



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

Mr. Charles Earling, Superintendent
Monroe Township Board of Education
75 East Academy Street
Williamstown, NJ 08326

Dear Mr. Earling:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Monroe 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 March 31, 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 Monroe 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) 633-2493.

Sincerely,

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

RJC/AH/dk:Monroe Twp. 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: Monroe Township School District
County: Gloucester
Dates On-Site: April 16 and 17, 2012
Case #: Ed Jobs-030-11

FUNDING SOURCES

Program	Funding Award
Ed Jobs	\$ 1,184,454
Title I	561,976
IDEA Basic	1,440,181
IDEA Preschool	59,918
Title IIA	220,354
Title III	13,129
Carl D. Perkins	32,144
Total Funds	<hr/> <hr/> \$ 3,512,156

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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 Monroe 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; Carl D. Perkins and IDEA for the period July 1, 2010 through March 31, 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 the speech-language specialist, and an interview of the program administrator regarding 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 Educational Jobs Act, Title I, Title IIA, Title III, Carl D. Perkins and IDEA from July 1, 2010 through March 31, 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 three of the district's six schools. The district is refocusing their Title I program to address supplanting issues.

IDEA Projects (Special Education)

IDEA Basic FY 2012 funds are used to support tuition placement for students placed in out-of-district schools approved by the NJDOE. Additionally, funds are used for child study team members to complete referrals and evaluations during the summer. Professional development as it relates to working with the special education population is also funded. IDEA funds are used to purchase non-instructional supplies for related service staff and child study team members.

Funds have been designated for a student with disabilities requiring specific material and technology in order to implement the program identified in his/her IEP. Nonpublic funds pay for teacher assistants and related service staff contracted through the Gloucester County Special Services School District.

Carl D. Perkins

The district supports five Career and Technical Education (CTE) programs with one, Engineering Technology, currently approved as a program of study. All programs are compliant with the CTE Approval Process, with a high degree of rigor inherent in the instruction. All programs are implemented and meet the requirements of the Carl D. Perkins Act of 2006.

DETAILED FINDINGS AND RECOMMENDATIONS

Ed Jobs Act

There were no findings in Ed Jobs.

Title I

Finding 1: The district is supplanting state/local funds to support the program for low-performing students in its Title I elementary schools. The district offers a program for low-performing students in all its elementary schools; therefore, students in the Title I schools are not receiving a program that is supplemental to the program offered in the district's non-Title I schools.

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

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Required Action: The district's Title I schools must develop and implement a program to provide services to its Title I students that are above and beyond the services to students in its non-Title I schools. The district must submit a revised plan which indicates that it will no longer use Title I funds to supplant the elementary schools. When the revised plan is reviewed the use of the 60 IPADs and their use in the funded schools needs to be explained.

Finding 2: The district's written parent involvement policy was not distributed to parents of Title I students. (It is noted the district policy is developed and posted on the district website and the parent-compact 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 and evaluated annually, must be 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 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 3: The district did not develop a school-level Title I parental involvement policy in conjunction with parents. (It is noted the district-level parental involvement policy was already 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 parental involvement policies and ensure that its schools work with their stakeholder groups to develop a school-level parental involvement policy. For FY 2012-2013, each Title I school must distribute a school-level parental 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 parental 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 4: The letter to parents informing them of the Title I program selection criteria did not clearly explain the Title I program. Instead, the letter referenced the district's basic skills instructional program.

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Citation: ESEA §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 Title I identification, as well as clearly defined exit criteria. The district notification letters must be updated for FY 2012-13 to clearly describe the identified Title I program. The letter must first be submitted to the NJDOE for review.

Finding 5: The district does not have a comprehensive equipment inventory for items purchased with Title I funds that includes date acquired and cost.

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 district must track any amount that is less expensive to track than it is to replace. All inventoried items should include tag number, cost, location, date of purchase, grant that funded the purchase and item description. The district must submit a comprehensive inventory of all equipment purchased to the NJDOE for review.

Finding 6: On several occasions, the district failed to issue a purchase order prior to services being rendered (confirming order). The district's policy and state regulations require that a properly executed purchase order be issued prior to services being rendered.

