



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

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Lt. Governor

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Commissioner

June 11, 2013

Dr. Barbara Morella, Interim Superintendent  
Franklin Township Board of Education  
3228 Coles Mill Road  
Franklinville, NJ 08322-3029

Dear Dr. Morella:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Franklin 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 18, 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 Franklin 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:Franklin Twp. BOE Cover Letter/consolidated monitoring  
Enclosures

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**FRANKLIN TOWNSHIP SCHOOL DISTRICT  
3228 COLES MILL ROAD  
FRANKLINVILLE, NJ 08322  
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*New Jersey K-12 Education*

**CONSOLIDATED MONITORING REPORT  
JUNE 2013**

**District:** Franklin Township School District  
**County:** Gloucester  
**Dates On-Site:** March 18 and 19, 2013  
**Case #:** CM-023-12

**FUNDING SOURCES**

Program	Funding Award
Title I	\$ 197,407
IDEA Basic	348,520
IDEA Preschool	21,233
Title IIA	110,950
Total Funds	<u>\$ 678,110</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 Franklin 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; and IDEA for the period July 1, 2011 through March 18, 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, and IDEA from July 1, 2011 through March 18, 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 AND IDEA FUNDS**

**Title I Projects**

The district is using its FY 2012-2013 Title I funds to implement targeted assistance programs in all their schools. Primarily, the district provides tutoring services through extended learning opportunities (extended day and extended year), as well as in-class support.

**IDEA Projects (Special Education)**

The FY 2012-2013 IDEA Basic funds are being used to reduce district tuition expenditures for students receiving special education services in approved private schools for students with disabilities.

**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. Without this information, parents are unable to understand the specific reasons for their child being selected to participate in the Title I 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.

**Finding 2:** The district does not have a parental involvement program that reflects the requirements of the Title I legislation. The district did not have:

- Parent, Teacher, Student compact (missing role of student and school)
- School-level parental involvement policies

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 each 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. The district must submit copies of information and policies to the NJDOE for review.

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**Finding 3:** The district does not track expenditures by attendance areas to ensure the expenses for Title I schools are consistent with each attendance area's allocation on Eligibility Page, Step 4 of the FY 2012-2013 NCLB Consolidated Application. Tracking of expenditures is an internal control to ensure that each school is receiving programs and services up to the amount of funding generated by each school.

**Citation:** EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems; NCLB §9306(a)(5): *Other General Assurances (Assurances)*.

**Required Action:** The district must track Title I school-level allocations reflected in the FY 2012-2013 NCLB Consolidated Application for Title I funds (Eligibility Page, Step 4). The tracking for FY 2012-2013 must be submitted to the NJDOE for review.

**Finding 4:** The sampling of instructional staff found that two of the five staff did not meet requirements for classification as a highly qualified teacher.

**Citation:** NCLB §1119: *Qualifications for Teachers and Paraprofessionals*.

**Required Action:** The district must issue the Parents Right to Know follow up letter to inform parents their child is being taught by a teacher that does not meet the highly qualified designation. For the 2013-2014 school year, the district must ensure these teachers are assigned to instructional positions for which they meet the highly qualified designation. The district must submit documentation to the NJDOE that verifies the Parents Right to Know follow up letter was issued to parents.

**Finding 5:** 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 document any consultation, but did reserve funds for tutoring that have not yet been spent. 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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**Title IIA**

There were no findings for the Title IIA grant.

**IDEA (Special Education)**

**Finding 6:** The district included student names on purchase orders for students educated in tuition placements; therefore, violating student confidentiality.

**Citation:** IDEA Regulation 34 CFR 99; N.J.A.C. 6A:32-7.

**Required Action:** The district must revise procedures to ensure that confidentiality of student information is maintained and only persons having educational responsibility for those students have access to this information. Revised procedures must be submitted to the NJDOE for review.

**Finding 7:** The district did not consistently provide parents of students referred and/or eligible for speech-language services notice of a meeting for identification and reevaluation planning meetings. Noncompliance was due to a lack of consistent implementation of district procedures.

**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 speech-language specialists regarding the procedures for implementing the requirements in the citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff and review copies of notices of meetings conducted between May 2013 and October 2013.

**Finding 8:** The district did not consistently provide copies of evaluation reports to parents at least 10 days prior to the determination of initial eligibility for students referred for speech-language services. Noncompliance was due to a lack of consistent implementation of district procedures.

**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 speech-language specialists regarding procedures for implementing the requirements in the citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff and review documentation of provision of evaluation reports to parents for students evaluated for speech-language services between May 2013 and October 2013.

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**Finding 9:** 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 did not include:

- method of evaluating student progress on goals and objectives; and
- the criteria used to determine accomplishment of the goals.

