



State of New Jersey

DEPARTMENT OF EDUCATION

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Governor

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Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

April 14, 2011

Mr. Roger Jinks, Jr., Superintendent
Hamburg School District
30 Linwood Avenue
Hamburg, NJ 07419

Dear Mr. Jinks:

Subject: Special Education Monitoring Report – Hamburg 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 Hamburg School District's implementation of federal and state special education requirements. Between August 2010 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 Hamburg School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Samuel Jordan and Linda Chavez.

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 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 Hamburg School District was chosen 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. Linda Chavez, will contact Ms. Mary Ardan 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. Linda Chavez, Monitor
New Jersey Department of Education
Passaic County Office of Education
501 River Street
Paterson, NJ 07524

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/ic
Enclosure

c: Gregg Edwards
Andrew Smarick
Peggy McDonald
Linda Chavez
Rosalie S. Lamonte
County Supervisor of Child Study
Mary Ardan

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Hamburg 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

Section III: LEAST RESTRICTIVE ENVIRONMENT

Areas of Noncompliance

Area	Status of Compliance
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)]	Noncompliance identified during the onsite monitoring visit was verified as corrected during a desk audit conducted on December 3, 2010.

Section IV: PARENT INVOLVEMENT

Areas of Noncompliance

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)3,5; 20 U.S.C. §1414(b)(1); and 34 CFR §300.304(a).	Review of records and interviews with staff members indicated that the district did not consistently give written notice of a meeting to parents of students who may be eligible for speech-language services, due to lack of 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); 34 CFR §300.304(a)(4); and 34 CFR §300.305(a).	Review of records and interviews with staff members indicated that the district did not consistently provide written notices of evaluation plans to parents of students who are eligible for speech-language services, due to lack of implementation of district procedures.

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

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 during the onsite monitoring visit was verified as corrected during a desk audit conducted on December 14, 2010.

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).	<p>Review of records and interviews with staff members indicated that the district did not consistently convene identification meetings for students who may be eligible for special education and related services with all required participants, due to lack of implementation of district procedures.</p> <p>Review of records and interviews with staff members indicated that the district did not consistently document identification meetings for students who may be eligible for speech-language services, due to lack of implementation of district procedures.</p>
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 during the onsite monitoring visit was verified as corrected during a desk audit conducted on December 14, 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).	Review of records and interviews with staff members indicated that the district did not conduct functional assessments of students who may be eligible for speech-language services, due to 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 and interviews with staff members indicated that the district did not consistently conduct multi-disciplinary reevaluations of students who may be eligible for speech-language services within 60 day and three year timelines, due to lack of implementation of district procedures.
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(1)(A)(i); and 34 CFR §300.305(a).	Review of records and interviews with staff members indicated that the district did not consistently conduct reevaluation planning meetings with general education teachers for students who may be eligible for special education and related services, due to incorrect district procedures.

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
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	Review of records and interviews with staff members indicated that the district did not maintain documentation of reevaluation planning meetings or meeting participants for students who may be eligible for speech-language services, due to 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 and interviews with staff members indicated that the district did not maintain documentation that a copy of the evaluation report(s) was given to the parent at least 10 calendar days prior to the eligibility meeting, due to lack of implementation of district procedures.
Section VII: IEP	
Areas of Noncompliance	
Area	Status of Compliance
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 during the onsite monitoring visit was verified as corrected during a desk audit conducted on December 14, 2010.
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).	Noncompliance identified during the onsite monitoring visit was verified as corrected during a desk audit conducted on December 14, 2010.

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

Ms. Linda Chavez, Monitor
New Jersey Department of Education
Passaic County Office of Education
501 River Street
Paterson, NJ 07524