



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

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Commissioner

July 8, 2013

Mrs. Cynthia Randina, Chief School Administrator
Secaucus Board of Education
PO Box 1496
Secaucus, NJ 07096-1496

Dear Mrs. Randina:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Secaucus 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 December 31, 2012. 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 Schools Response, Corrective Action Plan and Appeal Process," the Secaucus 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 school'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 Steven Hoffmann at (973) 621-2750.

Sincerely,

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

RJC/SH/dk:Secaucus BOE Cover Letter/consolidated monitoring
Enclosures

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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
JULY 2013**

District: Secaucus Public Schools
County: Hudson
Dates On-Site: February 5, 6 and 7, 2013
Case #: CM-057-12

FUNDING SOURCES

Program	Funding Award
Title I	\$ 271,312
IDEA Basic	394,756
IDEA Preschool	13,427
Title IIA	39,163
Race To The Top	22,614
Total Funds	<u><u>\$ 741,272</u></u>

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 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 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 Secaucus Public Schools 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; IDEA and Race to the Top for the period July 1, 2011 through December 31, 2012.

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, IDEA Basic and Preschool and Race to the Top from July 1, 2011 through December 31, 2012. A sampling of purchase orders and/or salaries was taken from each program reviewed.

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

GENERAL DISTRICT OVERVIEW OF USES OF TITLE I AND IDEA FUNDS

Title I Projects

Title I funds were expended to support teacher salaries, professional services and instructional supplies.

IDEA Projects (Special Education)

The majority of the FY 2011-2012 IDEA Basic funds were used to reduce district tuition costs for students receiving special educational services in approved private schools for students with disabilities and for the provision of occupational and physical therapy. The district's FY 2012-2013 IDEA plan indicates the same expenditures.

Race to the Top

The district is using Race to the Top funds for instructional improvement systems. No funds had been expended at the time of the site visit.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1:

Condition: The district did not provide evidence of convening its annual Title I parent meeting. Not conducting an annual meeting to explain the Title I legislation and the district's Title I programs does not allow parents of identified Title I students to be informed and vested in the Title I program.

Citation: *ESEA §1118(c)(1): Parental Involvement (Policy Involvement).*

Required Actions: The district must convene the FY 2013-2014 annual Title I meeting for the parents/guardians of its identified Title I students in the beginning of the year. The district must submit evidence of said meeting to the NJDOE for review (invitational letter/flyer, agenda, meeting minutes, and sign in sheets must be obtained).

Finding 2:

Condition: There is no evidence the district's parental involvement policy was reviewed and board adopted since April 29, 2008, and that school-level parental involvement policies were developed. The annual review and board adoption of the district level Title I parental involvement policy and the development of the school-level parental involvement policy allows families to have input into the school's Title I programs and

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

knowledge of the mechanisms the district has available for families to participate in their children's educational program.

Citation: ESEA §1118(a)(2): *Parental Involvement (Written Policy)*; ESEA §1118(b): *Parental Involvement (School Parental Involvement Policy)*.

Required Action: The district must have both a written district parental involvement policy evaluated annually and school-level parental involvement policies. The district should provide technical assistance to its schools in the development of school-level parental involvement policies and ensure its schools work with their stakeholder groups to develop the policies. Copies of a recent board approved district parental involvement policy and school-level policies must be submitted to the NJDOE for review.

Finding 3:

Condition: The district did not provide evidence that the FY 2012-2013 Parents' Right-to-Know letter was issued to parents of students in Title I schools. There was no evidence that materials distributed in the Title I schools were produced in multiple languages. The Parents' Right-to-Know letter informs all parents in those schools of their right to ask about the qualifications of their child's teachers. Providing required materials in multiple languages insures inclusion of all families in their child's educational experience.

Citation: ESEA §1111(h)(6): *State Plans: Reports (Parents Right-to-Know)*.

Required Action: The Parents' Right to Know letter must to be sent annually to the parents of all students who attend Title I schools. This letter and all other parental informational materials must be produced and distributed in multiple languages when appropriate. A template of the letter can be found at: <http://www.state.nj.us/education/title1/hqs/rtk.htm>. The district must send a copy of its FY 2013-2014 Parents' Right to Know Letter to the NJDOE for review.

Finding 4:

Condition: The FY 2012-2013 Title I eligibility participation materials addressed the multiple measures used to identify the Title I eligible students, but did not include exit criteria. Without this information, parents are unable to understand the performance levels needed for their child to exit the program.

Citation: ESEA §1115: *Targeted Assistance Schools*; ESEA §1118(c): *Parental Involvement (Policy Involvement)*.

