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West Windsor-Plainsboro Township School District
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New Jersey K to 12 Education

Collaborative Monitoring Report
July 2019

District: West Windsor-Plainsboro Township School District
County: Mercer
Dates On-Site: June 17, 18 and 19, 2019
Case #: CM-005-19

Funding Sources

Program	Funding Award
Title I, Part A	\$339,055
IDEA Basic	2,271,462
IDEA Preschool	59,435
Title II, Part A	150,797
Title III	99,698
Title III Immigrant	115,682
Title IV, Part A	27,739
Total Funds	<u><u>\$3,063,868</u></u>

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Background

The Every Student Succeeds Act (ESSA) and the Individuals with Disabilities Act (IDEA) 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 (ESSA and IDEA). 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 West Windsor-Plainsboro Township Public Schools to monitor the district's use of federal 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: Title I, Part A (Title I); Title II, Part A (Title II); Title III; Title III Immigrant, Title IV, Part A (Title IV), IDEA Basic and Preschool for the period July 1, 2018 through May 31, 2019.

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 reviewed included Title I, Title II, Title III, Title III Immigrant, Title IV, IDEA Basic and Preschool from July 1, 2018 through May 31, 2019. A sampling of purchase orders and/or salaries was taken from each program reviewed.

General District Overview of Uses of Funds

Title I Projects

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The district operates targeted assistance programs in its six (6) Title I-funded schools: Town Center Elementary, Millstone River Elementary, Community Middle, Thomas R. Grover Middle, West Windsor-Plainsboro North High, and West Windsor-Plainsboro South High. The district uses its Title I funds for the following activities: teacher salaries for pull-out programs and extended day/year activities; instructional and non-instructional supplies and materials; and professional development activities.

Please Note: The district's administration underwent significant turnover prior to the start of the 2018-2019 school year. The district has in place a new assistant superintendent, who will be responsible for the completion and submission of the district's FY 2020 *ESEA* Consolidated Subgrant Application. Per this new assistant superintendent, the district will employ a more focused collaborative effort by ensuring both program and fiscal staff work together in the completion of the FY 2020 *ESEA* Consolidated Subgrant Application.

Title II-A Projects

The West Windsor-Plainsboro School District used their Title II-A allocation to support the Reading and Writing Workshop program from Columbia University. This included many hours of professional development for the teachers and administrators and opportunities for teachers to attend workshops at Columbia University.

Title III Projects

The district uses Title III funds for the following activities: salaries and supplies.

Title III Immigrant Projects

The district uses Title III Immigrant funds for the following activities: teacher salaries and supplies.

Title IV-A Projects

The district used the Title IV-A allocation to focus on inclusivity & equity education for students, staff and the community.

IDEA Projects (Special Education)

The FY 2019 IDEA funds are being used to reduce district tuition expenditures for students, including preschool age students, receiving special education services in approved private schools for students with disabilities, professional development, and instructional supplies and materials for staff members supporting students with disabilities. Additionally, IDEA funds are being expended to support students with service plans in nonpublic settings. CEIS funds are used to provide training and direct support to general education teachers providing instruction to general education students exhibiting academic difficulties.

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Detailed Findings and Recommendations

Title I

Finding 1:

The selected Title I allowable uses did not align with the identified academic needs, nor were specific and quantifiable details included for each identified need aligned to the Title I, Part A grant program. The Needs Assessment, as articulated in the district's FY 2019 *ESEA* Consolidated Subgrant Application, serves as the basis for determining whether proposed uses of Title I funds are necessary and reasonable. Without a direct connection to the Needs Assessment, selected allowable uses are not necessary and reasonable for proper and efficient performance and administration of the district's Title I program.

Citation:

ESEA §1112 Local Educational Agency Plans; Uniform Grant Guidance Cost Principles for State, Local and Indian Tribal Governments (Necessary and Reasonable).

Required Action:

For the FY 2020 *ESEA* project period, the district must ensure all selected Title I allowable uses align to the identified Title I needs as articulated in the Needs Assessment. It is recommended the district ensure all information in the Needs Assessment that relates to Title I is quantitative in nature. This may be accomplished by providing more exact and specific details regarding each identified need (e.g. grade levels, sub-populations to be served, numbers or percentages of students or parents to receive services, etc.).

Finding 2:

Although the district provided evidence of a school-parent compact, this evidence did not verify the school-parent compact was developed in conjunction with Title I parents and families. The absence of parent/family participation in developing these required documents excludes parents/families from more active participation in their children's educational programs.

