



State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

CHRIS CHRISTIE
Governor

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Lt. Governor

CHRISTOPHER D. CERF
Commissioner

October 31, 2012

Dr. Frank Alfano, Superintendent
Sayreville Public Schools
PO Box 997
Sayreville, NJ 08871

Dear Dr. Alfano:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by **Sayreville 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 July 30, 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," Sayreville 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 Patricia Lagarenne at (609) 771-2168.

Sincerely,

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

RJC/PL/dk:Sayreville BOE Cover Letter/ Ed Jobs
Enclosures

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Education Jobs Fund Program
New Jersey K-12 Education

EDUCATION JOBS CONSOLIDATED MONITORING REPORT
OCTOBER 2012

District: Sayreville Public Schools
County: Middlesex
Dates On-Site: July 31 and Aug. 1, 2012
Case #: Ed Jobs-046-11

FUNDING SOURCES

<u>Program</u>	<u>Funding Award</u>
Ed Jobs	\$ 732,183
Title I	609,068
Title IIA	141,009
Title III	20,199
Title III Immigrant	39,362
IDEA Basic	1,429,332
IDEA Preschool	63,725
Carl D. Perkins	30,814
Total Funds	<u>\$ 3,065,692</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 Sayreville Public Schools to monitor the district's use of *Ed Jobs* funds and the related program plans, where applicable, to determine whether the district's programs are meeting the intended purposes and objectives, as specified in the current year applications and authorizing statutes, and to determine whether the funds were spent in accordance with the program requirements, federal and state laws, and applicable regulations. The on-site visit included staff interviews and documentation reviews related to the requirements of the following programs: Ed Jobs; Title I; Title IIA; Title III; Title III Immigrant, Carl D. Perkins (Perkins) and IDEA for the period July 1, 2010 through July 30, 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, 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 Ed Jobs; Title I; Title IIA; Title III; Title III Immigrant, Carl D. Perkins and IDEA for the period July 1, 2010 through July 30, 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, IDEA AND CARL D. PERKINS FUNDS

Title I Projects

The district operates Targeted Assistance Programs in five of its Title I funded schools: Sayreville Middle School, Woodrow Wilson Elementary School, Samsel Upper Elementary School, Emma L. Arleth Elementary School, and Dwight D. Eisenhower Elementary School. The district has identified closing the achievement gap for all students and limited English proficient students as a priority problem.

IDEA Projects

The majority of the FY 2012 IDEA Basic funds are being used to reduce district tuition costs for students receiving special educational services in approved private schools for students with disabilities. The remaining funds are used to provide instructional aides for special education students who are parentally placed in private school settings within the district, through a contract with the Middlesex Regional Educational Services Commission (MRESC).

Carl D. Perkins

The district's FY 2011-2012 Perkins Grant supports two programs: Accounting Technology/Technician & Bookkeeping, CIP Code #520302 and Sales, Distribution, & Marketing Operations, General, CIP Code #521801. The grant funds provide support to the programs in the form of supplies and the Career and Technical Student Organizations activities. The district has a Program of Study operating in Accounting through an articulation agreement with Middlesex County Community College.

DETAILED FINDINGS AND RECOMMENDATIONS

Ed Jobs Act

Finding 1: The district did not appropriated funds for the Ed Jobs grant award prior to the commencement of the monitoring engagement.

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 appropriated the Ed Jobs Act funds and allocated expenditures accordingly. No further action is needed.

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Title I

Finding 2: On several occasions, the district failed to issue a purchase order prior to services being rendered (confirming order) for expenditures charged to Title I and Title III grants. 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.

Finding 3: The district is not tracking expenditures by attendance areas in its accounting system to ensure that the expenditures 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. The district must submit an updated schedule of expenses by attendance area to the NJDOE for review.

Finding 4: The district does not have the supporting documents to verify the time and activity of Title I, Title IIA and Title III funded staff as required by federal law. The documentation must reflect what task the staff is performing, when the activity occurred, the location of such activity, which must be consistent with the percentage of federal funds allocated for the position as approved by the board.

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 all staff members charged to the grant. The district must submit a list of FY 2011-2012 Title I and Title III funded staff, salaries, funding percentages and time sheets to date to the NJDOE for review.

