



State of New Jersey

DEPARTMENT OF EDUCATION

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BRET SCHUNDLER
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June 18, 2010

Dr. Robert Holster, Chief School Administrator
Passaic City School District
101 Passaic Avenue
Passaic, NJ 07055-4828

Subject: Special Education Monitoring – Passaic City School District

Dear Dr. Holster:

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 Passaic City School District's implementation of federal and state special education requirements. On January 13, 14, 15, 2009, the New Jersey Department of Education, Office of Special Education Programs (NJOSPEP), conducted an onsite monitoring visit to determine compliance with federal and state special education requirements. Verification of the correction of findings of noncompliance identified in your district's self-assessment was also conducted. Onsite visits and a desk audit were conducted between January 2009 and February 2010 to provide technical assistance and to verify correction of noncompliance. The members of the monitoring team were Samuel Jordan, Tracey Pettiford-Bugg, Linda Chavez, Gladys Miller and Stephen Coplin.

NJOSPEP 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 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**
- **Discipline Procedures**
- **Placement in the Least Restrictive Environment**
- **Parent Involvement**

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- *Disproportionate Representation of Specific Racial-Ethnic Groups in Special Education*
- *Evaluation and Reevaluation*
- *Individualized Education Program*
- *Programs and Services*

The Passaic City School District was selected for the self-assessment process for the 2006-2007 school year due a high percentage of students with disabilities educated in separate public and/or private special education settings based on the Annual Data Reports submitted to NJOSEP in December 2003, December 2004 and December 2005. The Passaic City School District has continued to demonstrate a high rate of placement of students with disabilities in separate public and/or private settings (21.28% reported in October 2008). As a result, the Passaic City School District is required to participate in targeted technical assistance from NJOSEP. Additionally, NJOSEP will continue to review the status of compliance with IDEA 2004 and N.J.A.C. 6A:14 requirements related to the education of students with disabilities in the least restrictive environment. The district is advised to make placement decisions in accordance with the New Jersey Administrative Code 6A:14-3.7 and 4.2.

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 and the self-assessment findings, the district developed an improvement plan that addressed 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, onsite monitoring visits were conducted. A review of specific federal and state requirements related to the education of students with disabilities was completed during the visits. The monitoring team reviewed district documents, including district policies and procedures, a sample of student records, master student lists, class lists, schedules of students, teachers and related service personnel and other relevant information. 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 attached 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 completed, the district must demonstrate implementation of improvement plan activities in accordance with the timelines delineated in the improvement plan. **NJOSEP will continue to monitor implementation of continuous improvement plan activities through 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. The district must submit documentation as required in the Table of Findings to NJOSEP to demonstrate compliance. As indicated in my correspondence of June 25, 2008, the findings of noncompliance identified in your self-assessment were to be corrected within one year of the date of the letter. To date four findings of noncompliance identified as part of the self-assessment have not been corrected. **Failure to correct these remaining areas of noncompliance within the timelines included in the Table of Findings will be considered as part of the determination process for the next fiscal year.**

Findings of noncompliance identified during onsite monitoring

For any finding of noncompliance identified by NJOSEP during onsite monitoring, corrective action activities and timelines for correction have been directed by NJOSEP. **Findings resulting from the onsite monitoring must be corrected within one year of the date of this report.**

All documentation required to demonstrate completion of corrective action activities must be submitted to the following address in accordance with the timelines listed in the attached Table of Findings.

Mr. Samuel Jordan
New Jersey Department of Education
Office of Special Education Programs
501 River Street
Paterson, NJ 07524

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 address above.

