



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

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Governor

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Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

June 1, 2012

Dr. Michael Kuchar, Superintendent
Bergenfield Public Schools
100 South Prospect Avenue
Bergenfield, NJ 07621

Dear Dr. Kuchar:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Bergenfield Board of Education**. 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 November 30, 2011. The resulting report is enclosed. Please provide a copy of the report to each board member. All issued Ed Jobs monitoring reports will be posted on the department's website at <http://www.state.nj.us/education/finance/jobs/monitor/>.

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," the Bergenfield 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:Bergenfield BOE Cover Letter/ Ed Jobs
Enclosures

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Education Jobs Fund Program
New Jersey K-12 Education

EDUCATION JOBS CONSOLIDATED MONITORING REPORT
JUNE 2012

District: Bergenfield Public Schools
County: Bergen
Dates On-Site: January 9, 10 and 11, 2012
Case #: Ed Jobs-006-11

FUNDING SOURCES

<u>Program</u>	2011-2012 <u>Funding Award</u>
Ed Jobs	\$ 377,783
Title I	400,897
IDEA Basic	850,162
IDEA Preschool	34,272
Carl D. Perkins	15,525
Title II A	91,018
Title III	47,972
Title III Immigrant	55,266
Total Funds	<u><u>\$1,872,895</u></u>

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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 districts 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 district for their intended purpose and achieving the overall objectives of the funding initiatives.

INTRODUCTION

The NJDOE visited the Bergenfield Public Schools to monitor the district's use of *Ed Jobs* 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: Ed Jobs, Title I; Title IIA; Title IID; Title III; Title III Immigrant; IDEA Basic and Preschool; and the Carl D. Perkins Grant for the period July 1, 2010 through November 30, 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, student record review, classroom visitations and interviews with instructional staff to verify implementation of IEPs. The visit also included a review of student class and related service schedules, interviews of the child study team members and speech-language specialist, and an interview of the program administrator regarding the IDEA grant and 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 Ed Jobs, Title I, Title IIA, Title IID, Title III, Title III Immigrant, IDEA Basic and Preschool and the Carl D. Perkins Grant from July 1, 2010 through November 30, 2011. A sampling of purchase orders and/or salaries was taken from each program reviewed.

GENERAL DISTRICT OVERVIEW OF USES OF TITLE I AND IDEA FUNDS

Title I Projects

Title I funds are being spent to support extended day programs in both Language Arts Literacy and mathematics.

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IDEA Projects (Special Education)

IDEA funds will be expended for special education classroom supplies and technology. Funds will also be used for professional services and behavioral consultation for special education students, as well as special education staff salaries.

DETAILED FINDINGS AND RECOMMENDATIONS

Ed Jobs Act

Finding 1:

Condition: As of the date of the monitoring the district had not appropriated funds for the Ed Jobs grant award.

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 should immediately appropriate the Ed Jobs Act funds. All funds should be expended by September 30, 2012.

Title I

Finding 2:

Condition: The district's parent involvement policy has not been updated and adopted by the district board of education annually, as required.

Citation: ESEA §1118(a)(2): *Parental Involvement (Local Educational Agency Policy)*.

Required Action: The district's parent involvement policy was adopted in 2007. The district must have a written parent involvement policy, developed in collaboration with parents of Title I students and evaluated annually. The policy must be distributed to parents of Title I students in an understandable and uniform format, and to the extent practicable, in a language the parent understands. A copy of the board adopted parent involvement policy must be submitted to the NJDOE for review.

Finding 3:

Condition: The district's school-level Title I parent involvement policies did not meet the legislative requirements. The policy did not specify how the district would implement the requirements of the parent involvement policy (ESEA §1118(c) through (f)).

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Citation: ESEA §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 district should provide technical assistance to its schools in the development of school-level parent involvement policies and ensure that its schools work jointly with parents of children participating in Title I, Part A services to develop the policies. The Title I school-level parent involvement policies for each of the Title I schools must be revised and submitted to the NJDOE for review. (Appendix D of Parental Involvement: Title I, Part A Non-Regulatory Guidance. www.ed.gov/programs/titleiparta/parentinguid.doc for templates).

