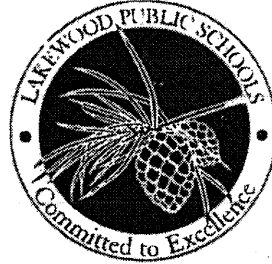


LAURA A. WINTERS  
Superintendent of Schools

THOMAS A. D'AMBOLA  
Business Administrator/  
Board Secretary

# LAKESWOOD BOARD OF EDUCATION



BOARD OF EDUCATION  
PRESIDENT  
ISAAC ZLATKIN  
VICE PRESIDENT  
TRACEY TIFT

BOARD ATTORNEY  
SCHENCK, PRICE,  
SMITH, KING, LLP

BOARD MEMBERS  
YISRAEL FRIEDMAN  
ZECHARIAH GREENSPAN  
ALEX JANKLOWICZ  
LEE MUND  
CHAIM ROSENBLATT  
JOEL SCHWARTZ  
JONATHAN SILVER

May 28, 2014

Dear Mr. R. Ortley,

In reviewing the Lakewood School District's Review of the Application for State School Aid and the District Report of Transported Resident Students as of October 14, 2011 OFAC Case #SAAU-1-14, I would like to request a list of unverified student names, so that the district can provide appropriate documentation for the following findings:

On-Roll Full Time

The district reported 5,267 students. The OFAC verified 5,248 students for a decrease of 19 students based on all students recorded in the New Jersey School Registers. See grade level differences noted on Exhibit A.

Sent Full Time

The district reported 12 students, while the department verified five. The difference of seven was caused by a lack of submitted supporting documentation. Differences are noted on Exhibit A.

Sent to Private Schools for Students with Disabilities

The district reported 174 students, while the department verified 118. The decrease of 56 students is a result of the department's review of the limited, incomplete supporting documentation. The review determined there was missing placement contracts and student attendance records. In summary, the disallowed students are the result of the following conditions:

- 23 Mandated Private Schools for Students With Disabilities Contracts were missing;
- 10 student attendance records were missing for October 14, 2011;
- 10 student payment vouchers for October 2011 were missing;
- two students were enrolled after October 14, 2011; and
- 11 students were placed in nonpublic schools and apparently received "nonsectarian" special education services.

The district was unable to present documentation for review indicating that these were allowable placements for state aid purposes. The students were not placed pursuant to court orders, administrative law decisions or commissioner's approval in accordance with Public Law 1989, chapter 52

Thank you in advance.

Respectfully,

*Laura A. Winters*  
Laura A. Winters  
Superintendent of Schools

C: Robert J. Cicchino  
Thomas D'Ambola  
Michael Azarra  
Glenn Forney  
David Corso  
Thomas Dowd  
Helen Tobia  
Gus Kakavas

200 RAMSEY AVENUE, LAKEWOOD, NJ 08701-2895 • (732) 364-2400 • FAX (732) 905-3687  
BUSINESS OFFICE FAX (732) 364-2955 • HUMAN RESOURCES FAX (732) 905-0009  
BOARD OFFICE FAX (732) 364-1657

DOE01468

**A**  
***Review of the Lakewood Department of  
Special Services***

**Prepared by  
Theresa J. Pollifrone-Sinatra  
State Monitor**

**April 1, 2017**

Based on this information, the district expects to exceed the amount of referrals received during the 2015-2016 school year. Due to the fact that Lakewood is a growing community, the district anticipates that yearly referral totals will continue to increase on an annual basis. This will continue to have an impact on programming and, in turn, staffing needs.

The mindset of the child study team members assigned to pre-school has shifted from one where all students who have moderate to severe disabilities are automatically referred to Out of District (OOD) placements to one where the child study team members are comfortable with recommending the district's pre-school programs. Furthermore, when team members and IEP Teams propose in-district programming they are confident the proposed program is able to provide a Free and Public Education and are able to effectively articulate the rationale for program proposals.

There are now two full pre-school teams holding Initial Determination Meetings two to three times a week. Additionally, the pre-school child study team secretary now calls parents prior to scheduling meetings. This did not happen in the past, as a result, many parents did not attend the scheduled meetings. This had a negative impact on substitute coverage as well as decreasing the amount of meetings that could be scheduled.

In addition to increasing the district's coordination with Early Intervention, the district implemented changes to the testing protocol used for the evaluation of pre-school aged children. Per code, team members must consider if evaluations are warranted, and if warranted, which evaluations will be completed. Historically, the district typically selected to complete a related service evaluation and a Battelle Developmental Inventory. The district ordered the Wechsler Preschool and Primary Scale of Intelligence (WPPSI) and the Woodcock Johnson Early Cognitive and Academic Development (WJECAD) testing kits during the 2015-2016 school year. Contrary to the Battelle, the WPPSI and WJ ECAD are normed assessments and their results yield a more thorough profile of each student's strengths and weaknesses. Additionally, they serve the district better in litigious cases.