Questions regarding the report should be directed to Dr. Peggy McDonald, manager of the 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

Attachment

- c: Division of Field Services
- Barbara Gantwerk
- ✓ Peggy McDonald
- Samuel Jordan
- Robert Gilmartin
- Gladys Miller
- Frank D'Amra

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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 student self-advocacy and to facilitate increased involvement by outside agencies in the post-school transition process.	The district is in the process of implementing its improvement plan.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
1) Individualized Education Program (IEP) requirements for students ages 16 and above [N.J.A.C. 6A:14-3.7(e)12; 20 U.S.C. 1414(d)(1)(A)(i)(VIII); and 34 CFR §300.320(b) and (c)].	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on June 22, 2009.	CORRECTED	CORRECTED
2) Invitation of students and agencies providing or paying for transition services to IEP meetings [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 by the district in its self-assessment was verified as corrected during a desk audit conducted on June 11, 2009.	CORRECTED	CORRECTED

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<p>5) Foreign language interpreters/translators and sign language interpreters for the deaf shall be provided, when necessary, by the district at no cost to the parent in accordance with N.J.A.C. 6A:14-2.4(a)1 and CFR §300.503(c) and §300.504(d).</p>	<p>Review of records and interviews with staff members indicated that foreign language interpreters/translators were not consistently provided by the district, when necessary, due to a lack of implementation of district procedures.</p>	<p>The district is required to review district procedures with child study team members in order to ensure that foreign language interpreters/translators are present at eligibility meetings, when required.</p> <p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance</p>	<p>3 meeting sign-in sheets from meetings that required interpreters/translators to be provided by December 17, 2010</p>
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Section VI: DISPROPORTIONATE REPRESENTATION

Areas of Noncompliance Identified during Self-Assessment

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

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		<p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance.</p>	<p>Copies of 8 written notices (4 elementary, 2 middle school and 2 high school) demonstrating correction of noncompliance to be provided by December 17, 2010</p>
<p>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).</p>	<p>Review of records and interviews with staff members indicated that the required participants did not consistently attend eligibility meetings, due to a lack of implementation of district procedures.</p>	<p>The district is required to conduct training with child study team members regarding district procedures for ensuring that the required participants are present at eligibility meetings.</p> <p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance.</p>	<p>Copies of training agenda and sign-in sheets to be provided by September 30, 2009</p> <p>Copies of 6 eligibility meeting participant signature pages (4 elementary, 1 middle school and 1 high school) to be provided by December 16, 2010</p>

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3.5(a); 20 U.S.C. 1414(b)(4); and 34 CFR §300.306(a).			
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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
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 and interviews with staff members indicated that staff members in the general education program did not consistently maintain written documentation regarding type, frequency, duration and effectiveness of interventions implemented as part of the Intervention and Referral Services (I&RS) process, due to a lack of district procedures.	<p>The district is directed to develop procedures for ensuring that general education staff members maintain written documentation regarding type, frequency, duration and effectiveness of interventions implemented as part of the I&RS process and provide that documentation to child study team members when an initial referral is made.</p> <p>The district is required to conduct training with general education staff and child study team members regarding the newly developed district procedures.</p> <p>The Supervisor of Special Services is required to conduct oversight activities in coordination with building principals to ensure correction and ongoing compliance.</p>	Copies of procedures, training agenda, sign in sheet and 6 I&RS packets (4 from elementary, 1 from middle school and 1 from high school) demonstrating correction of noncompliance to be provided by November 30, 2010

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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
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 by the district in its self-assessment was verified as corrected during a desk audit conducted on June 22, 2009.	CORRECTED	CORRECTED
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(c)(1)(A)(i); and 34 CFR §300.305(a).	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on June 1, 2009.	CORRECTED	CORRECTED
14) Each child study team member shall certify in writing whether his or her report reflects his or her conclusion of eligibility of the student, in accordance with N.J.A.C. 6A:14-3.4(h)5.	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on June 22, 2009.	CORRECTED	CORRECTED
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-	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on June 1, 2009.	CORRECTED	CORRECTED

