



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

October 5, 2011

Mr. John Petrelli, Interim Superintendent
West Milford Township School District
46 Highlander Drive
West Milford, NJ 07480

Dear Mr. Petrelli:

Subject: Special Education Monitoring - Correction of Noncompliance – West Milford Township School District

This correspondence has been sent to inform you of the status of the New Jersey Department of Education, Office of Special Education (NJOSE) onsite monitoring regarding the West Milford Township School District's implementation of federal and state special education requirements. All findings of noncompliance identified as a result of monitoring were corrected within one year of identification. No further action regarding this monitoring is required by the West Milford Township School District. Of the 46 requirements reviewed, the district demonstrated noncompliance with nine requirements. Through ongoing verification activities, the West Milford Township School District demonstrated correction of all areas of noncompliance. The West Milford Township School District must maintain a system of oversight to ensure continued compliance with federal and state special education requirements.

Questions regarding the enclosed monitoring should be directed to me at 609-292-0147.

The NJOSE appreciates the cooperation of West Milford Township School District staff members during the monitoring and verification process.

Sincerely,

Peggy McDonald, Interim Director
Office of Special Education

PM/PF

c: Barbara Gantwerk
Jenifer Spear
Robert Gilmartin
Tracey Pettiford-Bugg
Howard Heller

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CHRIS CHRISTIE
Governor

KIM GUADAGNO
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CHRISTOPHER D. CERF
Acting Commissioner

August 24, 2011

Mr. John Petrelli, Interim Superintendent
West Milford Township School District
46 Highlander Drive
West Milford, NJ 07480

Dear Mr. Petrelli:

Subject: Special Education Monitoring Report – West Milford 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 West Milford 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 West Milford Township School District to determine compliance with federal and state special education requirements. The members of the monitoring team were Linda Chavez, Samuel Jordan and Gladys Miller.

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 West Milford 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 Service***

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Monitoring Results

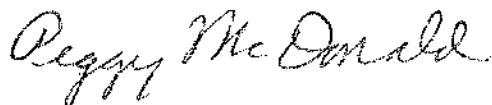
The enclosed Table of Findings details the findings of noncompliance resulting from the monitoring. Of the 46 requirements in the district's self-assessment that were reviewed by NJOSE, the district demonstrated noncompliance with nine requirements. One area of noncompliance was corrected prior to the release of this report. The remaining nine 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. Jennifer Spear, NJOSE monitor, will contact Mr. Howard Heller to discuss procedures for verification of correction of the findings of noncompliance listed in the Table of Findings. For all findings of noncompliance related to the development of IEPs and the delivery of programs and services, the NJOSE has directed specific corrective action activities.

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. Jennifer Spear
New Jersey Department of Education
Office of Special 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 me 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, Interim Director
Office of Special Education

PM/DM/LC
Enclosure

c: Barbara Gantwerk
Jennifer Spear
Robert Gilmartin
Howard Heller

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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

Citation	Status of Compliance and Findings of Noncompliance
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 the self-assessment process was verified as corrected during a desk audit conducted on November 10, 2010.
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).	A review of records and interviews with staff members indicated that written notices following meetings did not consistently contain all the required components, specifically, options considered and rejected, and description of factors used in making determinations 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).	A review of records and interviews with staff members indicated that eligibility meetings did not consistently include general education teachers due to a lack of implementation of district procedures.

Section VI: EVALUATIONS AND REEVALUATION

Citation	Findings of Noncompliance
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).	Review of records indicated that the district staff did not consistently convene a meeting with required participants within 20 calendar days of receipt of the written request for an evaluation due to lack of implementation of district procedures.

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<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 indicated that the district did not ensure that vision and audiometric screening was conducted for every student referred to the child study team for evaluation due to lack of implementation of district procedures.</p>
<p>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).</p>	<p>Review of records indicated that as part of initial evaluations to determine eligibility for speech-language services, the speech-language specialist did not obtain a written statement from the classroom teacher to indicate the educational impact of the speech problem due to lack of implementation of district procedures.</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>A review of records indicated that all sections of the functional assessment were not conducted as part of the initial evaluation of students referred for special education and related services, and for students referred for speech-language services due to lack of implementation of district procedures.</p>
<p>10) Within three years of the previous classification, a 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>A review of records and interviews with staff members indicated that reevaluations were not consistently completed within three years of the previous classification date due to a lack of implementation of district procedures.</p>
<p>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).</p>	<p>A review of records indicated that copies of evaluation reports for students evaluated for special education and related services and students evaluated for speech and language services were not provided to parents and/or adult students not less than ten calendar days prior to the eligibility determination meeting due to lack of implementation of district procedures.</p>

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Section VII: IEP

Citation	Findings of Noncompliance
<p>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).</p>	<p>A review of records and interviews with staff members indicated that IEP meetings were not consistently conducted annually or more often if necessary due to lack of implementation of district procedures.</p>

Corrective Action for Citation 3 above:

The district is required to conduct training with child study team members and speech-language specialists regarding procedures for conducting IEP meetings annually, or more often if necessary, to review and/or revise the IEP and determine program and/or placement.

The district is required to immediately convene an appropriately configured IEP team meeting to review and/or revise the IEP for each student whose IEP was identified as noncompliant by the monitors. Names of students with IEPs that were found to be noncompliant will be provided to the director of special education by the NJOSE.

Additionally, the district must review current implementation dates of the IEPs of all students eligible for special education and related services and for speech-language services. For any student with an IEP that was not reviewed within one year of the date of implementation, a meeting of the IEP team must be convened to review and revise the IEP.