



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

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

KIMBERLEY HARRINGTON
Acting Commissioner

March 17, 2017

Dr. Richard Tomko, Superintendent
Belleville Public Schools
102 Passaic Avenue
Belleville, NJ 07109

Dear Dr. Grube:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Belleville Public Schools**. The funding source reviewed was the Individuals with Disabilities Education Act. The review covered the period July 1, 2015 through November 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 Belleville Public Schools 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:Belleville Public Schools CM Cover Ltr. .doc
Enclosures

Distribution List

Kimberley Harrington
Robert Bumpus
Susan Martz
Anne Corwell
John Worthington
Kimberly Murray
Michael Yapple
Steven Hoffmann
Joseph Zarra
Stephen M. Eells

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

BELLEVILLE PUBLIC SCHOOLS
102 PASSAIC AVE.
BELLEVILLE, NJ 07109
PHONE: (973) 450-3500



New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
MARCH 2017**

District: Belleville Public Schools
County: Essex
Dates On-Site: January 4, 5 and 6, 2017
Case #: CM-016-16

FUNDING SOURCES

IDEA Basic		\$1,134,135
IDEA Preschool		28,431
	Total Funds	<u>\$1,162,566</u>

**BELLEVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
MARCH 2017**

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 Belleville 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: IDEA Basic and Preschool for the period July 1, 2015, through November 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 Preschool from July 1, 2015, through November 30, 2016. A sampling of purchase orders and/or salaries was taken from each program reviewed.

**BELLEVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
MARCH 2017**

GENERAL OVERVIEW OF USE OF IDEA FUNDS

IDEA Projects

The majority of the FY 2017 IDEA Basic funds are being used to reduce district tuition costs for students receiving special education services in other public school districts and approved private schools for students with disabilities. IDEA Preschool funds are being used for an extended year program, instructional aides, supplemental supplies, and occupational and physical therapists.

DETAILED FINDINGS AND RECOMMENDATIONS

IDEA

Finding 1: In FY 2015-2016, the district expended IDEA funds for PO# 602073 in the amount of \$18,052 with vendor Apple Computers. Although the purchase order was issued on June 30, 2016, these items were ordered and delivered beyond the IDEA grant year of June 30, 2016.

Citation: 2 C.F.R. Part 200.61 – Internal control over compliance requirements for federal awards.

Required Action: The district is reminded that all purchases expended through IDEA must be in accordance with 2 CFR Part 200 or must be purchased through local funds.

Finding 2: The district contracted with the Essex Regional Educational Services Commission (ERESC) for services to nonpublic students with disabilities for the 2016-2017 school year; however, the contract does not stipulate the rate or the service ERESC was billing to the district. Furthermore, no documentation of delivery of service was provided to the district when invoices were generated.

Citation: 2 CFR Part 200.62 - Internal control over compliance requirements for federal awards.

Required Action: The district must create a valid contract, with signatures from all parties, for the current school year with the ERESC to include the type of services and associated rates to be provided. The district must request detailed invoices from the ERESC that includes specific dates of service and type of service provided.

Finding 3: Service Plans for students in nonpublic schools are not being implemented in accordance with the level of service included in the Service Plan. Student Service Plans indicate in class support on their program page, but are receiving an instructional aide. Additionally, Service Plans must indicate the funding source.

Citation: IDEA Regulations 34 CFR §300.130-300.144; Chapter 192 & 193 Programs for Nonpublic School Students.

**BELLEVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
MARCH 2017**

Required Action: The district must revise Service Plans to include the funding source, as well as, accurately reflect the level of service being provided to the student. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding the procedures for implementing the requirements in the citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation demonstrating service in each student's Service Plans, as well as, inclusion of the funding source for Service Plans conducted between June 2017 and December 2017, and to review the oversight procedures.

IDEA (Special Education)

Finding 4: The district did not ensure child study team participation at the planning conference of students transitioning from an early intervention program to preschool.

Citation: N.J.A.C. 6A:14-3.3(e)1; 20 U.S.C. §1414(d)(1)(D); and 34 CFR §300.321(f).

Required Action: The district must ensure that a member of the child study team participates in the planning conferences for each student transitioning from early intervention to preschool. 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 demonstrating participation of a child study team member in the transition planning conferences conducted between June 2017 and December 2017 for students transitioning from early intervention to preschool, and to review the oversight procedures.

Finding 5: The district did not conduct meetings within 20 calendar days of receipt of a written request for a child study evaluation or a speech-language evaluation to determine if an evaluation was warranted.

Citation: N.J.A.C. 6A:14-3.3(e), 3.4(j).

Required Action: The district must ensure that identification meetings are conducted within 20 calendar days of receipt of a written request for evaluation and that required participants are in attendance. 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 conduct an on-site visit to interview staff, review documentation from meetings conducted between June 2017 and December 2017, and to review the oversight procedures.

Finding 6: The district did not consistently ensure that students found eligible for speech-language services met the eligibility criteria.

Citation: N.J.A.C. 6A:14-3.6(b)1-3; 20 U.S.C. §1414(b)(4) and (5); 34 CFR 300.306.

**BELLEVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
MARCH 2017**

Required Action: The district must ensure that the criteria set forth in N.J.A.C. 6A:14-3.6(b) are used to determine eligibility for speech-language services. 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 citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation of eligibility from eligibility meetings conducted between June 2017 and December 2017, and to review the oversight procedures.

Finding 7: The district did not consistently ensure that students found eligible for special education and related services met the eligibility criteria for the eligibility categories specific learning disability and communication impaired.

Citation: N.J.A.C. 6A:14-3.5(c) 4 (i-ii), 12(i-iv) and 20 U.S.C. §1414(b)(4) and (5); 34 CFR 300.306.

Required Action: The district must ensure that the criteria set forth in N.J.A.C. 6A:14-3.5(c) 4 (i-ii) and 12 (i-iv) are used to determine eligibility for special education and related services. 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 from eligibility meetings conducted between June 2017 and December 2017, and to review the oversight procedures.

Finding 8: 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;
- 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(i), (ii) and (iii), N.J.A.C. 6A:14-4.2 (a) 4.

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 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

**BELLEVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
MARCH 2017**

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, a random sample of additional IEPs developed at meetings conducted between June 2017 and December 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 9: The district did not consistently provide to students eligible for special education and related services written notice of graduation and a summary of academic achievement and functional performance, containing all required components, prior to graduating and/or aging out.

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

Required Action: The district must ensure that parents or adult students are provided with written notice of graduation and a summary of academic achievement and functional performance 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 and the summary of academic achievement and functional performance provided to eligible students at the conclusion of the current school year, and to review the oversight procedures.

Finding 10: 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 districtwide assessments.

Citation: 34 CFR §300.158-300.161.

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 districtwide 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 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.

**BELLEVILLE PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
MARCH 2017**

Administrative

Finding 11: The district failed to formally appoint all individuals charged to the federal grant by board resolution. Employees charged to the grant should be approved by board resolution including all required information such as funding grant, account number, position, annual/funded salary and percentage charged.

Citation: OMB Circular A-87, Attachment B, Section 8(h): *Cost Principles for State, Local and Indian Tribal Governments (Compensation for personal services)*.

Required Action: The district should update its internal controls to ensure that the board minutes contain accurate and complete information.

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.