



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

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Lt. Governor

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Acting Commissioner

April 29, 2014

Dr. Neely Hackett, Superintendent
Irvington Board of Education
1 University Place
Irvington, NJ 07111

Dear Dr. Hackett:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Irvington 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, 2012 through October 31, 2013. 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 Irvington 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 Steven Hoffmann at (973) 621-2750.

Sincerely,

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

RJC/SH/dk:Irvington BOE Cover Letter/consolidated monitoring
Enclosures

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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
APRIL 2014**

District: Irvington Public Schools
County: Essex
Dates On-Site: December 2, 3 and 4, 2013
Case #: CM-019-13

FUNDING SOURCES

Program	Funding Award
Title I	\$ 3,500,581
IDEA Basic	1,630,021
IDEA Preschool	43,807
Title IIA	637,898
Title III	261,836
Title III Immigrant	109,416
Race to the Top	301,313
Carl D. Perkins	93,250
Total Funds	<u>\$ 6,578,122</u>

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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, Race to the Top and Carl D. Perkins). 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 Irvington Public Schools 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, Part A (Title I); Title II, Part A (Title II); Title III; Title III Immigrant; IDEA Basic and Preschool; Race to the Top and Carl D. Perkins for the period July 1, 2012 through October 31, 2013.

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 reviewed included Title I, Title II, Title III; Title III Immigrant; IDEA Basic and Preschool, Race to the Top and Carl D. Perkins from July 1, 2012 through October 31, 2013. 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, IDEA, RACE TO THE TOP
AND CARL D. PERKINS FUNDS**

Title I Projects

Title I funds were expended to support teacher salaries and benefits, summer programs, support services, supplies and equipment.

IDEA Projects

The majority of the FY 2012 IDEA Basic funds were used to reduce district tuition expenditures for students receiving special educational services in approved private schools for students with disabilities. The IDEA preschool funds were used for the purchase of instructional supplies for students in the preschool special education program. The nonpublic proportionate share of the grant is being used for instructional supplies and equipment, as well as to provide supplemental instruction and related services through a vendor, Essex Regional Educational Services Commission (ERESC) for students with disabilities attending nonpublic schools.

Race to the Top

The district used Race to the Top funds for transition to the Common Core State Standards (CCSS) and Science, Technology, Engineering and Mathematics (STEM) education.

Carl D. Perkins

The Perkins grant funds provided support for the four career and technical education programs operated by the Irvington Public Schools: General Office Occupations (520408), Administrative Assistant and Secretarial Science (520401), Accounting Technology (520302), and Cosmetology (120401).

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The district does not have supporting documents to verify the activity of Title I paid teachers as required by federal law. The documentation must reflect what the staff is doing, when and where they are working and it must match their funded percentage. This documentation is necessary to verify that funded staff are actually performing allowable grant activities.

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 verify the time and activity of staff charged to the grant. The district must submit a list of FY 2013-2014 Title I funded staff, salaries, funding percentages and appropriate time sheets to date to the NJDOE for review.

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Finding 2: The district did not provide evidence of convening its annual Title I parent meeting. The Back to School nights that occurred did not fulfill the legislative requirements. By not conducting an annual meeting to explain the Title I legislation and the district's Title I programs, the district does not allow parents of identified Title I students to be informed and vested in the Title I process.

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

Required Action: The district must convene its FY 2013-2014 annual Title I meeting for the parents/guardians of its identified Title I students immediately and submit evidence including the invitational letter/flyer, agenda, meeting minutes, and sign in sheets of said meeting to the NJDOE for review. In the future, the annual Title I parent meeting must be held in the beginning of the year, no later than mid-October.

Finding 3: The district did not have a parental involvement program that reflects the requirements of Title I. There is no evidence the district's parental involvement policy was reviewed and board adopted since June 2010, and no evidence that the policy was developed in conjunction with parents. In addition, the district could not provide school-level parental involvement policies. The annual review and current board adoption plus the school-level policies allow parents and other stakeholders to impact the parental involvement process and identify the unique needs of the Title I schools and parents of Title I students.

