



## 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*

July 14, 2014

Dr. G. Kennedy Greene, Superintendent  
Newton Public Schools  
57 Trinity Street  
Newton, NJ 07860

Dear Dr. Greene:

The New Jersey Department of Education has completed a review of funds received and disbursed from one or more federal programs by the **Newton 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 March 31, 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 Newton 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

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Enclosures

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*New Jersey K-12 Education*

CONSOLIDATED MONITORING REPORT  
JULY 2014

**District:** Newton Public Schools  
**County:** Sussex  
**Dates On-Site:** April 8, 9 and 10, 2014  
**Case #:** CM-051-13

**FUNDING SOURCES**

Program	Funding Award
Title I	\$ 262,513
IDEA Basic	314,740
IDEA Preschool	6,235
Title IIA	58,427
Race to the Top	18,982
Carl D. Perkins	21,921
Total Funds	<u>\$ 682,818</u>

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**BACKGROUND**

The Elementary & Secondary Education Act (ESEA) and the Individuals with Disabilities Act (IDEA) and other federal laws require local education agencies (LEAs) to provide programs and services to their districts based on the requirements specified in each of the authorizing statutes (ESEA, IDEA, Race to the Top and Carl D. Perkins). The laws further require that state education agencies such as the New Jersey Department of Education (NJDOE) monitor the implementation of federal programs by sub recipients and determine whether the funds are being used by the district for their intended purpose and achieving the overall objectives of the funding initiatives.

**INTRODUCTION**

The NJDOE visited the Newton 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, Part A (Title I); Title II, Part A (Title II); IDEA Basic and Preschool; Race to the Top; and Carl D. Perkins for the period July 1, 2012 through March 31, 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 Preschool, Race to the Top and Carl D. Perkins from July 1, 2012 through March 31, 2014. 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, IDEA, RACE TO THE TOP  
AND CARL D. PERKINS FUNDS**

**Title I Projects**

The district used its Title I funds to support salaries for an after school program, as well as professional development and supplies.

**IDEA Projects**

The district utilized the FY 2012-2013 and FY 2013-2014 IDEA Basic and Preschool funds for tuition for students in out of district programs, general supplies, and services such as therapists and evaluations.

**Race to the Top**

The district used Race to the Top funds for professional development related to the transition to the Common Core State Standards (CCSS).

**Carl D. Perkins**

The district used Carl D. Perkins funds to operate five CTE programs/programs of study.

**DETAILED FINDINGS AND RECOMMENDATIONS**

**Title I**

**Finding 1:** The district did not provide evidence of convening the annual Title I parent meeting. Evidence was not provided that the Back-to-School nights that occurred fulfilled the legislative requirements. Not conducting an annual meeting to explain the Title I legislation and the district's Title I programs did not allow parents/guardians of Merriam Avenue Elementary and Halsted Street Middle Schools to be informed and vested in the Title I process.

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

**Required Actions:** The district must convene its FY 2014-2015 annual Title I meeting for the parents/guardians of students attending Merriam Avenue Elementary and Halsted Street Middle Schools in the beginning of the school year (no later than mid-October). Evidence of these meetings which includes invitational letters/flyers, agendas, meeting minutes, and sign-in-sheets must be submitted as evidence of said meeting to the NJDOE for review.

**Finding 2:** 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 FY 2013-2014 parental involvement policy was reviewed and board adopted since November 22, 2011 and that the policy was developed in conjunction with parents. In addition, there was no evidence that

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school-level parental involvement policies were developed in conjunction with parents/guardians as required by the legislation. The annual review and current board adoption of the parent involvement policies both district and school-level allow parents/guardians to impact the parental involvement process and identify the unique needs of the Title I schools.

**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 the district parental involvement policy and school-level parental involvement policies reviewed annually with current board adoption. The district should provide technical assistance to its schools to ensure that its schools work with the parents/guardians to develop the policies and review it annually. Copies of recent board approved district parental involvement and school-level policies must be submitted to the NJDOE for review. The inclusion of parents/guardians must be documented with meeting agenda, sign-in-sheets and minutes.

**Finding 3:** The district did not provide evidence that the FY 2013-2014 school-parent compacts were developed in conjunction with Title I parents. The absence of parent participation in developing these required documents excluded parents from more active participation in their child's educational program.

**Citation:** ESEA §1118: *Parental Involvement*.

**Required Action:** Merriam Avenue Elementary School and Halsted Street Middle School must include the parents/guardians in the development of the school-parent compact. The schools must submit documentation supporting the participation of Title I parents in the development of the FY 2014-2015 school-parent compacts to the NJDOE for review.

