



**State of New Jersey**

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

CHRISTOPHER D. CERF  
*Acting Commissioner*

February 17, 2011

Mr. Christopher Rooney, Superintendent  
Atlantic Highlands School District  
140 First Avenue  
Atlantic Highlands, NJ 07716-1238

Dear Mr. Rooney:

Subject: Special Education Monitoring Report – Atlantic Highlands School District

This correspondence has been sent to inform you of the results of the New Jersey Department of Education, Office of Special Education Programs' onsite monitoring regarding the Atlantic Highlands School District's implementation of federal and state special education requirements. Between September 15, 2010 and the present, the New Jersey Department of Education, Office of Special Education Programs (NJOSPE), conducted onsite monitoring visits, verification visits and desk audits in the Atlantic Highlands School District to determine compliance with federal and state special education requirements. Ms. Deborah Masarsky conducted the monitoring.

The special education monitoring system is data driven and aligned with the federally required State Performance Plan (SPP) indicators, including the federal monitoring priorities established by the Individuals with Disabilities Education Act of 2004 (IDEA 2004). Specifically, the NJOSPE monitoring process is focused on improving educational results and functional outcomes for students with disabilities and ensuring compliance with those special education requirements related to positive student outcomes.

The special education self-assessment and monitoring process focused on requirements related to the following areas:

- ***Transition to Adult Life***
- ***State Assessment***
- ***Placement in the Least Restrictive Environment***
- ***Parent Involvement***
- ***Disproportionate Representation of Specific Racial-Ethnic Groups in Special Education***
- ***Evaluation and Reevaluation***
- ***Individualized Education Program***
- ***Programs and Services***

**The Atlantic Highlands School District was selected for the monitoring process through random selection.**

[www.nj.gov/education](http://www.nj.gov/education)

### Monitoring Results

The enclosed Table of Findings details the findings of noncompliance identified during monitoring and the status of correction. All findings of **noncompliance that have not yet been corrected must be corrected within one year of the date of this report**. Corrective action should include, as necessary: development and/or revision of policies and procedures, staff training, implementation of the identified IDEA and N.J.A.C. requirements and implementation of an oversight mechanism to ensure ongoing compliance. Ms. Deborah Masarsky will contact Ms. Joanne Lynch to discuss procedures for verification of correction of the findings of noncompliance.

The results of the special education monitoring must be reviewed at the next meeting of the district's board of education. A copy of the minutes from the board of education meeting documenting the review by the board must be submitted to the following address:

Ms. Deborah Masarsky  
New Jersey Department of Education  
Office of Special Education Programs  
100 Riverview Plaza  
PO Box 500  
Trenton, New Jersey 08625

Questions regarding the enclosed monitoring report should be directed to Dr. Peggy McDonald, manager of the Bureau of Program Accountability, at 609-292-7605.

The NJOSEP appreciates the cooperation of district staff members during the self-assessment/monitoring process.

Sincerely,



Barbara Gantwerk, Assistant Commissioner  
Division of Student Services

BG/PM/DM

Enclosure

c: Gregg Edwards  
Andrew Smarick  
Peggy McDonald  
Deborah Masarsky  
Karen Frumen  
Joanne Lynch

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Noncompliance was not identified during monitoring with federal and state requirements in the following areas:

- Section I: TRANSITION TO ADULT LIFE**
- Section II: STATEWIDE ASSESSMENT**
- Section III: LEAST RESTRICTIVE ENVIRONMENT**
- Section V: DISPROPORTIONATE REPRESENTATION**
- Section VIII: PROGRAMS AND SERVICES**

**Section IV: PARENT INVOLVEMENT**

**Areas of Noncompliance**

Area	Status of Compliance
1) Parents shall be given written notice of a meeting containing all the required components, in accordance with N.J.A.C. 6A:14-2.3(k)3,5; 20 U.S.C. §1414(b)(1); and 34 CFR §300.304(a).	Noncompliance identified during an onsite visit conducted on September 15, 2010 was verified as corrected during a desk audit conducted on October 18, 2010.
2) Written notice, which includes required components, shall be provided to parents following meetings, in accordance with N.J.A.C. 6A:14-2.3(f) and 2.3(g)1-7; 20 U.S.C. §1414(b)(1)(c)(4)(A); 34 CFR §300.304(a)(4); and 34 CFR §300.305(a).	Noncompliance identified during an onsite visit conducted on September 15, 2010 was verified as corrected during a desk audit conducted on October 18, 2010.
3) Eligibility meetings shall include required participants in accordance with N.J.A.C. 6A:14-2.3(k)1(i-vii); 20 U.S.C. §1414(d)(1)(B); and 34 CFR §300.321(a).	Noncompliance identified during an onsite visit conducted on September 15, 2010 was verified as corrected during a desk audit conducted on October 18, 2010.

**Section VI: EVALUATIONS AND REEVALUATION**

**Areas of Noncompliance**

Area	Status of Compliance
3) The staff of the general education program shall maintain written documentation regarding type, frequency, duration and effectiveness of each intervention used, in accordance with N.J.A.C. 6A:14-3.3(c).	Noncompliance identified during an onsite visit conducted on September 15, 2010 was verified as corrected during a desk audit conducted on December 1, 2010.

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8) Evaluations shall be conducted by a multi-disciplinary team, in accordance with N.J.A.C. 6A:14-2.5(b)6 and 3.6(b).	Review of records indicated that the district staff did not obtain the educational impact statement from the classroom teacher for students referred for speech and language services. Noncompliance was due to lack of district procedures.
9) Each evaluation of a student shall include functional assessment, in accordance with N.J.A.C. 6A:14-3.4(f)4(i-vi); 20 U.S.C. §1414(b)(4) and (5); and 34 CFR §300.306(c)(i).	Review of records and interviews with staff members indicated that district did not conduct a complete functional assessment for either students referred special education and related services or for speech and language services.
13) Eligibility for special education and/or related services shall be determined by meeting the criteria in one or more of the eligibility categories, in accordance with N.J.A.C. 6A:14-3.5(c)1-14 and 3.6(b)1-3; 20 U.S.C. §1401(3); and 34 CFR §300.306(b).	Noncompliance identified during an onsite visit conducted on September 15, 2010 was verified as corrected during a desk audit conducted on October 18, 2010.
14) Each child study team member shall certify in writing whether his or her report reflects his or her conclusion of eligibility of the student, in accordance with N.J.A.C. 6A:14-3.4(h)5.	Noncompliance identified during an onsite visit conducted on September 15, 2010 was verified as corrected during a desk audit conducted on October 18, 2010.

**Section VII: IEP**

**Areas of Noncompliance Identified during Monitoring**

Area	Status of Compliance
1) IEP meetings shall be held with an appropriately configured IEP team, in accordance with N.J.A.C. 6A:14-2.3(k)2(i-x)1; 20 U.S.C. §1414(d)(1)(B); and 34 CFR §300.321(a).	Noncompliance identified during an onsite visit conducted on September 15, 2010 was verified as corrected during a desk audit conducted on October 18, 2010.

**All documentation required to demonstrate completion of corrective action activities must be submitted to the following address:**

Ms. Deborah Masarsky  
New Jersey Department of Education  
Office of Special Education Programs  
100 Riverview Plaza  
P.O. Box 500  
Trenton, New Jersey 08625-0500