



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

CHRIS CHRISTIE
Governor

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Lt. Governor

DAVID C. HESPE
Acting Commissioner

June 13, 2014

Mr. Richard Kaplan, Superintendent
New Brunswick Public Schools
268 Baldwin Street
New Brunswick, NJ 08901

Dear Mr. Kaplan:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **New Brunswick 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 January 31, 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 New Brunswick 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:New Brunswick BOE Cover Letter/consolidated monitoring
Enclosures

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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
JUNE 2014**

District: New Brunswick Public Schools
County: Middlesex
Dates On-Site: February 25, 26 and 27, 2014
Case #: CM-027-13

FUNDING SOURCES

Program	Funding Award
Title I	\$ 2,334,921
IDEA Basic	1,985,429
IDEA Preschool	73,848
Title IIA	435,351
Title III	310,070
Title III Immigrant	60,407
Total Funds	<hr/> <hr/> \$ 5,200,026

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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 and IDEA). The laws further require that state education agencies such as the New Jersey Department of Education (NJDOE) monitor the implementation of federal programs by 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 New Brunswick 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 and IDEA Basic and Preschool for the period July 1, 2012 through January 31, 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 reviewed included Title I, Title II, Title III, Title III Immigrant and IDEA Basic and Preschool from July 1, 2012 through January 31, 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 AND IDEA FUNDS

Title I Projects

The district operated schoolwide programs in all of its Title I schools. Title I funds were used for salaries and benefits, as well as non-instructional materials used for parental involvement.

IDEA Projects

The district utilizes IDEA funds on out-of-district tuition and providing early intervention services through Coordinated Early Intervention Services.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The district did not provide evidence that the Stakeholder/Schoolwide Committees were involved in the needs assessment, plan development, and evaluation processes, as indicated in the Schoolwide Plans for Woodrow Wilson, Lincoln and Paul Robeson Elementary Schools. The Schoolwide Plans indicate that meetings occurred, but the district was unable to provide the corresponding agendas, sign in sheets, and minutes for each school implementing a schoolwide program. The development of a Schoolwide Plan in consultation with a stakeholder committee for each school conducting a schoolwide program is a legislative requirement.

Citation: ESEA §1114(b)(2)(B)(ii): *Schoolwide Programs (Components of a Schoolwide Program: Plan Development).*

Required Action: For the 2014-2015 school year, each school implementing a schoolwide program must engage the Stakeholder/Schoolwide Committee and document its actions pertaining to the needs assessment, plan development, and evaluation processes. In addition, Woodrow Wilson Elementary School must add a parent representative on the Stakeholder/Schoolwide Committee. Each school must document all stakeholder meetings with agendas, sign in sheets and minutes and provide copies to the NJDOE for review. Additionally, the schools must conduct stakeholder committee meetings on an ongoing basis throughout the project period.

Finding 2: The Woodrow Wilson Elementary School's Schoolwide Plan was missing information in the section for the evaluation of the school's FY 2012-2013 plan.

Citation: ESEA §1114(b): *Schoolwide Programs (Components of a Schoolwide Program).*

Required Action: For the 2014-2015 school year, the district needs to ensure that all the information within the Woodrow Wilson Elementary School's Schoolwide Plan are completed for both the 2013-2014 and the 2014-2015 school years. If the FY 2014-2015

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schoolwide plans for Woodrow Wilson, Lincoln and Paul Robeson Elementary Schools do not meet the statutory and regulatory requirements, the NJDOE will revoke the schools' approval to operate a Title I schoolwide program.

Finding 3: The district did not provide evidence of its schools convening the annual Title I parent meetings. Not conducting an annual meeting to explain the Title I legislation and the district's Title I programs 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's schools must convene their FY 2014-2015 annual Title I meeting for the parents/guardians in the beginning of the year no later than mid-October. Evidence of these meetings, which includes invitational letters/flyers, agendas, meeting minutes, and sign in sheets must be provided to the NJDOE.

Finding 4: The district did not have a parental involvement program that reflects the requirements of the Title I legislation. In FY 2013-2014, there was no evidence that school-level parental involvement policies were developed. In addition, the district was unable to provide evidence that the district's parental involvement policy and the school-parent compacts were developed in conjunction with parents as required by the legislation. The parental involvement policies and school-parent compact allow parents and other stakeholders to impact the parental involvement process.

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

Required Action: The district's schools must evaluate their school-level parental involvement policies 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 district and school-level parental policies and the school-parent compact. The district must submit copies of recent board approved school-level parental involvement policies to the NJDOE for review. Additionally, for the 2014-2015 school year, the district's schools must engage parents and associated stakeholders in the development of their school-level parent involvement policies. Documentation of stakeholder engagement, which can include but is not limited to meeting agendas, sign in sheets and minutes, must be submitted to the NJDOE for review.

