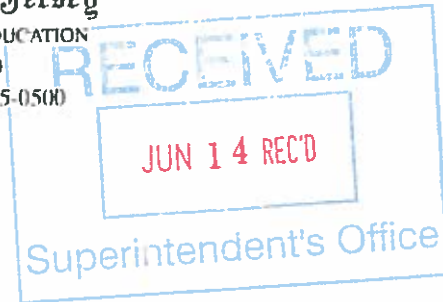




State of New Jersey

DEPARTMENT OF EDUCATION
PO Box 500
TRENTON, NJ 08625-0500



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

May 31, 2016

Mr. Christopher Cerf
State District Superintendent
Newark Public Schools
2 Cedar Street
Newark, New Jersey 07102

DAVID C. HESPE
Commissioner

Dear Mr. Cerf,

In November 2014, the Newark Internal Audit Unit issued an audit report on District Fire and Security Drills. The Newark Public Schools subsequently submitted a Corrective Action Plan (CAP) outlining the steps to be taken to rectify the deficiencies noted in the report. As part of our oversight, the Newark Internal Audit Unit monitors the district's progress in implementing these corrective actions.

The Newark Internal Audit Unit has conducted a follow-up review of the district's CAP. The purpose of the follow-up review was to determine if the district has successfully implemented the agreed upon corrective actions in accordance with the time line established by the CAP.

Based on the results of our follow-up review, we noted that several of the corrective actions had not been fully implemented. The attached report details the results of our follow-up review. The district should continue to implement the corrective actions as outlined in the CAP to remedy the remaining deficiencies.

Should you have any questions, please feel free to contact me.

Sincerely,

Steven Hoffmann
Director, State Operated Audit Unit
NJ Department of Education
(973) 621-2750

c: Robert Bumpus
Robert Cicchino
Christopher Snyder
Clarence Joffrion

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

NEWARK INTERNAL AUDIT UNIT

FOLLOW-UP REPORT

FIRE AND SECURITY DRILLS

MAY 2016

Confidential: This report is solely for management purposes and is not intended for any other use.

**NEW JERSEY DEPARTMENT OF EDUCATION
NEWARK INTERNAL AUDIT UNIT
FIRE AND SECURITY DRILL FOLLOW-UP
MAY 2016**

Distribution List of Final Audit Report

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Newark Internal Audit Unit

**NEW JERSEY DEPARTMENT OF EDUCATION
NEWARK INTERNAL AUDIT UNIT
FIRE AND SECURITY DRILL FOLLOW-UP
MAY 2016**

EXECUTIVE SUMMARY

In November 2014, the Newark Internal Audit Unit issued an investigative report of an anonymous complaint concerning Newark School District Fire and Security Drills (Attachment 1). In response to the report, the District issued a corrective action plan (CAP) (Attachment 2) in February 2015 outlining the steps to be taken to remedy the deficiencies noted in the audit. The Newark Internal Audit Unit performed a follow-up review to determine if the agreed upon corrective actions outlined in the CAP have been successfully implemented. In addition, auditors evaluated the fire safety procedures for the central office to determine if the District is in compliance with state and federal laws.

The auditors applied several audit techniques including, but not limited to, inspection of documentation, observation, and inquiries in the course of this follow-up review. Documentation provided by the Office of Facilities and the Office of Security relative to all of the District's schools were reviewed. The auditors visited three randomly selected schools in addition to the original audit's focus, McKinley Elementary School. The schools toured were Arts High School, East Side High School and Hawthorne Elementary School. The auditors examined documents such as training materials that are maintained on-site at the visited schools. The follow-up review included interviews of the Executive Managing Director of Operations/Facilities, the Executive Director of Security, school administrators, and property management.

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

- Section 1a of the corrective action plan states the District will provide training to staff on school safety and security. The District has developed training materials at the central office level, but has not been effective in ensuring that proper training is given to the necessary school level staff.
- Section 2a of the corrective action plan states the District will submit the "Security Drill Statement of Assurance" to the Essex County Superintendent. The District did not submit a Security Drill Statement of Assurance for the 2014-2015 school year.
- Section 3a of the corrective action plan states that schools should submit their security drill record forms by the 25th of every month to their respective networks. The District's schools have failed to submit 218 of the 768 total security drill record forms that should have been submitted from January 2015 through February 2016, as required.
- Section 4b of the corrective action plan states all schools will conduct a security drill within 15 days of the opening of school. The auditors found that 22 of 64 schools failed to conduct security drills within the 15 day timeframe for the 2015-2016 school year.
- Section 5a of the corrective action plan states all schools would hold a minimum of two of the following security drills: active shooter, evacuation (non-fire), bomb threat, and lockdown. The District failed to fulfill the state requirements of security drill performance types as 330 of 549 drills performed were lockdown drills. The District's schools are either not performing the correct type of drills or are not recording the completed drills properly.

