

STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION
OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE

PATERSON INTERNAL AUDIT UNIT

AUDIT OF HOME INSTRUCTION

2011-2012 FISCAL YEAR

JULY 2012

NEW JERSEY DEPARTMENT OF EDUCATION
PATERSON INTERNAL AUDIT UNIT
AUDIT OF HOME INSTRUCTION
JULY 2012

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NEW JERSEY DEPARTMENT OF EDUCATION
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AUDIT OF HOME INSTRUCTION
JULY 2012

EXECUTIVE SUMMARY

The Paterson Internal Audit Unit has conducted an audit of the Paterson Public Schools (PPS) Home Instruction Program (HIP) for FY 2011-2012. The purpose of the audit was to determine if the HIP was in compliance with all applicable regulations and district policies. The audit was undertaken to determine whether or not students were receiving the appropriate home instruction as required by law and that required records were maintained.

As a result of the audit, the following deficiencies were noted:

- The district is not always scheduling students with the appropriate number of hours of home instruction as required by N.J.A.C. 6A:16-10.1.
- The district was not always providing the New Jersey Department of Education (NJDOE), Passaic County Executive County Office (county office) with written notification of their intent to provide a special education student with home instruction as required by N.J.A.C. 6A:14-4.8(a)1.
- Documentation supporting student home instruction was often incomplete and not in compliance with the requirements of N.J.A.C. 6A:14-4.8(3).
- The district does not prepare an Individualized Program Plan as required.
- District maintained records of students receiving home instruction were incomplete.
- The Department does not have a current policies and procedures manual.
- Instructors were teaching on days when they were marked as sick.

The remainder of this report details the auditor's findings.

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BACKGROUND

The PPS Office of Home Instruction (OHI) is part of the Division of Pupil Personnel Services. The OHI provides one on one instruction at the students place of residence (or an appropriate setting) due to an Individualized Education Plan (IEP), a health condition, the need for treatment, or exclusion from the general education population for disciplinary or safety reasons. Home instruction is intended to provide the same caliber of education that would be found in a classroom setting.

The PPS home instruction process begins with a referral from one of three sources: the Office of Nursing Services, the Office of Special Education, or an Assistant Superintendent or school Principal. Each of these three offices has their own specific requirements and documents that are necessary to make a determination for and notification of the need for home instruction services. Upon receipt of a home instruction referral from one of the three sources, the OHI reviews the required documents and assigns the student to an instructor.

Home instruction is provided by a pool of approximately 180 teachers employed by the district. The OHI determines how a student's needs are best met and assigns an instructor from the district teaching pool.

The OHI consists of one employee, a Senior Coordinator Specialist who reports to the Director of Special Services. The district appropriated \$826,552 in FY 2011-2012 for home instruction coverage. As of the end of February 2012, the district has had 236 home instruction students.

SCOPE

The auditors obtained from the district a current list of all students (including both active and closed cases) receiving home instruction for the FY 2011-2012 and made a selection of 40 students (20 active and 20 closed) for review. After considering teachers who were instructing multiple students, an additional 10 students were selected for a total of 50. Included in those 50 was a combination of both active and closed cases as of the end of February, 2012. The auditors reviewed all available documentation including home instruction request forms, teacher time records, and IEP's for those 50 students. The scope also included interviews with district personnel in order for the auditors to become familiar with district procedures.

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DETAILED FINDINGS

1. The district is not always scheduling students with the appropriate number of hours of home instruction as required by N.J.A.C. 6A:16-10.1.

Pursuant to N.J.A.C. 6A:16-10.1 home or out-of-school instruction due to a temporary or chronic health condition, the teacher “shall provide one-on-one instruction for no fewer than five hours per week on three separate days of the week”. Pursuant to N.J.A.C. 6A:16-10.2, students on home instruction for reasons other than a temporary or chronic health condition, the teacher shall provide one-on-one instruction for no fewer than 10 hours per week on three separate days of the week. A review of home instruction documentation revealed the district was not always scheduling students for the appropriate number of hours as required by statute. The auditors have determined that five out of the 50 students tested were not scheduled to receive the required minimum number of hours of instruction. The five instances were general education students that should have received 10 hours per week, but the district was only providing five hours.

Recommendation:

The district must ensure that all students placed on home instruction are appropriately scheduled to receive no less than the minimum number of hours of instruction required by statute.

2. The district did not always provide the NJDOE Passaic County Executive County Office with written notification of their intent to provide a special education student with home instruction as required by N.J.A.C. 6A:14-4.8(a)1.