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		<p>members regarding revised forms and district procedures.</p> <p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance.</p>	<p>2010</p> <p>Copies of 8 written notices of a meetings (4 elementary, 2 middle school and 2 high school) demonstrating correction of noncompliance to be provided by December 17, 2010</p>
<p>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).</p>	<p>Review of records and interviews with staff members indicated that written notice forms did not contain all the required components and were not consistently provided, due to a lack of implementation of district procedures.</p>	<p>The district is directed to review the NJOSEP sample forms for written notice and revise district forms to include all required components.</p> <p>The district is required to conduct training with child study team members regarding revised forms and district procedures.</p>	<p>Copies of revised forms, training agenda and sign-in sheets to be provided by September 30, 2010</p>

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Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
<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 members indicated that individual IEPs, for students age 14 and above at the middle school, did not consistently include documentation of all required transition components. At the high school, the student's course of study was not consistently included. Noncompliance was due to lack of implementation of district procedures.</p>	<p>The district is required to conduct training for child study team members regarding district procedures for including requirements for students age 14 and above in IEPs.</p> <p>The district is required to conduct IEP review meetings for each student whose IEP was noncompliant and ensure that each IEP is revised to include the required components. Names of students whose IEPs were found to be noncompliant will be provided to the Supervisor of Special Education.</p> <p>The district must review the IEPs of all students ages 14 and above to ensure that all required transition components are included. For any IEP where the age 14 transition requirements are not addressed, a meeting of the IEP team must be convened to review and revise the</p>	<p>Copies of training agenda and sign in sheet to be provided by September 30, 2010</p> <p>Revised IEPs, which must demonstrate correction of noncompliance, will be reviewed onsite beginning November 2010</p>

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		IEP. The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include periodic review of IEPs for students age 14 and above.	
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).	Review of records and interviews with staff members indicated that students with disabilities were not provided with written summaries of academic achievement and functional performance prior to graduation due to a lack of district procedures.	<p>The district is required to develop procedures for completing and providing written summaries of academic achievement and functional performance to students with disabilities prior to graduation.</p> <p>The district is required to conduct training for high school child study team members regarding the newly developed district procedures.</p> <p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include periodic review of summaries of academic achievement and functional performance.</p>	<p>Copies of procedures, training agenda, sign in sheet and summary of performance form to be provided by September 30, 2010</p> <p>Copies of 3 summaries of academic achievement and functional performance demonstrating correction of noncompliance to be provided by February 4, 2011</p>

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Section II: STATEWIDE ASSESSMENT

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to reconfigure class scheduling across the district to better promote cross discipline collaboration.	The district is in the process of implementing its improvement plan.

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
<p>1) The IEP shall document how the student with a disability will participate in state assessments, in accordance with N.J.A.C. 6A:14-3.7(e)7(i); 20 U S C 1412(a)(16)(A); and 34 CFR §300.160(a).</p> <p>2) The IEP shall include a statement of any individual modifications in the administration of statewide assessments of student achievement, in accordance with N.J.A.C. 6A:14-4.10(a)1; 20 U.S.C. 1414(d)(1)(A)(i)(VI)(aa); and 34 CFR §300.320(a)(6)(i).</p>	Review of records and interviews with staff members indicated that IEPs for students in school #4 and in out-of district placements, did not document how each student will participate in state assessments, or include a statement of individual modifications and accommodations, when required, due to a lack of implementation of district procedures.	<p>The district is required to conduct training for child study team members regarding district procedures for documenting: participation in state assessments; and accommodations and modifications to be provided during state assessments.</p> <p>The district is required to conduct IEP review meetings for each student in school #4 and in an out-of-district placement whose IEP was identified as noncompliant by NJOSEP and ensure that each IEP</p>	<p>Copies of training agenda and sign in sheet to be provided by September 30, 2010</p> <p>Revised IEPs,</p>

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		<p>is revised to document how the student will participate in state assessments. Names of students whose IEPs were found to be noncompliant by NJOSEP will be provided to the Supervisor of Special Education.</p> <p>The district is required to review the IEP of each student in a grade participating in state assessments to ensure that documentation of participation and any needed accommodations or modifications is included. For any IEP where the required documentation is not included, a meeting of the IEP team must be convened to review and revise the IEP.</p> <p>The Supervisor of Education is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include periodic IEP review.</p>	<p>which must demonstrate correction of noncompliance, will be reviewed beginning in November 2010</p>
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Section III: DISCIPLINE

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to develop positive behavioral supports for students and expand the district's array of intervention strategies.	The district is in the process of implementing its improvement plan.