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- Section 6 of the corrective action states that the Fire Drill Record Form shall be forwarded to the respective Network administrative office by the 25th of every month. The district records show that schools were not consistently submitting the forms on a monthly basis.
- Section 7a of the corrective action plan states that all schools will conduct fire drills within the first 10 days of school opening. The District's schools' fire drill record forms show that only 38 of 64 schools conducted fire drills within 10 days of school opening for the 2015-2016 school year. Furthermore, three schools failed to submit a fire drill record form for September 2015.
- All visited schools did not display appropriate signage consistently in all classrooms relating to fire evacuation as per International Fire Code Section 404.3.2 subsection 4.
- The District failed to hold central office fire drills at unexpected times and to simulate the unusual conditions that may occur in a fire, as required by the International Fire Code, New Jersey Edition Section 405.4.

The remainder of this report details the results of the follow-up review. The recommendation for each finding in the original report is stated along with the district's corrective action and the result of the follow-up review.

DETAILED FINDINGS

Finding 1

Recommendation

Fire and security drills should be conducted in accordance with current regulations. The schools should maintain documentation of all fire drills, security drills and any related training. Records may include e-mail notifications, security logs, alarm records, sign in logs, course materials etc. Emergency responders should be notified of drills within the 48 hour time period. Emergency responders are not required to observe security drills; however, it is encouraged that schools invite emergency responders to attend and observe at least four different security drills annually.

Corrective Action Plan

Provide training to staff on school safety and security that includes instruction on school security drills. This includes agendas, materials, and sign in sheets. Schedule fire/security for the school year in accordance with the law. This includes the scheduling of drills, the recording of events of said drills on the District's drill forms, and the recording of all of the events of both drills in the custodian's log book. In accordance with the law, train staff, schedule drills, document the occurrence and required reporting of said drills, submit documentation of the events of drills to the district as required, and secure documentation of drills from the school.

In accordance with N.J.S.A. 18A:41:1 during the academic year, all schools are required to hold at least one fire drill and one school security drill each month within the school hours. This shall include any summer months during which the school is open for instruction. On the 25th of

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every month documentation substantiating that one security and fire drill has been conducted in the school shall be submitted to the respective Network administrative offices.

All drills and related trainings shall be properly documented and maintained via electronic and hard copy files. The custodian's log book shall reflect all drills conducted at the school as well. All documentation related to drills and related trainings shall be secured in the respective school's administrative offices. The school head custodian shall record all drills in the official facilities log book. All records shall be readily available for a regulatory official's inspections.

Emergency Responders shall receive a friendly 48 hour notification prior to conducting any fire and/or security drill. An e-mail shall be sent to emergency responders 48 hours prior to conducting any drill. Although not statutorily mandated, it is encouraged that schools invite emergency responders to attend and observe at least four different security drills annually.

Follow-Up Review Results

The auditors' review revealed that the District has adequate training materials at the central office level, but has not been effective in ensuring that proper training is given to the necessary school level staff. The auditors reviewed training materials provided by the District, training materials provided by each visited school, meeting agendas, and attendance sheets. The District held fire safety and security training on August 7, 2015, but there were only 15 of 64 schools that had at least one representative present (Attachment 3 and 4). Given the lack of attendance, the PowerPoint presentation used for the August 7, 2015 training was made available on Principal Points (document repository Newark Public Schools share information with principals). The principals at East Side High School and Arts High School both stated that they were unaware of the District's training as well as the presentation availability. These principals created their own training materials which differed from the District's materials. Additionally, trainings performed at the school level are either not recorded or designated on meeting agendas or attendance sheets as fire and security training at most schools (except McKinley). Therefore, the validation of the 60 day state mandated training for new employees cannot be verified.

