

**State of New Jersey
Department of Education
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LEAD Charter School
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New Jersey K to 12 Education

Collaborative Monitoring Report
January 2020

District: LEAD Charter School
County: Essex
Dates On-Site: December 10, 2019
Case #: FM-14-20

Funding Sources

| Program | Funding Award |
|-----------------|------------------|
| Title I, Part A | \$103,110 |
| IDEA Basic | 22,413 |
| Total Funds | <u>\$125,523</u> |

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Background

The Elementary and Secondary Education Act (ESSA) and the Individuals with Disabilities Act (IDEA) and other federal laws require that districts provide programs and services based on the requirements specified in each of the authorizing statutes (i.e., ESSA and IDEA). The laws further require that state education agencies such as the New Jersey Department of Education (NJDOE) monitor the implementation of federal programs by subrecipients and determine whether the funds are being used by the school for their intended purpose and achieving the overall objectives of the funding initiatives.

Introduction

The NJDOE visited the LEAD Charter School to monitor the schools use of federal funds and the related program plans, where applicable, to determine whether the schools programs are meeting the intended purposes and objectives, as specified in the current year applications and authorizing statutes and to determine whether the funds were spent in accordance with the program requirements, federal and state laws, and applicable regulations. The on-site visit included staff interviews and documentation reviews related to the requirements of the following programs: Title I and IDEA Basic and for the period July 1, 2019 through November 30, 2019.

The scope of work performed included the review of documentation including grant applications, program plans and needs assessments, grant awards, annual audits, board minutes, payroll records, accounting records, purchase orders, a review of student records, classroom visitations and interviews with instructional staff to verify implementation of Individualized Education Programs (IEP), a review of student class and related service schedules, interviews of child study team members and speech-language specialists and an interview of the program administrator regarding the IDEA grant, as well as current school policies and procedures. The monitoring team members also conducted interviews with school personnel, reviewed the supporting documentation for a sample of expenditures and conducted internal control reviews.

Expenditures Reviewed

The grants reviewed included Title I, and IDEA Basic from July 1, 2019 through November 30, 2019. A sampling of purchase orders and/or salaries was taken from each program reviewed.

General District Overview of Uses of Federal Funds

Title I Projects

The Lead Charter School is an alternative charter school, that operates a Targeted Assistance program. According to the schools' Needs Assessment, many students enroll, having missed a considerable amount of days, and have fallen behind. Therefore, the school operates an extended day/week program and uses its Title I funds to support the salaries of program aides. The additional staffing provides Title I students with opportunities for increased learning time.

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IDEA Projects (Special Education)

The FY 2019 IDEA Basic funds are being used for the provision of related services to students with disabilities and for student evaluations.

There were no findings with the IDEA grant.

Detailed Findings and Recommendations

Title I

Finding 1:

Parent notification documents are available but are not translated into languages representative of the school population.

Citation:

ESEA §1112(e): Local Educational Agency Plans (Parents Right-to-Know)

Required Action:

The school must have all required documents translated into a language that is understandable to the parents of the students served. The documents that must be in multiple languages include:

- District and school level policies
- Invitational letters/fliers
- School-Parent Compact
- Annual Title I Parent Meeting
- Parents' Right to Know Letter
- Title I Parent Notification of Services
- Notification to parents of EL students
- Notifications posted on the school website that are representative of the school's population/demographics.

Finding 2:

The school has no evidence that parents or adult students are informed about the Military Opt-Out option, should they choose to not have their names and contact information forwarded to the military.

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Citation:

ESEA § 8528: Armed Forces Recruiter Access to Students and Student Recruiting Information.

Required Action:

For the 2020-2021 school year, the school shall notify parents, and adult students of the Military Opt-Out option should they choose not to have their contact information shared with the military.

IDEA (Special Education)

Finding 1:

The school did not consistently conduct all required sections of the functional assessment as a component of initial evaluations for students referred for special education and related services.

Citation:

N.J.A.C. 6A:14-3.4(f)4(i-vi)

Required Action:

The school must ensure all components of the functional assessment are conducted as part of all initial evaluations. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. Monitors from the NJDOE will conduct a site visit to interview staff, review initial evaluation reports for students evaluated between March 2020 and June 2020, and review the oversight procedures. The school is referred to the sample report form located at: www.state.nj.us/education/specialed/form.

Finding 2:

The school did not consistently provide parents of students referred and/or eligible for special education and related services notice of a meeting for identification meetings.

Citation:

N.J.A.C. 6A:14-2.3(k)3-5

Required Action:

The school must provide parents notice of a meeting in writing early enough to ensure they have an opportunity to attend. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct a site visit to interview staff, review

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documentation for meetings conducted between March 2020 and June 2020, and review the oversight procedures.

