



State of New Jersey

DEPARTMENT OF EDUCATION

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Acting Commissioner

February 22, 2010

Dr. Peter Carter, Interim Superintendent
Hoboken School District
1115 Clinton Street
Hoboken, NJ 07030-3201

Subject: Special Education Monitoring Report - Hoboken School District

Dear Dr. Carter:

Beginning in December 2008, and continuing through June 2009, the New Jersey Department of Education, Office of Special Education Programs (NJOSEP), conducted onsite monitoring and desk audit of the Hoboken School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Deborah Masarsky, Nicole Buten, Robert Schweitzer and Janina Zak-Krasucki.

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 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***

The Hoboken School District was selected for the self-assessment process for the 2006-2007 school year due to disproportionate representation of a specific racial/ethnic group (i.e., black – all disabilities) determined eligible for special education and related services. This determination was based on analyses of the district data submitted to the New Jersey Department of Education in the Annual Data Report and Fall survey in 2003, 2004, and 2005. The district continued to demonstrate this pattern of disproportionate representation of disproportionate representation in 2006 and 2007. During the monitoring process, 2 findings of noncompliance with requirements related to disproportionate representation were made; however, the findings were corrected by the district within one year of identification, prior to the release of this report.

During 2008, the pattern of disproportionate representation continued but was below the threshold NJOSEP used to identify districts for a targeted review. The district should continue to implement activities identified in its improvement plan and conduct oversight of referral and classification patterns in order to eliminate the disproportionate representation.

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, the district identified 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 January 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, other relevant information, and schedules of students, teachers and related service personnel. 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 corrected, the district must demonstrate implementation of improvement plan activities in accordance with the timelines delineated in the improvement plan.

Activities contained in the district's Continuous Improvement Plan that were not completed by the time of the onsite monitoring visit must continue to be implemented. NJOSEP will continue to monitor implementation 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 Hoboken 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 NJOSEP during onsite monitoring, the status of correction is provided. **Prior to the release of this report, the Hoboken School District submitted documentation demonstrating correction of all areas of noncompliance identified during the onsite monitoring visit.**

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:

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

Questions regarding the report should be directed to Dr. Peggy McDonald, manager, 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
Timothy Brennan
Janina Zak-Krasucki
Elizabeth Falco

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Section I: TRANSITION TO ADULT LIFE

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to expand post-secondary transition planning and student exploration of career interests.	The district is in the process of implementing its improvement plan in accordance with the established timelines.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
4) A summary of academic achievement and functional performance shall be provided to each student prior to graduation in accordance with N.J.A.C. 6A:14-4.11(b)4; 20 U.S.C. 1414(c)(5)(B); and 34 CFR §300.305(e)(3).	Noncompliance identified by the district in the self-assessment was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
2) Invitation of students and agencies providing or paying for transition services to IEP meetings in accordance with 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 during the onsite monitoring visit was verified as corrected during a desk audit on May 8, 2009.	CORRECTED	CORRECTED

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Section II: STATEWIDE ASSESSMENT - Noncompliance was not identified during self-assessment or onsite monitoring.

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to systemically collect and analyze statewide assessment data.	The district is in the process of implementing its improvement plan in accordance with the established timelines.

Section III: DISCIPLINE

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to unify the behavior code and discipline forms district-wide.	The district is in the process of implementing its improvement plan in accordance with the established timelines.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
1b) The case manager and parent shall be notified in writing of suspension/expulsion of a student with a disability at time of removal in accordance with N.J.A.C. 6A:14-2.8(a); 20 U.S.C. 1415(k)(1)(A)(H); and 34 CFR §300.530(h).	Noncompliance identified by the district in the self-assessment was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED

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Section IV: LEAST RESTRICTIVE ENVIRONMENT

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to enhance the array of supports available in the district.	The district is the process of implementing its improvement plan in accordance with established timelines.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
4) 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.	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
2) IEPs shall include an explanation of the extent to which students are educated with nondisabled peers, including participation in nonacademic and extracurricular activities in accordance with N.J.A.C. 6A:14-3.7(e)6 and 34 CFR §300.107.	Review of records and interviews with staff members indicated that child study team members did not document the individualized supplementary aids and services that were considered for each student and the explanation of why they were not appropriate to meet the student's needs in the general education class. Noncompliance was due to lack of implementation of district procedures.	CORRECTED	CORRECTED

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Noncompliance identified during the onsite monitoring visit was verified as corrected during an onsite verification visit on May 8, 2009.

