



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

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Governor

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Lt. Governor

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Acting Commissioner

May 2, 2014

Mrs. Lynn DiPietropolo, Superintendent
Clementon Elementary School District
4 Audubon Avenue
Clementon, NJ 08021

Dear Mrs. DiPietropolo:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Clementon Elementary Board of Education**. The funding sources reviewed include titled programs for the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA). The review covered the period July 1, 2013 through February 18, 2014. The resulting report is enclosed. Please provide a copy of the report to each board member. All issued Consolidated Monitoring Reports will be posted on the department's website at <http://www.state.nj.us/education/finance/jobs/monitor/consolidated>.

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," the Clementon Elementary Board of Education is required, pursuant to N.J.A.C. 6A:23A-5.6, to publicly review and discuss the findings in this report at a public board meeting no later than 30 days after receipt of the report. Within 30 days of the public meeting, the board must adopt a resolution certifying that the findings were discussed in a public meeting and approving a corrective action plan which addresses the issues raised in the undisputed findings and/or an appeal of any **monetary** findings in dispute (emphasis added). A copy of the resolution and the approved corrective action plan and/or appeal must be sent to this office within 10 days of adoption by the board. Direct your response to my attention.

Also, pursuant to N.J.A.C. 6A:23A-5.6(c), you must post the findings of the report and the board's corrective action plan on your district's website.

By copy of this report, your auditor is requested to comment on all areas of noncompliance and recommendations in the next certified audit submitted to the New Jersey Department of Education. If you have any questions, please contact Joseph Kirchon at (856) 486-2160.

Sincerely,

Robert J. Cicchino, Director
Office of Fiscal Accountability and Compliance

RJC/JK/dk:Clementon Elementary Cover Letter/consolidated monitoring
Enclosures

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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
MAY 2014**

District: Clementon School District
County: Camden
Dates On-Site: February 19 and 20, 2014
Case #: CM-016-13

FUNDING SOURCES

Program	Funding Award
Title I	\$ 296,472
IDEA Basic	150,108
IDEA Preschool	3,259
Title IIA	39,437
Title III	4,380
Race To The Top	20,163
Total Funds	<hr/> <hr/> \$ 513,819

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BACKGROUND

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

INTRODUCTION

The NJDOE visited the Clementon School District to monitor the district's use of federal funds and the related program plans, where applicable, to determine whether the district's 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; Title IIA; Title III; IDEA Basic and Preschool; and Race to the Top for the period July 1, 2013 through February 18, 2014.

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 district policies and procedures. The monitoring team members also conducted interviews with district personnel, reviewed the supporting documentation for a sample of expenditures and conducted internal control reviews.

EXPENDITURES REVIEWED

The grants that were reviewed included Title I, Title IIA, Title III, IDEA Basic and Preschool, and Race to the Top from July 1, 2013 through February 18, 2014. A sampling of purchase orders and/or salaries was taken from each program reviewed.

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**GENERAL DISTRICT OVERVIEW OF USES OF TITLE I, TITLE IIA, TITLE III,
IDEA AND RACE TO THE TOP FUNDS**

Title I Projects

The district used its FY 2013-2014 Title I, Part A funds to implement a school-wide program in its school. Primarily the district provided supplemental instructional opportunities through professional development, in-class support (response to intervention), and extended day programs. Prior year funds were spent on similar programs.

Title IIA Projects

Title IIA funds are being used for a percentage of a teacher's salary.

Title III Projects

The district is in a consortium with the Lindenwold School District and uses its share of Title III funding to purchase supplies.

IDEA Projects

IDEA Basic and Preschool funds are being used to reduce district tuition expenditures for students receiving special educational services in private schools for students with disabilities.

Race to the Top

Race to the Top funds are being used for professional development for the transition to Common Core State Standards and the implementation of teacher and leader evaluation systems.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1:

Condition: There was no evidence the district is providing equitable services to resident nonpublic school students, their families or their teachers. The district was unable to provide evidence of its nonpublic consultation process. Without this documentation, the monitoring team could not verify that eligible resident nonpublic students were afforded the opportunity to participate in the Title I program.

Citation: ESEA §1120: *Participation of Children Enrolled In Private School.*

Required Action: The district must immediately contact all nonpublic schools that enroll resident students to inform the schools of their opportunity to participate in the district's

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Title I program. The district must then begin the consultation process with the nonpublic schools to identify eligible students and develop a service delivery plan. The district must send documentation of the consultation process (e.g., invitational letters, agendas, meeting notes, sign in sheets) to the NJDOE for review.

