



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

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DAVID C. HESPE
Commissioner

March 31, 2016

Mr. Nihat Guvercin, School Lead
Bergen Arts and Science Charter School
465 Boulevard
Elmwood Park, NJ 07407

Dear Mr. Guvercin:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Bergen Arts and Science 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, 2014 through December 31, 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 Bergen Arts and Science Charter School Board of Trustees 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 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 Steven Hoffmann at (973) 621-2750.

Sincerely,

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

RJC/SH/dk:Bergen Arts and Science Charter School Cover Letter/consolidated monitoring
Enclosures

Distribution List

David Hesse
Robert Bumpus
Susan Martz
Michael Yapple
Anne Corwell
Karen Campbell
John Worthington
Kimberly Murray
Sandy O'Neil
Harold Lee
Steven Hoffmann
Norah Peck
Stephen M. Eells

**STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION
PO BOX 500
TRENTON, NJ 08625-0500**

**BERGEN ARTS AND SCIENCE CHARTER SCHOOL
465 BOULEVARD
ELMWOOD PARK, NJ 07407
PHONE: (201) 773-9140**



New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
MARCH 2016**

District: Bergen Arts and Science Charter School
County: Bergen
Dates On-Site: January 12 and 13, 2016
Case #: CM-004-15

FUNDING SOURCES

Program	Funding Award
Title I, Part A	\$317,986
IDEA Basic	177,296
IDEA Preschool	2,398
Title II, Part A	3,910
Title III	6,156
Total Funds	<u><u>\$ 507,746</u></u>

**BERGEN ARTS AND SCIENCE CHARTER SCHOOL
CONSOLIDATED MONITORING REPORT
MARCH 2016**

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 school for their intended purpose and achieving the overall objectives of the funding initiatives.

INTRODUCTION

The NJDOE visited the Bergen Arts and Science Charter School to monitor the school's use of federal funds and the related program plans, where applicable, to determine whether the schools programs are meeting the intended purposes and objectives, as specified in the current year applications and authorizing statutes and to determine whether the funds were spent in accordance with the program requirements, federal and state laws, and applicable regulations. The on-site visit included staff interviews and documentation reviews related to the requirements of the following programs: Title I, Part A (Title I); Title II, Part A (Title II); Title III; and IDEA Basic and Preschool for the period July 1, 2014 through December 31, 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 school personnel, reviewed the supporting documentation for a sample of expenditures and conducted internal control reviews.

EXPENDITURES REVIEWED

The grants reviewed included Title I, Title II, Title III, and IDEA Basic and Preschool from July 1, 2014 through December 31, 2015. A sampling of purchase orders and/or salaries was taken from each program reviewed.

**BERGEN ARTS AND SCIENCE CHARTER SCHOOL
CONSOLIDATED MONITORING REPORT
MARCH 2016**

GENERAL DISTRICT OVERVIEW OF USES OF TITLE I AND IDEA FUNDS

Title I Projects

The school is operating a Title I Schoolwide program. The FY 2015-2016 Title I funds are being used primarily for management fees, salaries, benefits, purchased services and instructional equipment.

IDEA Projects

The school used IDEA funds for Orton-Gillingham training, dyslexia training, special education teachers' salaries, special education aids' salaries, occupational therapy, speech-language services, counseling and psychological services, learning consultant services, social worker services, and Easy IEP training.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The school did not have a documented Title I parental involvement program that reflected the requirements of the Title I legislation. For FY 2015-2016, the school must have a written parental involvement policy that is evaluated annually with current board adoption. Additionally, the school must annually develop a school-parent-student compact.

Citation: ESEA §1118(a)(2): *Parental Involvement (Local Educational Agency Policy)*; ESEA §1118(d): *Parental Involvement (Shared Responsibilities for High Student Academic Achievement)*.

