

State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

ROCHELLE R. HENDRICKS
Acting Commissioner

December 3, 2010

Dr. H. Major Poteat, Superintendent
Winslow Township School District
30 Cooper Folly Road
Atco, NJ 08004

Dear Dr. Poteat:

Subject: Special Education Monitoring Report – Winslow 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 Programs' onsite monitoring regarding the Winslow Township School District's implementation of federal and state special education requirements. On December 7, 8 and 9, 2009, the New Jersey Department of Education, Office of Special Education Programs (NJOSPEP), conducted an onsite monitoring visit to determine compliance with federal and state special education requirements. Verification of the correction of findings of noncompliance identified in your district's self-assessment and during the onsite monitoring visit was also conducted between December 7, 2009 and July 17, 2010. The members of the monitoring team were Caryl Carthew, Patricia Fair, Kenneth Richards and Catherine Thomas.

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 NJOSPEP 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 Winslow Township School District was selected for the self-assessment process due to a high percentage of students with disabilities placed in separate public and private settings. The determination was based on trend data from the Annual Data Reports submitted to NJOSEP by the district. The district decreased its rate of students in separate public and private day programs from 13.2 percent, reported in October 2007, to 10.4 percent in 2008; however, the district did not meet the SPP target for that year of 8.5 percent. Data reported in 2009 could not be compared to prior years since not all students were reported. The district must continue to participate in technical assistance provided by NJOSEP regarding placement in the least restrictive environment. 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:

Findings of noncompliance identified by the district during the self-assessment:
Prior to the release of this report, the Winslow Township School District submitted documentation demonstrating correction for all areas of noncompliance identified during self-assessment.

Findings of 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 ongoing compliance. The monitoring team leader, Ms. Caryl M. Carthew, will contact Dr. Steven Harley 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 following address:

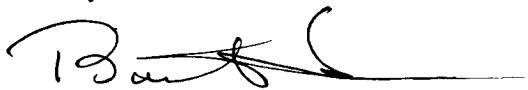
Caryl M. Carthew
New Jersey Department of Education
Office of Special Education Programs
Finlaw Building—4th Floor
199 East Broadway
Salem, NJ 08079

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.

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Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara Gantwerk', with a long horizontal line extending to the right.

Barbara Gantwerk, Assistant Commissioner
Division of Student Services

BG/PM/cc

Enclosure

c: Andrew Smarick
Peggy McDonald
Caryl Carthew
Peggy Nicolosi
Catherine Thomas
Steven Harley

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Special Education Monitoring Results
IDEA 2004 and New Jersey Administrative Code Requirements
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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
1) Individualized Education Programs (IEP) requirements for students ages 16 and above, in accordance with 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 was verified as corrected during a desk audit conducted on March 5, 2010.
2) Invitation of students and agencies providing or paying for transition services to IEP meetings, in accordance with 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 the onsite monitoring visit.
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 March 5, 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 an onsite monitoring visit conducted on December 7, 2009.

Section II: STATEWIDE ASSESSMENT— Noncompliance was not identified during the monitoring process.

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

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
1b) The case manager and parent shall be notified in writing of suspension/expulsion of a student with a disability at 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 an onsite monitoring visit conducted on December 9, 2009.

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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).	Noncompliance identified by the district in its self-assessment was verified as corrected during an onsite monitoring visit conducted on December 9, 2009.
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Section IV: LEAST RESTRICTIVE ENVIRONMENT – Noncompliance was not identified during onsite monitoring.
The Winslow Township School District was selected for the self-assessment process due to a high percentage of students with disabilities placed in separate public and private settings. The determination was based on trend data from the Annual Data Reports submitted to NJOSEP by the district. The district decreased its rate of students in separate public and private day programs from 13.2 reported in October 2007 to 10.4 in 2008; however, the district did not meet the SPP target for that year of 8.5 percent. Data reported in 2009 could not be compared to prior years since not all students were reported. The district must continue to participate in technical assistance provided by NJOSEP regarding placement in the least restrictive environment. 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.