Finding 2:

Condition: The district did not have a parental involvement program that reflects the requirements of the Title I legislation. The district provided limited evidence of an active stakeholder committee involved in the development of the school-wide plan. There was no evidence, such as meeting notes, agendas and sign in sheets, that the committee was consulted in the development and implementation of the Title I school-wide plan.

Citation: ESEA 1114(b)(2)(B)(ii): *Plan Development*.

Required Action: The district must convene and/or consult with its stakeholder committee for input and peer review before changes are made to the school-wide plan. These meetings and consultations must be documented with an agenda, sign in sheets and minutes submitted to the committee members for review and approval. The district must provide documentation to the NJDOE that its FY 2014-2015 school-wide plan is developed in consultation with its stakeholder committee.

Finding 3:

Condition: The district did not provide sufficient evidence of convening the annual Title I parent meeting. Evidence was not provided that the Back-to-School nights that occurred fulfilled the legislative requirements. Not conducting an annual meeting to explain the Title I legislation and the district's Title I programs does not allow parents of Title I students to be informed and vested in the Title I process. Additionally, there is no evidence the school's parental involvement policy and the school-parent compact were developed in conjunction with Title I parents/guardians. The exclusion of parents/guardians in the development of these documents does not offer them the opportunity for full participation in their child's educational program.

Citation: ESEA §1118(c)(1) and (2): *Parental Involvement*.

Required Action: The district must hold its annual parent meeting before November 1st each year. The district must provide evidence of inclusion of the associated stakeholder groups in the development of the parental involvement policy and school-parent compact. The district must provide evidence of the involvement of parents and families in the development and annual review process. The district must provide the NJDOE with evidence of the development of these documents with parents/guardians of the Title I students for the 2014-2015 school year. These documents are to be distributed to parents/guardians annually before or during the annual parent meeting. In addition, this collaboration must continue each year before the annual parental meeting with the

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necessary documentation (letters/flyers, dated agenda, dated sign in sheets and typed minutes) on file at the district.

Finding 4:

Condition: The district did not require Title I funded staff to prepare and submit time and activity reports on a monthly basis, at a minimum, as required by federal law.

Citation: OMB Circular A-87, Attachment B, Section 8(h): *Cost Principles for State, Local and Indian Tribal Governments (Compensation for personal services)*.

Required Action: The district must ensure that Title I funded staff submit monthly time and activity reports. The district must submit a list of FY 2013-2014 Title I funded staff, their salaries, funding percentages and copies of supporting time and activity reports for September 2013 through February 2014 to the NJDOE for review.

Finding 5:

Condition: The district does 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 100 percent of their salary paid with Title I funds must complete monthly personal activity reports.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems.

Required Action: The district must ensure that employees submit personal activity reports that have been verified by supervisors, as required.

Title IIA

Finding 6:

Condition: A Teacher of the Handicapped assigned to a special education class in a self contained setting for grades 4-8 has no documentation on file to support that she is an elementary generalist and highly qualified for the assignment. The school is operating a school-wide program under Title I. Students receiving direct instruction must be taught by a highly qualified teacher in core subjects. Local Education Agencies must notify parents of students attending Title I schools whether the teacher meets state qualification/licensure requirements. Title I, Part A schools must give each parent timely notice when their child has been assigned, or has been taught for four or more consecutive weeks, by a teacher who is not highly qualified.

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Citation: ESEA Part A: *Improving Basic Programs Operated by Local Educational Agencies*; ESEA §1119. *Qualifications for Teachers and Paraprofessionals*; ESEA §2123(A)(5)(B) *Local Use of Funds*; ESEA §1111(h)(6)(B)(ii) *Right to Know letter*.

Required Action: The district must notify parents of students being taught by teachers that are not highly qualified with the required “Right to Know” letter. The district must provide copies of the Parent’s Right to Know letter for the parents of the students who were taught by the special education teacher to the NJDOE for review.

Title III

A review of the expenditures charged to the Title III grant yielded no findings.

IDEA Special Education

Finding 7:

Condition: The district did not consistently provide parents with notice of a meeting for students referred and/or eligible for speech-language services.

Citation: N.J.A.C. 6A:14-2.3(k); 20 U.S.C. §1414(b)(1); and 34 CFR §300.304(a).