N.J.A.C. 6A:14-4.8(a)1 requires that for students with a disability “prior written notification that a district intends to provide home instruction shall be provided to the Department of Education through its county office”. Notifications are effective for a maximum of 60 days at which time a renewal of the notification must be made. The auditors verified district records and asked the county office to verify receipt of notification for any that were not available on site. The auditors noted that in 9 out of 25 special education students in the audit sample, notifications were not sent to the county office.

Recommendation:

The auditors recommend the district comply with N.J.A.C. 6A:14-4.8(a)1 and provide the county office with written notification of students placed on home instruction and renewal notifications as necessary.

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3. Documentation supporting student home instruction was often incomplete and not in compliance with the requirements of N.J.A.C. 6A:14-4.8(3).

N.J.A.C. 6A:14-4.8(3) requires that the district maintain “a written record of the student’s home instruction, including dates and times during which home instruction is provided”. The home instruction teachers employed by the district are required to submit a time sheet entitled “Confirmation of Bedside Instruction” (Attachment 1). The information required on the report includes the name(s) of students serviced, dates of service, hours of service, and the signature of the students’ authorized guardian/chaperone attesting that the student received the indicated instruction. The auditors reviewed a sample of 194 instructional work weeks between November 2011 and January 2012 and noted the following deficiencies:

- 117 instances where students did not receive the required minimum number of hours of instruction in a given week.
- 68 instances where students did not receive the required minimum days per week of instruction. Nineteen of these occurred during weeks where the district was closed on two or more days during the week.
- Three instances where the hours were not correctly calculated or totaled on the timesheets.
- Two instances where time sheets were not signed by the Director of Special Services (director).
- Two instances did not have the required hours of service recorded. Failure to record the hours of instruction made verifying that students received the required weekly number of hours of instruction impossible.

The auditors also noted 105 instances where the director approval was done with a signature stamp and not an actual signature. The auditors questioned this method of approval and were informed the signature stamp is in the possession of the director.

Recommendation:

Home instruction staff should be required to fully complete the “Confirmation of Bedside Instruction” as required by N.J.A.C. 6A:14-4.8(3). All visiting hours of service should be documented and the signatures of an authorized chaperone/guardian should be obtained in all cases. All time sheets should be reviewed for completeness and approved via an actual signature by the director.

4. The District does not use the required Individualized Program Plan (IPP).

An Individualized Program Plan (IPP), as defined by N.J.A.C. 6A:16, is a written plan developed for a general education student who has been assigned by the district board of education to home instruction, an alternative education program or who is being provided other educational services either in or out of school that are comparable to those provided in

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the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25. The IPP sets forth the student's present level of performance, measurable goals and short-term objectives or benchmarks that encompass behavioral and social competency, as well as curriculum and individually designed instruction activities to achieve the goals and objectives. Currently, the district has no such plan. Based upon a review of available documentation, 23 out of the 50 students sampled should have had an IPP.

Recommendation:

The auditors recommend that the district develop and implement the use of the IPP as required by code.

5. District maintained records of students receiving home instruction were incomplete.

Auditors reviewed all available documentation for each of the 50 students in the audit sample who received home instruction. The documents included IEP's, time records, report cards, and the following forms that are required by the district: the home instruction request, the "transfer from school register to bedside roster", and "return to school register from bedside roster". The auditors noted the following deficiencies:

- The district does not use the required form "return to school register from bedside roster".
- 41 instances where the home instruction start date on the transfer form did not match the attendance register per the school.
- 17 instances where the home instruction start date differed between the "transfer from school register to bedside roster" form and the home instruction database provided to auditors.
- 13 instances where report cards did not contain the required parental signature(s).
- In five instances, the required form "transfer from school register to bedside roster" was not on file.
- As required by 6A:16-10.1(a)(2), the district does not have a documented method of informing the parents that home instruction has been authorized.

Recommendation:

The OHI should maintain accurate and complete files for every student receiving home instruction and should use all required documentation including the "return to school from bedside roster". The district should develop policies and procedures to ensure the start and end dates for home instruction agree on all district records. In order to be in compliance with New Jersey Administrative Code the district should ensure that home instruction starts within the required five school days.

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6. **The OHI does not have a current policies and procedures manual.**

The OHI currently operates without policies and procedures. Sound business practice would dictate that each department in an organization have a current policy and procedure manual.

Recommendation:

The auditors recommend the OHI develop a departmental organization chart and detailed policies and procedures manual which clearly state in writing what work needs to be done and who is responsible for its completion. Policies should be designed to promote the conduct of required activities in an effective, efficient, and economical manner. The auditors have been informed by the director that a new policies and procedures manual will be developed over the next few months.

