

Special Education Study Andover Regional School District Newton, New Jersey

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Introduction

Educational leaders throughout the country identify special services as an area deserving thorough examination in relation to its educational programming, costs, benefits, strengths and areas in need of improvement.

Voluminous research has been published on student identification practices, the effects of “labeling” students, best instructional practices and academic costs/benefits of special education programming.

What has been a result of such analysis is that school districts throughout the country experience the lack of appropriate funding with relation to the extensive expenses, the need for well-trained staff, the implementation of research-based/successful programming and the litigious environment that permeates the special education and related services communities nationwide.

Quality and equitable instruction at a reasonable cost to the community residents has been and continues to be the crucial and most consequential challenge in education for all students. Attempts to determine and, in some cases, justify the costs to taxpayers to provide effective best practices in establishing and addressing all areas of special education programming remain a significant concern.

It is commendable for a district to reflect on its practices, ability and determination to provide quality and equitable educational and related services to its classified students while maintaining a judicious and efficient use of available funds.

It is the purpose of this study to review the present situation within the Andover Regional School District special education community and assist in improving the deliverance of effective and meaningful services.

Those interviewed for this study included district and building administrators, staff members and parents.

Overview of the District

As per the NJDOE Report Card for 2021 – 2022 (2022 – 2023 not yet available) the following data has been used for this study.

Andover Regional School District

PK – 08: 424 students (two schools) Students w/Disabilities: 20.9%
Teachers Average years in district: 3.5 years ; 4+ years = 50% of staff

Florence M. Burd School

PK – 04: 227 students Students w/Disabilities: 20.6%
Student to Teacher Ratio: 8:1 ELLs: 3.1% Econ. Disadvantaged: 8.3%
Average Teacher Experience: 10.2 years Average years in district: 3.5 years
Teachers 4+ years in district: 64.3% Students at Risk (absenteeism): 15.6%
Students at Risk for Chronic Absenteeism NJ State: 18.1%
Performance on State Assessments: ELA 48.6% (below: 49 – 79.9%)
Math 59.5% (met standard: 36 - 79.9%)
Total Number of Teachers: 28 Special Education Teachers: 11
Regular Ed. Teachers w/BA: 72.7% Regular Ed. Teachers w/MA: 27.35
Spec. Ed. Teachers w/BA: 81.5%. Spec. Ed. Teachers w/MA: 18.5%
Ratio of Students to CST: 47:1 (District: 22:1)
Psychologist: 1 Social Worker: 1 LDT-C: 1

Long Pond School

Grades 05 – 08: 197 students Students w/Disabilities: 21.3%
Student to Teacher Ratio: 8:1. ELLs: 0%. Econ. Disadvantaged: 9.1%
Average Teacher Experience: 9 years. Students at Risk (absenteeism): 8.2%
Students at Risk for Chronic Absenteeism NJ State: 18.1%
Performance on State Assessments: ELA 59.4% (met standard: 49 – 79.9%)
Math 49.2% (met standard: 36 – 79.9%)
Total Number of Teachers: 25 Special Education Teachers: Regular
Ed. Teachers w/BA: 64%. Regular Ed. Teachers w/MA: 36%
Spec. Ed. Teachers w/BA: 66.7%. Spec. Ed. Teachers w/MA: 33.3%
Ratio of Students to CST: 21.1% CST Members: 3

Essential Areas Reviewed

- Areas of Strengths
- Compliance
- Confidentiality
- Consistency
- Communication
- Conflict of Interest
- Programs & Services

Areas of Strength

- Small class sizes
- Dedicated Staff
- Tight-knit community
- Recognition of the need to improve special education services
- Interest in a quality improvement process that involves innovative thinking
- A desire to provide a continuum of services

Compliance Issues

In reviewing district/department programs & services and interviewing all parties, there were reported issues with regards to adhering to NJAC 6A:14. In meeting with the parents, the following issues were identified as areas of concern and are noted as serious violations of NJAC 6A:14:

- Families were informed that they were required to seek and pay for related services outside of the school day. The school/district was not responsible for identified therapies.
- When reviewing *Individualized Educational Plans (IEPs)*, it was noted that many students were referred multiple times before the team tested them and/or classified them eligible for services. Often this did not occur unless the parents retained an advocate or legal counsel.

