



State of New Jersey

DEPARTMENT OF EDUCATION

PO BOX 500

TRENTON, NJ 08625-0500

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

CHRISTOPHER D. CERF  
Commissioner

July 9, 2013

Dr. Peter Koza, Superintendent  
Upper Deerfield Township Board of Education  
1369 Highway 77  
Seabrook, NJ 08302

Dear Dr. Koza:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Upper Deerfield 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 March 31, 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 Upper Deerfield 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:UpperDeerfieldBOE Cover Letter/consolidated monitoring  
Enclosures

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**UPPER DEERFIELD TOWNSHIP SCHOOL DISTRICT**  
1369 HIGHWAY 77  
SEABROOK, NJ 08302  
PHONE: (856) 455-2267



*New Jersey K-12 Education*

**CONSOLIDATED MONITORING REPORT  
JULY 2013**

**District:** Upper Deerfield Township School District  
**County:** Cumberland  
**Dates On-Site:** May 28 and 29, 2013  
**Case #:** CM-021-12

**FUNDING SOURCES**

| Program         | Funding Award     |
|-----------------|-------------------|
| Title I         | \$ 333,777        |
| IDEA Basic      | 208,301           |
| IDEA Preschool  | 5,124             |
| Title IIA       | 47,779            |
| Title III       | 10,975            |
| Race to the Top | 28,928            |
| Total Funds     | <u>\$ 634,884</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 Upper Deerfield 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; Title III, Race to the Top; and IDEA for the period July 1, 2011 through May 28, 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, Title III, Race to the Top and IDEA from July 1, 2011 through May 28, 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, TITLE IIA, TITLE III,  
RACE TO THE TOP AND IDEA FUNDS**

**Title I Projects**

The district is using its FY 2012-2013 Title I funds to implement targeted assistance programs in all its schools. Primarily, the district provides tutoring services through in-class support and pull-out programs for identified low-performing students.

**IDEA Projects (Special Education)**

The majority of the FY 2012-2013 IDEA Basic funds are being used to reduce district tuition costs for students receiving special educational services in other public school districts and approved private schools for students with disabilities. IDEA Basic and Preschool funds are utilized to provide occupational and physical therapy services as identified in student IEPs.

**Title IIA**

The district is using Title IIA funds for class size reduction staff in the third grade.

**Title III**

The district is using Title III funds for part time English as a Second Language (ESL) staff to help supplement the required program.

**Race to the Top**

The district is using Race to the Top funds for the teacher evaluation system under the Danielson model, Teachscape software and professional development. Half the funds were spent in FY 2012-2013 and the balance will be spent in FY 2013-2014.

**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 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, or the performance levels needed for their child to exit the program.

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

**Required Action:** In the notification letter to families of students in the Title I program, the district must include the multiple measures it uses to identify students for eligibility. The district updated the letter and no further action is needed

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**Finding 2:** The district has a Focus School (Woodruff School), but did not set aside the required 30 percent reserve for interventions in Priority and Focus Schools.

**Citation:** ESEA, *Section 9401, New Jersey's Flexibility Waiver from US Department of Education.*

**Required Action:** The district has updated its School Improvement Plan and submitted an amended grant application to reserve the funds. The district will have to carryover any portion of the FY 2012-2013 Priority/Focus Intervention Reserve that is not expended, and use the funds to supplement the FY 2013-2014 Priority/Focus Intervention Reserve. No further action is needed.

**Title IIA**

**Finding 3:** The district does not have the required supporting documents to verify the activity of staff charged to the Title IIA or Title III grants at schools. The documentation must reflect what the staff is doing and must match their funded percentage. This documentation is necessary to verify that grant-funded staff are actually performing grant-related duties.

**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 submit time sheets for all funded staff in Title IIA and Title III to the NJDOE for review.

**Title III**

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

**IDEA (Special Education)**

**Finding 4:** The district's notices of IEP meetings for students eligible for special education and related services did not consistently inform the parent that transition services were to be discussed and developed for students beginning at age 14.

**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 that contains all required components, early enough to ensure the parent has an opportunity to attend, and this documentation is maintained in student files. 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. The district must implement an oversight mechanism to regularly review the district's special education data system to ensure forms for provision of notice includes required components. A monitor from the NJDOE will conduct an on-site visit

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to interview staff and review notices of IEP meetings for students age 14 and older conducted between September 2013 and December 2013 and the oversight procedures.

**Finding 5:** The district did not consistently adhere to the required 15-day waiting period following provision of written notice to conduct assessments as part of the reevaluation process when the parent did not attend the reevaluation planning meeting for students eligible for speech-language services.

**Citation:** N.J.A.C. 6A:14-2.3(a); 20 U.S.C. §1414(a)(1)(D); and 34 CFR §300.300(a).

**Required Action:** The district must ensure it implements the 15-day period following the provision of written notice before conducting assessments as part of a reevaluation. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists regarding the procedures for implementing the requirements in the citation listed above. The district must implement an oversight mechanism to regularly review the district's special education data system to ensure the district does not take action prior to the 15-day period following provision of written notice. A monitor from the NJDOE will conduct an on-site visit to interview staff and review documentation of reevaluation planning meetings conducted between September 2013 and December 2013 and the oversight procedures.

