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DEPARTMENT OF EDUCATION
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CHRISTOPHER D. CERF
Acting Commissioner

July 20, 2011

Dr. Christine Johnson, Superintendent
Boonton School District
434 Lathrop Avenue
Boonton, NJ 07005

Dear Dr. Johnson:

Subject: Special Education Monitoring Report – Boonton 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 Boonton School District's implementation of federal and state special education requirements. The New Jersey Department of Education, Office of Special Education Programs (NJOSEP), conducted onsite monitoring visits, verification visits and desk audits in the Boonton School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Samuel Jordan, Sandra Gogerty, and Linda Chavez.

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 NJOSEP 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 Boonton School District was selected for the self-assessment/monitoring process based on trend data that indicated: disproportionate representation of specific racial/ethnic groups determined eligible for special education. (See Section V – Table of Findings).

Monitoring Results

The enclosed Table of Findings details the findings of noncompliance resulting from the onsite monitoring. All findings 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. A state monitor will contact Ms. Bobbie Stenvall to discuss procedures for verification of correction of the findings of noncompliance listed in the Table of Findings. For any finding of noncompliance related to the development or implementation of IEPs or the delivery of programs and services, **corrective action activities have been directed by the NJOSEP.**

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:

Northern Monitoring Team
New Jersey Department of Education
Passaic County Office of Education
501 River Street
Paterson, NJ 07524

Please contact me at 609-292-7605 if you have questions regarding this report. The NJOSEP appreciates the cooperation of district staff members during the self-assessment/monitoring process.

Sincerely,

Peggy McDonald, Interim Director
Office of Special Education Programs

PM/lc

Enclosure

c: Barbara Gantwerk
Northern Monitoring Team
Kathleen C. Serafino
Sandra Gogerty
Bobbie Stenvall

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<p>2) IEPs shall include an explanation of the extent, if any, to which child will not participate with nondisabled children. [20 U.S.C. §1412(a)(5) and 1414(d)(1)(A)(i)(V); 34 CFR §300.115 and §300.320(a)(5) and N.J.A.C. 6A:14-3.7(e)6]</p>	<p>A review of records and interviews with staff members indicated that the IEPs for students attending out-of-district placements did not consistently include an explanation of the extent, if any, to which the child will not participate with nondisabled children, due to lack of implementation of district procedures.</p>
<p>6) For students in a separate setting, IEPs shall include activities to transition students to a less restrictive environment, in accordance with N.J.A.C. 6A:14-4.2(a)4.</p>	<p>A review of records and interviews with staff members indicated that the IEPs for students in separate settings did not consistently include activities to transition students to a less restrictive environment, due to lack of implementation of district procedures.</p>

Corrective Action for Areas 2 and 6 above: The district is required to conduct training with child study team members regarding procedures for documentation of placement decisions in IEPs.

The district is required to conduct a meeting of the IEP team for each student whose IEP was identified as noncompliant by the NJOSEP monitors and ensure that each IEP is revised to include the required components. Names of students whose IEPs were found to be noncompliant by the monitors will be provided to the Director of Special Education by NJOSEP.

The district must review the IEPs of all students with disabilities removed from general education settings for greater than 20% of the school day. For any IEP where the rationale for removal is noncompliant and/or does not include the activities to transition students in a separate setting to a less restrictive environment, a meeting of the IEP team must be convened to review and revise the IEP.

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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).

A review of records and interviews with staff members indicated that the district did not consistently provide parents with written notice of a meeting containing all the required components, due to lack of implementation of district procedures.

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).

A review of records and interviews with staff members indicated that the district did not consistently provide parents with written notices including all required components, due to incorrect district procedures.

4) Within 20 calendar days of receipt of the written request for an evaluation, the district shall convene a meeting with required participants, in accordance with N.J.A.C. 6A:14-3.3(e).

A review of records and interviews with staff members indicated that the district did not consistently convene identification meetings with all required participants, due to lack of implementation 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).

A review of records and interviews with staff members indicated that evaluations of students did not consistently include all required components of functional assessment, due to lack of implementation of district procedures.

10) Within three years of the previous classification, a multi-disciplinary reevaluation shall be completed, in accordance with N.J.A.C. 6A:14-3.8(a) and 20 U.S.C. §1414(a)(2)(B)(ii).

A review of records and interviews with staff members indicated that reevaluations were not consistently conducted within 60 day and three year timelines, due to lack of implementation of district procedures.

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<p>11) Reevaluation planning meetings shall include required participants, in accordance with N.J.A.C. 6A:14-2.3(k)2(i-x); 20 U.S.C. §1414(c)(1)(A)(i); and 34 CFR §300.305(a).</p>	<p>A review of records and interviews with staff members indicated that reevaluation planning meetings did not consistently include all required participants, due to a lack of implementation of district procedures.</p>
<p>15) A copy of the evaluation report(s) and documentation and information that will be used for a determination of eligibility shall be given to the parent or adult student not less than 10 calendar days prior to the eligibility meeting, in accordance with N.J.A.C. 6A:14-3.5(a); 20 U.S.C. §1414(b)(4); and 34 CFR §300.306(a).</p>	<p>A review of records and interviews with staff members indicated that copies of evaluation reports were not consistently given to the parent or adult student, not less than 10 calendar days prior to the eligibility meeting, due to lack of implementation of district procedures.</p>
<p>[REDACTED SECTION]</p>	
<p>2) IEPs shall include required considerations and statements, in accordance with N.J.A.C. 6A:14-3.7(c)1-11, (e) 1-17, and (f); 20 U.S.C. §1414(d)(3)(A)(B); and 34 CFR §300.324(a)(1)(2).</p>	<p>A review of records and interviews with staff members indicated that IEPs did not consistently include all required considerations and statements, specifically the consideration of the need for extended school year services, a description of the extended school year program and the amount of time the in-class resource teacher will be present in the general education class, due to lack of implementation of district procedures.</p>
<p>3) IEP meetings shall be conducted annually, or more often if necessary, to review and/or revise the IEP and determine placement, in accordance with N.J.A.C. 6A:14-3.7(i); 20 U.S.C. §1414(d); and 34 CFR §300.324(b)(1).</p>	<p>A review of records and interviews with staff members indicated that IEP meetings were not consistently conducted annually, or more often if necessary, due to lack of implementation of district procedures.</p>

Corrective Action for Area 2 above: The district is required to conduct training with child study team members regarding procedures for documenting the required considerations and statements in IEPs.

The district is required to conduct a meeting of the IEP team for each student whose IEP was identified as noncompliant by the NJOSEP monitors and ensure that each IEP is revised to include the required components. Names of students whose IEPs were found to be noncompliant by the monitors will be provided to the Director of Special Education by NJOSEP. The district must review the IEPs of all students with disabilities. For any IEP that does not include the required component, a meeting of the IEP team must be convened to review and revise the IEP.