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DEPARTMENT OF EDUCATION
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RIVERSIDE TOWNSHIP SCHOOL DISTRICT
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Education Jobs Fund Program
New Jersey K-12 Education

**EDUCATION JOBS CONSOLIDATED MONITORING REPORT
NOVEMBER 2012**

District: Riverside Township School District
County: Burlington
Dates On-Site: August 7 and 8, 2012
Case #: Ed Jobs-011-11

FUNDING SOURCES

Program	Funding Award
Ed Jobs	\$ 371,292
Title I	380,064
IDEA Basic	322,785
IDEA Preschool	9,556
Title IIA	42,880
Title III Immigrant	6,759
Total Funds	<u><u>\$ 1,133,336</u></u>

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BACKGROUND

The *Education Jobs Act of 2010 (Ed Jobs)* 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 Ed Jobs). 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 Riverside Township School District to monitor the district's use of *Ed Jobs* 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: Ed Jobs; Title I; Title IIA; Title III; and IDEA for the period July 1, 2010 through August 7, 2012.

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 that were reviewed included Ed Jobs Act, Title I, Title IIA, Title III, and IDEA from July 1, 2010 through August 7, 2012. 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 TITLE I AND IDEA FUNDS

Title I Projects

The district is using its FY 2011-2012 Title I, Part A funds to implement targeted assistance programs in the district. Primarily, the district provides tutoring services through in-class support and replacement English for the lowest performing students at the elementary level.

IDEA Projects (Special Education)

The majority of the FY 2011-2012 IDEA Basic funds are being used to reduce district tuition costs for students receiving special educational services in other public school districts and approved private schools for students with disabilities. In addition, a small amount is used to purchase testing supplies for the child study team and to pay for specialized evaluations.

DETAILED FINDINGS AND RECOMMENDATIONS

Ed Jobs Act

Finding 1: The district's Cash Management Report does not match the records of the district.

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 accurately reflect cash drawn down versus cash expended and update any drawdown schedules submitted. The district needs to compute any interest received on any federal funds that were drawn down prior to spending and report the interest amount to the NJDOE. The district must refund any interest earned in excess of \$100.

Title I

Finding 2: The district's certified audit for FY 2010-2011 was conducted based on a schoolwide program; however, the district operated a Title I targeted assistance program. The district must review the impact of the incorrect audit to determine if testing was done properly on major programs of Title I. Failure to measure the impact could result in the need for another audit. The financials are that of the district and the district signed off on these statements.

Citation: OMB Circular A-133, 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: For the 2010-2011 school year, the district must research what was tested in order to determine if its financial statements must be amended. The district must report its findings and the necessary remedy to the NJDOE for review.

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Finding 3: The district does not have a mechanism to track mandatory reserves, such as school in need of improvement (SINI) and district in need of improvement professional development, parental involvement and administrative costs in its accounting system to ensure accuracy of final reports.

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 track its restricted reserves to ensure and verify spending of restricted amounts for FY 2011-2012. The district must submit a list of account numbers being used for this purpose with a description of the accounts to the NJDOE for review.

Finding 4: The district's use of Title I funds to operate a full replacement program for its lowest performing students at the elementary school supplants state/local funds. Districts must use state and/or local funds, rather than federal funds, to provide core academic programs required for all students.

Citation: NCLB §1115(c) *Targeted Assistance Programs, Components of a Targeted Assistance Program*; USDE Policy letter October 6, 2008; NCLB §1120A(b): *Fiscal Requirements (Federal Funds to Supplement, Not Supplant, Non-Federal Funds)*.

Required Action: For the 2011-2012 school year, the district must reverse the charges for the replacement program staff and revise its Title I program for FY 2012-2013 to provide supplemental instructional opportunities to identified students, rather than instruction in the core academic areas. The district must submit the documentation and description of its revised Title I program to the NJDOE for review, or risk withholding of future reimbursement requests for Title I funds.

Finding 5: The district did not develop a school-level Title I parental involvement policy in conjunction with parents.

Citation: NCLB §1118(b): *School Parental Involvement Policy*, United States Department of Education's Title I, Part A Parent Involvement Non-Regulatory Guidance (Item D-1).

Required Action: The district should provide technical assistance to its schools in the development of school-level parental involvement policies and ensure its schools work with their stakeholder groups to develop a school-level parental involvement policy. Each school must distribute a newly-developed school parental involvement policy to parents of the Title I students and send a copy to the NJDOE for review. These school-level parental involvement policies must be posted on the district's parent web page.

