



State of New Jersey

DEPARTMENT OF EDUCATION

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*Acting Commissioner*

July 10, 2012

Mrs. Marilyn Martinez, Superintendent  
Pennsauken Township Board of Education  
1695 Hylton Road  
Pennsauken, NJ 08110

Dear Mrs. Martinez:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Pennsauken Township 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 February 13, 2012. 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 Pennsauken Township 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:Pennsauken Twp. BOE Cover Letter/ Ed Jobs  
Enclosures

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**PENNSAUKEN TOWNSHIP SCHOOL DISTRICT**  
1695 HYLTON ROAD  
PENNSAUKEN, NJ 08110  
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**Education Jobs Fund Program**  
*New Jersey K-12 Education*

**EDUCATION JOBS CONSOLIDATED MONITORING REPORT  
JULY 2012**

**District:** Pennsauken Township School District  
**County:** Camden  
**Dates On-Site:** February 13, 14 and 15, 2012  
**Case #:** Ed Jobs-018-11

**FUNDING SOURCES**

Program	Funding Award
Ed Jobs	\$ 1,650,296
Title I	1,598,707
IDEA Basic	1,774,364
IDEA Preschool	49,144
Title IIA	225,414
Title III	53,526
Total Funds	<u>\$ 5,351,451</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 Pennsauken Township School District 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 III; and IDEA for the period July 1, 2010 through February 13, 2012.

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 Educational Jobs Act, Title I, Title IIA, Title III, and IDEA from July 1, 2010 through February 13, 2012. A sampling of purchase orders was taken from the entire population and later identified as to the grant that was charged.

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**GENERAL DISTRICT OVERVIEW OF USES OF TITLE I AND IDEA FUNDS**

**Title I Projects**

The district is using its FY 2011-2012 Title I, Part A funds to implement targeted assistance programs in the district. Primarily, the district provides tutoring services through in class support and Response to Intervention.

**IDEA Projects (Special Education)**

The majority of the FY 2012 IDEA Basic funds are being used to reduce district tuition expenditures for students receiving special educational services in other public school districts and approved private schools for students with disabilities. IDEA Basic funds are also used for professional development, the purchase of reference books for special education teachers and trade books for the reading workshop program. Funds will also be used for the contract with Contour Data to manage development of IEPs and related documents for students eligible for special education and related services. Salaries for a child study team administrative assistant, education assistants and supplemental instructors are funded through the IDEA Basic grant. Preschool funding will be used to purchase reference books for preschool special education teachers.

Nonpublic funds will be used to pay for a personal care assistant, counseling and consultant services for students attending nonpublic schools.

**DETAILED FINDINGS AND RECOMMENDATIONS**

**Ed Jobs Act**

**Finding 1:** The district did not keep copies of 1512 Reports that were filed.

**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 be sure to keep copies of all reports filed with the NJDOE.

**Title I**

**Finding 2:** The district 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 district 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:** ESEA §1118(c): *Parental Involvement (Policy Involvement)*.

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**Required Action:** The district must include in its parent notification letters the multiple measures used to identify the students and the reason for identification, as well as clearly defined exit criteria. The district notification letters must be updated for the 2012-2013 school year to include more specificity regarding entrance and exit criteria. The letter must first be submitted to the NJDOE for review.

**Finding 3:** For the 2011-2012 school year, there is no evidence that an annual meeting was held for parents of participating children at the middle or high school levels to inform them of the Title I program. (It is noted that a letter regarding an annual meeting was distributed to parents of Title I students at the elementary level.)

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

**Required Action:** The district must hold an annual meeting for parents of Title I children at all grade levels to inform them of the Title I program. Correspondence inviting parents to attend the annual meeting and documentation of the annual meeting (minutes and sign in sheets) must be submitted to the NJDOE and retained at the district.

