



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

CHRIS CHRISTIE
Governor

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Lt. Governor

DAVID C. HESPE
Acting Commissioner

August 15, 2014

Mr. Gus Modla, Superintendent
Sussex County Technical School
105 North Church Road
Sparta, NJ 07871

Dear Mr. Modla:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Sussex County Technical School 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, 2012 through February 28, 2014. 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 Sussex County Technical School 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 Steven Hoffmann at (973) 621-2750.

Sincerely,

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

RJC/SH/dk:Sussex County Technical School BOE Cover Letter/consolidated monitoring
Enclosures

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New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
AUGUST 2014**

District: Sussex County Technical School
County: Sussex
Dates On-Site: March 11, 12 and 13, 2014
Case #: CM-053-13

FUNDING SOURCES

Program	Funding Award
Title I, Part A	\$ 61,664
IDEA Basic	182,218
Title II, Part A	6,397
Carl D. Perkins Grant	63,986
Total Funds	<hr/> <u>\$ 314,265</u>

**SUSSEX COUNTY TECHNICAL SCHOOL
CONSOLIDATED MONITORING REPORT
AUGUST 2014**

BACKGROUND

The Elementary and 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 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 Sussex County Technical School 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 II, Part A (Title II); IDEA Basic; and Carl D. Perkins for the period July 1, 2012 through February 28, 2014.

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 reviewed included Title I, Title II; IDEA Basic and Carl D. Perkins from July 1, 2012 through February 28, 2014. A sampling of purchase orders and/or salaries was taken from each program reviewed.

**SUSSEX COUNTY TECHNICAL SCHOOL
CONSOLIDATED MONITORING REPORT
AUGUST 2014**

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

Title I

Title I funds were expended to support teacher salaries and benefits.

IDEA

IDEA funds were utilized to fund the salaries of three special education teachers.

Carl D. Perkins

Carl D. Perkins grant funds provided support to approximately 25 Career and Technical Education programs, many of them being programs of study. The uses of funds included instructional equipment and instructional supplies and materials.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The district did not have supporting documents to verify the activity of Title I paid teachers as required by federal law. The documentation must reflect what the staff is doing, when and where, and the portion of time devoted to grant activities must accurately match the grant funded percentage. This documentation is necessary to verify that funded staff are actually performing allowable grant activities.

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 verify the time and activity of staff charged to the grant and amend the grant to reflect the actual time allotted to Title I activities. The district must submit a list of FY 2013-2014 Title I funded staff, salaries, funding percentages and appropriate time sheets to the NJDOE for review.

Finding 2: The Title I participation letter informing the parents of the program did not clearly state the multiple measures, including entrance and exit criteria and did not include an opt-out option. Without this information, parents are unable to understand the reasons for their child being selected to participate in the Title I program and what is needed for their child to exit the program

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

**SUSSEX COUNTY TECHNICAL SCHOOL
CONSOLIDATED MONITORING REPORT
AUGUST 2014**

Required Actions: In its Title I participation letter, the district must include the multiple measures including both entrance and exit criteria used to identify the students and explain that parents may opt for their child to not participate in the program. The district must provide a copy of its revised FY 2013-2014 Title I participation letter to the NJDOE for review.

Finding 3: The district did not provide evidence that educationally related, objective criteria were consistently applied to determine which students were eligible to receive Title I services. The monitors were unable to verify if the district is actually serving its lowest performing students and that all students receiving services actually met the eligibility criteria.

Citation: ESEA §1115: *Targeted Assistance Schools.*

Required Action: The district must establish a tracking mechanism for proper Title I student identification that is aligned to the multiple educationally, objective criteria. This mechanism must include documentation of which criteria were applied and how the student either met or did not meet the established criteria.

Finding 4: The district did not have a parental involvement program that reflected the requirements of the Title I legislation. There was no evidence the district's parental involvement policy was reviewed and board adopted since April 2006 and no evidence was provided that the policy was developed in conjunction with parents. The annual review and current board adoption allow parents and other stakeholders to impact the parental involvement process and identify the unique needs of the Title I schools and parents. For FY 2014-2015, Title I parents and associated stakeholders must be included in the development process.

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

Required Action: The district must have a written district parental involvement policy evaluated annually with current board adoption. Copies of a recent board approved district parental involvement policy must be submitted to the NJDOE for review. Evidence of the annual review must be documented with meeting agenda, sign in sheets and minutes and should be indicated at the bottom of the document. The district must forward documentation of the annual review process and board adoption to the NJDOE for review.

Finding 5: For FY 2013-2014, the district did not provide evidence of a school-parent compact and that the school-parent compact was developed in conjunction with Title I parents. The absence of parent participation in developing these required documents excludes parents from more active participation in their child's educational program.

Citation: ESEA §1118: *Parental Involvement.*

Required Action: The district must develop a school-parent compact for FY 2014-2015 with the involvement of associated stakeholder groups. The district must provide a copy

**SUSSEX COUNTY TECHNICAL SCHOOL
CONSOLIDATED MONITORING REPORT
AUGUST 2014**

of the FY 2014-2015 school-parent compact to the NJDOE, as well as documentation of the process used to engage parents in the development of the school-parent compact.

Finding 6: For FY 2013-2014, the district provided insufficient evidence of convening an annual Title I parent meeting that met the legislative requirements. Not conducting an annual meeting to explain the Title I legislation and the district's programs in the beginning of the year does not allow parents of identified students to be informed and vested in the process from the start.