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 its self-assessment was verified as corrected during a desk audit conducted on June 1, 2009.	CORRECTED	CORRECTED
1c) For removals of 10 days or less, students with disabilities shall be provided services in the same manner as students without disabilities, in accordance with N.J.A.C. 6A:14 2.8(a) and 20 U.S.C. 1415(k)(1)(D)(i).	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on January 28, 2010.	CORRECTED	CORRECTED

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		CORRECTED	CORRECTED	
<p>3) If a student with a disability is removed from his/her placement for more than 10 cumulative or consecutive days, services shall be provided, in accordance with N.J.A.C. 6A:14-2.8(e); 20 U.S.C. 1415(k)(1)(D); and 34 CFR §300.530(d)1.</p>	<p>Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on January 28, 2010.</p>			
	<p>4) Change of placement determination shall be made by school officials and the case manager for short-term removals of a student with a disability exceeding 10 days, in accordance with N.J.A.C. 6A:14-2.8(c); 20 U.S.C. 1415(k)(1)(c); and 34 CFR §300.530(c).</p>	<p>Review of records and interviews with staff members indicated that a change of placement determination is not being made by school officials and case managers for short-term removals of students with disabilities exceeding 10 days, due to a lack of district procedures.</p>	<p>The district is required to develop procedures for ensuring that a change of placement determination is made for short-term removals of students with disabilities exceeding 10 days.</p> <p>The district is required to conduct training for child study team members and school administrators regarding the newly developed district procedures.</p> <p>The Supervisor of Special Education is required to conduct oversight activities to ensure correction and ongoing compliance.</p>	<p>Copies of procedures, training agenda, sign in sheet and documentation of 3 change of placement' determinations for students with disabilities, from the high school, suspended for more than 10 days cumulatively demonstrating correction of noncompliance to be provided by December 17, 2010</p>

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<p>5) When it is determined that a series of short-term removals of a student with a disability is not a change of placement, school officials, in consultation with the student's special education teacher and case manager, shall determine the extent to which services are necessary, in accordance with N.J.A.C. 6A:14-2.8(e); 20 U.S.C. 1415(k)(1)(A); and 34 CFR §300.530(a).</p>	<p>Review of records and interviews with staff members indicated that when it is determined that a series of short-term removals of a student with a disability is not a change of placement, school officials are not determining the extent to which services are necessary, due to a lack of district procedures.</p>	<p>The district is required to develop procedures for ensuring that when it is determined that a series of short-term removals of a student with a disability is not a change of placement, the need for services is determined as required for a student who is suspended.</p> <p>The district is required to identify all students with disabilities suspended for more than 10 days cumulatively, for the 2008-2009 school year, the amount of services provided and the amount of services due to each student.</p> <p>The district is required to convene IEP meetings for each student for whom services were not provided and determine the need, if any, for compensatory services.</p> <p>The district is required to ensure the delivery of compensatory services and submit logs of compensatory services provided in accordance with the revised IEPs.</p>	<p>Copies of procedures, training agenda and sign in sheets to be provided by September 24, 2010</p> <p>Onsite verification of implementation of procedures will be conducted beginning in October 2010</p> <p>Logs of compensatory services will be reviewed in December 2010</p>
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The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include a review of the determination of the need for services and whether services were provided.

