



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

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

February 11, 2011

Mr. David C. Abbott, Superintendent
Marlboro School District
1980 Township Drive
Marlboro, NJ 07746-2298

Dear Mr. Abbott:

Subject: Special Education Monitoring Report – Marlboro 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 Marlboro School District's implementation of federal and state special education requirements. Between August 3, 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 Marlboro School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Deborah Masarsky, Nicole Buten and Karen Frumen.

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 Marlboro School District was selected for the self-assessment-monitoring process through random selection.

Monitoring Results

The enclosed Table of Findings details the findings of noncompliance identified during monitoring and the status of correction. All findings of noncompliance 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. Deborah Masarsky, will contact Mr. Robert Klein to discuss procedures for verification of correction of the findings of noncompliance.

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. Deborah Masarsky
New Jersey Department of Education
Office of Special Education Programs
100 Riverview Plaza
P.O. Box 500
Trenton, New Jersey 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.

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/DM

Enclosure

c: Andrew Smarick
Peggy McDonald
Deborah Masarsky
Karen Frumen
Robert Klein

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Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Marlboro School District

Noncompliance was not identified in any of sections listed below during monitoring:

Section II: STATEWIDE ASSESSMENT

Section V: DISPROPORTIONATE REPRESENTATION

Section VIII: PROGRAMS AND SERVICES

Section I: TRANSITION TO ADULT LIFE

Areas of Noncompliance

Area	Status of Compliance
2) Invitation to IEP meetings provided to students and agencies providing or paying for transition services. [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 an onsite monitoring conducted on August 3, 2010 was verified as corrected during an onsite visit conducted on November 18, 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 during an onsite monitoring conducted on August 3, 2010 was verified as corrected during an onsite visit conducted on November 18, 2010.

Section III: LEAST RESTRICTIVE ENVIRONMENT

Areas of Noncompliance

Area	Status of Compliance
1) To the maximum extent appropriate, the child is educated with children who are not disabled. [20 U.S.C. §1412(a)(5)(A); 34 CFR §300.114(a)].	Noncompliance identified during the onsite monitoring conducted on August 3, 2010 was verified as corrected during the onsite visit conducted on November 18, 2010.
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).	Noncompliance identified during the onsite monitoring conducted on August 3, 2010 was verified as corrected during the onsite visit conducted on November 18, 2010.

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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).	Noncompliance identified during an onsite monitoring conducted on August 3, 2010 was verified as corrected during an onsite visit conducted on November 18, 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 during an onsite monitoring conducted on August 3, 2010 was verified as corrected during an onsite visit conducted on November 18, 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 during an onsite monitoring conducted on August 3, 2010 was verified as corrected during an onsite monitoring visit conducted on November 18, 2010.

Section VI: EVALUATIONS AND REEVALUATION

Areas of Noncompliance

Area	Status of Compliance
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).	Review of records indicated that the district staff did not maintain written documentation of type, frequency, duration and effectiveness of each intervention implemented in the general education classroom due to a lack of district procedures.
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 indicated that speech-language specialists did not obtain the educational impact statement from the classroom teacher as part of initial evaluations to determine eligibility for speech-language services as required.

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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).	Noncompliance identified during an onsite monitoring conducted on August 3, 2010 was verified as corrected during an onsite visit conducted on November 18, 2010.
Section VII: IEP	
Areas of Noncompliance Identified during Monitoring	
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 an onsite monitoring conducted on August 3, 2010 was verified as corrected during an onsite visit conducted on November 18, 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 during an onsite monitoring conducted on August 3, 2010 was verified as corrected during an onsite visit conducted on November 18, 2010.

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

Ms. Deborah Masarsky
New Jersey Department of Education
Office of Special Education Programs
100 Riverview Plaza
P.O. Box 500
Trenton, New Jersey 08625-0500