



State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

CHRIS CHRISTIE
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DAVID C. HESPE
Commissioner

July 17, 2015

Ms. Michelle Rosenberg, Superintendent
Guttenberg School District
301 69th Street
Guttenberg, NJ 07093-2411

Dear Ms. Rosenberg:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Guttenberg Board of Education**. 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, 2013 through December 31, 2014. 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 <http://www.state.nj.us/education/finance/jobs/monitor/consolidated>.

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," the Guttenberg Board of Education is required, pursuant to N.J.A.C. 6A:23A-5.6, to publicly review and discuss the findings in this report at a public board meeting no later than 30 days after receipt of the report. Within 30 days of the public meeting, the board must adopt a resolution certifying that the findings were discussed in a public meeting and approving a corrective action plan which addresses the issues raised in the undisputed findings and/or an appeal of any **monetary** findings in dispute (emphasis added). A copy of the resolution and the approved corrective action plan and/or appeal must be sent to this office within 10 days of adoption by the board. Direct your response to my attention.

Also, pursuant to N.J.A.C. 6A:23A-5.6(c), you must post the findings of the report and the board's corrective action plan on your district's website.

By copy of this report, your auditor is requested to comment on all areas of noncompliance and recommendations in the next certified audit submitted to the New Jersey Department of Education. If you have any questions, please contact Steven Hoffmann at (973) 621-2750.

Sincerely,

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

RJC/SH/dk:Guttenberg BOE CM Cover Letter
Enclosures

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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
JULY 2015**

District: Guttenberg School District
County: Hudson
Dates On-Site: January 13, 14, 15 and 22, 2015
Case #: CM-022-14

FUNDING SOURCES

Program	Funding Award
Title I, Part A	\$ 701,244
IDEA Basic	240,619
IDEA Preschool	8,693
Title II, Part A	64,989
Title III	14,297
Title III Immigrant	12,689
Total Funds	<hr/> <hr/> \$ 1,042,531

**GUTTENBERG SCHOOL DISTRICT
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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 and IDEA). 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 Guttenberg 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, Part A (Title I); Title II, Part A (Title II); Title III; Title III Immigrant; and IDEA Basic and Preschool for the period July 1, 2013 through December 31, 2014.

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 reviewed included Title I, Title II, Title III, Title III Immigrant, and IDEA Basic and Preschool from July 1, 2013 through December 31, 2014. A sampling of purchase orders and/or salaries was taken from each program reviewed.

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GENERAL DISTRICT OVERVIEW OF USES OF TITLE I AND IDEA FUNDS

Title I Projects

The district used Title I funds for salaries, extended day programs, professional development, parent involvement and instructional supplies.

IDEA Projects

IDEA funds were utilized for professional development, instructional supplies, materials for child study team members and speech-language specialists and to reduce district tuition costs for students receiving special educational services in other public districts and approved private schools for students with disabilities.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The district provided documentation stipulating “Extended Programs,” but failed to definitively differentiate which were Title I programs and associated costs versus the non-Title I programs and associated costs.

Citation: ESEA §1114: *Schoolwide Programs.*

Required Action: The district must provide a clear description of all Title I programs, along with the supporting documentation for any Title I costs, to the NJDOE for review.

Finding 2: The district provided insufficient and inconsistent School Improvement Stakeholder Committee meeting documentation to substantiate the needs of the school and the development of the School Improvement Plan (SIP). Additionally, the SIP Budget Summary page was missing information and the information provided did not align with the amended FY 2014-2015 ESEA-NCLB Consolidated Subgrant Application.

Citation: ESEA §1114(b)(2)(B)(ii): *Plan Development.*

Required Action: The district must adequately document the School Improvement Stakeholder Committee meetings with agendas, sign in sheets, and meeting minutes. The district must complete the Budget Summary Page including the State/Local Budget for School. Also, the Federal Title I Funds Allocated to School information on the same page in the SIP needs to be aligned with the amended FY 2014-2015 ESEA-NCLB Consolidated Subgrant Application and grant implementation.

Finding 3: The SIP and the Needs Assessment in the ESEA-NCLB Consolidated Subgrant Application were not aligned. In the SIP, SMART Goal 3 addressed chronic absenteeism, but the district did not identify chronic absenteeism as a priority problem in the Needs Assessment.

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Title I expenditures must align with the goals in the SIP and the Needs Assessment in the ESEA-NCLB Consolidated Subgrant Application.

Citation: ESEA §1114(b)(2)(B)(ii): *Plan Development*; OMB Circular A-87.

