



State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
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CHRIS CHRISTIE
Governor

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Lt. Governor

DAVID C. HESPE
Commissioner

May 26, 2015

Mr. Joseph Kraemer, Superintendent
Jefferson Township School District
31 Route 181
Lake Hopatcong, NJ 07849

Dear Mr. Kraemer:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Jefferson Township 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 February 28, 2015, 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 Fort Lee 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:Jefferson Twp. BOE CM Cover Letter
Enclosures

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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
MAY 2015**

District: Jefferson Township Public Schools
County: Morris
Dates On-Site: March 18 and 19, 2015
Case #: CM-032-14

FUNDING SOURCES

Program	Funding Award
Title I	\$ 87,309
IDEA Basic	700,317
IDEA Preschool	30,051
Title IIA	58,833
Total Funds	<u>\$ 876,510</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 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 Jefferson Township Public Schools 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); and IDEA Basic and Preschool for the period July 1, 2013 through February 28, 2015.

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, IDEA Basic and Preschool from July 1, 2013 through February 28, 2015. 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 to support teacher salaries for supplemental instructional services and professional development.

IDEA Projects

The district used the FY 2013-2014 and FY 2014-2015 IDEA Basic funds to reduce district tuition costs for students receiving special educational services in other public school districts and approved private schools for students with disabilities. In addition, the district also utilized IDEA funds for contracted behavioral consultants.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The district's use of FY 2013-2014 Title I funds to pay for any costs associated with a Title I-like program at Jefferson Township High School, a non-Title I school, supplanted state/local funds. As a result, the district did not use Title I funds to operate a Title I program at an eligible school, Ellen T. Briggs Elementary School, as indicated on Eligibility Step 4 of the FY 2013-2014 ESEA-NCLB Consolidated Application which was unallowable.

Citation: ESEA §1113: Eligible School Attendance Areas.

Required Action: The district must allocate state/local funds rather than using Title I funds to support these expenditures. The district must provide evidence of the adjusting accounting entry for the expenditures to the NJDOE for review.

Finding 2: In FY 2014-2015, the district's use of Title I funds to pay for substitute teachers to cover classes during professional development opportunities for both Title I and non-Title I teachers and for Title I and non-Title I paid teachers to attend professional development opportunities outside the district supplanted state/local funds.

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

Required Action: The district must reverse the Title I costs for the substitute teachers and for the associated costs of the professional development opportunities that were not limited to Title I funded teachers for professional development occurring outside the district with a focus of improving low academic achievement. The district must allocate state/local funds for these costs. The district must provide evidence of the journal entry to reverse the expenditures to the NJDOE for review.

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Finding 3: On Eligibility Step 1 of the FY 2014-2015 ESEA-NCLB Consolidated Application, the district incorrectly selected the feeder method for all schools except the consolidated building, which serves as the board of education and does not have students. The feeder method cannot be selected for the Jefferson Township elementary schools. The feeder method allows for the extrapolation of poverty percentages based on the elementary or middle school(s) that feed into the corresponding middle school or high school.

Citation: ESEA §1113: Eligible School Attendance Areas.

Required Action: The district must amend the FY 2014-2015 ESEA-NCLB Consolidated Application and deselect the feeder method for the aforementioned schools and any other school that is not eligible for the feeder method to be selected. The district will also need to revisit Eligibility Steps 2-4 to ensure that the district is appropriately ranking and servicing the Title I eligible schools.

Finding 4: For FY 2014-2015, the district did not provide evidence that its Title I schools convened the annual Title I parent meetings that met the legislative requirements. Not conducting the annual meeting at the beginning of the year to explain the Title I legislation and the district's Title I programs at each school 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 Action: The district must ensure that its Title I schools convene and sufficiently document their FY 2015-2016 annual Title I meetings for the parents/guardians of its identified Title I students no later than mid-October. The district must submit evidence of the meetings (e.g., invitational letter/flyer, agenda, meeting minutes, and sign in sheets) to the NJDOE for review.

Finding 5: There was no evidence the district's Title I parental involvement policy was reviewed and board adopted since March 24, 2011, and no evidence of current Title I school-level parental involvement policies. 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 parents of Title I students. For FY 2015-2016, Title I parents and associated stakeholders must be included in the development processes.

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

Required Action: The district must have a written district parental involvement policy evaluated annually with current board adoption along with current school-level parental involvement policies. 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 policies must be documented with meeting agendas, sign in sheets and minutes.

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Finding 6: 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: The district must develop school-parent-student compacts and include the associated stakeholder groups in the development process for FY 2015-2016. For FY 2015-2016, the district must document with meeting agendas, minutes, sign-in sheets that Title I parents were involved in the development process and submit copies to the NJDOE for review.

Finding 7: The district did not provide supporting data that the multiple measures were consistently applied to determine which students were eligible to receive Title I services. In addition, the district incorrectly included free and reduced lunch as one of the measures. As such, the monitors were unable to verify if the district is actually serving its lowest performing students and that all students receiving services actually met the eligibility criteria.

Citation: ESEA §1115: Targeted Assistance Schools.