- Students were not always placed in the *Least Restrictive Environment* (LRE), but often program placement was based on staffing rather than student need.
- Families often were not being provided with a draft of their child's IEP prior to/or at the Child Study Team meeting. Parents were also not able to review evaluations 10 days prior to the IEP meeting.
- There is no evidence of the posting of *Child Find* on the district website or anywhere else in the community.
- There was no evidence of an annual scheduled Special Education Parents Advisory Group meeting for the 2022 – 2023 school year.
- There were numerous incidences of parents not receiving a copy of PRISE (*Parental Rights in Special Education*).
- Repeated delays in communicating with the families as well as delays in implementing services were expressed and noted through interviews and a review of data.
- When the supervisor/case manager of the department was working from home, due to a medical issue, for an extended period of time, no coverage was provided to ensure the oversight of the department as well as addressing the needs of assigned cases to this team member.

Confidentiality

Loyalty, trust and possible ethics/legal violations appear to be a concern. Teachers and out-going staff were communicating to the families concerning internal and department issues over determining eligibility with respect to classification and related services.

There were reported examples of violations with regards to protecting the identities of classified students when meetings were held in areas in which the names of classified children were posted openly for unauthorized people to see.

Consistency

There are multiple examples of students who were referred to the Child Study Team for evaluations and were initially found ineligible for classification only to be reassessed shortly thereafter and then determined to be eligible for services. If a student was initially determined to be ineligible for special services based on protocols and relevant data collected from reliable, multiple sources, there should not be a reason to re-evaluate for eligibility after a short period of time has elapsed unless there was an issue of not including/possessing significant data and/or an evaluation/assessment that would influence eligibility determination.

With reference to the previous subject heading, *Compliance*, there are examples of non-consistent applications following NJAC 6A:14.

Communication

There are noted examples of lapses in productive and effective communication among the department supervisor, CST members and parents. Trust among the parties has eroded especially between the district and the parents due to delays in providing/sharing meaningful information in a timely manner prior to the IEP team meeting as well as other occasions. Responding to phone calls and emails from parents of the department supervisor and case managers in an issue mentioned repeatedly along with the manner in which questions/concerns are answered/addressed.

Teachers do not feel that the CST communicates with them how to effectively work with classified students in their classrooms/programs.

Conflict of Interest

The special services supervisor should not be a case manager. The non-productive and contentious effect that would/has had on the decision-making process and overall dynamic within the department, and as an extension between the department and the families, has resulted in a non-positive, lack of trust among the parties.

CST decisions determining eligibility or non-eligibility for special services is a team decision. NJAC 6A:14 specifically states who comprises a CST team and the roles of each member.

Amendments to a child's IEP are also a team decision which cannot be challenged or influenced by non-team staff which, under most situations, would include the supervisor of the department.

If the department supervisor is also a case manager and team member, this situation would possibly cause issues with the validity of some case decisions due to an uneasiness among IEP participants who could feel a sense of inequity in discussing final decisions in determining non-eligibility/eligibility.

Programs & Services

- **Delivery of Instruction: when observing classroom practices, staff demonstrated a lack of individualized instruction or strategies designed specifically to meet the needs of struggling learners.**
- **Regardless of the type of special education program (ex: self-contained, in-class support resource room), instruction was primarily delivered in a teacher-centered model with little student led or discovery learning taking place.**
- **There did not appear to be a difference in the methodology in instruction in any of the classes observed.**

Consultant Summary

We found the Andover staff to be professional, authentic and actively committed to their school district. Staff expressed a sincere care for their students and the desire to provide the very best for them.

Overall, we found staff to be strongly dedicated to making improvements in programming as well as their need to increase their professional capacity. District administrators, building administrators and department supervisor are knowledgeable and skilled. Each articulated their roles and responsibilities as well as the challenges they face. The administrators we spoke with know that special education services are essential learning components of the Andover school culture. District and building leaders clearly see the need for improving special education processes, services, practices and programming. The educational leaders understand that the path toward improvement and change will take a long-term commitment to a well-expressed and comprehensive action plan in order to achieve their goals.

However, areas in need of improvement are in systemic communication, pre-referral intervention strategies, methodologies of instruction, community relations, adherence and consistency to the law, continuity of curriculum and professional development.

Special education services and programming are essential to the overall educational experience at Andover Regional School District. Recognition of the mutually dependent relationship between special education and general education is essential to student success.

