




State of New Jersey  
DEPARTMENT OF EDUCATION  
PO Box 500  
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RECEIVED  
12-5-16  
BY: 

CHRIS CHRISTIE  
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KIM GUADAGNO  
Lt. Governor

KIMBERLEY HARRINGTON  
Acting Commissioner

December 1, 2016

Mr. Andrew Teeple, Superintendent  
Monmouth Regional High School District  
1 Norman J Field Way  
Tinton Falls, NJ 07724

Dear Mr. Teeple:

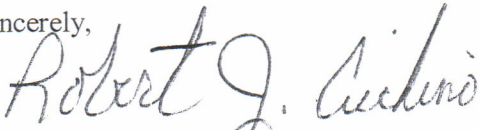
The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the Monmouth Regional High School District. The funding source reviewed was the Individuals with Disabilities Education Act. The review covered the period July 1, 2015 through October 19, 2016. 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/compliance/monitor/>.

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," the Monmouth 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 Kathryn Holbrook at (609-292-0198).

Sincerely,



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

RJC/KH/dk: Monmouth Reg. School District CM Cover Letter  
Enclosures

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STATE OF NEW JERSEY  
DEPARTMENT OF EDUCATION  
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MONMOUTH REGIONAL HIGH SCHOOL DISTRICT  
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*New Jersey K-12 Education*

CONSOLIDATED MONITORING REPORT  
DECEMBER 2016

**District:** Monmouth Regional High School District  
**County:** Monmouth  
**Dates On-Site:** October 19, 2016  
**Case #:** CM-037-16

**FUNDING SOURCES**

Program	Funding Award
IDEA Basic	\$ 281,361
Total Funds	<u>\$ 281,361</u>

**MONMOUTH REGIONAL HIGH SCHOOL DISTRICT  
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**BACKGROUND**

The Individuals with Disabilities Act of 2004 (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. 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 Monmouth 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 IDEA Basic program for the period July 1, 2015 through October 19, 2016.

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, and current district policies and procedures. The monitoring team members reviewed the supporting documentation for a sample of expenditures and conducted internal control reviews as well as conducted interviews with program administrators and other district personnel as required. Additionally, the IDEA grant review included 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, and interviews of child study team members and speech-language specialists.

**EXPENDITURES REVIEWED**

The IDEA grant review included a sampling of purchase orders taken from the entire population and later identified as to the IDEA grant for the period July 1, 2015 through October 19, 2016.



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**GENERAL DISTRICT OVERVIEW OF USES OF IDEA GRANT FUNDS**

**IDEA GRANT**

The FY 2016 IDEA funds were used to reduce district tuition expenditures for students receiving special educational services in approved private schools for students with disabilities, support students with service plans in a nonpublic setting, and to purchase supplies and materials to open an in-district autism program.

**DETAILED FINDINGS AND RECOMMENDATIONS**

**IDEA PROGRAM**

**Finding 1:** 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;
- a comparison of the benefits provided in the regular class and the benefits provided in the special education class; and
- for those students placed in separate settings, activities to transition the student to a less restrictive environment.

**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 that 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 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 and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. 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 the NJDOE will conduct an on-site visit to interview staff, review the revised IEPs, along with a random sample of IEPs for students whose annual review meetings were conducted between May 2017 and September 2017, and to review the oversight procedures. The names of the students with IEPs that were identified as noncompliant will be provided to the district by the monitor.

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**Finding 2:** The district did not consistently document required participants were in attendance at identification, annual review, reevaluation planning, eligibility and IEP meetings 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). 34 CFR §300.321(a).

**Required Action:** The district must ensure that 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 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 May 2017 and September 2017, and to review the oversight procedures.

**Finding 3:** The district did not consistently maintain documentation of the description, frequency, duration and effectiveness of the interventions provided in the general education setting through the Intervention and Referral Service (I&RS) process.

**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 measures the effectiveness. In order to demonstrate correction of noncompliance, the district must conduct training for administrators and I&RS 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 I&RS team members and teachers, review documentation for students who were provided interventions in general education between May 2017 and September 2017, and to review the oversight procedures.

**Finding 4:** The district did not obtain parental consent prior to implementing the initial IEP.

**Citation:** N.J.A.C. 6A:14-2.3(a) 2. 20 U.S.C. §1414(a) (2). 34 CFR §300.300(c).

**Required Action:** The district must ensure written parental consent to implement an initial IEP is obtained prior to implementing the IEP. If the parent fails to provide consent or does not respond to requests for consent to implement an initial IEP, the district must not implement the IEP. 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 files of students who were determined eligible for special education and related services between May 2017 and September 2017, and to review the oversight procedures.



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**Finding 5:** The district did not consistently conduct reevaluations within three years of the previous classification date for students eligible for special education and related services.

**Citation:** N.J.A.C. 6A: 14-3.8(a). 20 U.S.C. §1414(a)(2).

**Required Action:** The district must ensure reevaluations are conducted within required time lines. 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 of eligibility meetings held as part of the reevaluation process between May 2017 and September 2017, and to review the oversight procedures.

**Finding 6:** The district did not consistently ensure the full child study team was in attendance at identification meetings for students referred 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). 34 CFR §300.321(a).

**Required Action:** The district must ensure identification meetings are conducted with required participants in attendance. 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 May 2017 and September 2017, and to review the oversight procedures.

**Finding 7:** 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. Specifically, evaluation reports did not consistently contain a minimum of one structured observation by one evaluator in other than a testing session. Noncompliance was due to lack of implementation of district procedures.

