



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

July 29, 2016

Mr. David Carr, Chief School Administrator  
Wallkill Valley Regional High School District  
10 Grumm Road  
Hardyston Township, NJ 07419

Dear Mr. Carr:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the Wallkill Valley Regional High School District. 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 April 30, 2016. 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/compliance/monitor/>.

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," the Wallkill Valley Regional High School District 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:Wallkill Valley Reg. High School District CM Cover Letter  
Enclosures

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**WALLKILL VALLEY REGIONAL HIGH SCHOOL DISTRICT  
10 GRUMM ROAD  
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*New Jersey K-12 Education*

**CONSOLIDATED MONITORING REPORT  
JULY 2016**

**District:** Wallkill Valley Regional High School District  
**County:** Sussex County  
**Dates On-Site:** May 24, 25 and 26, 2016  
**Case #:** CM-036-15

**FUNDING SOURCES**

Program	Funding Award
IDEA Basic	\$ 138,987
Carl D. Perkins	13,936
Total Funds	<u>\$ 152,923</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 Wallkill Valley Regional High 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: IDEA Basic and Carl D. Perkins for the period July 1, 2014 through April 30, 2016.

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 IDEA Basic and Carl D. Perkins from July 1, 2014 through April 30, 2016. A sampling of purchase orders and/or salaries was taken from each program reviewed.

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**GENERAL DISTRICT OVERVIEW OF USES OF IDEA AND CARL D. PERKINS FUNDS**

**IDEA Projects**

The district utilized the FY 2014-2015 and FY 2015-2016 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.

**Carl D. Perkins**

Findings related to the Carl D. Perkins Grant were not available at the time this report was issued.

**DETAILED FINDINGS AND RECOMMENDATIONS**

**IDEA (Special Education)**

**Finding 1:** The district did not consistently conduct reevaluations within three years of the previous classification date for students eligible for special education and related services.

**Citation:** N.J.A.C. 6A: 14-3.8(a) and 20 U.S.C. §1414(a)(2).

**Required Action:** The district must ensure reevaluations are conducted within required time lines with required participants in attendance. 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 documentation of eligibility meetings held as part of the reevaluation process between November 2016 and February 2017, and to review the oversight procedures.

**Finding 2:** The district did not maintain documentation of attempts to obtain parental consent prior to conducting assessments as part of a reevaluation.

**Citation:** N.J.A.C. 6A:14-2.3(a)1; 20 U.S.C. §1414(a)(1)(D); and 34 CFR §300.300(a).

**Required Action:** The district must ensure that records of informed parental consent to conduct assessments are maintained in students' files. If the parent fails to respond to request for consent to conduct reevaluation assessments, the school must maintain documentation of attempts to obtain consent in students' files. 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

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on-site visit to interview staff, review student files for documentation of consent to evaluate as a result of reevaluation planning meetings conducted between November 2016 and February 2017, and to review the oversight procedures.

**Finding 3:** The district did not consistently include goals and objectives in each IEP for students eligible for special education and related services.

**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 district must ensure each IEP contains goals and objectives. 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 IEPs developed at meetings conducted between November 2016 and February 2017, 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. For assistance with correction of noncompliance, the district is referred to the state IEP sample form which is located at: [www.state.nj.us/education/specialed/forms](http://www.state.nj.us/education/specialed/forms).

**Finding 4:** The district did not consistently conduct the requirements related to transition at age 16. Specifically, IEPs did not contain evidence of postsecondary goal(s) that cover education training or employment, and, as needed, independent living and the use of transition assessments.

**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. 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. 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 the revised IEPs, a random sample of IEPs developed between November 2016 and February 2017, 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 5:** The district did not consistently provide to students beginning at age 14, written invitations to meetings where post-school transition was being discussed.

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**Citation:** N.J.A.C. 6A:14-2.3(k)2x; and 34 CFR §300.322(a)(2).

**Required Action:** The district must ensure that 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 November 2016 and February 2017, and to review the oversight procedures.

**Finding 6:** 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:

- supplementary aids and services considered;
- an explanation of why they were rejected;
- comparison of the benefits provided in the regular class and the benefits provided in the special education class;
- 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 students in separate setting, activities to transition the student to a less restrictive environment.

**Citation:** N.J.A.C. 6A:14-4.2 (a)4 and 8(I and iii).

**Required Action:** The district must ensure when determining the educational placement of a child with a disability, the IEP team considers the general education class 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. 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 November 2016 and February 2017, 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 7:** The district did not consistently ensure the required participants were in attendance at IEP meetings for students eligible for special education and related services.

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**Citation:** N.J.A.C. 6A:14-2.3(k); 20 U.S.C. §1414(b)(4); and 34 CFR §300.321(a).

**Required Action:** The district must ensure that meetings are conducted with required participants and that documentation of attendance and/or written parental consent to excuse a member of the team is maintained in students' files. In order to demonstrate correction of noncompliance, the district must provide 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 November 2016 and February 2017, and to review the oversight procedures.

**Finding 8:** The district did not consistently utilize appropriate procedures to determine eligibility for special education and related services under the category of specific learning disability (SLD). Specifically, the district uses the severe discrepancy model to determine eligibility under the category of SLD, but has not adopted the required procedures to utilize a statistical formula and criteria for determining severe discrepancy.

**Citation:** N.J.A.C. 6A:14-3.5(c)12(iv).

**Required Action:** The district must ensure students found eligible for special education and related services under the eligibility category of SLD have met the criteria in N.J.A.C. 6A:14-3.5(c)12. In order to demonstrate correction of noncompliance, the district must adopt procedures to utilize a statistical formula and criteria for determining severe discrepancy, 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 the adopted procedures, documentation of eligibility from meetings conducted between November 2016 and February 2017, and to review the oversight procedures.

**Finding 9:** The district does not have a policy for the provision of accommodations and modifications, or, when appropriate, an alternate assessment for 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 students with disabilities participate in district wide assessments and each IEP contains a statement of any individual modifications to be provided to the student in the administration of 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 the same frequency and in the same detail as it reports on the assessment of nondisabled children. In order to demonstrate correction of noncompliance, the district must conduct training for child



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study team members regarding the procedures for implementing the requirements in the citation listed above. In addition, a monitor from the NJDOE will conduct an on-site visit to review the policy.

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](mailto:steven.hoffmann@doe.state.nj.us).