



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

CHRIS CHRISTIE
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Commissioner

September 5, 2013

Dr. Wanda Carter, Chief School Administrator
Fairfield Township Board of Education
325 Gouldtown-Woodruff Road
Bridgeton, NJ. 08302

Dear Dr. Carter:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Fairfield Township Board of Education**. 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, 2011 through July 24, 2013. 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/finance/jobs/monitor/consolidated>.

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," the Fairfield Township Board of Education 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 Anthony Hearn at (609) 633-2492.

Sincerely,

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

RJC/AH/dk:Fairfield Twp.BOE Cover Letter/consolidated monitoring
Enclosures

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FAIRFIELD TOWNSHIP SCHOOL DISTRICT
375 GOULDTOWN WOODRUFF ROAD
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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
SEPTEMBER 2013**

District: Fairfield Township School District
County: Cumberland
Dates On-Site: July 24 and 25, 2013
Case #: CM-019-12

FUNDING SOURCES

Program	Funding Award
Title I	\$ 380,890
IDEA Basic	186,971
IDEA Preschool	5,495
Title IIA	69,081
Race to the Top	26,385
Total Funds	<hr/> <hr/> <u>\$ 668,822</u>

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BACKGROUND

The Elementary & 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, IDEA, and Race to the Top). 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 Fairfield 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 following programs: Title I, Part A (Title I); Title IIA; Race to the Top; and IDEA for the period July 1, 2011 through July 24, 2013 and planned expenses for the current year (2012-2013).

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 that were reviewed included Title I, Title IIA, Race to the Top and IDEA from July 1, 2011 through July 24, 2013. A sampling of purchase orders was taken from the entire population and later identified as to the grant that was charged.

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GENERAL DISTRICT OVERVIEW OF USES OF TITLE I, IDEA AND RACE TO THE TOP FUNDS

Title I Projects

The district used FY 2012-2013 Title I funds to implement targeted assistance programs in its one school: Fairfield Township School. Primarily, the district provided tutoring services through extended learning opportunities (extended day and extended year) and in-class support.

IDEA Projects (Special Education)

The majority of the FY 2012-2013 IDEA Basic funds were used to fund contracted child study team services with Salem County Special Services School District, which includes evaluations, case management and consultation. A portion of the funds were allocated to reduce district tuition expenditures for three students receiving special education services in an approved private school for students with disabilities.

Race to the Top Projects

The district spent its funds to acquire the Danielson model, including professional development and the Teachscape user licenses.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: In the notification letter to parents of Title I students, the district did not include detailed entrance criteria, the remediation strategy/strategies being used or exit criteria. Without this information, parents are unable to understand the specific reasons for their child being selected to participate in the Title I program, the instructional approaches used to address their child's academic needs, and the criteria for their child to exit the program.

Citation: ESEA §1118(c): *Parental Involvement (Policy Involvement)*.

Required Action: In the notification letter to parents of students in the Title I program, the district must include the multiple measures it uses to identify students for eligibility, the instructional approaches used to address the students' academic needs, and the criteria for students to exit the program. The district must update the letter for the 2013-2014 school year and provide a copy to the NJDOE for review.

Finding 2: The district does not have clear and distinguishable identification criteria for its Title I students. Therefore, ineligible students benefited from services that should have been for the lowest-performing students in the school. In targeted assistance programs, districts must identify and target Title I services to students who are most academically at risk for not attaining proficiency on challenging state academic standards assessments.

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Citation: ESEA §1115(B): *Targeted Assistance Programs (Eligible Children from Eligible Population)*.

Required Action: The district must establish clear and distinguishable identification criteria based upon multiple educationally related criteria for its identified Title I students. The district must submit the FY 2013-2014 entrance criteria for the Title I program to the NJDOE for review.

Finding 3: The district does not have a parental involvement program that reflects the requirements of the Title I legislation. The district did not have evidence of implementing the following:

- parent, Teacher, Student compact (missing role of student);
- the annual Title I parent meeting; and
- school-level parental involvement policy.

The exclusion of parents in the development of these documents does not offer them the opportunity for full participation in their child's educational program.

Citation: ESEA §1118: *Parental Involvement*.

