



State of New Jersey

DEPARTMENT OF EDUCATION
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COPY

JON S. CORZINE
Governor

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Commissioner

October 13, 2009

Mr. James Jencarelli, Superintendent
Carlstadt-East Rutherford Regional High School District
120 Patterson Avenue
East Rutherford, NJ 07073

Subject: Special Education Monitoring Report: Carlstadt-East Rutherford Regional High School District

Dear Mr. Jencarelli:

On October 23 and 24, 2008, the New Jersey Department of Education, Office of Special Education Programs (NJOSEP), conducted an onsite monitoring visit in the Carlstadt-East Rutherford Regional High School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Deborah Masarsky and Nicole Buten.

NJOSEP initiated a new five year self-assessment/monitoring cycle during the 2006-2007 school year. The monitoring system is data driven and aligned with the 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**
- **Discipline Procedures**
- **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**

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The Carlstadt-East Rutherford Regional High School District was selected for the self-assessment process for the 2006-2007 school year due to a high rate of students with disabilities educated in separate public and/or private settings. The determination was based on the Annual Data Reports submitted to NJOSEP in December 2003, December 2004 and December 2005. Annual Data Reports submitted to NJOSEP in December 2006, December 2007, and October 2008 indicated a continued pattern of educating a high percentage of students with disabilities in separate special education settings.

The NJDOE Self-Assessment/Monitoring Process

The first step in the monitoring process was completion of a self-assessment which required the district to review student outcome data and policies, procedures and practices related to federal monitoring priorities. The district was provided with a comparison of district student outcome data to relevant targets established in New Jersey's SPP. Based on the data review, the district identified areas for "Continuous Improvement" and areas of noncompliance with federal and state regulations related to the priority areas. The self-assessment and improvement plan were submitted to NJOSEP in January 2008.

Following review of the self-assessment and the improvement plan, an onsite monitoring visit was conducted. A review of specific federal and state requirements related to the education of students with disabilities was completed during the visit. The monitoring team reviewed district documents, including district policies and procedures, a sample of student records, master student lists, class lists, other relevant information, and schedules of students, teachers and related service personnel. Interviews were conducted with the district's special education administrators, general education and special education teachers, speech-language specialists and child study team members. Parents of students with disabilities were interviewed by phone.

Monitoring Results

The enclosed Table of Findings details the onsite monitoring results with regard to the following:

Status of improvement plan activities

For each area in need of continuous improvement identified by the district, the status of improvement activities designed to improve student outcomes is provided. If not identified as completed, the district must demonstrate implementation of improvement plan activities in accordance with the timelines delineated in the improvement plan. NJOSEP will continue to monitor implementation through additional onsite visits and desk audit.

Findings of noncompliance identified by the district during the self-assessment

For any finding of noncompliance identified by the district during self-assessment, the status of correction is provided. **Prior to the release of this report, the Carlstadt-East Rutherford Regional High School District submitted documentation demonstrating correction of all areas of noncompliance identified during self-assessment.**

Findings of noncompliance identified during onsite monitoring

For any finding of noncompliance identified by NJOSEP during onsite monitoring, the status of correction is provided. **Prior to the release of this report, the Carlstadt-East Rutherford Regional High School District submitted documentation demonstrating correction for all areas of noncompliance identified during the onsite monitoring.**

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:

Mrs. Deborah Masarsky
New Jersey Department of Education
Office of Special Education Programs
PO Box 500
Trenton, NJ 08625-0500

Questions regarding the report should be directed to Dr. Peggy McDonald at 609-292-7605. NJOSEP appreciates the cooperation of district staff members during the self-assessment/monitoring process.

Sincerely,



Roberta Wohle, Director
Office of Special Education Programs

RW/PM/DM

Enclosure

c: Gerald Vernotica
Barbara Gantwerk
Peggy McDonald
Deborah Masarsky
Aaron R. Graham
Steve Pasternak
Director of Special Education

TABLE OF FINDINGS
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Section I: TRANSITION TO ADULT LIFE

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to expand curriculum to include post-school transition planning.	The district is in the process of implementing its plan in accordance with the established timelines.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
1) IEP requirements for students ages 16 and above [N.J.A.C. 6A:14-3.7(e)12; 20 U.S.C. 1414(d)(1)(A)(i)(VIII); and 34 CFR §300.320(b) and (c)].	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED
2) Invitation of students and agencies providing or paying for transition services to IEP meetings [N.J.A.C. 6A:14-2.3(k)2x and 3.7(e)13, 3.7(h); 20 U.S.C. 1414 (d)(1)(A)(i)(1)(VIII); and 34 CFR §300.322.b(2)].	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED
3) IEP requirements for students ages 14 and above in accordance with N.J.A.C. 6A:14-3.7(e)11.	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED
4) A summary of academic achievement and functional performance shall be provided to each student prior to graduation in accordance with N.J.A.C. 6A:14-4.11(b)4; 20 U.S.C. 1414(c)(5)(B); and 34 CFR §300.305(e)(3).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

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Section II: STATEWIDE ASSESSMENT – Noncompliance was not identified during self-assessment or monitoring.

Section III: DISCIPLINE – Noncompliance was not identified during self-assessment or monitoring.

