



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

December 12, 2011

Mr. Michael Roth, Interim Superintendent
Wayne Township School District
50 Nellis Drive
Wayne, NJ 07470-3562

Dear Mr. Roth:

Subject: Special Education Monitoring Report – Wayne Township School District

This correspondence has been sent to inform you of the results of the New Jersey Department of Education, Office of Special Education's onsite monitoring regarding the Wayne Township School District's implementation of federal and state special education requirements. The New Jersey Department of Education, Office of Special Education (NJOSE), conducted onsite monitoring visits, verification visits and desk audits in the Wayne Township School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Tracey Pettiford Bugg, Charlene Staley Evans, and Jenifer Spear.

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 NJOSE 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 Wayne Township School District was chosen for the self-assessment/monitoring process through random selection.

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***

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Monitoring Results

The enclosed Table of Findings details the findings of noncompliance resulting from the monitoring. Of the 46 requirements in the district's self-assessment that were reviewed by NJOSE, the district demonstrated noncompliance with fourteen requirements. These findings of noncompliance 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. Ms. Jenifer Spear, NJOSE monitor, will contact Ms. Mary Rose Scala 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, as well as all documentation required to demonstrate completion of corrective action activities must be submitted to the following address:

Ms. Jenifer Spear
New Jersey Department of Education
Passaic County Office of Education
501 River Street
Paterson, NJ 07524

The district is expected to provide and sustain administrative oversight, as well as provide ongoing training and technical assistance as needed to ensure identification and correction of any noncompliance with IDEA 2004 and positive educational outcomes for students with disabilities. Please contact Ms. Kimberly Murray at (609) 292-7605 if you have questions regarding special education monitoring. The NJOSE appreciates the cooperation of district staff members during the self-assessment/monitoring and verification process.

Sincerely,



Peggy McDonald, Director
Office of Special Education

Enclosure

c: David Hespe
Barbara Gantwerk
Jenifer Spear
Robert Gilmartin
Tracey Pettiford Bugg
Mary Rose Scala

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

Section I: TRANSITION TO ADULT LIFE

Citation	Findings of Noncompliance
1) Beginning at age 14, students are invited to attend his/her IEP for the purpose of discussing transition services, in accordance with N.J.A.C. 6A:14-2.3(k)2(x).	A review of records and interviews with staff members indicated that students were not invited to IEP meetings beginning at age 14, for the purpose of discussing transition services, due to lack of implementation of district procedures.
2) When a student graduates or exceeds the age of eligibility, the student shall be provided a written summary of his or her academic achievement and functional performance prior to the date of the student's graduation, in accordance with N.J.A.C. 6A:14-4.11(b) 4.	A review of records and interviews with staff members indicated that students were not consistently provided written summaries of academic achievement and functional performance prior to the date of graduation, due to lack of implementation of district procedures.
3) Graduation with a state endorsed diploma is a change of placement that requires written notice in accordance with N.J.A.C. 6A:14-4.11(b) and N.J.A.C. 6A:14-2.3(f) and (g).	A review of records and interviews with staff members indicated that students were not provided written notice of graduation as a change of placement due to lack of implementation of district procedures.

Section III: LEAST RESTRICTIVE ENVIRONMENT

Citation	Findings of Noncompliance
3) IEPs shall include supplementary aids and services considered and an explanation of why they are not appropriate, in accordance with N.J.A.C. 6A:14-4.2(a) 8(i).	A review of records and interviews with staff members indicated that IEPs did not consistently include a statement of supplementary aids and services considered and an explanation of why they are not appropriate due to lack of 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).	A review of records and interviews with staff members indicated that IEPs did not consistently include a comparison of the benefits provided in the regular class and the benefits provided in the special education class due to lack of implementation of district procedures.
5) IEPs shall include the potentially beneficial or harmful effects which a placement (general education) may have on the student with disabilities or the other students in the class. [20 U.S.C. § 1412(a)(5); 34 CFR §300.116(d)]	A review of records indicated that IEPs did not include a statement of the potentially beneficial or harmful effects which a placement in general education may have on the student with disabilities or the other students in the class due to lack of district procedures.

TABLE OF FINDINGS
Special Education Monitoring Results
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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.

A review of records indicated that IEPs did not include activities to transition students to a less restrictive environment due to lack of district procedures.

Section IV: PARENT INVOLVEMENT

Citation

Findings of Noncompliance

1) Requests for consent for excusal of an IEP team member shall be included with the notice of the meeting and participants to ensure sufficient time for the parent to review and consider the request in accordance with N.J.A.C. 6A14-2.3(k)i.

A review of records and interviews with staff members regarding students eligible for special education and related services and students eligible for speech and language services indicated that the district did not provide parents with written notice of a meeting requesting excusal of IEP team members due to a lack of implementation of district procedures.

Section VI: EVALUATIONS AND REEVALUATION

Citation

Findings of Noncompliance

10) Identification 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).

A review of records indicated that identification meetings for students eligible for special education and related services and students eligible for speech language services did not consistently include required participants due to 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(c) (1) (A)(i); and 34 CFR §300.305(a).

A review of records indicated that reevaluation planning meetings for students eligible for special education and related services and students eligible for speech language services did not consistently include required participants due to lack of implementation of district procedures.

13) Eligibility for speech and language services shall be determined collaboratively by the participants at a meeting according to N.J.A.C. 6A:14-3.6(c) and 2.3(k)1.

A review of records and interviews with staff members indicated that eligibility for speech and language services was not determined at a properly configured eligibility meeting due to a lack of implementation of district procedures.

Section VII: IEP

Citation	Findings of Noncompliance
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).	A review of records indicated that IEP meetings for students eligible for speech and language services did not consistently include a general education teacher at the meeting 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).	A review of records indicated that IEPs for students eligible for speech language services did not consistently contain the required considerations and statements due to the lack of implementation of district procedures.
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).	A review of records and interviews with staff members indicated that IEP meetings for students eligible for speech language services were not consistently conducted annually or more often if necessary due to lack of implementation of district procedures.