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
2) IEPs shall include an explanation of the extent to which students are educated with nondisabled peers, including participation in nonacademic and extracurricular activities, in accordance with N.J.A.C. 6A:14-3.7(e)6 and 34 CFR §300.107.	Noncompliance identified by the district in the self-assessment was verified as corrected during a desk audit conducted on March 23, 2010.
4) 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).	Noncompliance identified by the district in the self-assessment was verified as corrected during a desk audit conducted on March 23, 2010.
5) 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)].	Noncompliance identified by the district in the self-assessment was verified as corrected during a desk audit conducted on March 23, 2010.
4) 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 by the district in the self-assessment was verified as corrected during the onsite monitoring visit.

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Section V: PARENT INVOLVEMENT – Noncompliance was not identified during self-assessment.

Areas of Noncompliance Identified during the Onsite Monitoring Visit

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 and 5; 20 U.S.C. 1414(b)(1); and 34 CFR §300.304(a).	<p>Review of records indicated that documentation was not consistently maintained in student files regarding the provision of notice of a reevaluation planning meeting for students eligible for speech-language services. These findings were due to a lack of implementation of district procedures.</p> <p>Noncompliance identified during the onsite monitoring for students eligible for special education and related services was verified as corrected during a verification visit conducted on June 21, 2010.</p>
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).	Noncompliance identified during the onsite monitoring was verified as corrected during a verification visit conducted on June 21, 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 was verified as corrected during a verification visit conducted on June 21, 2010.
6) Each district shall ensure that a Special Education Parent Advisory group is in place in the district in accordance with N.J.A.C. 6A:14-1.2(h).	Review of records and interviews with staff members and parents indicate that the district has not yet established a parent advisory group. While there have been several parent informational meetings this year, this has not resulted in a mechanism to obtain input from parents on a regular basis regarding their issues and concerns. These findings were due to a lack of district procedures.

Section VI: DISPROPORTIONATE REPRESENTATION– Noncompliance was not identified during the monitoring process.

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Section VII: EVALUATIONS AND REEVALUATION

Areas of Noncompliance Identified during Self-Assessment

Area	Status of Compliance
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 by the district in the self-assessment was verified as corrected during a desk audit conducted on March 23, 2010.

Areas of Noncompliance Identified during the Onsite Monitoring Visit

Area	Status of Compliance
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 during the onsite monitoring was verified as corrected during a desk audit conducted on May 24, 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).	Review of records indicated that a record of meeting participants is not consistently maintained for identification meetings when students were referred for speech-language services. These findings were due to a lack of implementation of district procedures. Noncompliance identified during the onsite monitoring for students referred for special education and related services was verified as corrected during a verification visit conducted on June 21, 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).	Review of records indicated that initial speech evaluations do not consistently include an educational impact statement from the classroom teacher as part of the multi-disciplinary evaluation. These findings were 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).	Noncompliance identified during the onsite monitoring was verified as corrected during a verification visit conducted on June 21, 2010.
14) Each child study team member shall certify in writing whether his or her report is in accordance with the conclusion of eligibility	Noncompliance identified during the onsite monitoring was verified as corrected during a verification visit conducted on June 21, 2010.

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of the student, in accordance with N.J.A.C. 6A:14-3.4(h)5.

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).

Noncompliance identified during the onsite monitoring was verified as corrected during a verification visit conducted on June 21, 2010.

Section VIII: IEP – Noncompliance was not identified during self-assessment.

Areas of Noncompliance Identified during the Onsite Monitoring Visit

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).	Noncompliance identified during the onsite monitoring was verified as corrected during a verification visit conducted on June 21, 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 was verified as corrected during a verification visit conducted on June 21, 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 during the onsite monitoring was verified as corrected during a verification visit conducted on June 21, 2010.

Section IX: PROGRAMS AND SERVICES– Noncompliance was not identified during the monitoring process.