



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

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DAVID C. HESPE
Acting Commissioner

May 13, 2014

Mr. Peter Capodice, Superintendent
Union County Vocational-Technical School District
1776 Raritan Road
Scotch Plains, NJ 07076

Dear Mr. Capodice:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Union County Vocational-Technical 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 December 31, 2013. The resulting report is enclosed. Please provide a copy of the report to each board member. All issued Consolidated Monitoring Reports will be posted on the department's website at <http://www.state.nj.us/education/finance/jobs/monitor/consolidated>.

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," the Union County Vocational-Technical 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:Union Co. Voc-Tech. BOE Cover Letter/consolidated monitoring
Enclosures

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Stephen M. Eells

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UNION COUNTY VOCATIONAL-TECHNICAL SCHOOLS
1776 RARITAN ROAD
SCOTCH PLAINS, NJ 07076
PHONE: (908) 889-8288



New Jersey K-12 Education

**CONSOLIDATED MONITORING REPORT
MAY 2014**

District: Union County Vocational-Technical Schools
County: Union
Dates On-Site: February 4 and 6, 2014
Case #: CM-054-13

FUNDING SOURCES

Program	Funding Award
Title I	\$ 132,421
IDEA Basic	207,364
Title IIA	11,137
Total Funds	<hr/> <hr/> <u>\$ 350,922</u>

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MAY 2014**

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 and IDEA). 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 Union County Vocational-Technical 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, Part A (Title I); Title II, Part A (Title II) and IDEA Basic for the period July 1, 2012 through December 31, 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 reviewed included Title I, Title II and IDEA Basic from July 1, 2012 through December 31, 2013. A sampling of purchase orders and/or salaries was taken from each program reviewed.

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GENERAL DISTRICT OVERVIEW OF USES OF TITLE I AND IDEA FUNDS

Title I Projects

The district expended Title I funds to enhance and improve student academic mathematics and science skills. Funds were used to prepare the share time students who come from 21 local school districts in Union County to be better prepared for mathematics and science assessments.

IDEA Projects

The district utilized FY 2013 IDEA funds to support instructional staff and supplies. In addition, funds were expended for two independent consultants, as well as contracted services with Union County Educational Services Commission.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The district does not have supporting documents to verify the activity of Title I teachers as required by federal law. The documentation must reflect what the staff is doing, when and where and must match their funded percentage. Since staff were split funded with Title I and state/local funding, the time and activity documentation is required to be on a monthly basis instead of semi-annual basis. 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 revise the time and activity of staff charged to the grant to reflect monthly submission and the aforementioned information. The district must submit a list of FY 2013-2014 Title I funded staff, salaries, funding percentages and monthly time sheets to the NJDOE for review.

Finding 2: The district did not provide evidence of convening the annual Title I parent meetings. 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 process.

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 in the beginning of the year no later than mid-October. Evidence of these meetings which include invitational letter/flyer, agenda, meeting minutes, and sign in sheets must be obtained and copies provided to the NJDOE.

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Finding 3: The district does not have a parental involvement program that reflects the requirements of Title I. There is no evidence the district's parental involvement policy and school-parent compact were developed in conjunction with parents. The involvement of parents and other stakeholders in the development process allows the unique needs of the Title I schools and parents of Title I students to be articulated.

Citation: ESEA §1118: *Parental Involvement*.

Required Action: The district must include the associated stakeholder groups in the development of the district's parental involvement policy and the school-parent compact. The district must provide evidence of the inclusion of parents and associated stakeholders in the development of the FY 2014-2015 parental involvement policy and the school-parent compact to the NJDOE for review.

Finding 4: The district's web page did not include Title I information such as the parental involvement policy and the FY 2013-2014 school-parent compact.

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

Required Action: The district must update the website to reflect current versions of the parental involvement policy and the school-parent compact. The district must send the link to its revised web page to the NJDOE for review.

Finding 5: The district did not provide evidence that the Title I eligibility participation letter informing the Title I parents of the multiple measures, including both entrance and exit criteria, and remediation activities was sent to parents of Title I eligible students. 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)*.

Required Actions: In its Title I participation letter, the district must include the multiple measures used to identify the students, as well as clearly defined exit criteria. The district must provide a copy of its revised FY 2013-2014 Title I participation letter to the NJDOE for review.

Finding 6: The district did not provide evidence that multiple measures were applied to determine which students were eligible to receive Title I services. As such, the monitors were unable to determine if the district is actually using multiple measures to identify its lowest performing students and that all students receiving services actually met the eligibility criteria.

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

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Required Action: The district must establish a tracking mechanism for proper Title I student identification. This mechanism must include documentation of which criteria were applied and how the student either met or did not meet the criteria.

Finding 7: The district used its FY 2013-2014 Title I funds to pay for ServSafe Instructor toolkit and ServSafe course book. This expenditure was for a state mandated activity and as such, supplants state/local funds.

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

Required Action: The district must reappropriate Title I, Part A funds earmarked for this expenditure and pay for the ServSafe Instructor toolkit and ServSafe course book with state/local funds. The district must send documentation of the adjusting journal entry to the NJDOE for review.

Title II

Finding 8: During the summer of the FY 2012-2013, the district paid 40 hours per teacher in salaries for new hires to attend a “New Teacher Training” from July 15, 2013 – July 25, 2013, 8:00 a.m. – 1:00 p.m. A review of the professional development plan and other documentation of district-based activities verify that the activities are programmatically in accordance with the approved application. However, a summer program for “New Teacher Training” is a district responsibility. State and local funds must be used for all activities that are a district responsibility. A district is responsible for all school operating requirements under state and local laws or policy. This includes, but is not limited to: Training and mentoring new teachers.

