



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

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Governor

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BRET SCHUNDLER  
Commissioner

June 2, 2010

Arthur J. Waltz, Superintendent  
Union Beach Borough School District  
1207 Florance Avenue  
Union Beach, New Jersey 07735-2633

Subject: Special Education Monitoring Report – Union Beach School District

Dear Mr. Waltz:

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 Union Beach School District's implementation of federal and state special education requirements. On October 13, 2009, the New Jersey Department of Education, Office of Special Education Programs (NJOSEP), conducted an onsite monitoring visit to determine compliance with federal and state special education requirements. Desk audits were subsequently conducted from November 2009 through March 2010 to verify correction of noncompliance identified during the onsite monitoring visit. The members of the monitoring team were Nicole Buten, Diane Mari and Linda Chavez.

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 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 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 Union Beach Borough School District was randomly selected for the self-assessment process for the 2007-2008 school year.

### 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 and the self-assessment findings, the district developed an improvement plan that addressed 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 September 2008.

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, schedules of students, teachers and related services personnel and other relevant information. 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**

**Prior to the release of this report, the Union Beach School District implemented all activities for continuous improvement.**

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

**Prior to the release of this report, the Union Beach Borough School District submitted documentation demonstrating correction of all areas of noncompliance identified during self-assessment.**

#### **Findings of noncompliance identified during the onsite monitoring visit**

**Prior to the release of this report, the Union Beach Borough School District submitted documentation demonstrating correction of all areas of noncompliance identified during the onsite visit.**

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:

Deborah Masarsky  
New Jersey Department of Education  
Office of Special Education Programs  
PO Box 500  
Trenton, NJ 08625-0500

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/DM

Enclosure

c: Division of Field Services  
Barbara Gantwerk  
Peggy McDonald  
Deborah Masarsky  
Carole Morris  
Karen Frumen  
Michael Botti

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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 improvement activities to expand career guidance and implement a career night to provide opportunities for students ages 14 and above to become aware of career choices. The district also planned to conduct training with staff on community resources to assist with transition planning.	The district implements an annual career night for students ages 14 and above and their families. Additionally, the guidance counselor visits classrooms and conducts presentations regarding career options for both general and special education students annually.

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

Area	Status of Compliance/Corrective Action
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 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 January 4, 2010 and January 27, 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 a desk audit conducted on January 4, 2010 and January 27, 2010.

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

**Area(s) in Need of Continuous Improvement**

Area	Status of Improvement Plan
The district developed improvement activities to analyze the results of statewide assessments for students with disabilities to identify areas of strength and areas of weakness by skill cluster in mathematics and language arts.	The district analyzes assessment results for both the general assessments and the Alternate Proficiency Assessment and reviews and revises curricula based on the analysis.

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

**Section IV: LEAST RESTRICTIVE ENVIRONMENT**

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

Area	Status of Compliance/Corrective Action
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].	Noncompliance identified during the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on March 23, 2010.
6) 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 <b>corrected</b> during a desk audit conducted on March 23, 2010.

**Section V: PARENT INVOLVEMENT**

**Results of Parent Interviews**

Of the parents interviewed, the majority indicated that they were very satisfied with the district's programs and services. Parents also stated that they were very involved in the planning of their children's educational programs. Many parents also commended the district for facilitating monthly parent advisory meetings and for the continuous communication by the district's staff.

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

Area	Status of Compliance/Corrective Action
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).	Noncompliance identified by the district in its self-assessment was verified as <b>corrected</b> during a desk audit conducted on November 3, 2009, January 4, 2010, March 1, 2010 and March 23, 2010.

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

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 and 5; 20 U.S.C. 1414(b)(1); and 34 CFR §300.304(a).	Noncompliance identified during the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on March 23, 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 the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on March 23, 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)-(iii); and 34 CFR §300.321(e).	Noncompliance identified during the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on March 23, 2010.

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

**Area(s) in Need of Continuous Improvement**

Areas	Status of Improvement Plan
The district developed improvement activities to track the race/ethnicity of students referred for evaluation and reasons for referral to provide oversight regarding referral patterns.	The Continuous Improvement Plan has been implemented. The district provided documentation that it tracks the race-ethnicity of each student referred for evaluation for eligibility for special education and related services.

**Section VII: EVALUATIONS AND REEVALUATION**

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

Area	Status of Compliance/Corrective Action
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 <b>corrected</b> during a desk audit conducted on February 16, 2010.

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6) The district shall ensure that the hearing aids worn by children who are deaf or hard of hearing are functioning properly, in accordance with N.J.A.C. 6A:14-1.1(f) and 34 CFR §300.113(a).	Noncompliance identified by the district in its self-assessment was verified as <b>corrected</b> during a desk audit conducted on March 23, 2010.
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).	Noncompliance identified by the district in its self-assessment was verified as <b>corrected</b> during a desk audit conducted on March 23, 2010.
<b>Areas of Noncompliance Identified during the Onsite Monitoring Visit</b>	
<b>Area</b>	<b>Status of Compliance/Corrective Action</b>
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); 20 U.S.C. 1413(f)(2); and 34 CFR §300.226(b).	Noncompliance identified during the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on March 23, 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 during the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on March 23, 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 the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on March 23, 2010.
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 during the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on March 23, 2010.
9) Each evaluation of a student shall include functional assessment, in accordance with	Noncompliance identified during the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on March 23, 2010.

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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).

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 the onsite monitoring visit was verified as **corrected** during a desk audit conducted on January 4, 2010 and March 23, 2010.

**Section VIII: IEP**

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

Area	Status of Compliance/Corrective Action
5) The student's IEP shall be accessible to each general education teacher, special education teacher, related services 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 <b>corrected</b> during a desk audit conducted on January 4, 2010.

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

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 during the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on January 4, 2010 and March 23, 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 during the onsite monitoring visit was verified as <b>corrected</b> during a desk audit conducted on January 4, 2010, March 1, 2010 and March 23, 2010.

**Section IX: PROGRAMS AND SERVICES – Noncompliance was not identified during self-assessment or onsite monitoring.**