**Finding 4:** For the 2011-2012 school year, there is no evidence the district's written parent involvement policy was distributed or board adopted. The board adoption date was not accurately reflected in the FY 2011-2012 NCLB Consolidated Application on Electronic Web Enabled Grant (EWEG).

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

**Required Action:** The district must finalize the "draft" district written parental involvement policy developed in conjunction with parents, obtain board approval for the policy and distribute it to parents of Title I students. The board adoption date of the parental involvement policy must be consistent with the date reflected in the NCLB Application on the EWEG system. The district parental involvement policy must be posted to the district's website.

**Finding 5:** The district 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 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 a school-level parent involvement policy. The school must distribute a newly-developed school parental involvement policy to parents of the Title I students and send a copy to the NJDOE for review. The distribution

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date must be consistent with the dates reflected in the NCLB Consolidated Application on the EWEG system. The school-level parental involvement policies must be posted to the district's website.

**Finding 6:** The district did not complete the requirements of the Parents' Right-to-Know provision as letters were not sent to all parents at the beginning of each school year informing them of their right to inquire about the qualifications of their child's teachers. Follow-up Parents Right-to-Know letters for staff that are not highly qualified and being used to replace staff during extended periods of absences were also not distributed to parents.

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

**Required Action:** The district must develop the Parents Right-to-Know letters. The initial letter must be distributed to all parents. The follow-up Parents Right-to-Know letter must be distributed to the parents of the impacted students. The district must send a copy of the pro forma letters to the NJDOE for review and the initial letter must be posted to the district's website.

**Finding 7:** Some teachers in the district did not meet the Highly-Qualified Teacher requirements as teacher certifications are not all appropriate for the areas/subjects they are teaching. Also, teachers in the Intermediate School are not subject specific as required. The district officials were unaware they were not compliant with having 100% of classes taught by highly qualified teachers.

**Citation:** NCLB §1119. *Qualifications for Teachers and Paraprofessionals*.

**Required Action:** The district must to submit an explanation of how these teachers will meet the requirements. Since Pennsauken Intermediate School is departmentalized, teachers must be highly-qualified in the content area they are teaching.

**Finding 8:** The 2011-2012 school year Supplemental Educational Services (SES) documents including the notification letter to parents regarding the availability of SES services, SES provider information, SES enrollment forms and historical data for SES was not updated on the district website. The letter to parents of eligible SES students did not include a web link to the state's approved provider list.

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

**Required Action:** If SES funds remain, the district must ensure that the next SES notification letter will be revised to meet the statutory and regulatory requirements by including a link to the approved SES providers or a list of approved providers servicing the district for the 2011-2012 school year. The district's web page must be updated to include the required SES information as noted above, including the link to the 2011-2012 SES available providers.

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**Finding 9:** The district did not send letters to parents of students in schools in need of improvement (SINI).

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

**Required Action:** Each school in need of improvement must notify parents of the status of the school and include the following elements: comparison of school to others in the district and state; reasons why the school is in status; the school's actions to address the problems; district's and state's actions to address the problems; parent's actions to help address the problems; and parental options -- choice and/or SES. A sample SINI letter can be found at this NJDOE website: <http://www.state.nj.us/education/title1/accountability/ayp/sample/>. A copy of these letters must be submitted to the NJDOE for review. The date of distribution must be consistent with the dates reflected in the FY 2011-2012 NCLB Consolidated Application on the EWEG system and a copy of the letters must be posted to the district's website.

**Finding 10:** For the 2011-2012 school year, there is no evidence that the district distributed the "opt-out" form to parents and adult students regarding Title IX: Access to High School Students and Information on Students by Military Recruiters. There is no evidence the district maintains a record of parents and students that requested to "opt-out" of complying with requests from military recruiters, college recruiters and employers, or that the district provided students' names, addresses, and telephone listings to military recruiters, college recruiters and employers if requested.