Required Action: The district must ensure its Title I school has a school-level parental involvement policy and a school-parent compact that is developed with the input of parents and distributed directly to parents of students participating in the Title I program. Additionally, the school must host its annual Title I meeting by October 30, 2013. The district must submit copies of the school-level parental involvement policy, school-parent compact and documentation of the annual Title I parent meeting (e.g., meeting notes, sign in sheets, agenda), to the NJDOE for review.

Finding 4: There is no evidence the district is providing equitable services to resident nonpublic school students, their families or their teachers. The district was unable to provide evidence of any nonpublic consultation process. Without this documentation, the monitoring team could not verify that eligible resident nonpublic students were afforded the opportunity to participate in the Title I program.

Citation: NCLB §1120(a): *Participation of Children Enrolled in Private Schools (General Requirement)*.

Required Action: The district must contact the nonpublic schools that enroll resident students to inform them of the opportunity to participate in the Title I program. The district must then schedule a consultation meeting with participating nonpublic schools and develop a plan to provide services to eligible resident nonpublic students. The district must submit documentation of the communication sent to nonpublic schools to the NJDOE for review.

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Finding 5: The district's use of Title I funds for the Honor Society dinner and an anti-bullying workshop supplants state/local funds.

Citation: OMB Circular A-87, Attachment B, *Cost Principles for State, Local and Indian Tribal Governments*, NCLB Section 1120A(b) *Fiscal Requirements, Federal Funds To Supplement, Not Supplant, Non-federal Funds*.

Required Action: The district must reverse the expenditure of Title I Funds for these activities and identify state/local funds to support the above mentioned programs. The school must send documentation of the adjusting journal entry to the NJDOE for review.

Title IIA

Finding 6: The district does not have the required supporting documents to verify the activity of staff charged to the Title IIA grant at the school. The documentation must reflect what the staff is doing and when (time slots) and must match their funded percentage. This documentation is necessary to ensure grant funded staff are actually performing grant-related responsibilities.

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 must identify staff members whose salary is supported in whole or in part with Title IIA and verify the time and activity of staff charged to the grant for FY 2013-2014.

Race to the Top

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

IDEA (Special Education)

Finding 7: The district did not have documentation of multiple attempts of consultation for a proportionate share of grant funds for children with disabilities allocated under the IDEA, Part B with nonpublic schools.

Citation: 34CFR§300.134.

Required Action: The district must provide evidence of its process to consult with nonpublic schools that enroll resident students to the NJDOE for review.

Finding 8: The district did not consistently ensure that students received speech/language services as indicated in their IEPs.

Citation: N.J.A.C. 6A:14-3.7(a)1-4 and 20 USC 1412(a)(5); 34 CFR §300.119.

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Required Action: The district must ensure that each student receives speech-language services as required by his/her IEP. 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 citation listed above. Additionally, the district must determine if compensatory services are required for any other students whose IEPs required the provision of speech-language services during the 2012-2013 school year. A monitor from NJDOE will conduct an on-site visit to interview staff, review documentation demonstrating the provision of any compensatory services, review service provider logs demonstrating provision of services between October 2013 and January 2014, logs of any required compensatory services and the oversight procedures.

Finding 9: The district's notices of meetings did not consistently include all required components for students referred and/or eligible for special education and related services and for students referred and/or eligible for speech-language services. Specifically, notice of a meeting for students eligible for special education, related services and speech-language services did not consistently inform parents of their rights to invite other persons with expertise regarding their child when convening a meeting to review and/or revise the IEP. In addition, the district did not consistently provide notice of a meeting to students referred and/or eligible for speech-language services.

Citation: N.J.A.C. 6A:14-2.3(k)3,5; 20 U.S.C. §1414(b)(1); and 34 CFR §300.304(a).

Required Action: The district must ensure parents are provided notice of a meeting in writing, that contains all required components, early enough to ensure the parent has an opportunity to attend. 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 copies of notice for meetings conducted between October 2013 and January 2014, and the oversight procedures.

Finding 10: The district did not consistently provide written notice to parents containing all required components. Additionally, written notice for students eligible for speech-language services was not consistently provided within 15 calendar days of the meeting and did not consistently include SPSS.