Finding 5: The district charged the salaries of Title I, Title IIA and Title III funded staff to the General Fund, and then allocated the salary expense to the respective grants on a quarterly basis. Such allocation of salary expense should be performed every pay period and directly match the salary earned by the staff member.

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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 provided documentation to support the allocations; however, a system to record salary expense to the appropriate grant must be implemented on a per payroll basis.

Finding 6: The district does not have a mechanism in place to clearly identify its Title I eligible students based upon multiple educationally related objective criteria in its district funded Title I program (Academic Support Instruction-ASI) .

Citation: ESEA §1115(c): *Targeted Assistance Programs (Components of a Targeted Assistance Program)*.

Required Action: To avoid violating the “supplement not supplant” provision of the Title I legislation, the district must revamp its Title I program to ensure it is indeed providing supplemental instruction for its identified Title I students. The district must provide a copy of its revised Title I program in narrative form to the NJDOE for review.

Finding 7: The district does not have clear and distinguishable identification criteria for its Title I students.

Citation: ESEA §1115(B): *Targeted Assistance Programs (Eligible Children from Eligible Population)*.

Required Action: The district must establish clear and distinguishable identification criteria based solely upon multiple educationally related objective criteria for identifying its Title I students to be served in all four of its Title I funded schools.

Finding 8: The notification letters sent to the parents/guardians of identified Title I students did not include entrance and exit criteria.

Citation: ESEA §1115(B): *Targeted Assistance Programs (Eligible Children from Eligible Population)*.

Required Action: The district must include in its parental notification letter the multiple measures used to identify students, as well as clearly defined exit criteria. The district must provide a copy of its revised parental notification letter to the NJDOE for review.

Finding 9: The district included non-funded Title I Harry S. Truman Elementary School and War Memorial High School in its parental notification letters sent to the parents/guardians of identified Title I students.

Citation: ESEA §1115(B): *Targeted Assistance Programs (Eligible Children from Eligible Population)*.

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Required Action: The district must ensure that its parental notification letter is sent to the parents/guardians of its Title I funded schools. The district must provide a copy of its revised parental notification letter to the NJDOE for review.

Finding 10: The district used Title I funds to purchase a myriad of unallowable expenditures in a targeted assistance environment, including Study Island, SmartBoards, New Jersey Principals and Supervisors Association and Educational Technology Training Center of Middlesex County membership dues.

Citation: ESEA §1120A (b (1)): *Federal Funds to Supplement, Not Supplant, Non-Federal Funds.*

Required Action: The district must immediately provide documented evidence to the NJDOE that these expenditures were reversed and charged to local funds.

Finding 11: The district could not provide documented evidence of convening the annual Title I Parent meeting.

Citation: ESEA §1118(c)(1): *Parental Involvement (Policy Involvement).*

Required Action: The district must convene its Annual Title I Parent Meeting for the parents/guardians of its identified Title I students (invitational letter/flyer, agenda, meeting minutes, and sign in sheets must be obtained) and submit evidence of said meeting to the NJDOE for review.

Finding 12: The district could not provide documented evidence that it consulted all nonpublic schools that enrolled resident students.

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

Required Action: The district must retain certified/signed receipts of its correspondence to nonpublic schools. The district needs copies of Affirmation of Consultation signed by all consulted parties. The district must also provide copies of refusal forms for all nonpublic schools that do not wish to participate in the Title I program. The district must submit all verification of the above notices to the NJDOE for review.

Title IIA

Finding 13: The designated employees who were charged to the Title IIA grant were not approved in the district's board minutes.

Citation: EDGAR § 80.20-Standards for financial management systems.

Required Action: The district must ensure all staff members charged to the grant are approved in the board minutes. The district must submit a list of FY 2011-2012 Title IIA

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funded staff, salaries, funding percentages and a sample time sheet to date to the NJDOE for review.

Finding 14: The district utilized Title IIA funds to purchase a technology study program, Study Island. This expenditure does not comply with the allowable uses criteria for Title IIA.

