



State of New Jersey

DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

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Governor

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Commissioner

December 5, 2009

Dr. Michael R. Gorman, Superintendent
Pemberton Township School District
One Egbert Street
Pemberton, NJ 08068

Subject: Special Education Monitoring Report - Pemberton Township School District

Dear Dr. Gorman:

On October 28, 29 and 30, 2008, the New Jersey Department of Education, Office of Special Education Programs (NJOSEP), conducted an onsite monitoring visit in the Pemberton Township School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Caryl Carthew, Patricia Fair and Kenneth Richards.

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 Pemberton Township School District was selected for the self-assessment process for the 2006-2007 school year due to a high percentage of students with

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disabilities placed in separate public and private settings. The determination was based on the Annual Data Reports submitted to NJOSEP in December 2003, December 2004 and December 2005. According to the October 2008 Annual Data Report, the Pemberton Township School District has decreased the number of students with disabilities educated in separate public and/or private special education settings, meeting the SPP target for separate placements. The district should continue to implement improvement plan activities and continue to ensure that all students with disabilities are placed in the least restrictive environment 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, 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 December 2007.

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 services 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 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 the improvement plan through additional onsite visits and desk audit.

Findings of noncompliance identified by the district during the self-assessment

The district did not identify any areas of noncompliance in its self-assessment.

Findings of noncompliance identified during onsite monitoring


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 enclosed Table of Findings.

Ms. Caryl Carthew
New Jersey Department of Education
Office of Special Education Programs
PO Box 500
Trenton, NJ 08625-0500

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 enclosed monitoring 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

RW/PM/CC

Enclosure

c: Division of Field Services
 Barbara Gantwerk
Peggy McDonald
Caryl Carthew
Lester Richens
Deborah Magee
Adelina Giannetti

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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 implement the "Connections" program which facilitates student involvement in transition planning. The program teaches students to be active participants in their IEP meetings. The district also planned to implement community based instruction.	The district has implemented its improvement plan in accordance with established timelines.

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 [N.J.A.C. 6A:14-2.3(k)2x, 3.7(e)13, and 3.7(h); 20 U.S.C. 1414 (d)(1)(A)(i)(1)(VIII); and 34 CFR §300.322.b(2)].	Review of records and interviews with staff indicated that students with disabilities at the middle school level, who will turn 14 during the implementation period of the IEP, are not invited to IEP meetings when transition activities will be considered. The noncompliance was due to inconsistent implementation of district procedures.	<p>The district is required to conduct training for child study team members responsible for case management of middle school-aged students regarding procedures for inviting students to transition IEP meetings.</p> <p>The director and supervisors are required to review files periodically, including IEP participation documentation, to ensure correction and ongoing compliance.</p>	Copies of the training agenda, sign-in sheets and student invitations and IEPs for 3 students who will be turning 14 during the implementation period of the IEP by March 31, 2010

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

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to address student achievement and improve test scores for each school building. The improvement plan also called for increased collaborative planning time for general and special education teachers.	The district is implementing its improvement plan in accordance with established timelines.

Section III: DISCIPLINE – Noncompliance was not identified during self-assessment or monitoring.

Area(s) in Need of Continuous Improvement

Area	Status of Improvement Plan
The district developed an improvement plan to continue implementation of the Positive Behavioral Schoolwide Interventions and Supports (PBSIS) model, at both the middle school and high school levels, with technical assistance being provided by NJOSEP.	The district is implementing its improvement plan in accordance with established timelines.

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Section IV: LEAST RESTRICTIVE ENVIRONMENT - The Pemberton Township School District was selected for the self-assessment process for the 2006-2007 school year due to a high percentage of students with disabilities placed in separate public and private settings. The determination was based on the Annual Data Reports submitted to NJOSEP in December 2003, December 2004 and December 2005. According to the October 2008 Annual Data Report, the Pemberton Township School District has decreased the number of students with disabilities educated in separate public and/or private special education settings, meeting the SPP target for separate placements. The district should continue to implement improvement plan activities and continue to ensure that all students with disabilities are placed in the least restrictive environment 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 expand in-district special education programs.	The district continues to implement its improvement plan in accordance with established timelines.

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
2) IEP includes explanation of extent, if any, to which child will not participate with nondisabled children, including participation in nonacademic and extracurricular activities, in accordance with NJAC 6A:14-3.7(e)6, 20 USC1412(a)(5) and 1414(d)(1)(A)(i)(V); and 34 CFR §300.115 and §300.320(a)(5).	Review of records and interviews with staff indicated that IEPs do not consistently address the supplementary aids and services considered and the reasons they were rejected, a comparison of the benefits of general education and special education, and the potentially beneficial or harmful effects of a placement (general education) on the student or other students in the class. The noncompliance was due to inconsistent implementation of district procedures.	The district is required to conduct training for child study team members regarding: (a) the array of supports that may enable students with disabilities to be educated in general education classrooms; and (b) district procedures for ensuring that an explanation of the extent to which students are educated with nondisabled peers is individualized and included in the IEP.	Copies of the training agenda and sign-in sheets by January 15, 2010

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		<p>The district is directed to conduct IEP review meetings for each student whose IEP was identified as noncompliant by the NJOSEP monitors and ensure that each IEP is revised to include complete documentation of individualized placement decision making. Names of students whose IEPs were found to be noncompliant by the NJOSEP monitors will be provided to the Director of Special Services.</p> <p>The district must review the IEPs of all students removed from general education settings for greater than 20% of the school day to ensure that all documentation of placement decision making is complete. For any IEP where the explanation of the extent to which the student will be educated with nondisabled peers is incomplete, a meeting of the IEP team must be convened to review and revise the IEP.</p> <p>The Director of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include periodic IEP review.</p>	<p>Revised IEPs, which must demonstrate correction of noncompliance, will be reviewed onsite in March 2010</p> <p>A sample of IEPs will be reviewed onsite in June 2010</p>
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Section V: PARENT INVOLVEMENT - Noncompliance was not identified during self-assessment or monitoring.

