



State of New Jersey

DEPARTMENT OF EDUCATION

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Acting Commissioner

July 8, 2011

Dr. David N. Gentile, Superintendent
Millville School District
111 North 3rd Street
P.O. Box 5010
Millville, NJ 08332-3829

Subject: Special Education Monitoring Report - Millville School District

Dear Dr. Gentile:

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 Millville School District's implementation of federal and state special education requirements. The New Jersey Department of Education, Office of Special Education Programs (NJOSEP) conducted onsite monitoring visits, verification visits and desk audits in the Millville Township School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Caryl Carthew, Kenneth Richards and Patricia Fair.

The special education 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***

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• **Programs and Services**

The Millville School District was selected for the self-assessment/monitoring process based on trend data that indicated: disproportionate representation of specific racial/ethnic groups determined eligible for special education. (See Section VI – Table of Findings).

Monitoring Results

The enclosed Table of Findings details the findings of noncompliance identified during monitoring and the status of correction. Findings resulting from the onsite monitoring must be corrected within one year of the date of this report. Corrective actions 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. Caryl Carthew, will contact Ms. Nora Zielinski 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 NJOSEP.

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. Caryl Carthew
New Jersey Department of Education
Office of Special Education Programs
1 Executive Campus, 3rd Floor
Route 70 West
Cherry Hill, NJ 08002

Please contact me at 609-292-7605 should you have any questions regarding this report. NJOSEP appreciates the cooperation of district staff members during the self-assessment/monitoring process.

Sincerely,

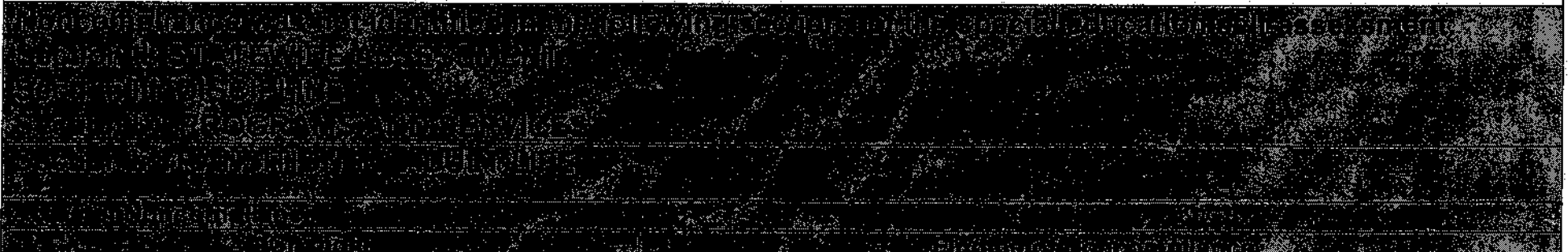


Peggy McDonald, Interim Director
Office of Special Education Programs

PM/CC
Enclosure

c: Barbara Gantwerk
Caryl Carthew
Richard Stepura
County Supervisor of Child Study
Nora Zielinski

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<p>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)]</p>	<p>Review of records and interviews with staff indicated that students were not consistently invited to transition IEP meetings when required due to a lack of implementation of district procedures.</p>
<p>3) IEP requirements for students ages 14 and above, in accordance with N.J.A.C. 6A:14-3.7(e)11.</p>	<p>Review of records and interviews with staff indicated that IEPs for students in separate settings did not consistently include all of the required age 14 transition components due to a lack of implementation of district procedures.</p>

Corrective Action for Area 3: The district is required to conduct training with child study team member regarding procedures for developing transition IEPs.

The district is required to conduct a meeting of the IEP team for each student whose IEP was identified as noncompliant by the NJOSEP monitors and ensure that each IEP is revised to include all elements of the age 14 transition requirements. Names of students whose IEPs were found to be noncompliant by the monitors will be provided to the Director of Special Education by NJOSEP.

The district must review the IEPs of all students with disabilities in separate settings who will be turning 14 or who are already 14. For any IEP that does not include the required elements for the implementation period of the IEP, a meeting of the IEP team must be convened to review and revise the IEP or an addendum must be developed.

