



State of New Jersey  
DEPARTMENT OF EDUCATION  
PO Box 500  
TRENTON, NJ 08625-0500

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

ROCHELLE R. HENDRICKS  
Acting Commissioner

November 12, 2010

Dr. Elnardo Webster, Superintendent  
Roselle Borough School District  
710 Locust Street  
Roselle, NJ 07203

Dear Dr. Webster:

Subject: Special Education Monitoring – Roselle Borough School District

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 Roselle Borough School District's implementation of federal and state special education requirements. Between January 12, 2009 and the present, the New Jersey Department of Education, Office of Special Education Programs (NJOSPEP), conducted onsite monitoring visits 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 on December 22, 2009. The members of the monitoring team were Tracey Pettiford-Bugg, Gladys Miller 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 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***

The Roselle Borough School District was selected for the self-assessment process 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 (see Table of Findings, Section IV).

#### 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:**

Prior to the release of this report, all findings of noncompliance identified during self-assessment were verified as corrected.

#### **Findings of noncompliance identified during onsite monitoring:**

For any finding of noncompliance identified by NJOSEP during onsite monitoring, the status of correction is provided. **Findings of noncompliance identified as a result of the onsite visit 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. The monitoring team leader, Dr. Nicole Buten, will contact Ms. Patricia Caballero 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 must be submitted to:

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

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,

A handwritten signature in black ink, appearing to be 'B. Gantwerk', written in a cursive style.

Barbara Gantwerk, Assistant Commissioner  
Division of Student Services

BG/PM/cc

Enclosure

c: Andrew Smarick  
Peggy McDonald  
Nicole Buten  
Carmen Centuolo  
Heather Mills-Pevonis  
Patricia Caballero

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**Section I: Transition to Adult Life**—Noncompliance was not identified during self-assessment or onsite monitoring.

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

**Section III: DISCIPLINE**—Noncompliance was not identified by the district during monitoring.

**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) and [20 U.S.C. 1415(k)(1)(A)(H); 34 CFR §300.530(h)].	Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite monitoring visit conducted on January 14, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
2) Removals of a student with a disability from his/her placement for disciplinary reasons constitutes a change in placement if the removal is more than 10 consecutive days or a series of short-term removals that accumulate to more than 10 days and constitute a pattern in accordance with N.J.A.C. 6A:14-2.8(e) and [20 U.S.C. 1415(k)(1)(D); 34 CFR §300.530(d)].	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit on June 19, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
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); 34 CFR §300.530(c)].	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit on June 19, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>

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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) and [20 U.S.C. 1415(k)(1)(A); 34 CFR §300.530(a)].	Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite monitoring visit conducted on January 14, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
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**Section IV: LEAST RESTRICTIVE ENVIRONMENT**

**District Progress:** The Roselle Borough School District was selected for the self-assessment process due to a high percentage of students with disabilities placed in separate public and private settings. The determination was based on trend data from the Annual Data Reports submitted to NJOSEP by the district. The district has demonstrated a significant decrease in the rate of students educated in separate public and private settings (26.1% in 2007 to 15.2% in 2009); however, the district did not meet the SPP target for this category for 2009 of 8.55. Based on the Roselle Borough District's high percentage of students with disabilities being educated in separate public and/or private settings, the district is required to continue to participate in technical assistance offered by the NJOSEP, for the purpose of continuous improvement, regarding the education of students with disabilities in general education settings with appropriate supports and services. The district is reminded that all placement decisions shall be made in accordance with the New Jersey Administrative Code 6A:14-3.7 and 4.2.

**Areas of Noncompliance Identified During Self-Assessment**

<b>Area</b>	<b>Status of Compliance/Corrective Action</b>	<b>Corrective Action Requirements</b>	<b>Documentation Required and Timeline</b>
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 and [20 U.S.C. 1414(d)(1)(A)(i)(IV); 34 CFR §300.320(a)(4)].	Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite monitoring visit conducted on January 14, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>

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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) and [20 U.S.C. 1412(a)(5); 34 CFR §300.115].	Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite monitoring visit conducted on January 14, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
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 by the district in its self-assessment was verified as corrected during a desk audit on June 21, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
<b>Areas of Noncompliance Identified during Onsite Monitoring</b>			
<b>Area</b>	<b>Status of Compliance/Corrective Action</b>	<b>Corrective Action Requirements</b>	<b>Documentation Required and Timeline</b>
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 do not include an explanation of the extent to which students are educated with nondisabled peers, including participation in nonacademic and extracurricular activities	<p>The district is required to develop procedures for ensuring that IEPs include an explanation of the extent to which students are educated with nondisabled peers, including participation in nonacademic and extracurricular activities.</p> <p>The district is required to conduct training for child study team members and teachers regarding revised procedures.</p> <p>The district is required to conduct meetings to review and revise the IEPs of students, whose IEPs were determined to be noncompliant by NJOSEP</p>	Onsite verification will be conducted in <b>January 2011</b> .

