



# State of New Jersey

DEPARTMENT OF EDUCATION  
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TRENTON, NJ 08625-0500

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

DAVID C. HESPE  
Commissioner

July 18, 2016

Dr. Joseph Meloche, Superintendent  
Cherry Hill School District  
45 Ranoldo Terrace, PO Box 5015  
Cherry Hill, NJ 08034-0391

Dear Dr. Meloche:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Cherry Hill School District**. The funding sources reviewed include titled programs for the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA). The review covered the period July 1, 2014 through January 29, 2016. The resulting report is enclosed. Please provide a copy of the report to each board member. All issued Consolidated Monitoring Reports will be posted on the department's website at [www.state.nj.us/education/compliance/monitor/](http://www.state.nj.us/education/compliance/monitor/).

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," the Cherry Hill School District 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 Carla Spates at (609) 984-5909.

Sincerely,

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

RJC/CS/dk:Cherry Hill School District Cover Letter /consolidated monitoring 15-16  
Enclosures

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*New Jersey K-12 Education*

CONSOLIDATED MONITORING REPORT  
JULY 2016

**District:** Cherry Hill Public Schools  
**County:** Camden  
**Dates On-Site:** January 26, 27, 28, and 29, 2016  
**Case #:** CM- 011-15

**FUNDING SOURCES**

Program	Funding Award
Title I, Part A	\$ 1,268,343
Title II, Part A	295,343
Title III	96,480
Title III Immigrant	44,264
Carl D. Perkins	62,614
IDEA Basic	2,643,834
IDEA Preschool	111,792
Total Funds	<u>\$ 4,522,670</u>

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**BACKGROUND**

The Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Act (IDEA) 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 Carl D. Perkins). The laws further require 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 Cherry Hill Public Schools to monitor the district's use of federal funds and the related program plans, where applicable, to determine whether the schools' 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: Title I, Part A (Title I); Title I, Part A, SIA (Title I SIA); Title II, Part A (Title II); Title III, Part A (Title III); Title III Immigrant; Carl D. Perkins (Perkins); IDEA Basic and Preschool for the period July 1, 2014 through January 29, 2016.

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 and 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 school personnel, reviewed the supporting documentation for a sample of expenditures and conducted internal control reviews.

**EXPENDITURES REVIEWED**

The grants reviewed included Title I, Title II, Title III, Title III Immigrant, IDEA Basic and Preschool from July 1, 2014 through January 29, 2016. A sampling of purchase orders and/or salaries was taken from each program reviewed.

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**GENERAL OVERVIEW OF USES OF TITLE I, TITLE II, TITLE III, TITLE III  
IMMIGRANT, CARL D. PERKINS AND IDEA FUNDS**

**Title I**

The district used its FY 2016 Title I funds to implement targeted assistance programs in its Title I schools. Primarily, the district provides tutoring services, extended day programs, and extended year programs to supplement the instruction of identified low-performing students.

**Title II**

The district used its FY 2016 Title II funds to provide staff with professional development opportunities that become part of turnkey professional development opportunities for school and/or district staff known as "Flex Options."

**Title III**

The district used its FY 2016 Title III funds for professional development, community programs, software, instructional materials, and Title III specific translations. The district has approximately 250 English language learners (ELLs) in High Intensity English as a Second Language (ESL) and Sheltered Instruction programs.

**Title III Immigrant**

The district used its FY 2016 Title III Immigrant funds for professional development, academic counseling, and materials/supplies.

**Carl D. Perkins**

The district used its FY 2016 Carl D. Perkins funds to provide support for the four career and technical education (CTE) programs operated by the district: Commercial & Advertising Art (500402), Commercial Photography (500406), CAD/CADD Drafting and/or Design Technology/Technician (151302), and Marketing/Marketing Management, General (521401).

**IDEA (Special Education)**

The district used its FY 2016 IDEA Basic funds to reduce district tuition costs for students receiving special education services in approved private schools for students with disabilities. Nonpublic funds were used to provide related services, instructional aides, instructional supplies and professional development for students enrolled in nonpublic schools.

