interim Alternative Educational Settings
- Manifestation determinations
- Participation in statewide assessments documented in IEPs

During the self-assessment process, the school identified *Notification of and participation in non-academic and extracurricular activities of students educated outside the school* as an area of need. During the monitoring process, it was determined by the NJDOE that the charter school has demonstrated compliance in this area.

During the monitoring visit, the monitoring team identified additional areas of need within the various standards, regarding:

- Parent training
- Extended school year
- Consent (ESLS)
- Provision of a notice of a meeting (ESLS)
- Content of a notice of a meeting (ESLS)
- Meetings
- Content of written notice (ESLS)
- Child find ages 3-21
- Pre-referral interventions
- Health summary
- Vision and hearing screenings
- Identification meeting timelines
- Identification meeting participants (ESLS)
- Functional assessments (ESLS)
- Reevaluation planning meeting participants
- Procedures when parental consent for reevaluation cannot be obtained
- Documentation of efforts to obtain parental consent for reevaluation
- Eligibility meeting participants (ESLS)
- Copy of evaluation reports to parents
- IEP required considerations and components
- 90 day timelines
- Documentation of decisions regarding placement in the least restrictive environment
- Opportunity for all students with disabilities to access all general education programs
- Placement decisions based on students' individual needs
- Notification of removal forwarded to case manager
- Approved accommodations and modifications for statewide assessments documented in IEPs, as appropriate
- Graduation requirements documented in IEPs

The charter school is directed to implement improvement activities to correct all areas of non-compliance identified through the self-assessment process and during the onsite monitoring visit within six (6) months of receipt of this report. The charter school must also implement administrative oversight to ensure ongoing compliance. The verification of correction of non-compliance will be conducted by the county office of education.