

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

**District:** Village Charter School

**County:** Mercer

**Monitoring Dates:** February 6, 2004 and May 4, 2004

**Monitoring Team:** Kim Murray, Vanessa Leonard

***Background Information:***

During the 2002-2003 school year, the Village Charter School conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Village Charter School with an opportunity to evaluate its strengths and areas of need. **While the charter school completed the self-assessment, they failed to identify any areas of need because personnel from the charter school mistakenly believed they were not responsible for oversight of the special education programs and services offered at the school because they contract child study team services with the Middlesex County Educational Services Commission (MCESC). As such, the charter school's improvement plan will require major revisions to develop appropriate oversight activities to ensure the team members from MCESC remain in compliance with special education federal and state laws and regulations.**

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 Village Charter School on February 25, 2004.

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 a representative sample of student records. Interviews were conducted with the district's special education administrators, building principals, general education and special education teachers, and child study team members.

**Charter School Strengths:**

The charter school is commended for developing a school store program that is staffed and managed by the special education students. As part of a school-wide behavior management plan students earn "money" for appropriate behavior that can be spent at the school store.

**Data Summary:**

Seventeen classified students are currently enrolled in the Village Charter School. Review of their IEPs indicated that all seventeen students are placed in general education for more than 80% of the day. As the charter school employs only one special education teacher, resource room is the only placement option available. A lack of a continuum of placement options was identified as an area of need during the on-site visit because team members reported there were students who were not receiving a program

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that was adequately meeting their needs but that they had no options available other than the resource center program.

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

**Reevaluation, IEP, Statewide Assessment, Programs and Services and Student Records** were determined to be areas of compliance by the charter school during self-assessment and by the Office of Special Education Programs during the on-site visit.

### ***Section I: General Provisions***

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

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

An area of need was identified during the on-site visit regarding parent training.

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

**Parent Training** - During the on-site monitoring it was determined through staff interviews and document review that while the charter school provides many opportunities for parent involvement through presentations and workshops, they do not provide parent training on special education issues.

- **The charter school will revise its improvement plan to include activities to ensure that training on special education topics is provided to parents. These activities must include a needs assessment to identify the areas in which this training should be presented. Implementation of these activities will afford parents the opportunity to receive information regarding their children's disabilities to better advocate for their children during the decision-making processes.**

### ***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 school day and year, transfer students, facilities and certifications.

Areas of need were identified during the on-site regarding extended school year and goals and objectives for related services.

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

**Extended School Year** - During the on-site monitoring it was determined through staff interviews and document review that the child study team does not consider extended school year services for any of the students enrolled at the charter school. Members of the MCEC stated that because the school year is 200 days long they believe students

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are receiving an extended school year program. As a result, no discussion of additional services during the summer takes place at IEP meetings.

- **The charter school will revise its improvement plan to include activities to ensure the child study team contracted by the charter school considers extended school year services for every disabled student. Implementation of these activities will ensure issues related to regression/recoupment are identified and address through an extended school year program when needed. In the event a student is determined eligible for extended school year services, the IEP will include a description of the program as well as beginning and ending dates. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

**Goals and objectives for related services** - During the on-site monitoring it was determined through document review that IEPs do not contain goals and objectives for speech therapy.

- **The charter school will revise its improvement plan to include activities to ensure IEPs for students receiving speech therapy contain goals and objectives. Implementation of these activities will ensure staff have the information necessary to determine the student's progress and to further ensure the student receives full educational benefit from the special education program. The improvement 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 notices in native language, interpreters at meetings and independent evaluations.

Areas of need were identified during the on-site visit regarding surrogate parents, content of notice of meeting for students eligible for speech language services, and content of written notice for students eligible for speech language services.

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

**Surrogate Parents** - During the on-site monitoring it was determined through staff interviews that the charter school does not have a procedure in place for the selection and training of surrogate parents.

- **The charter school will revise its improvement plan to include procedures regarding the training and selection of surrogate parents in the event one is needed. Implementation of these procedures will ensure a student's rights are protected in the event the natural parent is not available. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the procedures.**

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**Notice of Meetings/Written Notice** - During the on-site monitoring it was determined through document review that the content of the notice of meeting used for students eligible for speech language services does not meet the requirements set forth in N.J.A.C. 6A:14.