Section V: PARENT INVOLVEMENT

Results of Parent Interviews

Of the parents who were interviewed, the majority 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.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
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 by the district in the self-assessment was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED
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).	Noncompliance identified by the district in the self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

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Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
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 during the onsite monitoring visit was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED
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 an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED

Section VI: DISPROPORTIONATE REPRESENTATION

The Hoboken School District was selected for the self-assessment process for the 2006-2007 school year due to due to disproportionate representation of a specific racial/ethnic group (i.e., black – all disabilities) determined eligible for special education and related services. This determination was based on analyses of the district data submitted to the New Jersey Department of Education in the Annual Data Report and Fall survey in 2003, 2004, and 2005. The district continued to demonstrate this pattern of disproportionate representation of disproportionate representation in 2006 and 2007. During the monitoring process, 2 findings of noncompliance with federal and state requirements related to disproportionate representation were made; however, the findings were corrected by the district within one year of identification, prior to the release of this report.

During 2008, the pattern of disproportionate representation continued but was below the threshold NJOSEP used to identify districts for a targeted review. The district should continue to implement activities identified in its improvement plan and conduct oversight of referral and classification patterns in order to eliminate the disproportionate representation.

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Area(s) in Need of Continuous Improvement			
Areas	Status of Improvement Plan		
The district has developed a plan to revise procedures for the Intervention and Referral Services committee.	The district is in the process of implementing its improvement plan in accordance with the established timelines.		
Areas of Noncompliance Identified during Self-Assessment			
Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
1) 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); 20 U.S.C. 1413(f)(2); and 34 CFR §300.226(b).	Noncompliance identified by the district in the self-assessment was verified as corrected during a desk audit on June 18, 2009.	CORRECTED	CORRECTED
10) The district shall ensure that the term severe discrepancy is not applied to students who have learning problems that are primarily the result of visual, hearing or motor disabilities, general cognitive deficits, emotional disturbance or environmental, cultural or economic disadvantage in accordance with N.J.A.C. 6A:14-3.5 (c)12iii; 20 U.S.C. 1414(b)(6); and 34 CFR §300.309(a)3.	Noncompliance identified by the district in the self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

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Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
12) When an initial evaluation is completed, a copy of the evaluation report(s) and documentation and information that will be used for determination of eligibility shall be provided to the parent not less than 10 calendar days prior to the meeting to determine eligibility in accordance with N.J.A.C. 6A:14-3.5(a and b); 20 U.S.C. 1414(b)(4); and 34 CFR §300.306(a).	Noncompliance identified during the onsite monitoring visit was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED
Section VII: Evaluation and Reevaluation			
Areas of Noncompliance Identified during Self-Assessment			
Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
1) Each district board of education shall develop written procedures for students age three through 21, including students attending nonpublic schools located within the district regardless of where they reside within the local school district, with respect to the location and referral of students who may have a disability due to physical, sensory, emotional, communication, cognitive or social difficulties, in accordance	Noncompliance identified by the district in the self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

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with N.J.A.C. 6A:14-3.3(a); 20 U.S.C. 1412 (a)(3); and 34 CFR §300.111(a).			
Areas of Noncompliance Identified during the Onsite Monitoring Visit			
Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
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 the onsite monitoring visit was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED
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 the onsite monitoring visit was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED
6) The school district shall ensure that the hearing aids worn by children who are deaf or hard of hearing are functioning properly in accordance with N.J.A.C. 6A:14-1.1(f) and 34 CFR §300.113(a).	Noncompliance identified during the onsite monitoring was verified as corrected during a desk audit conducted on April 23, 2009.	CORRECTED	CORRECTED

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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 an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED
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 during the onsite monitoring visit was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED
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 the onsite monitoring visit was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED
11) Reevaluation planning meetings (for students eligible for speech-language services) 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 during the onsite monitoring visit was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED

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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 CFR §300.306(a).	Noncompliance identified during the onsite monitoring visit was verified as corrected during an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED
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Section VIII: IEP

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
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, (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 an onsite verification visit on May 8, 2009.	CORRECTED	CORRECTED

Section IX: Programs and Services – Noncompliance was not identified during self-assessment or monitoring.

All documentation regarding the district's Continuous Improvement activities must be submitted to the following address in accordance with the timelines listed in the above Table of Findings:

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