



State of New Jersey

DEPARTMENT OF EDUCATION

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Governor

KIM GUADAGNO
Lt. Governor

ROCHELLE R. HENDRICKS
Acting Commissioner

November 23, 2010

Dr. Edythe Austermuhl, Superintendent
Deerfield Township School District
Morton Ave.
P.O. Box 375
Rosenhayn, NJ 08352-0375

Dear Austermuhl:

Subject: Special Education Monitoring Report – Deerfield 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 Deerfield Township School District's implementation of federal and state special education requirements. Between December 10, 2009 and June 17, 2010, the New Jersey Department of Education, Office of Special Education Programs (NJOSPE), conducted onsite monitoring, desk audit and verification visits to determine the district's status of compliance with federal and state special education requirements. The members of the monitoring team were Kenneth Richards and Patricia Fair.

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 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 Deerfield Township School District was selected for the self-assessment process through random selection.

Monitoring Results

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

Findings of noncompliance identified by the district during the self-assessment -Prior to the release of this report, the Deerfield Township School District submitted documentation demonstrating correction for all areas of noncompliance identified during self-assessment.


Findings of noncompliance identified during onsite monitoring - For any finding of noncompliance identified during onsite monitoring, the status of correction is provided. **Findings of noncompliance identified as a result of onsite monitoring 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. For some areas of noncompliance, specific corrective action requirements are included in the table. The monitoring team leader, Kenneth Richards, will contact Ms. Melinda Galasso 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 address below.

Kenneth Richards
New Jersey Department of Education
Finlaw Building – 4th Floor
199 East Broadway
Salem, New Jersey 08079

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/KR

Enclosure

c: Andrew Smarick
Peggy McDonald
Kenneth Richards
Richard Stepura
Melinda Galass

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

Section I: TRANSITION TO ADULT LIFE - Noncompliance was not identified during onsite monitoring.

Areas of Noncompliance Identified during Self-Assessment

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 desk audit conducted on March 18, 2010.

Section II: STATEWIDE ASSESSMENT - Noncompliance was not identified during the monitoring process.

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

Section IV: LEAST RESTRICTIVE ENVIRONMENT - Noncompliance was not identified during the monitoring process.

Section V: PARENT INVOLVEMENT

Areas of Noncompliance Identified during Self-Assessment

Area

Status of Compliance

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 December 10, 2009.

6) Each district shall ensure that a Special Education Parent Advisory group is in place in the district, in accordance with N.J.A.C. 6A:14-1.2(h).

Noncompliance identified during the self-assessment process was verified as corrected during an onsite monitoring visit conducted on December 10, 2009.

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IDEA 2004 and New Jersey Administrative Code Requirements
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Areas of Noncompliance Identified during Onsite Monitoring

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 and 5; 20 U.S.C. 1414(b)(1); and 34 CFR §300.304(a).	Review of records and interviews with staff members indicated that for students eligible for special education and related services and eligible for speech and language services, the district did not consistently provide notice of meeting to the parent prior to the meeting and did not consistently include all required components. Noncompliance was due to inconsistent 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); and 34 CFR §300.304(a)(4) and §300.305(a).	Review of records and interviews with staff members indicated that for students eligible for speech and language services, the district did not consistently provide the parent with written notice within 15 days of the meeting and written notice did not contain all required components. Noncompliance was due to inconsistent implementation of district procedures.
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 interviews with staff members indicated for students eligible for speech and language services, that the district did not conduct eligibility meetings with all required participants. Noncompliance was due to inconsistent implementation of district procedures.

Section VI: DISPROPORTIONATE REPRESENTATION - Noncompliance was not identified during the monitoring process.

Section VII: EVALUATIONS AND REEVALUATION

Areas of Noncompliance Identified during Self-Assessment

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 the self-assessment process was verified as corrected during a desk audit conducted on March 18, 2010.
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).	Noncompliance identified during the self-assessment process was verified as corrected during a desk audit conducted on March 18, 2010.

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Areas of Noncompliance Identified during Onsite Monitoring

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).	Record review indicated that for students eligible for speech and language services, the district did not consistently conduct an identification meeting, with all required participants, within 20 days of receipt of a referral. Noncompliance was due to inconsistent implementation of district procedures.
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).	Record review indicated that for students eligible for eligible for speech and language services, the district did not consistently obtain written parental consent to evaluate when the parent is not in attendance at the meeting. Noncompliance was due to inconsistent implementation of district procedures.
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).	Record review and interviews with staff members indicated that for students eligible for speech and language services, the district did not consistently conduct multi-disciplinary evaluations. Evaluation reports did not consistently reflect the educational impact of the speech/language problem as identified by the general education teacher. Noncompliance was due to inconsistent 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).	Record review and interviews with staff indicated that for students eligible for speech and language services, evaluation reports did not consistently document all required components of a functional assessment. 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).	Record review indicated that for students eligible for special education and related services and students eligible for speech and language services, the district did not consistently conduct reevaluations within three years of the prior date of eligibility.

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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).

Record review indicated that for students eligible for special education and related services and students eligible for speech and language services, the district did not consistently provide evaluation reports to parents not less than 10 calendar days prior to the eligibility meeting. Noncompliance was due to inconsistent implementation of district procedures.

Section VIII: IEP - Noncompliance was not identified during self-assessment.

Areas of Noncompliance Identified during Onsite Monitoring

Area	Status of Compliance
2) IEPs shall include required considerations and statements, in accordance with N.J.A.C. 6A:14-3.7©1-11, (e) 1-17, and (f); 20 U.S.C. 1414(d)(3)(A)(B); and 34 CFR §300.324(a)(1)(2).	Record review and interviews with staff members indicated that for students eligible for speech and language services, IEP teams did not consistently document results of a discussion of the need for an extended school year and a statement of how speech goals will be measured in the IEP. The district contracts for speech and language services and providers use multiple speech IEP formats. The district did not require a consistent IEP process and as a result, IEPs did not consistently contain all required components.

Corrective Action: The district is required to conduct training with speech-language specialists regarding procedures for ensuring that all required considerations and statements are discussed at IEP meetings and documented in the IEP.

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 all required considerations and statements. Names of students whose IEPs were found to be noncompliant by the monitors will be provided to the Director of Special Services by NJOSEP.

At the next IEP meeting for each student eligible for speech-language services, the IEP must ensure that the IEP includes all required considerations and statements.

The Director of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance.

Section IX: PROGRAMS AND SERVICES - Noncompliance was not identified during the monitoring process.