



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

November 22, 2011

Ms. Verna Dennis-Forman, Interim Lead Person
Pleasantech Academy Charter School
700 Black Horse Pike
Pleasantville, NJ 08232

Dear Ms. Dennis-Forman:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Pleasantech Academy Charter School**. The funding sources reviewed include titled programs for the Education Jobs Act of 2010 (Ed Jobs) in particular, and/or Elementary and Secondary Education (ESEA) and the Individuals with Disabilities Education Act (IDEA). The review covered the period July 1, 2010 through October 24, 2011. The resulting report is enclosed. Please provide a copy of the report to each board member.

Utilizing the process outlined in the attached "Procedures for Charter Schools Response, Corrective Action Plan and Appeal Process," the Pleasantech Academy Charter School Board of Trustees 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 school'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:Pleasantech Academy Charter School Cover Letter/ Ed Jobs
Enclosures

Distribution List

Christopher D. Cerf

Bari Erlichson

David Corso

Barbara Gantwerk

Justin Barra

Karen Campbell

Peggy McDonald

Anthony Hearn

Thomas Dowd

Stephen M. Eells

**STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION
PO BOX 500
TRENTON, NJ 08625-0500**

**PLEASANTECH ACADEMY CHARTER SCHOOL
700 BLACK HORSE PIKE
PLEASANTVILLE, NJ 08232
PHONE: (609) 383-1717**



Education Jobs Fund Program
New Jersey K-12 Education

**EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

School: PleasanTech Academy Charter School
County: Atlantic
Dates On-Site: October 24, 25 and 26, 2011
Case #: Ed Jobs-005-11

FUNDING SOURCES

	Program	Funding Award
Title I		\$ 334,469
IDEA Basic		126,040
Title IIA		15,033
Title IID		-
	Total Funds	<u>\$ 475,542</u>

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

BACKGROUND

The *Education Jobs Act of 2010 (Ed Jobs)* and other federal laws require local education agencies (LEAs) to provide programs and services to their schools based on the requirements specified in each of the authorizing statutes (ESEA, IDEA and Ed Jobs). 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 school for their intended purpose and achieving the overall objectives of the funding initiatives.

INTRODUCTION

The NJDOE visited the PleasanTech Academy Charter School to monitor the school's use of *Ed Jobs* funds and the related program plans, where applicable, to determine whether the school'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 I SIA; IDEA for the period July 1, 2010 through October 24, 2011.

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

EXPENDITURES REVIEWED

Due to the nature of the school's records, NJDOE monitors were unable to identify grants awarded to the school. It was not until purchase orders were reviewed that the grants were identifiable. Also, the school failed to provide a program code listing at the time of the monitoring.

The grants that were reviewed included Title I, ARRA-Title I, Title I SIA, Title IIA, Title IID, and IDEA from July 1, 2010 through the present. A sampling of purchase orders was taken from the entire population and later identified as to the grant that was charged.

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

GENERAL SCHOOL OVERVIEW OF USES OF TITLE I AND IDEA FUNDS

Title I Projects

The school is using its fiscal year 2011-2012 Title I, Part A funds to implement targeted assistance programs in the school. Primarily, the school provides tutoring services through in-class support, extensive professional development, software packages and a teacher coach.

IDEA Projects (Special Education)

IDEA funds are being used to fund a Learning Disabled Supervisor and a one-to-one paraprofessional, purchase instructional supplies to support academic program delivery, outsource child study services and purchase computers for use by students and related service providers.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The school does not have a distinguishable Title I targeted assistance program. The program is not distinct from basic skills, is serving only low-income students, has no criteria for services and is aimed at serving the entire school population and not just identified low-performing students.

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

Required Actions: The school must implement a Title I targeted assistance program for its low-performing students that meets the intent of the legislation and regulations. A description of the revised program, including entrance and exit criteria must be submitted to the NJDOE for review.

Finding 2: The school did not inform parents of its Title I program selection criteria, why the child met the selection criteria and the course of action that the school has determined to remediate the child. All of these elements must be included in the notification letter to parents about their child's participation in the Title I program.