Finding 4:

Condition: The district provided Title I school-parent-student compacts for all of the Title I schools, but the school-parent-student compacts provided lacked the required elements of delineating the roles and responsibilities of school staff, parents, and students for improved student academic achievement.

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

Required Action: The district must provide technical assistance to their Title I schools and their associated stakeholder groups in the development of the school-parent-student compact. The school-parent-student compact must outline parents, staff, and students responsibilities for building and developing partnerships for the goal of improved student achievement (Appendix E of Parental Involvement: Title I, Part A *Non-Regulatory Guidance* for templates www.ed.gov/programs/titleiparta/parentinguid.doc). The district must send a copy of the school-parent-student compacts to the NJDOE for review. In addition, the district must ensure that each school attendance area redistributes the school-parent-student compacts to the parents of the Title I students for the 2012-2013 school year.

Finding 5:

Condition: The district did not include all of the required elements on the Title I parent notification letters, such as Title I program selection criteria, why the child met the selection criteria and the course of action that the district has determined to remediate the child and the defined exit criteria. All of these elements must be included in the notification letters to parents about their child's participation in the Title I programs.

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

Required Action: The district must include in its parent notification letter the multiple measures used to identify the students, as well as clearly defined exit criteria. The district

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must revise the Title I parent notification letters for the 2012-2013 school year and provide copies of the letters to the NJDOE for review.

Finding 6:

Condition: In the Roy Brown Middle School Unified Plan, there is no evidence of parent or community stakeholder involvement during planning and implementation phases.

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

Required Action: The School Improvement Committee must include at least one parent and community stakeholder member. For the FY 2012-2013 NCLB Consolidated Application, the district must submit evidence of parent and community stakeholder member involvement that includes minutes, sign in sheets and notes to the NJDOE for review.

Finding 7:

Condition: The district did not provide evidence that contracts with SES providers are at the state-approved rates. In FY 2011-2012, SES contracts were signed by the board, but not signed or dated by SES providers.

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

Required Action: The district must send the NJDOE copies of signed SES contracts with the district and different SES providers. The sample must include at least one signed contract with each SES provider. The district must continue to offer SES in the 2012-2013 school year.

Finding 8:

Condition: The district could not provide a list of SES eligible students receiving services scheduled at different delivery locations (attendance records) plus a sample of Individual Student Learning Plans (ISLPs).

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

Required Action: The district must maintain, and send to the NJDOE, a list of eligible SES students that receive SES services by delivery location for students attending Roy

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Brown Middle School. A sample of the ISLPs for each provider must also accompany the list of students receiving SES services.

Finding 9:

Condition: The SES parent selection form provided by the district allowed for one parent choice instead of the required first, second and third choices.

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

Required Action: If the district continues to implement SES programs, the district must use the state approved provider selection form allowing parents to make three selections. In addition, parents must be provided a complete list of all state approved SES providers approved to service this district. The district must send to the NJDOE the revised parent letter form for review prior to the letter being distributed to the parents of eligible SES students.

Finding 10:

Condition: In the process to identify nonpublic students for equitable services, the district did not reach out to nonpublic schools beyond the district's boundaries. The district provided services only to nonpublic schools within the district's boundaries.

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

Required Action: The district must develop a corrective action plan that outlines how it will identify its resident students that attend nonpublic schools beyond the district's boundaries.

Finding 11:

Condition: The district could not provide documented evidence of the criteria used to select/identify students to receive Title I services in nonpublic schools.

Citation: ESEA §1120: *Participation of Children Enrolled in Private Schools*.

Required Action: The district must provide a list of the multiple educationally related criteria it utilized to identify its nonpublic school students who were eligible for Title I services. The district must submit the required selection criteria to the NJDOE for review.

Title IIA and Title IID

There were no findings related to Title IIA or Title IID.

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Title III

Finding 12:

Condition: The district is charging Title III expenditures to the incorrect program code (451) in their general ledger.

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

Required Action: The district must establish accounts using the appropriate program codes in the general ledger and transfer the balances from the incorrect accounts. Title III transactions should be charged to program codes in the 250 to 259 series.

IDEA

Finding 13:

Condition: The district was not in compliance with services to nonpublic schools with regard to their contract with an outside provider.

