EGG HARBOR TOWNSHIP BOARD OF EDUCATION

AUDITORS MANAGEMENT REPORT ON ADMINISTRATIVE FINDINGS
-FINANCIAL, COMPLIANCE AND PERFORMANCE

June 30, 2019

AUDITORS' MANAGEMENT REPORT ON ADMINISTRATIVE FINDINGS FINANCIAL, COMPLIANCE AND PERFORMANCE

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Report of Independent Auditors

Honorable President and Members of the Board of Education Egg Harbor Township School District County of Atlantic, New Jersey

We have audited, in accordance with generally accepted audit standards and <u>Government Auditing Standards</u> issued by the Comptroller General of the United States, the basic financial statements of the Board of Education of the Egg Harbor Township School District in the County of Atlantic for the year ended June 30, 2019, and have issued our report thereon dated December 12, 2019.

As part of our audit, we performed procedures required by the New Jersey Department of Education, and the findings and results thereof are disclosed on the following pages, as listed in the accompanying table of contents.

This report is intended solely for the information of the Egg Harbor Township Board of Education's management and the New Jersey Department of Education. However, this report is a matter of public record and its distribution is not limited.

Very truly yours,

FORD, SCOTT & ASSOCIATES, L.L.C. CERTIFIED PUBLIC ACCOUNTANTS

Leon P. Costello

Leon P. Costello Certified Public Accountant Licensed Public School Accountant No. 767

December 12, 2019



ADMINISTRATIVE FINDINGS - FINANCIAL COMPLIANCE AND PERFORMANCE

Scope of Audit

The audit covered the financial transactions of the Board Secretary/School Business Administrator and the Chief School Administrator, the activities of the Board of Education, and the records of the various funds under the auspices of the Board of Education.

Administrative Practices and Procedures

<u>Insurance</u>

Fire insurance coverage was carried in the amounts as detailed on Exhibit J-20, Insurance Schedule contained in the district's CAFR.

Official Bonds (*N.J.S.A.* 18A:17-26, 18A:17-32; 18A:13-13)

Name Position Amount Chandra Anaya, CPA School Business Administrator \$500,000

There is a Public Employees' Faithful Performance Blanket Position Bond with the American Employers Insurance Company covering all other employees in the amount of \$50,000.

Tuition Charges

A comparison of tentative tuition charges and actual certified tuition charges was made. The actual costs were less than estimated costs. The Board made a proper adjustment to the billings to sending districts for the decrease in per pupil costs in accordance with NJAC 6A:23A-17.1(f)3.

Financial Planning, Accounting and Reporting

Examination of Claims

An examination of claims paid during the period under review did not indicate any discrepancies with respect to signatures, certification or supporting documentation.

Payroll Account

The net salaries of all employees of the Board were deposited in the Payroll Account. Employees' payroll deduction and employer's share of fringe benefits were deposited in the Payroll Agency Account.

All payrolls were approved by the Superintendent and were certified by the President of the Board and the Board Secretary/School Business Administrator.

Salary withholdings were promptly remitted to the proper agencies, including health benefits premium amounts withheld due to the general fund.

Payrolls were delivered to the secretary of the board who then deposited with warrants in separate bank accounts for net payroll and withholdings.

Employee Position Control Roster

No inconsistencies were noted between the Position Control Roster and the payroll records, employee benefit records, and the general ledger accounts to where wages are posted.

Reserve for Encumbrances and Accounts Payable

A review of outstanding issued purchase orders was made as of June 30 for proper classification of orders as reserve for encumbrances and accounts payable.

Classification of Expenditures

The coding of expenditures was tested for proper classification in accordance with NJAC 6A:23A-16.2(f) as part of our test of transactions of randomly selected expenditure items. We also reviewed the coding of all expenditures included in our compliance and single audit testing procedures. In addition to randomly selecting a test sample, our sample selection specifically targeted administrative coding classifications to determine overall reliability and compliance with NJAC 6A:23A-8.3. As a result of the procedures performed, a transaction error rate of 0.00% was noted and no additional procedures were deemed necessary to test the propriety of expenditure classification.