Citation: ESEA §1118(a)(2): *Parental Involvement (Written Policy)*; ESEA §1118(b): *Parental Involvement (School Parental Involvement Policy)*.

Required Action: The district must have both written district and school-level parental involvement policies evaluated annually. The district should provide technical assistance to its schools in the development of school-level parental involvement policies and ensure that its schools work with their stakeholder groups to develop the policies and review them annually. Copies of a recent board approved district parental involvement policy and school-level policies must be submitted to the NJDOE for review. Evidence of the annual review must be documented with meeting agendas, sign in sheets and minutes and should be indicated at the bottom of the document.

Finding 4: In FY 2013-2014, the school-parent compact provided did not include the role of the student, and the district did not provide evidence that the school-parent compact was developed in conjunction with Title I parents. The absence of parental participation in developing these required documents excludes parents from more active participation in their child's educational program.

Citation: ESEA §1118: *Parental Involvement*.

Required Action: The district must include the parents of Title I students in the development of the school-parent compact. The school must submit documentation to

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the NJDOE of the participation of Title I parents in the development of the FY 2014-2015 school-parent compact.

Finding 5: The schoolwide plans provided did not contain information to fulfill all the required schoolwide components including the school budget pages.

Citation: ESEA §1114(b)(2): *Schoolwide Programs (Plan)*.

Required Action: The district must revisit all Title I schoolwide plans for all approved schoolwide programs using the Office of Title I's feedback on University Elementary School's schoolwide plan as a guide to ensure the required schoolwide components are included in the FY 2014-2015 schoolwide plans.

Finding 6: The district did not include the Mount Vernon Avenue School's Title I Schoolwide Plan in the FY 2013-2014 ESEA-NCLB application in the Electronic Web-Enabled Grant System (EWEG) even though the school is approved as and is implementing a schoolwide program.

Citation: ESEA §1114(b)(2): *Schoolwide Programs (Plan)*.

Required Action: The district must upload to the FY 2013-2014 ESEA-NCLB application in EWEG the Title I Schoolwide Plans for all approved schoolwide programs including Mount Vernon Avenue School.

Finding 7: The district incorrectly generated and provided a hard copy of the Madison Avenue School's Title I Schoolwide Plan. The Madison Avenue School is not approved to implement a schoolwide program and as such, the Madison Avenue School is required to conduct a targeted assistance program.

Citation: ESEA §1115: *Targeted Assistance Program*.

Required Action: The district must revisit the FY 2013-2014 the Madison Avenue School Title I program to ensure Title I services are being targeted to academically at-risk students based on multiple measures in accordance with targeted assistance programs as stipulated in ESEA. For FY 2014-2015, the district must submit the letter of intent to apply as the first step for the Madison Avenue School to become an approved schoolwide program.

Finding 8: The district did not provide evidence educationally related, objective criteria were established and consistently applied to determine which students at the Madison Avenue School were eligible to receive Title I services. The monitors were unable to verify if the district is actually serving its lowest performing students and that all students receiving services actually met the eligibility criteria.

Citation: ESEA §1115: *Targeted Assistance Schools*.

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Required Action: The district must establish a tracking mechanism for proper Title I student identification. This mechanism must include documentation of which criteria were applied and how the student either met or did not meet the criteria.

Finding 9: For FY 2013-2014, the district did not develop and distribute the Title I participation letters stating both entrance and exit criteria, remediation and the option to opt-out to parents of identified Title I students at the Madison Avenue School. Without this information, parents are unable to understand the reasons their child was selected to participate in the Title I program, and what is needed for their child to exit the program.

Citation: ESEA §1115: *Targeted Assistance Program*; ESEA §1118(c): *Parental Involvement (Policy Involvement)*.

Required Action: In FY 2013-2014, the district must provide all parent/guardians of Title I students at the Madison Avenue School with a Title I participation letter. The participation letter must include the multiple measures, and entrance and exit criteria used to identify the students, as well as clearly defined exit criteria. The district must provide a copy of the FY 2013-2014 Title I participation letter(s) to the NJDOE for review.