Citation: Sections 2123(b) (for LEAs) and 2113(f) (for the SEA and SAHE) provide that *Title II, Part A* funds must be used to supplement, and not supplant, any non-federal funds that would otherwise be used for authorized *Title II, Part A* activities.

Required Action: The district must reverse the charge for this unallowable activity and allocate state/local funds, rather than Title IIA funds, to support this expenditure. The district must provide a list of items that it has identified as supplanting to the NJDOE for review.

Finding 15: The district utilized Title IIA funds to procure assistance in developing the schools/district Master Schedule. This expenditure does not comply with the allowable uses criteria for Title IIA.

Citation: Sections 2123(b) (for LEAs) and 2113(f) (for the SEA and SAHE) provide that *Title II, Part A* funds must be used to supplement, and not supplant, any non-federal funds that would otherwise be used for authorized *Title II, Part A* activities.

Required Action: The district must reverse the charge for this unallowable activity and allocate state/local funds, rather than Title IIA funds, to support this expenditure. The district must provide a list of items that it has identified as supplanting to the NJDOE for review.

Finding 16: The district utilized Title IIA funds to pay registration fee(s) for a teacher/speaker to attend a convention. This expenditure does not comply with the allowable uses criteria for Title IIA.

Citation: Sections 2123(b) (for LEAs) and 2113(f) (for the SEA and SAHE) provide that *Title II, Part A* funds must be used to supplement, and not supplant, any non-federal funds that would otherwise be used for authorized *Title II, Part A* activities

Required Action: The district must reverse the charge for this unallowable activity and allocate state/local funds, rather than Title IIA funds, to support this expenditure. The district must provide a list of items that it has identified as supplanting to the NJDOE for review.

Finding 17: The district utilized Title IIA funds to, in part (20% and 22%), pay two Technology Teachers. *Title II, Part A* funds can be used only to pay the salaries of highly qualified teachers hired for the purpose of reducing class size.

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Citation: EDGAR: 34 CFR Parts 74, 76, 77, 80, 81, 82, 85, 97, 98, and 99.

Required Action: The district must reverse the charge for this unallowable activity and allocate state/local funds, rather than Title IIA funds, to support this expenditure. The district must provide a list of items that it has identified as supplanting to the NJDOE for review.

Title III

Finding 18: The district did not delineate between nonpublic students eligible for services using Title III funds and nonpublic students eligible for services using Title III Immigrant funds.

Citation: ESEA §9501 *Equitable Participation of Provisions of Private School Students.*

Required Action: The district must establish a process to distinguish nonpublic students that are eligible for services under Title III and nonpublic students eligible for services using Title III Immigrant funds. The district must submit documentation of its process to identify Title III and Title III Immigrant students in nonpublic schools to the NJDOE for review.

Finding 19: The district's use of Title III funds in the amount of \$478.40 to purchase copy paper for Saint Stanislaus Kostka, a nonpublic school, is an unallowable expenditure.

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

Required Action: The district must reverse the expenditures of Title III funds for the copy paper and allocate state/local funds to support this expenditure. The district must submit a copy of its budget documents to verify the reversal of funds to the NJDOE for review.

Carl D. Perkins

Finding 20: A review of the district's general ledger records disclosed the district incorrectly used program code 360 to record Perkins expenditures. The Uniform Chart of Accounts for New Jersey School Districts (Chart of Accounts), as required by N.J.A.C. 6A:23-2.2(g) designates program codes 361-399 to record expenditures. The use of distinct fund/program codes provides an audit trail of amounts expended for each project.

Citation: N.J.A.C. 6A:23-2.2(g) *Uniform Minimum Chart of Accounts (Handbook 2R2).* EDGAR, Part §80.20-*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 ensure that expenditures are charged to the appropriate general ledger account in accordance with the Uniform Minimum Chart of Accounts.

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Finding 21: The district did not consult with the appropriate Workforce Investment Board(s) (WIB) and forward a copy of the completed one year funding application for review and comment.

Citation: *Perkins One-Year Grant Application Guidelines, July 1, 2011 – June 20, 2012, page 18, WIB Review.*

Required Action: The district must provide the WIB a copy of the grant application and spending plan for review/comment for each Perkins grant application.

