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New Jersey K-12 Education

CONSOLIDATED MONITORING REPORT
MARCH 2016

District: Hope Academy Charter School
County: Monmouth
Dates On-Site: February 17, 2016
Case#: CM-027-15

FUNDING SOURCES

| Program | Funding Award |
|------------------|-------------------|
| Title I, Part A | \$ 173,934 |
| Title II, Part A | 10,430 |
| IDEA Basic | 55,204 |
| IDEA Preschool | 486 |
| Total Funds | <u>\$ 240,054</u> |

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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 school 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 school for their intended purpose and achieving the overall objectives of the funding initiatives.

INTRODUCTION

The NJDOE visited the Hope Academy Charter School to monitor the school's use of federal funds and the related program plans, where applicable, to determine whether the school'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 and Preschool for the period July 1, 2014 through February 17, 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 school 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 school 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 grants that were reviewed included Title I, Title II, and IDEA Basic and Preschool for the period July 1, 2014 through February 17, 2016. A sampling of purchase orders was taken from the entire population and later identified as to the grant that was charged.

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GENERAL DISTRICT OVERVIEW OF USES OF GRANT FUNDS

Title I

The school operates a Targeted Assistance program for its students in grades K-8. The school identified English Language Proficiency, English Language Arts, and Mathematics for its Economically Disadvantaged and English Language Learners as priority problems.

Title II

The school allocated FY 2015-16 Title II funds for professional development to occur in March 2016; as a result, the school did not have any FY 2015-16 Title II expenditures. The school expended its FY 2014-2015 Title II funds on English Language Arts and Mathematics professional development activities.

IDEA (Special Education)

The IDEA funds were used to fund the salary and benefits of a special education teacher.

DETAILED FINDINGS AND RECOMMENDATIONS

Title I

Finding 1: The notification letters sent to the parents/guardians of identified Title I students did not include clearly defined entrance and exit criteria. The parents/guardians of identified Title I students must be informed of the multiple educationally related criteria used to identify their child/children for Title I services.

Citation: ESEA §1115(b)(1)(B): *Targeted Assistance Schools (Eligible Children - Eligible Children from Eligible Population)*.

Required Action: The school's parental notification letters must include clearly defined entrance and exit criteria. The school must provide a copy of its revised parental notification letter for FY 2015-2016 to the NJDOE for review.

Finding 2: The school provided documentation that it distributed the Parents' Right-to-Know Letter. However, the letter did not contain the completed date (month, day, and year). The legislation stipulates that parents must be informed of the professional qualifications of the student's classroom teachers at the beginning of the school year and in a timely manner.

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

Required Action: For 2016-2017, the school must ensure that it distributes the Parents' Right-to-Know letters at the beginning of the school year. The letter must be completely

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dated (month, day, and year). The school must submit evidence of distribution to the NJDOE for review.

Finding 3: The school could not provide documentation of when its Title I written parental involvement policy was distributed. Per the legislative requirement, parents/guardians of Title I students have a right to be involved in the development of the written parental involvement policy and how they can further engage in the academic performance and achievement of their children.

Citation: ESEA §1118(b): *Parental Involvement (School Parental Involvement Policy)*.

Required Action: For the 2015-2016 and 2016-2017 school year, the school must ensure that its written parental involvement policy is fully distributed to all parents/guardians of its identified Title I students. The school must submit verification of this distribution to the NJDOE for review.

Title II

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

IDEA (Special Education)

Finding 4: The school 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 school must ensure that 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 school must ensure that 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 school must conduct training for administrators and I&RS staff 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 June 2016 and November 2016, and to review the oversight procedures.

Finding 5: The school did not consistently ensure that the full child study team was in attendance at identification meetings for students referred for special education and related services.

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Citation: N.J.A.C. 6A:14-2.3(k)l(i-vii). 20 U.S.C. §1414(d)(1)(B). 34 CFR §300.321(a).

Required Action: The school must ensure that identification meetings are conducted with required participants in attendance. In order to demonstrate correction of noncompliance, the school 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 to review meeting documentation, including sign in sheets, for meetings conducted between June 2016 and November 2016, and to review the oversight procedures.

Finding 6: The school did not consistently document in the IEPs of students eligible for special education and related services the relevant factors considered determining whether a student requires an extended school year program (ESY).

Citation: N.J.A.C. 6A:14-4.10(a).

Required Action: The school must ensure that consideration of ESY is documented in the IEP. In order to demonstrate correction of noncompliance, the school 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 school has corrected the individual instances of noncompliance, the school 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 June 2016 and November 2016, and to review the oversight procedures. The names of the students with IEPs that were identified as noncompliant will be provided to the school by the monitor.

Finding 7: The school did not consistently complete transition planning for students ages 14 and above and document decisions in the IEP. Additionally, the school 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:14-3.7(e)l 1. N.J.A.C. 6A:14-2.3(k)2x. 34 CFR §300.322(a)(2).

Required Action: The school must ensure that transition is discussed at each IEP meeting for students age 14 or above, and that decisions are documented in the IEP. Additionally, the school must ensure that 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 school must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. To demonstrate that the school has corrected the individual instances of noncompliance, the school must conduct

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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 June 2016 and November 2016, student invitations to IEP meetings, and to review the oversight procedures. The names of the students with IEPs that were identified as noncompliant will be provided to the school by the monitor.

Finding 8: The school did not consistently conduct reevaluations within three years of the previous classification date for students eligible for special education and related services and for students eligible for speech-language services.