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

Required Action: The school must include in its parent notification letter the multiple measures used to identify the students, as well as clearly defined exit criteria. The school must provide a copy of its revised parent notification letter to the NJDOE for review and documentation to show that it posted the required information on the school's parent web page.

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

Finding 3: The school did not provide evidence of convening the Title I annual meeting for parents to inform them of the school's participation in Title I and the Title I parent involvement requirements and rights.

Citation: NCLB §1118(c)(1) (2): *Parental Involvement (Policy Involvement)*.

Required Action: The school must submit the invitational letter/flyer, meeting notes, sign in sheets, and the agenda from the 2011-2012 meeting to the NJDOE for review.

Finding 4: The school did not develop a school-level Title I parental involvement policy in conjunction with parents.

Citation: NCLB §1118(b): *School Parental Involvement Policy*, United States Department of Education's Title I, Part A Parent Involvement Non-Regulatory Guidance (Item D-1).

Required Action: The school should provide technical assistance to its schools in the development of school-level parent involvement policies and ensure that its schools work with their stakeholder groups to develop a school-level parent involvement policy. Each school must distribute a newly-developed school parent involvement policy to parents of the Title I students and provide a copy to the NJDOE for review.

Finding 5: The school did not provide evidence of a mechanism used to distribute its written parental involvement policy.

Citation: NCLB §1118 (a)(2) and (b)(1): *Parental Involvement (Local Educational Agency Policy)*.

Required Action: The distribution date of the parent involvement policy must be consistent with the distribution date reflected in the 2011-2012 NCLB Consolidated Application on the Electronic Web Enabled Grant (EWEG) system. The school must submit documented evidence to the NJDOE as to how and when its written parental involvement policy was distributed. The policy must be posted on the school's parent web page.

Finding 6: The school did not provide evidence that it issued a Parents' Right-to-Know letter for the 2011-2012 school year.

Citation: 34 CFR §200.61 Parents' Right-to-Know, NCLB §1111(h)(6): *State Plans*.

Required Action: The school must issue its 2011-2012 Parents' Right-to-Know letter to include the options for teachers to meet the federal definition of a "highly qualified teacher" (bachelor's degree, valid state certification, demonstrated content). A second letter to parents of any child who is taught by a teacher who has not yet met the highly

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

qualified requirements must also be sent. The school must submit a copy of the revised letter to the NJDOE for review.

Finding 7: The letter to parents of eligible Supplemental Educational Services (SES) students does not meet the regulatory requirements because parents were not given adequate time to respond to the school. The federal SES non-regulatory guidance advises schools that parents should have a response window of at least two weeks. The school's letter is dated October 19, 2011 with a response due date of October 28, 2011. Additionally, the letter does not contain a comprehensive list of SES providers. The SES letter did not identify each approved SES provider servicing the school, the services, qualifications and evidence of effectiveness, or whether providers were able to serve students with disabilities. The school's web page does not display the required SES information. The school appears to have filled all its available funded tutoring slots for 2011-2012.

Citation: NCLB §1116(e): *Academic Assessment and Local Educational Agency and School Improvement (Supplemental Educational Services)*.

Required Action: The school must ensure that the SES notification letter will be revised to meet the statutory and regulatory requirements. The school must submit a copy of the revised letter to the NJDOE for review prior to distribution. In addition, the school's web page must be updated to include the required SES information including SES school data and available providers.

Finding 8: The School in Need of Improvement (SINI) Title I Unified Plan was not developed in consultation with any parent(s) on the School Improvement Committee. Documentation of School Improvement Committee meetings was limited and meeting dates did not match dates in Title I Unified Plan.

Citation: NCLB §1116(b)(3): *Academic Assessment and Local Educational Agency School Improvement (School Plan)*.

Required Action: The School Improvement Committee must include at least one parent. Documentation of school committee meetings must be maintained at the LEA and match the dates on the Unified Plan. The school must submit evidence of parent involvement in the plan that includes minutes, sign in sheets and notes.