Finding 10: The district's website contained information that was not current, such as the district level Parental Involvement Policy, and the school-parent compact on the website did not include the role of the students. Additionally, the website was missing the school-level Parental Involvement Policies as well as the Parents' Right-to-Know (HQT) letter.

Citation: ESEA §1111(h)(2)(E): *Public Dissemination*.

Required Action: The district must review the aforementioned documents to ensure completeness and update the district's website with the current versions.

Finding 11: Despite initial outreach to nonpublic schools both within and outside the district's attendance area, the district failed to follow-up on outstanding responses that may or may not impact the accurate account of students attending nonpublic schools and for nonpublic low-income counts. The inaccurate nonpublic enrollment and possibly the nonpublic low-income numbers in Step One of the Title I, Part A eligibility tab prevents an equitable participation share for eligible nonpublic Title I students.

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

Required Action: The district must immediately follow up with nonpublic schools that were initially contacted to obtain student enrollment and low-income data. In the future, the district must contact nonpublic schools that enroll resident students no later than May of each year to inform the schools of their opportunity to participate in the district's Title I program for the upcoming school year. The district must maintain documentation of all correspondence, meetings and affirmation of consultation forms. After contacting nonpublic schools that enroll resident students, the district must then begin the

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consultation process with the nonpublic schools to identify eligible students and develop a service delivery plan. The district may need to revise its FY 2013-2014 ESEA-NCLB Consolidated Application to verify the accurate reflection of both the number of resident nonpublic school students and the number of low-income resident nonpublic school students. The district must send documentation of the consultation process (e.g., invitational letters, agendas, meeting notes and sign in sheets) to the NJDOE for review.

Finding 12: The district's contract with the third-party provider, ERESC, for equitable services to resident nonpublic school students did not include an itemization of parental involvement and/or professional development activities. Additionally, the contract did not explicitly state that payment was based on services rendered and was not fully executed.

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 contract with ERESC needs to be signed by both parties – Irvington School District and the ERESC. Language in the contract needs to be more explicit to include the breakdown of professional development and parental involvement activities plus language stipulating that payment is based on services rendered and not at the end of the month. The contract currently is limited to one nonpublic school, Good Shepherd Academy, and may need to be amended to include other nonpublic schools, if applicable.

Finding 13: The district's use of Title I funds to operate the READ 180 program for all students in both identified approved schoolwide programs as well as those identified as targeted assistance supplants state and local funds. All students in a school designated as schoolwide are considered Title I students; however, only those students deemed academically at-risk in accordance with the multiple, educationally related objective criteria are Title I students in a targeted assistance school. As such, Title I students in the Madison Avenue School are not receiving additional services.

Citation: ESEA §1120A(b): *Fiscal Requirements (Federal Funds to Supplement, Not Supplant, Non-Federal Funds)*.

Required Action: The district must revise its Title I program for the Madison Avenue School to provide services to Title I students in language arts that are in addition to the core curriculum requirement and above and beyond services provided to non-Title I students. The district must reverse the FY 2013-2014 Title I expenditures for READ 180 at the Madison Avenue School and allocate state/local funds for the expenditure. The district must submit evidence of the journal entry to reverse the expenditure and a narrative describing its revised Title I program to the NJDOE for review.

Finding 14: The district used Title I, Part A funds for expenditures for activities and interventions that were not in alignment with the district's application needs assessment, priority

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problems and/or if applicable, the Title I Schoolwide Plan. As a result, expenditures for the following activities are unallowable: grant writing, field trips and clubs such as Dance, Chess, and Honor Society.

Citation: ESEA §1114: *Schoolwide Programs*; OMB Circular No. A-87: *Cost Principles for State, Local and Indian Tribal Governments*, Section 14, Entertainment.