- **The charter school will revise its notice of meetings and written notices to ensure they contain the required components. It is recommended that the charter school adopt the state notices.**

### **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, health summary and vision and hearing screening.

Areas of need were identified during the on-site visit regarding child find procedures, identification meeting timelines and identification meeting participants and convening identification meetings for students potentially eligible for speech language services.

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

**Child Find Procedures** - During the on-site monitoring it was determined through staff interviews that while the charter school does inform parents of the availability of a child study team evaluation via teacher conferences and informal conversations, they have not developed a formal procedure regarding child find activities. These activities should include the development of child find literature that is made available to all of the parents who have children enrolled in the school.

- **The charter school will revise its improvement plan to include activities to ensure the charter school identifies those students within the charter school who may require a child team study evaluation. Implementation of these activities will ensure those students who may require special education services are identified and referred in a timely manner. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

**Identification Meeting Timelines** - During the on-site monitoring it was determined through document review that the child study team contracted by the charter school does not consistently convene identification meetings within 20 days of receipt of the referral.

- **The charter school will revise its improvement plan to include activities to ensure that identification meetings are held within the 20-day timeline as required by N.J.A.C. 6A:14-3.3 (e). Implementation of these activities will ensure students receive an evaluation and if determined eligible, receive an appropriate program and services within the required timelines. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

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**Identification Meeting Participants/Convening an Identification Meeting** - During the on-site monitoring it was determined through document review that the speech therapist is making the determination to evaluate a student potentially eligible for speech language services without convening an identification meeting. Instead, the parents are provided with a letter informing them that as a result of a class-wide screening their child will need to be evaluated. The letter provides an area to indicate consent that is returned to the speech therapist.

- **The charter school will revise its improvement plan to include activities to ensure that the speech therapist convenes an identification meeting within 20 days of receipt of a written referral from a teacher or parent. At that meeting, the identification team members will determine the need for an evaluation and the parent will be provided with notice of those determinations and provide consent. Implementation of these activities will ensure that parents and other team members have an opportunity to participate in the decision-making process prior to conducting an evaluation. 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 consent, multi-disciplinary evaluations, standardized assessments, development of written reports, bilingual evaluations and 90-day timelines.

Areas of need were identified during the record review and on-site visit regarding functional assessments for students eligible for special education and related services and students eligible for speech language services.

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

**Functional Assessments** - During the on-site monitoring it was determined through document review that evaluations completed by child study team members and the speech therapist do not include all of the necessary components of a functional assessment.

- **The charter school will revise its improvement plan to include activities to ensure that evaluations conducted by the child study team and speech therapist include the components necessary to constitute a functional assessment. Implementation of these activities will ensure eligibility determinations are based on a variety of assessments. 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 eligibility meetings for students eligible for special education and related services, notice of eligibility for students eligible for special education and related services, participants at eligibility meetings for students eligible for special education and related services and eligibility criteria.

Areas of need were identified during the on-site visit regarding eligibility meetings, notice of eligibility and eligibility meeting participants for students eligible for speech language services and agreement/disagreement with the determination of eligibility and provision of copies of evaluation reports 10 days prior to eligibility meeting.

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

**Eligibility meetings, Notice of Eligibility and Eligibility Meeting Participants for Students Eligible for Speech Language Services** - During the on-site monitoring it was determined through document review that following an evaluation by the speech therapist the parents are provided with a letter stating that their child is eligible for speech language services and that a meeting to develop the IEP has been scheduled. An eligibility conference is not held and the parents are not provided with notice of eligibility.

- **The charter school will revise its improvement plan to include activities to ensure that the speech therapist convenes an eligibility meeting and provides the parents with notice of eligibility following a speech language evaluation. This will ensure that all members of the eligibility team have the opportunity to participate in the decision-making process. The improvement plan must include an administrative oversight component to ensure the consistent implementation of the activities.**

**Agreement/Disagreement with Determination of Eligibility** - During the on-site monitoring it was determined through record review that members of the MCESC do not document agreement/disagreement with eligibility determinations.