Finding 9: The school's letter to parents of students for SINI does not meet the legislative guidelines.

Citation: NCLB §1116(b)(6): *Academic Assessment And Local Educational Agency And School Improvement*.

Required Action: The school must revise its parental notification letter to indicate how its SINI compares academically to other schools in the state. The school must date the letter, give the reasons why the school is in status, explain about school choice (even if

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

not available), distribute a copy of the letter to parents for 2011-2012 and submit a copy of the revised letter to the NJDOE for review.

Finding 10: The school has not developed a school-parent compact with parents of students who are participating in the Title I funded targeted assistance program or distributed it to the parents.

Citation: NCLB §1118(d): Parental Involvement (*Shared Responsibilities for High Student Academic Achievement*).

Required Action: The administration of the school must work with its stakeholder group to develop the Title I school-parent compact. The school must distribute the compact to parents of all students and submit a copy of the school-parent compact to the NJDOE for review.

Finding 11: The school did not have supporting documents to verify the activity of Title I, ARRA-Title I and IDEA funded staff, 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 school must verify the time and activity of staff charged to the grant. The school must submit a list of 2011-2012 Title I and IDEA funded staff, salaries, funding percentages and time sheets to date to the NJDOE for review (including administrative staffing).

Finding 12: The school used its Title I, Part A funds to pay for general supplies, toner cartridges, chairs, video projectors, Learning.com software, and a Black History Month celebration. All of these expenditures in a targeted assistance environment are unallowable. In addition, the school used its Title I funds for the salary of the mathematics coach. The mathematics coach services the entire building, therefore the school may only use its SINI PD funds (\$25,422) to support this position. The school must use state/local funds for the balance of the mathematics coach's salary.

Citation: OMB Circular A-87, Attachment B, Section 8(h): *Cost Principles for State, Local and Indian Tribal Governments*, NCLB §1120A(b): *Fiscal Requirements (Federal Funds to Supplement, Not Supplant, Non-Federal Funds)*.

Required Action: The school must reverse the charges for these unallowable activities and allocate state/local funds, rather than Title I funds, to support this expenditure. The school must submit a list of the expenses (purchase order, date, vendor and amount) that are being reversed for 2010-2011 and 2010-2011 for Title I, ARRA-Title I and Title I SIA and ARRA-Title I SIA to the NJDOE for review.

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

Finding 13: The school did not have a mechanism to track mandatory reserves such as SINI professional development and parental involvement in its accounting system to ensure accuracy of final 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 school must track its restricted reserves to ensure and verify spending of restricted amounts. The school must submit a list of account numbers being used for this purpose with a description of the accounts.

Title IIA

Finding 14: The school has not set up the 2011-2012 appropriations for the Title IIA grant in their accounting system as of October 26, 2011.

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 school must set up the appropriations in the general ledger and submit a printout showing the accounts are established to the NJDOE for review.

Finding 15: The school's human resources files were not organized in a fashion that made it readily available to check the highly qualified status of staff.

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 school must immediately update its human resource files to include copies of certifications and verification of teachers' highly qualified status.

Title IID

Finding 16: The school charged Seacliff Educational Solutions for Web Board Activities to the Title IID grant, but did not have the 25% professional development requirement of the grant.

Citation: NCLB Section 2414, *Local Applications*.

Required Action: The school must remove an amount equal to 25% of the grant (\$145) and carry it over into 2011-2012 as restricted for professional development.

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

Finding 17: The school charged \$1,139.40 for a purchase of desks in August 2010 to the Title IID grant for 2009-2010. This expenditure does not meet the intent of the program.

Citation: NCLB Section 2413(b)(6), *State Applications*.

Required Action: The school must remove the expense from the grant or reimburse the state for the unallowable expense.

IDEA (Special Education)

Finding 18: The school did not have an equipment inventory for items purchased with federal grants (IDEA and Title I).

