



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

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

March 11, 2011

Mr. George J. Rafferty, Superintendent
Tabernacle School District
132 New Road
Tabernacle, New Jersey 8088-8569

Dear Mr. Rafferty:

Subject: Special Education Monitoring Report – Tabernacle 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 Tabernacle School District's implementation of federal and state special education requirements. Between August, 2010 and the present, the New Jersey Department of Education, Office of Special Education Programs (NJOSPE), conducted onsite monitoring visits, verification visits and desk audits in the Tabernacle School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Caryl Carthew and Kenneth Richards.

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 NJOSPE 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***
- ***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 Tabernacle School District was selected for the self-assessment/monitoring process through random selection.

Monitoring Results

The enclosed Table of Findings details findings of noncompliance resulting from the onsite monitoring. All findings 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, Ms. Caryl Carthew, will contact Dr. Keenan to discuss procedures for verification of correction of the findings of noncompliance listed in the Table of Findings. *For any finding of noncompliance related to the development or implementation of IEPs or the delivery of programs and services, corrective action activities have been directed by NJOSEP.* These findings must be corrected as soon as possible.

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 following address:

Ms. Caryl Carthew
New Jersey Department of Education
Office of Special Education Programs
Finlaw Building, 4th Floor
199 East Broadway
Salem, New Jersey 08079

Questions regarding the enclosed monitoring 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/PM/cc
Enclosure

c: Gregg Edwards
Andrew Smarick
Peggy McDonald
Caryl Carthew
Peggy Nicolosi
Deborah Magee
Joseph Keenan

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

- Section I: TRANSITION TO ADULT LIFE**
- Section II: STATEWIDE ASSESSMENT**
- Section III: LEAST RESTRICTIVE ENVIRONMENT**
- Section V: DISPROPORTIONATE REPRESENTATION**
- Section VIII: PROGRAMS AND SERVICES**
- Section IV: PARENT INVOLVEMENT**

Areas of Noncompliance

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)3,5; 20 U.S.C. §1414(b)(1); and 34 CFR §300.304(a).	Review of records indicated that notice of a meeting did not consistently identify all the purposes of a meeting and documentation was not consistently maintained regarding provision of notice of a meeting due to a lack of implementation of district procedures.
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).	Review of records indicated that written notice did not consistently include all the required components (specifically, the short procedural safeguards statement, the options considered and why they were rejected, the factors used in making the determination and documentation of the provision of N.J.A.C. 6A:14 and 1:6A) and written notice is not consistently provided within 15 days due to a lack of implementation of district procedures.
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).	Review of records indicated that the district did not maintain documentation of the participants at eligibility conferences due to a lack of district procedures.

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Section VI: EVALUATIONS AND REEVALUATION

Areas of Noncompliance

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).	<p>Review of records indicated that identification meetings were not consistently held within 20 calendar days of a request for evaluation due to a lack of implementation of district procedures.</p> <p>Review of records indicated that identification meetings for students eligible for special education and related services did not consistently include the participation of the general education teacher and the full child study team due to a lack of implementation of district procedures.</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).	Review of records indicated that the health summary for students eligible for special education and related services was not consistently provided to the child study team by the date of the identification meeting due to a lack of implementation of district procedures.
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).	Review of records indicated that the district did not maintain a record of parental consent to waive a reevaluation for students eligible for special education and related services due to a lack of implementation of district procedures.
9) Each evaluation of a student shall include functional assessment, in accordance with N.J.A.C. 6A:14-3.4(f)4(i-vi); 20 U.S.C. §1414(b)(4) and (5); and 34 CFR §300.306(c)(i).	Review of records indicated that evaluations for preschool students eligible for special education and related services did not consistently include an observation of the student in other than a testing setting due to a lack of implementation of district procedures.
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(1)(A)(i); and 34 CFR §300.305(a).	Review of records indicated that the district did not maintain documentation of the participants at reevaluation planning meetings due to a lack of district procedures.

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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.	Review of records indicated that each child study team member who conducted an evaluation did not certify in writing whether his or her report reflected his or her conclusion of eligibility due to a lack of implementation of district procedures.
15) A copy of the evaluation report(s) and documentation and information that will be used for a determination of eligibility shall be given to the parent or adult student not less than 10 calendar days prior to the eligibility meeting, in accordance with N.J.A.C. 6A:14-3.5(a); 20 U.S.C. §1414(b)(4); and 34 CFR §300.306(a).	Review of records indicated that evaluation reports were not consistently provided to parents at least 10 days prior to the eligibility meeting due to a lack of implementation of district procedures.
Section VII: IEP	
Areas of Noncompliance	
Area	Status of Compliance
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 indicated that IEP meetings for preschool students with disabilities did not consistently include the participation of a general education teacher due to a lack of implementation of district procedures.
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).	Review of records indicated that IEPs for students eligible for special education and related services did not consistently identify the criteria for mastery of goals and objectives, documentation of the consideration of the need for extended school year and the method of provision of related services, specifying individual or small group, due to the lack of implementation of district procedures.
<p>Corrective Action for Areas 1 and 2 above: The district is required to conduct training with child study team members regarding procedures for identifying the criteria for mastery of goals and objectives, documentation of the consideration of the need for extended school year and the method of provision of related services, either individual or small group,</p> <p>The district is required to conduct a meeting of the IEP team 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 monitors will be provided to the Director of Special Education by NJOSEP.</p> <p>The district must review the IEPs of all students eligible for special education and related services. For any IEP where all required components are not included, a meeting of the IEP team must be convened to review and revise the IEP.</p>	

All documentation required to demonstrate completion of corrective action activities must be submitted to the following address:

Ms. Caryl Carthew
New Jersey Department of Education
Office of Special Education Programs
Finlaw Building, 4th Floor
199 East Broadway
Salem, New Jersey 08079