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New Jersey K-12 Education

CONSOLIDATED MONITORING REPORT
FEBRUARY 2013

District: Somers Point School District
County: Atlantic
Dates On-Site: January 7 and 8, 2013
Case #: CM-004-12

FUNDING SOURCES

| Program | Funding Award |
|-----------------|-------------------|
| Title I | \$ 408,031 |
| IDEA Basic | 317,616 |
| IDEA Preschool | 11,138 |
| Title IIA | 60,133 |
| Race to the Top | 30,387 |
| Total Funds | <u>\$ 827,305</u> |

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BACKGROUND

The *Elementary & 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, Race to the Top and Carl D Perkins). 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 Somers Point School District to monitor the district's use of federal 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: Title I; Title IIA; Race to the Top and IDEA for the period July 1, 2011 through January 7, 2013.

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

EXPENDITURES REVIEWED

The grants that were reviewed included Title I, Title IIA, Race to the Top and IDEA from July 1, 2011 through January 7, 2013. A sampling of purchase orders was taken from the entire population and later identified as to the grant that was charged.

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GENERAL DISTRICT OVERVIEW OF USES OF TITLE I, IDEA FUNDS AND RACE TO THE TOP

Title I Projects

The district is using its FY 2012-2013 Title I, Part A funds to implement targeted assistance programs. Primarily the district provides tutoring services through in-class support.

IDEA Projects (Special Education)

The FY 2012-2013 IDEA Basic and Preschool funds are being used to reduce district tuition expenditures for students receiving special educational services in approved private schools for students with disabilities. Additionally, the IDEA funds are used for four classroom aide salaries, nonpublic speech therapy services, child study team evaluations completed in the summer and extended school year for preschool age students.

Race to the Top

The district is using Race to the Top funds to hire consultants and purchase software for a new teacher evaluation system. The district has purchased the software, but has not received any training as of the date of the monitoring.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The district's use of Title I monies to fund coaches in a Title I targeted assistance program supplants state and local funds. This expenditure benefits both Title I and non-Title I students and/or teachers respectively. The district must use its state/local funds to support the coaches.

Citation: NCLB §1120A(b): *Fiscal Requirements (Federal Funds to Supplement, Not Supplant, Non-Federal Funds)*.

Required Action: The district must revise its Title I program non-funded, literacy and mathematics coaches that benefit the entire population of students and staff. The district must reverse the FY 2012-2013 Title I expenditures for the coaches and allocate state/local funds for the expenditure. The district must submit the documentation of the changes to the NJDOE for review.

Finding 2: In the notification letter to parents of Title I students, the district did not inform parents of the entrance and exit criteria.

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

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Required Action: In the notification letter to families of students in the Title I program, the district must include the multiple measures it uses to identify students for eligibility. The letter must also include the reason for identification, as well as clearly defined exit criteria. The district's notification letters must be updated for FY 2012-2013 to include more specificity regarding what services the children will receive. The revised letter must be submitted to the NJDOE for review before the district issues it to parents.

Finding 3: The district does not have a parental involvement program that reflects the requirements of the Title I legislation because the parent-compact was incomplete and did not contain the student's role.

Citation: ESEA §1118: *Parental Involvement*.

Recommendation: The district must ensure Title I funded schools use their Title I parental involvement funds to implement programs and activities that are aligned with the statutory and regulatory requirements. Initially, the district must ensure each Title I school has a school-parent-student compact that is developed with the input of parents and distributed directly to parents of students participating in the Title I program. The district must submit a copy of the policy to the NJDOE for review.

Finding 4: The district's Consolidated Application does not accurately reflect the amount of Title I funds the district is using for administrative purposes. A portion of the program director's salary and support staff salary is not included in the grant.

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

Required Action: The district must amend its Consolidated Application to properly reflect administrative costs and submit a schedule of the administrative costs to the NJDOE for review. These costs may not exceed the five percent limit on administrative costs.

Title IIA

There were no findings for the Title IIA grant.

Race to the Top

There were no findings for Race to the Top grant.

IDEA (Special Education)

Finding 5: The district does not have the required supporting documents to verify the activity of staff charged to the Title IIA and IDEA grant at schools as required by federal law. The

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documentation must reflect what the staff is doing, when and where and must match their funded percentage.

Citation: OMB Circular A-87, Attachment B, Section 8(h): *Cost Principles for State, Local and Indian Tribal Governments (Compensation for personal services)*.

Required Action: The district must submit a revised list of FY 2012-2013 Title IIA and IDEA funded staff, salaries, funding percentages and time sheets to date to the NJDOE for review (including administrative staffing).

Finding 6: The district does not provide the full continuum of placement options to students eligible for special education and related services or make placement decisions based on the needs of the student. Through interviews with staff it was determined that placement decisions are based on available space in existing programs. Noncompliance was due to a lack of appropriate district procedures.

Citation: *Least Restrictive Environment* N.J.A.C. 6A:14-4.2(a) 3, 5, 6 and 4.3(b); 20 U.S.C. §1412(a)(5); and 34 CFR §300.115.