Required Action: The district must reevaluate the use of Title I, Part A funds. Title I expenditures must be necessary and reasonable to achieve the programmatic objectives. For schoolwide programs, the Title I Schoolwide Plan must reflect how the Schoolwide Program is implementing interventions and strategies to meet the intents and purposes of the Title I legislation. The district must reverse the charges for Bruno Associates grant writing, field trips and clubs such as Dance and Honor Society that are not directly aligned with the needs assessment and priority problems identified in the FY 2013-2014 ESEA-NCLB application. The district must allocate state/local funds, rather than using Title I funds to support these expenditures. The district must provide evidence of the adjusting journal entry to the NJDOE for review. The district's use of Title I funds for activities that do not support program objectives is being referred to the department's Office of Fiscal Accountability and Compliance for review.

Title II

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

Title III

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

Title III Immigrant

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

IDEA (Special Education)

Finding 15: In the 2012-2013 and 2013-2014 school years, the district contracted with ERESC for services to students with disabilities in nonpublic settings. The contract utilized for this service is inclusive of the entire nonpublic allocation for IDEA, when it should be based on the type and delivery of services being provided. In addition, ERESC is billing the district for salaries related to provision of services, but ERESC does not support their charges through monthly invoices detailing hours worked, specific dates of services provided, and student initials.

Citation: IDEA Regulations 34CFR §300.130-300.144.

Required Action: The district must revise the contract to ensure that it is based on type and delivery of service and includes a not-to-exceed amount. In addition, the district

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must request detailed invoices from the ERESA that includes specific dates of service and type of service provided.

Finding 16: The district is not providing the services as indicated in Service Plans (SPs) for students with disabilities in nonpublic settings. Program pages in SPs indicate that a classroom paraprofessional will be provided in all general education classes. However, the district is providing a classroom paraprofessional in the general education classroom for three to five sessions per week.

Citation: N.J.A.C. 6A:14-6.2; 20 U.S.C. §1412(a)(10)(A)(vi); 34 CFR §300.130-144; Chapters 192 and 193 Programs for Nonpublic School Students 2011-2012.

Required Action: The district must ensure services are provided as required by the SPs of students in nonpublic settings and the SPs accurately reflect the amount of services being provided to students. The district must implement an oversight mechanism to ensure services documented in ISPs are provided. A monitor from the NJDOE will conduct an on-site visit to review ISPs, service provider schedules, conduct classroom visits, and interview staff at nonpublic schools.

Finding 17: In the 2012-2013 school year, not all individuals charged to the IDEA grant were approved by board resolution.

Citation: IDEA Regulations 34CFR §300.130-300.144.

Required Action: The district must ensure all individuals charged to the IDEA grant are approved by board resolution.

Finding 18: In the FY 2012-2013 grant year, the district misclassified the expenditures for child study team testing materials in instructional supplies and materials (100-600) when it should have been classified under non-instructional supplies and materials (200-600) in their accounting system.

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 update its applications and corresponding accounting records to classify items purchased according to their correct function.

Finding 19: In the FY 2012-2013 grant year, the district misclassified the expenditures for student licenses for web-based instructional software in instructional – other purchased services (100-500) when it should have been classified under instructional supplies and materials (100-600) in their accounting system.

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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 update its applications and corresponding accounting records to classify items purchased according to their correct object.

IDEA Programs

Finding 20: The district did not consistently provide parents of students referred and/or eligible for speech-language services and students referred and/or eligible for special education and related services notice of a meeting for identification, eligibility, eligibility/IEP, and reevaluation planning.

Citation: N.J.A.C. 6A:14-2.3(k) 3,5; 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 early enough to ensure the parent has an opportunity to attend. 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 citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review notices of meetings conducted between March 2014 and May 2014, and to review the oversight procedures.

Finding 21: The district did not consistently provide parents written notice within 15 calendar days following eligibility and reevaluation planning meetings for students eligible for special education and related services and for students eligible for speech and language services.

Citation: 20 U.S.C. §1414(b)(1)(c)(4)(A); 34 CFR §300.304(a)(4); and 34 CFR §300.305(a) and N.J.A.C. 6A:14-2.3(f) and 2.3(g)1-7.