Finding 2

Recommendation

The district must comply with regulations and submit the "Security Drill Statement of Assurance" to the county office by June 30 of each year. In addition, all district schools must complete the "Security Drill Record Form" in the prescribed format. District administration must ensure that the form is prepared by all schools and copies are retained.

Corrective Action Plan

The district will submit the "Security Drill Statement of Assurance" to the Essex County Superintendent by June 30th of every school year. Respective Network administration offices submit necessary documents.

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Follow-Up Review Results

The initial audit determined the District failed to submit a Security Drill Statement of Assurance for the 2013-2014 school year. Upon review, the District did not submit a Security Drill Statement of Assurance for the 2014-2015 school year, as well. On November 30, 2015, subsequent to inquiry during this follow-up review, the district submitted an unsigned Security Drill Statement of Assurance to the Essex County Superintendent stating they had not met the requirements that would allow for a signature (Attachment 5).

Finding 3

Recommendation

The district must ensure that all schools submit the required Security Drill Record Form. Forms should be inventoried and retained at a central office location. Any missing forms should be located.

Corrective Action Plan

The Security Drill Record Form shall be forwarded to the Office of Security Services by the 25th of every month. Respective Network administration offices submit necessary documents.

Follow-Up Review Results

The agreed upon corrective action has not been successfully implemented by the District. Upon performing the follow-up review, auditors found that the District's schools failed to submit security drill record forms from January 2015 through February 2016, as required.

The auditors verified there were only 18 schools which submitted security drill record forms every month from January 2015 through June 2015, and 45 schools from September 2015 through February 2016 (Attachment 6). As per request, the Office of Security Services provided several email notifications to the network administration offices specifying which schools did not submit their security drill record forms. Upon further review, auditors found that some schools are unaware of the monthly submission requirement of the security drill form. Specifically, Arts High School's administration stated that they were not previously aware of the proper requirements of security drills, as well as the record forms, during the months of January 2015 through June 2015.

Finding 4

Recommendation

The district must ensure that all schools hold the required security drill within 15 days of the beginning of the school year. Drills should be appropriately documented.

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Corrective Action Plan

As of September 2011, schools are required to conduct a school security drill within the first 15 days of school opening. Every school shall e-mail confirmation to their respective Network administrative offices confirming a security drill was conducted within the first 15 days of school opening.

Follow-Up Review Results

Per the initial report's audit finding, eight of the District's schools complied with the 15 day requirement for the 2013-2014 school year. The auditors examined security drill record forms for September 2015 to determine if the corrective action plan was effective in remediating the audit finding. The auditors found that 42 of 64 schools conducted security drills within the 15 day timeframe for September 2015, according to the submitted record forms held in the central office (Attachment 7). The District's opening day for students was September 3, 2015, and the 15th school day was determined to be September 25, 2015. All days in which students did not attend school (e.g. holidays) were factored in the determination of the 15th school day. The number of schools that complied with the 15 day requirement has increased subsequent to the initial audit, but the District, as a whole, did not satisfy state and federal regulations.

Finding 5

Recommendation

The district must ensure that all schools are conducting at least two active shooter drills, evacuations (non-fire), bomb threat drills, and lockdown drills as stipulated by C.App.A:9-86. Security Drill Record Forms should be prepared in the format prescribed by the State with all required information. The school principal should sign the form and the form should be reviewed and counter signed by the appropriate Assistant Superintendent.

Corrective Action Plan

During the academic year all schools are required to hold a minimum of two of each of the following security drills; Active Shooter; Evacuation (non-fire); Bomb Threat; and Lockdown. A schedule of planned evacuation and security drills for the school year shall be forwarded to the respective Network administrative offices. Said schedule shall delineate the type of planned security drill (i.e. active shooter, evacuation (non-fire), bomb threat, lock down, shelter in place, etc.).

Follow-Up Review Results

The District did not fulfill the state requirement of security drill performance. The auditors inspected security drill record forms from January 2015 through mid-February 2016 provided by the Office of Security Services. The review revealed that 330 of the 549 security drills performed by all schools were lockdown drills (Attachment 8). The District's schools are either not performing the correct type of drills or are not recording the completed drills properly.