**IDEA Preschool**

The district used its FY 2016 Preschool funds to provide training and technical assistance to preschool teachers, and to hire a certified occupational therapy assistant.

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**DETAILED FINDINGS AND RECOMMENDATIONS**

**Title I**

**Finding 1:** The district did not provide consistent evidence indicating each of its Title I schools convened an annual Title I parent meeting in the beginning of the year. Not conducting an annual meeting in the beginning of the year to explain the Title I legislation and the district's Title I programs did not allow parents of identified Title I students to be informed and vested in the Title I process from the start.

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

**Required Actions:** Each Title I school must convene its FY 2016-2017 annual Title I meeting for the parents/guardians of its identified Title I students and submit evidence of said meeting to the NJDOE for review (invitational letter/flyer, agenda, meeting minutes, and sign in sheets must be obtained).

**Finding 2:** The schools' Title I participation letter to inform parents of their child's participation in the Title I program did not meet the legislative/regulatory requirements. While the letter requests the parents' permission for their child to participate in a specific program (e.g., summer school or afterschool tutoring), it did not include the required components of entrance and exit criteria, and the remediation strategies.

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

**Required Action:** The district's Title I schools must revise their FY 2016-2017 letter sent to parents to inform them of their children's participation in the Title I program. The letter must include the following required components: entrance and exit criteria (both quantitative and qualitative measures), instructional and academic strategies used to remediate the student and section for parents to authorize their child's participation in the Title I program. The district must submit a copy of the revised letter to the NJDOE for review.

**Finding 3:** The district did not provide evidence its Title I schools consistently applied the established entrance and exit criteria to determine student eligibility. The monitors were unable to verify the process used to select and serve Title I students.

**Citation:** ESEA §1115: *Targeted Assistance Schools*.

**Required Action:** The district's Title I schools must establish a tracking mechanism for proper Title I student identification. This mechanism must include documentation of the use of multiple, educationally related, objective criteria to identify students for eligibility to receive Title I services. The district must provide documentation of its process to ensure each Title I school consistently applies the established entrance and exit criteria for Title I services.

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**Finding 4:** The district's nonpublic consultation process did not meet the legislative/regulatory requirements established in NCLB. The process did not focus on the academic criteria to identify nonpublic students for Title I services. Rather, the district used income as the criterion to identify students for equitable participation; thus, low-performing students were not the beneficiaries of the Title I services.

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

**Required Action:** The district must implement a nonpublic consultation process that meets the legislative/regulatory requirements. The district must submit documentation (e.g., agendas, meeting minutes, sign in sheets) of its consultation process for the 2016-2017 school year to the NJDOE for review.

**Finding 5:** The district provides academic interventions through pullout programs. The removal of students from core courses increases gaps in the skills and knowledge of academically at-risk students.

**Citation:** ESEA §1115(c)(1)(C) *Targeted Assistance Schools, Components of a Targeted Assistance School Program*; USDE Policy letter October 6, 2008.

**Recommendation:** The district should consider revising its Title I program to provide services without removing students from their core courses. Primary consideration should be given to providing extended learning time opportunities, such as before and afterschool programs, and summer programs.

**Finding 6:** The district was unable to provide documentation of a distinct Title I program at the high school and alternative high school.

**Citation:** ESEA §1115(c)(1)(C) *Targeted Assistance Programs, Components of a Targeted Assistance School Program*.

**Required Action:** The district must submit a description of the Title I program for students at the high school and alternative high school. Primary consideration should be given to providing extended learning time opportunities, such as before and afterschool programs, and summer programs.

**Finding 7:** There was no evidence the district parental involvement policy was reviewed for the current school year. The annual review and current board adoption allow parents and other stakeholders to impact the parental involvement process and identify the unique needs of the Title I schools and Title I parents.

**Citation:** ESEA §1118(a)(2): *Parental Involvement (Local Educational Agency Policy)* and ESEA §1118(b): *Parental Involvement (School Parental Involvement Policy)*.