**Finding 6:** The district did not 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.

**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 regarding procedures for implementing the requirements in the citation listed above. The district must implement an oversight mechanism to regularly review documentation of the provision of copies of evaluation reports to parents 10 days prior to eligibility meetings. A monitor from NJDOE will conduct an on-site visit to interview staff, review documentation of evaluations conducted between September 2013 and December 2013 and the oversight procedures.

**Finding 7:** The district did not include required measurable goals and objectives in each IEP for students eligible for special education and related services

**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 measurable goals and objectives. In order to demonstrate correction of noncompliance, the district must

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conduct training for child study team members regarding the procedures for implementing the requirements in the citation listed above. The district must implement an oversight mechanism to regularly review IEPs to ensure the inclusion of goals and objectives. In addition, the district must conduct annual review meetings and revise IEPs for the specific students whose IEPs were identified as noncompliant during monitoring. At the next IEP meeting for all other students, the district must ensure each IEP includes measurable goals and objectives. A monitor from the NJDOE will conduct an on-site visit to interview staff and review the revised IEPs. IEPs developed between September 2013 and December 2013 and the oversight procedures. Names of the students whose IEPs were identified as noncompliant will be provided to the school by the monitor.

**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 (LRE). Specifically, IEPs did not consistently include:

- the supplementary aids and services considered and an explanation of why the supplementary aids and services were rejected;
- comparison of the benefits provided in the regular class and the benefits provided in the special education class;
- 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 LRE.

**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 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 district activities to transition the student to a LRE and document them in each IEP. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding the district's procedures. The district must implement an oversight mechanism to regularly review IEPs to ensure documentation of the decision making process regarding placement in the least restrictive environment. 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 removed from general education for more than 20 percent of the day, the district must ensure that consideration of placement in the LRE is documented in the IEP. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs, IEPs for students whose annual review meetings were conducted between September 2013 and December 2013 and the oversight



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procedures. Names of the students with IEPs that were identified as noncompliant will be provided to the district by the monitor.

**Finding 9:** 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 3.7(e)13, 3.7(h); 20 U.S.C. §1414 (d)(1)(A)(i)(1)(VIII); and 34 CFR §300.322.b(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 regarding the procedures for implementing the requirements in the citation listed above. The district must implement an oversight mechanism to regularly review the district's special education data system to ensure written invitations to meetings where post-school transition will be discussed are provided to students age 14 and above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review copies of student invitations to annual review meetings conducted between September 2013 and December 2013 and the oversight procedure.

**Finding 10:** The district did not consistently complete transition planning for students ages 14 and above and document decisions in the IEP.

**Citation:** N.J.A.C. 6A:14-3.7(e)11.

**Required Action:** The district must ensure that transition is discussed at each IEP meeting for students age 14 or above and decisions are documented in the IEP. 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. Additionally, the district must conduct annual review meetings to review and, if necessary, revise IEPs for the specific students whose IEPs were identified as noncompliant during monitoring. At the next IEP meeting for all other students age 14 and above, the district must ensure transition planning is included in each IEP. The district must implement an oversight mechanism to regularly review IEPs for consistent inclusion of documentation of transition planning. A monitor from the NJDOE will conduct an on-site visit to interview staff, review IEPs for the specific students whose IEPs were identified as noncompliant during monitoring, IEPs of students age 14 and older whose annual review meetings were conducted between September 2013 and December 2013 and the oversight procedure. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

**Finding 11:** The district did not consistently conduct vision/hearing screenings and health/medical summaries for every student referred to the child study team for evaluation.

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

**Required Action:** The district must ensure vision and audiometric screenings are 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 regarding the procedures for implementing the requirements in the citation listed above. The district must implement an oversight mechanism to regularly review referrals to ensure vision/hearing screenings and health/medical summaries are conducted and maintained in students' files. A monitor from the NJDOE will conduct an on-site visit to review documentation verifying receipt of the health summary, including the vision and hearing screening, for students referred to the child study team between September 2013 and December 2013 and the oversight procedure.

**Finding 12:** The district did not consistently conduct multi-disciplinary 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 statement from the general education teacher that details the educational impact of the speech problem on the student's progress in the general education setting. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists regarding the procedures for implementing the requirements in the citation listed above. The district must implement an oversight mechanism to regularly review evaluations for the inclusion of an educational impact statement from the classroom teacher. Additionally, a monitor from NJDOE will conduct an on-site visit to review initial evaluation reports for students referred for speech-language services whose eligibility meetings were held between September 2013 and December 2013 and the oversight procedures.

**Finding 13:** The district did not consistently conduct reevaluations within three years of the previous classification date for students 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 timelines with required participants in attendance. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists regarding the procedures for implementing the requirements in the citation listed above. The district must implement an oversight mechanism to regularly review the district's special education data system to identify students that are due for a triennial

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evaluation. This oversight mechanism must ensure each child study team members and speech-language specialists are conducting reevaluations where required and within timelines. A monitor from the NJDOE will conduct an on-site visit to interview staff and review reevaluations conducted between September 2013 and December 2013 and the oversight procedures.

**Administrative**

**Finding 14:** 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.

**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](mailto:anthony.hearn@doe.state.nj.us).