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Finding 6: The district could not provide documentation of the mechanism used to distribute its written parental involvement policy to parents of Title I students. (It is noted the district policy is developed and the parent-compact was distributed to parents).

Citation: NCLB §1118 (a)(2) and (b)(1): *Parental Involvement (Local Educational Agency Policy)*.

Required Action: The district's parental involvement policy, developed in collaboration with parents of participating Title I students and evaluated annually, must be distributed to parents of participating Title I children in an understandable and uniform format and, to the extent practicable, in a language the parents understand. A copy of the district parental involvement policy must be submitted to the NJDOE for review. The distribution date and board adoption date of the parental involvement policy must be consistent with the dates reflected in the NCLB Application on the Electronic Web Enabled Grant (EWEG) system.

Finding 7: The district does not have a comprehensive equipment inventory, which includes acquisition date and costs, for items purchased with Title I funds. The NJDOE's 2001-2002 audit identified computers purchased with Title I funds. However, the district is unable to verify the location or disposal method for these computers.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 32, Equipment.

Required Action: The district must develop a system to track equipment purchased with federal grants. Although the state threshold for reporting equipment is \$2,000 in the EWEG system, the district may have its own lower threshold. The school must track any amount that is less expensive to track than it is to replace. All inventoried items should include tag number, cost, location, purchase date, grant-funded source and item description. The school must submit a comprehensive inventory of all equipment purchased to the NJDOE for review.

Finding 8: The district used its Title I, Part A SINI funds to pay for professional development relating to bullying, English writing posters and behavior related issues. The use of federal funds for these expenses supplants state/local funds. The district must use state/local funds for core curricular programs and state mandated programs.

Citation: OMB Circular A-87, Attachment B, Section 8(h): *Cost Principles for State, Local and Indian Tribal Governments*. NCLB §1120A(b): *Fiscal Requirements (Federal Funds to Supplement, Not Supplant, Non-Federal Funds)*.

Required Action: The district must reverse the charges for these unallowable activities and allocate state/local funds, rather than Title I funds, to support these expenditures.

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Finding 9: The district did not consult with any nonpublic schools outside its boundaries. Therefore, the district did not enter enrollment numbers on the FY 2011-2012 NCLB Application in Step One of the Title I, Part A eligibility tab and as a result did not offer services to potentially eligible students.

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

Required Action: For FY 2012-2013, the district must send letters to any nonpublic schools that may enroll their resident children, specifically nonpublic schools within the district boundaries and neighboring districts. The district must submit documentation of its consultation efforts to the NJDOE for review.

Title IIA

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

Title III

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

IDEA (Special Education)

Finding 10: The district included student names on purchase orders for students educated in tuition placements; therefore, violating student confidentiality.

Citation: IDEA Regulation 34 CFR 99; N.J.A.C. 6A:32-7.

Required Action: The district must revise procedures to ensure confidentiality of student information is maintained and only persons having educational responsibility for those students have access to this information. Revised procedures must be submitted to the NJDOE for review.

Finding 11: The district's notices of eligibility, reevaluation planning, and IEP meetings did not consistently include transition as a purpose of the meeting when required for students eligible for special education and related services. Noncompliance was due to a lack of implementation of district procedures.

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 in writing, that contains all required components, 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 regarding the procedures for implementing the requirements in the citation listed above. Additionally, a monitor from NJDOE will conduct an on-site visit to review notices of eligibility, reevaluation

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planning and IEP meetings that will be conducted between November 2012 and January 2013.

Finding 12: The district did not consistently inform parents of proposed actions through provision of written notice containing all required components. Specifically, written notice following identification, eligibility and reevaluation planning meetings were not provided in the native language of the parent and did not include options considered and the relevant factors discussed and the reasons they were rejected. In addition, the district did not provide to students eligible for special education and related services written notice of graduation within required time lines. Noncompliance was due to a lack of implementation of district procedures.

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 and 4.11(b)2.

Required Action: The district must ensure parents are informed of proposed action through the provision of written notice, containing all required components, in the native language of the parent. 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 citations listed above. Additionally, the district must develop procedures to ensure students eligible for special education and related services receive written notice of graduation. The district must provide training for child study team members and speech-language specialists on the new procedures. A monitor from the NJDOE will conduct an on-site visit to review evidence of provision of written notice for meetings held between November 2012 and January 2013.