Citation: N.J.S.A 18A:18A(2)(v) *Public School Contracts Law*.

Required Action: The district must implement a process to ensure that purchase orders are issued prior to receiving goods and services from vendors.

Title IIA

There were no findings in Title IIA.

Title III

Finding 7: The district is supplanting state/local funds to support the salary of an English as a Second Language (ESL) teacher. This position is required under the state's requirement for ESL populations.

Citation: NCLB §3115(g): *Subgrants to Eligible Entities, Supplement not Supplant*. NCLB §2123(b): *Fiscal Requirements (Federal Funds to Supplement, Not Supplant, Non-Federal Funds)*.

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Required Action: The district must reverse the salary of the ESL teacher and use state/local funds to fund the position. The reversal must be retroactive to August 2011. In addition, the district must revise its Consolidated Application to remove the ESL position.

Carl D. Perkins

Finding 8: The district did not have a mechanism to track Perkin's purchase orders/invoices by Classification of Instruction Program codes on purchase orders in order to facilitate spending by program to ensure that only allowable programs are funded.

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 add the respective codes or program names to the purchase orders.

IDEA (Special Education)

Finding 9: The consultant contract between the district and Brett DiNovi & Associates identified professional development and providing services to students as activities for which Brett DiNovi & Associates will be compensated. At the time of the on-site visit, Brett DiNovi & Associates had not been approved by the NJDOE as a clinic and agency. As a result, Brett DiNovi & Associates may only perform and be compensated for functions pertaining to professional development.

Citation: N.J.A.C. 6A:14-5.1(c).

Required Action: The district must review activities performed by Brett DiNovi & Associates and activities for which the district has been billed. Activities outside the scope of professional development are not allowable expenses and cannot be charged to the IDEA grant. The district must review purchase orders, invoices, bills, payments, etc. and if necessary, adjust costs to the IDEA budget already billed and paid for that are not related to professional development. Additionally, until such time Brett DiNovi & Associates is approved by the NJDOE as a clinic and agency, contracts should be limited to professional development.

Finding 10: The district does not offer a full-continuum of placement options for preschool age students determined eligible for special education and related services. The only placement option available to preschool age students is the preschool disabled classroom with no opportunities to interact with non-disabled peers in the general education setting.

Citation: 20 USC 1412(a)(5)(A); 34 CFR §300.114(a).

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Required Action: The district must ensure that preschool age students who are eligible for special education and related services have the opportunity to participate in programs and services based on their individual needs in the least restrictive learning environment (LRE). The district must also ensure that decisions regarding program placement are made on an individual basis. The district must develop a procedure to ensure placement in the LRE and individual decision making regarding program placement. The district must conduct training for child study team members and administrative staff. A monitor from the NJDOE will conduct an on-site visit to review procedures, documentation of preschool age referrals and program placement decisions to ensure compliance.

Finding 11: The district did not consistently inform parents of identification, eligibility, reevaluation planning and IEP meetings through provision of notice of a meeting for students referred and/or eligible for special education and related services and referred and/or eligible for speech-language services. Specifically, notices of a meeting lacked the following components:

- when meetings were conducted for more than one purpose, notice provided to the parent did not inform the parent of all the intended purposes of the meeting;
- transition planning was not identified as a purpose of the meeting for students age 14-15; and
- the Parental Rights in Special Education booklet was not consistently provided to the parent at the time of the initial identification.

Noncompliance was due to a lack of consistent 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).

Required Action: The district must ensure that parents are provided notice of a meeting in writing, that contains all required components, early enough to ensure that the parent has an opportunity to attend. In order to demonstrate correction of noncompliance, the 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 identification, eligibility, reevaluation planning and IEP meetings conducted between June 2012 and October 2012.

Finding 12: The district did not consistently inform parents of proposed actions through provision of written notice, containing all required components, within 15 calendar days of the date of the following IEP, reevaluation planning and meeting to determine continued eligibility following reevaluation for students eligible for special education and related services and for students eligible for speech-language services. Noncompliance was due to a lack of consistent implementation of district procedures.