Citation: 20 U.S.C. §1414(b)(1)(c)(4)(A); 34 CFR §300.304(a)(4); and 34 CFR §300.305(a) and N.J.A.C. 6A:14-2.3(f) and 2.3(g)1-7.

Required Action: The district must ensure parents are provided written notice following a meeting that contains all required components within 15 calendar days of the meeting. 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

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monitor from the NJDOE will conduct an on-site visit to interview staff, review copies of written notice sent to parents following meetings conducted between October 2013 and January 2014, and the oversight procedures.

Finding 11: The district did not consistently provide copies of evaluation reports to parents at least 10 days prior to the determination of initial eligibility or determination of continued eligibility for students eligible for special education and related services and for students eligible for speech-language services.

Citation: N.J.A.C. 6A:14-3.5(a); 20 U.S.C. §1414(b)(4); and 34 CFR §300.306(a).

Required Action: The district must ensure parents are provided copies of evaluation reports not less than 10 days prior to the determination of eligibility. 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 NJDOE will conduct an on-site visit to interview staff, review documentation of provision of evaluation reports to parents for students evaluated for special education and related services and speech-language services between October 2013 and January 2014, and the oversight procedures.

Finding 12: The district did not consistently convene IEP team meetings with required participants for students eligible for special education and related services and for students eligible for speech-language services.

Citation: N.J.A.C. 6A:14-2.3(k)1(i-vii); 20 U.S.C. §1414(d)(1)(B); and 34 CFR §300.321(a).

Required Action: The district must ensure IEP team meetings are conducted with required participants and that documentation of attendance and/or written parental consent to excuse a member of the team maintained in student's records. 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 NJDOE will conduct an on-site visit to interview staff, review meeting documentation, including the sign in sheets, for meetings conducted between October 2013 and January 2014, and the oversight procedures.

Finding 13: The district did not consistently document all required considerations and statements in each IEP for students eligible for special education and related services and for students eligible for speech-language services.

Specifically, IEPs developed for students eligible for special education and related services did not include:

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- goals and objectives;
- methods of evaluation to determine student progress;
- the criteria used to determine achievement of goals and objectives; and
- age 14 transition requirements.

IEPs developed for students' eligible for speech-language services did not consistently include:

- documentation of the strengths of the student in the statement of Present Level of Academic Achievement and Functional Performance;
- a statement describing the consideration of Extended School Year (ESY) with a description of the program, when ESY will be provided; and
- participation in statewide assessments.

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 the required considerations and statements. 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. To correct the individual instances of noncompliance, the district must conduct annual review meetings and revise IEPs for the specific students whose IEPs were identified as noncompliant. At the next IEP meeting for all other students, the IEP team must ensure appropriate decisions are made regarding programs and services and all required components are included in the IEP. A monitor from 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 October 2013 and January 2014, and 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 forms which are located at: www.statenj.us/education/specialed/forms.

Finding 14: 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; and
- 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.

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In addition, through interviews with district staff, program options were based on existing available programs, administrative decisions and not on individual needs of the students. Specifically the option of in-class resources was not available.

Citation: N.J.A.C. 6A:14-4.2 (a)8(i),(ii) 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 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 addition, the district must ensure the full continuum of placement options is available to all students and that placement is based on the individual needs of the students. 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 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. At the next IEP meeting for all other students, the IEP team must ensure required considerations are made when determining where services will be delivered and document them in the IEP. A monitor from 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 October 2013 and January 2014, and 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 15: 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 I&RS documentation includes the description, frequency, duration and effectiveness of the interventions provided in the general education setting. In order to demonstrate correction of noncompliance the district must conduct training for administrators and I&RS team members and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. A monitor from NJDOE will conduct an on-site visit to interview staff, review I&RS documentation for students who were provided interventions in general education between October 2013 and January 2014, and the oversight procedures.

Finding 16: The district did not conduct vision/hearing screenings and health/medical summaries for every student referred to the child study team for evaluation.

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

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Required Action: The district must ensure a vision and audiometric screening is conducted, for every student referred to the child study team with a copy of the results maintained in students' files, along with available health/medical summaries. 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, and documentation verifying receipt of the health summary, including the vision and hearing screening documentation, for students referred to the child study team between October 2013 and January 2014, and the oversight procedures.