Finding 13: The district did not consistently provide copies of evaluation report(s) to parents at least 10 days prior to the determination of initial eligibility or determination of continued eligibility. Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-3.5(a); 20 U.S.C. §1414(b)(4); and 34 CFR §300.306(a).

Required Action: The district must ensure parents are provided copies of evaluation report(s) not less than 10 days prior to the determination of eligibility. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and speech-language specialists regarding procedures for implementing the requirements in the citation listed above. Additionally, a monitor from the NJDOE will conduct an on-site visit to review evidence of provision of evaluation report(s) to parents for student referred and evaluated for special education and related services or speech-language services between November 2012 and January 2013.

Finding 14: The district did not have in place a special education parent advisory group to provide input to the district on issues concerning students with disabilities. Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-1.2 (h).

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Required Action: The district must ensure a special education parent advisory group is available in the district. In order to demonstrate correction of noncompliance, the district must convene a parents group. A monitor from the NJDOE will conduct an on-site visit to review the agendas from the special education parent advisory group.

Finding 15: The district did not consistently provide to students eligible for special education and related services written notice of graduation containing all required components. In addition, the district was not providing a summary of academic and functional performance to students prior to graduation. Specifically, the district was providing a written summary of academic and functional performance after the student had graduated and was not sending written notice of graduation. Noncompliance was due to a lack of implementation of the district procedures.

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 students are provided with a summary of academic achievement and functional performance prior to graduation that addresses all required components and provide students with written notice of graduation that contains all required components. 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 the summary of academic achievement and functional performance provided to students who are graduating and/or exiting at the conclusion of the 2012-2013 school year.

Finding 16: The district did not consistently convene IEP team meetings with the required participants in attendance. A general education teacher and parents were not in attendance at identification, eligibility, eligibility/IEP, and reevaluation meetings for students eligible for special education and related services and for students eligible for preschool disabled services. Noncompliance was due to a lack of implementation of district procedures.

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 IEP team meetings are conducted with required participants and documentation of attendance and attempts to obtain parental participation when the parent does not attend the meeting are maintained in student's records. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to review evidence of participation by general education teachers and parents at IEP team meetings conducted between November 2012 and January 2013.

Finding 17: The district did not consistently document all required consideration and statements in each IEP for students eligible for special education and related services and speech-language services. Specifically, IEPs did not consistently include:

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- documentation of students' strengths in the Present Level of Functional Performance Statement for students eligible for speech-language services;
- special factors identified in N.J.A.C. 6A: 14-3.7(c) for students receiving special education and related services and speech-language services;
- goals and objectives for students receiving special education and related services;
- criteria and evaluation procedures for goals and objectives for students receiving special education and related services; and
- for those students 14 and older, the identification of a post-secondary liaison.

Noncompliance was due to a lack of implementation of district procedures.

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 regarding the procedures for implementing the requirements in the citation listed above. In addition, the district must conduct annual review meetings and revise IEPs for the specific students whose IEPs were identified as noncompliant during monitoring. A monitor from the NJDOE will conduct an on-site visit to review the revised IEPs along with IEPs for students whose annual review meetings will be conducted between November 2012 and January 2013. Names of the students whose IEPs were identified as noncompliant will be provided to the school by the monitor. For assistance with correction of noncompliance, the district is referred to the state IEP sample forms at: www.statenj.us/education/specialed/forms.

Finding 18: 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 (LRE). 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;
- the potentially beneficial or harmful effects which a placement in general education may have on the students with disabilities or other students in the class; and
- for those students placed in separate settings, the activities to transition the student to a less restrictive environment.

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Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-4.2 (a)4,8(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 that 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 regarding the district's procedures. 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 review the revised IEPs, along with the IEPs for students whose annual review meetings will be conducted between November 2012 and January 2013. Names of the students with IEPs that were identified as noncompliant will be provided to the district by the monitor.

Finding 19: The district did not consistently provide to students beginning at age 14, written invitations to meetings where post-school transition was being discussed. Noncompliance was due to a lack of implementation of district procedures.

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. In order to demonstrate compliance, a monitor from the NJDOE will conduct an on-site visit to review student invitations for transition IEP meetings conducted between November 2012 and January 2013.

Finding 20: 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 or for speech-language services to determine if an evaluation was warranted. Noncompliance was due to a lack of implementation of district procedures.

