

**New Jersey Department of Education  
Special Education Receiving School Monitoring**

**Receiving School:** Therapeutic School and Preschool      **County:** Essex

**Monitoring Dates:** September 27 and 28, 2004

**Monitoring Team:** Janet C. Wright, Ann Marie Bruder, Diane Mari and Gregory Margolis

**Background Information:**

During the 2003– 2004 school year, the Therapeutic School and Preschool conducted a self-assessment of policies, procedures, programs, services, and student outcomes. This self-assessment component of the monitoring process provided the Therapeutic School and Preschool with an opportunity to evaluate its strengths and areas of need with regard to:

- The provision of a free, appropriate public education (FAPE) for students with disabilities in the least restrictive environment;
- The development and implementation of policies and procedures resulting in procedural compliance; and
- The organization and delivery of programs and services to meet the needs of the students with disabilities.

The self-assessment was designed to identify areas of strength, promising practices, areas that need improvement and areas that may be noncompliant with state and federal requirements. The Therapeutic School and Preschool developed an improvement plan to address identified areas of need.

The New Jersey Department of Education (NJDOE) conducted an on-site monitoring to verify the self-assessment findings, to assess the appropriateness of the improvement plan, and to determine the progress in implementing the plan.

During the monitoring process, the monitoring team reviewed Therapeutic School and Preschool documents such as policies and procedures, student records from sending districts, lesson plans, services as indicated in IEPs, staff evaluations, student count information, master student lists, class lists, schedules of students/teachers/related service personnel, and other relevant information. Interviews were conducted with the Therapeutic School and Preschool's special education administrators, building principals, special education teachers, parents and related service personnel.

**School Strengths:**

The Therapeutic School and Preschool is commended for its innovative programs such as Typing to Learn, Writing without Tears, Reading Rainbow Project and "Art in Spring", an art show which exhibits student work from their specialized arts and music program. The Therapeutic School and Preschool also holds a field day and picnic for students and their families. This allows students to demonstrate skills learned in adaptive physical education classes.

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**Section I: General Provisions**

**Summary of Findings:**

During self-assessment, the Therapeutic School and Preschool accurately identified themselves compliant in the areas regarding policies and procedures, staff development, annual reports, amendments and programs provided in nonsectarian settings.

During the self-assessment process, the Therapeutic School and Preschool identified concerns in the area regarding parent training. **The receiving school's improvement plan is insufficient to address this area because it lacks administrative oversight component to ensure the consistent implementation of the procedures. The plan needs to be revised to include this component.**

No additional areas of need were identified during the on-site visit.

**Section II: Free, Appropriate Public Education (FAPE)**

**Summary of Findings:**

During self-assessment, the Therapeutic School and Preschool accurately identified themselves compliant in the areas regarding length of school day and year, provision of physical education, services at no cost to parents, extended school year programs and services provided to students, program open to observation by LEA and DOE, provision of services as per IEP and provision of occupational therapy (OT) physical therapy (PT) and speech language services as per IEP.

During the self-assessment process, the Therapeutic School and Preschool identified concerns in the areas regarding maintenance of hearing aids. **The receiving school's improvement plan is insufficient to address this area because it lacks an administrative oversight component to bring about the required changes. The plan needs to be revised to include this component.**

No additional areas of need were identified during the on-site visit regarding the provision of counseling as per the IEP.

**Section III: Staff Requirements**

**Summary of Findings:**

During self-assessment, the Therapeutic School and Preschool accurately identified themselves compliant in the areas regarding appropriate supervision of physical therapy assistants (PTA) and certified occupational therapy assistants (COTA), private school dual employment, supervision of paraprofessionals, job descriptions of paraprofessionals maintained at county office and having an approved professional development plan.

During the self-assessment process, the Therapeutic School and Preschool identified concerns in the area regarding staff certification. The receiving school's improvement is sufficient to address this area of need.

An additional area of need was identified during the on-site visit regarding criminal history verification.

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**Area of Need:**

**Criminal History Verification** – During the on-site visit staff interviews and review of records indicated that criminal history clearance has not been received for all currently employed staff and that emergent hiring forms are not in place for these staff.

- **The school will immediately conduct criminal history verification and receive written permission for emergent hiring from the county superintendent for all staff members who do not have them. In addition, the school will revise its improvement plan to include procedures to ensure that all staff members employed by the school have completed the criminal history verification or that the school has received written permission from the county superintendent for emergent hiring, pending completion of the review. The plan must include procedures to ensure that written documentation of compliance with criminal history review requirements is maintained at the school. The plan must also include an administrative oversight component to ensure consistent implementation of the procedures.**

**Section IV: Facility Requirements**

**Summary of Findings:**

During self-assessment, the Therapeutic School and Preschool accurately identified themselves compliant in the areas regarding programs provided in approved facilities, certificates of occupancy and inspections and fire drills.