A. General Classification Findings

None

B. Administrative Classification Findings

None

Board Secretary's Records

The records of the Board Secretary were in satisfactory condition, except for the following:

Finding:

NJAC allows unexpended balances to remain in the capital projects fund for six years after bonds are issued or sold. As of 6/30/19, there are unexpended capital project balances that relate to the May 2001 bond sale. This project is related to the construction of an elementary school and the Township has not yet accepted construction work done on the road in front of the school. The Township and School district are working with the engineers to resolve this issue. Based on this, no recommendation is warranted.

<u>Elementary and Secondary Education Act (E.S.E.A)/as amended by the Every Student Succeeds Act (ESSA)</u>

The E.S.E.A. financial exhibits are contained within the Special Revenue Section of the CAFR. This section of the CAFR documents the financial position pertaining to the projects under Titles I and VI of the Elementary and Secondary Education Act as amended and reauthorized.

The study of compliance for E.S.E.A. indicated no areas of noncompliance and/or questionable costs.

Other Special Federal and/or State Projects

The district's Special Projects were approved as listed on Schedule A and Schedule B located in the CAFR.

Our audit of the Federal and State funds on a test basis indicated that obligations and expenditures were incurred during the fiscal year or project period for which the project was approved.

The financial exhibits are contained within the Special Revenue Section of the CAFR. This section of the CAFR documents the financial position pertaining to the aforementioned special projects.

The study of compliance for Special Federal and/or State Projects indicated no areas of noncompliance and/or questionable costs.

T.P.A.F. Reimbursement

Our audit procedures included a test of the biweekly reimbursements filed with the Department of Education for district employees who are members of the Teachers Pension and Annuity Fund. No exceptions were noted.

TPAF Reimbursement to the State for Federal Salary Expenditures

The reimbursement to the State for the amount of the expenditure charged to the current year's Final Report for all federal awards for the school district to reimburse the State for the TPAF/FICA payments made by the State on-behalf of the school district for those employees whose salaries are identified as being paid from federal funds was made subsequent to the end of the 60 day grant liquidation period, but prior to the 90 days required by NJSA 18A:66-90. Accordingly, the expenditure was made in accordance with State law (90 days) and properly reported as obligated and not expended and as an unliquidated balance in the current year's Final Report for all federal awards.

School Purchasing Programs

Contracts and Agreements Requiring Advertisement for Bids

N.J.S.A. 18A:18A-3 states:

- a. When the cost or price of any contract awarded by the purchasing agent in the aggregate, does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by a purchasing agent when so authorized by resolution of the board of education without public advertising for bids and bidding therefore, except that the board of education may adopt a resolution to set a lower threshold for the receipt of public bids or the solicitation of competitive quotations. If the purchasing agent is qualified pursuant to subsection b (pending C40A:11-9) the board of education may establish that the bid threshold may be up to \$40,000. Such authorization may be granted for each contract or by a general delegation of the power to negotiate and award such contracts pursuant to the section.
- b. Commencing in the fifth year after the year in which P.L. 1999, c.440 took effect, and every five years thereafter, the Governor, in consultation with the Department of Treasury, shall adjust the threshold amount and the higher threshold amount which the board of education is permitted to establish as set forth in subsection a. of this section or the threshold amount resulting from any adjustment under this subsection, in direct proportion to the rise or fall of the index rate as that term is defined in NJS 18A:18A-2, and shall round the adjustment to the nearest \$1,000. The Governor shall notify all local school districts of the adjustment no later than June 1 of every fifth year. The adjustment shall become effective on July 1 of the year in which it is made. Any contract made pursuant to this section may be awarded for a period of 24 consecutive months, except that contracts for professional services pursuant to paragraph (1) of sub section a. of NJSA 18A:18A-5 may be awarded for a period not exceeding 12 consecutive months.

<u>N.J.S.A.</u> 18A:18A-4 states, "Every contract for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the board of education to the lowest responsible bidder after public advertising for bids and bidding therefore, except as is provided otherwise in this chapter or specifically by any other.

The board of education may, by resolution approved by a majority of the board of education and subject to subsections b. and c. of this section, disqualify a bidder who would otherwise be determined to be the lowest responsible bidder, if the board of education finds that it has had prior negative experience with the bidder.

Effective July 1, 2010 and thereafter the bid thresholds in accordance with NJSA 18A:18A-3 (as amended) and 18A:39-3 are \$26,000 and \$19,000 respectively.

