



State of New Jersey  
 DEPARTMENT OF EDUCATION  
 PO BOX 500  
 TRENTON, NJ 08625-0500

CHRIS CHRISTIE  
 Governor

KIM GUADAGNO  
 Lt. Governor

2014 FEB 19 09 08 04  
 BUSINESS CERTIFICATION  
 CHRISTOPHER D. CERF  
 Commissioner

February 7, 2014

Mr. Francis Perkins, Board President  
 Union Township Board of Education  
 2369 Morris Avenue  
 Union, NJ 07083

Dear Mr. Perkins:

The Office of Fiscal Accountability and Compliance (OFAC) has completed a review of allegations concerning approval of Free and Reduced Lunch Applications for certain students enrolled in your school district, OFAC Case #SAAU-13-14. The review was conducted in response to a letter received December 26, 2013 by the OFAC alleging improprieties regarding the eligibility for Free and Reduced price lunch. The OFAC report concludes that there is no basis for the allegations, based on a review of documentation on file in your district administrative offices. The information asserted in the letter was not corroborated by supporting documentation to indicate an impropriety occurred. No corrective action is required by your district administration.

Utilizing the process outlined in the attached "Procedures for LEA/Agency Response, Corrective Action Plan and Appeal Process," your 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. A copy of the resolution developed by your district must be sent to this office within 10 days of adoption by the board to the attention of Robert Ortley, Manager of the State Aid Audit Unit. 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 board of education website.

Thank you for your cooperation.

Sincerely,

Robert J. Cicchino  
 Office of Fiscal Accountability and Compliance

RJC/rwo/jj/uniontwplowincome  
 Attachment

|    |                  |                      |
|----|------------------|----------------------|
| c: | David Corso      | Kathleen C. Serafino |
|    | Justin Barra     | Patrick Martin       |
|    | Yut'se O. Thomas | Manuel Vieira        |
|    | Robert W. Ortley | Stephen Eells        |

[www.nj.gov/education](http://www.nj.gov/education)

STATE OF NEW JERSEY  
DEPARTMENT OF EDUCATION  
OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE  
STATE AID AUDIT UNIT

UNION TOWNSHIP BOARD OF EDUCATION  
ALLEGATION OF IMPROPER ACTIVITY  
APPROVAL STUDENT LOW INCOME APPLICATION

REPORT OF INVESTIGATION  
FEBRUARY 2014

**UNION TOWNSHIP BOARD OF EDUCATION**

**ALLEGATION OF IMPROPER ACTIVITY**

**APPROVAL STUDENT LOW INCOME APPLICATION**

**EXECUTIVE SUMMARY**

An anonymous letter was received on December 26, 2013 addressed to Robert J. Cicchino, Director of the Office of Fiscal Accountability and Compliance (OFAC). The letter alleged that a child of two municipal employees of Union Township in Union County had received free school lunches resulting from the improper approval of National School Lunch Program Low Income applications from the Union Township Board of Education (Board). The letter indicated that the parents of the child had applied for and received free lunches for several years while in the employ of the municipality. Each parent named in the complaint was alleged to have income significantly in excess of the allowable limits for free and reduced price school lunches.

The OFAC reviewed documentation and conducted interviews with administrators from the board. The OFAC verified that no Applications for Free and Reduced School Lunches were on file for the specific child named in the complaint, during any of the three years reviewed.

The OFAC concluded, therefore, that the allegations are erroneous with regard to the facts and are groundless with regard to their conclusion. No corrective actions are needed by the board.

**INVESTIGATIVE SUMMARY**

**Preliminary Investigation**

- An anonymous letter received by the OFAC on December 26, 2013 alleged that two municipal employees, each with salaries in excess of the Income Eligibility Guidelines established by the U.S. Department of Agriculture, had applied for and received free lunches for their daughter. (Please refer to a separate section in this report which discusses the erroneous statements made in the complaint letter in further detail.)
- The State Aid Audit Unit (SAAU) of the OFAC initiated a conversation with the board's school business administrator, Mr. Manuel E. Vieira. He referred the OFAC SAAU to the board's Food Service Coordinator, Ms. Margaret Berry. She produced copies of Official New Jersey School Registers for the Battle Hill and Livingston Elementary schools as well as the Master Eligibility Lists (MEL) for school years 2011-2012 and 2012-2013, and the Benefit Information Disclosure (BID) for the 2013-2014 school year.
- A follow-up meeting was arranged to review the documentation.