Finding 22: The district expended FY 2010-2011 Perkins funds (July 1, 2010 - June 30, 2011) in the FY 2011-2012 grant year. The district documentation listed the Perkins funds as “Carry Over” from FY 2011 grant. The district provided journal entries detailing purchase orders (PO) dated in July 2011 and expended in September of 2011. These POs totaled \$8,586.15 for General Supplies (\$7,586.15) and Salaries (\$1000). The grant does not allow funds to be carried over from one fiscal year to the next. Therefore, expenditures for POs dated after June 30 are disallowed.

Citation: *Perkins One-Year Grant Application Guidelines, July 1, 2011 – June 20, 2012, page 18, Expending grant funds within grant year.*

Required Action: Expenditures (\$8,586.15) for purchase orders dated after June 30, 2011, and charged to the FY 2011 grant, must be charged to local or other funding sources.

Finding 23: A review of the approved Perkins grant budget revealed that the cumulative changes for the transfer of funds from one approved line item to another exceeded the 10% threshold for submitting an amendment.

Citation: *Perkins One-Year Grant Application Guidelines, July 1, 2011 – June 20, 2012, page 11, Chart of Accounts and GAAP Coding; page 50-52, Amendment Requirements for the Sum of All Changes; N.J.A.C. 6A:23-2.1, Prescribed system of double-entry bookkeeping and GAAP accounting.*

Required Action: The district must provide a justification for not requesting an amendment for the transfer of funds from one approved line item to another in excess of 10%. In the future, the district must monitor and track expenditures by function and object code to ensure they are made in accordance with the approved budget. Amendments, if necessary, should be timely and in compliance with the Perkins One-Year Grant Application Guidelines.

Finding 24: The approved budget included expenditures for category “200-500” (Other Purchased Services) for field trip transportation provided by a third party. However, the district elected to utilize district buses and drivers for several field trips. As a result, unapproved bus driver salaries totaling \$404.24 were improperly included in expenditure category “200-500.” Bus driver salaries are non-instructional salaries (200-100) which was not an approved expenditure category in the district’s approved Perkins Grant Application.

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Citation: *Perkins One-Year Grant Application Guidelines, July 1, 2011 – June 20, 2012, pages 50-52, Amendment Guidelines for transferring funds from an approved line item category to an unapproved line item category.*

Required Action: The district must provide justification for not requesting an amendment to request non-instructional salaries. In the future the district must open appropriate expenditure categories during the application process or submit an amendment by the deadline designated in the Perkins One-Year Grant Application Guidelines.

Finding 25: The district requested reimbursements of \$29,672 on April 24, 2012 for expenses through March 21, 2012. District documentation shows that only \$8,940.52 was expended by the end of April 2012. Reimbursement requests should include only those expenditures that have already been made up to that point in the project period or for those expenditures that will occur by the last date of the calendar month in which the request is being made. Documentation does not support expenditures of \$29,672.00 on or before April 30, 2012.

Citation: *Perkins One-Year Grant Application Guidelines, July 1, 2011 – June 20, 2012, page 20, Reimbursement Requests for expenditures made.*

Required Action: In the future, reimbursement requests must be submitted in a timely manner and made in compliance with the Perkins Guidelines. The district must develop a mechanism to track expenditure(s) and ensure that reimbursement request(s) are only made for eligible expenditures.

IDEA

Finding 26: The district has contracted with the MRESC to provide instructional aides to classified students in the private schools which they attend. The district must verify the time and activity of staff charged to the grant with each submission of an invoice for those staff. At the time of monitoring, MRSEC presented evidence of time sheets that clearly articulate the dates, times of service and staff signatures. This evidence was not presented to the district along with each invoice, but rather at the end of the school year.

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 request that the required supporting documents to verify the time and activity of IDEA funded staff be included in detail prior to the approval of the purchase order from the third party vendor. It is recommended that each monthly time sheet accompany the monthly invoice for payment through IDEA funds.

Administrative

Recommendation 1: The district does not have internal control policies and procedures to prevent contracting with disbarred vendors.

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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 Electronic Web Enabled Grant 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. 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.

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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 Patricia Lagarenne via phone at (609) 777-2168 or via email at patricia.lagarenne@doe.state.nj.us.