



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

August 24, 2010

BRET SCHUNDLER  
*Commissioner*

Mr. John Fauta, Superintendent  
West New York Board of Education  
6028 Broadway  
West New York, NJ 07093

Dear Mr. Fauta:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **West New York Board of Education**. The funding sources reviewed include titled programs for the American Recovery and Reinvestment Act (ARRA) in particular, and/or No Child Left Behind Act (NCLB), the Individuals with Disabilities Education Act (IDEA) and State Fiscal Stabilization Funds (Education Stabilization Fund and Government Stabilization Fund). The review covered the period July 1, 2009 through January 25, 2010. The resulting report is enclosed. Please provide a copy of the report to each board member. All issued ARRA monitoring reports will be posted on the department's website at <http://www.nj.gov/education/arra/>.

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," the West New York 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 school 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 Richard J. Kilpatrick at (609) 984-5938.

Sincerely,

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

RJC/LDM/tc:West New York Board of Education Cover Letter  
Enclosures

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**STATE OF NEW JERSEY  
DEPARTMENT OF EDUCATION  
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West New York, NJ 07093  
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**American Recovery & Reinvestment Act 2009**

*New Jersey K-12 Education*

**ARRA MONITORING REPORT  
AUGUST 2010**

**District:** West New York Board of Education  
**County:** Hudson  
**Dates On-Site:** January 26-28, 2010  
**Case #:** ARRA-086-09

**FUNDING SOURCES**

Program	Funding Award
State Fiscal Stabilization Fund – Education Stabilization Fund	\$12,821,877
State Fiscal Stabilization Fund – Government Services Fund	496,354
ARRA - Title I	2,094,020
ARRA - Title I SIA	0
ARRA - IDEA –Basic	2,110,017
ARRA - IDEA –Preschool	75,700
Total ARRA Funds	<hr/> \$17,597,968 <hr/>
Title I	3,225,441
Title I - SIA	0
IDEA - Basic	1,716,681
IDEA - Preschool	52,739
Total Non-ARRA Funds	<hr/> \$4,994,861 <hr/>
Total Funds	<hr/> \$22,592,829 <hr/>

**WEST NEW YORK SCHOOL DISTRICT**  
**ARRA MONITORING REPORT**  
**AUGUST 2010**

**BACKGROUND**

The *American Recovery and Reinvestment Act of 2009 (ARRA)* and other federal laws require local education agencies (LEAs) to provide programs and services to their schools based on the requirements specified in each of the authorizing statutes (ESEA, IDEA and ARRA). 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 West New York Board of Education to monitor the district's use of ARRA 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: State Fiscal Stabilization Funds (SFSF) including the Education Stabilization Fund (ESF) and Government Services Fund (GSF); Title I; Title I SIA; ARRA-Title I; ARRA-Title I SIA; IDEA Basic; IDEA Preschool; ARRA-IDEA Basic; and ARRA-IDEA Preschool for the period July 1, 2009 through January 25, 2010. The monitoring also included a review of the district's most recent ARRA section 1512 and SFSF cash management quarterly reports to determine whether ARRA expenditures, jobs estimates and related information were reported accurately.

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 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 following dollar amounts of expenditures were reviewed for each program monitored for the period of July 1, 2009 through January 25, 2010:

- ESF 100% of benefit expenditures totaling \$ 5,710,422 were reviewed;
- GSF 100% of benefit expenditures totaling \$ 221,280 were reviewed;
- Title I 100% of expenditures totaling \$ 209,715 were reviewed;
- ARRA-Title I 100% of expenditures totaling \$ 107,037 were reviewed;
- IDEA Basic 100% of expenditures totaling \$ 265,317 were reviewed;
- IDEA Preschool 100% of expenditures totaling \$ 30,740 were reviewed;
- ARRA-IDEA Basic 100% of expenditures totaling \$ 33,858 were reviewed; and
- ARRA-IDEA Preschool had not been expended at the time of the monitoring visit.

