



State of New Jersey

DEPARTMENT OF EDUCATION

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TRENTON, NJ 08625-0500

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Governor

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CHRISTOPHER D. CERF
Acting Commissioner

May 3, 2012

Mr. Joseph Jones, Superintendent
Woodbury City School District
25 North Broad Street
Woodbury, NJ 08096

Dear Mr. Jones:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Woodbury City 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 19, 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 Woodbury City 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:Woodbury City BOE Cover Letter/ Ed Jobs
Enclosures

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TRENTON, NJ 08625-0500**

WOODBURY CITY SCHOOL DISTRICT
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Education Jobs Fund Program
New Jersey K-12 Education

**EDUCATION JOBS CONSOLIDATED MONITORING REPORT
MAY 2012**

District: Woodbury City School District
County: Gloucester
Dates On-Site: April 2 and 3, 2012
Case #: Ed Jobs-033-11

FUNDING SOURCES

| Program | Funding Award |
|----------------|---------------------|
| Ed Jobs | \$ 407,758 |
| Title I | 725,778 |
| IDEA Basic | 752,373 |
| IDEA Preschool | 21,322 |
| Title IIA | 114,002 |
| Title III | 34,589 |
| Total Funds | <u>\$ 2,055,822</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 Woodbury City 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; IDEA for the period July 1, 2010 through March 19, 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 Educational Programs (IEPs), review of student class and related service schedules, interviews of child study team members, speech-language specialist 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 March 19, 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 offers a schoolwide program for FY 2011-2012 that includes academic coaches, in-class support, as small group pull out instruction and after school tutoring.

IDEA Projects

The majority of the FY 2011-2012 IDEA Basic and Preschool funds are being used to reduce district tuition expenditures for students receiving special educational services in public school programs in other districts and approved private schools for students with disabilities. Additionally, IDEA Basic funds are utilized to provide instructional aides for inclusion programs and contracted consultative services for the students in the district's Autistic and Behavior Disabilities programs. The district also allocated IDEA funding for professional development opportunities for child study team members, specialized supplemental supplies for communication and reading programs and for summer extended school year services.

DETAILED FINDINGS AND RECOMMENDATIONS

Ed Jobs Act Funding

There were no findings in Ed Jobs.

Title I

Finding 1: The district is not tracking expenditures by attendance areas in its accounting system 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. The district must submit an updated schedule of expenses by locations to the NJDOE for review.

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 2: 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*.

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Required Action: The district must implement a process to ensure that purchase orders are issued prior to receiving goods and services from vendors. The district must send the NJDOE a description of the process it implements.

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 parent involvement policy was already developed and recently amended.)

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 Electronic Web Enabled Grant (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 4: The district does not have a school-parent compact developed in conjunction with parents of participating students. (It is noted that a district-level parent compact was developed and distributed).

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

Required Action: Each Title I district must work with its stakeholder group to develop the Title I school-parent compact. For FY 2012-2013, the district must distribute the compact to parents of Title I students and submit a copy of the school-parent compact to the NJDOE for review. Copies of each school-parent compact must be posted on the district's website.

Title IIA

There were no findings in Title IIA.

Title III

There were no findings in Title III.

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IDEA

Finding 5: The district's notices of meetings for eligibility, reevaluation planning and IEP meetings did not consistently inform the parent of all intended purposes of the meeting when a meeting was conducted for more than one purpose for students eligible for special education and related services and for students eligible for speech-language services. In addition, notices of annual review meetings did not consistently inform the parents of their right to invite others with expertise. 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).

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 meetings for eligibility, reevaluation planning meetings and annual review IEP meetings that occurred between May 2012 and August 2012 to the NJDOE for review.

Finding 6: The district did not consistently inform parents of proposed actions through provision of written notice which contained all required components, for initial identification meetings and determination of continued eligibility. In addition, the district did not consistently document that written notice was provided within 15 calendar days following a meeting, when the parent was not in attendance. 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 and speech-language specialists regarding the procedures for implementing the requirements in the citation listed above. In addition, the district must submit copies of written notices of reevaluation planning meetings and eligibility meetings, including documentation of provision of notice for meetings convened between May 2012 and August 2012 to the NJDOE for review.

Finding 7: The district did not consistently provide copies of evaluation report(s) to parents at least 10 days prior to the determination of initial eligibility or determination of continued 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).

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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. To demonstrate implementation of the procedures, the district must submit documentation of provision of evaluation report(s) to parents for students evaluated and reevaluated for special education and related services and speech-language services between May 2012 and August 2012 to the NJDOE for review.

Finding 8: The district did not provide to students eligible for special education and related services written notice of graduation. 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 or adult students are provided with written notice containing all required components prior to graduation. In order to demonstrate correction of noncompliance, the district must develop procedures and conduct training for child study team members on implementing the requirements in the citation listed above. Additionally, the district must submit written notice of graduation for three students who are graduating at the conclusion of the 2011-2012 school year to the NJDOE for review.

