



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 14, 2011

Dr. David Campbell, Superintendent
Cherry Hill Township School District
45 Ranoldo Terrace
Cherry Hill, NJ 08034

Dear Dr. Campbell:

Subject: Special Education Monitoring Report – Cherry Hill Township 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 Cherry Hill Township School District's implementation of federal and state special education requirements. Between January 21, 2010 and the present, the New Jersey Department of Education, Office of Special Education Programs (NJOSPEP), conducted onsite monitoring visits, desk audits and verification visits to determine compliance with federal and state special education requirements. The members of the monitoring team were Patricia Fair, Kenneth Richards and Caryl Carthew.

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 NJOSPEP 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**

The Cherry Hill Township School District was selected for the self-assessment process through random selection.

Monitoring Results

The enclosed Table of Findings details the onsite monitoring results with regard to the following findings of noncompliance identified by the district during the self-assessment and findings of noncompliance identified during onsite monitoring visits. Prior to the release of this report, all findings of noncompliance identified during self-assessment were verified as corrected.

For any finding of noncompliance identified by NJOSEP during onsite monitoring visits, the status of correction is provided. Findings of noncompliance identified as a result of an onsite visit 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. The monitoring team leader, Patricia Fair, will contact Dr. Maureen Reusche, Assistant Superintendent, to discuss procedures for verification of correction of the findings of noncompliance listed in the Table of Findings.

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. Patricia Fair
New Jersey Department of Education
Office of Special Education
Finlaw Building 4th Floor
199 East Broadway
Salem, NJ 08079

Questions regarding the report should be directed to Dr. Peggy McDonald 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/pf
Enclosure

c: Rochelle Hendricks
Gregg Edwards
Andrew Smarick
Peggy McDonald
Patricia Fair
Peggy Nicolosi

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Cherry Hill Township School District

Section I: TRANSITION TO ADULT LIFE - Noncompliance was not identified during self-assessment.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
1) Individualized Education Program (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 during the self-assessment process was verified as corrected during an onsite monitoring visit conducted on January 21, 2010.
2) Invitation to IEP meetings provided to students and agencies providing or paying for transition services [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 during the self-assessment process was verified as corrected during a verification visit conducted on November 10, 2010.
3) IEP requirements for students ages 14 and above, in accordance with N.J.A.C. 6A:14-3.7(e)11.	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on November 10, 2010.
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 during the self-assessment process was verified as corrected during a verification visit conducted on December 7, 2010.

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

Section III: DISCIPLINE- Noncompliance was not identified during monitoring.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
1b) The case manager and parent shall be notified in writing of suspension/expulsion of a student with a disability at time of removal, in accordance with N.J.A.C. 6A:14-2.8(a); 20 U.S.C. 1415(k)(1)(A)(H); and 34 CFR §300.530(h).	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on March 22, 2010.

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Cherry Hill Township School District

<p>2) Removals of a student with a disability from his/her placement for disciplinary reasons constitutes a change in placement if the removal is more than 10 consecutive days or a series of short-term removals that accumulate to more than 10 days and constitute a pattern, in accordance with N.J.A.C. 6A:14-2.8(e); 20 U.S.C. 1415(k)(1)(D); and 34 CFR §300.530(d).</p>	<p>Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on March 22, 2010.</p>
<p>3) If a student with a disability is removed from his/her placement for more than 10 cumulative or consecutive days, services shall be provided, in accordance with N.J.A.C. 6A:14-2.8(e); 20 U.S.C. 1415(k)(1)(D); and 34 CFR §300.530(d)1.</p>	<p>Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on March 22, 2010.</p>
<p>4) Change of placement determination shall be made by school officials and the case manager for short-term removals of a student with a disability exceeding 10 days, in accordance with N.J.A.C. 6A:14-2.8(c); 20 U.S.C. 1415(k)(1)(c); and 34 CFR §300.530(c).</p>	<p>Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on March 22, 2010.</p>
<p>5) When it is determined that a series of short-term removals of a student with a disability is not a change of placement, school officials, in consultation with the student's special education teacher and case manager, shall determine the extent to which services are necessary, in accordance with N.J.A.C. 6A:14-2.8(e); 20 U.S.C. 1415(k)(1)(A); and 34 CFR §300.530(a).</p>	<p>Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on March 22, 2010.</p>
<p>7) When it is determined that the conduct is a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment, implement a behavioral intervention plan and ensure that the student is returned to his/her placement (unless parents agree to a change of placement), in accordance with N.J.A.C. 6A:14-Appendix A; 20 USC§1415(k)(1)(F); and 34 CFR</p>	<p>Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on March 22, 2010.</p>