In communicating and surveying the community members (staff and parents), the focus was on following: What areas are functioning effectively? What areas are in need of improvement? Where are the areas lacking attention?

***Essential Areas of Focus* were developed from which recommendations are suggested. The recommendations are organized in two categories – *Short-term* and *Long-term Objectives* – and address issues specific to special education and related services.**

Recommendations

- Hire a dedicated LDT-C.
- Provide training for the Child Study Teams – topics to include: eligibility, working as a team, knowledge of code, running effective IEP meetings, knowledge of effective *Present Levels of Academic Achievement & Functional Performance (PLAAFP)*.
- Provide professional development for all staff in *Universal Design for Learning* and positive inclusive practices.
- Review the use of pull-out resource rooms.
- Review guidance and best practices in the areas of inclusive education and student success.
- Provide training for a *Special Education Parent Advisory Group* committee.
- Mandate weekly CST meetings to discuss cases and review issues and concerns.
- CST members should meet on a monthly basis (during common planning time) with teachers to review each student’s progress on IEP goals and objectives.
- Develop the practice of pre-meeting prior to an IEP meeting to assist the school team in developing consensus.
- Provide legal overview training to all department members to ensure that compliance to the code is essential.
- Update department/district website page to include *Child Find*, SEPAG and any other information pertaining to the department programs and services.
- Create a department handbook which contains district, state and federal mandates as well as district protocols and policies.
- Provide parents/guardians with relevant professional development with regards to their rights as well as services/programs and agencies for reference if additional services are needed for their children.

Short-term/Long-term Objectives

We conclude this study with suggested lists of short-term and long-term objectives that will channel into the Andover Regional School District continuous improvement process. Some of these actions can be implemented soon in order to inspire immediate confidence and trust and to motivate staff. The long-term objectives will require patience and a dedication in building a culture of success for all students and a community of sharing/caring.

Short-term Objectives

- There MUST be compliance with NJAC 6A:14 (NJ Special Education Administrative Code).
- The SEPAG and meeting dates have to be established for the 2023 – 2024 school year.
- Pre-IEP meetings should be a constant/consistent practice beginning with the 2023 – 2024 school year.
- Begin the school year with a legal overview of department and individual school team members responsibilities and accountabilities.
- Update the department/district website to include postings of *Child Find* and SEPAG meeting dates (at least once annually).
- Begin to schedule the 2023 – 2024 school year PD offerings for staff and parents.
- Begin to establish strong community relationships with shared activities throughout the 2023 – 2024 school year.

Long-term Objectives

- Increase SE staff (hire a full-time LDT-C and a least one other team member).
- Form partnerships with a local jointure/commission to share services of related services staff (SLP, OT, PT, BCBA) on a part-time basis.

- Create a department handbook (an abridged version of the code).
- Provide continuous, full-year PD for CST, SE/GE staff as well as building administrators in areas of concern and to implement research based, best practices for student success.
- Continuous review of programs – those existing and those needed – with the purpose of providing inclusive education to classified students.
- Begin to establish meetings to review sensitive cases and discuss objectives and interventions for student success.
- Continue to form strong community relationships with shared activities throughout the school year.

Appendix A:

Recommendations: Community Relations and Family Partnerships

We sent out two surveys from which we interviewed a good sample of parents of special needs students. They believe Andover cares about their children. However, parents had concerns with the lack of communication, the methods in which they were/were not in communication with the district and feeling of exclusion from the process of determining eligibility for their children.

We noted that the Andover Regional School District website does not accurately depict the Office of Special Services nor important community announcements concerning the families and students of special needs. This can be problematic for those searching for information.

Most parents we spoke to did reinforce the opportunities for improvement recommended throughout this document. The same two words kept being the focus of our discussions: transparency and fidelity.

The following is a significant area on which to focus:

Communication

We recommend a communication audit of all external and internal communication methods.

- Develop a three-year internal/external communication plan that includes the following:
 - The monthly/quarterly/annual use of social media outlets and electronic/paper newsletters from the district, building, programs and classroom:
 - Reinforce strategic planning goals
 - Highlight student and staff accomplishments
 - Highlight operational and capital successes
 - Highlight community partnerships
 - Promote parent education programs/events
- Website Redesign:
Redesign of the district and schools' website so that parents and community can access needed information regarding special education services and programming.