Although the has 90 days (subtract 10 days to ensure parents receive the report 10 days prior to the eligibility conference) to complete an initial evaluation, the department goal for the 2016-2017 school year has been to complete initial evaluations prior to that established by code requirements. This gives members ample time to identify, plan and ensure every student receives a free and appropriate public education. This will become part of the required Standard Operating Procedures for the 2017-2018 school year.

Procedures for child study team members to use when receiving referrals from Early Intervention were revised during the 2015-2016 school year. This enabled the district to receive copies of evaluations and reports that were prepared by Early Intervention staff members in a timely manner. This initiative was not followed as carefully as planned in 2015-2016; it is adhered to consistently in 2016-2017.

Other Health Impaired	49
Preschool Child w/ Disability	49
Specific Learning Disability	5
Traumatic Brain Injury	2
Visually Impaired	1
<b>Total:</b>	<b>340</b>

## S. Legal

The district was involved in seventy-three litigation cases during the 2014-2015 school year. Many of these cases centered on special education students being educated in non-approved, non-public schools and yeshivas. This situation was an overriding issue that consumed enormous time and energy of district and state personnel. Many of the cases that were presented before AOL judges resulted in Stay-Puts for the district for the 2014-2015 and 2015-2016 school years. Many of these cases have subsequently been settled.

Currently, the district receives frequent Requests for Records which require excessive time commitments from administrative, child study team members, and secretarial staff.

The district also receives requests for Independent Evaluations on an on-going basis. Typically, these requests are related to the Records Requests not above and eventually lead to due process petitions. The majority of the due process petitions occur related to programming issues at the Pre-k level. members have made significant improvements related to proposing appropriate programs in the Least Restrictive Environment. Nonetheless, requests for due process are projected to continue because many parents prefer for their child to go to an approved private school. The reasons for this preference is varied, however, the most common reason that is cited is related to building facilities (LECC) and specialized programming.

Continued training of and supervisory staff is required to ensure our programs can provide a Free and Appropriate Public Education in the Least Restrictive Environment. Furthermore, it is imperative that programs continued to be developed and enhanced to effectively meet the needs of our students. It is also essential that all staff in leadership positions are able to effectively defend in-district program proposals. This is imperative because Principals and Supervisors may need to testify in court related to these issues.

As programming strengthens and now that compliance has improved, the district anticipates that more cases will go to a hearing rather than having to agree to a settlement.

## **B. Child Study Teams**

The majority of child study team members were hired over ten years ago. Many of them have had cases that resulted in mediation or due process. As a result of this and a lack of consistent department leadership, during the 2015-2016 school year a majority of team members frequently referred to being directed to make inappropriate recommendations. For example, it was reported that the district board attorneys directed them to place students in specific settings. However, the district's board attorneys indicated that they advised the team members to place students in appropriate and approved placements; specified programs were not determined. Additionally, team members were historically directed to put a minimal amount of support into student IEPs. For instance, if a student required In-class Resource for Reading, team members were only permitted to put 40 minutes of support in the IEP despite the Reading period being 80 minutes.

Child Study Team members have received various trainings over the past several years related to compliance. However, due to an apparent lack of accountability, prior to the 2015-2016 school year; team members did not implement information provided to them during professional development opportunities. One example is related to a training provided by the Department of Education related to Least Restrictive Environment. One of the targeted areas of this training was related to writing effective statements in the section of the Individual Education Plan (IEP) that considers Least Restrictive Environment. Many members continued to write non-compliant Least Restrictive Environment statements. This was an area of concern noted in the monitoring conducted by the Department of Education in 2014. To address this issue, as a part of the staff evaluation process, team members currently review IEPs and Re-evaluations with the Supervisor to discuss best practices, ensure compliance and clarify expectations. This process began during the 2015-2016 school year and has continued this year. Prior to the 2015-2016 school year child study team members were evaluated on an inconsistent basis. As a result of this intensive follow up and explicit training at Child Study Team Department Meetings the NJ Department of Education, Office of Special Education Policy and Procedures found that the district was compliant in all areas of previous non-compliance related to the LRE Monitoring.

Throughout the 2015-2016 and 2016-2017 school years, team members have received on-going professional development during monthly Department meetings. Child study team members also participate in monthly meetings with their Principal, Supervisor and Director of Special Services. Many team members have responded well to the professional development activities. This is evidenced by significant improvements in compliance, quality of IEPs and an increased propensity to make appropriate placement decisions.

The on-going training has also improved team members ability to be prepared for potential litigious cases. Team members now have an improved ability to speak to the specifics of a case and have an increased ability to support placement decisions made by the IEP Team.