Required Action: The district must reach out to the Regional Achievement Center to revisit and possibly update the FY 2014-2015 SIP. For expenditures of Title I funds to be allowable, the SIP must be aligned to the district's identified needs in the FY 2014-2015 ESEA-NCLB Consolidated Subgrant Application and accurately reflect programs being implemented in the school. If plans are not revised accordingly and the district is audited, Title I funding may be subject to recovery.

Finding 4: For FY 2014-2015, the time and activity reports presented were signed by staff and certified by supervisors on the first day of the certification period, which was before assigned duties were executed.

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 verify the time and activity of staff charged to the grant to reflect the actual time allotted to Title I activities with staff and supervisor signatures. The district must submit a list of FY 2014-2015 Title I funded staff, salaries, funding percentages and appropriate time sheets to the NJDOE for review.

Finding 5: The district's use of Title I funds for the December 4, 2014 Holiday Crafts parental involvement activity was not necessary and reasonable for proper and efficient performance and administration of the district's Title I program. As a result, the associated expenditures are unallowable.

Citation: ESEA §1118: *Parental Involvement*; OMB Circular A-87, Attachment B, Section 14: *Cost Principles for State, Local and Indian Tribal Governments (Entertainment costs)*.

Required Action: The district must utilize Title I parental involvement funding to impact parents of Title I students to enhance their children's academic performance, and maintain all associated documentation. For the Holiday Crafts event, the district must allocate state/local funds rather than Title I funds to support these expenditures. The district must provide evidence of the adjusting journal entries for the expenditures to the NJDOE for review.

Finding 6: The district did not have a parental involvement program that reflected the requirements of Title I. There is no evidence the district's Title I Parental Involvement Policy was reviewed and board adopted since February 10, 2010, and that the parental involvement policy was developed in conjunction with Title I parents/guardians. Inclusion of

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parents/guardians and other stakeholders in the policy development, review and current board adoption processes allows stakeholders to impact the Title I parental involvement.

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

Required Action: The district must provide evidence of inclusion of the parents/guardians in the development and annual review process. The district must have a written district parental involvement policy evaluated annually with current board adoption. Copies of a recent board approved district parental involvement policy must be submitted to the NJDOE for review. Evidence of parental input into the development of the Title I parental involvement policy must also be documented with meeting agendas, sign in sheets and minutes.

Finding 7: For FY 2014-2015, the district provided evidence of school-parent-student compacts, but did not provide evidence that the school-parent-student compacts were developed in conjunction with Title I parents. The absence of parent participation in developing these required documents excludes parents from more active participation in their child's educational program.

Citation: ESEA §1118(d): *Parental Involvement (Shared Responsibilities for High Student Academic Achievement)*.

Required Action: For FY 2015-2016, the district must include and document that Title I parents were involved in the development process. The district must send the documentation from the meeting (e.g., invitational letter/flyer, agenda, meeting minutes, and sign in sheets) supporting the inclusion of Title I parents in development process to the NJDOE for review.

Finding 8: For FY 2014-2015, the district conducted an NCLB Annual Meeting on June 12, 2014, but the district did not provide sufficient evidence that the NCLB Annual Meeting met the legislative requirements for a Title I annual meeting. Not conducting an annual meeting at the beginning of the year to explain the Title I legislation and the district's Title I programs did not allow parents of 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 Action: The district must convene its FY 2015-2016 annual Title I meeting no later than mid-October 2015 and sufficiently document the meeting. The district must submit evidence of the meeting (e.g., invitational letter/flyer, agenda, meeting minutes, and sign in sheets) to the NJDOE for review.

Finding 9: On the FY 2014-2015 ESEA-NCLB Application in Step One of the Title I, Part A eligibility tab, the district reported zero nonpublic enrollment counts and zero low-income counts for nonpublic schools within the attendance area. Additionally, the district failed to conduct outreach to nonpublic schools outside the district's attendance area as required by the legislation. As a result of the district's failure to conduct outreach to nonpublic schools that may have

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enrolled resident students, the district did not generate Title I funding for equitable services to eligible resident nonpublic school students.

Citation: ESEA §1120: *Participation of Children Enrolled In Private School.*

Required Action: The district must contact the nonpublic schools within and outside the attendance area that enroll resident students in order to generate enrollment and low-income nonpublic student counts. The district must amend its FY 2014-2015 ESEA-NCLB Consolidated Application to include the nonpublic enrollment and nonpublic low-income counts. In addition, the district must contact those nonpublic schools and begin the consultation process with the nonpublic schools to identify eligible Title I students and develop a service delivery plan for FY 2015-2016. The district must carry over any Title I funds generated for equitable services in the revised FY 2014-2015 Title I, Part A application for the same use in the FY 2015-2016 school year. Also, the district must send documentation of the consultation process (e.g., invitational letters, agendas, meeting notes, sign in sheets) to the NJDOE for review.

