



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*

June 26, 2012

Dr. Piera Gravenor, Superintendent  
Delsea Regional High School District  
PO Box 405  
Franklinville, NJ 08322

Dear Dr. Gravenor:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Delsea Regional High School District**. 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 May 14, 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 Delsea Regional High School District 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) 633-2493.

Sincerely,

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

RJC/AH/dk:Delsea Reg. H.S. District 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:** Delsea Regional High School District  
**County:** Gloucester  
**Dates On-Site:** May 14 and 15, 2012  
**Case #:** Ed Jobs-028-11

**FUNDING SOURCES**

Program	Funding Award
Ed Jobs	\$ 455,575
Title I	177,431
IDEA Basic	455,064
Title IIA	49,680
Carl D. Perkins	43,074
Total Funds	<u>\$ 1,180,824</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 Delsea Regional High 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, Carl D. Perkins, and IDEA for the period July 1, 2010 through May 14, 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), review of student class and related service schedules, an interview 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, Carl D. Perkins, and IDEA from July 1, 2010 through May 14, 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 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 supplemental courses for its low-performing students to increase student achievement including NJ ASK Language Arts Literacy and Mathematics, as well as HSPA Language Arts and Mathematics preparation courses. The district also provides a Summer Shape program for its Title I students. Professional development efforts are provided in coordination with the NJ Network for Closing the Achievement Gap and the Rowan Literacy Consortium.

**Carl D. Perkins**

The district's FY 2011-2012 Carl D. Perkins grant supports 15 programs, out of which eight are programs of study. Perkins allocation were \$43,074 of which reimbursements have been requested and received for \$38,606. The district has \$4,431.06 remaining in their current year budget. The funds provide industry-standard assessment, curriculum support, structured learning experiences and technical supplies to align and support nationally validated industry standards, career and technical student organizations and New Jersey Common Core Standards initiative.

**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 approved private schools for students with disabilities. Additionally, the IDEA Basic non-public proportionate share is used to provide general supplies and supplemental instructional supplies for classified students attending Our Lady of Mercy Academy.

**DETAILED FINDINGS AND RECOMMENDATIONS**

**Ed Jobs Act**

**Finding 1:** The district's 1512 reports did not match the records of the district.

**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 accurately reflect Jobs Created/Jobs Retained in the 1512 reports filed with the NJDOE.

**Finding 2:** The district's Cash Management Report did not match the records of the district.

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**Citation:** EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems;

**Required Action:** The district must be sure to accurately reflect cash drawn down versus cash expended.

**Finding 3:** The district used Ed Jobs funding to fund its Public Employees Retirement System contribution without identifying the employees that were being charged.

**Citation:** Education Jobs Fund (Public Law No. 111-226, Section 5).

**Required Action:** The district must provide support by employee, function and location to support the deduction

### **Title I**

**Finding 4:** The district does not have a formal method of tracking Title I students and their eligibility. The district is required to 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 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 FY 2012-2013 to include more specificity regarding entrance and exit criteria. The district must formally document students' eligibility criteria, track and produce a list of students in the Title I program. The district must show evidence of documenting this data by submitting a list of Title I students and their eligibility criteria for the respective Title I program in which they are participating.

**Finding 5:** The district's written parent involvement policy was not updated periodically as required. (It is noted a district policy is available and was distributed to parents).

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

**Required Action:** The district's parent involvement policy, developed in collaboration with parents of participating Title I students, must be evaluated periodically, preferably annually, and distributed to parents of participating Title I children in an understandable and uniform format and, to the extent practicable, in a language the parents understand. A copy of the district parent involvement policy must be submitted to the NJDOE for

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review. The distribution date and board adoption date of the parent involvement policy must be consistent with the dates reflected in the NCLB Application on Electronic Web Enabled Grant (EWEG) system.

**Finding 6:** The district did not develop a school-level Title I parental involvement policy in conjunction with parents. (It is noted the district-level parent involvement policy was previously developed.)

