



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

December 16, 2016

Mr. Andre Hollis, Principal
New Horizons Community Charter School
45-59 Hayes Street
Newark, NJ 07103

Dear Mr. Hollis:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the New Horizons Community Charter School. The funding source reviewed was the Individuals with Disabilities Education Act. The review covered the period July 1, 2015 through September 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 Charter School Response, Corrective Action Plan and Appeal Process," the New Horizons Community 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: New Horizons Community Charter School CM Cover Letter
Enclosures

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

NEW HORIZONS COMMUNITY CHARTER SCHOOL
45-59 HAYES STREET
NEWARK, NJ 07103
PHONE: (973) 848-0400



New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
DECEMBER 2016**

District: New Horizons Community Charter School
County: Essex
Dates On-Site: October 25 and 26, 2016
Case #: CM-018-16

FUNDING SOURCES

IDEA Basic		\$109,144
IDEA Preschool		2,335
	Total Funds	<u>\$111,479</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 ESSA regulations, only IDEA and Special Education will be reviewed during consolidated monitoring.

INTRODUCTION

The NJDOE visited the New Horizon 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 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 September 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 school 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 September 30, 2016. A sampling of purchase orders and/or salaries was taken from each program reviewed.

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GENERAL OVERVIEW OF USES OF IDEA FUNDS

IDEA Projects

The school used FY 2017 IDEA Basic and Preschool funds to offset the cost of salaries of two special education teachers.

DETAILED FINDINGS AND RECOMMENDATIONS

IDEA Grant

Finding 1: The school utilized preschool funds to offset the salaries of two special education teachers in grade two and grade four. Preschool funds were not being used to support the education of students in preschool through kindergarten.

Citation: IDEA Part C Section 610.

Required Action: The district must return funds used to employ the two teachers back to the preschool fund.

IDEA Program

Finding 2: The school does not employ child study team members who are employees of a local education agency. Primary child study team services are provided by contracted independent consultants.

Citation: N.J.A.C. 6A:14-3.1(b) and 5.1(a)1, 2 and 3.

Required Action: The school must ensure that it employs or contracts with child study members in accordance with the citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff and review documentation that demonstrates inclusion of a learning disabilities teacher consultant and a school psychologist on the child study team.

Finding 3: The school did not consistently document all required considerations and statements in the IEPs of students eligible for special education and related services.

IEPs did not consistently include:

- participation in district wide assessments; and
- approved accommodations and modification on district 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).

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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 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 January 2017 and March 2017, and to review the oversight procedures. For assistance with correction of noncompliance, the school is referred to the state IEP sample forms which are located at: www.nj.gov/education/specialed/form.

Finding 4: The school did not consistently complete the reevaluation process within 60 days of receipt of written parental consent.

Citation: N.J.A.C. 6A:14-3.8(a)(e); 20 U.S.C. §1414(d); and 34 CFR §300.324(b)(1).

Required Action: The school must ensure assessments and determination of continued eligibility as part of a reevaluation are completed within 60 days of written parental consent. 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 documentation of parental consent and eligibility meetings held as part of the reevaluation process between January 2017 and March 2017, and to review the oversight procedures.

Finding 5: 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. Initial evaluation reports did not contain observations in non-testing setting.

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 develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. The school is referred to the sample report form which is located at: www.nj.gov/education/specialed/form. Monitors from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports for students evaluated between January 2017 and March 2017, 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.

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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.