Citation: N.J.A.C. 6A:14 -2.3 (g); 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.

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Required Action: The district must ensure that parents are provided written notice within 15 calendar days of a meeting, containing all required components. 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, a monitor from the NJDOE will conduct an on-site visit to review copies of written notice of meetings that were conducted between June 2012 and October 2012.

Finding 13: 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 and for students eligible for speech-language services. Noncompliance was due to a lack of consistent 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) to parents not less than 10 days prior to the determination of eligibility. 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. 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 and speech-language services between June 2012 and October 2012.

Finding 14: The district did not provide to students eligible for special education and related services written notice of graduation within required timelines. Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-4.11(b)2.

Required Action: The district must ensure that parents and adult students are provided with written notice prior to graduation. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to review written notice of graduation for students who are graduating at the conclusion of the current school year.

Finding 15: The district did not consistently convene identification, eligibility and IEP meetings with required participants for students eligible for special education and related services. In addition, the district did not consistently convene identification meetings with required participants for students eligible for speech-language services. Noncompliance was due to a lack of consistent 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).

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Required Action: The district must ensure that IEP team 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 the procedures. To demonstrate implementation of the procedures, a monitor from the NJDOE will conduct an on-site visit to review the IEP participants' signature page from initial, annual review, and reevaluation meetings for students eligible for speech and language services and students eligible for special education and related services whose IEP team meetings were conducted between June 2012 and October 2012.

Finding 16: 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:

- provision of related services in either an individual or group setting;
- goals and objectives for students eligible for special education and related services;
- provision of speech services in either an individual or group setting for students eligible for speech-language services;
- present Level of Functional Performance Statement in IEPs of students eligible for speech and language services did not contain documentation of students' language; and
- needs for students with limited English proficiency, communication needs, deaf/hard of hearing, and the need for assistive technology.

Noncompliance was due to a lack of consistent 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).

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. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to review the revised IEPs, along with the 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 17: The district did not consistently document in the IEPs of students removed from the general education setting for more than 20 percent of the school day, including students placed in separate settings, consideration of placement in the LRE. Specifically, IEPs did not consistently include:

- the supplementary aids and services considered;
- an explanation of why the supplementary aids and services were rejected;

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- a comparison of the benefits provided in the special education and regular education class;
- the potentially beneficial or harmful effects which a placement in general education may have on the students with disabilities or other students in the class; and
- for those students placed in separate settings, and activities to transition the student to a LRE.

Noncompliance was due to a lack of consistent 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 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 with IEPs that were identified as noncompliant. If the IEP team determines that a change in placement is warranted, the district must immediately place the student in the new placement with necessary supplementary aids and services. A monitor from NJDOE will conduct an on-site visit to review the revised IEPs, along with the IEPs for students whose annual review meetings were conducted between June 2012 and October 2012. Names of the students with IEPs that were identified as noncompliant will be provided to the district by the monitor.

Finding 18: The district did not consistently document in IEPs developed for students eligible for speech-language services how each student with a disability will participate in district wide and/or statewide assessment. Noncompliance was due to a lack of consistent implementation of district procedures.

Citation: N.J.A.C. 6A:14-3.7(e)7(i); 20 U.S.C. §1412(a)(16)(A); and 34 CFR §300.160(a) and (f).

Required Action: The district must ensure that documentation of how each student eligible for speech-language services will participate in district wide or statewide assessments is included in the IEP. 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. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to review the revised IEPs, along with the IEPs for students

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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 document in the IEPs of students eligible for speech-language services the relevant factors considered when determining whether a student requires an extended school year program (ESY). In addition, a description of the program was not included in the IEP of students receiving ESY. Noncompliance was due to a lack of consistent implementation of district procedures.

Citation: N.J.A.C. 6A:14-4.10(a).

Required Action: The district must ensure that consideration of ESY is documented in the IEP. 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. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to review the revised IEPs, along with the 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 20: 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: 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, a monitor from the NJDOE will conduct an on-site visit to review invitations to IEP meetings to students age 14 and above for meetings conducted between June 2012 and October 2012.