The business administrator/board secretary of the school district is a qualified purchasing agent and the board of education has adopted a resolution to establish a bid threshold of \$40,000.

The district board of education has the responsibility of determining whether the expenditures in any category will exceed the statutory thresholds within the contract year. Where question arises as to whether any contract or agreement might result in violation of the statute, the Solicitor's opinion should be sought before a commitment is made.

Inasmuch as the system of records did not provide for an accumulation of payments for categories for the performance of any work or the furnishing or hiring of any materials or supplies, the results of such an accumulation could not reasonably be ascertained. Disbursements were reviewed, however, to determine whether any clear-cut violations existed.

Based on the results of my examination, I did not note individual payments, contracts, or agreements made for the performance of any work or goods or services, in excess of the statutory thresholds where there had been no advertising for bids in accordance with the provision of N.J.S.A. 18A:18A-4, amended.

Resolutions were adopted authorizing the awarding of contracts or agreements for "Professional Services" per N.J.S.A. 18A:18A-5.

The system of records did not provide for an accumulation of purchases for which the school board used contracts entered into by the State Department of Purchase and Property pursuant to Ch. 114, P.L. 1977, therefore, the extent of such purchases could not reasonably be ascertained. My examination did reveal, however, that the following purchases were made through the use of State contracts:

Computer Equipment

School Food Service

The school food service program was not selected as a major federal and/or State program. However, the program expenditures exceeded \$100,000 in federal and/or State support. Accordingly, we inquired of school management, or appropriate school food service personnel, as to whether the School Food Authority (SFA) had any Child Nutrition Program reimbursement overclaims or underclaims. No exceptions were noted.

We also inquired of school management, or appropriate school food service personnel, as to whether the SFA's expenditures of school food service revenues were limited to allowable direct and indirect costs. No exceptions were noted.

The Statement of Revenues, Expenses, and Changes in Fund Net Assets (CAFR Schedule B-5) does separate program and non-program revenue and program and non-program cost of goods sold.

Net cash resources did not exceed three months average expenditures.

Exhibits reflecting Child Nutrition Program operations are included in the section entitled Proprietary Funds, Exhibits B-4 through B-6 of the CAFR.

Student Body Activities

The activities funds are maintained in a satisfactory manner.

Application for State School Aid

Our audit procedures included a test of information reported in the October 15, 2018 Application for State School Aid (A.S.S.A) for on-roll, private schools for the handicapped, low-income and bilingual. We also performed a review of the district procedures related to its completion. The information on the A.S.S.A.

was compared to the district workpapers without exception. The information that was included on the workpapers was verified without exception. The results of our procedures are presented in the Schedule of Audited Enrollments.

The district maintained workpapers on the prescribed state forms or their equivalent.

The district written procedures appear to be adequate for the recording of student enrollment data.

Pupil Transportation

Our audit procedures included a test of on roll status reported in the 2018-19 District Report of Transported Resident Students (DRTRS). The information that was included on the DRTRS was verified to the DRTRS Eligibility Summary Report without exception. The results of our procedures are presented in the Schedule of Audited Enrollments.

Our procedures also included a review of transportation related contracts and purchases. Based on our review, the district complied with proper bidding procedures and award of contracts. The bid specifications for the purchase of buses were in compliance with applicable statutes. No exceptions were noted in our review of transportation related purchases of goods and services.

Testing for Lead of All Drinking Water in Educational Facilities

The school district adhered to all the requirements of N.J.A.C. 26-1.2 and 12.4 related to the testing for lead of all drinking water in educational facilities.

Follow-up on Prior Years' Findings

In accordance with government auditing standards, our procedures included a review of all prior year recommendations including findings. Corrective action has been taken on all prior year findings.

Acknowledgment

We received the complete cooperation of all the officials of the school district and I greatly appreciate the courtesies extended to the members of the audit team.