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Finding 6

Recommendation

The district must ensure that all schools conduct all fire drills, as required by code. In addition, schools must maintain records and supporting documentation of drills conducted. The monthly Fire Drill Record Form should be prepared and submitted to the central office in a timely manner. Principals should sign off on the report and the form should be reviewed and counter signed by the appropriate Assistant Superintendent. Forms should be inventoried and retained at a central office location. Any missing forms should be located.

Correction Action Plan

The Fire Drill Record Form shall be forwarded to the respective Network administrative offices by the 25th of every month. Upon receipt of the fire drill records from the respective schools, the Network administrative offices shall substantiate that a minimum of one security and fire drill was conducted for the month. Said document should be signed by both the School Principal and the appropriate Assistant Superintendent or designee. All records pertaining to security or fire drills and/or trainings should be inventoried and centrally filed.

Follow-Up Review Results

The district has not consistently implemented the corrective action. The auditors reviewed fire drill record forms from January 2015 through February 2016 provided by the Office of Facilities. The review revealed that 16 of 64 schools had fire drill record forms for every month from January 2015 through June 2015 (Attachment 9). In contrast, there were 37 of 64 schools that submitted a fire drill record form every month from September 2015 to February 2016. Also, the auditors noted that there were three fire drill record forms which had dates for drills that were either on a weekend or a school holiday.

Finding 7

Recommendation

The district must ensure that all schools hold the required fire drill within 10 days of the beginning of the school year. Drills should be appropriately documented.

Correction Action Plan

In accordance with Chapter 4 of the NJ Fire Code: 408.3.1, the first evacuation (fire) drill shall be conducted within the first 10 days of school opening. Every school shall e-mail confirmation to their respective Network administrative offices confirming an evacuation (fire) drill was conducted within the first 10 days of school opening.

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Follow-Up Review Findings

The auditors reviewed the September 2015 fire drill record forms provided by the Office of Facilities. The review revealed that there were 61 out of 64 schools that conducted fire drills for the month of September 2015 (Attachment 10). However, fire drill record forms show that only 38 of 64 schools conducted fire drills within 10 days of school opening for the 2015-2016 school year.

District School Visits

Purpose

The auditors, with the assistance of the school's administration, visited McKinley Elementary School, Arts High School, East Side High School, and Hawthorne Avenue School to ascertain the District's compliance with physical requirements for schools included in N.J.S.A. 18A:41-1 through 41-7. The state law requires that schools adhere to specific requirements such as keeping fire exit doors cleared, fire doors closed and posting the fire drill requirements.

Results

The auditors visited the selected schools during school hours and discovered that every classroom door that was checked was unlocked and accessible to responders in the event of an emergency. Both the fire doors and fire exit doors at each school were all closed. The fire exit doors were unimpeded and could be easily opened in the case of an emergency. Each school had a camera system, some with a control center that was actively monitored by security personnel, who could assist in a timely identification of a fire or security issue.

The visited schools had the same area in need of improvement, which is appropriate signage in the classroom relating to fire evacuation. The classrooms should have the fire drill state law requirements and an exit route map posted close to the doorway of each classroom. The auditors found that classrooms at McKinley Elementary School and Arts High School had only a few missing signs, East Side High School had many missing signs, and the Hawthorne Avenue School had only a few signs in place. The auditors found three of the four schools, not including Hawthorne Avenue School, starting to implement a red folder program. The red folder contains pertinent items per classroom that would be useful in case of an emergency such as a roster list of students and a summarized version of emergency procedures.

Central Office Fire Drills

Purpose

The auditors performed a review of the fire drill procedures and performance for the central office location in order to evaluate the District's compliance with the standards of fire safety as regulated under the International Fire Code, New Jersey Edition.

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Results

The District did not fulfill its obligation for fire and safety drills within the central office location. The auditors requested documentation for fire drills performed at the central office location during the 2014-2015 school year, but no information was provided. Since the office space is leased from Hartz Mountain (Landlord), the auditors contacted the landlord to inquire about fire drill requirements of the building. The auditors were informed by a representative of the landlord that they attempted to conduct fire drills, but they were informed by the former District Superintendent that the district would not participate in any drills and that they were not to ring the fire alarms on any of the district's floors.