OBSERVATION

The auditors observed that on ten occasions, teachers provided home instruction; however, their attendance was recorded as sick in the district database. Based upon interviews with departmental staff, that is not allowed. In addition, the "Application for Home/Hospital Instructor" form reads "Home instruction cannot be provided by an employed teacher during regular school hours, i.e. lunch time, prep periods, holidays, weekends or sick/pension days".


Recommendation:

The auditors recommend the district implements procedures to ensure that no teacher is allowed to provide home instruction on a day when their attendance is recorded as a sick day.

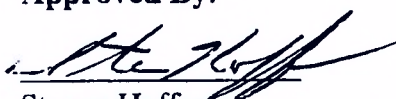
Auditors:

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Submitted By:


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Supervising Auditor

Approved By:


Steven Hoffmann
Coordinating Auditor

**NEW JERSEY DEPARTMENT OF EDUCATION
OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE
SPECIAL EDUCATION SERVICES HOME INSTRUCTION REVIEW RESPONSE
CORRECTIVE ACTION PLAN**

		CAP#	
	of their intent to provide special education student with home instruction as required by N.J.A.C.6A:14-4.8(a)1.	instruction and renewal notifications as necessary.	Special Education staff -Supervisors and Senior Specialist.
3	Documentation supporting student home instruction was often incomplete and not in compliance with the requirements of N.J.A.C.6A:14-4.8(3)	Home Instruction staff is required to fully complete the "Confirmation of Bedside Instruction as required by code. All visiting hours of service should be documented and signatures of guardian obtained. Review of timesheets for completeness and approved by department administrator.	Develop uniform procedural guidelines to be implemented, distributed and in-serviced to all Special Education staff -Supervisors and Senior Specialist. Monthly reports must be submitted to administrators for oversight.
			Executive Director; Gloria Bodker
			October 31, 2012

SUPPORTING DOCUMENTATION MUST BE SUBMITTED ALONG WITH THE CORRECTIVE ACTION PLAN



Chief School Administrator

9/24/12

Date



Board Secretary/Business Administrator

9/21/12

Date

**NEW JERSEY DEPARTMENT OF EDUCATION
OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE
SPECIAL EDUCATION SERVICES REVIEW RESPONSE
CORRECTIVE ACTION PLAN**

CAP# _____

NAME OF SCHOOL DISTRICT PATERSON

COUNTY: PASSAIC

TYPE OF EXAMINATION: Special Education Services Home Instruction Program Review

Office of Fiscal Accountability and Compliance (OFAC)

Report of Examination (Date) JULY 2012 OFAC Case # _____

DATE OF BOARD MEETING: September 5, 2012 (Workshop meeting) September 19, 2012 (Regular Board Meeting)

PROVIDER CONTACT INFORMATION: Executive Director of Special Services: Gloria Bodker
Assistant Superintendent of Early Childhood/Special Programs: Susana Peron

FINDING/ RECOMMENDATION NUMBER	FINDING	CORRECTIVE ACTION	METHOD OF IMPLEMENTATION	INDIVIDUAL RESPONSIBLE FOR IMPLEMENTATION	COMPLETION DATE OF IMPLEMENTATION
4	The District does not use the required Individualized Program Plan (IPP)	The District must develop and implement the use of the IPP as required by code.	The department of Special Education Services will Develop an IPP for students in need of home instruction.	Gloria Bodker, Executive Director	October 1, 2012
5	The District maintained records of students receiving home instruction were incomplete.	The department should maintain accurate and complete files for students receiving home instruction and require documentation including the "return to	The department of Special Services will develop policies and procedures to ensure compliance with	Gloria Bodker, Executive Director	October 31, 2012



Chief School Administrator

9/24/12
Date




Board Secretary/Business Administrator

9/24/12
Date


**NEW JERSEY DEPARTMENT OF EDUCATION
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SPECIAL EDUCATION SERVICES REVIEW RESPONSE
CORRECTIVE ACTION PLAN**

			CAP#
6	The Office of Home Instruction (OHI) does not have a current policies and procedural manual.	school from bedside roster". The OHI develop a departmental organization chart and a policies and procedural manual.	February 2012
	N.J. Administrative code. The department of Special Services will develop policies and procedures to ensure compliance with N.J. Administrative code.	Susana Peron, Assistant Superintendent	

SUPPORTING DOCUMENTATION MUST BE SUBMITTED ALONG WITH THE CORRECTIVE ACTION PLAN



 Chief School Administrator



 Board Secretary/Business Administrator

9/24/12 Date

9/30/12 Date