**Citation:** NCLB §9528: *Access to High School Students and Information on Students by Military Recruiters.*

**Required Action:** The district must distribute an "opt-out" letter and form to parents of high school students, as well as adult students, at the beginning of the school year. The district must submit a copy of the revised letter to the NJDOE for review. (A sample "opt-out" letter and guidance regarding Access to High School Students and Information on Students by Military Recruiters can be found at: <http://www.state.nj.us/education/grants/nclb/guidance/info/>).

**Finding 11:** Title I Unified Plans for the SINI were incomplete and don't include evidence of parental representation on the school improvement committee. No documentation of school improvement committee meetings was evident nor were signature pages available.

**Citation:** NCLB §1116 Academic Assessment and Local Educational Agency and School Improvement.

**Required Action:** As a result of the recent federal waiver received by the State of New Jersey and the changes that will be implemented as part of the 2012-2013 school year accountability, the district should begin planning for the 2012-2013 school year. As



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noted in the monitoring visit and in anticipation of the district's desire to apply for Schoolwide status for their Title I schools, the district will put in place a School Improvement Committee with parents and community representatives to begin the needs assessment and planning for Schoolwide plans. Documentation of planning and implementation (signature pages, meeting schedules, agendas, meeting notes, peer review, etc.) must concur with information presented in the needs assessment/plan and submitted to the NJDOE for review.

**Finding 12:** The district is not tracking expenditures by attendance areas to ensure that the expenses for Title I schools are consistent with each attendance area's allocation on Eligibility Page, Step 4 of the FY 2011-2012 NCLB Consolidated Application.

**Citation:** EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems; NCLB §9306(a)(5): *Other General Assurances (Assurances)*.

**Required Action:** The district must track Title I school-level allocations reflected in the FY 2011-2012 NCLB Consolidated Application for Title I funds (Eligibility Page, Step 4). The tracking for FY 2011-2012 must be submitted to the NJDOE for review.

**Finding 13:** The district does not have a comprehensive equipment inventory for items purchased with Title I funds.

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

**Required Action:** The district must develop a system to track equipment purchased with federal grants. Although the state threshold for reporting equipment is \$2,000 in the EWEG system, the district may have its own lower threshold. The school must track any amount that is less expensive to track than it is to replace. All items on the inventory list must include the tag number, cost, location, date of purchase, name of grant that funded the purchase and item description. The school must submit a comprehensive inventory of all equipment purchased to the NJDOE for review.

**Finding 14:** The district's use of Title I, Part A funds to purchase computers, lesson planning software, textbooks and chairs, supplants state and local funds since these purchases will benefit students and parents beyond those in the Title I program.

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

**Required Action:** The district must reverse the charges for these unallowable activities and allocate state/local funds, rather than Title I funds, to support these expenditures.

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The district must provide a list of items that it has identified as supplanting to the NJDOE for review.

**Title IIA**

There were no findings in Title IIA.

**Title III and Title III Immigrant**

**Finding 15:** The district had a parental notification letter, but the letter did not outline all of the Title III parental notification requirements. Although the district has a parent notification letter for students identified for English as a Second Language, there is no letter for parents that specifically outline the requirements for Title III.

**Citation:** NCLB 3302, *Parental Notification*.

**Required Action:** The district's Title III parental notification letter needs to outline the specific requirements for Title III. A copy of this information can be found at: <http://www.state.nj.us/education/bilingual/title3/accountability/notification/title3par.htm>

**Finding 16:** Salaries funded through Title III and Title III Immigrant funds were not for supplemental purposes. The ESL teacher at the Carson School is providing core services required by state law. The district is required under state requirements to provide these ESL services. The translation of the Alternative High School Assessment is not an allowable cost. NCLB 3115(g) states "Title III funds may not be used by SEAs or LEAs to pay for translation on state achievement assessments, such as the provision of linguistic accommodations."

**Citation:** NCLB 3115(g) *Supplement, Not Supplant*.

**Required Action:** The district must use state/local funds for the salaries of ESL teachers and translation of state assessments and remove these charges from the grant.