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

RequiredAction: The school must ensure reevaluations are conducted within required time lines. In order to demonstrate correction of noncompliance, the school 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 reevaluation time lines for eligibility meetings conducted between June 2016 and November 2016, and to review the oversight procedures.

, **Finding 9:** The school did not consistently provide parents of students eligible for speech-language services notice of a meeting.

Citation: N.J.A.C. 6A:14-23(k). 20 U.S.C. §1414(b)(1). 34 CFR §300.304(a).

Required Action: The school must provide parents notice of a meeting in writing that contains all required components early enough to ensure parents have an opportunity to attend. In order to demonstrate correction of noncompliance, the school must conduct training for speech-language specialists 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 meeting documentation for meetings conducted between June 2016 and November 2016, and to review the oversight procedures.

o **Finding 10:** The school did not consistently document required participants were in attendance at identification, annual review, reevaluation planning, eligibility and IEP meetings for students eligible for speech-language services.

Citation: N.J.A.C. 6A:14-2.3(k)l(i-vii). 20 U.S.C. §1414(d)(1)(B). 34 CFR §300.321(a).

Required Action: The school must ensure that meetings are conducted with required participants and that documentation of attendance and/or written parental consent to

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excuse a member of the team is maintained in student files. In order to demonstrate correction of noncompliance, the school must conduct training for 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 meeting documentation for meetings conducted between June 2016 and November 2016, and to review the oversight procedures.

- **Finding 11:** The school did not consistently provide parents written notice that contains all required components, within 15 calendar days following identification, IEP, eligibility and reevaluation planning meetings for students eligible for speech-language services.

Citation 20 U.S.C. §1414(b). 34 CFR §300.503(a-c). 34 CFR §300.504. N.J.A.C. 6A:14-2.3(f) and 2.3(g).

Required Action: The school must ensure that parents are provided written notice following a meeting that contains all required components within 15 calendar days of the meeting. In order to demonstrate correction of noncompliance, the school must conduct training for speech-language specialists 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 meeting documentation for meetings conducted for between June 2016 and November 2016, and to review the oversight procedures.

- **Finding 12:** The school did not consistently obtain written parental consent prior to implementation of an initial IEP for students eligible for speech-language services.

Citation: N.J.A.C. 6A:14-2.3(a). 20 U.S.C. §1414(a)(1)(b). 34 CFR §300.300.

Required Action: The school must ensure that informed parental consent is obtained and maintained in student files. In order to demonstrate correction of noncompliance, the school must conduct training for speech-language specialists 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 IEPs for meetings conducted between June 2016 and November 2016, and to review the oversight procedures.

- **Finding 13:** A review of service logs indicated that speech services were being provided to students determined eligible for speech-language services. However, the speech-language specialist did not consistently develop IEPs for students eligible for speech-language services prior to providing services.

Citation: N.J.A.C. 6A:14-3.7.

Required Action: The school must ensure that IEPs for speech only students are developed and contain all required components. In order to demonstrate correction of

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noncompliance, the school must conduct training for speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above. To demonstrate that the school has corrected the individual instances of noncompliance, the school must conduct IEP meetings with an appropriately configured IEP team for the two students eligible for speech-language services who attend the school. A monitor from the NJDOE will conduct an on-site visit to interview staff, review the IEPs, and to review the oversight procedures. The names of the students whose IEPs were identified as noncompliant will be provided to the school by the special education monitor.

Administrative

Finding 14: The school did not have formal written internal control policies and procedures for requesting reimbursement from the Electronic Web-Enabled Grant (EWEG) system.

Citation: 2 CPR §§200.302(b)(6): Financial management and 200.303: Internal controls.

Required Action: Subsequent to the monitoring, the board approved a formal policy concerning the reimbursement of grant funds and the policy was submitted to NJDOE for review; as a result, no further action is necessary.

Finding 15: The school provided its policy to prevent contracting with debarred and suspended vendors for examination. However, no evidence was produced demonstrating the process is being followed.

Citation: 2 CFR §§200.318(h): General procurement standards and 200.326(1): Contract provisions (Debarment and suspension).

Required Action: The school must update its procedures to demonstrate implementation of the internal control policy to prevent errors from potentially occurring.

Finding 16: The school did not provide evidence of competitively contracting for the provision of goods and services by vendors; namely, non-instructional professional and technical services. In accordance with the Public School Contracts Law (PSCL) [N.J.S.A. 18A:18A-10(c)], a board of education may place its order with a vendor offering the lowest price, including delivery charges, that best meets the requirements of the board of education. However, for all federal funds, schools must review the procurement standards contained in 2 CFR §200.318-320. The federal procurement regulations under this section do not include all the exemptions allowed under the PSCL and therefore, these federal regulations require schools to competitively contract or bid all goods and services under the bid threshold, whether exempt under PSCL or not. The federal rules do include provisions for procurement by "noncompetitive proposals," but only under certain circumstances.

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Citation: 2 CFR §§200.318: General procurement standards and 200.319: Competition, 200.320: Methods of procurement to be followed. N.J.S.A. 18A:18A-10(c): Public School Contracts Law.

Required Action: The school must review applicable regulations and use open and competitive procedures, as required. The school should also analyze and include documentation in its procurement files evidencing that efforts were undertaken to ensure the reasonableness of program-related costs.

Finding 17: Certain board approved policies and standard operating procedures maintained by the school are out-of-date and in need of revision.

Citation: 2 CFR §§200.302(b)(3): Financial management and 200.318: General procurement standards. N.J.A.C. 6A:23A-6.6: Standard operating procedures for business functions.

Required Action: The school should revise/adopt its written policies and procedures to ensure compliance with current state and federal regulations.

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.