Finding 10: The Title I Administrative Reserve of \$600 indicated on Title I, Part A Administrative Costs Tab was not reflected on Title I Eligibility - Step 4 of the district's FY 2014-2015 NCLB Consolidated Application.

Citation: ESEA §1114: *Schoolwide Programs.*

Required Action: The district must revise its FY 2014-2015 ESEA-NCLB Consolidated Application to include the \$600 budgeted on the Title I, Part A Administrative Costs tab on Title I Eligibility - Step 4.

Title II

Finding 11: For FY 2013-2014, the district completed a professional development plan. A review of FY 2014-2015 revealed as of the date of the consolidated monitoring visit, there was no evidence of a district-level professional development plan. According to district officials, the district expended state/local funds for FY 2014-2015 professional development activities. The district officials created a "time line" of professional development activities document (date, topic, presenter, hours) for FY 2014-2015. Moreover, district officials stated they were unaware of the state's new district-level professional development regulations. According to New Jersey State regulations as of July 1, 2013, all school districts must continue to create district-level professional development plans.

Citation: N.J.A.C. 6A:9-15.6 *District-level Professional Development Planning Requirements.*

Required Action: The district must submit a district-level professional development plan for FY 2014-2015 that complies with New Jersey State requirements to the NJDOE for review.

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Title III

Finding 12: For FY 2013-2014, the district could not provide adequate information to verify expenditures.

Citations: ESEA §3115:*District uses Title III funds to supplement the language assistance program required by law and code, and for approved purposes and activities.* OMB Circular A-87, Attachment B, Section 8(h): *Cost Principles for State, Local and Indian Tribal Governments (Compensation for personal services).* 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 provide the NJDOE with detailed documentation of FY 2013-2014 Title III expenditures to verify that all grant funded activities comply with the Title III legislation.

Finding 13: For FY 2013-2014 and FY 2014-2015, the district could not provide evidence of a Parent Notification Policy and Procedures adopted and approved by the district's local board of education. The parent notification policy and procedures must specifically address parental notification requirements for English Language Learners students.

Citation: ESEA §3302: *Parent Notification Policy and Procedures for ELLs.*

Required Action: The district must provide a Parent Notification Policy and Procedure that is adopted and approved by the local board of education to the NJDOE for review.

Title III Immigrant

Finding 14: For FY 2013-2014, the district could not provide adequate documentation to verify expenditures for Title III Immigrant.

Citations: ESEA: *Section 3115(e)* OMB Circular A-87, Attachment B, Section 8(h): *Cost Principles for State, Local and Indian Tribal Governments (Compensation for personal services).* 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 provide the NJDOE with detailed documentation of FY 2013-2014 Title III expenditures to verify that all grant funded activities complied with the Title III legislation. The district must also show that the funds were for purposes that specifically targeted immigrant students, and that they are distinct from the purposes for which general Title III funds are used.

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IDEA (Special Education)

Finding 15: The district did not consistently conduct all required sections of the functional assessment as a component of initial evaluations for students referred for special education and related services. Initial evaluation reports did not contain observations in a non-testing environment, and a review of prior interventions documented by the teacher(s) or others who work with the student, and other informal measures.

Citation: N.J.A.C. 6A:14-3.4(f)4(i-vi); 20 U.S.C. §1414(b)(4) and (5); and 34 CFR §300.306(c)(i).

Required Action: The district must ensure all components of the functional assessment are conducted as part of all initial evaluations. 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. Monitors from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports for students evaluated between October 2015 and January 2016, and to review the oversight procedures.

Finding 16: The district did not consistently maintain documentation of the description, frequency, duration and effectiveness of the interventions provided in the general education setting through the Intervention and Referral Service (I&RS).

Citation: N.J.A.C. 6A:14-3.3(b); 20 U.S.C. §1413(f)(2); and 34 CFR §300.226(b).

Required Action: The district must ensure that when the I&RS team identifies interventions to meet the needs of a struggling learner that the team identifies and maintains documentation of the nature, description, frequency, and duration of the interventions and measures the effectiveness. In order to demonstrate correction of noncompliance, the district must conduct training for administrators and I&RS 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 I&RS team members and teachers, review documentation for students who were provided interventions in general education between October 2015 and January 2016, and to review the oversight procedures.

Finding 17: The district did not consistently provide parents of students referred and/or eligible for special education and related services notice of a meeting for identification, eligibility, reevaluation planning and IEP team meetings.