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		monitors, to include required components.  The district is required to review the IEPs of all students removed from general education classes for more than 20% of the school day to ensure that placement decisions are documented appropriately. The Director of Special Services is required to review IEPs periodically to ensure correction and ongoing compliance.	
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**Section V: PARENT INVOLVEMENT**

**Areas of Noncompliance Identified during Self-Assessment**

<b>Area</b>	<b>Status of Compliance/Corrective Action</b>	<b>Corrective Action Requirements</b>	<b>Documentation Required and Timeline</b>
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 and [20 U.S.C. 1414(b)(1)(c)(4)(A); 34 CFR §300.304(a)(4) and 34 CFR §300.305(a)].	Noncompliance identified by the district during self-assessment was verified as corrected during a desk audit on June 21, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>

**Areas of Noncompliance Identified during Onsite Monitoring**

<b>Area</b>	<b>Status of Compliance/Corrective Action</b>	<b>Corrective Action Requirements</b>	<b>Documentation Required and Timeline</b>
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 and [20 U.S.C. 1414(b)(1); 34 CFR §300.304(a)]	Review of records and interviews with staff members indicated that notices for meetings did not include required components and were not consistently provided to parents.	The district is directed to review the NJOSEP sample forms for notice of meetings and revise district forms to include all required components.	Onsite verification will be conducted in <b>March 2011</b> .

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The district is directed to conduct training with child study team members regarding revised procedures.

The Director of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance.

**Section VI: DISPROPORTIONATE REPRESENTATION—No noncompliance identified during monitoring**

**Areas of Noncompliance Identified during Self-Assessment**

Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
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) and [20 U.S.C. 1414(b)(4); 34 CFR §300.306(a)].	Noncompliance identified by the district during self-assessment was verified as corrected during a desk audit on June 24, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>

**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 during self-assessment was verified as corrected during a desk audit on June 24, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>



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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 by the district during self-assessment was verified as corrected during a desk audit on June 19, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
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) and [20 U.S.C. 1414(a)(1)(D); 34 CFR §300.300(a)].	Noncompliance identified by the district during self-assessment was verified as corrected during a desk audit on June 24, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
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 by the district during self-assessment was verified as corrected during a desk audit on June 24, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
11) Reevaluation planning meetings shall include required participants in accordance with N.J.A.C. 6A:14-2.3(k) 2(i-x) and [20 U.S.C. 1414(c)(1)(A)(i); 34 CFR §300.305(a)].	Noncompliance identified by the district during self-assessment was verified as corrected during a desk audit on June 21, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
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) and [20 U.S.C. 1414(b)(4); 34 CFR §300.306(a)].	Noncompliance identified by the district during self-assessment was verified as corrected during a desk audit on June 24, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>

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16) To facilitate the transition from early intervention to preschool, a child study team member of the district shall participate in the preschool transition planning conference arranged by the Department of Health and Senior Services in accordance with N.J.A.C. 6A:14-3.3(e)1(i-iv) and [20 U.S.C. 1414(d)(1)(D); 34 CFR §300.321(f)].	Noncompliance identified by the district in the self-assessment was verified as corrected during the onsite monitoring visit.	<b>CORRECTED</b>	<b>CORRECTED</b>
<b>Areas of Noncompliance Identified during Onsite Monitoring</b>			
Area	Status of Compliance/Corrective Action	Corrective Action Requirements	Documentation Required and Timeline
2) Interventions in the general education setting shall be provided to students exhibiting academic difficulties and shall be utilized, as appropriate, prior to referring a student for an evaluation in accordance N.J.A.C. 6A:14-3.3(b) and [20 U.S.C. 1413(f)(2); 34 CFR §300.226(b)].	Review of records and interviews with staff members indicated that staff members did not maintain documentation of the frequency, duration and effectiveness of interventions in the general education setting as part of the intervention and referral services (I&RS) process. Noncompliance was due to lack of implementation of district procedures.	<p>The district is directed to review and revise procedures for ensuring that the appropriate documentation regarding interventions as determined by the (I&amp;RS) committee is maintained.</p> <p>The district is directed to conduct training with child study team members regarding revised procedures.</p> <p>The Director of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance.</p>	Onsite verification will be conducted in <b>March 2011</b> .

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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
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, (f) and [20 U.S.C. 1414(d)(3)(A)(B); 34 CFR §300.324(a)(1)(2)].	Noncompliance identified by the district during self-assessment was verified as corrected during a desk audit on June 24, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>

**Areas of Noncompliance Identified during Onsite Monitoring**

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).	Review of records and interviews with staff members indicated that IEP meetings are not convened with all of the required participants. Noncompliance was due to lack of district procedures.	<p>The district is required to develop written procedures to ensure that IEP meetings are held with required participants.</p> <p>The district is directed to conduct training with child study team members regarding revised procedures.</p> <p>The Director of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include periodic review of IEPs.</p>	Onsite verification will be conducted in <b>March 2011</b> .

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6) IEPs shall be implemented as written in accordance with [20 U.S.C. § 1412 (a)(16)(D)].	Review of records and interviews with staff members indicated that IEPs are not implemented as written. Noncompliance was due to lack of implementation of district procedures.	The district is required to ensure that IEPs are implemented as written.  The Director of Special Services is required to conduct oversight activities to ensure correction and ongoing compliance. These activities must include periodic review of IEP programs.	Onsite verification will be conducted beginning in <b>January 2011</b> .
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**Section IX: Programs and Services—Noncompliance identified during monitoring**

**Areas of Noncompliance Identified During Self-Assessment**

<b>Area</b>	<b>Status of Compliance/Corrective Action</b>	<b>Corrective Action Requirements</b>	<b>Documentation Required and Timeline</b>
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).	Noncompliance identified by the district in the self-assessment was verified as corrected during an onsite monitoring visit conducted on January 14, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>
3) Group size for resource, speech-language programs and supplementary instruction shall meet requirements in accordance with N.J.A.C. 6A:14-4(b)3 and 4.6(h).	Noncompliance identified by the district in the self-assessment was verified as corrected during an onsite monitoring visit conducted on January 14, 2009.	<b>CORRECTED</b>	<b>CORRECTED</b>