

**New Jersey Department of Education
Office of Special Education Programs**

**State Determination of Local District Implementation of Special Education Requirements
FFY 2007 (July 1, 2007 – June 30, 2008)**

Pursuant to Section 616(a)(1)(C)(I) of the Individuals with Disabilities Education Act of 2004 (IDEA 2004), the New Jersey Department of Education, Office of Special Education Programs (NJOSPE) is required to make an annual determination on the performance of each local school district, including charter schools, with regard to its implementation of federal and state special education requirements. Each state must use the following four categories when making determinations regarding the performance of local districts: **Meets Requirements, Needs Assistance, Needs Intervention, Needs Substantial Intervention.**

NJOSPE, for the 2008-2009 school year, is basing its determinations on the monitoring priorities set forth in IDEA, i.e., General Supervision, including monitoring, targeted reviews, complaint investigations, verification, other oversight activities and data submissions; Placement in the Least Restrictive Environment; and Disproportionality. Specifically, NJOSPE has considered the following factors in making its determinations of local districts:

- Whether the local district corrected noncompliance identified through monitoring activities or other general supervisory activities, in a timely manner (i.e. no later than one year after the State's identification) including, but not limited to, the following special education requirements:
 - Discipline policies, procedures, and practices;
 - Disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification;
 - Disproportionate representation of racial and ethnic groups in special education in specific disability categories that is the result of inappropriate identification;
 - Children with parental consent who evaluate, who were evaluated within the State's established timeline;
 - Children referred by Part C prior to age three who were found eligible for Part B, and who have an IEP developed and implemented by their third birthdays;
 - Youth aged 16 and above with an IEP that includes coordinated, measurable, annual goals and transition services that will reasonably enable the student to meet the post-secondary goals; and
 - Placement in the Least Restrictive Environment.
- Whether the NJOSPE needed to provide ongoing oversight as part of its general supervision, to facilitate progress of the local district in correcting noncompliance
- Whether the local district was identified for "Significant Disproportionality" of specific racial/ethnic groups with regard to eligibility, placement, and/or disciplinary determinations, as indicated in its IDEA '09 grant notice
- Whether the local district was identified for the 2007-2008 self-assessment process based on the percentage of students with disabilities educated in separate public and/or private special education settings
- Whether the local district's data submissions were received by NJOSPE in a timely manner.