An area of need was identified during the on-site visit regarding the use of free standing dehumidifiers in instructional space. **The county office of education has been contacted to review the safety of this practice. Follow up activities will be addressed through the county office of education.**

**Section V: Individualized Education Plan/Annual Review**

**Summary of Findings:**

During self-assessment, the Therapeutic School and Preschool accurately identified themselves compliant in the areas regarding IEP meeting conducted at least annually, signatures of participants present on IEPs, IEP accessibility to teachers and providers, informing teachers and providers of IEP responsibilities, timely implementation of IEPs, observation of proposed placement, statewide testing and implementation of IEP components.

During the self-assessment process, the Therapeutic School and Preschool identified concerns in the areas regarding IEP conducted with required Therapeutic School and Preschool participants, implementation of IEP components relating to present levels of educational performance, informing parents of progress toward goals and objectives and adaptive physical education. The receiving school's improvement plan is sufficient to address these areas of need.

Additional areas of need were identified during the on-site visit regarding current IEPs and communication with sending districts regarding missing IEP components.

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**Areas of Need:**

**Current IEPs** – During the on-site visit a review of records revealed that not all students have current IEPs in their files. In some cases there is a receiving school signature sheet of participants indicating that a meeting was held to develop an IEP. However the IEP was never received.

- **The school will revise its improvement plan to include procedures for tracking IEPs and notifying the district when an IEP is not current or when an annual review is needed. The plan must also include a mechanism to contact the county office of education when the sending district does not respond to receiving schools' requests. The plan must include an administrative oversight component to ensure the consistent, compliant implementation of the procedures.**

**Communication with Sending Districts Regarding Missing IEP Components** – During the on-site visit record review and staff interviews indicated that although a system is in place to communicate with sending districts regarding missing IEP components, the system is not effective. IEPs returned from the sending districts do not always include goals and objectives, including goals and objectives for the implementation provision of related services such as counseling, criteria for mastery of goals and objectives and individualized behavior plans.

- **The receiving school must revise its improvement plan to include procedures to ensure that they communicate with sending districts when all IEP components are missing. The plan must include staff training and an administrative oversight component to ensure the consistent, compliant implementation of the procedures.**

**Section VI: Discipline**

**Summary of Finding:**

During self-assessment, the Therapeutic School and Preschool accurately identified themselves compliant in the areas regarding procedures for time out rooms, restraints and aversives, removal of student pending mediation and due process, changes to program/placement pending mediation and due process, removal of student to interim alternative educational setting and procedures for termination of student placement.

During the self-assessment process, the Therapeutic School and Preschool identified concerns in the areas regarding standard disciplinary procedures and notification to sending districts regarding suspensions. **The receiving school's improvement plan is insufficient to address these areas of need because they lack an administrative oversight component to ensure the consistent implementation of the procedures. The plan needs to be revised to include this component.**

An additional area of need was identified during the on-site visit regarding IEP documentation for use of time out rooms, aversives and restraints.

**Area of Need:**

**IEP Documentation for Use of Time Out Rooms, Aversives and Restraints** – During the on-site visit staff interviews and record review indicated that the Therapeutic School and Preschool uses time out rooms, aversive therapies and restraints when students' behavior is severe and does not respond to positive behavioral interventions. Although parent consent is received for

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use of aversives, it is not received for the use of the time out room nor the restraint procedures. In addition, these techniques are not reflected in the students IEP through the students' individualized behavior plans.

- **The receiving school must immediately cease these behavioral techniques and contact the sending districts to convene an IEP meeting for those students whose behavior may warrant such interventions. In addition, the school must revise its improvement plan to include procedures to ensure that the use of aversives, time out room and restraints is discussed at each student's IEP meeting through the development of individualized behavioral intervention plans, if appropriate. The plan must include procedures, staff training and an administrative oversight component to ensure the consistent, compliant implementation of the procedures.**

### Section VII: Programs and Services

#### Summary of Findings:

During self-assessment, the Therapeutic School and Preschool accurately identified themselves compliant in the areas regarding class size and age range, exceptions for class size and age range, special class program descriptions maintained at county office, special classes serving students with similar educational needs, collaboration for home instruction, dispensing medication, policies and procedures relating to school functions and services and medical exams for sport teams.

During the self-assessment process, the Therapeutic School and Preschool identified concerns in the areas regarding teachers trained and instructing in CCCSs. **The receiving school's improvement plan is insufficient to address this area of need because it lacks an administrative oversight component to ensure the consistent implementation of the procedures. The plan needs to be revised to include this component.**

An additional area of need was identified regarding nurses' station.