Required Action: For FY 2016-2017, the school must develop a written parental involvement policy that is evaluated annually with current board adoption. The policy must be developed with the input of associated stakeholders, including parents. The school must submit evidence of the parental involvement policy and the school-parent-student compact (e.g., meeting agendas, sign in sheets and minutes) to the NJDOE for review.

Finding 2: The school did not provide evidence that its parental involvement policy and the school-parent-student compact were developed in conjunction with Title I parents/guardians. The exclusion of parents/guardians in the development of these documents did not offer them the opportunity for full participation in their child's educational program.

Citation: ESEA §1118(a)(2): *Parental Involvement (Local Educational Agency Policy)*; ESEA §1118(d): *Parental Involvement (Shared Responsibilities for High Student Academic Achievement)*.

**BERGEN ARTS AND SCIENCE CHARTER SCHOOL
CONSOLIDATED MONITORING REPORT
MARCH 2016**

Required Action: The school must provide evidence that Title I parents/guardians and other associated stakeholder groups are included in the development and annual review of the parental involvement policy and school-parent-student compact. The school must provide the NJDOE with evidence of the development and annual review of these documents with parent/guardian input (e.g., meeting announcements, meeting notes, and sign in sheets). In addition, the school must submit copies of a recent board approved parental involvement policy, including minutes from the board meeting, to the NJDOE for review.

Finding 3: The school did not provide evidence that all individuals with salaries charged to the federal programs were formally appointed by board resolution.

Citation: Uniform Grant Guidance 2 C.F.R. 200.430: *Compensation-Personal Services*.

Required Action: The school must implement procedures to ensure that all staff charged to federal grants are reappointed annually by board resolution and documented in the minutes.

Finding 4: For FY 2015-2016, the school did not provide evidence that it conducted an annual Title I parent meetings that met the legislative requirements. The flyer provided was labeled “Back to School Night”; however, the agenda provided was labeled, “Title I School Wide Planning Meeting.” Not conducting the annual meeting at the beginning of the year to explain the Title I legislation and the school’s Title I program 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);
ESEA §1114(b)(2)(B)(ii) Schoolwide Stakeholder Engagement.

Required Action: The school must ensure that its annual Title I Parent Meeting is held no later than mid-October. The school must submit evidence of the meeting (e.g., invitational letter/flyer, agenda, meeting minutes, and sign in sheets) to the NJDOE for review.

Finding 5: The parents’ section of the school’s web page did not contain the required ESEA/NCLB information and notifications for parental involvement. In addition the links to the Student Handbooks for the Elementary and Middle schools are inactive.

Citation: ESEA §1111(h)(2)(E): Public Dissemination – annual local agency report card.

Required Action: The school must review and update its parental involvement web page containing required annual notifications and documents to meet the broader ESEA/NCLB dissemination requirement. The school must submit the link for the updated web page to the NJDOE for review.

**BERGEN ARTS AND SCIENCE CHARTER SCHOOL
CONSOLIDATED MONITORING REPORT
MARCH 2016**

Title II

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

Title III

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

IDEA (Special Education)

Finding 6: The school did not consistently conduct identification meetings within 20 calendar days of receipt of a written request for evaluation for students eligible for speech-language services to determine if an evaluation was warranted.

Citation: N.J.A.C. 6A:14-2.5(b)6; 3.3(e) and 3.6(b).

Required Action: The school must ensure identification meetings are conducted within 20 calendar days of receipt of a written request for evaluation. In order to demonstrate correction of noncompliance, the school 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 documentation from meetings conducted between September 2016 and November 2016, and to review the oversight procedures.

Finding 7: The school did not consistently conduct multidisciplinary initial evaluations for students referred for speech-language services by obtaining an educational impact statement from the classroom teacher.

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

Required Action: The school must ensure a multidisciplinary evaluation is conducted for students referred for speech-language services by obtaining a written 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 school 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 referred for speech-language services between September 2016 and November 2016, and to review the oversight procedures.