Fire drill regulation for the safety of all employees in the central office falls under the International Fire Code, New Jersey Edition. The auditors found that the District violated Section 405.2 of the International Fire Code which requires group "B" locations (500 or more persons or more than 100 persons above or below lowest level of exit discharge) to have annual fire drill for all employees. Furthermore, the District violated Section 405.5, which requires record keeping of fire drills,

Subsequent to the auditors' e-mail notification of the fire and safety follow-up, the District performed a fire drill on Wednesday, October 21, 2015. The auditors observed an unusual amount of employees exiting by way of the office's elevators, 10-15 minutes prior to the sounding of the fire alarm. Per Section 405.4 of the International Fire Code, the District is not in compliance with its obligation to hold drills at unexpected times and to simulate the unusual conditions that occur during a fire.

Auditors

**Dwayne Ortiz
Patricia Sewak**

Submitted by:


**Clarence Joffrion
Supervising Auditor**

Approved by:


**Steven C. Hoffmann
Coordinating Auditor**

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

NEWARK INTERNAL AUDIT UNIT
INVESTIGATIVE REPORT
ANONYMOUS COMPLAINT REGARDING FIRE AND SECURITY DRILLS
MCKINLEY AVENUE SCHOOL
NOVEMBER 2014

Confidential: This report is solely for management purposes and is not intended for any other use.

ATTACHMENT 1

NEW JERSEY DEPARTMENT OF EDUCATION
NEWARK INTERNAL AUDIT UNIT
MCKINLEY AVENUE SCHOOL
NOVEMBER 2014

ALLEGATION

The Newark Internal Audit Unit received an anonymous complaint regarding the Newark Public School's (NPS) McKinley Avenue School (McKinley) (Attachment 1). The complaint alleges that the school's principal, Carolyn Ciccone Granato, failed to conduct the required fire and security drills during the 2013 – 2014 school year. In addition it is alleged that the Principal falsified records to make it appear as though the drills had been conducted.

BACKGROUND

N.J.A.C. 18A:41-1 requires that "Every principal of a school of two or more rooms, or of a school of one room, when located above the first story of a building, shall have at least one fire drill and one school security drill each month within the school hours, including any summer months during which the school is open for instructional programs..."

In the NPS, the Office of Security Services maintains the records of school security drills and the Director of Operations maintains the records of fire drills.

SCOPE

Auditors reviewed current regulations and district policies on fire and security drills in public schools. Copies of annual reports for both fire and security drills were requested for all NPS schools. In addition, interviews were conducted with district staff including Eric Ingold, Executive Director Department of Security Services; Keith S. Barton, Executive Managing Director of Operations; Rodger Leon, Assistant Superintendent; Carolyn Granato, Principal McKinley School; Linda Richardson, Principal Ann Street School.

FINDINGS

McKinley School

Finding 1 On October 14, 2014, auditors interviewed McKinley School Principal, Carolyn Granato regarding the above allegations. Ms. Granato provided auditors with copies of both the Fire and Security Drill Record Forms for McKinley for the 2013-2014 school year (Attachments 2&3). Ms. Granato stated that she had prepared each of the reports and that the required drills had been completed as documented on the Drill Record Forms. New Jersey regulations require that schools provide emergency responders with "a friendly notification at least 48 hours prior to holding a security drill". Ms. Granato indicated that she had advised the head custodian of fire

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drills and he would handle the alarms and notifications of the local fire department; however, records were not available to validate if or when the notifications were done. Auditors requested supporting documentation that the drills had been held, such as e-mail notification to staff, security logs, alarm re-set or deactivation records. Nothing was provided.

N.J.A.C. 18A:41-7, requires that "A local board of education and chief school administrator of a nonpublic school shall ensure that all full-time teaching staff members in the district or nonpublic school are provided with training on school safety and security that includes instruction on school security drills". Ms. Granato indicated that she had held the required training for all staff members at the beginning of the 2013 -2014 school year. Auditors requested documentation to support that the training was held such as an announcement of the training to staff, course materials or a sign-in sheet from the training. Nothing was provided.

In addition a review of the fire and security drill forms submitted revealed that the Fire Drill Record Form was incomplete. It indicated that drills were done in October, November and December 2013, but no dates or times were indicated. Also, a comparison of the Fire Drill Record Form and the Security Drill Record Form shows the school had allegedly held both a fire drill and security active shooter drill on May 2, 2014 at 2:00P.M.