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**Required Action:** The district must submit copies of a recent board approved district parental involvement policy to the NJDOE for review. The district must also provide evidence of inclusion of the associated stakeholder groups in the development of the parental involvement policy, and evidence of the involvement of parents and families in the development and annual review process. The district must provide evidence to the NJDOE that during the 2016-2017 school year these documents were developed with the input of the parents/guardians of Title I students.

**Finding 8:** The district's Title I schools did not provide information to parents in multiple languages. Schools are required to provide information to parents of students participating in Title I programs in a language that is understandable and in a uniform format, including alternative formats upon request.

**Citation:** ESEA §1118(b)(1): *Parental Involvement, (School Parental Involvement Policy).*

**Required Action:** The school must have all required documents translated into a language that is understandable to the parents of the students served. The documents that must be in multiple languages are the District/School Parental Involvement Policy, Parent-School Compact and the Right to Know Letter, at a minimum. The school must submit copies of these documents to the NJDOE for review.

**Finding 9:** The district did not consistently have the required supporting documents to verify the activity of staff charged to the Title I grant. The documentation must reflect what the staff is doing and when (time slots), and must match their funded percentage. This documentation is necessary to ensure grant funded staff are actually performing grant related responsibilities. The school had alternative documentation that helped support the funding.

**Citation:** Uniform Guidance 2 CFR 200.430, Compensation-Personal Services.

**Required Action:** The district must consistently use time sheets at the school-level to clearly identify what the staff is doing. The district must submit sample sheets for 2016-2017 to the NJDOE for review. Prior to this, the district should consult the department's December 2012 guidance on *Time and Effort Reporting for Title I Funded Staff* located at: <http://education.state.nj.us/broadcasts/2012/DEC/18/8649/TimeandActivityReporting.pdf> as a resource.

## **Title II**

**Finding 10:** The district did not have a district-based professional development plan for FY 2015-2016 that met the state requirements set forth in code. Furthermore, the schools did not have individual school level professional development plans. All schools and districts in New Jersey are required to create an annual district professional development plan and all schools are required to create annual school-level professional development plans. Activities in the school-level plans must be consistent with the district professional development plan. The district-level and school-level



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plans must align with New Jersey's definition of Professional Development and Professional Development Standards for Teachers and the New Jersey Standards for Professional learning.

**Citations:** ESEA §2122: *Local Applications and Needs Assessment*; N.J.A.C. 6A:9C-4.2: District–and school–level plans for professional development implementation; and N.J.A.C. 6A:9C-5.3: District Mentoring Plan.

**Required Action:** The schools and the district must create professional development plans that are consistent with professional development funded activities. The schools and district must submit professional development plans for FY 2016-2017 along with board approval to the NJDOE for review.

**Finding 11:** The district's use of Title II funds totaling \$675.00 for a workshop for administrators for RUBICON, a data based system, is not an allowable use of Title II funds.

**Citation:** ESEA §2122(b)(5): *Local Applications and Needs Assessment* and 2 CFR §200.403: Basic Considerations (Factors affecting allowability of costs).

**Required Action:** The district must reverse the charge and submit a copy of the adjusting entry to NJDOE.

**Finding 12:** The district is not in compliance with current federal and state requirements for Highly Qualified Teachers (HQT). A review of middle school teachers' personnel folders found several teachers who provide direct instruction to special education students do not meet the criteria of a HQT. As the NJDOE transitions from the federal regulations under NCLB to ESSA, where requirements for HQT are not included in compliance requirements, the identified issue is formally noted.

**Citation:** ESEA §1119: *Qualifications for Teachers and Paraprofessionals*. ESEA §1111(h)(6)(B)(ii): *Right to Know Letter*.

**Required Action:** No action is required.

**Finding 13:** The district is not in compliance with state certification requirements for teachers in middle school grade levels. A review of middle school teachers' personnel folders found a special education teacher who provides direct instruction to special education students is not appropriately certified for the assigned grade level.

**Citation:** ESEA §1119: *Qualifications for Teachers and Paraprofessionals*. ESEA §1111(h)(6)(B)(ii): *Right to Know Letter* and N.J.A.C. 6A: 9B-10.