Citation: IDEA Regulation 34 CFR 300 and 301 (*Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities*).

Required Action: The district must revise contracts with its nonpublic provider that provide for payments based on specific services provided. The district must submit its updated contract(s) and control procedures to the NJDOE for review.

Special Education Programs

Finding 14:

Condition: The district did not consistently document all required considerations and statements in each Individualized Education Program (IEP) for students eligible for speech and language services. Specifically, IEPs did not consistently include:

- students' strengths;
- academic, developmental, and functional needs of the student; and
- results of most recent evaluations.

Noncompliance was due to a lack of implementation of district procedures.

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

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Required Action: The district must ensure that each IEP contains all required components. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists regarding district procedures. To demonstrate that the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise IEPs for specific students whose IEPs were identified as noncompliant. The district must submit the revised IEPs, along with the IEPs of students whose annual review meetings were conducted between March 2012 and May 2012 to the NJDOE for review. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the special education monitor.

Finding 15:

Condition: The district did not consistently ensure that the required participants were in attendance at the reevaluation meetings for students eligible for special education and related services and eligible for speech and language services. Noncompliance was due to a lack of implementation of district procedures.

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 that reevaluation meetings are conducted with required participants and that documentation of attendance is maintained in students' files. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists and child study team members regarding district procedures. To demonstrate implementation of the procedures, the district must submit the IEP participant signature page from reevaluation meetings for students eligible for speech and language services and students eligible for special education and related services whose reevaluation planning meetings were conducted between March 2012 and May 2012 to the NJDOE for review.

Finding 16:

Condition: The district did not maintain written certification for each child study team evaluator as to whether his/her report reflects his/her conclusion of eligibility of the student for special education and related services. Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-3.4(h)5.

Required Action: The district must ensure that each child study team evaluator certifies in writing whether his/her report reflects his/her conclusion of eligibility. The district must conduct training for child study team members regarding the district's procedures. To demonstrate implementation of the procedures, the district must submit a copy of the documentation for each child determined eligible between March 2012 and May 2012.

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Finding 17:

Condition: The district did not provide written notice of graduation containing required components for students graduating in the current school year. Noncompliance was due to a lack of implementation of district procedures.

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), 2.3(g)1-7, and 4.11(b) 1-3.

Required Action: The district must ensure the provision of written notice of graduation contains the required components. To demonstrate implementation of the district's procedures, the district must submit copies of written notice of graduation for three students eligible for special education and related services to the NJDOE for review.

Finding 18:

Condition: The district did not 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). Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-3.3(c).

Required Action: The district must ensure that I&RS documentation includes the description, frequency, duration and effectiveness of the interventions provided in the general education setting. In order to demonstrate correction of noncompliance, the district must conduct training to appropriate staff regarding the district's procedures. Additionally, the district must submit documentation for three students who were provided interventions in general education between March 2012 and May 2012 to the NJDOE for review.

Carl D. Perkins

There were no findings related to the Carl D. Perkins Grant.

Administrative

Finding 19:

Condition: On numerous 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 20:

Condition: 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 21:

Condition: The district charged several expenditures to the incorrect general ledger accounts.

Citation: *Uniform Minimum Chart of Accounts (Handbook 2R2)*. 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 should ensure that expenditures are charged to the appropriate general ledger account in accordance with the Uniform Minimum Chart of Accounts.

Finding 22:

Condition: The district charged equipment purchases to incorrect general ledger accounts. Equipment purchases with a total unit cost in excess of \$2,000 were improperly charged to supplies. New Jersey regulations and district policy require that equipment with a unit cost greater than \$2,000 be charged as equipment.

Citation: *Uniform Minimum Chart of Accounts for New Jersey Public Schools*, EDGAR, PART 80—*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 32, Equipment.

Required Action: The district should comply with existing regulations and district policy and charge all equipment purchases of \$2,000 or greater to an equipment account. Those expenditures charged to the wrong account should be reclassified.

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Recommendation 1: The district does not have a purchasing manual that details procedures for the procurement of goods and 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.A.C. 6A:23A-6.6 Standard operating procedures for business functions.

Recommended Action: The district should prepare and adopt a detailed purchasing manual to ensure compliance with current state and federal procurement regulations.

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.