



State of New Jersey

DEPARTMENT OF EDUCATION

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CHRIS CHRISTIE
Governor

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Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

April 18, 2011

Mr. George Papp, Superintendent
Dennis Township School District
601 Hagen Road
Cape May Courthouse, New Jersey 08210

Dear Mr. Papp:

Subject: Special Education Monitoring Report – Dennis 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 Dennis Township 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 Dennis Township School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Caryl Carthew and Kenneth Richards.

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 Dennis Township School District was selected for the self-assessment/monitoring process through random selection.

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. The monitoring team leader, Ms. Caryl Carthew, will contact Ms. Joann Shilinsky 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 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:

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

Questions regarding the enclosed monitoring 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/cc
Enclosure

c: Gregg Edwards
Andrew Smarick
Peggy McDonald
Caryl Carthew
Richard Stepura
County Supervisor of Child Study
Joann Shilinsky

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Noncompliance was not identified with requirements in the following sections of the self-assessment:

- Section II: STATEWIDE ASSESSMENT**
- Section IV: PARENT INVOLVEMENT**
- Section V: DISPROPORTIONATE REPRESENTATION**
- Section VIII: PROGRAMS AND SERVICES**
- Section I: TRANSITION TO ADULT LIFE**

Areas of Noncompliance

Area	Status of Compliance
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)]	Review of records indicated that invitations to IEPs meetings were not provided for students ages 14 and older when transition planning was required due to a lack of implementation of district procedures.
3) IEP requirements for students ages 14 and above, in accordance with N.J.A.C. 6A:14-3.7(e)11.	Review of records indicated that IEPs did not include courses of study or the post-secondary liaison for the period covered by the implementation dates of the IEP due to a lack of implementation of district procedures.

Corrective Action: The district is required to conduct training with child study team members regarding procedures for developing transition 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 all elements of the age 14 transition requirements. 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 who will be turning 14 or who are already 14. For any IEP that does not include the courses of study and post-secondary liaison for the implementation period of the IEP, a meeting of the IEP team must be convened to review and revise the IEP or an addendum must be developed.

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Section III: LEAST RESTRICTIVE ENVIRONMENT

Areas of Noncompliance

Area	Status of Compliance
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]	Review of records indicated that IEPs did not include an explanation of the extent, if any, to which the child will not participate with nondisabled children, including a statement of the supplementary aids and services considered and the reasons they were rejected due to a lack of implementation of district procedures.
4) IEPs shall include a comparison of the benefits provided in the regular class and the benefits provided in the special education class, in accordance with N.J.A.C. 6A:14-4.2(a)8(ii).	Review of records indicated that IEPs did not include a comparison of the benefits provided in the regular class and the benefits provided in the special education class due to a lack of implementation of district procedures.
5) IEPs shall included the potentially beneficial or harmful effects which a placement (general education) may have on the student with disabilities or the other students in the class. [20 U.S.C. § 1412(a)(5); 34 CFR §300.116(d)]	Review of records indicated that IEPs did not include the potentially beneficial or harmful effects which a placement (general education) may have on the student with disabilities or other students in the class due to a lack of implementation of district procedures.
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.	Review of records indicated that IEPs for students in separate settings did not include activities to transition the students to a less restrictive environment due to a lack of implementation of district procedures.

Corrective Action: The district is required to conduct training with child study team members regarding procedures for determining the least restrictive environment for a child and documenting decisions in an 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 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 above elements are not correctly addressed, a meeting of the IEP team must be convened to review and revise the IEP.

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Section VI: EVALUATIONS AND REEVALUATION

Areas of Noncompliance

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 indicated that identification meetings for students potentially eligible for special education and related services were not consistently held within 20 days and with all required participants due to a lack of 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).	Review of records indicated that written parental consent of evaluation was not consistently obtained for students referred for a speech-language evaluation due to a 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).	Review of records indicated that initial evaluations for students potentially eligible for special education and related services did not consistently include an observation of the student in other than a testing setting due to a 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).	Review of records indicated that reevaluations for students eligible for special education and related services were not consistently completed within three years of the previous date of eligibility and within 60 days of receipt of parental consent due to a lack of implementation of district procedures.
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).	Review of records indicated that copies of evaluation reports were not consistently provided at least 10 days prior to the eligibility meeting due to a lack of implementation of district procedures.

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Section VII: IEP

Areas of Noncompliance

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).	Review of records indicated that IEPs for students eligible for special education and related services did not consistently identify the frequency, duration and location of related services and specify whether related services would be provided individually or in a small group due to the lack of implementation of district procedures.
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).	Review of records indicated that IEP meetings for students eligible for special education and related services were not consistently conducted on an annual basis, due to a lack of implementation of district procedures.

Corrective Action: The district is required to conduct training with child study team members regarding procedures for identifying the frequency, location, and duration of related services and the method of provision of those related services 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.

During the next annual review for each student receiving special education and related services, the IEP team must ensure that the IEP includes the frequency, duration and location of related services and the method of provision, either individual or small group.

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

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