**Required Action:** The school must issue the HQT follow-up letter to the parents of any child taught by unqualified staff for four or more consecutive weeks. In addition, the teacher should move towards proper certification by completing the Praxis II before the next school

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year or be reassigned to a position appropriate for the certification held prior to the start of the 2016-2017 school year.

**Title III**

**Finding 14:** The district has a parental notification letter; however, the letter did not meet all of the Title III parental notification requirements. The district must ensure the notification letter fully meets the Title III Parental Notification Requirement, including translations into the languages spoken by limited English proficient (LEP) parents.

**Citation:** ESEA §3302 *Parental Notification*.

**Required Action:** The district must translate its Title III parental notification letter (initial, continuation, and exit) into the languages spoken by LEP parents. Specific guidance can be found at: <http://www.nj.gov/education/bilingual/title3/accountability/notification/notification.doc>.

**Finding 15:** ELLs in Rosa International Middle School, the district's only International Baccalaureate (IB) middle school, do not have access to the ESL program services to support instructional content learning. The parents of ELLs had to refuse services for their children to be able to enroll at Rosa International Middle School. Instructional methodology proven to be effective for ELL students must be provided to support the full range of academic offerings available to qualifying ELL students. The current instructional methodology is ineffective since it restricts ELL students' opportunities to access the district's IB middle school.

**Citation:** ESEA §3115(c) *Subgrants to Eligible Entities*.

**Required Action:** The district must restructure the ELL program at Rosa International Middle School to ensure access to ESL/bilingual alternative programs. The district must mail notification to parents of ELLs in grades 4 and 5 of the addition of an ESL program. The letter must meet the following criteria:

- include information about the ELL services that will be offered at Rosa International Middle School;
- be translated into the majority languages of parents;
- explain the advantages of the IB programs at Rosa International Middle School; and
- clearly explain the application process for entrance at Rosa International Middle School.

The district must submit a description of its new ESL program at Rosa International Middle School and a copy of the parental notification letter to the NJDOE for review.

**Finding 16:** Teachers of ELL students do not have access to a formalized, board approved ESL curriculum. A formalized curriculum delineating instructional methodology proven to be effective for ELLs must be provided for all ESL teachers. This curriculum must address the WIDA English

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language development standards, cross-reference the school district's content curriculum, and be adopted by the district board of education. The lack of an ESL curriculum that delineates effective instructional methodology restricts the ELL population opportunities to access effective ESL instructional methodology.

**Citation:** ESEA §3115(c) *Subgrants to Eligible Entities*.

**Required Action:** The district must formalize an ESL curriculum for the 2016-2017 school year. This curriculum must address the WIDA English language development standards, cross-reference the school district's content curriculum, and be adopted by the district board of education. The district must submit documentation of the curriculum development and adoption process to the NJDOE for review.

**Carl D. Perkins**

**Finding 17:** The district improperly charged \$3,233.46 to the FY 2014-2015 Perkins grant for expenditures incurred to develop the curriculum of the district's new health professions program of study. Although the district has submitted a program approval application for the program, the application has not been approved by NJDOE. The use of Perkins funds for an unapproved program is not allowable.

**Citation:** 2 CFR §200.403: Basic considerations (Factors affecting allowability of costs). Carl D. Perkins One-Year Grant Application Guidelines July 1, 2014 to June 30, 2015 (Perkins Guidelines), Section D. 3.9: Budget Summary (Non-Allowable Costs).

**Required Action:** The district must implement procedures to ensure that only expenditures related to programs approved by the NJDOE are charged to the Perkins grant.

**Finding 18:** All district purchase orders did not contain required information. Some district purchase orders did not reflect the correct Classification of Instructional Program (CIP) code or the intended location of equipment and/or personal computers.

**Citation:** 34 CFR § 76.700: Compliance with statutes, regulations, State plan, and applications. Perkins Guidelines, Section 8.3.3: *Managing the Grant (What Records Should Be Available for Inspection?)*.

