



State of New Jersey
DEPARTMENT OF EDUCATION
PO Box 500
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Governor

KIM GUADAGNO
Lt. Governor

KIMBERLEY HARRINGTON
Acting Commissioner

March 17, 2017

Mr. Mark Napoleon, Superintendent
Sterling Regional High School District
501 South Warwick Road
Somerdale, NJ 08083

Dear Mr. Napoleon:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Sterling Regional High School District**. The funding source reviewed was the Individuals with Disabilities Education Act. The review covered the period July 1, 2015 through January 20, 2017. 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 Sterling 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 Carla States at (609 984-5909).

Sincerely,

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

RJC/CS/dk: Sterling Regional High School District CM Cover Letter
Enclosures

www.nj.gov/education

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STERLING REGIONAL HIGH SCHOOL DISTRICT
501 S. Warwick Road
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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
MARCH 2017**

District: Sterling Regional High School District
County: Camden
Dates On-Site: January 18, 19, and 20, 2017
Case #: CM - 017 - 16

FUNDING SOURCES

Program	Funding Award
IDEA Basic	\$ 193,066
Total Funds	<u>\$ 193,066</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 that districts provide programs and services based on the requirements specified in each of the authorizing statutes (i.e., ESEA, IDEA, and Carl D. Perkins). 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. Due to the impending implementation of new Every Student Succeeds Act (ESSA) regulations, only IDEA and Special Education will be reviewed during consolidated monitoring.

INTRODUCTION

The NJDOE visited the Sterling 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 IDEA Basic and Special Education programs for the period July 1, 2015, through January 20, 2017.

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, and an interview of the program administrator regarding the IDEA grant, as well as, current district policies and procedures. Additionally, the Special Education review included 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, and interviews of child study team members and speech-language specialist. The monitoring team members also conducted interviews with school personnel, reviewed documentation for a sample of expenditures and conducted internal control reviews.

EXPENDITURES REVIEWED

The IDEA Basic and Special Education grants were reviewed from July 1, 2015, through January 20, 2017. 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 GRANT FUNDS

IDEA Projects (Special Education)

The majority of FY 2016-2017 IDEA Basic funds are being used to reduce tuition costs for students receiving special education services in other public school districts and approved private schools for the disabled. In addition, funds are allocated for an online instruction and assessment software program for use with students with disabilities.

DETAILED FINDINGS AND RECOMMENDATIONS

IDEA

Finding 1: The district included student names on purchase orders for students educated in tuition placements, violating student confidentiality.

Citation: 34 CFR § 99 and N.J.A.C. 6A:32-7.

Required Action: The district must revise procedures to ensure confidentiality of student information is maintained and that only persons having educational responsibility for those students have access to this information. Revised procedures must be submitted to the NJDOE for review.

IDEA (Special Education)

Finding 2: The district does not offer a full-continuum of placement options for students determined eligible for special education and related services. The district does not currently consider the option of in-class resource.

Citation: 20 U.S.C. § 1412(a)(5)(A); 34 CFR § 300.114(a); and N.J.A.C. 6A:14-4.2.

Required Action: The district must ensure all students who are eligible for special education and related services have the opportunity to participate in programs and services based on their individual needs in the least restrictive environment (LRE). Interviews with district administration indicate the district is in the planning stages to implement in-class resource services starting with the 2017-2018 school year. The district must ensure decisions regarding program placement and the need for these services are made on an individual basis. The district must develop a procedure to ensure placement in the LRE and individual decision making regarding program placement and provide training to child study team members and administrative staff on the newly developed procedures. A monitor from the NJDOE will conduct an on-site visit to interview staff, as well as review developed procedures, evidence of required training, and documentation of program placement decisions.

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Finding 3: The district did not document all required considerations and statements in each IEP for students eligible for special education and related services. IEPs did not consistently include:

- a statement of the present levels of academic achievement and functional performance;
- a statement of student's interests, strengths and preferences and courses of study for students aged 14 and older;
- age-appropriate transition assessments for students aged 16 and older;
- at least one goal and/or objective, including the method for evaluating progress; and
- an explanation of the extent, if any, a student will not participate with nondisabled students in nonacademic and extracurricular activities.

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) and (B); and 34 CFR §300.324(a)(1) and (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 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 district 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 along with a random sample of additional IEPs developed at meetings conducted between April 2017 and September 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 special education 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/form.

Finding 4: 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 LRE. Specifically, IEPs did not consistently include:

- the supplementary aids and services considered, and an explanation of why they were rejected;
- a comparison of the benefits provided in the regular class and the benefits provided in the special education class;
- the potentially beneficial and/or harmful effects of placement in general education on the student 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(i),(ii) and (iii).

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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 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 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 the district has corrected the individual instances of noncompliance, the district 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, a random sample of additional IEPs developed at meetings conducted between April 2017 and September 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.

Citation: N.J.A.C. 6A:14-2.3(k)2x and 34 CFR §300.322(a)(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 April 2017 and September 2017, and to review the oversight procedures.

Finding 6: The district did not consistently ensure required participants were in attendance at meetings for students eligible for speech-language services. Meetings of the IEP team did not consistently include a general education and a special education teacher. Identification meetings did not include the full child study team.

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 meetings are conducted with required participants and documentation of attendance and/or written parental consent to excuse a member of the team is maintained in student 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 citation 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 April 2017 and September 2017, and to review the oversight procedures.

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Finding 7: 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(c).

Required Action: The district must ensure 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 April 2017 and September 2017, and to review the oversight procedures.

Finding 8: 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. Specifically, evaluation reports did not consistently include an observation of the student in other than a testing setting and an interview with the student's teacher.

Citation: N.J.A.C. 6A:14-3.4(f)4(i-vi); 20 U.S.C. §1412(a)(6)(B); 20 U.S.C. §1414(b)(1)-(3); and 34 CFR §300.304(b)(1).

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 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 April 2017 and September 2017, and to review the oversight procedures.

Finding 9: The district did not consistently provide to students eligible for special education and related services written notice of graduation containing all required components within required timelines.

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

Required Action: The district must ensure parents or adult students are provided with written notice of graduation containing all required components prior to graduation. 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 written notice of graduation provided to students

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with disabilities who will graduate at the conclusion of the current school year, 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 contained in this report.

If you have any questions, please contact Carla Spates via phone at (609)984-5909 or via email at carla.spates@doe.state.nj.us.