



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

June 28, 2013

Ms. Carol Birnbohm, Superintendent
Lenape Regional High School District
93 Willow Grove Road
Shamong, NJ 08088

Dear Ms. Birnbohm:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Lenape Regional High School District**. 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 February 4, 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 Lenape Regional High 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 Lori Ramella at (609) 984--0937.

Sincerely,

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

RJC/LR/dk:Lenape Regional H.S.D. Cover Letter/consolidated monitoring
Enclosures

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LENAPE REGIONAL HIGH SCHOOL DISTRICT
93 WILLOW GROVE ROAD
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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
JUNE 2013**

District: Lenape Regional High School District
County: Burlington
Dates On-Site: February 5 and 6, 2013
Case #: CM-028-12

FUNDING SOURCES

Program	Funding Award
Title I	\$ 173,455
Title IIA	83,073
IDEA Basic	1,373,623
Carl D. Perkins	48,709
Total Funds	<u>\$ 1,678,860</u>

**LENAPE REGIONAL HIGH SCHOOL DISTRICT
CONSOLIDATED MONITORING REPORT
JUNE 2013**

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, Race to the Top 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.

INTRODUCTION

The NJDOE visited the Lenape Regional High 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; Title IIA; Carl D. Perkins; and IDEA for the period July 1, 2011 through February 4, 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, Carl D. Perkins and IDEA from July 1, 2011 through February 4, 2013. A sampling of purchase orders was taken from the entire population and later identified as to the grant that was charged.

**LENAPE REGIONAL HIGH SCHOOL DISTRICT
CONSOLIDATED MONITORING REPORT
JUNE 2013**

GENERAL DISTRICT OVERVIEW OF USES OF TITLE I, IDEA AND CARL D. PERKINS FUNDS

Title I Projects

The district operates Targeted Assistance Programs at its three Title I funded schools, Lenape High School, Seneca High School, and Cherokee North High School. The district has identified English, language arts and mathematics instruction for disabled students as its priority problems.

Title IIA Projects

The district is using its FY 2011-2012 Title II, Part A funds for teacher and principal professional development. They provide on-site professional development where staff who have been trained to turnkey the information to other staff members and use funds to pay for substitutes during this in-house training.

IDEA Projects (Special Education)

The majority of the FY 2011-2012 IDEA Basic funds are being used to reduce district tuition expenses. The FY 2012 IDEA funds are being used to reduce district tuition expenditures for students receiving special educational services in other public school districts and approved private schools for students with disabilities.

Carl D. Perkins

The district's FY 2011-2012 Carl D. Perkins grant supports three Career and Technical Education (CTE) programs: Radio and Television Broadcasting Technology/Technician, #100202; Commercial Photography, #500406; and Accounting, #520302. All three programs have articulation agreements with postsecondary institutions and are designated as Programs of Study.

The Carl D. Perkins funds provide support for the programs in the form of instructional supplies for the Photography and Radio and Television programs. Also purchased are Accounting textbooks and other instructional supplies.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The district is not tracking expenditures by attendance areas in its accounting system to ensure that the expenses for Title I schools are consistent with each attendance area's allocation on Eligibility Page, Step 4 of the FY 2011-2012 NCLB Consolidated Application. The district must submit an updated schedule of expenses by locations to the NJDOE for review. Tracking of expenditures is an internal control to ensure each school is receiving programs and services up to the amount of funding generated by each school.

**LENAPE REGIONAL HIGH SCHOOL DISTRICT
CONSOLIDATED MONITORING REPORT
JUNE 2013**

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 2011-2012 NCLB Consolidated Application for Title I funds (Eligibility Page, Step 4). The tracking for FY 2011-2012 must be submitted 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 identified Title I students. In Targeted Assistance operating programs, districts must identify and target Title I services to students who are most academically at risk for not attaining proficiency on challenging state and academic standards as well as assessments.

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 served in all three of its Title I funded schools. The criteria must be submitted to the NJDOE for review.

Finding 3: In the notification letter to parents of Title I students, the district did not include the entrance criteria, remediation strategy or the criteria for students to exit the Title I program. Without this information, parents are unable to understand the reason their child is being selected to participate in the Title I program, and what is 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 letter must also include the reason for identification, as well as clearly defined exit criteria. The district's notification letters must be updated for FY 2012-2013 to include more specificity regarding what services the children will receive. The revised letter must be submitted to the NJDOE for review before the district issues it to parents.

Finding 4: The district does not have a parental involvement program that reflects the requirements of the Title I legislation. The district did not have:

- A Title I Annual Meeting;
- Parent, Teacher, Student compacts for the high school; and
- School-level parental involvement policies.

**LENAPE REGIONAL HIGH SCHOOL DISTRICT
CONSOLIDATED MONITORING REPORT
JUNE 2013**

The exclusion of parents in the development of these documents and the annual meeting 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 Title I annual meeting, school-level parental involvement policy and a school-parent compact 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 this information and policies to the NJDOE for review.

Finding 5: The district used Title I funds for the following unallowable expenditures in FY 2011-2012:

- District afforded professional development opportunities for non-funded staff that did not benefit the needs of low-performing students;
- HSPA After School Review Sessions at Shawnee High School, which is not a Title I school; and
- Study Island for students in non-Title I schools.

In a Targeted Assistance operated Title I program, services are only to benefit "targeted" students based upon multiple educationally related criteria established by the district. Additionally, in a Targeted Assistance operated program professional development opportunities are only extended to staff who are funded either 100% or partially funded in the grant to include working directly with identified Title I students.