**Required Action:** The district must implement procedures to ensure personnel assigned to administer the Perkins grant comply with the program specific requirements applicable to each project period.

**Finding 19:** The district did not provide opportunities for students to participate in structured learning experiences for all of their approved programs.

**Citation:** Perkins Act §135(b)(3) and N.J.A.C. 6A:19-4, Structured Learning Experiences.

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**Required Action:** The district must offer CTE students opportunities to explore all aspects of their career programs through participation in structured learning experiences linked to the New Jersey Core Curriculum Content Standards in all approved CTE programs. The district may contact its Perkins program officer for technical assistance.

**Finding 20:** The district did not have CTE advisory boards for any of their CTE programs.

**Citation:** Perkins Act §134(b)(5) and N.J.A.C. 6A:19-3.1.

**Required Action:** The district must ensure that at least two advisory board meetings are held each project period for all approved CTE programs. The advisory boards must include the required membership as indicated in the New Jersey Administrative Code listed above. The district must maintain evidence that meetings took place including sign in sheets indicating the name, organizational affiliation of each member and including signatures of those in attendance at the meetings.

**Finding 21:** CTE program curricula did not incorporate the New Jersey Core Curriculum Content Standards.

**Citation:** Perkins Act §134(b)(3).

**Required Action:** The district must align their CTE curriculum to reflect the New Jersey Core Curriculum Content Standard Nine (Career Ready Practices and Standard 9.3, Career and Technical Education) and the curriculum must be board approved.

**Finding 22:** The district is not offering a coherent sequence of three courses for the following programs: Marketing Management (CIP Code 521401) and CAD-CADD Drafting and/or Design Technology/Technician (CIP Code 151302). The course sequence in the approved program applications did not match curriculum provided, or what was listed in the High School Course Selection Booklets for FY 2014-2015 and FY 2015-2016.

**Citation:** Perkins Act §122 (c)(1)(A) and N.J.A.C. 6A: 19-3.1 Program Requirements.

**Required Action:** The district must ensure that a coherent sequence of three courses are offered for approved CTE programs supported with Perkins funding. The course sequence should consist of those courses identified in the approved program reapproval application. Programs and course sequence information should be available for students, teachers, guidance counselors, administrators and parents.

**Finding 23:** The district did not have a current signed articulation agreement for the Marketing Management program of study (CIP Code 521401).

**Citation:** Perkins Act §135(b)(1-9), 122 (c)(1)(A) and (c)(1)(C).

**Required Action:** The district must ensure they have a current signed and dated articulation agreement on file for all approved CTE programs of study. The articulation agreement must be signed annually by the district superintendent and college president.

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**Finding 24:** CTE program enrollment data submitted as part of the NJ SMART CTE submission was not consistent with the program/course roster data provided by the district.

**Citation:** Perkins Act §134(b) 1, 2 &3 (A-E).

**Required Action:** The district must develop a process to ensure the accuracy of the career and technical education student enrollment data submitted through the NJ SMART CTE submission. Also the district must develop a process to ensure that CTE program data is evaluated to continuously improve CTE program performance.

**Finding 25:** Professional development was not provided for all CTE teachers, as summarized in the FY 2014-2015 final report performance narrative. The district did not provide sign in sheets and other evidence confirming CTE participation in professional development.

**Citation:** Perkins Act §134(b)(4) and 135(b)(5).

**Required Action:** The district must identify opportunities for teachers to receive industry specific professional development. The district must ensure that completed sign in sheets, as well as agendas are maintained for any professional development activities supported by Perkins grant funds.

**Finding 26:** The district did not conduct evaluations of CTE programs and review CTE student performance data annually.

**Citation:** Perkins Act §135(b)(1-9).

**Required Action:** The district must ensure that program data is reviewed annually and CTE program performance is evaluated annually based on the review of relevant CTE program data. Evidence that a review and evaluation was conducted must be maintained by the district for monitoring purposes.

**Finding 27:** The district did not provide evidence that any materials and/or procedures to increase and support nontraditional student participation were developed and implemented.

