



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

January 19, 2017

Dr. Gina Villani, Superintendent
Clinton Township School District
128 Cokesbury Road
Lebanon, NJ 08833

Dear Dr. Villani:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the Clinton Township School District. The funding source reviewed was the Individuals with Disabilities Education Act. The review covered the period July 1, 2015 through November 29, 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 Clinton Township 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 Kathryn Holbrook at (609-292-0198).

Sincerely,

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

RJC/KH/dk: Clinton Township School District CM Cover Letter
Enclosures

www.nj.gov/education

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CLINTON TOWNSHIP SCHOOL DISTRICT
128 COKESBURY ROAD
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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
JANUARY 2017**

District: Clinton Township School District
County: Hunterdon
Dates On-Site: November 1 and 29, 2016
Case #: CM-030-16

FUNDING SOURCES

Program	Funding Award
IDEA Basic	\$ 389,559
IDEA Preschool	12,375
Total Funds	<u>\$ 401,934</u>

**CLINTON TOWNSHIP SCHOOL DISTRICT
CONSOLIDATED MONITORING REPORT
JANUARY 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 ESSA regulations, only IDEA and Special Education will be reviewed during consolidated monitoring.

INTRODUCTION

The NJDOE visited the Clinton Township 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 Preschool programs for the period July 1, 2015 through November 29, 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, and current district policies and procedures. The monitoring team members reviewed the supporting documentation for a sample of expenditures and conducted internal control reviews, as well as, conducted interviews with program administrators and other district personnel as required. Additionally, the IDEA grant reviews 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 specialists.

EXPENDITURES REVIEWED

The IDEA Basic and Preschool grant reviews included a sampling of purchase orders taken from the entire population and later identified as to the IDEA grant for the period July 1, 2015 through November 29, 2016.

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GENERAL DISTRICT OVERVIEW OF USES OF IDEA GRANT FUNDS

IDEA Projects (Special Education)

The FY 2016 IDEA funds were used to reduce district tuition expenditures for students receiving special educational services in approved private schools for students with disabilities, support students with service plans in a nonpublic setting, and to purchase supplies, materials and professional services for the district's preschool disabled program.

DETAILED FINDINGS AND RECOMMENDATIONS

IDEA Grant

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

IDEA Program

Finding 1: 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 and an explanation of why the supplementary aids and services were rejected.

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

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. 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. 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 for students whose annual review meetings were conducted between May 2017 and September 2017, and to review the oversight procedures. The names of the students with IEPs that were identified as noncompliant will be provided to the district by the monitor.

Finding 2: The district did not consistently document the required participants were in attendance at identification, annual review, reevaluation planning, eligibility and IEP meetings for students eligible for special education and related services who attend an out-of-district placement, and for students eligible for speech-language services.

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Citation: N.J.A.C. 6A:14-2.3(k)1(i-vii). 20 U.S.C. §1414(d)(1)(B). 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 student files. 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 citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review meeting documentation, including sign in sheets, for meetings conducted between May 2017 and September 2017, and to review the oversight procedures.

Finding 3: 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) process.

Citation: N.J.A.C. 6A:14-3.3(c).

Required Action: The district must ensure that interventions are provided in the general education setting for students exhibiting academic and/or behavioral difficulties prior to referring the student for an evaluation. In addition, the district must ensure that 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 May 2017 and September 2017, and to review the oversight procedures.

Finding 4: The district did not consistently conduct reevaluations within three years of the previous classification date for students eligible for special education and related services and for students eligible for speech-language services.

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

Required Action: The district must ensure reevaluations are conducted within required time lines. 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 citation 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 May 2017 and September 2017, and to review the oversight procedures.

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Finding 5: 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 and for students eligible for speech-language services.

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

Required Action: The district must ensure that all components of the functional assessment are conducted as part of the initial evaluation process. 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 initial evaluation reports completed between May 2017 and September 2017, and to review the oversight procedures.

Finding 6: The district did not consistently complete transition planning for students ages 14 and above and document decisions in the IEP. Additionally, 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 14-3.7(e)11. 34 CFR §300.322(a)(2).

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. Additionally, 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. 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 IEPs for students whose annual review meetings were conducted between May 2017 and September 2017, and to review the oversight procedures.

Administrative

Finding 7: Student names were included on vendor invoices for out-of-district placements which violates student confidentiality.

Citation: 34 CFR Part 99: Family Educational Rights and Privacy. 34 CFR §§300.610-627: Confidentiality of Information. N.J.A.C. 6A:32-7: Student Records.

Required Action: The district must adopt/revise procedures to ensure that confidentiality of student information is maintained and that only persons having educational responsibility for those students have access to this information.

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Finding 8: Certain board approved policies and standard operating procedures maintained by the district are out-of-date and in need of revision.

Citation: 2 CFR §§200.302(b)(3): Financial management and 200.318: General procurement standards. N.J.A.C. 6A:23A-6.6: Standard operating procedures for business functions.

Required Action: The district should revise/adopt its written policies and procedures to ensure compliance with current state and federal regulations.

Finding 9: On several occasions, the district failed to issue a purchase order prior to services being rendered (confirming order) in contravention of state regulations. It is imperative that purchase orders are issued by the purchasing agent to: authorize vendors to provide goods and perform services to the district; reduce the duplication of items and services acquired; and avoid the likelihood of overpayment to vendors.

Citation: N.J.S.A. 18A:18A-(2)(v): Public School Contracts Law.

Required Action: The district must implement a process to ensure that purchase orders are issued prior to receiving goods and services from vendors.

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 Kathryn Holbrook via phone at (609) 292-0198 or via email at kathryn.holbrook@doe.state.nj.us.