Required Action: The district must ensure parents are provided written notice within 15 calendar days of the meeting. 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 citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review copies of notices of IEP meetings conducted between March 2014 and May 2014, and to review the oversight procedures.

Finding 22: The district did not consistently convene identification, initial eligibility/IEP, reevaluation and determination of continued eligibility meetings with required participants for students referred and/or eligible for special education and related services and for students referred and/or eligible for speech-language services.

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Citation: N.J.A.C. 6A:14-2.3(k)1(i-vii); 20 U.S.C. §1414(d)(1)(B); and 34 CFR §300.321(a).

Required Action: The district must ensure meetings are conducted with required participants and that documentation of attendance and/or written parental consent to excuse a member of the team is obtained prior to the meeting and is maintained in student's records. 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 citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review meeting documentation including the sign in sheets, for meetings conducted between March 2014 and May 2014, and to review the oversight procedures.

Finding 23: The district did not consistently document the following in the IEPs of students removed from the general education setting for more than 20 percent of the day, including students placed in separate settings:

- the supplementary aids and services considered, and/or an explanation of why they were rejected;
- a comparison of the benefits provided in the regular class and the benefits provided in the special education 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).

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 the 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 identifies 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 citation 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 specific students with IEPs that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs, review a random sample of additional IEPs developed at meetings conducted between March 2014 and May 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.

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Finding 24: The district did not consistently include required considerations and statements in each IEP for students eligible for speech-language services. Specifically, IEPs did not consistently document:

- a statement of how the student's disability affects his or her involvement and progress in general curriculum;
- strengths of the student in area of communication; and
- results of initial or most recent evaluations.

Citation: N.J.A.C. 6A:14-3.7(c)1-11, (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 district must ensure that each IEP contains the required considerations and statements. 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 citation 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 specific students with IEPs that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs, review a random sample of additional IEPs developed at meetings conducted between March 2014 and May 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/specialed/forms.

Finding 25: The district did not conduct meetings within 20 calendar days of receipt of a written request for evaluation for students referred for special education and related services or speech-language services.

Citation: N.J.A.C. 6A:14-2.5(b)6; 3.3(e) and 3.6(b).

Required Action: The district must ensure a meeting is conducted within 20 calendar days of receipt of a written request for evaluation to determine if an evaluation is warranted. 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 citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation from meetings conducted between March 2014 and May 2014, and to review the oversight procedures.

Finding 26: The district 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 and for students referred for speech-language services. Specifically, the assessments did not include:

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- an observation of the student in other than a testing setting; and
- a review of prior interventions.

Citation: N.J.A.C. 6A:14-3.4(f)4(i-vi); 20 U.S.C. §1414(b)(4) and (5); and 34 CFR §300.306(c)(i).

Required Action: The district must ensure all components of the functional assessment are conducted as part of all initial evaluations. 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 citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review evaluation reports of students evaluated between March 2014 and May 2014, and to review the oversight procedures.

Finding 27: The district did not consistently provide written invitations to meetings where post-school transition was being discussed to students beginning at age 14. In addition, notice of a meeting did not include transition as a purpose of the meeting for students who will be 14 during the school year.

Citation: N.J.A.C. 6A:14-2.3(k)2x and 3.7(e)13, 3.7(h); 20 U.S.C. §1414 (d)(1)(A)(i)(1)(VIII); 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 and that notice of a meeting includes transition as a purpose of the meeting. 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 citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review copies of invitations to IEP meetings for students age 14 and above for meetings conducted between March 2014 and May 2014, and to review the oversight procedures.

Finding 28: The district did not complete post-school transition IEP components for students who are eligible for special education and related services beginning at age 16 or younger.

Citation: N.J.A.C. 6A:14-3.7(e)11.

Required Action: The district must ensure that transition is discussed at each IEP meeting for students age 16 or younger and that decisions are documented in the 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 citation 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 specific students with IEPs that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview

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staff, review the revised IEPs, review a random sample of additional IEPs developed at meetings conducted between March 2014 and May 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 transition resources document which is located at: <http://www.state.nj.us/education/specialed/transition>.