**Citation:** Perkins Act §134(b)(8-10); 135(b)(6) and 135(b)(9).

**Required Action:** The district must conduct activities or implement strategies to increase participation and success of nontraditional students and other special population students in CTE programs. The district is advised to contact its Perkins Program officer for resources and assistance with developing appropriate strategies.

**Finding 28:** All Computers and iPads purchased with Perkins funds did not have a visible, permanently attached, and numbered inventory tag with the federal funding source included.

**Citation:** Perkins Act 109-270 § 135 (b) 7, 2 CFR.313 (a) (c) (4) (1) and (3).

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**Required Action:** The district must ensure that all equipment purchased with Perkins funds have permanently attached and numbered inventory tags. The tags must also identify the source of funding (Perkins). The district must ensure that equipment purchased with Perkins funds is utilized primarily in the CTE programs for which it was approved.

**IDEA (Special Education)**

**Finding 29:** The district did not consistently inform parents of proposed actions through provision of written notice within 15 calendar days following determination of continued eligibility meetings for students eligible for special education and related services

**Citation:** 20 U.S.C. §1414(b); 34 CFR §300.503(a-c); 34 CFR §300.504; and N.J.A.C. 6A:14-2.3(f) and 2.3(g).

**Required Action:** The district must ensure parents are provided written notice following a meeting that contains all required components within 15 days of the meeting. In order to demonstrate correction of noncompliance, the district must provide training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review written notice provided to parents following meetings conducted between September 2016 and December 2016, and to review the oversight procedures.

**Finding 30:** The district did not consistently determine continued eligibility within 60 days of receipt of parental consent to conduct assessments as part of a reevaluation. Instead, the district obtained written parental consent to waive the 60-day time line.

**Citation:** N.J.A.C. 6A: 14-3.8(e) and 20 U.S.C. §1414(a)(2).

**Required Action:** The district must ensure all assessments and the determination of continued eligibility as parts of a reevaluation are completed within 60 days of receipt of written parental consent. New Jersey special education regulations do not permit districts to obtain written parental consent to waive the 60-day time line. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation from eligibility meetings held as part of the reevaluation process between September 2016 and December 2016, and to review the oversight procedures.

**Finding 31:** The district did not consistently provide to students eligible for special education and related services written notice of graduation containing all required components within required time lines.

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**Citation:** N.J.A.C. 6A:14-4.11(b).

**Required Action:** The district must ensure parents or adult students are provided with written notice prior to graduation. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review written notice of graduation for students who will graduate at the conclusion of the 2016-2017 school year, and to review the oversight procedures.

**Finding 32:** The district did not consistently provide a summary of academic achievement and functional performance prior to graduating and/or aging out to students eligible for special education and related services.

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

**Required Action:** The district must ensure students are provided with a summary of academic achievement and functional performance prior to graduation that addresses all required components. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review summaries of academic achievement and functional performance provided to students who are exiting/graduating at the conclusion of the 2016-2017 school year, and to review the oversight procedures.

**Finding 33:** The district did not consistently ensure the required participants were in attendance at meetings for students referred and/or eligible for special education and related services, including preschool age children, and for students referred and/or eligible for speech-language services.

**Citation:** N.J.A.C. 6A:14-2.3(k); 20 U.S.C. §1414(b)(4); and 34 CFR §300.321(a).

**Required Action:** The district must ensure meetings are conducted with required participants and documentation of attendance and/or written parental consent to excuse a member of the team 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 and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff and review meeting documentation, including the sign in sheets, for meetings conducted between September 2016 and December 2016, and to review the oversight procedures.

**Finding 34:** The district did not document all required considerations and statements in each IEP.

IEPs for students eligible for special education and related services did not include:

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- measurable annual goals and objectives (including criteria for mastery);
- statement of how progress towards annual goals will be measured;
- age 16 post-school transition components; and
- documentation of the consideration of the need for extended school year services.

IEPs for students eligible for speech-language services did not include:

- documentation of the consideration of the need for extended school year services.