**Finding 4:** The district did not provide evidence of an active Title I Schoolwide Stakeholder Committee involved in the development of the Schoolwide Plans. No agendas, sign-in sheets, and minutes were provided. The Schoolwide Plans are the mechanism for the schools to document its efforts to meet the purposes and intents of the Title I legislation, and how the Title I funds will be used to support the program.

**Citation:** ESEA §1114(b): *Schoolwide Programs: Components of a Schoolwide Program*; ESEA §1114(b)(2)(B)(ii): *Plan Development*.

**Required Action:** During the 2013-2014 school year, the schools must engage the Stakeholder Committees to conduct comprehensive needs assessment, which will become the basis for the schools' FY 2014-2015 Title I Schoolwide Plans. The schools must ensure that parents are represented on the Title I Stakeholder Committees. The schools must document the quarterly stakeholder meetings with agendas, sign-in-sheets and approved minutes. Changes to the membership of the Title I Stakeholder Committees must be documented in the minutes and noted on the sign-in-sheets. If the NJDOE's

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review of the FY 2014-2015 schoolwide plans indicates that the schools failed to meet the statutory requirements for stakeholder participation, the schools will forfeit their authority to operate a Title I schoolwide program.

**Finding 5:** The Title I schools issued the required Parents Right-to-Know Highly Qualified Teacher (HQT) letter late in the school year on April 1, 2014. Not issuing the Parents Right-to-Know letter at the beginning of the school year did not afford Title I parents/guardians sufficient time to request the qualifications of their child's teachers and to make informed decisions.

**Citation:** ESEA §1111(h).

**Required Action:** For the 2014-2015 school year, the Title I schools must issue the Parents Right-to-Know letters at the beginning of the school year. The district must send copies of its FY 2014-2015 HQT letters to the NJDOE for review.

**Finding 6:** The district's nonpublic enrollment counts and zero nonpublic low-income counts on the FY 2013-2014 ESEA Consolidated Application in Step One of the Title I, Part A eligibility tab did not include nonpublic schools outside the district's attendance area within a 50 mile radius. The inclusion of nonpublic school enrollment counts and associated nonpublic low-income counts outside of the district attendance area may have resulted in nonpublic equitable shares being generated and services required to be provided. Additionally, the district was unable to provide documentation to substantiate the nonpublic low-income counts reflected on the application.

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

**Required Action:** The district must contact nonpublic schools outside of the district attendance area within a 50 mile radius. If necessary, the FY 2013-2014 ESEA Consolidated Application must be amended to include additional nonpublic enrollment counts and low-income counts. If a nonpublic equitable share is generated, the district needs to begin the consultation process with the nonpublic schools to identify eligible Title I students and develop a service delivery plan. 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:** The district's website contained outdated information, such as the district parental involvement policy.

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

**Required Action:** The district must review and update its website to reflect the current district parental involvement policy to meet the ESEA broader dissemination requirement. Upon updating its website, the district must forward the link to the NJDOE for review.

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**Finding 8:** The district used Title I, Part A funds for activities and interventions that were not in alignment with the district's needs assessment, priority problems and the Title I Schoolwide Plans. As a result, expenditures associated with the Holocaust Assembly, ZUMBA instructor, New Jersey Alliance for Health Physical Education Recreation and Dance (NJAHPERD) conference and Art Educators of New Jersey (AENJ) conference are deemed unallowable.

**Citation:** ESEA §1114; *Schoolwide Programs*; OMB Circular No. A-87: Cost Principles for State, Local and Indian Tribal Governments, Section 14, Entertainment.

**Required Action:** The district must re-evaluate the use of Title I, Part A funds. Title I expenditures must be necessary and reasonable to achieve the programmatic objectives. For schoolwide programs, the Title I Schoolwide Plans must reflect how the Schoolwide Programs are implementing activities, interventions and strategies to meet the intents and purposes of the Title I legislation. The district must reverse the charges for the aforementioned costs because these costs are not directly aligned with the needs assessment and priority problems identified in the FY 2013-2014 ESEA Consolidated application that includes the Title I Schoolwide plans. The district must 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 II**

**Finding 9:** A review of the FY 2012-2013 Professional Development Plan demonstrated that the district was engaged in all the components of a high-quality, job-embedded, content-focused professional development. However, with respect to providing supporting documentation, agendas were not always kept, required school summaries were incomplete, and sign-in-sheets could not be provided at the time of the monitoring.

**Citation:** NCLB §2122.

**Required Action:** The district must begin to document all professional development activities by providing agendas, sign-in-sheets and school summaries.

