



**State of New Jersey**

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

September 7, 2010

ROCHELLE R. HENDRICKS  
*Acting Commissioner*

Dr. Constance Clark-Snead, Superintendent  
Teaneck Public School District  
1 Merrison Street  
Teaneck, NJ 07666-4616

Dear Dr. Clark-Snead:

Subject: Special Education Monitoring Report – Teaneck Public 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' (NJOSPE) monitoring of the Teaneck Public School District's implementation of federal and state special education requirements. Between July 21, 2009 and March 23, 2010, monitors from the NJOSPE conducted onsite monitoring visits, verification visits and desk audits to determine the Teaneck Public School District's compliance with federal and state special education requirements. The members of the monitoring team were Samuel Jordan, Linda Chavez, Tracey Pettiford-Bugg and Steven Pasternak.

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 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 Teaneck School District was selected for the self-assessment/monitoring process based on trend data that indicated a high percentage of students with disabilities placed in separate public and private settings (See Sections IV – Table of Findings). The district is reminded that all placement decisions shall be made in accordance with New Jersey Administrative Code 6A:14-3.7 and 4.2.

## 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 through its self-assessment, 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. The NJOSEP will continue to monitor implementation of the improvement plan activities through additional onsite visits and desk audits.

### **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. Corrective action activities with timelines for correction have been directed by NJOSEP for those areas that have not been corrected. The Table of Findings reflects verification of correction that occurred through March 23, 2010.

### **Noncompliance identified during onsite monitoring**

For any finding of noncompliance identified during the onsite monitoring visit, 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 correction and ongoing compliance. The monitoring team leader, Mr. Samuel Jordan, will contact Dr. Maureen Edwards 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 the address below:

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

Questions regarding the enclosed monitoring report should be directed to Dr. Peggy McDonald, manager of the Bureau of Program Accountability, 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/SJ  
Enclosure

c: Andrew Smarick  
Peggy McDonald  
Samuel Jordan  
Aaron R. Graham  
Steven Pasternak  
Maureen Edwards

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

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

Area	Status of Compliance/Corrective Action
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 and identified during a targeted review of implementation of transition requirements was verified as corrected during the onsite monitoring visit.
2) Invitation to IEP meetings provided to students and agencies providing or paying for transition services [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 February 2, 2010.
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 corrected during an onsite verification visit conducted on March 10, 2010.
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).	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on February 2, 2010.

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

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

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

Area	Status of Compliance/Corrective Action
1a) The district shall impose the same discipline procedures for all students (removals of 10 days or less), in accordance with N.J.A.C. 6A:14-2.8(a) and 20 U.S.C. § 1415(k)(5)(A).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.
1b) The case manager and parent shall be notified in writing of suspension/expulsion of a student with a disability at the 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 the onsite monitoring visit.
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 the onsite monitoring visit.
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); 20 U.S.C. § 1415(k)(1)(D); and 34 CFR §300.530(d).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.

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<p>6) When it is determined that a removal of a student with a disability constitutes a change of placement, the relevant IEP team members and the parent shall meet to determine if the conduct was a manifestation of the student's disability, in accordance with N.J.A.C. 6A:14-Appendix A and 20 USC §1415(k)(1)(E)i.</p>	<p>Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.</p>
<p>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).</p>	<p>Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.</p>

**Section IV: LEAST RESTRICTIVE ENVIRONMENT – Noncompliance was not identified during onsite monitoring.**

The Teaneck School District was selected for the self-assessment process for the 2007-2008 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. The district rates for 2007, 2008 and 2009 were 12.4%, 13.9% and 13.2%, respectively, demonstrating an overall increase in the percent of students with disabilities educated in separate settings. The district did not meet the SPP target for all three years. The district is reminded that all placement decisions shall be made in accordance with New Jersey Administrative Code 6A:14-3.7 and 4.2. 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.

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<b>Area(s) in Need of Continuous Improvement</b>	
<b>Area</b>	<b>Status of Improvement Plan</b>
The district developed improvement plan activities to expand opportunities for inclusion within the general education setting, specifically, the enhancement of supplementary aids and services in district schools.	The district is in the process of implementing its improvement plan activities in accordance with the established timelines. Training was provided to staff members on April 23, 2010 by NJOSEP personnel regarding the decision-making process for placing students with disabilities in the least restrictive environment.
<b>Areas of Noncompliance Identified during Self-Assessment</b>	
<b>Area</b>	<b>Status of Compliance/Corrective Action</b>
2) IEPs shall include an explanation of the extent, if any, to which the child will not participate with nondisabled children [20 USC § 1412(a)(5) and § 1414(d)(1)(A)(i)(V); 34 CFR §300.115 and §300.320(a)(5) and NJAC 6A:14-3.7(e)6]	Review of records and interviews with staff indicated that IEPs, of students removed from general education greater than 20% of the school day, did not consistently document the supplemental aids and services considered and the reasons they were rejected. Noncompliance was due to inconsistent implementation of district procedures.
4) IEPs shall include a comparison of the benefits provided in the regular class and the benefits provided in the special education class, in accordance with N.J.A.C. 6A:14-4.2(a)8(ii)	Review of records and interviews with staff indicated that IEPs, of students removed from general education greater than 20% of the school day, did not consistently document a comparison of the benefits of general education and special education. Noncompliance was due to inconsistent implementation of district procedures.
5) IEPs shall include potentially beneficial or harmful effects which a placement (general education) may have on the student with disabilities or the other students in the class (IV,2) [20 USC § 1412(a)(5); 34 CFR §300.116(d)]	Review of records and interviews with staff indicated that IEPs, of students removed from general education greater than 20% of the school day, did not consistently document the potentially beneficial and/or harmful effects of a placement (general education) on the student and other students in the class. Noncompliance was due to inconsistent implementation of district procedures.
6) For students in a separate setting, IEPs shall include activities to transition students to a less	Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite verification visit conducted on March 10, 2010.