**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); 34 CFR §300.324(a)(1)(2); and N.J.A.C. 6A:14-4.10(a).

**Required Action:** The district must ensure 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 and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. In addition, to demonstrate correction of individual instances of noncompliance, the district must conduct annual review meetings and revise IEPs for the specific students whose IEPs were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs and a random sample of additional IEPs developed at meetings conducted between September 2016 and December 2016, and to review the oversight procedures. The names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor. For assistance with correction of noncompliance, the district is referred to the state IEP sample form which is located at: [www.statenj.us/education/specialed/forms](http://www.statenj.us/education/specialed/forms).

**Finding 35:** The district did not consistently document in the IEPs of students removed from the general education setting for more than 20 percent of the school day, including students placed in separate settings, consideration of placement in the least restrictive environment. Specifically, IEPs did not consistently include:

- the supplementary aids and services considered;
- an explanation of why they were rejected;
- a comparison of the benefits provided in the regular class and the benefits provided in the special education class;
- the potentially beneficial or harmful effects which a placement (general education) may have on the student with disabilities or the other students in the class; and
- for those students placed in separate settings, activities to transition the student to a less restrictive environment.

**Citation:** N.J.A.C. 6A:14-4.2 (a)8(i),(ii) and (iii) and N.J.A.C. 6A:14-4.2 (a)4.

**Required Action:** The district must ensure when determining the educational placement of a child with a disability, the IEP team considers the general education class first and all



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required decisions regarding placement are documented in the IEP for each student removed from general education for more than 20 percent of the school day. The district must also ensure for students placed in separate settings, the IEP team identified activities to transition the student to a less restrictive environment and document them in each IEP. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. To demonstrate the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise the IEPs for the specific students with IEPs that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs, a random sample of additional IEPs developed at meetings conducted between September 2016 and December 2016, and to review the oversight procedures. The names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

**Finding 36:** The district does not provide the full continuum of placement options for preschool age students eligible for special education and related services. The district does not offer in-class resource as a program option.

**Citation:** N.J.A.C. 6A:14-4.2(a)3 and 34 CFR §300.115.

**Required Action:** The district must ensure a full continuum of placement options is available to preschool students with disabilities. In order to demonstrate correction of noncompliance, the district must conduct training for building level administrators and district administration and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review preschool placement options and IEPs of preschool age students developed between September 2016 and December 2016, and to review the oversight procedures.

**Finding 37:** The district did not consistently complete all required components of the evaluation process for students referred for special education and related services and for students referred for speech-language services. Evaluation reports did not include observation of the student in environments, other than a testing environment, as part of the functional assessment.

**Citation:** N.J.A.C. 6A:14-3.4(f)4(i-vi); 20 U.S.C. §1414(b)(1-3); 1412(a)(6)(b); and 34 CFR §300.304(b)(1).

**Required Action:** The district must ensure all components of the functional assessment 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 and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports completed between September 2016 and December 2016, and to review the oversight procedures.

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**Finding 38:** 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.

**Citation:** N.J.A.C. 6A:14-2.5(b)6 and 3.6(b).

**Required Action:** The district must ensure a multidisciplinary evaluation is conducted for students referred for speech-language services by obtaining a statement from the general education teacher that details 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 and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports completed between September 2016 and December 2016, and to review the oversight procedures.

**Finding 39:** The district did not conduct meetings within 20 calendar days of receipt of a written request for evaluation for students referred for special education and related services.

**Citation:** N.J.A.C. 6A:14-3.3(e) and 3.4.

**Required Action:** The district must ensure 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 child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation from meetings conducted between September 2016 and December 2016, and to review the oversight procedures.

**Finding 40:** The district did not consistently conduct reevaluations within three years of the previous classification date for students currently eligible for speech-language services.

**Citation:** N.J.A.C. 6A: 14-3.8(a) and 20 U.S.C. §1414(a)(2).

**Required Action:** The district must ensure reevaluations are conducted within required time lines. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation from eligibility meetings held as part of the reevaluation process between September 2016 and December 2016, and to review the oversight procedures.