**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 parent involvement policies and ensure that its schools work with their stakeholder groups to develop a school-level parent involvement policy. For FY 2012-2013, each Title I school must distribute a school-level parent involvement policy to parents of students and send a copy to the NJDOE for review. The distribution date must be consistent with the dates reflected in the NCLB Consolidated Application on the EWEG system. The school-level parent involvement policies must be posted to the district's website. The Parental Involvement Title I, Part A Non-Regulatory Guidance can be found at: <http://www2.ed.gov/programs/titleiparta/parentinvguid.pdf>.

**Finding 7:** 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 8:** The district does not have a mechanism in its accounting system to track mandatory reserves, such as school in need of improvement (SINI) professional development and parental involvement, 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.

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**Required Action:** The district must track its restricted reserves to ensure and verify spending of restricted amounts. The district must submit a list of account numbers being used for this purpose with a description of the accounts to the NJDOE for review.

**Finding 9:** The district does not have supporting documents to verify the activity of Title I staff as required by federal law. The documentation must reflect what the staff is doing, when and where and must match their funded percentage.

**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 district must verify the time and activity of staff charged to the grant. The district must submit a list of FY 2011-2012 Title I funded staff, salaries, funding percentages and time sheets to date to the NJDOE for review (including staff funded through the Title I reserve for administrative costs).

**Title IIA**

There were no findings in Title IIA.

**Carl D. Perkins**

There were no findings in Carl D. Perkins.

**IDEA (Special Education)**

**Finding 10:** The district is charging ineligible costs for instructional supplies, such as art supplies, that are being used across general non-public programs at Our Lady of Mercy Academy and are not solely for the benefit of students with disabilities. The amounts charged must only pay the excess costs of providing special education and related services to children with disabilities.

**Citation:** IDEA Regulation 34 CFR 300.202(a)(2) (Use of Funds).

**Required Action:** The district must remove the ineligible costs and submit adjusting entries showing the removal and board approval for the adjustments. If the adjustments exceed 10% of the total grant award or if the funds will be utilized for items not previously budgeted, the application must be amended. A detailed listing of all adjusted costs must be submitted and sent to the NJDOE for review.

**Finding 11:** The district included student names on purchase orders for students educated in tuition placements, violating student confidentiality.

**Citation:** IDEA Regulation 34 CFR 99; N.J.A.C. 6A:32-7.



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**Required Action:** The district must revise procedures to ensure that confidentiality of student information is maintained and that only persons having educational responsibility for those students have access to this information. Revised procedures must be submitted to the NJDOE for review.

**Finding 12:** The district purchased materials and supplies (i.e. supplemental reading and mathematics materials, science software, and classroom supplies) for classified students who are educated in a general education setting in a nonpublic school. A requirement of the IDEA grant is that at least one Individual Service Plan (ISP) of students educated in general education lists the materials and supplies purchased with IDEA funds for use by classified students in the classroom. The ISPs for classified students at Our Lady of Mercy Academy do not reflect that these students are receiving services through IDEA as the ISPs do not identify any of these materials and/or supplies.

**Citation:** IDEA Regulation 34 CFR §300.130-300.144.

**Required Action:** The services listed in the ISPs to be provided through the IDEA grant need to match the services listed in the IDEA grant application. If general education students will be deriving benefit from these materials and supplies, then they must be delineated in the ISPs. The district must develop procedures to ensure that ISPs include services provided through IDEA funds and at the next regularly occurring annual review meetings, list specialized materials and devices purchased to support instructional programs for students with disabilities in their ISPs.

**Finding 13:** The district is reimbursing Our Lady of Mercy Academy for IDEA expenditures rather than maintaining direct administrative control over those funds.

**Citation:** IDEA Regulation 34 CFR §300.144.

**Required Action:** The district must maintain administrative control over the expenditures of IDEA funds for the benefit of students with disabilities in nonpublic schools. In addition, equipment or supplies purchased for use with students with disabilities in nonpublic schools remains the property of the district and should be returned when no longer needed by the student with a disability.

**Finding 14:** The district's notices of meetings for annual review of student IEPs did not consistently inform the parents of their right to invite other persons with expertise regarding their child when convening to review and/or revise the IEP for students eligible for special education and related services and students eligible for speech-language services. In addition, the district's notices for annual IEP review meetings did not indicate that transition planning would be discussed when required. Noncompliance was due to a lack of implementation of district procedures.