**IDEA (Special Education)**

**Finding 17:** The district did not consistently ensure that IEPs developed for students eligible for special education and related services accurately identified the type of special education program the student is receiving. Noncompliance was due to a lack of consistent implementation of district procedures in the oversight of development and implementation of IEPs.

**Citation:** *Implementation and accessibility 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 district must ensure that IEPs developed for each student determined eligible for special education and related services accurately identifies the type of program the student is receiving. In order to demonstrate correction of

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noncompliance, the district must provide training for child study team members regarding the procedures for implementing the requirements in the citation listed above. The district must revise IEPs for the specific students whose IEPs were identified as noncompliant and submit revised pages of the IEP documenting the Statement of Special Education and Related Services, and student and teacher schedules for students for whom noncompliance was identified during monitoring. In addition, the district must submit IEPs of student eligible for special education and related services whose IEP meetings were conducted between May 2012 and October 2012 to the NJDOE for review. Names of the students whose IEPs were identified as noncompliant will be provided to the school by the monitor.

**Finding 18:** The district did not implement each student's IEP as written. Specifically, the district did not provide:

- counseling services as required in the IEPs of students attending Booker T. Washington School; and
- substitutes for special education teachers and instructional assistants are not consistently obtained when there are staff absences at the Booker T. Washington School.

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

**Citation:** *Implementation and accessibility 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 district must ensure that counseling services are provided as required by the IEPs. At the next IEP meeting for students whose IEPs were determined noncompliant, the district must determine whether compensatory counseling services are needed and document those decisions in the IEP. The district must submit copies of IEPs for those individual students, as well as copies of IEPs of students placed at the Booker T. Washington School whose IEP meeting occurred between May 2012 and October 2012 to the NJDOE for review. In addition, the district must submit copies of counseling logs demonstrating provision of counseling services, for students at Booker T. Washington School, between September 2012 and January 2013, as required by the IEPs.

The district must ensure that substitutes are obtained when teachers responsible for implementing the IEP are absent. In order to demonstrate correction of noncompliance, the district must provide training for district/building administrators regarding the procedures for implementing the requirements in the citation listed above. The district must also document staff absences and use of substitutes. The district must submit documentation demonstrating substitute teachers and instructional assistants were obtained each time a staff absence occurred between May 2012 and June 2012. Documentation of corrective action must be submitted to the NJDOE for review.

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**Finding 19:** The district did not consistently document in the IEPs of students removed from the general education setting for more than 20% of the school day (including students placed in separate settings), consideration of placement in the Least Restrictive Environment (LRE). Specifically, IEPs did not consistently include:

- the supplementary aids and services considered;
- an explanation of why the supplementary aids and services were rejected;
- the potentially beneficial or harmful effects which a placement in general education 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 LRE.

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

**Citation:** *Least Restrictive Environment* N.J.A.C. 6A:14-4.2 (a)8(i),(ii) and (iii), N.J.A.C. 6A:14-4.2 (a)4.

**Required Action:** The district must ensure that when determining the educational placement of a child with a disability, the IEP team considers the general education class first and that all required decisions regarding the placement are documented in the IEP for each student removed from general education for more than 20% of the school day. The district must also ensure that for students placed in separate settings, the IEP team identifies activities to transition the student to a LRE and document them in each IEP. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding the district's procedures. To demonstrate that the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise the IEPs for specific students whose IEPs were identified as noncompliant. The district must submit the revised IEPs, along with the IEPs for students whose annual review meetings were conducted between May 2012 and October 2012 to the NJDOE for review. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

**Finding 20:** The district did not provide, to the maximum extent appropriate, opportunities for students with disabilities to be educated with children who are not disabled. The Booker T. Washington School consists of three self-contained classrooms for high school students with behavioral concerns. Students placed at the Booker T. Washington School do not have access to general education classes or the opportunity to interact with their non-disabled peers. Art, computers and physical education are the only electives offered to students at the school. Students do not have the opportunity to select electives offered at the high school. Additionally students attending the Booker T. Washington School do not attend extracurricular and non-academic activities such as assemblies and pep rallies offered during the school day.