Section IV: LEAST RESTRICTIVE ENVIRONMENT - The Passaic City School District was selected for the self-assessment process for the 2006-2007 school year due a high percentage of students with disabilities educated in separate public and/or private special education settings based on the Annual Data Reports submitted to NJOSEP in December 2003, December 2004 and December 2005. The Passaic City School District has continued to demonstrate a high rate of placement of students with disabilities in separate public and/or private settings (21.28% reported in October 2008). As a result, the Passaic City School District is required to participate in targeted technical assistance from NJOSEP. Additionally, NJOSEP will continue to review the status of compliance with IDEA 2004 and N.J.A.C. 6A:14 requirements related to the education of students with disabilities in the least restrictive environment. The district is advised to make placement decisions in accordance with the New Jersey Administrative Code 6A:14-3.7 and 4.2.

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to increase the array of supports available in elementary schools to facilitate inclusion of students with disabilities in general education classes.	The district has initiated a review of classrooms within school buildings that would be available for the creation of new in-district programs. Additionally, a review of placement and student data has been initiated to identify types of programs that are needed within the district. Supervisors have also begun to track in-district program capacity and disseminate this information to child study teams. The district continues to implement its improvement plan in accordance with established timelines. Ongoing technical assistance is being provided by NJOSEP.

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Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
<p>1) All students with disabilities, including preschoolers and students in receiving schools, shall have access to the general education curriculum and supplementary aids and services, in accordance with N.J.A.C. 6A:14-4.2; 20 U.S.C. 1414(d)(1)(A)(i)(IV); and 34 CFR §300.320(a)(4).</p>	<p>Interviews indicated that all students with disabilities, including preschoolers and students in receiving schools have access to the general education curriculum; however, IEPs did not document the supplementary aids and services considered and reasons why they were rejected for students removed from general education classes for more than 20% of their school day as required. Noncompliance was due to lack of implementation of district procedures.</p>
<p>3) 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 members indicated that IEP documentation did not consistently include the supplementary aids and services considered and the reasons why they were rejected. As a result, it was difficult to determine if a full continuum was considered during IEP meetings.</p>
<p>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.</p>	<p>The district indicated that IEPs did not document activities to transition students to a less restrictive environment.</p> <p>Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.</p>

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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 IEPs did not consistently include an explanation of the extent to which students are educated with nondisabled peers, due to a lack of implementation of district procedures.

Corrective Action for Noncompliance with Requirements for Placement in the Least Restrictive Environment

The district is required to conduct training for child study team members regarding district procedures for ensuring that an explanation of the extent to which students are educated with nondisabled peers is included in IEPs.

The district is required to conduct IEP review meetings, and revise IEPs, for each student whose IEP was found to be noncompliant by NJOSEP. Names of students whose IEPs were found to be noncompliant by NJOSEP will be provided to the Supervisor of Special Education.

The district is directed to review the IEPs of all students removed from general education settings for greater than 20% of the school day to ensure that all components of the explanation of the extent to which the student will be educated with nondisabled peers are included. For any student where one or more components are missing, a meeting of the IEP team must be convened to review and revise the IEP.

The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include IEP review.

The district is required to continue to participate in technical assistance provided by NJOSEP regarding placement in the least restrictive environment. Federal and state requirements related to placement in the least restrictive environment will continue to be reviewed.

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Section V: PARENT INVOLVEMENT

Results of Parent Interviews - Of the parents who were interviewed, there was general satisfaction with the services being provided to their students. They expressed appreciation that child study teams are accommodating when scheduling meetings and noted that the special education services provided by the district are resulting in positive outcomes. Several parents expressed, however, that they need increased communication with child study teams, especially when there will be changes to their student's program or services.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
4) Parental consent shall be obtained whenever a member of the IEP team is excused from participating in a meeting, in accordance with N.J.A.C. 6A:14-2.3(a)6; 20 U.S.C. 1414(d)(1)(C)(i) through (iii); and 34 CFR §300.321(e).	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
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 notices for meetings did not include required components and are not consistently provided to parents, due to a lack of implementation of district procedures.	The district is directed to review the NJOSEP sample forms for notice of meetings and revise district forms to include all required components. The district is required to conduct training with child study team	Copies of revised forms, training agenda and sign-in sheets to be provided by September 30,