Citation: NCLB §2123: *Supplement Not Supplant*.

Required Action: The district must cease from engaging in this practice and not fund this training in FY 2013-2014 with Title IIA funds.

IDEA (Special Education)

Finding 9: In the 2012-2013 grant year, the district did not enter into contracts with all agencies or independent consultants that provide services directly to students. In addition, when the district did enter into a contract with an agency or consultant, the contract did not include all required components.

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 enter into a contract with all agencies or consultants providing services to students. Contracts must include a per-service or hourly rate and a not to exceed amount. All contracts must be presented before the board for approval.

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Finding 10: The district does not retain child study team members who are employees of a district board of education. Primary child study team services are provided by contracted independent consultants with their work supplemented by a learning disabilities teacher consultant and school psychologist contracted through the Union County Educational Services Commission.

Citation: N.J.A.C. 6A:14-3.1(b) and 5.1(a)1, 2 and 3.

Required Action: The district must ensure that it employs or contracts with child study members in accordance with the citation listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff and review documentation that demonstrates inclusion of a learning disabilities teacher consultant and a school psychologist on the child study team.

Finding 11: The district did not consistently provide parents of students referred and/or eligible for special education and related services notice of a meeting for identification, initial eligibility/IEP, reevaluation planning and determination of continued eligibility/IEP team meetings.

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 early enough to ensure the parent has an opportunity to attend. 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 a random sample of notices of meetings conducted between June 2014 and October 2014, and to review the oversight procedures.

Finding 12: The district did not consistently inform parents of proposed actions through provision of written notice for students referred and/or eligible for special education and related services for identification, eligibility/IEP and reevaluation planning meetings.

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 notice of a meeting within 15 days following the meeting. 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 copies of written notice provided for meetings conducted between June 2014 and October 2014, and to review the oversight procedures.

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Finding 13: The district did not consistently convene IEP team meetings with required participants for students eligible for special education and related services.

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 meetings are conducted with required participants and that documentation of attendance and/or written parental consent to excuse a member of the team is obtained prior to the meeting and is maintained in student's records. 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 meeting documentation, including sign in sheets, for meetings conducted between June 2014 and October 2014, and to review the oversight procedures.

Finding 14: The district did not consistently include required considerations and statements in each IEP for students eligible for special education and related services. Specifically, IEPs did not consistently document the consideration of:

- behavioral needs;
- language needs;
- communication needs;
- auditory needs;
- need for assistive technology devices and services; and
- visual needs.

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 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 IEPs for specific students who IEPs were identified as noncompliant. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs along with review a random sample of IEPs developed at meetings conducted between June 2014 and October 2014, and to review the oversight procedures.

Finding 15: The district did not conduct a meeting within 20 calendar days of receipt of a written request for evaluation for special education and related services to determine if an evaluation was warranted.

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Citation: N.J.A.C. 6A:14-2.5(b)6; 3.3(e) and 3.6(b).

Required Action: The district must ensure a meeting is conducted within 20 calendar days of receipt of a written request for evaluation to determine if an evaluation is warranted. 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 documentation from meetings conducted between June 2014 and October 2014, and to review the oversight procedures.

Finding 16: The district did not consistently provide written invitations to meetings where post-school transition was being discussed to students beginning at age 14. In addition, notice of a meeting did not include transition as a purpose of the meeting for students who will be 14 during the school year.

Citation: N.J.A.C. 6A:14-2.3(k)2x and 3.7(e)13, 3.7(h); 20 U.S.C. §1414 (d)(1)(A)(i)(1)(VIII); and 34 CFR §300.322.b(2).

Required Action: The district must ensure each student with an IEP age 14 or above is provided with a written invitation to any IEP meeting where transition to adult life will be discussed and that notice of a meeting includes transition as a purpose of the meeting. 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 a random sample student invitations to meetings conducted between June 2014 and October 2014, and to review the oversight procedures.

Finding 17: The district did not provide to students eligible for special education and related services a summary of academic achievement and functional performance 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 their summary of academic achievement and functional performance and written notice prior to graduation. 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 summaries of academic achievement and functional performance provided to eligible students at the conclusion of the 2013-2014 school year, and to review the oversight procedures.

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Finding 18: The district's policy does not include the provision of accommodations and modifications or, when appropriate, an alternate assessment for students with disabilities participating in statewide assessments and/or district wide assessments.

Citation: N.J.A.C. 6A:14-1.2(15); 20 U.S.C. §1412(a)(16); 34 CFR §300.160.

Required Action: The district must revise policies and procedures to ensure the provision of accommodations and modifications when appropriate to students with disabilities participating in statewide and district wide assessments and/or the provision of alternate assessments for those children who cannot participate in the regular assessment. If the district reports publicly on the district wide assessment, the district must also report with the same frequency and in the same detail as it reports on the assessment of nondisabled children. 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 citations listed above. In addition, a monitor from the NJDOE will conduct an on-site visit to review the policy.

Administrative

Finding 19: Monitors noted several instances where payments exceeded the purchase order amount without documented authorization. Increasing purchase orders and related payments without proper authorization is an internal control weakness and a violation of the New Jersey Accountability Regulations.

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.A.C. 6A:23A-6.10 *Approval of amounts paid in excess of approved purchase orders; board policy.*

Required Action: The district must adopt a policy establishing the approval process for any remittance of payment for invoice amounts greater than the approved purchase order. The policy shall require the school business administrator (SBA) to identify, and investigate, if necessary, the reason for any increase to the purchase order. If it is found that such an increase is warranted, the SBA shall either approve a revision to the original purchase order with the reason noted, approve the issuance of a supplemental purchase order for the difference, or cancel the original purchase order and issue a new purchase order.

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.