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

Required Action: The district must convene its FY 2014-2015 annual Title I meeting for the parents/guardians of its identified students no later than mid-October. The district must submit evidence (e.g., invitational letter/flyer, agenda, meeting minutes, and sign in sheets) to the NJDOE for review.

Finding 7: The district did not provide evidence that the FY 2013-2014 Parents' Right-to-Know Highly Qualified Teacher (HQT) letter was generated and distributed to parents. The Parents' Right-to-Know HQT letter informs all parents in the school of their right to ask about the qualifications of their child's teachers.

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

Required Action: The district must generate the Parents' Right-to-Know HQT letter for FY 2014-2015 and issue the letter to the parents of all students who attend Sussex County Technical School. A template of the HQT letter can be found at: <http://www.state.nj.us/education/title1/hqs/rtk.htm>. The district must submit a copy of the FY 2014-2015 letter to the NJDOE for review.

Finding 8: The district's web page did not include Title I information such as the parental involvement policy, school-parent compact and Parents' Right-to-Know HQT letter.

Citation: ESEA §1111(h)(2)(E): *Public Dissemination*.

Required Action: The district must update the web site to reflect current versions of the parental involvement policy, school-parent compact and Parents' Right-to-Know HQT letter. The district must send the link to its revised web page to the NJDOE for review.

Title II

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

**SUSSEX COUNTY TECHNICAL SCHOOL
CONSOLIDATED MONITORING REPORT
AUGUST 2014**

IDEA (Special Education)

Finding 9: In the FY 2013-2014 grant, the district's use of IDEA funds did not match what was indicated in the approved plan. The district utilized IDEA funds to offset the salaries of three general education teachers instead of the salaries for three special education teachers, as documented in the plan.

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 update its applications and corresponding accounting records to classify items purchased according to their correct function.

Finding 10: The district did not provide notice of eligibility or IEP meetings for students eligible for special education and related services and for students eligible for speech-language services.

Citation: N.J.A.C. 6A:14-2.3(k)-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 parents are provided notice of a meeting early enough to ensure that the parent has an opportunity to attend, and that this documentation is maintained in student files. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to review copies of notices of IEP meetings conducted between November 2014 and February 2015.

Finding 11: 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 34 CFR §300.322(a)(2).

Required Action: The district must ensure each student with an IEP age 14 or above is provided with a written invitation to any 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 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, review copies of invitations to IEP meetings to students age 14 and above for meetings conducted between November 2014 and February 2015, and to review the oversight procedures.

**SUSSEX COUNTY TECHNICAL SCHOOL
CONSOLIDATED MONITORING REPORT
AUGUST 2014**

Finding 12: The district did not consistently include 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 consistently document:

- statement of how the student's disability affects his or her involvement and progress in general curriculum;
- results of initial or most recent evaluations;
- measurable annual goals and objectives for students who are included in general education;
- statement of how progress towards annual goals will be measured;
- supports for school personnel (speech-language only);
- participation in state and district wide assessments, including accommodations to be provided during testing (speech-language only); and
- consideration of Extended School Year and an explanation of the program when it will be provided.

Citation: N.J.A.C. 6A:14-3.7(c)1-11, (e) 1-17, and (f); 20 U.S.C. §1414(d)(3)(A)(B); and 34 CFR §300.324(a)(1)(2).

Required Action: The district must ensure each IEP contains the required considerations and statements. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. To demonstrate the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise the IEPs that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs along with a random sample that was developed for meetings that were conducted between November 2014 and February 2015, and to review the oversight procedures. For assistance with correction of noncompliance, the district is referred to the state IEP sample form which is located at: www.state.nj.us/education/specialed/forms.

Finding 13: The district did not consistently provide parents written notice that contains all required components, within 15 calendar days following meetings for students eligible for special education and related services and for students eligible for speech-language services.

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).

Required Action: The district must ensure parents are provided written notice following a meeting within 15 calendar days of the meeting. In order to demonstrate correction of noncompliance, the district must provide 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, review copies of written notice that were sent to parents following

**SUSSEX COUNTY TECHNICAL SCHOOL
CONSOLIDATED MONITORING REPORT
AUGUST 2014**

meetings conducted between November 2014 and February 2015, and to review the oversight procedures.

Finding 14: The district did not provide notice of graduation or a summary of academic achievement and functional performance to students eligible for special education and related services prior to graduating and/or exiting.

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 parents or adult students are provided with written notice of graduation and a summary of academic achievement and functional performance prior to graduation and/or exiting. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review written notice of graduation and the summary of academic achievement and functional performance provided to students graduating or exiting at the conclusion of the school year, and to review the oversight procedures.

Finding 15: The district did not include required transition components in IEPs of students turning age 14 and 16. IEPs did not consistently include:

- an appropriate measurable postsecondary goal(s) based on age appropriate transition assessments related to training, education, employment, and if appropriate independent living;
- courses of study; and
- a statement of interagency linkages and responsibility.

Citation: N.J.A.C. 6A:14-3.73.7(e)11; 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 of students age 14 and older contains the required transition components. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. To demonstrate the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise the IEPs that were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs along with the IEPs of students age 14 and above developed at meetings conducted between November 2014 and February 2015, and to review the oversight procedures.

**SUSSEX COUNTY TECHNICAL SCHOOL
CONSOLIDATED MONITORING REPORT
AUGUST 2014**

Carl D. Perkins

A review of the expenditures charged to the Carl D. Perkins grant yielded no findings.

Administrative

Finding 16: The district failed to formally appoint all individuals charged to the federal 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.