**Citation:** *Least Restrictive Environment* 20 USC 1412(a)(5)(A); 34 CFR §300.114(a). N.J.A.C. 6A:4.2(a-b).

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**Required Action:** The district must ensure that students attending the Booker T. Washington School have the opportunity to participate in programs and services based on their individual abilities and needs. Decisions should be made on an individual basis. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and district administrators regarding the procedures for implementing the requirements in the citation listed above. The district must develop a procedure to ensure that all students attending the Booker T Washington School have access to electives, extra-curricular and nonacademic activities and programs and services based on their individual needs and abilities. The district must submit documentation of the procedure and training activities to the NJDOE within the required timelines.

**Finding 21:** The district did not consistently provide the parents with notice of a meeting containing the required components in notice of eligibility, reevaluation and IEP meetings conducted for students eligible for special education and related services and students eligible for speech-language services. The notice of meetings did not inform the parents of all intended purposes of the meeting, including transition planning for students age 14 and older. Noncompliance was due to a lack of consistent implementation of district procedures.

**Citation:** *Provision and Content of 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 district must ensure that parents are provided notice of a meeting in writing that contains all required components. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists regarding the procedures for implementing the requirements in the citation listed above. Additionally, the district must submit copies of notices of eligibility, reevaluation planning and IEP meetings for students eligible for special education and related services and speech-language services whose meetings were held between May 2012 and October 2012 to the NJDOE for review.

**Finding 22:** The district did not consistently provide parents written notice containing the required components within 15 days following identification meetings and reevaluation planning meetings conducted for students eligible for special education and related services. Written notice containing the required components was not provided following identification meetings conducted for students referred for speech-language services. Noncompliance was due to a lack of consistent implementation of district procedures.

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

**Required Action:** The district must ensure that parents are provided written notice of a meeting that contains all required components within 15 calendar days of identification and reevaluation planning meetings conducted for students eligible for special education and related services. The district must ensure that written notice containing the required

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components is provided to parents following identification meetings conducted for students referred for speech-language services. In order to demonstrate correction of noncompliance, the district must provide training for child study team members and speech-language specialists regarding the procedures for implementing the requirements in the citation listed above. In addition, the district must submit to the NJDOE for review copies of written notice provided to parents for identification and reevaluation planning meetings for students eligible for special education and related services and for identification meetings held for students referred for speech-language services conducted between April 2012 and September 2012.

**Finding 23:** The district did not consistently provide copies of evaluation report(s) to parents at least 10 days prior to the determination of eligibility for students eligible for special education and related services. Noncompliance was due to a lack of consistent implementation of district procedures.

**Citation:** *Provision of Evaluation Reports to Parents* N.J.A.C. 6A:14-3.5(a); 20 U.S.C. §1414(b)(4); and 34 CFR §300.306(a).

**Required Action:** The district must ensure that parents are provided copies of evaluation report(s) not less than 10 days prior to the determination of eligibility. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding procedures for implementing the requirements in the citation listed above. Additionally, the district must submit documentation demonstrating the provision of reports to parents at least 10 days prior to eligibility meetings held between May 2012 and October 2012 to the NJDOE for review.

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

- documentation of students' strength in the Present Level of Functional Performance Statement in IEPs of students eligible for speech and language services;
- documentation of consideration of special factors in the Present Level of Functional Performance Statement in IEPs of students eligible for special education and related services;
- documentation of consideration of post-school transition components;
- goals and objectives for students eligible for special education and related services; and
- documentation of the criteria used to measure the student achievement.