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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 Carla Spates via phone at (609) 984-5909 or via email at [carla.spates@doe.state.nj.us](mailto:carla.spates@doe.state.nj.us).

State of New Jersey  
Department of Education  
Office of Fiscal Accountability and Compliance

PROCEDURES FOR LEA/AGENCY RESPONSE  
CORRECTIVE ACTION PLAN AND APPEAL PROCESS

**Board of Education Response:**

Pursuant to N.J.A.C. 6A:23A-5.6, the following actions shall occur:

- (a) Any school district or county vocational school district that has been subject to an audit or investigation by the Department of Education, Office of Fiscal Accountability and Compliance (OFAC) shall discuss the findings of the audit or investigation at a public meeting of the district board of education no later than 30 days after receipt of the findings.
- (b) Within 30 days of the public meeting required in (a) above, the district board of education shall adopt a resolution certifying that the findings were discussed in a public board meeting and approving a corrective action plan to address the issues raised in the findings. The resolution shall be submitted to the OFAC within 10 days of adoption by the board of education.
- (c) The findings of the OFAC audit or investigation and the board of education's corrective action plan shall be posted on the district's web site, if one exists.

If the board of education disputes any of the findings of the audit or investigation, it may file a written appeal with the OFAC of any disputed finding(s) within 10 days of adoption of the resolution. Seeking an appeal of the findings does not preclude adherence to the provisions of (a), (b), and (c) listed above.

**Corrective Action Plan:**

The corrective action plan is to be used when the LEA/Agency is in agreement with any of the findings. To contest a finding, the appeal process must be used. After the appeal is settled, a corrective action plan must be filed for any finding upheld during the appeal process.

The corrective action plan must be prepared by completing the attached form. The LEA/Agency must submit the following information:

- Recommendation number
- Corrective action (approved by the board)
- Method of implementation
- Person responsible for implementation
- Completion date of implementation

If the corrective action plan is acceptable, a letter will be sent to the LEA/Agency indicating that it has been accepted.

If the corrective action plan is not acceptable, a letter will be sent to the LEA/Agency indicating whether further clarification is required or further action is necessary.

**Appeal Process:**

The appeal process is used to contest disputed findings.

Within 10 days of the board's adoption of the resolution approving an appeal of the findings of the audit or investigation, a written request by the LEA/Agency to review the disputed finding(s), recommendation(s), or questioned costs must be submitted to the OFAC Director. The Request for Appeal must indicate the finding(s) in question.

The Request for Appeal must be in writing and the LEA/Agency must present any supporting documentation for the appeal. Subsequent to the submission of the Request for Appeal, the OFAC Director will issue a written decision.

If the final determination made by the Director, is still unsatisfactory to the LEA/Agency, the LEA/Agency may file a Petition of Appeal pursuant to N.J.A.C. 6A:3-1.3.

**NEW JERSEY DEPARTMENT OF EDUCATION  
OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE  
CORRECTIVE ACTION PLAN**

SCHOOL DISTRICT NAME \_\_\_\_\_ COUNTY \_\_\_\_\_

TYPE OF EXAMINATION: \_\_\_\_\_

DATE OF BOARD MEETING: \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_ FAX NUMBER \_\_\_\_\_

RECOMMENDATION NUMBER	CORRECTIVE ACTION	METHOD OF IMPLEMENTATION	INDIVIDUAL RESPONSIBLE FOR IMPLEMENTATION	COMPLETION DATE OF IMPLEMENTATION
			INDIVIDUAL	COMPLETION

Chief School Administrator \_\_\_\_\_ Date \_\_\_\_\_ Board Secretary/Business Administrator \_\_\_\_\_ Date \_\_\_\_\_

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OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE  
CORRECTIVE ACTION PLAN**

RECOMMENDATION NUMBER	CORRECTIVE ACTION	METHOD OF IMPLEMENTATION	RESPONSIBLE FOR IMPLEMENTATION	DATE OF IMPLEMENTATION

Chief School Administrator

Date

Board Secretary/Business Administrator

Date