SCHEDULE OF AUDITED ENROLLMENTS

TOWNSHIP OF EGG HARBOR SCHOOL DISTRICT APPLICATION FOR STATE SCHOOL AID SUMMARY ENROLLMENT AS OF OCTOBER 15, 2018

	20	19-2020 Appli	ication for Stat	2019-2020 Application for State School Aid (10/15/18 data)	10/15/18 data)				Sample for	Sample for Verification		
I	Reported on	c	Reported on	no pe			Sample	ple	Verif	Verified per	Errol	Errors per
	A.S.S.A.		Workpapers	apers			Selected from	d from	Reg	Registers	Regi	Registers
	on Roll		on Roll	oll	Errors	Ors	Workpapers	apers	on	on Roll	on Rol	Soll
	Full	Shared	Full	Shared	Full	Shared	Full	Shared	Full	Shared	Full	Shared
Pre-K Half Day	61		61		1	1	က		က		•	•
Half Day Kindergarten	330		330		•		15		15		1	•
Full Day Kindergarten			•		•		•		•		•	•
One	452		452		•	•	19		19		•	•
Two	438		438		•	•	18		18		•	•
Three	445		445		•		20		20		•	•
Four	485		485		•		20		20		•	•
Five	470		470		•		21		21		•	•
Six	515		515		•	•	21		21		•	•
Seven	493		493		•	•	23		23		•	•
Eight	583		583		•	•	22		22		•	•
Nine	511		511		•	•	22		22		•	•
Ten	522		522		•	•	23		23		•	•
Eleven	543		543		•	•	23		23		•	٠
Twelve	543		543		•	•	23		23		•	٠
Subtotal	6,391	•	6,391		•	· •	273	•	273			
Special Ed Elementary	458		458		'	٠	19		19		'	٠
Special Ed Middle School	256		256		٠	٠	10		10		,	•
Special Ed High School	239		239		•	•	10		10		•	٠
Subtotal	953	•	953	'		'	39	•	39	1		'
Totals ==	7,344		7,344		1		312		312			1
Percentage				. "	0.00%	0.00%					0.00%	%00.0

SCHEDULE OF AUDITED ENROLLMENTS

TOWNSHIP OF EGG HARBOR SCHOOL DISTRICT APPLICATION FOR STATE SCHOOL AID SUMMARY ENROLLMENT AS OF OCTOBER 15, 2018

v Income	uc	S	aron I							-	- 8	- 9	- 01	- 2	-	- 9			- 0	- 2	4			- 2			
Resident LEP Low Income	Reported on	W orkpapers	as LEP	LOW IIICO				23	7	÷	=======================================	•	7		1	26	7	7	10	175	•		•			180	
Resi	Reported	ON ASSA	as LEP	FOW HICOING		7	•	23	16	1	18	9	10	7	1	26	16	14	10	175	4	•	_	5		180	
ion		1	Sample	LIIOIS		•	•	•	•	•	•	•	•	•	•	•	•	•	•	'	,	•	•				
Sample for Verification	Verified to	Application	and Dogieter	i celisici		12		19	16	20	21	22	19	23	22	20	21	19	20	254	19	12	4	45		299	
San	Sample	Selected	Morkpapere	v oi spapei s		12		19	16	20	21	22	19	23	22	20	21	19	20	254	19	12	4	45		299	
ne			22.0	LIGIO		•	•	•	•	•	1	•	•	•	•	•	•	•	•	'	•	1	,	'			
Resident Low Income	Reported on	W orkpapers	as Low			99		209	196	218	238	261	214	264	260	235	259	233	244	2,897	224	137	148	209		3,406	
Re	Reported	on ASSA	as Low Income			99		209	196	218	238	261	214	264	260	235	259	233	244	2,897	224	137	148	209		3,406	
		9	Sample	LIIOIS																'	,	•	'				
s tor Disablec		1	Verified	אַכווונים																'	4	4	17	25		25	
Private Schools for Disabled	-	Sample	Vorification	Verification																1	4	4	17	25		25	
	Reported on	ASSA as	Schools	SCHOOLS																	7	5	16	25		25	
					Pre-K Half Day	Half Day Kindergarten	Full Day Kindergarten	One	Two	Three	Four	Five	Six	Seven	Eight	Nine	Ten	Eleven	Twelve	Subtotal	Special Ed Elementary	Special Ed Middle School	Special Ed High School	Subtotal	Co. Voc Regular	Totals	