Required Action: The district must revise its criteria for the Title I program to include multiple, educationally related objective criteria for both entrance into and exit from the program. Poverty measures are not acceptable entrance criteria for Title I services. Acceptable criteria include student performance on state assessments, benchmark assessments, local assessments, end of unit tests, portfolio assessments and grades. In addition, the school must establish a system to ensure that students receiving Title I services meet each of the established entrance criteria.

Finding 8: On the FY 2014-2015 ESEA-NCLB Application in Step 1 of the Title I, Part A eligibility tab, the district indicated zero counts for both nonpublic enrollment and low-income nonpublic students. The district did not conduct outreach to nonpublic schools outside of the district's attendance area that enroll district resident students. As such, nonpublic equitable shares and services were not generated or provided.

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

Required Action: For FY 2015-2016, the district must contact nonpublic schools within and outside the attendance area that enroll district resident students to generate accurate nonpublic enrollment data and use the Nonpublic School Survey to gather low-income nonpublic student data. The district must reach out to those nonpublic schools and begin the consultation process with the nonpublic schools to identify eligible Title I students and if applicable, develop a service delivery plan. The district must send documentation

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of the consultation process (e.g., invitational letters, agendas, meeting notes, sign in sheets) to the NJDOE for review.

Title II

A review of the expenditures charged to the Title II grant yielded no findings.

IDEA (Special Education)

Finding 9: 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 staff 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 September 2015 and December 2015, and to review the oversight procedures.

Finding 10: 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 the supplementary aids and services were rejected;
- a comparison of benefits in the general education setting and the special education setting;
- the potentially beneficial or harmful effects which a placement in general education may have on the students with disabilities or 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(ii and iii) and 3.7(k).

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

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first and that 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 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 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 random sample of additional IEPs developed at meetings conducted between September 2015 and December 2015, 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 11: The district did not consistently document required statements and considerations in the IEPs of students eligible for special education and related services and for students eligible for speech-language services. Specifically, IEPs did not consistently include:

- how the student's disability effects involvement and progress in the general education setting;
- results of initial or most recent evaluations;
- other academic and functional needs that result from the student's disability;
- documentation of district wide assessments, and accommodations and modifications to be provided during the administration of district wide assessments;
- documentation of student goals and objectives and how they will be measured; and
- consideration of extended school year programs and the description of the program when it will be provided.

Citation: N.J.A.C. 6A:14-3.7(c)3, (e)1(i), (c) (4-9), and 3.7(c)1.

Required Action: The district must ensure that IEPs include all considerations and required 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 citation 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 random sample of additional IEPs developed at meetings conducted between September 2015 and December 2015, 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.

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Finding 12: The district did not consistently provide parents of students referred and/or eligible for special education and related services notice of a meeting for reevaluation planning and determination of continued eligibility/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 ensure parents are provided notice of a meeting early enough to ensure the parent has an opportunity to attend. 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 copies of notice of a meeting for meetings conducted between September 2015 and December 2015, and to review the oversight procedures.

Finding 13: The district did not consistently provide to students beginning at age 14, written invitations to meetings where post school transition was being discussed.

Citation: N.J.A.C. 6A:14-2.3(k)2x and 3.7(e)11,13, 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 invitations to students age 14 and above to IEP meetings conducted between September 2015 and December 2015, and to review the oversight procedures.

Finding 14: 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 and for students referred for speech-language services. Specifically, assessments did not include:

- review of prior interventions;
- observations outside of testing; and
- review of developmental history.

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 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

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conduct an on-site visit to interview staff, review initial evaluation reports for students who were evaluated between September 2015 and December 2015, and to review the oversight procedures.

Finding 15: 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, 3.4(g)3, and 3.6(b).

Required Action: The district must ensure that 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 for students evaluated between September 2015 and December 2015, and to review the oversight procedures

Finding 16: The district did not consistently provide to parents of students eligible for special education and related services a summary of academic achievement and functional performance containing all required components prior to graduating or exiting.

Citation: N.J.A.C. 6A:14-4.11(b)1.

Required Action: The district must ensure that 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 review the summary of academic achievement and functional performance provided to eligible students at the conclusion of the 2014-2015 school year, and to review the oversight procedures.

Finding 17: The district does not have a policy for the provision of students with disabilities participating in district wide assessments.

Citation: 34 CFR §300.160.

Required Action: The district must revise its policies and procedures to ensure that students with disabilities participate in district wide assessments. The policy must include the provision of accommodations and modifications and the provision of alternate assessments for those children who cannot participate in the regular assessment. If the district reports publicly on the district wide assessment, the district must also report with

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the same frequency and in the same detail as it reports on the assessment of non-disabled children. A monitor from the NJDOE will conduct an on-site visit to review this policy revision.

Finding 18: The Title I program parental notification letters were not consistent across the schools in the district. The district is required to inform parents of its Title I program selection criteria, including why the child met the selection criteria and the course of action that the school has determined to remediate the child. All of these elements must be included in the notification letter to parents about their child's participation in the Title I program.

Citation: ESEA §1115: Targeted Assistance Program; ESEA §1118(c): Parental Involvement (Policy Involvement).

Recommended Action: The district should centralize the Title I program parental notification letter to ensure that each Title I school includes all of the required components. The district must provide a copy of each school's revised FY 2015-2016 Title I parental participation letter 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.

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.