Finding 17: The district did not consistently conduct multidisciplinary initial evaluations for students referred for speech-language services by obtaining an educational impact statement from the classroom teacher.

Citation: N.J.A.C. 6A:14-2.5(b)6 and 3.6(b).

Required Action: The district must ensure a multidisciplinary evaluation is conducted for students referred for speech-language services by obtaining a written statement from the general education teacher that details the educational impact of the speech problem on the student's progress in general education. 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 citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports for students referred for speech-language services between October 2013 and January 2014, and the oversight procedures.

Finding 18: 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 referred for speech-language services.

Functional assessments for students referred for special education and related services did not include an observation of the student in other than a testing setting. Additionally, functional assessments for students' referred for speech and language services did not consistently include:

- parent interview;
- teacher interview;
- review of developmental/educational history; and
- review of interventions.

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 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

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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 initial evaluation reports for students referred for special education and related services or speech-language services between October 2013 and January 2014, and the oversight procedures. The district is referred to the sample report form for special education and related services and speech-language evaluations which is located at: www.state.nj.us/education/speced/forms.

Finding 19: The district did not maintain written certification of each child study team evaluator as to whether his/her report, reflects his/her conclusion of eligibility of the student referred for special education and related services.

Citation: N.J.A.C. 6A:14-3.4(h)5.

Required Action: The district must maintain the written certification of each child study team evaluator as to whether the evaluation report reflects his/her conclusion of eligibility of each student they evaluated. 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 eligibility documentation for students who have to be referred for special education and related services between October 2013 and January 2014, and the oversight procedures.

Finding 20: The district did not consistently conduct reevaluations within three years of the previous classification date for students currently eligible for speech-language services.

Citation: N.J.A.C. 6A: 14-3.7(i) and 14-3.8(a) and 20 U.S.C. §1414(a)(2)(B)(ii) and (d); and 34 CFR §300.324(b)1.

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 reevaluation time lines for student currently eligible for speech-language services between October 2013 and January 2014, and the oversight procedures.

Finding 21: The district did not consistently conduct reevaluation planning meetings for students currently eligible for speech-language services.

Citation: N.J.A.C. 6A:14-2.3(k)2(i-x) and 7; 20 U.S.C. §1414(c)(1)(A)(i); and 34 CFR §300.305(a).

Required Action: The district must ensure reevaluation planning meetings are conducted with required participants and documentation of the district's attempts to

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obtain parental participation when the parent does not attend the meeting is maintained in the student's records. 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 citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review documentation from reevaluation planning conducted between October 2013 and January 2014, and the oversight procedure.

Administrative

Finding 22: The district does not have internal control policies and procedures to prevent contracting with disbarred vendors.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 36, Procurement.

Required Action: The district should develop internal control policies to prevent errors from potentially occurring.

Finding 23: The district does not have formal written policies for requesting reimbursement from the Electronic Web Enabled Grant or System for Administering Grants Electronically systems. However, the monitoring team did verify the district's practice for requesting reimbursement through inquiries about the district's internal controls.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems.

Required Action: The district must have a formal board policy concerning the reimbursement of grant funds. The district must submit a copy of its written policy to the NJDOE for review.

Finding 24: The district has no evidence of competitively contracting for the provision of goods and services by vendors. In accordance with the Public School Contracts Law (PSCL) [N.J.S.A. 18A:18A:10(a)], a board of education may place its order with a vendor offering the lowest price, including delivery charges, that best meets the requirements of the board of education. However, for all federal funds, districts need to review 34 CFR Part 80.36 on procurement requirements. The federal procurement regulations under this section do not include all the exemptions allowed under the PSCL and therefore, these federal regulations require districts to competitively contract or bid all goods and services under the bid threshold, whether exempt under PSCL or not. The federal rules do include provisions for procurement by "noncompetitive proposals," but only under certain circumstances.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 36, Procurement.

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Required Action: The district should review 34 CFR Part 80.36 and use open and competitive procedures where at all possible. The district should also analyze and include documentation in its files that demonstrates the district ensured the costs were reasonable.

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 Anthony Hearn via phone at (609) 633-2492 or via email at anthony.hearn@doe.state.nj.us.