- **Parent Education:**
- Bi-annual parent education meetings to explain programs and processes to access special education and other services.
- Outside presenters speaking about a variety of relevant topics can be added to these programs.

Appendix B:

Guidelines for Effective Communication with Parents Seeking IEP Changes

The Individuals with Disabilities Act mandates that school districts provide a free appropriate public education (FAPE) to all students identified as disabled under the Act. An appropriate education has been deemed by the courts as “an education reasonably calculated to provide benefit” to meet a child’s needs. Therein lies the issue. Appropriate and reasonable are often defined differently by parents and school personnel. Nonetheless, effective communication can prevent escalating programs associated with providing FAPE. The goal must always be to solve issues and answer questions in a positive and timely manner.

Common disputes in special education revolve around eligibility, failure to provide FAPE, failure to implement the IEP in an appropriate and/or timely manner and inappropriate discipline and placement. It is not unusual for parents and districts to have different academic and behavioral expectations for students. These differences cause strong emotions and high anxiety. Therefore, it is critical to solve these problems at the lowest level, before people become entrenched in their opinions and power struggles ensue.

The following is a brief list of communication styles by both parents and districts that often lead to a stalemate by one side or the other:

1. Poor or no follow-up after a meeting has been held;
2. Failure of the “meeting of the minds” despite belief that this has occurred;
3. Intentional vagueness, misleading facts, withholding information, misstating laws;
4. Intimidation – one parent, usually the mother, shows up and 12 school personnel show up with no prior notice;
5. Body language – non-verbal eye rolling, head down/no eye contact, folding hands over chest during the entire meeting, placement of watch/phone on the table, private conversations during the meeting;
6. Projecting arrogance – “I already answered that!”

7. **Credibility** – based on competence and trustworthiness;
8. **Patronization** – comparisons to children not subject to the meeting, laughing at a parent’s suggestion, cost of educating the child is made an issue, no positive discussion; and
9. **Loss of trust** – leads to fear for student, causes insecurity for all parties, relationship becomes worthless.

When any of these issues enter into the process and take over the subject of the meeting, the question becomes how to solve the situation before the parents seek litigation. When you negotiate to resolve problems, you must put yourself in the other person’s position. Remember there is no “complete win” for either side, even if you proceed to litigation. Listen more than talk. Everyone wants to save face. There should be no criticizing or judging. Only positive interaction will help settle the concerns. Unfortunately, parent and school conflicts are normal and sometimes inevitable. The goal for the district is to be positive, professional, and understanding of the other’s position and concern. Both parties want to avoid litigation.

Appendix C:

Intervention Programs

- Research digital intervention programs needed in special education and general education classrooms;
- Supervisor of Special Services and the Supervisor of Curriculum and Instruction conduct the research and oversee subsequent discussions;
- Professional Learning Committees (PLCs) provide needed input;
- Include learning how to use the preferred digital instruments in the PD plan.

Recommended researched-based and reliable programs:

- The Orton Gillingham program provides a multisensory approach to learning in reading and math;
- The Wilson Reading multisensory literacy program which is based on OG principles; the Wilson Reading component, Foundations, can be implemented in PK – 3rd grades;
- Sonday Systems K – 8 reading program uses OG multisensory methods;
- Read Naturally program for grades 1 – 8 to screen for students who are at risk for reading difficulty;

- Lexia Core 5 reading intervention program which provides each student with an individual level of instructional intensity that addresses a broad range of literary genres;
- READ 180 intervention program which focuses on reading comprehension, academic vocabulary, and writing skills for struggling students in grade 4 – 12;
- MATH 180 focuses on essential math skills in grades 5 – 12;
- iReady which provides continuous student diagnostic monitoring during the year to measure growth in reading and math; this universal screener is used to create personalized instruction in both reading and math;
- Go Math – which is an Response to Intervention (RTI) intensive intervention program that provides strategic interventions and RTI activity component for grades K – 6;
- Touch Math – a multisensory intervention program for grades K – 3.

Learning Management Systems:

- Research learning management and content management systems and decide which best fits the needs of the Andover Regional School District’s instructional vision. There are many such systems available that can be used to track data, share strategies, progress monitor and manage content.