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

Required Action: The school must have formal tracking of equipment purchased with federal grants. Although the state threshold for reporting equipment is \$2,000 in the EWEG system, the school may have its own lower threshold. The school must track any amount that is less expensive to track than it is to replace. All inventoried items should include tag number, cost, location, date of purchase and item description.

Finding 19: The school miscoded salary to the incorrect function and object code for instructional services versus support services (100 versus 200 function code).

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 school must improve internal controls and communication between the grant's office and the program office when developing a budget and the establishing accounts in the accounting system to ensure the proper description of activities for the grant.

Finding 20: The school's lack of internal controls for purchasing allowed a confirming order. The school issued a contract to the provider and after receiving an invoice issued a purchase order for the 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 and N.J.S.A 18A:8A(2)(v) *Public School Contracts Law*.

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

Required Action: The school must increase internal controls to ensure a system of checks and balances from the requesting of services, through contract issuance, purchase order and payment.

Finding 21: The school expended funds for non-allowable furniture and miscellaneous general supplies including HP computers, lady bug cameras, NJ Ask workbooks, and desks and chairs totaling \$33,950.

Citation: IDEA Regulation 34 CFR 300.202 and 301 (*Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities*).

Required Action: The school must reverse the charges to the grant and reallocate state and local funds for the costs attributed to general expenses.

Finding 22: The school did not implement each student's individualized education program (IEP) as written. Noncompliance was due to lack of implementation of school procedures.

Citation: *Implementation of IEPs* N.J.A.C. 6A:14-3.7(a)1-4 and 20 USC 1412(a)(5); 34 CFR §300.119.

Required Action: The school must ensure that each student determined eligible for special education and related services is receiving all programs and services identified in his or her IEP. In order to demonstrate correction of noncompliance, the school must revise school procedures for implementing the requirements in the citation listed above. The school must conduct training for child study team members and all related service providers regarding the procedures. In addition, the school must submit revised student and teacher schedules for students for whom noncompliance was identified to the NJDOE for review.

Finding 23: The school did not document all required considerations and statements in each IEP consistently for students eligible for special education and related services or speech-language services. Specifically, IEPs did not consistently include the present levels of academic and functional performance, measurable goals and objectives, student strengths, transition components and the provision of related services. For students receiving only speech-language services, IEPs did not include a discussion of extended school year. Noncompliance was due to lack of implementation of school procedures.

Citation: *IEP Components* 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 school must ensure that each IEP contains all required considerations and statements. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and speech-language specialists regarding the school's procedures. In addition, the school must conduct

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

annual review meetings and revise IEPs for the specific students whose IEPs were identified as noncompliant and the school must submit the revised IEPs, along with IEPs for three additional students whose annual review meetings were conducted subsequent to the last day of monitoring to the NJDOE for review. Names of the students whose IEPs were identified as noncompliant will be provided to the school by the special education monitor. The school is referred to the state IEP sample form at www.state.nj.us/education/specialed/forms for assistance with correction of noncompliance.

Finding 24: The IEPs of students removed from the general education setting for more than 20% of the school day did not consistently include individualized documentation of the discussion of placement in the least restrictive environment. Specifically, IEPs did not include the supplementary aids and services considered for placement in general education, 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 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. Noncompliance was due to lack of implementation of school procedures.

Citation: *Placement in the Least Restrictive Environment* N.J.A.C. 6A:14-4.2 (a)8(i),(ii) and (iii).

Required Action: The school must ensure that all students with IEPs are educated in the least restrictive environment and that the decision making process for placement is documented in the IEP for each student removed from general education for more than 20% of the school day. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members regarding the procedures for determining educational placements. In addition, the school must conduct annual review meetings and revise IEPs for the students whose IEPs were identified as noncompliant and must submit the revised IEPs and three additional IEPs for students removed from general education for more than 20% of the school day whose annual review meetings were conducted subsequent to the last day of monitoring to the NJDOE for review.

Finding 25: The school did not ensure that general education teacher(s) participated in IEP team meetings for students eligible for special education and related services. Additionally, the school did not document attempts to obtain parental participation when the parent failed to attend the eligibility and IEP meetings for students eligible for special education and related services and speech-language services. Noncompliance was due to lack of implementation of school procedures.