**Citation:** N.J.A.C. 6A:14-2.3(k)3,5; 20 U.S.C. §1414(b)(1); and 34 CFR §300.304(a).

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**Required Action:** The district must ensure that parents are provided notice of a meeting 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 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, a monitor from the NJDOE will conduct an on-site visit to review copies of notices of annual review IEP meetings that occurred between June 2012 and October 2012.

**Finding 15:** The district did not consistently provide written notice to parents containing all required components. Specifically, written notice of the proposed initial evaluation did not document the provision of N.J.A.C. 1:6A. 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) and 2.3(g)1-7.

**Required Action:** The district must ensure that parents are provided with written notice of proposed actions that contains all required components. In order to demonstrate correction of noncompliance, the district must provide training for child study team members regarding the procedures for implementing the requirements in the citation listed above. In addition, a monitor from the NJDOE will conduct an on-site visit to review copies of written notices of initial identification meetings convened between June 2012 and October 2012.

**Finding 16:** The district did not consistently provide copies of evaluation report(s) to parents at least 10 days prior to the determination of eligibility. Noncompliance was due to a lack of implementation of district procedures.

**Citation:** 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 the provision of copies of evaluation report(s) not less than 10 days prior to the determination of eligibility. To demonstrate implementation of the procedures, a monitor from the NJDOE will conduct an on-site visit to review documentation of provision of evaluation report(s) to parents for students evaluated for special education and related services between June 2012 and October 2012.

**Finding 17:** The district did not consistently document all required considerations and statements in each IEP for students eligible for special education and related services. Specifically, IEPs did not consistently include:

- documentation of special considerations;
- goals and objectives for academic subjects provided in a special education setting;

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- documentation of factors considered when determining the need for extended school year (ESY) services; and
- a statement of special education and related services accurately differentiating between in-class resource services and supplemental support services.

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:14-4.3(c); 20 U.S.C. §1414(d)(3)(A)(B); and 34 CFR §300.324(a)(1)(2).

**Required Action:** The district must ensure that each IEP contains the required components. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members 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 the specific students whose IEPs were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to review the revised IEPs, along with IEPs for students whose annual review meetings were conducted between June 2012 and October 2012. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

**Finding 18:** The district did not consistently document in the IEPs of students removed from the general education setting for more than 20 percent of the 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;
- a comparison of the benefits of general education and the benefits of special education;
- the potentially beneficial or harmful effects which a placement in general education may have on students with disabilities or other students in the class; and
- for those students placed in separate settings, activities to transition the student to a less restrictive environment.

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

**Citation:** 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 percent 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 less restrictive environment and document them in each IEP. In order to demonstrate correction of noncompliance, the

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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 IEPs for the specific students with IEPs that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to review the revised IEPs, along with IEPs for students whose annual review meetings were conducted between June 2012 and October 2012. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

**Finding 19:** The district did not consistently conduct a meeting within 20 calendar days of receipt of a written request for a child study team evaluation to determine if an evaluation was warranted. Noncompliance was due to a lack of implementation district procedures.

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

**Required Action:** The district must ensure that identification meetings are 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 district's procedures. To demonstrate implementation of the procedures, a monitor from the NJDOE will conduct an on-site visit to review copies of the dated initial request for evaluation for students referred for special education and related services and the written notice of actions proposed at the identification meetings conducted between June 2012 and October 2012.

**Finding 20:** The district did not consistently conduct reevaluations within three years of the previous classification date for students eligible for speech-language services. Noncompliance was due to a lack of implementation of district procedures.

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

**Required Action:** The district must ensure that reevaluations for students eligible for speech-language services are conducted within required timelines. 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. A monitor from the NJDOE will conduct an on-site visit to review the signed participation page, including previous and current date of eligibility from eligibility meetings held as part of the reevaluation process between June 2012 and October 2012.

**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.

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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.

**Recommended Action:** The district must report back the final outcome of the internal review of the grant and submit documentation to support its outcome 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.

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

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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).