Finding 8: The school 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. Initial evaluation reports

**BERGEN ARTS AND SCIENCE CHARTER SCHOOL
CONSOLIDATED MONITORING REPORT
MARCH 2016**

did not consistently contain a teacher interview, 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 school must ensure all components of the functional assessment are conducted as part of all initial evaluations. 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. Monitors from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports for students evaluated between September 2016 and November 2016, and to review the oversight procedures. For assistance with correction of noncompliance, the school may refer to the sample report form for speech-language evaluations which is located at: www.state.nj.us/education/specialed/form.

Finding 9: The school did not consistently provide parents of students referred and/or eligible for speech-language services notice of a meeting for eligibility 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 school 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 school must conduct training for speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review meeting documentation for meetings conducted between September 2016 and November 2016, and to review the oversight procedures.

Finding 10: The school 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:

- student's strengths and how the student's disabilities affect his/her progress in general education;
- results of most recent evaluation (speech-language services only);
- participation in school wide assessments; and
- approved accommodations and modification on school wide assessments.

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 school must ensure each IEP contains the required considerations and statements. In order to demonstrate correction of noncompliance, the school must

**BERGEN ARTS AND SCIENCE CHARTER SCHOOL
CONSOLIDATED MONITORING REPORT
MARCH 2016**

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 the revised IEPs, along with a sample of IEPs for students whose annual review meetings were conducted between September 2016 and November 2016, and to review the oversight procedures. For assistance with correction of noncompliance, the school may refer to the state IEP sample forms which are located at: www.state.nj.us/education/specialed/form.

Finding 11: The school did not consistently convene identification meetings with required participants for students referred and/or eligible for special education and related services and for students referred and/or eligible for speech-language 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).

Required Action: The school 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 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, including the sign in sheets, for meetings conducted between September 2016 and November 2016, and to review the oversight procedures.

Finding 12: The school did not consistently document required transition components in the IEPs of students eligible for special education and related services ages 16 and above. IEPs did not consistently include the following:

- measurable postsecondary goal(s) based on age appropriate transition assessments; and
- annual review goal related to the student's transition service needs.

Citation: N.J.A.C. 6A:14-3.7(e)12.

Required Action: The school must ensure the IEPs for students age 16 or above include all required components. 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 citation listed above. To demonstrate that the school has corrected the individual instances of noncompliance, the school must conduct annual review meetings and revise IEPs for 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 along with a sample of IEPs of students age 16 and above developed at meetings conducted between September 2016 and November 2016, and to review the oversight procedures.

**BERGEN ARTS AND SCIENCE CHARTER SCHOOL
CONSOLIDATED MONITORING REPORT
MARCH 2016**

Finding 13: The school 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 34 CFR §300.322(a)(2)

Required Action: The school 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 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 copies of student invitations to meetings to students age 14 and above for meetings conducted between September 2016 and November 2016, and to review the oversight procedures.

Finding 14: The school did not consistently provide to students eligible for special education and related services written notice of graduation and the summary of academic achievement and functional performance prior to graduating or exiting.

Citation: N.J.A.C. 6A:14-4.11(b)1.4; and 20 U.S.C. §1414(c)(5)(B); and 34 CFR §300.305(e)(3).

Required Action: The school must ensure written notice of graduation and a summary of academic achievement and functional performance is provided to parents or adult students prior to graduating or exiting. 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 copies of written notice of graduation and the summary of academic achievement and functional performance provided to eligible students at the conclusion of the 2015-2016 school year, and to review the oversight procedures.

Administrative

Finding 15: On several occasions, the school failed to issue a purchase order prior to goods being purchased or services being rendered (confirming order). School 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: Uniform Grant Guidance 2 C.F.R. 200.302; N.J.S.A. 18A:18A(2)(v) Public School Contracts Law.

Required Action: Purchase orders should be issued to all vendors prior to goods or services being provided.

**BERGEN ARTS AND SCIENCE CHARTER SCHOOL
CONSOLIDATED MONITORING REPORT
MARCH 2016**

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.