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<p>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).</p>	<p>Review of records and interviews with staff members indicated that health and medical information, including a vision and audiometric screening, was not consistently transmitted to the child study team for every student referred for evaluation, prior to the identification meeting, due to a lack of district procedures.</p>	<p>The district is required to develop written procedures for obtaining a summary of available health and medical information from the school nurse for review at the identification meeting.</p> <p>The district is required to conduct training with child study team members and school nurse staff regarding the newly developed district procedures.</p> <p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance.</p>	<p>Copies of procedures, forms, training agenda and sign-in sheets to be provided by September 30, 2010</p> <p>Onsite verification will be conducted beginning October, 2010</p>
<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).</p>	<p>Review of records and interviews with staff members indicated that selected records of students receiving special education and related services did not include reports for initial evaluations at schools Number 3 and the high school, due to a lack of implementation of district procedures.</p>	<p>The district is required to conduct training on district procedures with child study team members to ensure that evaluations are conducted by a multi-disciplinary team and reports are maintained in student files.</p> <p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance.</p>	<p>Copies of training agenda and sign-in sheets to be provided by September 30, 2010</p> <p>Onsite verification will be conducted beginning in November 2010</p>

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<p>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).</p>	<p>Review of records indicated that reports of initial evaluations did not include all required components of a functional assessment, due to a lack of implementation of district procedures.</p>	<p>The district is required to conduct training on district procedures with child study team members to ensure that evaluations include all required components of a functional assessment.</p> <p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance.</p>	<p>Copies of training agenda and sign-in sheets to be provided by September 30, 2010</p> <p>Onsite verification will be conducted beginning in October 2010</p>
<p>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).</p>	<p>Review of records and interviews with staff members indicated that multi-disciplinary reevaluations were not consistently completed within three years of the previous classification, due to lack of implementation of district procedures.</p>	<p>The district is required to conduct training on district procedures with child study team members to ensure that reevaluations are completed within three years of the previous classification.</p> <p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include periodic review of reevaluation timelines.</p>	<p>Copies of training agenda and sign-in sheets to be provided by, September 30, 2009</p> <p>Onsite verification will be conducted by January 25, 2010</p>

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<p>13) Eligibility for special education and/or related services shall be determined by meeting the criteria in one or more of the eligibility categories in accordance with N.J.A.C. 6A:14-3.5(c)1-14 and 3.6(b)1-3 and 20 U.S.C. 1401(3); CFR §300.306(b).</p>	<p>Review of records and interviews with staff members indicated that eligibility for special education and/or related services, as determined by the criteria in one or more of the eligibility categories, was not consistently documented, due to a lack of district procedures.</p>	<p>The district is required to develop written procedures to ensure that eligibility for special education and/or related services is determined by meeting the criteria in one or more of the eligibility categories and documented in written notice to parents following the initial eligibility meeting.</p> <p>The district is required to conduct training with child study team members regarding the newly developed procedures.</p> <p>The Supervisor of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include periodic review of written notice provided following initial eligibility meetings.</p>	<p>Copies of procedures, training agenda and sign-in sheets to be provided by September 30, 2010</p> <p>Copies of 8 eligibility conference documents (4 elementary, 2 middle school and 2 high school) demonstrating correction of noncompliance, to be provided by December 17, 2010</p>
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Section VIII: IEP