Finding 3:

The school did not consistently conduct identification meetings within 20 calendar days of receipt of a written request for a child study team evaluation for students referred for special education and related services.

Citation:

N.J.A.C. 6A:14-3.3(e)

Required Action:

The school must ensure identification meetings are conducted within 20 calendar days of receipt of a written request for evaluation. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct a site visit to interview staff, review documentation from meetings conducted between March 2020 and June 2020, and to review the oversight procedures.

Finding 4:

The school did not consistently ensure that required participants were in attendance at identification, initial eligibility, annual review, and reevaluation planning meetings for students referred and/or eligible for special education and related services. Specifically, a general education teacher was not in attendance.

Citation:

N.J.A.C. 6A:14-2.3(k)

Required Action:

The school must ensure that all meetings are conducted with required participants and that documentation of attendance and/or written parental consent to excuse a member of the team is maintained in student's records. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct a site visit to interview staff, review meeting documentation, including sign-in sheets, for meetings conducted between March 2020 and June 2020, and review the oversight procedures.

Finding 5:

The school did not consistently ensure that IEPs of students with disabilities are implemented as written. Specifically, students are not receiving In Class Resource (ICR) as required by the IEP.

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Citation:

N.J.A.C. 6A:14-4.1(a)

Required Action:

The school must ensure that all students with disabilities are provided the educational program required by their IEPs. In order to demonstrate correction of noncompliance, the school must immediately begin providing special education and related services as required by the IEPs. In addition, the school shall conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. To demonstrate that the school has corrected the individual instances of noncompliance, the school must conduct annual review meetings for all students who have not been provided ICR to discuss the need for compensatory services and document the amount of compensatory services to be provided in the IEP. A monitor from the NJDOE will conduct a site visit to interview staff, review the revised IEPs, the schedule for the provision of compensatory services, documentation demonstrating provision of ICR classes and, review the oversight procedures. Names of the students whose IEPs were identified as noncompliant will be provided to the school by the special education monitor.

Finding 6:

The school did not consistently document all required considerations and statements in the IEPs of students eligible for special education and related services. The statement of Present Levels of Academic Achievement and Functional Performance (PLAAFP) in the IEPs did not consistently include:

- A statement of how the student's disability affects his/her involvement and progress in the general curriculum, and
- results of most recent evaluation.

Citation:

N.J.A.C. 6A:14-3.7(e) 1-17, and (f); 20 U.S.C. §1414(d)(3)(A)(B); and 34 CFR §300.324(a)(1)(2).

Required Action:

The school must ensure each IEP contains the required considerations and statements. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. To demonstrate that the school has corrected the individual instances of noncompliance, the school must conduct annual review meetings and revise the IEPs for specific students with IEPs that were identified as noncompliant. A monitor from the NJDOE will conduct a site visit to interview staff, review the revised IEPs, a random sample of IEPs developed at meetings conducted

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between March 2020 and June 2020, and review the oversight procedures. Names of the students whose IEPs were identified as noncompliant will be provided to the school by the special education monitor.

Finding 7:

The school did not consistently provide to student's eligible for special education and related services notice of graduation and a summary of academic achievement and functional performance written prior to graduating and/or exiting.

Citation:

N.J.A.C. 6A:14-4.11(b);4

Required Action:

The school must ensure students are provided with written notice of graduation and a summary of academic achievement and functional performance prior to graduation that addresses all required components. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct a site visit to interview staff, review written notice of graduation and the summary of academic achievement and functional performance provided to students with disabilities who will graduate at the conclusion of the current school year, and review the oversight procedures.

Administrative

Finding 1:

For employees charged to federal grants, the board minutes contained some, but not all of the required information such as funding grant, account number, position, annual/funded salary and percentage charged.

Citation:

Uniform Grant Guidance 2 C.F.R. 200.302

Required Action:

The school should update its internal controls to ensure that the board minutes contain the required information.

Finding 2:

The school did not comply with required timekeeping standards for federally funded grants. Employees with 100 percent of their salary paid with Title I funds must complete a semi-annual certification attesting to their performance of Title I related duties, and employees with less than

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100 percent of their salary paid with Title I funds must complete monthly personal activity reports. The school was preparing reports quarterly.

Citation:

Uniform Grant Guidance 2 C.F.R. 200.302

Required Action:

The school must ensure that employees submit personal activity reports that have been verified by supervisors, as required.

The NJDOE thanks you for your time and cooperation during the monitoring visit and looks forward to a successful resolution of all findings and implementation of all recommendations contained in this report.

If you have any questions, please contact Steven Hoffmann via phone at (609) 376-3593 or via email at steven.hoffmann@doe.nj.gov.