



**State of New Jersey**  
DEPARTMENT OF EDUCATION  
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*Lt. Governor*

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*Acting Commissioner*

January 30, 2012

Mr. Sai Constantino, Superintendent  
Fredon Township School District  
459 Rte 94  
Fredon, NJ 07860

Dear Mr. Constantino:

Subject: Special Education Monitoring Report – Fredon 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's onsite monitoring regarding the Fredon Township School District's implementation of federal and state special education requirements. The New Jersey Department of Education, Office of Special Education (NJOSE), conducted onsite monitoring visits, verification visits and desk audits in the Fredon Township School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Dr. Charlene Staley Evans and Ms. Jenifer Spear.

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 NJOSE 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 Fredon Township School District was chosen for the self-assessment/monitoring process through random selection.

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*

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### Monitoring Results

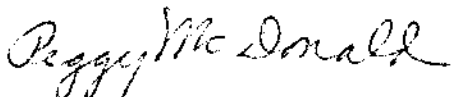
The enclosed Table of Findings details the findings of noncompliance resulting from the monitoring. Of the 46 requirements in the district's self-assessment that were reviewed by NJOSE, the district demonstrated noncompliance with six requirements. The district must correct all findings of noncompliance 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. Ms. Jenifer Spear, NJOSE monitor, will contact Mr. Sal Constantino 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 NJOSE.

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, as well as all documentation required to demonstrate completion of corrective action activities must be submitted to the following address:

Ms. Jenifer Spear  
New Jersey Department of Education  
Office of Special Education  
501 River Street  
Paterson, NJ 07524

The district is expected to provide and sustain administrative oversight, as well as provide ongoing training and technical assistance as needed to ensure identification and correction of any noncompliance with IDEA 2004 and positive educational outcomes for students with disabilities. Please contact Ms. Kimberly Murray at (609) 292-7605 if you have questions regarding special education monitoring. The NJOSE appreciates the cooperation of district staff members during the self-assessment/monitoring and verification process.

Sincerely,



Peggy McDonald, Director  
Office of Special Education

BG/JS

Enclosure

c: Barbara Gantwerk  
Jenifer Spear  
Rosalie S. Lamonte  
County Supervisor of Child Study

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

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

**Section I: TRANSITION TO ADULT LIFE**

**Section II: STATEWIDE ASSESSMENT**

**Section V: DISPROPORTIONATE REPRESENTATION**

**Section VIII: PROGRAMS AND SERVICES**

**Areas of Noncompliance**

**Section III: LEAST RESTRICTIVE ENVIRONMENT**

Citation	Findings of Noncompliance and/or Status of Compliance
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).	A review of records and interviews with staff members indicated that IEPs did not consistently include a comparison of the benefits provided in the regular class and the benefits provided in the special education class due to lack of district procedures.
5) IEPs shall include 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)]	A 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 in general education may have on the students with disabilities or the other students in the class due to lack 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.	A review of records and interviews with staff members indicated that for students in separate settings, IEPs did not include a statement of activities to transition the student to a less restrictive environment due to a lack of district procedures.

**Corrective Action for Citations 4, 5 and 6 above:**

The district is required to develop compliant procedures and conduct training with child study team members regarding individualized decision-making and IEP documentation as well as procedures related to documentation of activities to transition students placed in separate settings to a less restrictive placement.

The district is required to convene an appropriately configured IEP team to review and revise the IEP for each student whose IEP was identified as noncompliant by the monitors. Names of students with IEPs that were found to be noncompliant will be provided to the director of special education by NJOSE.

Additionally at the next annual review for each student with a disability, the IEP team must ensure that decisions regarding placement are made as required and documented appropriately in each student's IEP.

**Section IV: PARENT INVOLVEMENT**

Citation	Findings of Noncompliance and/or 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.	A review of records and interviews with staff members indicated that the district did not consistently provide parents with written notice of a meeting containing all the required

6A:14-2.3(k) 3, 5; 20 U.S.C. §1414(b)(1); and 34 CFR §300.304(a).	components due to lack of implementation of district procedures.
<b>Section VI: EVALUATIONS AND REEVALUATION</b>	
<b>Citation</b>	<b>Findings of Noncompliance and/or Status of Compliance</b>
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).	A review of records and interviews with staff indicated that all sections of the functional assessment were not conducted as part of the initial evaluation of students referred for special education and related services due to lack of implementation of district procedures.
<b>Section VII: IEP</b>	
<b>Citation</b>	<b>Findings of Noncompliance and/or Status of Compliance</b>
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).	A review of records indicated that IEPs of students eligible for special education and related services did not consistently contain the required considerations and statements specifically, with regard to the present levels of academic and functional performance in the areas of inclusion of recent evaluation results and how the student's disability affects involvement and progress in the general curriculum, due to the lack of implementation of district procedures.
<p><b>Corrective Action for Citation 2 above:</b>  The district is required to conduct training with the child study team members regarding procedures related to IEP considerations and required statements.</p> <p>The district is required to convene an appropriately configured IEP team meeting to review and/or revise each IEP that was identified as noncompliant by the monitors. Names of students with IEPs that were found to be noncompliant will be provided to the director of special education by NJOSE.</p> <p>Additionally, the district must review the IEPs of all students eligible for special education and related services. For any IEPs where considerations and required statements were not included in the IEP, a meeting of the IEP team must be convened to review and revise the IEP.</p> <p>The district is required to train staff to implement the procedures and provide an oversight mechanism to ensure ongoing compliance. The NJOSE monitor will provide the director of special education with directions for submitting documentation to demonstrate compliance.</p>	

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

Ms. Jenifer Spear  
New Jersey Department of Education  
Office of Special Education  
501 River Street  
Paterson, NJ 07524