Required Action: The district must ensure parents are provided notice of a meeting in writing early enough to ensure the parent has an opportunity to attend. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation of provision of meeting notices for meetings conducted between May 2014 and September 2014, and to review the oversight procedures.

Finding 8:

Condition: The district did not consistently inform parents of proposed actions through provision of written notice within 15 calendar days of the date of the meeting for students eligible for speech-language services.

Citation: 20 U.S.C. §1414(b); 34 CFR §300.503(a-c); 34 CFR §300.504; and N.J.A.C. 6A:14-2.3(f) and 2.3(g).

Required Action: The district must ensure parents are provided written notice following a meeting within 15 calendar days of the meeting. In order to demonstrate correction of noncompliance, the district must provide training for speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to

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interview staff, review documentation of provision of written notice for meetings for students eligible for speech-language services conducted between May 2014 and September 2014, and to review the oversight procedures.

Finding 9:

Condition: The district did not consistently obtain written parental consent to conduct an initial evaluation for students referred for special education and related services and for students referred for speech-language services.

Citation: N.J.A.C. 6A:14-2.3(a); 20 U.S.C. §1414(a)(1)(b); and 34 CFR §300.300.

Required Action: The district must ensure informed parental consent is obtained when required and maintained in student files. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation of written parental consent to conduct an initial evaluation for requests made between May 2014 and September 2014, and to review the oversight procedures.

Finding 10:

Condition: The district did not have in place a special education parent advisory group to provide input to the district on issues concerning students with disabilities.

Citation: N.J.A.C. 6A:14-1.2 (h).

Required Action: The district must ensure a special education parent advisory group is available in the district. In order to demonstrate correction of noncompliance, the district must organize and establish a parent advisory group. A monitor from NJDOE will conduct an on-site visit to interview staff and review the list of members of the special education parent advisory group and any agendas for meetings held subsequent to the monitoring visit.

Finding 11:

Condition: The district did not consistently convene identification, eligibility, reevaluation, and IEP meetings with required participants for students eligible for special education and related services and for students eligible for speech-language services.

Citation: N.J.A.C. 6A:14-2.3(k); 20 U.S.C. §1414(b)(4); and 34 CFR §300.321(a).

Required Action: The district must ensure that meetings are conducted with required participants and that documentation of attendance is maintained in student records. In

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order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review meeting documentation, including sign in sheets for meetings conducted between May 2014 and September 2014, and to review the oversight procedures.

Finding 12:

Condition: The district did not document all required considerations and statements in each IEP. IEPs for students eligible for special education and related services did not include:

- measurable annual goals and objectives (including criteria for mastery);
- statement of how progress towards annual goals will be measured;
- age 14 post-school transition components;
- location of related services; and
- consideration of the need for extended school year services.

IEPs for students eligible for speech-language services did not include:

- special considerations;
- consideration of extended school year; and
- location of related services.

Citation: N.J.A.C. 6A:14-3.7(c)1-11, (e) 1-17, and (f), 4.10(a); 20 U.S.C. §1414(d)(3)(A)(B); and 34 CFR §300.324(a)(1)(2).

Required Action: The district must ensure each IEP contains the required considerations and statements. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. In addition, to demonstrate correction of individual instances of noncompliance, the district must conduct annual review meetings and revise IEPs for the specific students whose IEPs were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs and a random sample of additional IEPs developed at meetings conducted between May 2014 and September 2014, and to review the oversight procedures. The names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor. For assistance with correction of noncompliance, the district is referred to the state IEP sample form which is located at: www.statenj.us/education/specialized/forms.

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Finding 13:

Condition: The district did not consistently document in the IEPs of students removed from the general education setting for more than 20 percent of the school day, including students placed in separate settings, consideration of placement in the least restrictive environment.

Specifically, IEPs did not include:

- a comparison of the benefits provided in the regular class and the benefits provided in the special education class;
- the potentially beneficial or harmful effects which a placement (general education) may have on the student with disabilities or the other students in the class; and
- for those students placed in separate settings, activities to transition the student to a less restrictive environment.

Citation: N.J.A.C. 6A:14-4.2 (a)8(i),(ii) and (iii), 4.2(a)4.

Required Action: The district must ensure when determining the educational placement of a child with a disability, the IEP team considers the general education class first and all required decisions regarding placement are documented in the IEP for each student removed from general education for more than 20 percent of the school day. The district must also ensure for students placed in separate settings, the IEP team identified activities to transition the student to a less restrictive environment and document them in each IEP. In order to demonstrate correction of noncompliance, the district 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 district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise the IEPs for the specific students that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review revised IEPs, review a random sample of additional IEPs developed at meetings conducted between May 2014 and September 2014, and to review the oversight procedures. The names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

Finding 14:

Condition: The district did not consistently provide to students beginning at age 14, written invitations to meetings where post-school transition was being discussed.