**Citation:** N.J.A.C. 6A:14-3.4(f)4(i-vi). 20 U.S.C. §§1414(b)(1)-(3) and 1412(a)(6)(b). 34 CFR 300.304(b)(1).

**Required Action:** The district must ensure that all components of the functional assessment are conducted as part of the initial evaluation process. 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 citations listed above. A monitor from the NJDOE will conduct an on-site visit to interview staff, review initial evaluation reports completed between May 2017 and September 2017, and to review the oversight procedures.

**IDEA GRANT**

A review of the IDEA grant yielded no programmatic findings.

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**Administrative**

**Finding 8:** The district used IDEA funds to pay invoices from Monmouth-Ocean Educational Services Commission (MOESC) that were not adequately supported by records from the service provider. In particular, the monthly invoices reflected amounts for payroll related costs and administrative fees without adequate records detailing how the figures were derived and/or listings of dates, times, location, specific services and students served. Additionally, the rate charged for the administrative fee was not agreed upon under the terms of the district's contract with MOESC.

**Citation:** 2 CFR §200.302(b)(3): Financial management, 200.318: General procurement standards and 200.319: Competition, 200.320: Methods of procurement to be followed. N.J.S.A. 18A:19-2: Requirements for payment of claims; audit of claims in general.

**Required Action:** The district must review all charges to the FY 2015-2016 and FY 2016-2017 IDEA grant and reverse all charges that are beyond the scope of the contract and/or unsubstantiated. In addition, the district should: conduct a comprehensive review of its contractual obligations with nonpublic service providers; establish policies and procedures to ensure that accurate, underlying records from the providers are maintained; and require and keep evidence of student attendance. Further, nonpublic service providers contracts executed in the future should require student attendance data and payment authorization should be contingent upon the submission of appropriate documentation.

**Finding 9:** Student names were included on district purchase orders and vendor invoices for out-of-district placements which violates student confidentiality.

**Citation:** 34 CFR §99: Family Educational Rights and Privacy Act. N.J.A.C. 6A:32-7: Student Records.

**Required Action:** The district must revise its procedures to ensure the protection and confidentiality of students' personally identifiable data, information and records, and to limit access to those persons having educational responsibility for the students.

**Finding 10:** On several occasions, the district failed to issue a purchase order prior to services being rendered (confirming order) in contravention of state regulations. It is imperative that purchase orders are issued by the purchasing agent to: authorize vendors to provide goods and perform services to the district; reduce the duplication of items and services acquired; and avoid the likelihood of overpayment to vendors.

**Citation:** N.J.S.A. 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.



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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 Kathryn Holbrook via phone at (609) 292-0198 or via email at [kathryn.holbrook@doe.state.nj.us](mailto:kathryn.holbrook@doe.state.nj.us).

State of New Jersey  
Department of Education  
Office of Fiscal Accountability and Compliance

PROCEDURES FOR LEA/AGENCY RESPONSE  
CORRECTIVE ACTION PLAN AND APPEAL PROCESS

**Board of Education Response:**

Pursuant to N.J.A.C. 6A:23A-5.6, the following actions shall occur:

- (a) Any school district or county vocational school district that has been subject to an audit or investigation by the Department of Education, Office of Fiscal Accountability and Compliance (OFAC) shall discuss the findings of the audit or investigation at a public meeting of the district board of education no later than 30 days after receipt of the findings.
- (b) Within 30 days of the public meeting required in (a) above, the district board of education shall adopt a resolution certifying that the findings were discussed in a public board meeting and approving a corrective action plan to address the issues raised in the findings. The resolution shall be submitted to the OFAC within 10 days of adoption by the board of education.
- (c) The findings of the OFAC audit or investigation and the board of education's corrective action plan shall be posted on the district's web site, if one exists.

If the board of education disputes any of the findings of the audit or investigation, it may file a written appeal with the OFAC of any disputed finding(s) within 10 days of adoption of the resolution. Seeking an appeal of the findings does not preclude adherence to the provisions of (a), (b), and (c) listed above.

**Corrective Action Plan:**

The corrective action plan is to be used when the LEA/Agency is in agreement with any of the findings. To contest a finding, the appeal process must be used. After the appeal is settled, a corrective action plan must be filed for any finding upheld during the appeal process.

The corrective action plan must be prepared by completing the attached form. The LEA/Agency must submit the following information:

- Recommendation number
- Corrective action (approved by the board)
- Method of implementation
- Person responsible for implementation
- Completion date of implementation



If the corrective action plan is acceptable, a letter will be sent to the LEA/Agency indicating that it has been accepted.

If the corrective action plan is not acceptable, a letter will be sent to the LEA/Agency indicating whether further clarification is required or further action is necessary.

**Appeal Process:**

The appeal process is used to contest disputed findings.

Within 10 days of the board's adoption of the resolution approving an appeal of the findings of the audit or investigation, a written request by the LEA/Agency to review the disputed finding(s), recommendation(s), or questioned costs must be submitted to the OFAC Director. The Request for Appeal must indicate the finding(s) in question.

The Request for Appeal must be in writing and the LEA/Agency must present any supporting documentation for the appeal. Subsequent to the submission of the Request for Appeal, the OFAC Director will issue a written decision.

If the final determination made by the Director, is still unsatisfactory to the LEA/Agency, the LEA/Agency may file a Petition of Appeal pursuant to N.J.A.C. 6A:3-1.3.

I:\tconaway\CAP Procedures\capformlea.docx  
Attachment

Chief School Administrator	Date	Board Secretary/Business Administrator	Date
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**NEW JERSEY DEPARTMENT OF EDUCATION  
OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE  
CORRECTIVE ACTION PLAN**

RECOMMENDATION NUMBER	CORRECTIVE ACTION	METHOD OF IMPLEMENTATION	RESPONSIBLE FOR IMPLEMENTATION	DATE OF IMPLEMENTATION

Chief School Administrator

Date

Board Secretary/Business Administrator

Date