#### Area of Need:

**Nurses' Station** – During the on-site visit an inspection of the nurses' station was conducted to verify compliance with N.J.A.C. 6A: 26-6.2. The inspection indicated that there is no running water within the nurse's station and lavatory facilities are across the hall in the general use bathroom.

- **The receiving school must revise its improvement plan to include procedures to ensure that running water and lavatory facilities are available within the nurses' station. The plan must include an administrative oversight component to ensure the implementation of the procedure.**

### Section VIII: Student Records

#### Summary of Findings:

During self-assessment, the Therapeutic School and Preschool accurately identified themselves compliant in the areas regarding conformance to pupil record code, return of records upon termination, access sheets, location of other records specified in central file, daily attendance

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available to LEAs, written communication to LEAs regarding five days of tardiness and absences and maintenance of student health records.

During the self-assessment process, the Therapeutic School and Preschool identified concerns in the areas regarding written notice of placement to county office. **The receiving school's improvement plan is insufficient to address this area because it lacks procedures and an administrative oversight component to bring about the required changes. The plan needs to be revised to include these components.**

An additional area of need was identified during the on-site visit regarding access to records limited to authorized persons.

### **Area of Need:**

**Access to Records** – During the on-site visit staff interviews, a review of records and procedures indicated that paraprofessionals, including teaching assistants and one to one aides, are able to retrieve confidential student records and review material contained within. Paraprofessionals are not certified personnel and therefore should not have access to these records.

- **The receiving school must revise its improvement plan to include procedures to ensure that access to confidential student records is limited to certified persons only. The plan must include procedures, in-service training, a mechanism to determine the effectiveness of the training and an administrative oversight component to ensure the consistent, compliant implementation of the procedures.**

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**Summary**

On-site special education monitoring was conducted in the Therapeutic School and Preschool on September 27 and 28, 2004. The purpose of the monitoring visit was to verify the Therapeutic School and Preschool's report of findings resulting from their self-assessment and to review the Therapeutic School and Preschool's improvement plan.

The receiving school is commended for the comprehensive review conducted during the self-assessment process. As a result of that review the receiving school was able to identify areas of need and develop an improvement plan that with some revision will bring about systemic change. The receiving school is further commended for the many areas determined by the receiving school and verified by the Department of Education as compliant with federal and state statutes and regulations.

Areas identified as consistently compliant by the Therapeutic School and Preschool during self-assessment and verified during the on-site monitoring visit include policies and procedures, staff development, annual reports, amendments, programs provided in nonsectarian settings, length of school day and year, provision of physical education, services at no cost to parents, extended school year programs and services provided to students, program open to observation by LEA and DOE, provision of services as per IEP, provision of occupational therapy (OT) physical therapy (PT) and speech language services as per IEP, appropriate supervision of physical therapy assistants (PTA) and certified occupational therapy assistants (COTA), private school dual employment, supervision of paraprofessionals, job descriptions of paraprofessionals maintained at county office, having an approved professional development plan, programs provided in approved facilities, certificates of occupancy and inspections, fire drills, IEP meeting conducted at least annually, signatures of participants present on IEPs, IEP accessibility to teachers and providers, informing teachers and providers of IEP responsibilities, timely implementation of IEPs, observation of proposed placement, statewide testing, implementation of IEP components, procedures for time out rooms, restraints and aversive therapies, removal of student pending mediation and due process, changes to program/placement pending mediation and due process, removal of student to interim alternative educational setting, procedures for termination of student placement, class size and age range, exceptions for class size and age range, special class program descriptions maintained at county office, special classes serving students with similar educational needs, collaboration for home instruction, dispensing medication, policies and procedures relating to school functions and services, medical exams for sport teams, conformance to pupil record code, return of records upon termination, access sheets, location of other records specified in central file, daily attendance available to LEAs, written communication to LEAs regarding five days of tardiness and absences and maintenance of student health records.

During the self-assessment process, the Therapeutic School and Preschool identified areas of need regarding parent training, maintenance of hearing aids, staff certification, IEP participants, implementation of IEP components, progress reports, adaptive physical education, standard disciplinary procedures, notification of suspensions, core curriculum content standards and written notification of placement to the county office of education.

The on-site visit identified additional areas of need within the various standards regarding criminal history verification, use of classroom equipment, current IEPs, communication with sending districts regarding missing IEP components including behavior plans and observable and measurable goals and objectives, procedures for use of aversives, time out rooms and restraints, nurses' station and access to records by authorized persons.

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Within forty-five days of receipt of the monitoring report, the Therapeutic School and Preschool will revise and resubmit the improvement plan to the county office of education and to the Office of Special Education Programs to address those areas that require revisions.