Citation: *Participants at IEP Meetings* 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 school must ensure that IEP meetings are conducted with all required participants and that documentation of the school's attempts to obtain parental participation when the parent does not attend the meeting are maintained in the student's

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

record. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and speech-language specialists regarding the school's procedures. In addition, the school must submit copies of three participant signature pages from three initial IEP or annual review meetings that were conducted subsequent to the last day of monitoring. If the parent did not attend, the school must submit documentation of attempts to obtain parental participation to the NJDOE for review.

Finding 26: The school did not consistently inform students, ages 14 and above, of IEP meetings where transition to adult life would be discussed, through the provision of written invitation to the meeting. Noncompliance was due to a lack of school procedures.

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 school must ensure that 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 school must develop procedures for implementing the requirements in the citation listed above and must conduct training for child study team members regarding the procedures. In addition, the school must submit copies of three invitations to IEP meetings addressed to students, ages 14 and above, for IEP meetings conducted subsequent to the last day of monitoring to the NJDOE for review.

Finding 27: The school did not conduct a meeting within 20 calendar days of receipt of a written request for evaluation for special education and related services, or for speech-language services, to determine if an evaluation was warranted. Additionally, when meetings did occur, all required participants did not attend. Noncompliance was due to lack of implementation of school procedures.

Citation: *Identification Meeting Participants* N.J.A.C. 6A:14-3.3(e).

Required Action: The school must ensure that a meeting is conducted within 20 calendar days of receipt of a written request for evaluation to determine if an evaluation is warranted. The meetings must include the required participants. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and speech-language specialists regarding the school's procedures. In addition, the school must submit signed participation pages from three identification meetings conducted subsequent to the last day of monitoring and copies of the dated initial request for evaluation for each of the three students to the NJDOE for review.

Finding 28: The school did not conduct multidisciplinary initial evaluations (minimum of two assessments by two team members) for students referred for speech-language services. Specifically, the school did not obtain a statement of the educational impact of the speech problem on the child's progress in the classroom from the general education teacher following

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

receipt of written parental consent to evaluate. Noncompliance was due to lack of implementation of school procedures.

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

Required Action: The school must ensure that a multidisciplinary evaluation is conducted for speech-language services by obtaining a statement of the educational impact of the speech problem on the student's progress in the classroom from the general education teacher. In order to demonstrate correction of noncompliance, the school must conduct training for speech-language specialists regarding the school's procedures. In addition, the school must submit for three students evaluated for eligibility for speech-language services, initial evaluation reports and the educational impact statement provided by the general education teacher completed subsequent to the last day of monitoring to the NJDOE for review.

Finding 29: The school did not conduct all required components of the functional assessment as part of initial evaluations for special education and related services and for students referred for students referred for speech-language services. Noncompliance was due to lack of implementation of school procedures.

Citation: *Initial Evaluation* 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 school must ensure that all components of the functional assessment are conducted as part of all initial evaluations. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and speech-language specialists regarding the school's procedures for initial evaluation. In addition, the school must submit the evaluation reports developed subsequent to the last day of monitoring for three students referred for special education and related services and one for a student referred for speech-language services to the NJDOE for review. The school is referred to the sample report form for speech-language evaluations at www.state.nj.us/education/speced/forms.

Finding 30: The school did not conduct reevaluations of students eligible for special education and related services within three years of the previous classification date consistently. Noncompliance was due to lack of implementation of school procedures.

Citation: *Reevaluation* N.J.A.C. 6A:14-3.8(a) and 20 U.S.C. §1414(a)(2)(B)(ii) and N.J.A.C. 6A:14-3.7(i); 20 U.S.C. §1414(d); and 34 CFR §300.324(b)1.