Required Actions: In its Title I participation letter, the district must include the clearly defined multiple measures used for entrance into the program, as well as the exit criteria

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

used to evaluate a student's success. The district must provide a copy of its revised FY 2013-2014 Title I participation letter to the NJDOE for review.

Finding 5:

Condition: The district stated, "We do not use the term BSI in our course names." The courses highlighted on the sample schedules reviewed appear to be replacement classes, not supplemental. The defining feature of a targeted assistance program is that Title I funds may be used only to benefit eligible Title I students, and the benefit must be supplemental to what the child would have otherwise received in the regular classroom. Title I students must have access to the core language arts literacy (LAL) and/or mathematics class in addition to the supplemental class being paid for with Title I funds. The district's use of Title I funds to operate a replacement LAL and mathematics program for identified Title I students supplants state and local funds. The district must use its state/local funds to provide core courses that are required under the district's curriculum. The district may not use state/local funds for non-Title I students to assess a core course and federal funds for Title I students to assess the same core course.

Citation: NCLB §1115(c) *Targeted Assistance Programs, Components of a Targeted Assistance Program*; USDE Policy letter October 6, 2008.

Required Action: The district must revise its Title I program to provide services to Title I students in LAL and/or mathematics that are in addition to the core curricular requirement and above and beyond services provided to non-Title I students. The district must reverse the FY 2012-2013 Title I expenditures for the replacement LAL and mathematics program, and send documentation of the adjusting accounting entries to the NJDOE for review.

Finding 6:

Condition: The district provided evidence through their Aid-in-Lieu transportation documents that parents of nonpublic students are reimbursed for transportation to nonpublic schools within the district, and evidence of limited busing services for students attending nonpublic schools in the district. There was no evidence presented that the district attempted to communicate with nonpublic schools outside of the district's attendance area that enroll resident students. The district must contact officials of all nonpublic schools with children who reside in the district annually regardless of whether the private school they attend is located in the district or not. Consultation by the district must include meetings between the district and appropriate nonpublic school officials and must occur before the district makes any decision that affects the opportunity for eligible nonpublic school students, their teachers, and their families to participate in Title I programs.

Citation: ESEA §1120: *Participation of Children Enrolled In Private School*.

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

Required Action: For the FY 2013-2014 ESEA Consolidated Application, the district must communicate and accurately reflect both the number of resident nonpublic school students and the number of low-income resident nonpublic school students who attend nonpublic schools inside and outside the district's attendance area. The district must immediately contact all nonpublic schools that enroll resident students to inform the schools of their opportunity to participate in the district's Title I program. The district must then begin the consultation process with the nonpublic schools to identify eligible students and develop a service delivery plan, if applicable. The district must send documentation of the consultation process (e.g., invitational letters, agendas, meeting notes, sign-in sheets) to the NJDOE for review.

Finding 7:

Condition: The sample time sheets present for partially funded teachers (less than 100%) contained all of the required elements. However, the sample timesheets presented were incomplete. The sample provided for D. Kemone had "other" circled with reference to frequency of submission. The timesheet presented for K. Waters did not indicate the frequency of submission, (weekly, monthly, bi-weekly or other). The district provided a copy of a policy letter dated December 18, 2012 from Karen Campbell, Director of the Title I Office with the following highlighted, "...and employees with less than 100 percent of their salary paid with Title I and therefore, working in multiple activities or cost objectives, must complete monthly personnel activity reports (PARS)."

Citation: United States Office of Management and Budget (OMB) Circular A-87.

Required Action: The district must submit copies of revised FY 2012-2013 timesheets for Title I funded staff to the NJDOE for review.

Finding 8:

Condition: The district's use of Title I, Part A funds for Princeton Review services used by both Title I and non-Title I students supplants state and local funds. The use of this program by all students does not provide Title I students with instructional support above and beyond that which non-Title I students are receiving.

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

Required Action: The district must reverse these charges and allocate state/local funds, rather than using Title I funds to support these expenditures. The district must provide evidence of the adjusting accounting entry to the NJDOE for review.

Title IIA

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

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

IDEA (Special Education)

Finding 9:

Condition: The district did not consistently provide notice of a meeting for eligibility and IEP team meetings to parents of students eligible for special education and related services and students eligible for speech-language services. Additionally, the district's notices of 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 provide parents notice of a meeting in writing that contains all required components, early enough to ensure they have 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 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 meeting documentation for meetings conducted between April 2013 and June 2013.