Required Action: The district must ensure the full continuum of placement options are available to students eligible for special education and related services and placement decisions are made by the IEP team and are based on the needs of the student. In order to demonstrate correction of noncompliance, the district must revise their procedures and provide training to child study team members on the newly developed procedures. To demonstrate the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise IEPs for the specific students whose IEPs were identified as noncompliant. Additionally, a monitor from the NJDOE will conduct an on-site visit to interview staff and review the revised IEPs along with IEPs developed for meetings conducted between March 2013 and May 2013. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

Finding 7: The district did not implement each student's IEP as written. Specifically, students receiving services through in-class support were receiving services from a basic skills teacher rather than a special education teacher. Noncompliance was due to a lack of compliant district procedures.

Citation: *Implementation and Accessibility of IEPs* N.J.A.C. 6A:14-3.7(a)1-4 and 20 USC 1412(a)(5); 34 CFR §300.119 .

Required Action: The district must ensure each student determined eligible for special education and related services is receiving programs and services identified in his or her IEP. In order to demonstrate correction of noncompliance, the district must revise their procedures to ensure IEPs are implemented as written, provide training for child study team members and related service providers on the newly developed procedures, and

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revise student and teacher schedules to ensure implementation of IEPs as written. The district must review the programs and services in the IEPs of all classified students and ensure they are implemented as written. For any student for whom a change in placement is needed, the district must conduct an IEP review meeting. A monitor from NJDOE will conduct an on-site visit to interview staff and review the newly developed procedures, the revised student and teacher schedules, and evidence that IEPs for all students receiving in-class support were reviewed and revised, if necessary.

Finding 8: The district did not consistently document all required consideration and statements in each IEP for students eligible for special education and related services and for students eligible for speech-language services. IEPs of students eligible for special education and related services did not include:

- goals and objectives for all content areas for students in self-contained programs; and
- documentation of postsecondary liaison.

In addition, IEPs for students eligible for speech-language services did not consistently include:

- documentation of participation of statewide assessments; and
- consideration of extended school year (ESY).

Noncompliance was due to a lack of implementation of district procedures.

Citation: *IEP Components* 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 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. To demonstrate the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise IEPs for the specific students whose IEPs were identified as noncompliant. Additionally, a monitor from the NJDOE will conduct an on-site visit to interview staff and review the revised IEPs along with IEPs developed for meetings conducted between March 2013 and May 2013. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

Finding 9: The district did not consistently document in the IEPs of students removed from the general education setting for more than 20 percent of the 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 the supplementary aids and services were rejected;

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- the potentially beneficial or harmful effects which a placement in the general education setting may have on the students with disabilities or other students in the class; and
- for those students placed in separate settings, a list of all activities to transition the student to a less restrictive environment.

Noncompliance was due to a lack of implementation of district procedures.

Citation: *Least Restrictive Environment (LRE)* N.J.A.C. 6A:14-4.2 (a) 8(i), (ii) and (iii), N.J.A.C. 6A:14-4-2 (a) 4 and 10.

Required Action: The district must ensure when determining the educational placement of a child with a disability, placement in a program option is based on the individual needs of the student and the IEP team considers the general education class first and all required decisions regarding the 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 that for students placed in separate settings, the IEP team identifies activities to transition the student to a less restrictive environment and documents them in each IEP. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding the district's procedures. To demonstrate the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings to review the Present Levels of Academic Achievement and Functional Performance statements and placements decisions and revise the IEPs for specific students with IEPs that were identified as noncompliant. Additionally, a monitor from the NJDOE will conduct an on-site visit to interview staff and review the revised IEPs, as necessary, along with the IEPs for students whose annual review meetings were conducted between March 2013 and May 2013. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

Finding 10: 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. Noncompliance was due to a lack of consistent implementation of district procedures.

Citation: *Multidisciplinary Initial Evaluations* 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 regarding the procedures for implementing the requirements in the citation listed above. Additionally, a monitor from NJDOE will conduct an on-site visit to interview staff and review initial evaluation reports for students evaluated for speech-language services whose eligibility meetings were held between March 2013 and May 2013.

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Finding 11: The district did not ensure child study team participation at the planning conference of students transitioning from an Early Intervention program to preschool. Noncompliance was due to a lack of implementation of district procedures.

Citation: *Early Intervention Planning Conference Participation* N.J.A.C. 6A:14-3.3(e)1; 20 U.S.C. §1414(d)(1)(D); and 34 CFR §300.321(f).

Required Action: The district must ensure a member of the child study team participates in the planning conferences for each student transitioning from early intervention to preschool. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding the procedures for implementing the requirements in the citation listed above. Additionally, a monitor from NJDOE will conduct an on-site visit to interview staff and review evidence of participation of a child study team member in the transition planning conferences conducted between March 2013 and May 2013.

Administrative

Finding 12: The district does not have internal control policies and procedures to prevent contracting with disbarred vendors. The district must update its internal control policies to prevent errors from potentially occurring.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 36, Procurement.

Required Action: The district should update internal control policies to prevent errors from potentially occurring.

Finding 13: The district does not have formal written policies for requesting reimbursement from the Electronic Web Enabled Grant or System for Administering Grants Electronically systems. However, the monitoring team did verify the district's practice for requesting reimbursement through inquiries about the district's internal controls.

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

Required Action: The district must have a formal board policy concerning the reimbursement of grant funds. The district must submit a copy of its written policy to the NJDOE for review.

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.