Finding 9: The district did not consistently ensure that the required participants were in attendance at identification and annual review meetings for students eligible for special education and related services and at annual review meetings for students eligible for speech-language services. In addition, the district did not consistently document multiple attempts to obtain parent participation when the parent does not attend the meeting. Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-2.3(k)1(i-vii); 20 U.S.C. §1414(d)(1)(B); and 34 CFR §300.321(a).

Required Action: The district must ensure that IEP team meetings are conducted with required participants and that documentation of attendance is maintained in student files. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists regarding the procedures. To demonstrate implementation of the procedures, the district must submit the participant signature page from identification and annual review meetings for students eligible for special education and related services and for annual review meetings for students eligible for speech-language services for meetings conducted between May 2012 and August 2012 to the NJDOE for review.

Finding 10: 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:

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- goals and objectives for in-class resource programs and study skills resource programs; statement of special education and related services accurately differentiating between in-class resource services and supplemental support services; and
- documentation of factors considered when determining the need for extended school year (ESY) services for students eligible for speech-language services and a description of the program for students eligible for special education and related services.

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

Citation: N.J.A.C. 6A:14-3.7(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 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 the specific students whose IEPs were identified as noncompliant. The district must submit the revised IEPs, along with IEPs for students whose annual review meetings were conducted between May 2012 and August 2012 to the NJDOE for review. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the special education monitor.

Finding 11: 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; and
- the potentially beneficial or harmful effects which a placement in general education may have on students with disabilities or other students in the class.

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. 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 IEPs for the specific students

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with IEPs that were identified as noncompliant. The district must submit the revised IEPs, along with IEPs for students whose annual review meetings were conducted between May 2012 and August 2012 to the NJDOE for review. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the special education monitor.

Finding 12: 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 implementation of the 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. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding the district's procedures. Additionally, the district must submit copies of invitations to IEP meetings to students age 14 and above for meetings conducted between May 2012 and August 2012 to the NJDOE for review.

Finding 13: The district did not consistently maintain documentation of the description, frequency, duration and effectiveness of the interventions provided in the general education setting through the Intervention and Referral Service (I&RS). Noncompliance was due to a lack of implementation of district procedures.

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

Required Action: The district must ensure that I&RS documentation includes the description, frequency, duration and effectiveness of the interventions provided in the general education setting. In order to demonstrate correction of noncompliance, the district must conduct training for members of the I&RS committees regarding the procedures for implementing the requirements in the citation listed above. Additionally, the district must submit documentation for students referred to the child study team who were provided interventions in general education between May 2012 and August 2012 to the NJDOE for review.

Finding 14: The district did not consistently conduct a meeting 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. Noncompliance was due to a lack of implementation of district procedures.

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

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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 and speech-language specialists regarding the district's procedures. To demonstrate correction of noncompliance, the district must submit copies of the dated initial request for evaluation for students referred for special education and related services and students referred for speech-language evaluations and the written notice of actions proposed at the identification meetings conducted between May 2012 and July 2012 to the NJDOE for review.

Finding 15: The district did not conduct vision/hearing screenings and health/medical summaries for every student referred to the child study team for evaluation, including preschoolers. Noncompliance was due to a lack of implementation of district procedures.

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

Required Action: The district must ensure that a vision and audiometric screening is 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 and school nurses regarding the procedures for implementing the requirements in the citation listed above. To demonstrate implementation of the procedures, the district must submit documentation verifying the receipt of the health summary, including the vision and hearing screening, for students referred to the child study team between May 2012 and August 2012 to the NJDOE for review.

Finding 16: 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 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 the education impact statement from the general education teacher that indicates 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 August 2012 to the NJDOE for review.

Finding 17: The district did not consistently conduct all required sections of the functional assessment as a component of initial evaluations for students referred for special education and

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related services, specifically the observation of the student in other than a testing setting, for summer evaluations. In addition, the district did not consistently conduct all required sections of the functional assessment, specifically the observation of the student in other than a testing setting, the interview with the parent and the interview with the child's teacher, for students referred for speech-language services. Noncompliance was due to a lack of implementation of district procedures.

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, including the observation, parent interview and teacher interview, are conducted as part of the initial evaluation 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, the district must submit evaluation reports developed between May 2012 and September 2012 for students referred for special education and related services and for students referred for speech-language services to the NJDOE for review.

Finding 18: 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. The district must also submit copies of the signed participation page, including previous and current date of eligibility from eligibility meetings held as part of the reevaluation process between May 2012 and August 2012 to the NJDOE for review.

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.

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Recommended Action: The district must update internal control policies to prevent potential errors from occurring.

Recommendation 2: 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 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.