



State of New Jersey

DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500

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Governor

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Lt. Governor

DAVID C. HESPE
Commissioner

January 5, 2016

Ms. Jessica Richard, School Lead
Atlantic City Community Charter School
200 North Texas Avenue
Atlantic City, NJ 08401

Dear Ms. Richard:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the Atlantic City Community Charter School. 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, 2015 through November 4, 2015. 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 Charter Schools Response, Corrective Action Plan and Appeal Process," the Atlantic City Community Charter School Board of Trustees is required, pursuant to N.J.A.C. 6A:23A-22.7, 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-22.7, you must post the findings of the report and the board's corrective action plan on your school'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) 984-5968.

Sincerely,

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

RJC/CS/dk: ACCCS /consolidated monitoring
Enclosures

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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
JANUARY 2016**

District: Atlantic City Community Charter School
County: Atlantic
Dates On-Site: November 2 and 4, 2015
Case #: CM-003-15

FUNDING SOURCES

Program	Funding Award
Title I, Part A	\$ 143,293
Title II, Part A	1,235
IDEA Basic	28,915
Total Funds	<u>\$ 173,443</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 (i.e., ESEA and IDEA). The laws further require that state educational agencies such as the New Jersey Department of Education (NJDOE) monitor the implementation of federal programs by subrecipients and determine whether the funds are being used by the district for their intended purpose and for achieving the overall objectives of the funding initiatives.

INTRODUCTION

The NJDOE visited the Atlantic City Community Charter School to monitor the school's use of federal funds and the related program plans, where applicable, to determine whether the school's programs were 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 for the period July 1, 2015 through November 4, 2015.

The scope of work performed included the review of documentation as follows: grant applications, program plans, needs assessments, grant awards, annual audits, board minutes, payroll records, accounting records, purchase orders, student records, student class and related service schedules, as well as classroom visitations and interviews with instructional staff to verify implementation of Individualized Education Programs (IEP), interviews of child study team members and speech language specialists, and an interview of the program administrator regarding the IDEA grant and the school's 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 that were reviewed included: Title I, Title II, and IDEA Basic from July 1, 2015 through November 4, 2015. 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 AND IDEA AND FUNDS

Title I

The FY 2015-2016 Title I funds are used to implement a schoolwide program. Primarily, the school provides supplemental instructional opportunities through extended day and extended year programs and materials to support the school's program.

Title II

The FY 2015-2016 Title II funds are used for professional development. All the professional development was focused on the implementation of Singapore Math to enhance teaching of the Common Core.

IDEA (Special Education)

The FY 2015-2016 IDEA Basic funds are used to contract child study team services.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The school does not have a parental involvement program that reflects the requirements of the Title I legislation. The school provided limited evidence of an active stakeholder committee involved in the development of the Schoolwide Plan. Evidence, such as meeting notes, agenda, and sign in sheets, was not provided to demonstrate that the committee was consulted in the development and implementation of the Title I Schoolwide Plan.

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

Required Action: The school must convene and/or consult with its stakeholder committee for input and peer review before changes are made to the Schoolwide Plan. These meetings and consultations must be documented with agenda, sign in sheets, and minutes submitted to the committee members for review and approval. The school must provide documentation to the NJDOE that its FY 2016-2017 Schoolwide Plan is developed in consultation with its stakeholder committee.

Finding 2: There was no evidence the parental involvement policy was reviewed for the current school year.

Citation: ESEA §1118(a)(2): *Parental Involvement (Written Policy)*.

Required Action: Copies of a recent board approved district parental involvement policy must be submitted to the NJDOE for review.

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Finding 3: The school did not have the required supporting documents to verify the activities of the staff members 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 that grant funded staff are actually performing grant-related responsibilities. The school had alternative documentation that helped to support some of the funding.

Citation: 2 CFR §200.430: *Compensation-Personal Services*.

Required Action: The school must identify staff members whose salaries are supported in whole or in part with Title I funds and verify the time and activity of staff charged to the grant. The school must submit sample timesheets for FY 2015-2016 to the NJDOE for review. Prior to this, the school should consult, as a resource, the NJDOE's December 2012 guidance on *Time and Effort Reporting for Title I Funded Staff*, which is located at: http://education.state.nj.us/broadcasts/2012/DEC/18/8649/Time_and_Activity_Reporting.pdf.

Finding 4: The school did not disclose that a competitive bid was funded through federal funds as required under the Steven's Amendment. The school did follow all other procurement rules required under Uniform Guidance, 2CFR§ 200.320: Procurement.