Results of Parent Interviews

Parents interviewed indicated that they were very satisfied with the district's programs and services. Parents stated that they were involved in the planning of their children's educational programs and their children were receiving the programs and services specified in their IEPs.

Section VI: DISPROPORTIONATE REPRESENTATION – Noncompliance was not identified during self-assessment or monitoring.

Section VII: EVALUATION AND REEVALUATION

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
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 the results of vision and hearing screenings are not transmitted consistently to the child study team prior to identification meetings for preschoolers, and at the high school and middle school, due to inconsistent implementation of district procedures.	The district is required to conduct training for child study team members and school nurses regarding procedures for obtaining and reviewing vision and hearing screening results. The Director of Special Services and supervisors are required to review, periodically, files of students referred for child study team evaluation to ensure correction and ongoing compliance.	Copies of the training agenda, sign-in sheets, and vision and hearing screening results and initial evaluation plans for 3 students from each of the following levels by March 31, 2010 : Preschool, Middle School and High School

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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 and interviews with staff indicated that evaluation reports completed for students at the Middle School and Crichton School do not consistently include an observation of the student as part of the functional assessment, due to inconsistent implementation of district procedures.</p>	<p>The district is required to conduct training for child study team members regarding required components of functional assessments.</p> <p>The Director of Special Services and supervisors are required to review initial evaluation reports periodically to ensure correction and ongoing compliance.</p>	<p>Copies of the training agenda, sign-in sheets and initial evaluation reports for 3 students from each of the following schools by March 31, 2010: Middle School and Crichton</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 indicated that reevaluations are not consistently completed at the Middle School and Crichton School within 60 days of parental consent, due to inconsistent implementation of district procedures.</p>	<p>The district is required to conduct training for child study team members regarding timelines for reevaluation.</p> <p>The Director of Special Services and supervisors are required to review reevaluations periodically to ensure correction and ongoing compliance.</p>	<p>Copies of the training agenda, sign-in sheets and reevaluation reports for 3 students from each of the following schools by March 31, 2010: Middle School and Crichton</p>
<p>15) A copy of the evaluation report(s) 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).</p>	<p>Review of records and interviews with staff indicated that evaluation reports are not provided consistently to the parent or adult student 10 days prior to the eligibility conference for students attending the high school, Crichton School and Newcomb School, due to inconsistent implementation of district procedures.</p>	<p>The district is required to conduct training for child study team members and support staff regarding procedures for providing evaluation reports to parents.</p> <p>The Director of Special Services and supervisors are required to review documentation of the provision of reports to parents periodically to ensure correction and ongoing compliance.</p>	<p>Copies of the training agenda, sign-in sheets and documentation of provision of evaluation reports for 3 students from each of the following schools by March 31, 2010: High School, Crichton and Newcomb</p>

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Section VIII: IEP - Noncompliance was not identified during self-assessment.

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
<p>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).</p>	<p>Review of records and interviews with staff indicated that IEPs for students eligible for speech-language services do not include the following considerations, due to a lack of district procedures: strengths of the student, concerns of the parent for enhancing the education of their child, results of the initial evaluation or most recent evaluation, the language needs of the student, the communication needs of the student, language and communication needs for students who are deaf or hard of hearing, and whether the student requires assistive technology devices and services due to a lack of district procedures.</p>	<p>The district is required to develop IEP procedures, and revise the speech-language IEP form, to ensure that IEP teams discuss and document required considerations during IEP meetings for students eligible for speech-language services. . The district must review the NJOSEP sample IEP form for speech services at www.state.nj.us/education.</p> <p>The district is required to conduct training for speech-language specialists regarding procedures for documenting required considerations in IEPs for students eligible for speech-language services.</p> <p>The district is directed to conduct IEP review meetings 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</p>	<p>Copies of the procedures, revised speech-language IEP form, training agenda and sign-in sheets by January 15, 2010</p> <p>Copy of revised district speech-language IEP form to be submitted by January 15, 2010</p> <p>Revised IEPs, which must demonstrate correction of noncompliance, will be reviewed onsite in March 2010</p>

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		<p>NJOSEP monitors will be provided to the Director of Special Services.</p> <p>The district must review the IEPs of all students eligible for speech-language services to ensure that all required components are included. For any IEP where all required considerations are not documented, a meeting of the IEP team must be convened to review and revise the IEP.</p> <p>The Director of Special Services and supervisors are required to review IEPs for students eligible for speech-language services periodically to ensure correction and ongoing compliance.</p>	<p>A sample of IEPs will be reviewed onsite by June 2010</p>
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Section IX: Programs and Services - Noncompliance was not identified during self-assessment or monitoring.

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:

Caryl Carthew, Monitor
 New Jersey Department of Education
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 PO Box 500
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