Required Action: The school must ensure that reevaluations are conducted within required timelines. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members regarding the procedures. The school must ensure implementation of procedures regarding the citation listed above. In addition, the school must submit for three students, the date of the prior determination of

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

eligibility and documentation of the current date of eligibility for special education and related services for reevaluations conducted subsequent to the last day of monitoring to the NJDOE for review.

Finding 31: The school did not consistently conduct reevaluation-eligibility/IEP team meetings with required participants for students eligible for special education and related services and eligible for speech-language services. The school did not document attempts to obtain parental participation when the parent failed to attend the meeting. Noncompliance was due to lack of implementation of school procedures.

Citation: *Reevaluation* N.J.A.C. 6A:14-2.3(k)2(i-x) and 7; 20 U.S.C. §1414(c)(1)(A)(i); and 34 CFR §300.305(a).

Required Action: The school must ensure that reevaluation meetings are conducted with required participants and that documentation of the school's attempts to obtain parental participation when the parent does not attend the meeting is maintained in the student's records. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and speech-language specialists regarding the procedures. In addition, the school must submit signed participation sheets from three reevaluation meetings conducted subsequent to the last day of monitoring to the NJDOE for review. If the parent did not attend the meeting, documentation of attempts to obtain parental participation must be included.

Finding 32: The school did not consistently inform parents regarding identification, eligibility reevaluation planning and IEP meetings through provision of written notice of a meeting. Additionally, notices of meetings did not include all required components consistently. Noncompliance was due to a lack of implementation of the school procedures.

Citation: *Provision and Content of Written Notice of a Meeting* 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 school must ensure that parents are provided notice of a meeting in writing, that contains all required components, early enough to ensure that the parent has an opportunity to attend. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and speech-language specialists regarding the procedures. In addition, the school must submit copies of notices of identification, evaluation and eligibility meetings (three for each type of meeting) for meetings that occurred subsequent to the last day of monitoring to the NJDOE for review.

Finding 33: The school did not consistently inform parents of proposed actions through provision of written notice, containing all required components, within 15 calendar days of the date of the following meetings: identification, initial eligibility/IEP, reevaluation and annual review. Noncompliance was due to lack of implementation of school procedures.

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

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

Required Action: The school must ensure that parents are provided written notice of proposed actions, which includes all required components, within required timelines. In order to demonstrate correction of noncompliance, the school must conduct training for child study team members and speech-language specialists regarding the school's procedures. In addition, the school must submit copies of written notice provided to parents following three of each of the meetings listed in the finding that occurred subsequent to the last day of monitoring to the NJDOE for review.

Administrative

Recommendation 1: The school's internal controls should be updated to include policies and procedures to prevent non-allowable costs from being charged to grants, prevent contracting with disbarred vendors and perform competitive contracting.

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

Recommended Action: The school should update internal control policies to prevent these errors from recurring.

Recommendation 2: The school does not have formal written policies for requesting reimbursement from the EWEG system; however, the school's practice for requesting reimbursement was verified through questions concerning the school'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.

Recommended Action: The school must have a formal board policy concerning the reimbursement of grant funds and should submit this to the NJDOE for review.

Recommendation 3: Under the New Jersey's Public School Contracts Law (PSCL), schools are not required to advertise for bids or competitively contract the provision of goods and services by vendors on the state contract list. In accordance with the 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, schools 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, it is our understanding these federal regulations require schools to competitively contract or bid all goods and services over 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.

**PLEASANTECH ACADEMY CHARTER SCHOOL
EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2011**

The NJDOE has requested clarification from the federal government regarding vendors on the state contract list and we are still waiting for a definitive response. It is the department's position and recommendation to the federal government that such contracts do not need any additional documentation beyond the statutory requirement under N.J.S.A. 18A:18A:10(c) that prior to placing orders, the board of education shall document with specificity that the goods and services selected best meet the requirements of the board of education. See Local Finance Notice 2010-3 issued January 15, 2010 for more information on competitive contracting for schools and professional development services.

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

Recommended Action: The school should review 34 CFR Part 80.36 and use open and competitive procedures where at all possible. The school should also analyze and include documentation in its files that demonstrates the school 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.