Improving the overall academic achievement of special education and general education students is an achievable opportunity that requires the dedication of the Andover administration, teachers and staff. The keys to improving the academic performance, and establishing a positive relationship with the families of students with disabilities, are interrelated and recommended throughout this report. The following are key recommendation topics:

- Actionable plan for improvement that is designed around supporting and developing the social, emotional and intellectual growth of the whole child;
- Distributive Leadership Model that utilizes the collective talents of staff;
- Strategies that engage stakeholders for the purpose of making recommendations to leaders;
- Allocation of resources aligned with the continuous improvement plan;
- Special Services model that maximizes the talents of special education staff, CST members, I&RS members, paraprofessionals and related services professionals;
- A rolling technology upgrade plan;
- Professional Development plan aligned with the instructional vision and improvement plan goals;
- Consistent approach to the prevention and intervention of inappropriate behaviors;

- Implementation and execution of the approved IEP plan with fidelity;
- Cultural competence that celebrates diversity, promotes understanding and provides insights into classroom instructional techniques and the identification of students with disabilities;
- Community relations plan that educates parents and brings community leaders on board to support the education of all students.

Appendix D:

Digital Access to Learning for Students with Special Needs

These tools can be utilized for students with special needs who are included in general education classrooms, have more significant needs and have higher level skills. The following are limited examples of such instruments extensively utilized by districts:

- Content Management Systems – Linkit, Aleks, Khan Academy, Pearson Online Learning Exchange, K12;
- Learning Management Systems – Canvas, PowerSchool, Schoology, Blackboard, Google for Classroom;
- Remote Learning – Adobe Content, Google Hangout, Skype, GoToMeeting, Zoom, Click Meeting;
- Leveled Digital Text – Newsela, Lalilo, McGraw-Hill Connect, Smithsonian Tween Tribune;
- Digital Text-to-Speech – Read & Write, Bookshare, Snap & Read, Learning Ally;
- Digital Tools for Expression – Digital Story Books, Multimodal Presentations, Infographics, Cartoons (Toontastik).

Appendix E:

New Jersey Statutes, Title 18A Education, 2023 – 2024 Edition, Gann Law

New Jersey Administrative Code, Title 6A Education, 2023 – 2024 Edition, Gann Law

Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., 2004

New Jersey Administrative Code, Title 6A Chapter 14, Special Education (Expires September 10, 2027)

NJ Department of Education: Parental Rights in Special Education (Revised May 2023)

Students with Disabilities and Special Education Law Center for Education and Employment Law, 33rd Edition, 2016

Special Education Law: Wrightslaw, Peter W. D. Wright, Pamela Darr Wright, Harbor House Law Press, Inc., 2nd Edition, 2007

A Principal's Guide to Special Education, David F. Bateman, C. Fred Bateman, Council for Exceptional Children, 3rd Edition, 2014

The IEP Checklist: Your Guide to Creating Meaningful and Compliant IEPs, Clarissa E. Rosas, Kathleen G. Winterman, Paul H. Brookes Publishing Co., 2nd Edition, 2023

All About Tests & Assessments, Melissa Lee Farrall, Peter W. D. Wright, Pamela Darr Wright, Harbor House Law Press, Inc., 2nd Edition, 2018

Leading the Inclusive School: Access & Success for All Students, Richard A. Villa, Jacqueline Thousand, Association for Supervision and Curriculum Development, 2017

Cultures Built to Last: Systemic PLCs at Work, Richard DuFour, Michael Fullan, Solution Trees Press, 2013

"Meeting the Needs of Students with Disabilities: Experience and Confidence of Principals," B. Lasky, B. Karge, NAASP Bulletin, 90(1), 19 – 36, 2006

The Paraprofessional's Handbook for Effective Support in Inclusive Classrooms, Julie Causton, Kate MacLeod, Brookes Publishing Co., 2nd Edition, 2020

What Really Works with Universal Design for Learning, Ed. Wendy W. Muranski, Kathy Lynn, Scott Corwin, 2019

Universal Design for Learning in the Classroom: Practical Applications, Tracey E. Hall, Anne Meyer, David H Rose, Guilford Publication, 2012

Universal Design for Learning: 100 Ways to Teach All Learners, Whitney H. Rapp, Brookes Publishing Co., 2014

Appendix F:

SPAN – *Parent Advocacy Network*

New Jersey Coalition for Inclusive Education (NJCIE)

The Official Website for the State of NJ: www.nj.gov/education/specialed/parents/docs

**State of NJ Parent Link: *The Early Childhood, Parenting & Professional Center:*
www.nj.gov/parentlink**