**UNION TOWNSHIP BOARD OF EDUCATION**

**ALLEGATION OF IMPROPER ACTIVITY**

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**Primary OFAC Investigation**

The OFAC investigation occurred on January 13, 2014 and established the following facts:

- No Low Income Application was on file as received by the board during any of the three years under review from the subjects of the complaint. The MEL and the BID did not reflect that the student named in the complaint was eligible for a free or reduced lunch.
- The student's meal activity register for the 2013-2014 school year reflects a parent paid account, not a free or reduced meal account.
- The student does not reside at the address disclosed in the letter and does not attend the school indicated in the letter. No other students with the same first or last name appear on either the register of the cited school, nor the actual school.

**Erroneous Contents of Complaint Letter**

- The complaint letter cited names and addresses of each parent accused of submitting fraudulent applications for free lunch "for the past 3 or 4 years". The OFAC found that documentation on file at the school district indicated that no free lunch applications were on file for this child. The OFAC determined that the addresses cited in the letter were incorrect based on resident information on file in the board administrative offices.
- The complaint letter also included the specific name of the child and the assertion that the child has received free lunches "for the past 3 or 4 years while attending the Battle Hill Elementary School". The OFAC reviewed official enrollment and attendance records for the past three years and determined that no such child was enrolled in this school. The specific child was actually enrolled in the Livingston Elementary School. All lunch service records reviewed by the OFAC indicate that this student was classified as a "paid" student. Documentation reviewed verified that a parent of the child paid for each meal at the full paid rate for each meal.
- It is important to note that the anonymous letter was not accompanied by any documentation to support the allegations contained in the letter.

UNION TOWNSHIP BOARD OF EDUCATION

ALLEGATION OF IMPROPER ACTIVITY

APPROVAL STUDENT LOW INCOME APPLICATION

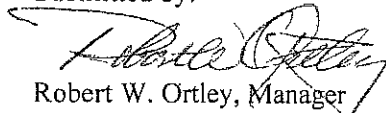
Conclusion:

The allegations made in the anonymous letter to the Director of the OFAC are completely groundless and without merit. The information provided in the letter was incorrect and was refuted item by item upon review of the district documentation. No National School Lunch Applications have been received and are not on file for the student named in the complaint during the last three school years.

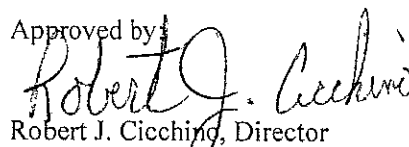
RECOMMENDATIONS

The Office of Fiscal Accountability and Compliance makes no recommendations regarding this investigation.

Submitted by:

  
Robert W. Ortley, Manager  
State Aid Audit Unit

Approved by:

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

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

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

**Resolution:**

Pursuant to N.J.A.C. 6A:23A-5.6, within 30 days of receipt of the report, the board of education must discuss the findings of the report at a public meeting of the board. Within 30 days of the public meeting, the board must adopt a resolution certifying that the findings were discussed in a public board meeting and approving a corrective action plan to address issues raised in the undisputed findings and/or appeal of any findings in dispute. Within 10 days of adoption of the resolution by the board, such resolution together with the approved corrective action plan and/or appeal must be submitted to the Office of Fiscal Accountability and Compliance. The findings of the Office of Fiscal Accountability and Compliance's report and the board of education's corrective action plan must be posted on the district's website.

**Corrective Action Plan:**

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

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

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

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

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

**Appeal Process:**

The appeal process is used to contest findings.

Within 10 days of the board's adoption of the resolution approving an appeal of the findings of the report, a written request by the LEA/Agency to review the "aggrieved" findings, recommendations or questioned costs must be submitted to the director, Office of Fiscal Accountability and Compliance. The notice of appeal must indicate the findings to be appealed.

The appeal itself may be written or a hearing may be scheduled so that the LEA/Agency can present its case. In either instance, documentation must be presented supporting the appeal. The director, Office of Fiscal Accountability and Compliance will issue a written decision.

If the decision is unsatisfactory to the LEA/Agency, the LEA/Agency may, within 10 calendar days, file a notice of appeal to the Chief of Staff.

If the final determination made by the Chief of Staff, is still unsatisfactory to the LEA/Agency, the LEA/Agency may access the formal appeal process described in N.J.A.C. 6A:3-1.3.