SCHEDULE OF AUDITED ENROLLMENTS

TOWNSHIP OF EGG HARBOR SCHOOL DISTRICT APPLICATION FOR STATE SCHOOL AID SUMMARY ENROLLMENT AS OF OCTOBER 13, 2018

	I		ı														,	,	١,			,	ı,	.	%
ation		Sample	Errors																						0.00%
Sample for Verification	Verified to Test Score	and	Register		16	•	13	80	4	2	•	2	ဂ	2	_	_	_	•	26	'	•	_	-	57	
Sam	Sample Selected	from	Workpapers		16	•	13	8	4	S	•	2	က	2	~	_	_	٠	26	,	•	_	-	57	
Income			Errors		•	•	•	٠	•	•	•	•	•	•	•	•	٠	٠	'	'	•	1			
Resident LEP Not Low Income	Reported on Workpapers	as LEP	Low Income		16	•	13	∞	4	S)	•	2	က	2	_	_	_	•	26	,	,	_	_	57	
Resident	Reported on ASSA	as LEP	Low Income		16	•	13	80	4	2	•	2	က	7	_	_	_	•	26	,	•	_	_	57	
<u>د</u>		Sample	Errors		•	•	•	•	•	•	•	•	•	•	•	•	•	•		,	•	•		1	%00.0
Sample for Verification	Verified to Test Score,	Application &	Register		7	•	23	16	1	18	9	10	7	1	26	16	4	10	175	4		_	2	180	
San	Sample Selected	from	Workpapers		7	•	23	16	7	18	9	10	7	1	26	16	4	10	175	4		_	2	180	
	•		'	Pre-K Half Day	Half Day Kindergarten	Full Day Kindergarten	One	Two	Three	Four	Five	Six	Seven	Eight	Nine	Ten	Eleven	Twelve	Subtotal	Special Ed Elementary	Special Ed Middle School	Special Ed High School	Subtotal	Totals =	Percentage Error

•			l ranspo	ransportation					
	Reported on DRTRS by	Reported on Reported on DRTRS by							
•	DOE/county	District	Errors	Tested	Verified Errors	Errors			
Reg Public Schools	4,953	4,953	٠	242	242				Re-
Transported - Non-Public	206	206	•	9	9		Rep	ported	Calculated
Non-Public AIL	121	121	•	23	23		Avg. Mileage-Regular including Grade PK studer 4.5	4.5	4.5
Regular Special Ed	480	480	•	25	25				
Special Ed Special Needs	334	334	•	16	16	•	Avg. Mileage-Regular excluding Grade PK studer	4.5	4.5
Totals	6,394	6,394	ı	312	312	1	Avg. Mileage-Special Ed with Special Needs	5.3	5.3
Percentage Error						%00.0			

EXCESS SURPLUS CALCULATION

SECTION 1

2018-2019 Total General Fund Expenditures per the CAFR,Ex. C-1	\$ 146,546,321	(B)	
Increased by Applicable Operating Transfers Transfer from Capital Outlay to Capital Projects Fund Transfer from Capital Reserve to Capital Projects Fund Transfer from General Fund to SRF for PreK-Regular Transfer from General Fund to SRF for PreK-Inclusion	-	(B1a) (B1b) (B1c) (B1d)	
Decreased by: On-Behalf TPAF Pension & Social Security Assets Acquired Under Capital Leases	(18,594,153)	(B2a) (B2b)	
Adjusted General Fund Expenditures [(B)+(B1s)-(B2s)]			127,952,168 (B3)
2% of Adjusted 2018-2019 General Fund Expenditures [(B3) times .02] Enter greater of (A) or \$250,000 Increased by: Allowable Adjustment * Maximum Unassigned/Undesignated Fund Balance [(B-5)+(K)]			2,559,043 (A) 2,559,043 (B5) 773,558 (K) 3,332,601 (M)
Total General Fund - Fund Balances @ 6-30-2019 (Per CAFR Budgetary Comparison Schedule C-1) Decreased by: Year-End Encumbrances Legally Restricted - Designated for Subsequent Year's Expenditures Legally Restricted - Excess Surplus - Designated for Subsequent Year's Expenditures ** Other Restricted Fund Balances **** Assigned Fund Balance - Unreserved - Designated for Subsequent Year's Expenditures	14,929,379 (1,187,656) - (4,829,419) (2,193,449) (386,254)	(C2) (C3) (C4)	
Total Unassigned Fund Balance [(C)-(C1)-(C2)-(C3)-(C4)-(C5)]			6,332,601 (U1)