## **IDEA (Special Education)**

**Finding 10:** In both the 2012-2013 and 2013-2014 grant years, the district is not entering into properly executed contracts with independent consultants and agencies that provide services directly to students.

**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 where services are being provided to students. Contracts must include a per-service or



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hourly rate and a not-to-exceed amount. In addition, all contracts must be approved by board resolution.

**Finding 11:** The district did not consistently provide to students eligible for special education and related services written notice of graduation and the summary of academic achievement and functional performance prior to graduating or exiting.

**Citation:** N.J.A.C. 6A:14-4.11(b)1.4; and 20 U.S.C. §1414(c)(5)(B); and 34 CFR §300.305(e)(3).

**Required Action:** The district must ensure notice of graduation and a summary of academic achievement and functional performance is provided to parents or adult students prior to graduating 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 copies of notice of graduation and copies of the summary of academic achievement and functional performance provided to students graduating or exiting at the conclusion of the school year, and review the oversight procedures.

**Finding 12:** The district did not consistently convene identification, eligibility, reevaluation planning meetings, and IEP meetings with required participants for students referred for special education and related services and speech-language services.

**Citation:** N.J.A.C 6A:14-2.3(k)1(i-vii), 2(i-x); 3.3(e); 20 U.S.C. §1414(d)(1)(B); and 34 CFR §300.321(a).

**Required Action:** The district must ensure all meetings are conducted with required participants and that documentation of participation is maintained in students' records. 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. A monitor from the NJDOE will conduct an on-site visit to interview staff, review oversight procedures, and review meeting documentation, including the sign in sheets, for meetings conducted between May and September 2014.

**Finding 13:** 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)2(x), 3.7(e)13; 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. In order to demonstrate correction of noncompliance, the district must

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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 NJDOE will conduct an on-site visit to interview staff, review oversight procedures, and review documentation of the provision of invitations to students for IEP meetings where transition was being discussed conducted between May and September 2014.

**Finding 14:** The district did not ensure child study team participation at the planning conferences of students transitioning from an early intervention program to preschool.

**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 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 oversight procedures, and review documentation of child study team participation at the planning conferences of students transitioning from an early intervention program to preschool conducted between May and September 2014.

**Finding 15:** The district does not have a policy for students with disabilities participating in district-wide assessments.

**Citation:** 34 CFR §300.160.

**Required Action:** The district must revise policies and procedures to ensure students with disabilities participate in district-wide assessments or an appropriate alternative, and are provided with accommodations and modifications. The policy must include 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 citation listed above. In addition, a monitor from the NJDOE will conduct an on-site visit to review the policy.

### **Race to the Top**

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

### **Carl D. Perkins**

**Finding 16:** The district did not conduct two advisory committee meetings during the project period to involve stakeholders in the development, implementation and evaluation of each approved CTE program.

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**Citation:** P.L. 109-270 §134 (b)(5(a) and N.J.A.C. 6A:19-3.1.

**Required Action:** The district must conduct a minimum of two advisory committee meetings each project period, beginning with the 2015 project period (July 1, 2014-June 30, 2015) and each subsequent project period which the programs are approved and operating.

*A Career and Technical Education (CTE) program Advisory Committee is a representative group of individuals whose experience and abilities represent a cross-section of a particular occupational area. The primary purpose of the CTE program Advisory Committee is to assist educators in establishing, operating, and evaluating the CTE programs which serve the needs of students, business and industry, and to provide expertise pertaining to technological change. Program Advisory Committees strengthen collaboration between those responsible for career and technical education programs and the communities they serve. The dialogue between Advisory Committee members and career and technical educators fosters shared responsibility for preparing students for a place in the workforce and in society. Examples, templates, and other valuable information to help guide districts establish effective Advisory Committees are included in the **CTE Program Advisory Committee Handbook** which can be found at <http://www.nj.gov/education/cte/study/approval/CTEProgramReapproval.pdf>.*

*The list below identifies the required members of the CTE program or program of study advisory committee N.J.A.C 6A:19-3.1(a)2. The program advisory committee **must have met at least twice in the last year.***

- *Business/Industry /Labor member(s) with expertise in the CTE program or program of study*
- *CTE Teacher(s) of the CTE program or program of study*
- *School Counselor*
- *Postsecondary Institution*
- *District Representative for Special Populations*
- *Parent*
- *Student*

*Other - not required but may include teachers in relevant academic areas and school administrators such as department chairpersons and/or supervisors.*

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**Administrative**

**Finding 17:** 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 Contracts Law*.

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

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](mailto:steven.hoffmann@doe.state.nj.us).