Additionally, IEPs developed for students eligible for speech and language services did not consistently include:

- a statement of the Present Levels of Academic Achievement and Functional Performance which included all required components;
- specific location for provision of services; and
- documentation of the factors considered when determining the need for extended school year.

Noncompliance was due to a lack of consistent implementation of district procedures.

**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 components. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists regarding district procedures for implementing 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 IEPs for the specific students whose IEPs were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff and review the revised IEPs and a random sample of additional IEPs for annual review meetings conducted between May 2013 and October 2013. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

**Finding 10:** The district did not consistently document in the IEPs of students removed from the general education setting for more than 20 percent of the 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 explanation of why the supplementary aids and services were rejected;
- a comparison of the benefits of general education and the benefits of special education;
- the potentially beneficial or harmful effects which a placement in a general education setting 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.



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In addition, the rationale for removal from the general education setting was not individualized based on student need, but consisted of boiler plate language that was identical from student to student. Noncompliance was due to a lack of consistent implementation of district procedures.

**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. The IEP for students in separate settings must also include activities to transition the student to a less restrictive environment. Finally, the district must ensure the rationale for removal from the general education setting is individualized according to the needs of each student. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding the district's procedures. To demonstrate the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise IEPs for the specific students with IEPs that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff and review the revised IEPs and a random sample of additional IEPs for annual review meetings conducted between May 2013 and October 2013. 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 maintain documentation of the frequency and duration of the interventions provided in the general education settings through the Intervention and Referral Services (I&RS). Noncompliance was due to a lack of consistent implementation of district procedures.

**Citation:** N.J.A.C. 6A:14-3.3(b); 20 U.S.C. §1413(f)(2); and 34 CFR §300.226(b).

**Required Action:** The district must ensure 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 when the I&RS team identifies interventions to meet the needs of the struggling learner, the team identifies and maintains documentation of the nature, description, frequency, and duration of the interventions and measure the effectiveness. In order to demonstrate correction of noncompliance, the district must conduct training for administrators and I&RS staff 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 I&RS team members and teachers and review documentation for students who were provided interventions in the general education setting between May 2013 and November 2013.

**Finding 12:** The district did not consistently conduct multidisciplinary initial evaluations for students referred for speech-language services by obtaining an educational impact statement

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from the classroom teacher. Noncompliance was due to a lack of consistent implementation of district procedures.

**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. A monitor from the 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 May 2013 and October 2013.

**Finding 13:** The district did not consistently conduct all required sections of the functional assessment as a component of an initial evaluation for students referred for speech-language services. Specifically, the evaluations did not include the observation of the student in other than a testing setting, a review of prior interventions and a parent interview. Noncompliance was due to a lack of consistent implementation of district procedures.

**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 the initial evaluations process for students referred for speech-language services. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists regarding the district's procedures for implementing the requirements in the citation listed above. A monitor from the NJDOE will conduct an on-site visit to review evaluation reports developed between May 2013 and October 2013. For assistance with correction of noncompliance, the district is referred to the sample report form for speech-language evaluations which is located at: [www.state.nj.us/education/speced/forms](http://www.state.nj.us/education/speced/forms).

**Finding 14:** The district did not convene an eligibility meeting to determine eligibility for speech-language services. Instead, eligibility was determined by the speech-language specialist and documented in the evaluation report prior to the eligibility meeting. Noncompliance was due to a lack of implementation of district procedures.

**Citation:** *Eligibility Criteria* N.J.A.C. 6A:14-3.5(c)1-14 and 3.6(b)1-3; 20 U.S.C. §1401(3); and 34 CFR §300.306(b).

**Required Action:** The district must ensure eligibility is determined by the participants at the eligibility meeting. In order to demonstrate correction of noncompliance, the district must conduct training for speech-language specialists

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regarding the procedures for implementing the requirements in the citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff and review documentation of eligibility meetings for students referred for speech-language services whose eligibility meetings were held between May 2013 and October 2013.

**Finding 15:** The district did not consistently conduct reevaluation planning and eligibility meetings when considering whether to discontinue speech-language services. Noncompliance was due to a lack of consistent implementation of district procedures.

**Citation:** N.J.A.C. 6A:14-2.3(a)6; (k)1(i-vii) and (k)2(i-x); 20 U.S.C. §1414(c)(1)(A)(i),(d)(1)(B)(d)(1)(C)(i) through (iii)); and 34 CFR §300.305(a) and §300.321(a),(e).

**Required Action:** The district must ensure reevaluation planning and eligibility meetings are conducted when considering whether to discontinue speech-language services. 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. A monitor from the NJDOE will conduct an on-site visit to interview staff and review documentation from reevaluation planning and eligibility meetings for students whose eligibility meetings were held between May 2013 and October 2013.

**Administrative**

**Finding 16:** 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 update internal control policies to prevent errors from potentially occurring.

**Finding 17:** 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.

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**Finding 18:** 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).