SECTION 3

Restricted Fund Balance - Excess Surplus *** [(U1)-(M)] IF NEGATIVE ENTER -0-

3,000,000 (E)

(C3)

(E)

Recapitulation of Excess Surplus as of June 30, 2019

Reserved Excess Surplus - Designated for Subsequent Year's Expenditures * 4,829,419 Reserved Excess Surplus [(C-3) + (E)] *** 3,000,000 Total Excess Surplus [(C3) + (E)] 7,829,419 (D)

- Allowable adjustment to expendirues on line K must be detailed as followes This adjustment line (as detailed below) is to be utilized when applicable for: (H) Federal Impact Aid. The passage of P.L.2015, c.46 a,emded N.J.S.A. 18A:7F-41 to permit a board of education to appropriate federal impact aid funds to establish or supplement a federal impact aid legal reserve in the general fund. Accordingly, effective for the year ending June 30, 2016 the Federal Impact Aid adjustment to expenditures is limited to the portion of Federal Impact Aid Section 8002 and Section 8003 received during the fiscal year and recognized as revene on the General Fund Budgetary Comparison Schedule, but not transferred to the Federal Impact Aid Reserve- General (8002 or 8003) by board resolution during June 1 to June 30 of the fiscal year under audit. Amounts transferred to the reserve are captured on line (C4):
 - (I) Sale of Lease-back (Refer to the Audit Program Section II, Chapter 10);
 - (JI) Extraordinary Aid;
 - (J2) Additional Nonpublic School Transportation Aid;
 - (J3) Recognized current year school bus Advertising Recenue; and
 - (J4) Family Crisis Transportation Aid.

Notes to auditor: Refer to the Audit Program Section II, Chapter 10 for Restictions on the inclusion of Extraordinary Aid, Family Crisis Transportion Aid, and Additional Nonpublic School Transportation Aid.

Detail of Allowable Adjustments

Impact Aid	-	(H)
Sale & Lease-back	-	(1)
Extraordinary Aid	660,982	(J1)
Additional Nonpublic School Transportation Aid	112,576	(J2)
Current Year School Bus Adveertising Revenue Recognized	-	(J3)
Family Crisis Transportation Aid		(J4)
Total Adjustments $[(H)+(J)+(J)+(J)+(J)+(J)+(J)]$	773,558	(K)

- This amount represents the June 30, 2017 Excess Surplus (C3 above) and must be included in the Audit Summary Worksheet Line 90031.
- Amounts must agree to the June 30, 2017 CAFR and must agree to Audit Summary Line 90030.
- Amount for Other Restricted Fund Balances must be detailed for each source. Use in the excess surplus calculation of any legal reserve that is not state mandated or that is not legally imposed by an other type of government, such as the judicial branch of government, must have departmental approval. District requests should be submitted to the Division of Administration and Finance prior to September 30.

Detail of Other Restricted Fund Balance

Statutory restrictions:	
Approved unspent separate proposal	-
Sale/lease-back reserve	-
Capital reserve	1,801,449
Maintenance reserve	392,000
Tuition reserve	-
Emergency reserve	-
School Bus Advertising 50% Fuel Offset Reserve - current year	-
School Bus Advertising 50% Fuel Offset Reserve - prior year	-
Impact Aid General Fund Reserve (Sections 8002 and 8003)	-
Impact Aid General Fund Reserve (Sections 8007 and 8008)	-
Other state/government mandated reserve	-
[Other Restricted Fund Balance not noted above] ****	-
Total Other Restricted Fund Balance	2,193,449 (C4)

AUDIT RECOMMENDATIONS SUMMARY For the Fiscal Year Ended June 30, 2019 EGG HARBOR TOWNSHIP SCHOOL DISTRICT

RECOMMENDATIONS

- Administrative Practices and Procedures
 None
- 2. Financial Planning, Accounting and Reporting None
- 3. <u>School Purchasing Program</u> None
- 4. School Food Service None
- 5. Student Body Activities
 None
- 6. Application for State School Aid None
- 7. Pupil Transportation None
- 8. <u>Miscellaneous</u> None

A corrective action plan is not necessary as no findings were identified. A copy of it will be placed on file and made available for public inspection in the Office of the Board Secretary of the Egg Harbor Township Board of Education within 30 days of this notice.