Section IV: LEAST RESTRICTIVE ENVIRONMENT - The Carlstadt-East Rutherford Regional High School District was selected for the self-assessment process for the 2006-2007 school year due to a high rate of students with disabilities educated in separate public and/or private settings. The determination was based on the Annual Data Reports submitted to NJOSEP in December 2003, December 2004 and December 2005. Annual Data Reports submitted to NJOSEP in December 2006, December 2007, and October 2008 indicated a continued pattern of educating a high percentage of students with disabilities in separate special education settings. Based on Carlstadt-East Rutherford's high percentage of students with disabilities being educated in separate public and/or private settings, the district is required to participate in technical assistance offered by the New Jersey Office of Special Education Programs, for the purpose of continuous improvement, regarding the education of students with disabilities in general education settings with appropriate supports and services. The district is reminded that all placement decisions shall be made in accordance with the New Jersey Administrative Code 6A:14-3.7 and 4.2.

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to expand and increase the array of supports available to transition students with disabilities from separate settings to in-district programs.	The district has implemented its plan in accordance with the established timelines.

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
2) IEPs shall include an explanation of the extent to which students are educated with nondisabled peers, including participation in nonacademic and extracurricular activities in accordance with N.J.A.C. 6A:14-3.7(e)6; 20 USC 1414(d)(1)(A)(i)(V); and 34 CFR §300.320.	A review of records indicated that IEPs did not include a statement of what supplementary aids and services were considered prior to determining the educational placement and an explanation of why they were rejected. Correction of noncompliance was verified through desk audit conducted on January 7, 2009.	CORRECTED	CORRECTED

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4) 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.	A review of records indicated that IEPs of students educated in separate settings did not include activities to transition students to a less restrictive environment. Correction of noncompliance was verified during a desk audit on January 7, 2009.	CORRECTED	CORRECTED
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Section V: PARENT INVOLVEMENT

Results of Parent Interviews

Of the ten parents who were interviewed, the majority indicated that they were very satisfied with the district's programs and services. Parents stated that they were very involved in the planning of their children's educational programs. Parents who regularly attended monthly parent advisory meetings commended the district for holding these sessions.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
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); and 34 CFR §300.304(a)(4) and §300.305(a).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED
4) Parental consent shall be obtained whenever a member of the IEP team is excused from participating in a meeting in accordance with N.J.A.C. 6A:14-2.3(a)6; 20 U.S.C. 1414(d)(1)(C)(i) through (iii); and 34 CFR §300.321(e).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED
5) Foreign language interpreters/translators and sign language interpreters for the deaf shall be provided, when necessary, by the district at no cost to the parent in accordance with N.J.A.C. 6A:14-2.4(a)1; and 34 CFR §300.503(c) and §300.504(d).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

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Section VI: DISPROPORTIONATE REPRESENTATION

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
5a) Each district shall ensure that evaluation procedures, including, but not limited to, tests and other evaluation materials, are selected so as not to be racially or culturally discriminatory in accordance with N.J.A.C. 6A:14-2.5(b)1i; 20 U.S.C. 1414(b)(3); and 34 CFR §300.304(c).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED
5b) Each district shall ensure that evaluation procedures, including, but not limited to, tests and other evaluation materials, are provided and administered in the language and form most likely to yield accurate information in accordance with N.J.A.C. 6A:14-2.5(b)1ii and 3.4(f); 20 U.S.C. 1414(b)(3); and 34 CFR §300.304(c).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED
5c) Each district shall ensure that materials and procedures used to assess students with limited English proficiency, for determining eligibility for special education and related services, are selected and administered to ensure they measure the extent to which the student has a disability and needs special education, rather than measure the student's English language skills in accordance with N.J.A.C. 6A:14-2.5(b)1iii; 20 U.S.C. 1414(b)(3); and 34 CFR §300.304(c).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

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Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
10) The district shall ensure that the term severe discrepancy is not applied to students who have learning problems that are primarily the result of visual, hearing or motor disabilities, general cognitive deficits, emotional disturbance or environmental, cultural or economic disadvantage in accordance with N.J.A.C. 6A:14-3.5 (c)12iii; 20 U.S.C. 1414(b)(6); and 34 CFR §300.304(b).	Noncompliance identified during the onsite monitoring visit was verified as corrected during a desk audit on January 7, 2009.	CORRECTED	CORRECTED

Section VII: EVALUATION AND REEVALUTATION

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
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).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
2) Interventions in the general education setting shall be provided to students exhibiting academic difficulties and shall be utilized, as appropriate, prior to referring a student for an evaluation in accordance N.J.A.C. 6A:14-3.3(b); 20 U.S.C. 1413(f)(2); and 34 CFR §300.226(b).	Noncompliance identified during the onsite monitoring visit was verified as corrected during a desk audit on January 7, 2009.	CORRECTED	CORRECTED

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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 the onsite monitoring visit was verified as corrected during a desk audit on January 7, 2009.	CORRECTED	CORRECTED
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Section VIII: IEP

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
5) The student's IEP shall be accessible to each general education teacher, special education teacher, related services provider and other services providers who are responsible for its implementation. The district shall inform each teacher and provider of his/her responsibilities related to implementing the student's IEP and the specific accommodations, modifications and supports to be provided for the student in accordance with N.J.A.C. 6A:14-3.7(a)2-3 and CFR §300.323(d).	Noncompliance identified by the district in the self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

Section IX: PROGRAMS AND SERVICES - Noncompliance was not identified during self-assessment or monitoring.

All documentation regarding the status of the continuous improvement plans must be submitted to the following address in accordance with the established timelines in the district's self-assessment document:

Mrs. Deborah Masarsky
New Jersey Department of Education
Office of Special Education Programs
PO Box 500
Trenton, NJ 08625-0500