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Cherry Hill Township School District

§300.530(f).	
8) The district shall provide services to students with disabilities placed in interim alternative educational settings, in accordance with N.J.A.C. 6A:14-2.8(f); 20USC§1415(k)(1)(G); and 34 CFR §300.530(9) and (i).	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on March 22, 2010.
9) When it has been determined that student's conduct is not a manifestation of the student's disability, the IEP team shall determine the extent to which services are necessary, in accordance with N.J.A.C. 6A:14-2.8(e)2; 20USC§1415(k)(1)(c); and 34 CFR §300.530(c).	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on March 22, 2010.
Section IV: LEAST RESTRICTIVE ENVIRONMENT – Noncompliance was not identified during onsite monitoring.	
Areas of Noncompliance Identified during Self-Assessment	
Area	Status of Compliance
2) IEPs shall include an explanation of the extent, if any, to which a child will not participate with nondisabled children [20 USC1412(a)(5) and 1414(d)(1)(A)(i)(V); 34 CFR §300.115 and §300.320(a)(5) and NJAC 6A:14-3.7(e)6].	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on December 7, 2010.
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.	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on March 25, 2010.
7) Placement decisions shall be based on the individual needs of students with disabilities, as indicated in IEPs, resulting in a continuum of alternative placements to meet unique needs of students as close to home as possible, in accordance with N.J.A.C. 6A:14-4.2(a)3,5,6 and 4.3(b); 20 U.S.C. 1412(a)(5); and 34 CFR §300.115.	Noncompliance identified during the self-assessment process was verified as corrected during an onsite monitoring visit conducted on January 21, 2010.

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Cherry Hill Township School District

Section V: PARENT INVOLVEMENT

Areas of Noncompliance Identified during Self-Assessment

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 the self-assessment process was verified as corrected during a verification visit conducted on December 7, 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 the self-assessment process was verified as corrected during a verification visit conducted on January 21, 2011.
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 during the self-assessment process was verified as corrected during an onsite monitoring visit conducted on January 21, 2010.

Areas of Noncompliance Identified during Onsite Monitoring

Area	Status of Compliance/Corrective Action
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).	Review of records and interview with staff members indicated that all required participants are not consistently at eligibility meetings. In addition the participant page is not consistently maintained in student files. Noncompliance was due to inconsistent implementation of district procedures.

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Cherry Hill Township School District

Section VI: DISPROPORTIONATE REPRESENTATION - Noncompliance was not identified during onsite monitoring visit.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
3) Written notice to the parent shall be provided and required parent conferences shall be conducted in the language used for communication by the parent and student unless it is clearly not feasible to do so, in accordance with N.J.A.C. 6A:14-2.4(a)1; 34CFR §300.503(c); and 34CFR §300.504(a)(1) and (d).	Noncompliance identified during the self-assessment process was verified as corrected during an onsite monitoring visit conducted on January 21, 2010.
9) Initial evaluations shall include an assessment of the language needs of a child with limited English proficiency, communication needs and the need for assistive technology devices and services, in accordance with N.J.A.C. 6A:14-3.4(f)4 and 34 CFR §300.324(a)(2)(ii, iv and v).	Noncompliance identified during the self-assessment process was verified as corrected during an onsite monitoring visit conducted on January 21, 2010.

