



State of New Jersey
DEPARTMENT OF EDUCATION
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Acting Commissioner

February 16, 2012

Dr. Jill Mortimer, Superintendent
Moonachie School District
20 West Park Street
Moonachie, NJ 07074

Dear Dr. Mortimer:

Subject: Special Education Monitoring Report – Moonachie 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 Moonachie School District's implementation of federal and state special education requirements. The New Jersey Department of Education, Office of Special Education (NJOSE), conducted an onsite monitoring visit and a verification visit in the Moonachie School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Tracey Pettiford-Bugg, Steven Pasternak 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 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 Moonachie 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 that were reviewed by NJOSE, the district demonstrated noncompliance with 4 requirements. Two areas of noncompliance were corrected prior to the release of this report. The remaining 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. Ms. Linda Chavez, NJOSE monitor, will contact Dr. Sobol 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, as well as 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

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

PM/LC

Enclosure

c: Barbara Gantwerk
Linda Chavez
Robert Gilmartin
Steven Pasternak
Hillary Sobol

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

Section II: STATEWIDE ASSESSMENT
Section VIII: PROGRAMS AND SERVICES

Areas of Noncompliance

Section I: TRANSITION TO ADULT LIFE

Citation	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 self-assessment was verified as corrected during the onsite monitoring visit.
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 self-assessment was verified as corrected during the onsite monitoring visit.

Section III: LEAST RESTRICTIVE ENVIRONMENT

Citation	Status of Compliance
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 during self-assessment was verified as corrected during the onsite monitoring visit.

Section IV: PARENT INVOLVEMENT

Citation	Status of Compliance
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	Noncompliance identified during self-assessment was verified as corrected during the onsite monitoring visit.

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34 CFR §300.305(a).

Section V: DISPROPORTIONATE REPRESENTATION

Citation	Status of Compliance
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 during self-assessment was verified as corrected during the onsite monitoring visit.
7) When a student with a disability transfers from one New Jersey school district to another, the child study team shall conduct an immediate review of the evaluation and the IEP and, without delay, provide a comparable program, in accordance with N.J.A.C. 6A:14; 20 U.S.C. §1414(b)(3); and 34 CFR §300.304(c).	Noncompliance identified during self-assessment was verified as corrected during the onsite monitoring visit.

Section VI: EVALUATIONS AND REEVALUATION

Citation	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).	A review of records and interviews with staff members indicated that the district did not consistently maintain written documentation regarding the type, frequency, duration and effectiveness of interventions used in the general education program due to incorrect district procedures.
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 indicated that the district staff did not consistently convene a meeting with required participants within 20 calendar days of receipt of the written request for a speech evaluation due to lack of implementation of district procedures.
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 a desk audit conducted on April 8, 2011.

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10) Within three years of the previous classification, a 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 self-assessment was verified as corrected during the onsite monitoring visit.
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 self-assessment was verified as corrected during a desk audit conducted on April 8, 2011.
Section VII: INDIVIDUALIZED EDUCATION PROGRAM	
Citation	Status of Compliance
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 self-assessment was verified as corrected during the onsite monitoring visit.

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