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
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 by the district in its self-assessment was verified as corrected during a desk audit conducted on June 11, 2009.	CORRECTED	CORRECTED
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 by the district in its self-assessment was verified as corrected during a desk audit conducted on June 22, 2009.	CORRECTED	CORRECTED
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 by the district in its self-assessment was verified as corrected during a desk audit conducted on June 11, 2009.	CORRECTED	CORRECTED
5) The student's IEP shall be accessible to each general education teacher, special education teacher, related service provider and other service providers who are responsible	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.	CORRECTED	CORRECTED

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<p>for its implementation. The district shall inform each teacher and provider of his/her responsibilities related to implementing the student's IEP and the specific accommodations, modifications and supports to be provided for the student, in accordance with N.J.A.C. 6A:14-3.7(a)2-3 and CFR §300.323(d).</p>			
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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
<p>6) IEPs shall be implemented as written, in accordance with 20 U.S.C. § 1412 (a)(16)(D).</p>	<p>Review of records and interviews with staff members indicated that IEPs were not consistently implemented as written, due to a lack of supervision and oversight by administrators.</p>	<p>The district is required to convene IEP meetings for each student for whom services were not provided and determine the need, if any, for compensatory services. The names of students who did not receive services in accordance with their IEPs will be provided to the Supervisor of Special Education by the NJOSEP monitors.</p> <p>The district is required to submit logs of compensatory services provided in accordance with the revised IEPs.</p>	<p>Copies of oversight plan to be provided by, September 30, 2009</p> <p>Onsite verification will be ongoing.</p>

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		<p>The district is required to review the IEPs and programs of each student with a disability to ensure that IEPs are implemented as written. For any student for whom the IEP is not being implemented as written, the IEP team must meet to determine the need, if any, for compensatory services.</p> <p>The Supervisor of Special Services, in coordination with the Assistant Supervisors and child study team members, is required to design and implement procedures for oversight activities to ensure that IEPs are implemented as written. These procedures must include periodic review of implementation of IEPs for special education programs and related services at all schools.</p>	
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Section IX: Programs and Services

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
1) The instructional group sizes for preschool, elementary, and secondary special class programs shall not exceed the limits specified in N.J.A.C. 6A:14-4.7(e-h).	Review of records and interviews with staff members indicated that instructional group sizes for special class programs at the high school exceed the limits due to a lack of administrative oversight.	<p>The Supervisor of Special Education is required to ensure that instructional group sizes for special class programs at the high school are within required limits.</p> <p>The Supervisor of Special Services, in coordination with the Assistant Supervisors and child study team members, is required to design and implement procedures for oversight activities to ensure that class sizes at the high school maintain enrollments within required limits.</p>	<p>Copies of oversight plan to be provided by, July 1, 2010</p> <p>Onsite verification will be conducted beginning in September 2010</p>

All documentation required to demonstrate completion of corrective action activities must be submitted to the following address in accordance with the timelines listed in the above Table of Findings.

Mr. Samuel Jordan
New Jersey Department of Education
Office of Special Education Programs
501 River Street

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Section IX: Programs and Services

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
1) The instructional group sizes for preschool, elementary, and secondary special class programs shall not exceed the limits specified in N.J.A.C. 6A:14-4.7(e-h).	Review of records and interviews with staff members indicated that instructional group sizes for special class programs at the high school exceed the limits due to a lack of administrative oversight.	<p>The Supervisor of Special Education is required to ensure that instructional group sizes for special class programs at the high school are within required limits.</p> <p>The Supervisor of Special Services, in coordination with the Assistant Supervisors and child study team members, is required to design and implement procedures for oversight activities to ensure that class sizes at the high school maintain enrollments within required limits.</p>	<p>Copies of oversight plan to be provided by, July 1, 2010</p> <p>Onsite verification will be conducted beginning in September 2010</p>

All documentation required to demonstrate completion of corrective action activities must be submitted to the following address in accordance with the timelines listed in the above Table of Findings.

Mr. Samuel Jordan
New Jersey Department of Education
Office of Special Education Programs
501 River Street
Paterson, NJ 07524

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