Section VII: EVALUATIONS AND REEVALUATION

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
1) Each district board of education shall develop written procedures for students age three through 21, including students attending nonpublic schools located within the district regardless of where they reside within the local school district, with respect to the location and referral of students who may have a disability due to physical, sensory, emotional, communication, cognitive or social difficulties, in accordance with N.J.A.C. 6A:14-3.3(a); 20 U.S.C. 1412 (a)(3); and 34 CFR §300.111(a).	Noncompliance identified during the self-assessment process was verified as corrected during an onsite monitoring visit conducted on January 21, 2010.

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Cherry Hill Township School District

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 self-assessment process was verified as corrected during a verification visit conducted on January 21, 2010.
7) The district shall obtain consent from the parent or adult student, at required times, in accordance with N.J.A.C. 6A:14-2.3(a); 20 U.S.C. 1414(a)(1)(D); and 34 CFR §300.300(a).	Noncompliance identified during the self-assessment process was verified as corrected during an onsite monitoring visit conducted on January 21, 2010.
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 during the self-assessment process was verified as corrected during a verification visit conducted on December 7, 2010.
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).	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on January 21, 2011.
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).	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on January 21, 2011.
12) By June 30 of a student's last year in a program for preschoolers with disabilities, a reevaluation shall be conducted, in accordance with N.J.A.C. 6A:14-3.8(g); 20 U.S.C. 1414(c); and CFR §300.305(b)(2)(e).	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on January 21, 2011.
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).	Noncompliance identified during the self-assessment process was verified as corrected during a desk audit conducted on January 25, 2011.

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Cherry Hill Township School District

Areas of Noncompliance Identified during Onsite Monitoring Visit

Area	Status of Compliance
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).	Review of records and interview with staff members indicated that identification meetings are not consistently held within 20 calendar days of receipt of the written request for an evaluation. Noncompliance was due to inconsistent implementation of district procedures.
5) A vision and audiometric screening shall be conducted for every student referred to the child study team for evaluation. The school nurse shall review and summarize available health and medical information and transmit the summary to the child study team, in accordance with N.J.A.C. 6A:14-3.4(j).	Review of records and interview with staff members indicated that vision and hearing screenings are not consistently conducted for every student referred to the child study team for evaluation prior to the identification meeting. Noncompliance was due to inconsistent 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).	Review of records and interview with staff members indicated that the district requests written consent from the parent to waive the 60 day timeline evaluations conducted as part of a reevaluation. Noncompliance was due to inconsistent implementation of district procedures.
12) By June 30 of a student's last year in a program for preschoolers with disabilities, a reevaluation shall be conducted, in accordance with N.J.A.C. 6A:14-3.8(g); 20 U.S.C. 1414(c); and CFR §300.305(b)(2)(e).	Review of records and interview with staff members indicated that the district requests written consent from the parent to waive the 60 timeline evaluations conducted as part of a reevaluations for students in their last year of preschool. Noncompliance was due to inconsistent implementation of district procedures.

Section VIII: IEP – Noncompliance was not identified during onsite monitoring visit.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
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).	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on November 10, 2010.

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Cherry Hill Township School District

4) The annual review of the IEP for a preschool student with a disability shall be completed by June 30 of the student's last year in the preschool program, in accordance with N.J.A.C. 6A:14-3.7(i)1; 20 U.S.C. 1414(d); and 34 CFR §300.324(b)(1).	Noncompliance identified during the self-assessment process was verified as corrected during an onsite monitoring visit conducted on January 21, 2010.
---	--

5) The student's IEP shall be accessible to each general education teacher, special education teacher, related service 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 34 CFR §300.323(d).	Noncompliance identified during the self-assessment process was verified as corrected during a verification visit conducted on January 25, 2010.
--	--

Section IX: PROGRAMS AND SERVICES – Noncompliance was not identified during the onsite monitoring visit.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
1) The instructional group sizes for preschool, elementary, and secondary special class programs shall not exceed the limits specified in N.J.A.C. 6A:14-4.7(e-h).	Noncompliance identified during the self-assessment was corrected during a onsite verification visit conducted on December 7, 2010.

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

Ms. Patricia Fair
New Jersey Department of Education
Office of Special Education Programs
Finlaw Building 4th Floor
199 East Broadway
Salem, NJ 08079