Finding 29: The district does not have a policy for the provision of accommodations and modifications or, when appropriate, an alternate assessment for students with disabilities participating in district wide assessments.

Citation: N.J.A.C. 6A:14-1.2(15); 20 U.S.C. §1412(a)(16); 34 CFR §300.160.

Required Action: The district must revise policies and procedures to ensure students with disabilities participate in district wide assessment and that each IEP contains a statement of any individual modifications to be provided to the student in the administration of district wide assessments. The policy must include the provision of accommodations and modifications and the provision of alternate assessments for those children who cannot participate in the regular assessment. If the district reports publicly on the district wide assessment, the district must also report with the same frequency and in the same detail as it reports on the assessment of nondisabled children. A monitor from NJDOE will conduct an on-site visit to review the policy.

Race to the Top

Finding 30: The district is using split funding for the Read 180 Response to Intervention program overspent in the CCSS project area by \$37,400. Sustainability for this program is a concern as Race to The Top funding for this project has already been expended.

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

Required Action: An amendment to shift funds must be submitted.

Finding 31: STEM programming is being implemented but no data was received to understand the success of these programs.

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

Required Action: The district must provide the NJDOE with data to support the success of these programs.

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Finding 32: The district has not established advisory boards for any of their approved CTE programs.

Citation: N.J.A.C. 6A:19-3.1 Program Requirements.

Required Action: By the end of the FY 2014 grant project period (June 30, 2014), the district must establish an advisory board for each approved Career and Technical Education program and hold at least one meeting for each board. The advisory boards must include the required membership as indicated in the New Jersey Administrative Code listed above. In the future, all approved CTE program advisory boards must meet twice per year.

Finding 33: As of the date of the monitoring visit, December 2, 2013, 21 computers approved in the FY 2013 Perkins Application for instructional use with a cost of \$1,464.50 each were still not installed and available for student instructional use. Perkins guidelines require that equipment purchased to improve an existing CTE program must be received, installed and available for student instruction no later than June 30th.

Citation: OMB Circular A-87, Attachment A, Section C (1) a: *Cost Principles for State, Local and Indian Tribal Governments* (Basic Guidelines).

Required Action: The total cost of the computers (\$1,464.50 X 21= \$30,754.50) is deemed non-allowable. The district must reverse the charges for these items and charge the cost to another funding source such as local or other funds. The district must provide evidence of the adjusting journal entry to the NJDOE for review.

Finding 34: The district has not consulted with the Workforce Investment Board (WIB). Perkins guidelines require that districts consult with the appropriate WIB and a copy of the completed funding application be forwarded to the WIB for review and comments.

Citation: Perkins guidelines Section C: Grant Application Information and Procedures; 2.2 Workforce Investment Board Review.

Required Action: In the future, the district must ensure that funding applications are forwarded to the Essex County WIB Director.

Administrative

Finding 35: On several occasions, the district failed to issue a purchase order prior to goods being purchased or services being rendered (confirming order). District policy and state regulations require that a properly executed purchase order be issued prior to the purchase of goods or the rendering of services.

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Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems. N.J.S.A. 18A:18A(2)(v) *Public School Contracts Law*.

Required Action: Purchase orders should be issued to all vendors prior to goods or services being provided.

Finding 36: The district failed to formally appoint all individuals charged to the federal programs by board resolution.

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: All staff charged to federal grants should be reappointed annually by board resolution.

Finding 37: The district was not tagging all applicable equipment purchases as being purchased with federal funds.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 32, Equipment.

Required Action: Equipment purchased with federal funds should be labeled as such.

Finding 38: The district did not maintain an inventory of equipment.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 32, Equipment.

Required Action: The district should maintain an inventory of equipment. The inventory should be maintained in such a fashion that equipment purchased with federal funds can be identified by the funding grant.

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 (973) 621-2750 or via email at steven.hoffmann@doe.state.nj.us.