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 speech-language specialists 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 dated requests for evaluation and the signed participation pages from the subsequent

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identification meetings for students referred for special education and related services or for speech-language services between November 2012 and January 2013.

Finding 21: The district did not conduct vision/hearing screenings and health/medical summaries for each student referred to the child study team for evaluation. Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A:14-3.4(j).

Required Action: The district must ensure a vision and audiometric screening is conducted for each student referred to the child study team with a copy of the results maintained in students' files, along with available health/medical summaries. 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. Additionally, a monitor from the NJDOE will conduct an on-site visit to review the dated copies of vision and audiometric screenings and health/medical summaries provided to case managers for students referred to the child study team between November 2012 and January 2013.

Finding 22: The district did not consistently conduct multidisciplinary initial evaluations for students referred for speech-language services by obtaining an educational impact statement from the classroom teacher after receipt of parental consent to evaluate. Noncompliance was due to lack of implementation of district procedures.

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

Required Action: The district must ensure a multidisciplinary evaluation is conducted for students referred for speech-language services by obtaining the education impact statement from the general education teacher that indicates the educational impact of the speech problem on the student's progress in general education. In order to demonstrate correction of noncompliance, the district must conduct training for 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 initial evaluation reports for students referred for speech-language services between November 2012 and January 2013.

Finding 23: 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 and for students referred for speech-language services. Specifically, the district did not consistently conduct parent interviews and observations of the student in other than a testing setting. Noncompliance was due to a 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)(4) and (5); and 34 CFR §300.306(c)(i).

Required Action: The district must ensure all components of the functional assessment are conducted as part of all initial evaluations. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members

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and speech-language specialists regarding the district's 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 evaluation reports developed for students referred for special education and related services or speech-language services between November 2012 and January 2013. The district is referred to the sample report form for speech-language evaluations at: www.state.nj.us/education/speced/forms.

Finding 24: The district did not consistently conduct reevaluations within three years of the previous classification date for students eligible for special education and related services. Additionally, the district did not consistently determine eligibility within 60 days of parental consent. Noncompliance was due to a lack of implementation of district procedures.

Citation: N.J.A.C. 6A: 14-3.7(i) and 14-3.8(a) and 20 U.S.C. §1414(a)(2)(B)(ii) and (d); and 34 CFR §300.324(b)1.

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 regarding the procedures for implementing the requirements in the citation listed above. A monitor from the NJDOE will conduct an on-site visit to review evidence demonstrating reevaluations were conducted within required time lines for students whose reevaluation planning meetings were held between November 2012 and January 2013

Administrative

Recommendation 1: The district does not have internal control policies and procedures to prevent contracting with disbarred vendors.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 36, Procurement.

Recommended Action: The district should update internal control policies to prevent errors from potentially occurring.

Recommendation 2: The district does not have formal written policies for requesting reimbursement from the EWEG system; however, the district's practice for requesting reimbursement was verified through questions concerning the district's internal controls.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 20, Standards for financial management systems.

Recommended Action: The district must have a formal board policy concerning the reimbursement of grant funds and should submit this to the NJDOE for review.

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Recommendation 3: Under the New Jersey's Public School Contracts Law (PSCL), districts are not required to advertise for bids or competitively contract the provision of goods and services by vendors on the state contract list. In accordance with the PSCL [N.J.S.A. 18A:18A:10(a)], 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, districts need to review 34 CFR Part 80.36 on procurement requirements. The federal procurement regulations under this section do not include all the exemptions allowed under the PSCL and therefore, it is our understanding these federal regulations require districts to competitively contract or bid all goods and services over 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.

The NJDOE has requested clarification from the federal government regarding vendors on the state contract list and we are still waiting for a definitive response. It is the department's position and recommendation to the federal government that such contracts do not need any additional documentation beyond the statutory requirement under N.J.S.A. 18A:18A:10(c) that prior to placing orders, the board of education shall document with specificity that the goods and services selected best meet the requirements of the board of education. See LFN 2010-3 issued January 15, 2010 for more information on competitive contracting for districts and professional development services.

Citation: EDGAR, PART 80--*Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Section 36, Procurement.

Recommended Action: The district should review 34 CFR Part 80.36 and use open and competitive procedures where at all possible. The district should also analyze and include documentation in its files that demonstrates the district ensured the costs were reasonable.

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 Anthony Hearn via phone at (609) 633-2492 or via email at anthony.hearn@doe.state.nj.us.