Finding 5: The district's website did not include up-to-date school-level parental involvement policies.

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

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Required Action: The district must update its website to include the school-level parental involvement policies to meet the ESEA broader dissemination requirement.

Finding 6: The district included nonpublic enrollment counts and incorrectly indicated zero nonpublic low-income counts on the FY 2013-2014 ESEA Application in Step One of the Title I, Part A eligibility tab. The district provided Family Survey forms that indicated that nonpublic low-income counts existed, instead of the zero nonpublic low-income counts reflected on the application. As such, nonpublic equitable shares and services were not generated or provided.

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

Required Action: The district must contact the nonpublic schools that did not respond to the initial outreach and document responses. The district needs to review the Family Survey forms and identify which nonpublic schools the low-income nonpublic students attend. The FY 2013-2014 ESEA Consolidated Application must be amended to include nonpublic low-income counts. In addition, the district must reach out to those nonpublic schools and begin the consultation process with the nonpublic schools to identify eligible Title I 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. Additionally, if the district does not fully utilize the Title I funds generated for equitable services to resident nonpublic school students during the initial project period (July 1, 2013-June 30, 2014), the district will have to carry over the funds for equitable services in the FY 2014-2015 project period.

Title II

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

Title III and Title III Immigrant

Finding 7: The district is charging Title III and Title III Immigrant expenditures to the incorrect program code in the general ledger. A program code between 241 and 245 should be used.

Citation: Uniform Minimum Chart of Accounts for New Jersey Public Schools.

Required Action: The district must establish accounts using appropriate program codes in the general ledger.

IDEA (Special Education)

IDEA Grant

Finding 8: The district did not appoint all individuals charged to the federal programs by board resolution.

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

IDEA Program

Finding 9: The district did not consistently maintain documentation of the description, frequency, duration and effectiveness of the interventions provided in the general education setting through the Intervention and Referral Service (I&RS) for students eligible for special education and related services and for students eligible for speech-language services.

Citation: N.J.A.C. 6A:14-3.3(b); 20 U.S.C. §1413(f)(2); and 34 CFR §300.226(b).

Required Action: The district must ensure that when the I&RS team identifies interventions to meet the needs of a struggling learner that the team identifies and maintains documentation of the nature, description, frequency, and duration of the interventions and measures the effectiveness. In order to demonstrate correction of noncompliance, the district must conduct training for administrators and I&RS staff 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 I&RS team members and teachers, review documentation for students who were provided interventions in general education between September 2014 and December 2014, and to review the oversight procedures.

Finding 10: The district did not consistently conduct identification meetings within 20 calendar days of receipt of a written request for evaluation for special education and related services to determine if an evaluation was warranted.

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

Required Action: The district must ensure identification meetings are conducted within 20 calendar days of receipt of a written request for evaluation. In order to demonstrate correction of noncompliance, the 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 documentation from meetings conducted between September 2014 and December 2014, and to review the oversight procedures.

Finding 11: 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.

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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 to ensure compliance with the requirements in the citation listed above. Additionally, a monitor from the NJDOE will conduct an on-site visit to interview staff, review evaluation reports for students referred for speech-language services whose eligibility meetings were held between September 2014 and December 2014, and to review the oversight procedures.

Finding 12: 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. Initial evaluation reports did not contain observation in a non-testing setting and a review of interventions documented by the teacher(s) or others who work with the student.

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 citations listed above. The district is referred to the sample report form for speech-language evaluations which is located at: www.state.nj.us/education/speced/forms. Monitors from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports for students evaluated between September 2014 and December 2014, and to review the oversight procedures.

Finding 13: 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 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. 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

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meetings to students age 14 and above for meetings conducted between September 2014 and December 2014, and to review the oversight procedures.

Finding 14: The district did not consistently document all required considerations and statements in the IEPs of students eligible for special education and related service and for students eligible for speech-language services.

IEPs developed did not consistently include:

- measurable annual goal(s) and objective(s);
- statement of transition from Elementary to Secondary;
- statement of supports for personnel;
- statement of how progress towards annual goal(s) will be measured;
- for students 14 and older, documentation of the student's strengths, interests and preferences; and
- district wide assessments (students eligible for speech-language services).

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

Required Action: The 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. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs, along with a sample of IEPs for students whose annual review meetings were conducted between September 2014 and December 2014, and to review the oversight procedures. For assistance with correction of noncompliance, the district is referred to the state IEP sample forms which are located at: www.statenj.us/education/specialed/forms.

Administrative

Finding 15: 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.

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.

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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.