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

**Citation:** N.J.A.C. 6A:14-3.7(c)1-11, (e) 1-17, and (f) N.J.A.C. 6A:14-4.10(a); 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 child study team members and speech-language specialists regarding district procedures. The district must revise IEPs for the specific students whose IEPs were identified as noncompliant and submit revised pages of the IEPs, along with the IEPs of students whose annual review meetings were conducted between May 2012 and October 2012 to NJDOE for review. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

**Finding 25:** The district did not consistently provide to students beginning at age 14, written invitations to meetings where post-school transition was being discussed. Noncompliance was due to a lack of consistent implementation of district procedures.

**Citation:** *Post-school Transition* 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 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. Additionally, the district must submit copies of invitations addressed to students age 14 and above for IEP meetings conducted between May 2012 and September 2012 to the NJDOE for review.

**Finding 26:** The district did not consistently convene an identification meeting 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. Additionally, when meetings did occur, all required participants, specifically child study team members, did not attend. Noncompliance was due to a lack of consistent implementation district procedures.

**Citation:** *Initial Evaluation Meeting Timelines and Participants* N.J.A.C. 6A:14-2.5(b)6; 3.3(e) and 3.6(b).

**Required Action:** The district must ensure that a meeting with all required participants is conducted within 20 calendar days of receipt of a written request for evaluation to determine if an evaluation is warranted. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding the procedures for implementing the requirements in the citation listed above. In addition, the district must submit the dated referral request and the signed participation pages from identification meetings conducted between May 2012 and October 2012 to the NJDOE for review.

**Finding 27:** The district did not consistently conduct vision/hearing screenings and health/medical summaries for each student referred to the child study team for evaluation. Noncompliance was due to inconsistent implementation of district procedures.

**Citation:** *Vision and Hearing Screenings and Health Summaries* N.J.A.C. 6A:14-3.4(j).

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**Required Action:** The district must ensure that a vision and audiometric screening is conducted for each student referred to the child study team with a copy of the results maintained in students' files, along with available health/medical summaries. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and school nurses regarding the procedures for implementing the requirements in the citation listed above. Additionally, the district must submit documentation of the identification meeting and dated copies of vision and audiometric screenings and health/medical summaries provided to case managers for three students referred to the child study team between May 2012 and October 2012 to the NJDOE for review.

**Finding 28:** 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. Noncompliance was due to a lack of consistent implementation of district procedures.

**Citation:** *Multidisciplinary Initial Evaluations* 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 an educational impact 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 regarding the procedures for implementing the requirements in the citation listed above. Additionally, the district must submit initial evaluation reports for students referred for speech-language services whose eligibility meetings were held between May 2012 and October 2012 to the NJDOE for review.

**Finding 29:** 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 written certification of each child study team evaluator as to whether his/her report reflects his/her conclusion of eligibility of the student is maintained in students' files. 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 the written certification of each child study team evaluator as to whether his/her report reflects his/her conclusion of eligibility following a meeting conducted subsequent to the last day of monitoring, for students determined eligible for special education and related services between May 2012 and October 2012 to the NJDOE for review.



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**Administrative**

**Recommendation 1:** The district's CAFR shows a "Due to Grantor" for Title IIA funds from FY 2008-2009 that appears to be incorrect.

**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 district must perform an internal review of the grant and submit the final outcome and supporting documentation to the NJDOE for review.

**Recommendation 2:** The district does not have internal control policies and procedures to prevent contracting with disbarred vendors.

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

**Recommended Action:** The district should update internal control policies to prevent errors from potentially occurring.

**Recommendation 3:** The district does not have formal written policies for requesting reimbursement from the EWEG system; however, the district's practice for requesting reimbursement was verified through questions concerning 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.

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

**Recommendation 4:** Under the New Jersey's Public School Contracts Law (PSCL), districts 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, 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, it is our understanding these federal regulations require districts 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.

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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 LFN 2010-3 issued January 15, 2010 for more information on competitive contracting for districts 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 district should review 34 CFR Part 80.36 and use open and competitive procedures where at all possible. The district should also analyze and 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](mailto:anthony.hearn@doe.state.nj.us).