



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*

March 19, 2012

Dr. Robert Holster, Superintendent  
Passaic Public Schools  
101 Passaic Avenue  
PO Box 388  
Passaic, NJ 07055-4828

Dear Dr. Holster:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Passaic 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 December 31, 2011. 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 Passaic 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 Steven Hoffmann at (973) 621-2750.

Sincerely,

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

RJC/SH/dk:Passaic BOE Cover Letter/ Ed Jobs  
Enclosures

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**STATE OF NEW JERSEY  
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101 PASSAIC AVENUE  
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**Education Jobs Fund Program**  
*New Jersey K-12 Education*

**EDUCATION JOBS CONSOLIDATED MONITORING REPORT  
MARCH 2012**

**District:** Passaic Public Schools  
**County:** Passaic  
**Dates On-Site:** February 6 and 7, 2012  
**Case #:** Ed Jobs-057-11

**FUNDING SOURCES**

<u>Program</u>	2011/2012 <u>Funding Award</u>
Ed Jobs	\$6,111,703
Carl D. Perkins	133,215
Total Funds	<hr/> <u>\$6,244,918</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. 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 Passaic 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, Special Education, and the Carl D. Perkins Grant for the period July 1, 2010 through December 31, 2011.

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, student record review, classroom visitations and interviews with instructional staff to verify implementation of Individualized Education Programs (IEP). The visit also included a review of student class and related service schedules, interviews of the child study team members and speech-language specialist, and an interview of the program administrator regarding 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 Ed Jobs and Perkins grants were reviewed from July 1, 2010 through December 31, 2011. A sampling of purchase orders and/or salaries was taken from each program reviewed.

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**DETAILED FINDINGS AND RECOMMENDATIONS**

**Education Jobs Act**

**Finding 1:**

**Condition:** NJDOE records indicate that the district submitted the 1512 Jobs and Cash Management reports in a timely manner through September 30, 2011; however, the district failed to retain copies of the reports for audit purposes as required.

**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:** Copies of quarterly 1512 and Cash Management reports must be retained for audit purposes.

**Finding 2:**

**Condition:** The district indicated that the required 1512 report and Cash Management report for the quarter ended December 31, 2011 had not been submitted.

**Citation:** *American Recovery and Reinvestment Act of 2009 (ARRA)*.

**Required Action:** Future quarterly 1512 Ed Jobs and Cash Management reports must be submitted.

**Special Education Programs**

**Finding 3:**

**Condition:** The district did not inform teachers of their responsibilities regarding implementation of IEPs of students eligible for special education and related services and students eligible for speech language services. Noncompliance was due to lack of implementation of district procedures.

**Citations:** N.J.A.C. 6A:3.7(a); 20 U.S.C. §1412(a)(5); and 34 CFR §300.119.

**Required Action:** The district must ensure that teachers have access to student IEPs. In order to demonstrate implementation of district procedures, the district must submit documentation to the NJDOE which demonstrates that all teachers of students with disabilities have reviewed student IEPs.

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**Finding 4:**

**Condition:** The district did not consistently include 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 document age 14 transition planning requirements. 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); 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 considerations and statements. 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. The district must submit IEPs for students whose annual review meetings were conducted between May 2012 and July 2012 to the NJDOE for review. For assistance with correction of noncompliance, the district is referred to the state IEP sample form at [www.statenj.us/education/specialed/forms](http://www.statenj.us/education/specialed/forms).

**Finding 5:**

**Condition:** The district did not conduct meetings within 20 calendar days of receipt of a written request for a child study evaluation or a speech-language evaluation to determine if an evaluation was warranted. Noncompliance was due to lack of 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 district must conduct training for speech-language specialists and child study team members regarding the district's procedures. To demonstrate implementation of the procedures, the district must submit copies of 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 May 2012 and July 2012 to the NJDOE for review.

**Finding 6:**

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

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**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 age 14 or above with an IEP is provided with a written invitation to any IEP meeting where transition to adult life will be discussed. The district must submit copies of invitations to IEP meetings to students age 14 and above for meetings conducted between March 2012 and September 2012 to the NJDOE for review.

**Finding 7:**

**Condition:** The district did not consistently ensure that the required participants were in attendance at the initial and reevaluation meetings for students eligible for speech-language services and students eligible for special education and related services. Noncompliance was due to 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 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, the district must submit the IEP participants' signature page from the initial, annual review, eligibility, and reevaluation meetings for three students eligible for speech and language services and three students eligible for special education and related services whose IEP team meeting was conducted subsequent to the last day of monitoring to the NJDOE for review.

**Finding 8:**

**Condition:** The district did not provide copies of evaluation reports to parents at least 10 days prior to the determination of initial eligibility or redetermination of eligibility (when assessments were conducted). Noncompliance was due to lack of implementation of district procedures.

**Citations:** 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 reports to parents not less than 10 days prior to the determination of eligibility. To demonstrate implementation of the procedures, the district must submit copies of documentation of provision of evaluation reports to parents for eligibility meetings conducted between May 2012 and July 2012 to the NJDOE for review.

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**Finding 9:**

**Condition:** The district did not maintain written certification for each child study team evaluator as to whether his/her report reflects his/her conclusion of eligibility of the student for special education and related services. Noncompliance was due to lack of compliant district procedures.

**Citation:** N.J.A.C. 6A:14-3.4(h)5.

**Required Action:** The district must ensure that each child study team evaluator certifies in writing whether his/her report reflects his/her conclusion of eligibility. The district must develop procedures to ensure compliance with this requirement. The district must conduct training for child study team members regarding the district's procedures. To demonstrate implementation of the procedures, the district must submit a copy of the documentation for each child determined eligible between May 2012 and July 2012 to the NJDOE for review.

**Finding 10:**

**Condition:** The district did not provide a summary of academic achievement and functional performance with all required components or written notice of graduation to each graduating student due to incorrect district procedures.

**Citations:** N.J.A.C. 6A:14-4.11(b)4; 20 U.S.C. §1414(c)(5)(B); and 34 CFR §300.305(e)(3).

**Required Action:** The district must revise its Senior Exit Conference document to include the student's anticipated date of graduation. Additionally, the district must provide each graduating student with written notice of graduation in accordance with the requirements of the citations above. The district is referred to the state written notice of graduation sample form at [www.state.nj.us/education/specialed/forms](http://www.state.nj.us/education/specialed/forms) for assistance with the development of its notice. In order to demonstrate correction of noncompliance of these requirements, the district must submit documentation of the summary of academic achievement and functional performance and written notice of graduation for three students in June 2012 to the NJDOE for review.

**Carl D. Perkins**

There were no findings related to the Perkins Grant.

**Administrative**

**Recommendation 1:** The district maintains an inventory of fixed assets; however, the inventory does not segregate assets purchased with federal funds by grant.



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

**Recommended Action:** Assets purchased with federal funds should be segregated by grant in the district's fixed asset inventory.

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 Steven Hoffmann via phone at (973) 621-2750 or via email at [steven.hoffman@doe.state.nj.us](mailto:steven.hoffman@doe.state.nj.us).