Citation: ESEA §1120A (b) (1)): *Federal Funds to Supplement, Not Supplant, Non-Federal Funds*.

Required Action: The nature of this finding has been referred to the Office of Fiscal Accountability and Compliance (OFAC) for further review.

Title IIA

Finding 6: On several occasions, the district failed to issue a purchase order prior to services being rendered (confirming order). The district's policy and state regulations require that a properly executed purchase order be issued prior to services being rendered.

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.

**LENAPE REGIONAL HIGH SCHOOL DISTRICT
CONSOLIDATED MONITORING REPORT
JUNE 2013**

IDEA (Special Education)

Finding 7: The district's notices of identification, reevaluation planning and IEP meetings did not consistently inform the parent of all intended purposes of the meeting when a meeting was conducted for more than one purpose. 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 that parents are provided notice of a meeting that contains all required components. 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, a monitor from the NJDOE will conduct an on-site visit to interview staff and review copies of invitations to identification, reevaluation, planning and IEP meetings that occurred between April 2013 and July 2013.

Finding 8: The district did not consistently obtain written parental consent to conduct an initial evaluation for students eligible for 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); 20 U.S.C. §1414(a)(1)(D); and 34 CFR §300.300(a).

Required Action: The district must ensure informed parental consent is obtained when required and maintained in student files. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to interview staff and review documentation of written parental consent to conduct initial evaluations between April 2013 and July 2013 for students eligible for speech-language services.

Finding 9: The district did not consistently obtain parental consent prior to excusing an IEP team member from an IEP meeting. Noncompliance was due to a lack of consistent implementation of district procedures.

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

Required Action: The district must ensure informed parental consent is obtained prior to an IEP meeting, when excusing an IEP team member, and a record of the consent is maintained in student files. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to interview staff and review documentation of written parental consent to excuse IEP team members between April 2013 and September 2013 for students eligible for special education and related services.

**LENAPE REGIONAL HIGH SCHOOL DISTRICT
CONSOLIDATED MONITORING REPORT
JUNE 2013**

Finding 10: The district did not consistently ensure that the required participants were in attendance at identification meetings for students eligible for special education and related services. Noncompliance was due to a lack of implementation of district procedures.

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 identification meetings are conducted with required participants and documentation of attendance is maintained in students' files. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members regarding the procedures. To demonstrate implementation of the procedures a monitor from the NJDOE will conduct an on-site visit to interview staff and review sign in sheets from identification meetings for students referred for an initial evaluation for special education and related services whose meetings were conducted between April 2013 and September 2013.

Finding 11: 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;
- 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 less restrictive environment.

Noncompliance was due to a lack of 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 district must also ensure that for students placed in separate settings, the IEP team identifies activities to transition the student to a less restrictive environment 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. 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 NJDOE will conduct an on-site visit to interview staff and review the revised IEPs, along with the IEPs for students whose

**LENAPE REGIONAL HIGH SCHOOL DISTRICT
CONSOLIDATED MONITORING REPORT
JUNE 2013**

annual review meetings were conducted between April 2013 and September 2013. Names of the students with IEPs that were identified as noncompliant will be provided to the district by the monitor.

Finding 12: The district did not consistently conduct all required sections of the functional assessment as a component of an initial evaluation for students referred for special education and related services and students referred for speech-language services. Noncompliance was due to a lack of consistent implementation of district procedures.

Citation: N.J.A.C. 6A:14-3.4(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. In addition, a monitor from the NJDOE will conduct an on-site visit to interview staff and review copies of evaluation reports developed between April 2013 and September 2013 for students referred for speech-language services. 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.

Carl D. Perkins

Finding 13: The district expended \$549.95 on instructional supplies for Financial Literacy. Financial Literacy is not an approved CTE program. While the district indicated in their internal Program of Studies Course Booklet that Accounting I, II, III, IV all "fulfill the Financial Literacy graduation requirement", there was no evidence that Personal Financial Literacy is a course in the district's approved accounting program.

Citation: Perkins §311(a).

Required Action: The district must ensure that Personal Financial Literacy related expenditures are not charge to the Perkins grant funds.

Finding 14: The district failed to issue a purchase order prior to encumber or obligate funds for PO: 12-000049 dated 7/1/2011, Invoice C1007149 6/27/2011.

Citation: EDGAR, PART 80-*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems. N.J.S.A 18A:18A(2)(v). Public School Contracts Law

Required Action: The district must issue a purchase order prior to encumbering or obligating funding.

**LENAPE REGIONAL HIGH SCHOOL DISTRICT
CONSOLIDATED MONITORING REPORT
JUNE 2013**

Finding 15: During FY 2011-2012, the district charged both federal formula and reserve funding to program code 362 in the general ledger. Dual funding should be recorded under separate program codes and not be comingled.

Citation: N.J.A.C. 6A:23-2.2; *The Uniform Minimum Chart of Accounts for New Jersey Public Schools (Handbook R2R)*; 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: When the district receives dual funding it must establish accounts using the appropriate program codes in the general ledger.

Administrative

Finding 16: Any vendor providing goods and services funded by a federal grant needs to be cleared for contracts. The district has controls in place to prevent contracting with disbarred vendors; however, the district does not retain documentation to support this practice.

Citation: EDGAR 80.22 – *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 36, Procurement.

Required Action: The district should update their internal control policies to include the retention of supporting documentation to prevent contracting with disbarred 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 Lori Ramella via phone at (609) 984-0937 or via email at lori.ramella@doe.state.nj.us.