Finding 21: The district did not consistently conduct meetings within 20 calendar days of receipt of a written request for a child study team evaluation or a speech-language evaluation to determine if an evaluation was warranted. Additionally, a general education teacher did not consistently attend the identification meeting conducted for students referred for an evaluation for special education and related services or referred for speech-language services. Noncompliance was due to a lack of consistent implementation of district procedures.

Citation: N.J.A.C. 6A:14-3.3(e), 3.4(j).

Required Action: The district must ensure that identification meetings are conducted within 20 calendar days of receipt of a written request for evaluation and that required participants are in attendance. In order to demonstrate correction of noncompliance, the

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district must conduct training for speech-language specialists and 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 the dated initial request for evaluation for students referred for special education and related services and for students referred for speech-language services and the signed participation pages from the resulting meetings conducted between June 2012 and October 2012.

Finding 22: The district did not consistently conduct vision/hearing screenings and health/medical summaries for every student referred to the child study team for evaluation. Noncompliance was due to a lack of consistent implementation of district procedures.

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

Required Action: The district must ensure that vision and audiometric screenings are conducted for every 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 regarding the procedures for implementing the requirements in the citation listed above. To demonstrate implementation of the procedures, a monitor from the NJDOE will conduct an on-site visit to review documentation verifying receipt of the health summary, including the vision and hearing screening, for students referred to the child study team between June 2012 and October 2012.

Finding 23: 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: 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 a statement from the general education teacher that details the educational impact of the speech problem on the student's progress in general education. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists 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 initial evaluation reports for students referred for speech-language services whose eligibility meetings were held between June 2012 and October 2012.

Finding 24: The district did not consistently conduct all required sections of the functional assessment as a component of an initial evaluation for students referred for special education and related services and students referred for speech-language services. Noncompliance was due to a lack of consistent implementation of district procedures.

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Citation: N.J.A.C. 6A:14-3.4(f)4(i-vi); 20 U.S.C. §1414(b)(4) and (5); and 34 CFR §300.306(c)(i).

Required Action: The district must ensure that all components of the functional assessment are conducted as part of the initial evaluations process. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists regarding the district's 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 evaluation reports developed between June 2012 and October 2012 for students referred for special education and related services and speech-language services. For assistance with correction of noncompliance, the district is referred to the sample report form for speech-language evaluations at www.state.nj.us/education/speced/forms.

Finding 25: 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 consistent 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 are conducted within required timelines with required participants in attendance. 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, a monitor from the NJDOE will conduct an on-site visit to review evidence of determination of continued eligibility for students identified during monitoring to the NJDOE and the signed participation page from eligibility meetings held as part of the reevaluation process between June 2012 and October 2012 for students eligible for speech-language services. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

Finding 26: The district did not consistently conduct reevaluation planning meetings with required participants for students currently eligible for speech-language services prior to discharging a student from services. Noncompliance was due to a lack of consistent implementation of district procedures.

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

Required Action: The district must ensure that reevaluation meetings are conducted with required participants prior to discharging a student from speech-language services. 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. In addition, a monitor from the NJDOE will conduct an on-site visit to review signed participation sheets from reevaluation meetings conducted between June 2012 and October 2012.

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Finding 27: The district did not consistently determine continued eligibility within 60 calendar days of written parental consent to conduct evaluations for students eligible for special education and related services. Noncompliance was due to a lack of consistent implementation of district procedures..

Citation: N.J.A.C. 6A:14-2.3(a)6; (k)1(i-vii) and (k)2(i-x); 20 U.S.C. §1414(c)(1)(A)(i),(d)(1)(B)(d)(1)(C)(i) through (iii)); and 34 CFR §300.305(a) and §300.321(a),(e).

Required Action: The district must ensure that meetings to determine continued eligibility are conducted within 60 calendar days of written parental consent to conduct evaluations. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to review documentation demonstrating compliance with this requirement for all students for whom consent to conduct evaluations as part of the reevaluation process was obtained between June 2012 and September 2012.

Administrative

Recommendation 1: 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 2: 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 3: 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.

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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 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.