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<p>2) IEPs shall include an explanation of the extent, if any, to which child will not participate with nondisabled children. [20 U.S.C. §1412(a)(5) and 1414(d)(1)(A)(i)(V); 34 CFR §300.115 and §300.320(a)(5) and N.J.A.C. 6A:14-3.7(e)6]</p>	<p>Review of records and interviews with staff indicated that IEPs did not identify the supplementary aids and services considered and the reasons they were rejected due to a lack of implementation of district procedures.</p>
<p>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).</p>	<p>Review of records and interviews with staff indicated that IEPs did not include a comparison of the benefits provided in the regular class and the benefits provided in the special education class due to a lack of implementation of district procedures.</p>
<p>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)]</p>	<p>Review of records and interviews with staff indicated that IEPs did not include the potentially beneficial or harmful effects which a placement (general education) may have on the student with disabilities or other students in the class due to a lack of implementation of district procedures.</p>
<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>	<p>Review of records and interviews with staff indicated that IEPs for students in separate settings did not include activities to transition the students to a less restrictive environment due to a lack of implementation of district procedures.</p>
<p>7) Placement decisions shall be based on the individual needs of students with disabilities, as indicated in IEPs, resulting in a continuum of alternative placements to meet unique needs of students as close to home as possible, in accordance with N.J.A.C. 6A:14-4.2(a)3,5,6 and 4.3(b); 20 U.S.C. §1412(a)(5); and 34 CFR §300.115.</p>	<p>Review of records and interviews with staff indicated that IEPs did not include individualized rationales for removal from general education due to a lack of implementation of district procedures.</p>

Corrective Action for Areas 2, 4, 5, 6, and 7: The district is required to conduct training with child study team members regarding procedures for placement decision-making and for documenting decisions as required above in IEPs.

The district is required to conduct a meeting of the IEP team for each student whose IEP was identified as noncompliant by the NJOSEP monitors and ensure that each IEP is revised to include the required components. Names of students whose IEPs were found to be noncompliant by the monitors will be provided to the Director of Special Education by NJOSEP.

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The district must review the IEPs of all students with disabilities removed from general education settings for greater than 20% of the school day. For any IEP where the above elements are not correctly addressed, a meeting of the IEP team must be convened to review and revise the IEP.

SECTION V: PARENT INVOLVEMENT

Citation	Finding/Noncompliance
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 indicated that notice of a meeting for students eligible for speech-language services was not consistently provided due to a 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 indicated that prior written notice of a proposed evaluation and eligibility for students eligible for speech-language services did not include all required components due to a lack of implementation of district procedures.

SECTION VI: DISPROPORTIONATE REPRESENTATION

The Millville School District was selected for the 2007-08 monitoring and procedures to disproportionate representation of specific racial/ethnic groups with disabilities. The findings of this monitoring were based on the annual monitoring report submitted to the State Department of Education. The findings of this monitoring were based on the annual monitoring report submitted to the State Department of Education. The findings of this monitoring were based on the annual monitoring report submitted to the State Department of Education.

Citation	Finding/Noncompliance
3) Written notice to the parent shall be provided and required parent conferences shall be conducted in the language used for communication by the parent and student unless it is clearly not feasible to do so, in accordance with N.J.A.C. 6A:14-2.4(a)1; 34 CFR §300.503(c); and 34 CFR §300.504(a)(1) and (d).	Review of records and interviews with staff indicated that prior written notice was not consistently provided in the native language of the parent due to a lack of implementation of district procedures.

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Section VII: EVALUATIONS AND REEVALUATION

	Number of Non-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).	Review of records and interviews with staff indicated that identification meetings for preschool and middle school students were not consistently held within 20 days of the date of referral and with all required participants due to a lack of implementation of district procedures.
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).	Review of records and interviews with staff indicated that vision and hearing screening information was not consistently forwarded to the child study team prior to the identification meeting for students in the middle school due to a lack of implementation 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 and interviews with staff indicated that a multi-disciplinary evaluation was not consistently conducted for preschool students referred from Early Intervention due to a lack of implementation of district procedures. The district accepted evaluations completed by the Early Intervention program, which did not consistently meet the requirements for a multi-disciplinary evaluation.
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 indicated that initial evaluations for preschool students and students evaluated for speech-language services did not consistently include an observation of the student in other than a testing setting due to a 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 indicated that reevaluations were not consistently conducted within three years of the previous date of eligibility and within 60 days of obtaining parental consent. In addition, reevaluations were not consistently conducted for students being considered for dismissal from speech-language services. Noncompliance was due to a lack of implementation of district procedures.

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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).

Review of records and interviews with staff indicated that IEPs do not consistently include goals and objectives for related services due to a lack of implementation of district procedures.

Corrective Action: The district is required to conduct training with child study team members and related services providers regarding procedures for developing goals and objectives for related services.

The district is required to conduct a meeting of the IEP team for each student with disabilities whose IEP was identified as noncompliant by the NJOSEP monitors and ensure that each IEP is revised to include goals and objectives for related services. Names of students whose IEPs were found to be noncompliant by the monitors will be provided to the Director of Special Education by NJOSEP.

The district must review the IEPs of all students with disabilities requiring related services. For any IEP that does not include the required goals and objectives, a meeting of the IEP team must be convened to review and or revise the IEP or an addendum must be developed.

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

Ms. Caryl Carthew
 New Jersey Department of Education
 Office of Special Education Programs
 1 Executive Campus, 3rd Floor
 Route 70 West
 Cherry Hill, NJ 08002