- **The charter school will revise its improvement plan to include activities to ensure that the eligibility documentation utilized by the child study team includes an area for agreement/disagreement with the findings. This will ensure parents are informed of differing opinions regarding these eligibility determinations. The improvement plan must include an administrative oversight component to ensure the consistent implementation of these activities.**

**Provision of Copies of Evaluation Reports within 10 Days of Eligibility Meeting** - During the on-site monitoring it was determined through record review that parents do not consistently receive copies of evaluation reports at least 10 days prior to the eligibility meeting.

- **The charter school will revise its improvement plan to include activities to ensure parents receive copies of evaluation reports at least 10 days prior to**

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the eligibility meeting. This will ensure parents have ample opportunity to review documents and gather information necessary to fully participate in the eligibility meeting. The improvement 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, considerations and required statements, nonacademic and extracurricular participation and supplementary aides and services.

Areas of need were identified during the on-site visit regarding continuum of placement options and individualized decision-making.

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

**Continuum of placement options and individualized decision-making** - During the on-site monitoring it was determined through staff interviews and document review that resource room is the only placement option currently available to special education students at the charter school. Child study team members and school administrators indicated that mainstreaming with some support from non-certified personnel could also be a placement option. As a result of these program limitations, child study team members reported that placement decisions are not based on the individual needs of the students, but rather on program availability.

- **The charter school will revise its improvement plan to include activities to ensure the programs offered or developed by the charter school are sufficient to address the individual needs of students who attend or may attend the charter school. The improvement plan must also include staff training and an administrative oversight component to ensure the consistent implementation of the activities.**

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

As the Village Charter School is K-6 school, there are no findings in this area.

### ***Section X: Transition to Preschool***

As the Village Charter School is K-6 school, there are no findings in this area.

### ***Section XI: Discipline***

No findings could be made in this area as the Village Charter School has not suspended any students eligible for special education and related services.

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***Section XIII: Graduation***

As the Village Charter School is K-6 school, there are no findings in this area.



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## **Summary**

On-site special education monitoring was conducted in the Village Charter School on February 6, 2004 and May 4, 2004. The purpose of the monitoring visit was to verify the district's report of findings resulting from their self-assessment and to review the district's improvement plan.

No parents attended the focus group meeting held on February 25, 2004. Parents of eight students submitted written statements regarding their satisfaction with the program offered at Village Charter School. All of the parents felt that the special education teacher was doing his very best to provide students with special education services. However, some parents did indicate that they felt their children were not making adequate progress and would benefit from additional or more intensive special education services.

Areas Demonstrating Compliance with All Standards included reevaluation, IEP, statewide assessment, programs and services and student records.

Areas identified as consistently compliant by the charter school during self-assessment and verified during the on-site monitoring visit included dissemination of IDEA information, length of school day and year, transfer students, facilities, certifications, notices in native language, interpreters at meetings, independent evaluations, referral process, pre-referral interventions, direct referrals, health summary, vision and hearing screenings, consent, multi-disciplinary evaluations, standardized assessments, development of written reports, bilingual evaluations, 90-day timelines, eligibility meetings for students eligible for special education and related services, notice of eligibility for students eligible for special education and related services, participants at eligibility meetings for students eligible for special education and related services, eligibility criteria, provision of copies of evaluation reports 10 days prior to eligibility meeting, regular education access, considerations and required statements, nonacademic and extracurricular participation and supplementary aides and services.

The on-site visit identified additional areas of need within the various standards regarding parent training, extended school year, goals and objectives for related services, surrogate parents, consent to evaluate for student potentially eligible for speech language services, content of notice of meeting for students eligible for speech language services, content of written notice for students eligible for speech language services, child find procedures, identification meeting timelines and identification meeting participants, convening identification meetings for students potentially eligible for speech language services, functional assessments for students eligible for special education and related services and students eligible for speech language services, eligibility meetings, notice of eligibility and eligibility meeting participants for students eligible for speech language services, agreement/disagreement with the determination of eligibility, continuum of placement options and individualized decision-making.

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