



State of New Jersey
DEPARTMENT OF EDUCATION
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Governor

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ROCHELLE R. HENDRICKS
Acting Commissioner

December 17, 2010

Dr. James Chapman, Superintendent
Pennsauken Township School District
1695 Hylton Road
Pennsauken, NJ 08110

Dear Dr. Chapman:

Subject: Special Education Monitoring – Pennsauken Township School District

This correspondence has been sent to inform you of the results of the onsite monitoring regarding the Pennsauken School District's implementation of federal and state special education requirements. Between February 9, 2009 and August 28, 2010, the New Jersey Department of Education, Office of Special Education Programs (NJOSPEP), conducted monitoring activities to determine compliance with federal and state special education requirements and correction of noncompliance identified in the district's special education self-assessment. The members of the monitoring team were Patricia Fair, Ken Richards, Caryl Carthew and Catherine Thomas.

The special education monitoring system is data driven and aligned with the federally required State Performance Plan (SPP) indicators, including the federal monitoring priorities established by the Individuals with Disabilities Education Act of 2004 (IDEA 2004). Specifically, the NJOSPEP monitoring process is focused on improving educational results and functional outcomes for students with disabilities and ensuring compliance with those special education requirements related to positive student outcomes.

The special education self-assessment and monitoring process focused on requirements related to the following areas:

- *Transition to Adult Life*
- *State Assessment*
- *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*

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The Pennsauken School District was selected for the self-assessment process based on trend data that indicated disproportionate representation of specific racial/ethnic groups determined eligible for special education. The district was not identified for disproportionate representation for the 2009-2010 school year. (See Section VI – Table of Findings).

Monitoring Results

The enclosed Table of Findings details the onsite monitoring results with regard to the following:

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

The Pennsauken School District submitted documentation demonstrating correction of all areas of noncompliance identified during self-assessment.

Findings of noncompliance identified during onsite monitoring:

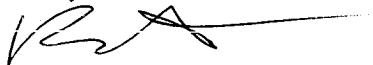
The Pennsauken School District submitted documentation demonstrating correction of all areas of noncompliance identified during onsite monitoring visits.

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 below:

Ms. Patricia Fair
New Jersey Department of Education
4th Floor, Finlaw Building
199 East Broadway
Salem, NJ 08079

Questions regarding the report should be directed to Dr. Peggy McDonald at 609-292-7605. The NJOSEP appreciates the cooperation of district staff members during the self-assessment/monitoring process.

Sincerely,



Barbara Gantwerk, Assistant Commissioner
Division of Student Services

BG/PMD/PF

Enclosure

c: Andrew Smarick
Peggy McDonald
Patricia Fair
Peggy Nicolosi
Catherine Thomas
Marty DeLape

TABLE OF FINDINGS
Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
Pennsauken Township School District

Section I: TRANSITION TO ADULT LIFE - Noncompliance was not identified during onsite monitoring.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
3) IEP requirements for students ages 14 and above, in accordance with N.J.A.C. 6A:14-3.7(e)11.	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on June 25, 2009.

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

Section III: DISCIPLINE - Noncompliance was not identified during onsite monitoring.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
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 compliant during a desk audit conducted on September 19, 2008.
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.	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on September 19, 2008.
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).	Noncompliance identified by the district in the self-assessment was verified as compliant during a desk audit conducted on September 19, 2008.
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).	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on September 19, 2008.

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7) When it is determined that the conduct is a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment, implement a behavioral intervention plan and ensure that the student is returned to his/her placement (unless parents agree to a change of placement), in accordance with N.J.A.C. 6A:14-Appendix A; 20 USC§1415(k)(1)(F); and 34 CFR §300.530(f).	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on June 25, 2009.
9) When it has been determined that student's conduct is not a manifestation of the student's disability, the IEP team shall determine the extent to which services are necessary, in accordance with N.J.A.C. 6A:14-2.8(e)2; 20USC§1415(k)(1)(c); and 34 CFR §300.530(c).	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on June 25, 2009.
Section IV: LEAST RESTRICTIVE ENVIRONMENT	
Areas of Noncompliance Identified during Self-Assessment	
Area	Status of Compliance
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.	Noncompliance identified during the onsite monitoring visit was verified as corrected during an onsite verification visit conducted on January 27, 2010.
Areas of Noncompliance Identified during Onsite Monitoring	
Area	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 the onsite monitoring visit was verified as corrected during an onsite verification visit conducted on January 27, 2010.
Section V: PARENT INVOLVEMENT	
Areas of Noncompliance Identified during Onsite Monitoring	
Area	Status of Compliance
1) Parents shall be given written notice of a meeting containing all the required components, in accordance with N.J.A.C. 6A:14-2.3(k)3 and 5; 20 U.S.C. 1414(b)(1); and 34 CFR §300.304(a).	Noncompliance identified during onsite monitoring was verified as corrected during an onsite verification visit conducted on August 28, 2010.