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restrictive environment, in accordance with N.J.A.C. 6A:14-4.2(a)4.

**Corrective Action for Areas 2, 4 and 5:** The district is required to conduct additional training with child study team members regarding procedures for placement decision-making.

The district is required to conduct a meeting of the IEP team for each student whose IFP 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.

The district must review the IEPs of all students with disabilities removed from general education settings for greater than 20% of the school day. For any IEP where an explanation of the extent to which the student will be educated with nondisabled peers, the comparison of benefits of the special and general education classrooms and/or the potential beneficial or harmful effects of a placement in general education is not addressed, a meeting of the IEP team must be convened to review and revise the IEP.

The Director of Special Education is directed to implement an oversight mechanism to ensure correction and ongoing compliance.

**Section V: PARENT INVOLVEMENT**

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

Area	Status of Compliance/Corrective Action
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).	Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite verification visit conducted on March 10, 2010.
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 an onsite verification visit conducted on March 10, 2010.

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**Areas of Noncompliance Identified during the Onsite Monitoring Visit**

Area	Status of Compliance
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).	A review of records and interviews with staff members indicated that written notices, which document the results of identification meetings and eligibility meetings, did not include all required components consistently, due to a lack 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).	A review of records and interviews with staff members indicated that all required participants were not consistently present at eligibility meetings, due to a lack of implementation of district procedures.
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 34CFR §300.503(c) and §300.504(d).	A review of records and interviews with staff members indicated that interpreters/translators were not consistently provided and a record of their participation was not consistently maintained at meetings, due to a lack of implementation of district procedures.

**Section VI: DISPROPORTIONATE REPRESENTATION – Noncompliance was not identified during onsite monitoring.**

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

Area	Status of Compliance/Corrective Action
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	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on February 2, 2010.



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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).

**Section VII: EVALUATION AND REEVALUATION**

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

Area	Status of Compliance/Corrective Action
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 with N.J.A.C. 6A:14-3.3(b); 20 U.S.C. § 1413(f)(2); and 34 CFR §300.226(b).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.
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 corrected during an onsite verification visit conducted on March 10, 2010.
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 an onsite verification visit conducted on March 10, 2010.
7) The district shall obtain consent from the parent or adult student, at required times, in accordance with	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.

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<p>N.J.A.C. 6A:14-2.3(a); 20 U.S.C. § 1414(a)(1)(D); and 34 CFR §300.300(a).</p>	
<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>Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite verification visit conducted on March 10, 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>Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite verification visit conducted on March 10, 2010.</p>
<p>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).</p>	<p>Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite verification visit conducted on March 10, 2010.</p>
<p>12) By June 30 of a student's last year in a program for preschoolers with disabilities, a reevaluation shall be conducted, in accordance with N.J.A.C. 6A:14-3.8(g); 20 U.S.C. § 1414(c); and CFR §300.305(b)(2)(e).</p>	<p>Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite verification visit conducted on March 10, 2010.</p>
<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; 20 U.S.C. § 1401(3); and 34 CFR §300.306(b).</p>	<p>Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on February 2, 2010.</p>

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<p>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).</p>	<p>Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on February 2, 2010.</p>
<p>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); 20 U.S.C. § 1414(d)(1)(D); and 34 CFR §300.321(f).</p>	<p>Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.</p>

**Areas of Noncompliance Identified during the Onsite Monitoring Visit**

<b>Area</b>	<b>Status of Compliance</b>
<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>A review of records and interviews with staff members indicated that available health and medical information was not consistently obtained prior to identification meetings, due to a lack of implementation of district procedures.</p>

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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.	A review of records and interviews with staff members indicated that child study team members did not consistently certify in writing whether their reports were in accordance with the conclusion of eligibility, due to a lack of implementation of district procedures.
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**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 corrected during a desk audit conducted on February 2, 2010.
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 March 23, 2010.
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 February 8, 2010.
4) The annual review of the IEP for a preschool student with a disability shall be completed by June 30 of the student's last year in the preschool program, in	Noncompliance identified by the district in its self-assessment was verified as corrected during a desk audit conducted on February 8, 2010.

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accordance with N.J.A.C. 6A:14-3.7(i)1; 20 U.S.C. § 1414(d); and 34 CFR §300.324(b)(1).	
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 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 34 CFR §300.323(d).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.
6) IEPs shall be implemented as written, in accordance with 20 U.S.C. § 1412 (a)(16)(D).	Noncompliance identified by the district in its self-assessment was verified as corrected during the onsite monitoring visit.
<b>Section IX: PROGRAMS AND SERVICES - Noncompliance was not identified during self-assessment or onsite monitoring.</b>	

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