



State of New Jersey
DEPARTMENT OF EDUCATION
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TRENTON, NJ 08625-0500

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Governor

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Lt. Governor

DAVID C. HESPE
Acting Commissioner

September 11, 2014

Dr. Shannon Whalan, Superintendent
Westville School District
101 Birch Street
Westville, NJ 08093

Dear Dr. Whalan:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the Westville **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 May 15, 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 Westville 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 Anthony Hearn at (609) 633-2492.

Sincerely,

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

RJC/AH/dk:Westville BOE Cover Letter/consolidated monitoring
Enclosures

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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
SEPTEMBER 2014**

District: Westville Public Schools
County: Gloucester
Dates On-Site: May 15 and 16, 2014
Case #: CM-022-13

FUNDING SOURCES

Program	Funding Award
Title I, Part A	\$ 119,804
IDEA Basic	98,695
IDEA Preschool	5,391
Title II, Part A	16,048
Total Funds	<u>\$ 239,938</u>

**WESTVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
SEPTEMBER 2014**

BACKGROUND

The Elementary and 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 Westville 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); and IDEA Basic and Preschool for the period July 1, 2013 through May 15, 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 II, and IDEA Basic and Preschool from July 1, 2013 through May 15, 2014. A sampling of purchase orders and/or salaries was taken from each program reviewed.

**WESTVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
SEPTEMBER 2014**

GENERAL DISTRICT OVERVIEW OF USES OF TITLE I, TITLE II AND IDEA FUNDS

Title I Projects

The district used its FY 2013-2014 Title I funds to implement a targeted assistance program in the elementary school. Primarily, the district provided tutoring services through in-class support, pullout programs, after school, and extended year programs. Title I funds in prior project periods were spent on similar programs.

Title II Projects

The district used its FY 2013-2014 Title II funds to partially fund the salary for class size reduction and professional development activities in accordance with the District Professional Development Plan.

IDEA Projects

The district used its FY 2013-2014 IDEA Basic and Preschool funds to reduce district tuition expenditures for students receiving special educational services in private schools for students with disabilities. In addition, funds were used to purchase occupational therapy services, supplies for testing and discrete trial therapy. Funds were also allocated for the purchase of shared child study team services from Gateway Regional High School District.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The district had entrance and exit criteria for Title I student identification, but incorrectly included poverty measures (free and/or reduced lunch) as one of the entrance criteria. Title I schools must have multiple, educationally related, objective criteria to identify the low-performing students for supplemental services.

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

Required Action: The district must remove poverty measures as one of its entrance criteria for Title I student identification. The district must submit the revised FY 2014-2015 entrance and exit criteria to the NJDOE for review.

Finding 2: The FY 2013-2014 Title I eligibility participation materials addressed the multiple measures used to identify the Title I eligible students, but did not include exit criteria. Without this information, parents are unable to understand the performance levels needed for their child to exit the program.

**WESTVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
SEPTEMBER 2014**

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

Required Actions: In its Title I participation letter, the district must include the clearly defined multiple measures used for entrance into the program, as well as the exit criteria used to evaluate a student's success. The district must provide a copy of its revised FY 2014-2015 Title I participation letter to the NJDOE for review.

Finding 3: The district did not provide a school-level Title I parental involvement policy for the elementary school. Additionally, there was no evidence that both the district and school-level policies were annually reviewed and developed in conjunction with parents, as required by the legislation. The annual review and current board adoption allow parents and other stakeholders to impact the parental involvement process and identify the unique needs of the Title I schools and Title I parents.

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 a written district parental involvement policy and school-level parental involvement policies developed in conjunction with parental input and 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 the newly approved school-level policies must be submitted to the NJDOE for review. The district must also submit evidence of engaging parents in the development and review of the policies (meeting agendas, sign in sheets, minutes), and evidence of the board's adoption of the district-level policy (board meeting minutes).

Title II

A review of the Title II grant yielded no findings.

IDEA Special Education

Finding 4: 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.

**WESTVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
SEPTEMBER 2014**

Finding 5: 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; and
- statement of how progress towards annual goals will be measured.

IEPs for students eligible for speech-language services did not include the location of provision of speech-language 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 November 2014 and January 2015, 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 6: 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:

- 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;
- the potentially beneficial or harmful effects which a placement in the general education setting 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

**WESTVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
SEPTEMBER 2014**

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 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 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 the revised IEPs, a sample of additional IEPs developed at meetings conducted between November 2014 and January 2015, 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 7: 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 that 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 November 2014 and January 2015, and to review the oversight procedures.

Finding 8: The district did not consistently provide parents with notice of reevaluation planning meetings for students eligible for special education and related 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, that contains all required components, 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 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 for meetings conducted between November 2014 and January 2015, and to review the oversight procedures.

**WESTVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
SEPTEMBER 2014**

Finding 9: The district did not consistently convene meetings for reevaluation planning with required participants for students eligible for special education and related 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 meetings are conducted with required participants and that documentation of attendance is maintained in student's records. 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. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation, including sign in sheets, for meetings conducted between November 2014 and January 2015, and to review the oversight procedures.

Administrative

Finding 10: The district does not have formal written policies for requesting reimbursement from the Electronic Web Enabled Grant or System for Administering Grants Electronically systems. However, the monitoring team did verify the district's practice for requesting reimbursement through inquiries about the district's internal controls.

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. The district must submit a copy of its written policy to the NJDOE for review.

Finding 11: The district was unable to provide 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

**WESTVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
SEPTEMBER 2014**

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.

If you have any questions, please contact Anthony Hearn via phone at (609) 633-2492 or via email at anthony.hearn@doe.state.nj.us .