



**State of New Jersey**  
DEPARTMENT OF EDUCATION  
PO Box 500  
TRENTON, NJ 08625-0500

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*Governor*

KIM GUADAGNO  
*Lt. Governor*

BRET SCHUNDLER  
*Commissioner*

May 18, 2010

Mr. Gregory Nolan  
Superintendent  
Flemington-Raritan Regional School District  
50 Court Street  
Flemington, New Jersey 08822-1325

Subject: Special Education Monitoring Report – Flemington-Raritan Regional School District

Dear Mr. Nolan:

On May 18 & 19, 2009, the New Jersey Department of Education, Office of Special Education Programs (NJOSEP), conducted an onsite monitoring visit in the Flemington-Raritan Regional School District to determine compliance with federal and state special education requirements. Desk audits were conducted from November 2009 through February 2010 to determine the status of correction of noncompliance. The members of the monitoring team were Deborah Masarsky, Nicole Buten and Robert Schweitzer.

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 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***
- ***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***

[www.nj.gov/education](http://www.nj.gov/education)

The Flemington-Raritan Regional School District was randomly selected for the self-assessment process for the 2007-2008 school year.

### 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 and the self-assessment findings, the district developed an improvement plan that addressed 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 September 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, schedules of students, teachers and related services personnel and other relevant information. 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 of the continuous improvement activities 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 Flemington-Raritan Regional 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 the district during the onsite monitoring visit, the status of correction is provided. **Prior to the release of this report, the Flemington-Raritan Regional School District submitted documentation demonstrating correction of all areas of noncompliance identified during the on-site 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:

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

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,



Roberta Wohle, Director  
Office of Special Education Programs

RW/PM/DM

Enclosure

c: Division of Field Services  
Barbara Gantwerk  
✓ Peggy McDonald  
Deborah Masarsky  
Gerald J. Vernotica  
Diane Mari  
Karen Slagle

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**Special Education Monitoring Results**  
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**Section I: TRANSITION TO ADULT LIFE**

**Areas of Noncompliance Identified during the Onsite Monitoring Visit**

Area	Status of Compliance /Corrective Action
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 a desk audit conducted on February 8, 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 by the district in the self-assessment was verified as corrected during a desk audit conducted on February 8, 2010.

**Section II: STATEWIDE ASSESSMENT**

**Area(s) in Need of Continuous Improvement**

Area	Status of Improvement Plan
The district developed improvement plan activities to assess the progress of each student with an IEP in mastering the New Jersey Core Curriculum Content Standards (NJCCCS). As of September 2010, the district plans to assess students a minimum of two times per year using a variety of commercial and district-developed assessments.	The district is in the process of implementing its improvement plan in accordance with the established timelines.

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

**Section IV: LEAST RESTRICTIVE ENVIRONMENT**

**Areas of Noncompliance Identified during Self-Assessment**

Area	Status of Compliance/Corrective Action
2) IEPs shall include an explanation of the extent, if any, to which 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].	<p>The district identified in its self-assessment that an explanation of why supplementary aids and services were not appropriate was not included in IEPs.</p> <p>Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on January 27, 2010.</p>
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.	<p>The district reported in its self-assessment that activities to transition students to a less restrictive environment were not consistently included in IEPs.</p> <p>Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on January 27, 2010.</p>

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**Section V: PARENT INVOLVEMENT**

**Results of Parent Interviews:** Of the parents interviewed, each 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. Many parents also commended the district for facilitating monthly parent advisory meetings and for the continuous communication by the district's staff.

**Areas of Noncompliance Identified during the Onsite Monitoring Visit**

Area	Status of Compliance/Corrective Action
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 by the district in its self-assessment was verified as corrected during a desk audit conducted on November 10, 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 by the district in its self-assessment was verified as corrected during a desk audit conducted on November 10, 2010.
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).	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on November 10, 2010.
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 a desk audit conducted on November 10, 2010.

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**Section VI: DISPROPORTIONATE REPRESENTATION** - Noncompliance was not identified during self-assessment or on-site monitoring.

**Section VII: EVALUATIONS AND REEVALUATION**

**Areas of Noncompliance Identified during Self-Assessment**

Area	Status of Compliance/Corrective Action
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 by the district in its self-assessment was verified as corrected during a desk audit conducted on February 8, 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).	Noncompliance identified by the district in its self-assessment regarding students eligible for speech-language services was verified as corrected during the on-site monitoring visit.
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 by the district in its self-assessment was verified as corrected during the on-site monitoring visit.
15) A copy of the evaluation report(s) and information to be used in the 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 by the district in its self-assessment was verified as corrected during a desk audit conducted on January 27, 2010.

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<b>Areas of Noncompliance Identified during the Onsite Monitoring Visit</b>	
<b>Area</b>	<b>Status of Compliance/Corrective Action</b>
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 by the district in its self-assessment regarding students eligible for speech-language services was verified as corrected during a desk audit conducted on January 27, 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 by the district in its self-assessment regarding students eligible for speech-language services was verified as corrected during a desk audit conducted on January 27, 2010.
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 by the district in its self-assessment was verified as corrected during a desk audit conducted on January 27, 2010.
<b>Section VIII: IEP</b>	
<b>Areas of Noncompliance Identified during the Onsite Monitoring Visit</b>	
<b>Area</b>	<b>Status of Compliance/Corrective Action</b>
1) IEP meetings shall be held with an appropriately configured IEP team in accordance with N.J.A.C. 6A:14-2.3(k)2(i-x)1; 20 U.S.C. 1414(d)(1)(B); and 34 CFR §300.321(a).	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on January 27, 2010.
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 by the district in its self-assessment was verified as corrected during a desk audit conducted on November 10, 2009 and January 27, 2010.
<b>Section IX: PROGRAMS AND SERVICES - Noncompliance was not identified during self-assessment or onsite monitoring.</b>	