Recommendation: Fire and security drills should be conducted in accordance with current regulations. The school should maintain documentation of all fire drills, security drills and any related training. Records may include e-mail notifications, security logs, alarm records, sign-in logs, course materials etc. Emergency responders should be notified of drills within the 48 hour time period. Emergency responders are not required to observe security drills; however, it is encouraged that schools invite emergency responders to attend and observe at least four different security drills annually.

SECURITY DRILLS

Finding 2 Districts are required to annually submit the "Security Drill Statement of Assurance" provided by the Department of Education to their county office of education by June 30 of each year. The county office shall forward an information copy to the respective county prosecutor's office. As of October 31, 2014 the NPS had not submitted the required "Security Drill Statement of Assurance" for the 2013-2014 school year to the county office.

Recommendation: The district must comply with regulations and submit the "Security Drill Statement of Assurance" to the county office by June 30 of each year. In addition, all district schools must complete the "Security Drill Record Form" in the prescribed format. District administration must ensure that the form is prepared by all schools and copies are retained.

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Finding 3 Pursuant to C.App.A:9-86, "The Security Drill Record Form provided by the Department of Education shall be completed by all schools and retained at the district level." The form which is a self-reporting document submitted by each school principal, details the dates, type, duration, weather conditions etc. for each security drill. Copies of the Security Drill Forms are maintained at the district level by the Department of Security Services. Auditors requested copies of the "Security Drill Record Form" for all district schools for the 2013-2014 school year. Copies were only provided for 22 of 66 schools (Attachment 4).

Recommendation: The district must ensure that all schools submit the required Security Drill Record Form. Forms should be inventoried and retained at a central office location. Any missing forms should be located.

Finding 4 State regulations require that all schools conduct a school security drill within the first 15 days of the beginning of the school year. Of the 22 schools that submitted Security Drill records forms for the 2013-2014 year, 8 self-reported that they had complied with the 15 day requirement.

Recommendation: The district must ensure that all schools hold the required security drill within 15 days of the beginning of the school year. Drills should be appropriately documented.

Finding 5 Pursuant to N.J.S.A.18A:41-1 and C.App.A:9-86, each school must have at least one school security drill each month. In addition, schools are required to hold a minimum of two of each of the following security drills annually: active shooter, evacuation (non-fire), bomb threat, and lockdown. A review of the 22 Security Drill Record Forms submitted for the 2013-2014 school year revealed that none of the 22 schools self reported that they were in compliance with this regulation. In addition, only one of the 22 forms submitted was in the State prescribed format and forms often lacked the required data. The Security Services Department indicated that they simply accumulated the reports. There was no evidence that the forms submitted by principals were ever reviewed.

Recommendation: The district must ensure that all schools are conducting the appropriate number and type of lockdown drills as stipulated by code. Security Drill Record Forms should be prepared in the format prescribed by the State with all required information. The school principal should sign the form and the form should be reviewed and counter signed by the appropriate Assistant Superintendent.

FIRE DRILLS

Finding 6 N.J.S.A. 18A:41-1 requires that each school shall have at least one fire drill each month during which school is open for instructional programs. In addition, Fire Code Section 405.5 requires that records be maintained of required emergency evacuation drills. Auditors

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requested the district provide copies of the 2013-2014 Fire Drill Record Forms for each district school. Forms were due by June 30, 2014. As of October 31, 2014, the district had provided auditors with forms for 10 of 66 schools (Attachment 5).

Recommendation: The district must ensure that all schools conduct all fire drills as required by code. In addition, schools must maintain records and supporting documentation of drills conducted. The annual Fire Drill Record Form should be prepared and submitted to the central office in a timely manner. Principals should sign off on the report and the form should be reviewed and counter signed by the appropriate Assistant Superintendent. Forms should be inventoried and retained at a central office location. Any missing forms should be located.

Finding 7 State regulations require that all schools conduct a school fire drill within the first 10 days of the beginning of the school years. Of the 10 schools that submitted Security Drill Record Forms for the 2013-2014 year, only 3 self-reported that they had complied with the 10 day requirement.

Recommendation: The district must ensure that all schools hold the required fire drill within 10 days of the beginning of the school year. Drills should be appropriately documented.

Auditors:

Clarence Joffrion
Francine Wright
Temple Garretson

Submitted by:



Steven Hoffmann
Coordinating Auditor