**WEST NEW YORK SCHOOL DISTRICT  
ARRA MONITORING REPORT  
AUGUST 2010**

**GENERAL DISTRICT OVERVIEW OF USES OF TITLE I AND IDEA FUNDS**

**ARRA-Title I and Title I Projects**

Plans for the use of ARRA-Title I funds were for district programs in the following areas:

- Additional staff to reduce class sizes and provide professional development;
- Instructional materials for newly created classrooms;
- Technology improvements such as laptops, whiteboards and computer peripherals;
- Library Improvements such as purchasing materials, updating technology and professional development for Media Specialists;
- Increasing Professional Development; and
- Increasing Parental Involvement by adopting the Epstein Model used in establishing National Standards.

The district will monitor the use of these funds in various ways. Data Analysis Task Force teams at each school will analyze test scores to identify areas of need, cluster performance and item analysis to guide teachers to address student needs. Grade level meetings and vertical and horizontal articulation will take place to coordinate efforts within the district. Professional Development will be monitored to assure that newly learned strategies are being implemented through various means. Parental Involvement will be analyzed by the use of activity sign-in sheets and evaluations. The district standard for success will be attainment of state benchmarks for elementary and middle grade spans or the achievement of Safe Harbor. Professional Development goals range from 10 to 60 hours dependent on district staffing tiers. The goal for parental participation is to have a minimum of 900 parents attending parent activities, meetings or presentations.

**ARRA-IDEA Projects Basic and Preschool and IDEA Projects Basic and Preschool**

The district plans to use the ARRA-IDEA funds to hire additional staff and to maximize inclusive education programs. They also plan to hold Extended School Year programs and purchase supplies and technology and adaptive equipment. Child Study Team summer work will be added to ensure compliance with IEP timelines. Nonpublic funds will be used for instructional supplies and materials. The original application was modified to include out-of-district tuitions. Student performance logs will be monitored to assess student improvement. A Transition to Life Program will enable students to transition to independent life and employment.

**WEST NEW YORK SCHOOL DISTRICT  
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**DETAILED FINDINGS AND RECOMMENDATIONS**

**ARRA-Title I**

**Finding 1:** The district could not provide documentation of how its written parental involvement policy was distributed.

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

**Required Action:** The district must maintain records that illustrate when and how its written parental involvement policy is distributed to parents or guardians.

**Recommendation 1:** The district funded four additional positions with the use of ARRA-Title I Part A funds, without a plan in place for sustaining these additional positions.

**Citation:** *The American Recovery and Reinvestment Act of 2009 (Public Law 111-5)*.

**Required Action:** The district must put in place a plan for how it will sustain the additional positions it funded with ARRA-Title I funds.

**ARRA-IDEA B and IDEA B**

**Finding 1:** The district is not in compliance with the requirements for services to nonpublic schools. The district does not participate in consultation and collaborative decision making with the nonpublic schools and does not communicate directly with the nonpublic schools regarding the delivery of service and new requests for service.

**Citation:** IDEA Regulation 34 CFR 300 and 301 (*Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities*).

**Required Action:** The district must conduct consultation activities with the nonpublic schools and develop procedures to participate in a collaborative decision making process with the nonpublic schools. In its communication with the nonpublic schools, the district must clarify how services will be delivered and the process for authorizing new requests for services that come through the district and not the provider. The district must submit its updated contract(s) and control procedures to the NJDOE for review

**Finding 2:** The district's contracts with the nonpublic service providers do not specify that payments must be tied to specific services.

**Citation:** IDEA Regulation 34 CFR 300 and 301 (*Assistance to States for the Education of Children With Disabilities and Preschool Grants for Children With Disabilities*).

**WEST NEW YORK SCHOOL DISTRICT**  
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**Required Action:** The district must revise the contracts with its nonpublic services providers to denote that payments will be based on specific services provided.

**Financial Management and Reporting**

The review in this area yielded no findings or recommendations.

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 Richard J. Kilpatrick at (609) 984-5938 or via email at [richard.kilpatrick@doe.state.nj.us](mailto:richard.kilpatrick@doe.state.nj.us).