Citation: N.J.A.C. 6A:14-2.3(k)3,5; 20 U.S.C. §1414(b)(1); and 34 CFR §300.304(a).

Required Action: The district must provide parents notice of a meeting in writing early enough to ensure they have an opportunity to attend. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and

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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 for meetings conducted between October 2015 and January 2016, and to review the oversight procedures.

Finding 18: The district did not consistently document all required considerations and statements in the IEPs of students eligible for special education and related services and for students eligible for speech-language services. IEPs did not consistently include:

- positive behavioral interventions and supports for students whose behavior impedes learning;
- deaf/hard of hearing – opportunities for direct communication with peers and district personnel;
- participation in district wide assessments;
- approved accommodations and modification on district wide assessments;
- measurable annual goals and objectives for students who are included in general education;
- statement of how progress towards annual goals will be measured; and
- consideration of Extended District Year and an explanation of the program when it will be provided.

Citation: N.J.A.C. 6A:14-3.7(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 and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. To demonstrate that the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise the IEPs for 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, along with a sample of IEPs for students whose annual review meetings were conducted between October 2015 and January 2016, and to review the oversight procedures. For assistance with correction of noncompliance, the district is referred to the state IEP sample forms which are located at: www.state.nj.us/education/specialed/form.

Finding 19: The district did not consistently convene meetings with required participants for students referred and/or eligible for special education and related services.

Citation: N.J.A.C. 6A:14-2.3(k)1(i-vii), 2(i-x); 3.3(e); 20 U.S.C. §1414(d)(1)(B); and 34 CFR §300.321(a).

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Required Action: The district must ensure all meetings are conducted with required participants and documentation of participation is maintained in students' records. 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 meeting documentation, including the sign in sheets, for meetings conducted between October 2015 and January 2016, and to review the oversight procedures.

Finding 20: The district did not consistently provide to students beginning at age 14, written invitations to meetings for students eligible for special education and related services.

Citation: N.J.A.C. 6A:14-2.3(k)2x and 3.7(e)13, 3.7(h); 20 U.S.C. §1414 (d)(1)(A)(i)(1)(VIII); and 34 CFR §300.322.b(2).

Required Action: The district must ensure each student with an IEP, age 14 or above is provided with a written invitation to any IEP meeting where transition to adult life will be discussed. 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 copies of invitations to IEP meetings to students age 14 and above for meetings conducted between October 2015 and January 2016, and to review the oversight procedures.

Finding 21: The district did not consistently complete transition planning for students ages 14 and above and document decisions in the IEP. IEPs did not contain:

- statement of students strengths;
- courses of study and related strategies and/or activities that are consistent with the students strengths, interest, preferences and are intended to assist the student in developing post secondary goals;
- as appropriate, a description of the need for consultation from other agencies that provide services for individuals with disabilities; and
- as appropriate, a statement of any needed interagency linkages and responsibilities.

Citation: N.J.A.C. 6A:14-3.7(e)11.

Required Action: The district must ensure that transition is discussed at each IEP meeting for students age 14 or above, and that decisions are documented in the IEP. 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 citations listed above and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. To demonstrate that the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise the IEPs for specific students with IEPs that were

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identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs, along with a sample of IEPs for students whose annual review meetings were conducted between October 2015 and January 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.

Administrative

Finding 22: On several occasions, the district failed to issue a purchase order prior to goods being purchased or services being rendered (confirming order). District policy and state regulations require that a properly executed purchase order be issued prior to the purchase of goods or the rendering of services.

Citation: EDGAR, PART 80-*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems. N.J.S.A. 18A:18A(2)(v) Public School Contracts Law.

Required Action: The district must issue purchase orders to all vendors prior to goods or services being provided.

Finding 23: On several occasions, the district did not obtain multiple quotes for purchases between \$3,900 and the bid threshold of \$29,000 as required by New Jersey Public School Contracts Law (PSCL), federal procurement law and district policy.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems. N.J.S.A. 18A:18A-37 Award of purchases, contracts or agreements.

Required Action: The district must comply with current federal and state procurement regulations and obtain multiple quotes as required.

Finding 24: The district is charging Title II and Title III expenditures to the incorrect program code in the general ledger. Title II is being charged to program code 235; a code between 270 and 279 should be used for Title II. Title III is being charged to program code 237; a code between 241 and 245 should be used for Title III.

Citation: Uniform Minimum Chart of Accounts for New Jersey Public Schools.

Required Action: The district must establish accounts using appropriate program codes in the general ledger.

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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 Steven Hoffmann via phone at (973) 621-2750 or via email at steven.hoffmann@doe.state.nj.us.