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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); and 34 CFR §300.304(a)(4) and §300.305(a).	Noncompliance identified during onsite monitoring was verified as corrected during an onsite verification visit conducted on August 28, 2010.
3) Eligibility meetings shall include required participants, in accordance with N.J.A.C. 6A:14-2.3(k)1(i-vii); 20 U.S.C. 1414(d)(1)(B); and 34 CFR §300.321(a).	Noncompliance identified during onsite monitoring was verified as corrected during a desk audit conducted on January 27, 2010.
Section VI: DISPROPORTIONATE REPRESENTATION - The Pennsauken School District was selected for the self-assessment process based on trend data that indicated disproportionate representation of specific racial/ethnic groups determined eligible for special education. The district implemented activities in its improvement plan and was not identified for disproportionate representation for the 2009-2010 school year. Noncompliance in this area was not identified during onsite monitoring.	
Areas of Noncompliance Identified during Self-Assessment	
Area	Status of Compliance
5c) Each district shall ensure that materials and procedures used to assess students with limited English proficiency, for determining eligibility for special education and related services, are selected and administered to ensure they measure the extent to which the student has a disability and needs special education, rather than measure the student's English language skills, in accordance with N.J.A.C. 6A:14-2.5(b)1iii; 20 U.S.C. 1414(b)(3); and 34 CFR §300.304(c).	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on February 9, 2009.
9) Initial evaluations shall include an assessment of the language needs of a child with limited English proficiency, communication needs and the need for assistive technology devices and services, in accordance with N.J.A.C. 6A:14-3.4(f)4 and 34 CFR §300.324(a)(2)(ii, iv and v).	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on February 9, 2009.

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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).	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on February 9, 2009.
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Section VII: EVALUATIONS AND REEVALUATION

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
3) The staff of the general education program shall maintain written documentation regarding type, frequency, duration and effectiveness of each intervention used, in accordance with N.J.A.C. 6A:14-3.3(c).	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on February 9, 2009.
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).	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on June 25, 2009.
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:14-3.5(a); 20 U.S.C. 1414(b)(4); and 34 CFR §300.306(a).	Noncompliance identified by the district in its self-assessment was verified as compliant during a desk audit conducted on June 25, 2009.

Areas of Noncompliance Identified during Onsite Monitoring

Area	Status of 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).	Noncompliance identified during onsite monitoring was verified as corrected during an onsite verification visit conducted on August 28, 2010.
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).	Noncompliance identified during onsite monitoring was verified as corrected during an onsite verification visit conducted on August 28, 2010.

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7) The district shall obtain consent from the parent or adult student, at required times, in accordance with N.J.A.C. 6A:14-2.3(a); 20 U.S.C. 1414(a)(1)(D); and 34 CFR §300.300(a).	Noncompliance identified during onsite monitoring was verified as corrected during an onsite verification visit conducted on August 28, 2010.
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 onsite monitoring was verified as corrected during a desk audit on June 25, 2009.
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).	Noncompliance identified during the onsite monitoring visit was verified as corrected during an onsite verification visit conducted on August 28, 2010.
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 during onsite monitoring was verified as corrected during an onsite verification visit conducted on January 27, 2010.
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; 20 U.S.C. 1401(3); and 34 CFR §300.306(b).	Noncompliance identified during onsite monitoring was verified as corrected during an onsite verification visit conducted on January 27, 2010.
14) Each child study team member shall certify in writing whether his or her report is in accordance with the conclusion of eligibility of the student, in accordance with N.J.A.C. 6A:14-3.4(h)5.	Noncompliance identified during onsite monitoring was verified as corrected during a desk audit conducted on June 25, 2009.

Section VIII: IEP – Noncompliance was not identified during onsite monitoring.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance/Corrective Action
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 compliant during a desk audit conducted on June 25, 2009.