Citation: Public Law 100-463, Section 8136, Department of Defense Appropriations Act, Stevens Amendment.

Required Action: The school must remember to include the Stevens Amendment in future bid packages.

Title II

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

Title III

Title III funds in the amount of \$6,747 were refused.

Recommendation: The school is encouraged to join a consortium with goals that address the needs of English Language Learner students in order to reach the federal mandatory \$10,000 minimum threshold. The school should contact the NJDOE County Office of Education for assistance.

IDEA (Special Education)

Finding 5: The school did not consistently provide a notice of a meeting to parents of students referred and/or eligible for special education and related services, and students referred and/or eligible for special speech-language services.

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

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Required Action: The school must ensure parents are provided notice of a meeting in writing that contains all required components early enough to ensure the parent has an opportunity to attend. In order to demonstrate correction of noncompliance, the school 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 meeting documentation for meetings conducted between January 2016 and September 2016, and to review the oversight procedures.

Finding 6: The school did not consistently provide parents written notice that contains all required components, within 15 calendar days following meetings for students eligible for special education and related services and eligible for speech and language 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 school must ensure parents are provided written notice following a meeting, which contains all required components and is provided within required timelines. In order to demonstrate correction of noncompliance, the school must provide 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 copies of written notice provided to parents following meetings conducted between January 2016 and September 2016, and to review the oversight procedures.

Finding 7: The school did not consistently document all required considerations and statements in each IEP for students eligible for special education and related services. IEPs did not include the frequency, location, and duration of both the special education services and related services provided to the student.

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); and 34 CFR §300.324(a)(1)(2).

Required Action: The school must ensure each IEP contains the required considerations and statements. In order to demonstrate correction of noncompliance, the school 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 school 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 January 2016 and June 2016, and to review the oversight procedures. The names of the students whose IEPs were identified as noncompliant will be provided to the school by the monitor. For assistance with correction of noncompliance, the school

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is referred to the state IEP sample form which is located at:
www.statenj.us/education/specialed/forms.

Finding 8: The school did not offer a full continuum of placement options for students eligible for special education and related services. The school did not consistently document in the IEPs of students removed from the general education setting for more than 20 percent of the school day, consideration of placement in the least restrictive environment. Specifically, IEPs did not consistently include:

- the supplementary aids and services considered; and
- an explanation of why the supplementary aids and services were rejected.

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

Required Action: The school must consider the full continuum of options when determining the educational placement of a child with a disability. In addition, the IEP team must consider placement in the general education class first, and all 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. In order to demonstrate correction of noncompliance, the school 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 school has corrected the individual instances of noncompliance, it must conduct annual review meetings and revise the IEPs for the specific students that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review revised IEPs, along with a random sample of additional IEPs developed at meetings conducted between January 2016 and September 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 9: The school did not implement each student's IEP as required. Specifically, the school did not implement goals and objectives in IEPs for students in general education settings and did not provide speech-language services for all identified students.

Citation: N.J.A.C. 6A:14-4.1(a); 20 U.S.C. §1412(a)(5); and 34 CFR §300.119.

Required Action: The school must ensure programs are provided in accordance with student IEPs. In order to demonstrate correction of noncompliance, the school 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. The school must convene IEP meetings for all students impacted to discuss the need for compensatory services. A monitor from the NJDOE will conduct an on-site visit to interview staff, review IEPs and schedules for the current school year, the schedule for the provision of compensatory services, and to review the oversight procedures. The names of the students not receiving required services will be provided to the school by the monitor.

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Finding 10: The school did not consistently implement existing Child Find procedures for parents, teachers, and other professional staff to make referrals to the child study team and the speech/language specialist.

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

Required Action: The school must ensure the required Child Find procedures are implemented as written. In order to demonstrate correction of noncompliance, the school 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 child study team referrals received between January 2016 and September 2016, and to review the oversight procedures.

Finding 11: The school did not have a process to provide interventions to students exhibiting academic difficulties through the Intervention and Referral Service (I&RS).

Citation: N.J.A.C. 6A:14-3.3(c).

Required Action: The school must convene an I&RS team to address the needs of struggling learners. The school must ensure I&RS documentation includes the description, frequency, duration, and effectiveness of the interventions provided in the general education setting. In order to demonstrate correction of noncompliance, the school 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. Additionally, the school must submit documentation for three students who were provided interventions in general education subsequent to the last day of monitoring to the NJDOE for review. 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 January 2016 and September 2016 and to review the oversight procedures.

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) 984-5968 or via email at: carla.spates@doe.state.nj.us.