Citation: N.J.A.C. 6A:14-2.3(k)2x; and 34 CFR §300.322.b(2).

Required Action: The district must ensure each student with an IEP age 14 or above is provided with a written invitation to any IEP meeting where transition to adult life will be discussed. In order to demonstrate correction of noncompliance, the district must

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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 an on-site visit to interview staff, review student invitations for transition IEP meetings conducted between May 2014 and September 2014, and to review the oversight procedures.

Finding 15:

Condition: The district did not consistently conduct all required sections of the functional assessment as a component of an initial evaluation for students referred for special education and related services and for students referred for speech-language services.

Citation: N.J.A.C. 6A:14-3.4(f)4(i-vi); 20 U.S.C. §1414(b)(1)-(3), 1412(a)(6)(b); 34 CFR 300.304(b)(1).

Required Action: The district must ensure all components of the functional assessment are conducted as part of the initial evaluations process. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports developed between May 2014 and September 2014, and to review the oversight procedures.

Finding 16:

Condition: The district did not conduct meetings within 20 calendar days of receipt of a written request for a speech-language evaluation to determine if an evaluation was warranted.

Citation: N.J.A.C. 6A:14-3.3(e), 3.4(j)

Required Action: The district must ensure identification meetings are conducted within 20 calendar days of receipt of a written request for evaluation and that required participants are in attendance. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation from meetings conducted between May 2014 and September 2014, and to review the oversight procedures.

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Finding 17:

Condition: The district did not consistently conduct multidisciplinary initial evaluations for students referred for speech-language services by obtaining an educational impact statement from the classroom teacher.

Citation: N.J.A.C. 6A:14-2.5(b)6 and 3.6(b).

Required Action: The district must ensure a multidisciplinary evaluation is conducted for students referred for speech-language services by obtaining a statement from the general education teacher that details the educational impact of the speech problem on the student's progress in general education. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports developed between May 2014 and September 2014, and to review the oversight procedures.

Finding 18:

Condition: The district did not consistently conduct reevaluations within three years of the previous classification date for students currently eligible for special education and related services and for students currently eligible for speech-language services.

Citation: N.J.A.C. 6A: 14-3.8(a) and 20 U.S.C. §1414(a)(2).

Required Action: The district must ensure reevaluations are conducted within required time lines. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review time lines for students due for reevaluation between May 2014 and September 2014, and to review the oversight procedures.

Race to the Top

A review of the expenditures charged to the Race to the Top grant yielded no findings.

Administrative

Finding 19:

Condition: The district does not have formal written internal control policies and procedures to prevent contracting with disbarred vendors.

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Citation: EDGAR, PART 80-*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 36, Procurement.

Required Action: The district must have formal policies and procedures to prevent errors from contracting with disbarred vendors.

Finding 20:

Condition: The district does not have formal written internal control policies and procedures for requesting reimbursement from the Electronic Web Enabled Grant or System for Administering Grants Electronically systems.

Citation: EDGAR, PART 80-*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems.

Required Action: The district must have a formal board policy concerning the reimbursement of grant funds.

Finding 21:

Condition: The district has not provided evidence of competitively contracting for the provision of goods and services by vendors. In accordance with the Public School Contracts Law (PSCL) [N.J.S.A. 18A:18A:10(a)], a board of education may place its order with a vendor offering the lowest price, including delivery charges, that best meets the requirements of the board of education. However, for all federal funds, districts need to review 34 CFR Part 80.36 on procurement requirements. The federal procurement regulations under this section do not include all the exemptions allowed under the PSCL and therefore, these federal regulations require districts to competitively contract or bid all goods and services under the bid threshold, whether exempt under PSCL or not. The federal rules do include provisions for procurement by “noncompetitive proposals,” but only under certain circumstances.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 36, Procurement.

Required Action: The district should review 34 CFR Part 80.36 and use open and competitive procedures where at all possible. The district should also analyze and include documentation in its files that demonstrates the district ensured the costs were reasonable.

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.

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If you have any questions, please contact Joseph Kirchon via phone at (856) 486-2160 or via email at joseph.kirchon@doe.state.nj.us.