Finding 10:

Condition: The district did not consistently inform parents of proposed actions through provision of written notice containing all required components for students eligible for special education and related services and for students eligible for speech-language services. The district's written notice did not include a description of other options considered and/or other relevant factors discussed and reasons why those options were rejected. Noncompliance was due to a lack of implementation of district procedures.

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 of 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 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 written notices of IEPs conducted between April 2013 and June 2013.

Finding 11:

Condition: The district did not consistently provide copies of evaluation reports to parents at least 10 days prior to the determination of initial eligibility or redetermination

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

of eligibility when assessments were conducted. Noncompliance was due to a lack of 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 child study team members and 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 the provision of evaluation reports to parents conducted between April 2013 and June 2013.

Finding 12:

Condition: The district did not consistently provide a summary of academic achievement and functional performance, containing all required components prior to graduating and/or exiting to students eligible for special education and related services. The summary did not consistently include individualized recommendations to assist the student in meeting secondary goals in postsecondary education, employment, independent living and community participation. Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-4.11(b)4; 20 U.S.C. §1414(c)(5)(B); and 34 CFR §300.305(e)(3).

Required Action: The district must ensure students are provided with a summary of academic achievement and functional performance prior to graduation that addresses 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. A monitor from the NJDOE will conduct an on-site visit to review summaries of academic achievement and functional performance provided to eligible students at the conclusion of the 2012-2013 school year.

Finding 13:

Condition: The district did not consistently ensure the required participants were in attendance at identification, annual review, and reevaluation IEP 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).

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

Required Action: The district must ensure identification, eligibility/IEP meetings are conducted with required participants and that documentation of attendance and/or written parental consent to excuse a member of the team is maintained in student files. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members 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 meeting documentation, including the sign-in sheets, for meetings conducted between April 2013 and June 2013.

Finding 14:

Condition: The district did not consistently document consideration of placement in the least restrictive environment (LRE) 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. Specifically, IEPs did not include:

- the supplementary aids and services considered;
- an explanation of why they were rejected;
- a 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 a general education setting may have on the student with disabilities or the other students in the class; and
- individualized explanations as to why a child will not participate with nondisabled children in nonacademic and extracurricular activities.

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. 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 the IEPs for specific students with IEPs that were identified as noncompliant. Additionally, at the next IEP meeting for each student removed from general education for more than 20 percent of the day, the district must ensure that the procedures are implemented. A monitor from the NJDOE will conduct an on-site visit to interview staff and review the revised IEPs, along with the IEPs for students whose annual review meetings were conducted between April 2013 and June 2013. Names of the students with IEPs that were identified as noncompliant will be provided to the district by the monitor.

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

Finding 15:

Condition: The district did not maintain documentation of the frequency and effectiveness of the interventions provided in the general education setting through the Intervention and Referral Service (I&RS). Noncompliance was due to lack of implementation of district procedures.

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

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 a struggling learner that 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 citation 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 general education between April 2013 and June 2013.

Finding 16:

Condition: 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. 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 interview staff and review initial evaluation reports for students evaluated for speech-language services between April 2013 and June 2013.

Finding 17:

Condition: 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. Noncompliance was due to a lack of implementation of district procedures.

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

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 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 interview staff and review initial evaluation reports for students evaluated between April 2013 and June 2013.

Finding 18:

Condition: The district did not ensure child study team participation at the planning conference of students transitioning from an early intervention program to preschool. Noncompliance was due to lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-3.3(e)1; 20 U.S.C. §1414(d)(1)(D); and 34 CFR §300.321(f).

Required Action: The district must ensure a member of the child study team participates in the planning conferences for each student transitioning from early intervention to preschool. 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. A monitor from the NJDOE will conduct an on-site visit to interview staff and review documentation of participation of a child study team member in transition planning conferences conducted between April 2013 and June 2013.

Race to the Top

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

Administrative

Finding 19:

Condition: On several occasions, the district failed to issue a purchase order prior to goods being purchased or services being rendered (confirming order). District policy and state regulations require that a properly executed purchase order be issued prior to the purchase of goods or the rendering of services.

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 Contract Law*.

**SECAUCUS PUBLIC SCHOOLS
CONSOLIDATED MONITORING REPORT
JULY 2013**

Required Action: Purchase orders should be issued to all vendors prior to goods or services being provided.

Finding 20:

Condition: The district failed to formally appoint all individuals charged to the federal Title I programs by board resolution.

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: All staff charged to federal grants should be reappointed annually by board resolution.

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 Steven Hoffmann via phone at (973) 621-2750 or via email at steven.hoffmann@doe.state.nj.us.