



State of New Jersey

DEPARTMENT OF EDUCATION

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TRENTON, NJ 08625-0500

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Governor

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Lt. Governor

ROCHELLE R. HENDRICKS
Acting Commissioner

November 3, 2010

Mrs. Constance McAllister, Chief School Administrator
Elsinboro Township School District
631 Salem-Fort Elfsborg Rd.
Salem, NJ 08079-0000

Subject: Special Education Monitoring Report – Elsinboro Township School District

Dear Mrs. McAllister:

This correspondence has been sent to inform you of the status of the New Jersey Department of Education, Office of Special Education Programs' onsite monitoring regarding the Elsinboro School District's implementation of federal and state special education requirements. Between April 7, 2009 and the present, the New Jersey Department of Education, Office of Special Education Programs (NJOSPEP), conducted onsite monitoring visits, verification visits and desk audits in the Elsinboro School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Caryl Carthew and Patricia Fair.

The special education monitoring system is data drive 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**
- **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 Elsinboro Township School District was selected for the self-assessment/monitoring 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:

The district did not submit a self-assessment.

Findings of noncompliance identified during onsite monitoring:

For any finding of noncompliance identified during the onsite monitoring visit, the status of correction is provided. Four finding(s) of noncompliance identified as a result of the onsite visit remain uncorrected. **These 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 Mr. Simpkins 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. Caryl M. Carthew
New Jersey Department of Education
Office of Special Education Programs
Finlaw Building—4th Floor
199 East Broadway
Salem, NJ 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.

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: Andrew Smarick
Peggy McDonald
Caryl Carthew
Robert Bumpus
County Supervisor of Child Study
Irv Simpkins

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

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

Section II: STATEWIDE ASSESSMENT – Noncompliance was not identified during onsite monitoring.

Section III: LEAST RESTRICTIVE ENVIRONMENT

Areas of Noncompliance Identified during Onsite Monitoring

| 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 USC 1412(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]. | <p>Review of records and interviews with staff indicated that IEPs did not include, as part of the explanation of the extent, if any, to which child will not participate with nondisabled children, consideration of the use supplementary aids and services and the reasons they were rejected. These findings were due to a lack of implementation of district procedures.</p> <p>Noncompliance identified during an onsite monitoring visit on September 28, 2009 was verified as corrected during a verification visit conducted on June 30, 2010.</p> |
| 4) IEPs must 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). | <p>Review of records and interviews with staff 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. These findings were due to a lack of implementation of district procedures.</p> <p>Noncompliance identified during the onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a verification visit conducted on June 30, 2010.</p> |
| 5) IEPs must include potentially beneficial or harmful effects which a placement (general education) may have on the student with disabilities or the other students in the class (IV,2) [20 USC 1412(a)(5); 34 CFR §300.116(d)]. | <p>Review of records and interviews with staff members indicated that IEPs did not include a statement of 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. These findings were due to a lack of implementation of district procedures.</p> <p>Noncompliance identified during the onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a verification visit conducted on June 30, 2010.</p> |

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

Section IV: PARENT INVOLVEMENT

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). | Noncompliance identified during an onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a desk audit conducted on April 22, 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); and 34 CFR §300.304(a)(4) and §300.305(a). | Noncompliance identified during an onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a verification visit conducted on June 30, 2010. |
| 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). | Review of records and interviews with school personnel and parents indicated that the district has not established a parent advisory group. These findings are due to a lack of district procedures. |

Section V: DISPROPORTIONATE REPRESENTATION

Areas of Noncompliance Identified during Onsite Monitoring

| Area | Status of Compliance |
|---|---|
| 7) When a student with a disability transfers from one New Jersey school district to another, the child study team shall conduct an immediate review of the evaluation and the IEP and, without delay, provide a comparable program, in accordance with N.J.A.C. 6A:14; 20 U.S.C. 1414(b)(3); and 34 CFR §300.304(c). | Noncompliance identified during an onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a desk audit conducted on April 22, 2010. |

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

Section VI: EVALUATIONS AND REEVALUATION

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). | Noncompliance identified during an onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a desk audit conducted on April 22, 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 an onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a desk audit conducted on April 22, 2010. |
| 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). | Review of records and interviews with staff indicated that initial evaluations for students eligible for speech-language services did not include an educational impact statement from the classroom teacher. These findings were 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). | <p>Review of records and interviews with staff indicated that initial evaluations for <u>students determined eligible for special education and related services</u> did not include all required components of a functional assessment.</p> <p>Noncompliance identified during an onsite monitoring visit conducted on September 28, 2009 for students eligible for special education and related services was verified as corrected during a verification visit conducted on June 30, 2010.</p> <p>Review of records and interviews with staff indicated that initial evaluations for <u>students eligible for speech-language services</u> did not include all the components of a functional assessment, specifically the interview with the child's teacher, the summary of the educational impact statement from the classroom teacher, and interview with the parent and a review of prior interventions. These findings were due to a lack of implementation of district procedures.</p> |

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

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| 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 an onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a desk audit conducted on April 22, 2010. |
| 14) Each child study team member shall certify in writing whether his or her report is in accordance with the conclusion of eligibility of the student, in accordance with N.J.A.C. 6A:14-3.4(h)5. | Noncompliance identified during an onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a verification visit conducted on June 30, 2010. |
| 15) A copy of the evaluation report(s) and documentation 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 §300.306(a). | Noncompliance identified during an onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a verification visit conducted on June 30, 2010. |

Section VII: IEP

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(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 onsite monitoring visit was verified as corrected during a verification visit conducted on June 30, 2010. |
| 6) IEPs shall be implemented as written, in accordance with 20 U.S.C. § 1412 (a)(16)(D). | Review of records, interviews with school personnel and parents indicated that related services for students attending the Elsinboro School did not begin until the end of October, 2009. These findings were due to lack of implementation of district procedures. |

Corrective Action: The district is required to convene IEP meetings for each student for whom related services were delayed and determine the need, if any, for compensatory services. The names of students who did not receive services in accordance with their IEPs will be provided to the Supervisor of Special Education by the NJOSEP monitors.

The district is required to submit logs of compensatory services provided in accordance with the revised IEPs.

The district is required to review the IEPs and programs of each student with a disability who receives related services to ensure that IEPs are implemented as written. For any student for whom the IEP is not being implemented as written, the IEP team must conduct a meeting to determine the need, if any, for compensatory services.

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

The Supervisor of Special Services, in coordination with the district Superintendent and child study team case manager, is required to implement oversight activities to ensure correction and ongoing compliance. These activities must include periodic review of the implementation of IEPs for special education programs and related services.

Section VIII: PROGRAMS AND SERVICES

Areas of Noncompliance Identified during Onsite Monitoring

| Area | Status of Compliance |
|---|---|
| 2) Age range for resource and special class programs shall meet requirements, in accordance with N.J.A.C. 6A:14-4.6(k) and 4.7(a)2. | Noncompliance identified during an onsite monitoring visit conducted on September 28, 2009 was verified as corrected during a desk audit conducted on April 22, 2010. |

All documentation required to demonstrate correction of noncompliance must be submitted to the following address in accordance with the timelines listed in the attached letter.

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