Lakewood School District

BOE Approved October 30, 2014

**NEW JERSEY DEPARTMENT OF EDUCATION**  
**OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE**

**CORRECTIVE ACTION PLAN**

NAME OF SCHOOL DISTRICT LAKEWOOD TOWNSHIP BOARD OF EDUCATION

AUDIT REVIEWS OF FY 2011-2012 APPLICATION FOR EXTRAORDINARY AID FOR SPECIAL EDUCATION STUDENTS (EXAID)

DATE OF BOARD MEETING September 18, 2014

CONTACT PERSON LAURA A WINTERS, SUPERINTENDENT

TELEPHONE NUMBER 732-364-2400 X7007

<b>Recommendation Number</b>	<b>Corrective Action</b>	<b>Method</b>	<b>Person Responsible</b>	<b>Completion Date</b>
<b>NUMBER 1:</b> Careful, due diligent attention must be given during the preparation, completion and retention of the EXAID application supporting work papers in the area of actual and projected costs, particularly when	Maintain and review an EXAID data collection reports to review actual costs, and approved student placements. CST case managers will include all intensive services in the student IEP and in the revised <i>Recommendation for</i>	Review of district data base reports regarding attendance tuition rates, and intensive services. Review of case managers listing of student intensive services.	Supervisor, PPS  Business Administrator designee  Supervisor, CST	May 2015

placement changes become known.	<i>Placement Memorandum.</i>			
<b>NUMBER 2:</b> The district must report only eligible placements for state aid purposes pursuant to court orders, administrative law decisions or commissioner's approval of these placements in accordance with Public Law 1989 , chapter 52:	Maintain EXAID reports to review and document eligibility of placements.	Review of district data base reports regarding IEP's, intensive services and student placements.	Supervisor, PPS  Business Administrator designee	May 2015
<b>NUMBER 3:</b> Only qualified students who require an intensive service, clearly specified in each students IEP and whose costs are in excess of \$40,000 or \$55,000 must be reported on this application in accordance with EXAID instructions published by the NJDOE Division of Finance; and	Maintain EXAID reports for intensive services and tuition costs in excess of \$40,000 or \$55,000.	Review of district data base reports, student contracts and intensive services.	Supervisor, PPS  Business Administrator designee	May 2015
<b>NUMBER 4:</b> A clear	Development of an	Review of all reports	Business Administrator	January 2015

Lakewood School District

BOE Approved October 30, 2014

audit trail must be developed by the school district business office at the time of submission of the EXAID application to encompass the steps in the above recommendations to ensure that all reported costs can be accurately presented for audit verification.	internal review team to audit EXAID reporting components for accountability prior to submission to the NJDOE.	from the district's data base.	Assistant B.A. Supervisor, PPS C.P.A.	June 2015
---	---	--------------------------------	---------------------------------------	-----------

DOE01525



OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE														
Schedule of ASSA Audit Recoveries														
Lakewood Board of Education														
	Report Issued	Report Closed	Original Results	Potential Recovery Due from District	Collected as of 6/30/2017	Scheduled Recovery 2017-2018	Scheduled Recovery 2018-2019	Scheduled Recovery 2019-2020	Scheduled Recovery 2020-2021	Scheduled Recovery 2021-2022	Scheduled Recovery 2022-2023	Scheduled Recovery 2023-2024	Scheduled Recovery 2024-2025	Scheduled Recovery 2025-2026
Lakewood ASSA	11/26/2007	4/21/2008	1,528,658	Not Applicable	Not Applicable									4,454
Lakewood DRTRS	11/26/2007	4/21/2008	4,454	4,454	4,454									59,556
Lakewood EXAID 05/06	11/26/2007	6/30/2008	59,556	59,556	59,556									859,802
Lakewood Ch 192 Funding 05-06	6/27/2008	6/18/2013	2,979,284	859,802	687,840	171,962								403,651
Lakewood ASSA/DRTRS 10/15/11	5/19/2014	8/29/2014	2,308,499	403,651	0	80,730	80,730	80,730	80,730	80,731				709,047
Lakewood EXAID 11-12	8/15/2014	11/26/2014	709,047	709,047	0	141,809	141,809	141,809	141,810	141,810				
Lakewood Ch 193 Funding 11-12	2/12/2016	4/13/2016	1,325,452	1,325,452	132,545	132,545	132,545	132,545	132,545	132,545	132,545	132,545	132,546	132,546
Lakewood Ch 192 Follow Up	2/16/2016	2/16/2016	Not Applicable	Not Applicable	Not Applicable									
<b>Totals</b>			<b>7,381,838</b>	<b>3,361,962</b>	<b>879,941</b>	<b>527,046</b>	<b>355,084</b>	<b>355,084</b>	<b>355,085</b>	<b>355,086</b>	<b>132,545</b>	<b>132,545</b>	<b>132,546</b>	<b>132,546</b>