Citation:

ESEA §1116(c)&(d): (Policy Involvement and Shared Responsibilities for High Student Academic Achievement)

Required Action:

For the FY 2020 *ESEA* project period, the district must include parents, families, and students (for secondary programs only) in the development of the required school-parent compacts. This work must be documented by recorded agenda, meeting minutes, and sign-in sheets, which must be kept on file in the district and made available upon request of the New Jersey Department of Education (NJDOE).

Finding 3:

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The district provided evidence of distribution of the required Parents Right to Know Letter; however, the letter referenced the *No Child Behind Act of 2001 (NCLB)* instead of the *Elementary and Education Act of 1965 (ESEA)*, as amended by the *Every Student Succeeds Act of 2015 (ESSA)*.

Citation:

ESEA §1112(e): Local Educational Agency Plans: (Parents Right-to-Know)

Required Action:

For the FY 2020 *ESEA* project period, the district must update the Parents Right to Know letter, as well as all other *ESEA* correspondence, to include reference to *ESEA* rather than *NCLB*.

Finding 4:

The district selected the following allowable uses in the Title I Program Plan: *Equipment for Title I Program, Professional Development Activities, and Parent and Family Engagement*; however, the district's Needs Assessment, as articulated in the FY 2019 *ESEA* Consolidated Subgrant Application, did not identify specific needs aligned with any of the aforementioned allowable uses.

Citation:

2 CFR §200.404 and §200.405 Cost Principles: Subpart E (Reasonable Costs and Allocable Costs)

Required Action:

For the FY 2020 *ESEA* project period, the district must ensure the Needs Assessment shows specific identified needs that are aligned with all selected allowable uses in the Title I Program Plan, such as *Equipment for the Title I Program, Professional Development Activities, and Parent and Family Engagement*. If allowable uses are selected that are not aligned with the identified needs as articulated in the Needs Assessment, these allowable uses will be deemed unallowable under the Title I, Part A grant program.

Finding 5:

The district selected the following allowable uses in the Title I Program Plan: *Professional Development Activities and Parent and Family Engagement* and budgeted Title I funds for associated costs; however, neither allowable use was aligned to an identified need as articulated in the Needs Assessment. Consequently, the associated budgeted costs were not allowable.

Citation:

2 CFR §200.404 Cost Principles: Subpart E (Reasonable Costs and Allocable Costs)

Required Action:

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For the FY 2020 *ESEA* project period, the district must ensure the selected allowable uses are aligned to specific identified needs prior to budgeting any Title I funds for these purposes. If Title I funds are budgeted for purposes of selected allowable uses, and these selected allowable uses are not aligned with the identified needs as articulated in the Needs Assessment, the Title I funds cannot be budgeted for these purposes.

Finding 6:

The district selected *Equipment for the Title I Program* as an allowable use in the Title I Program Plan; however, zero (\$0) Title I funds were budgeted for this purpose.

Citation:

2 CFR §200.404 Cost Principles: Subpart E (Reasonable Costs and Allocable Costs)

Required Action:

For the FY 2020 *ESEA* project period, the district must ensure that Title I funds are budgeted for only selected allowable uses that are aligned to specific identified needs as articulated in the Needs Assessment. If this is not the case, the selected allowable uses are not allowable under the Title I, Part A grant program.

Finding 7:

The district budgeted the following cost amounts under account number 100 Instructional Expenditures and 200 Non-Instructional Expenditures:

- 100-300: *Annual software contract* (\$11,623)
- 100-600: *Instructional consumables* (\$16,409)
- 100-800: *Instructional supplies* (\$20,386)
- 200-600: *Supplies for parent programs* (\$3,126)

Unfortunately, the above cost descriptions were insufficient in their detail to determine whether these types of instructional and non-instructional expenditures constituted allowable uses of Title I funds. In addition, since the area of parent and family engagement was not identified as a specific need in the Needs Assessment, Title I funds should not have been budgeted for this specific use.

Citation:

2 CFR §200.453 Cost Principles: Subpart E (Materials and Supplies Costs)

Required Action:

For the FY 2020 *ESEA* project period, the district must ensure all cost descriptions include more specific details on the exact types of instructional and non-instructional expenditure costs being budgeted with Title I, Part A funds. In addition, the district must ensure it does not budget Title I funds for specific uses that are not aligned with the identified needs in the Needs Assessment.

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Finding 8:

The district did not provide the required supporting documents to verify the time and activity for the Read 180 teacher whose salary was supported with Title I funds. In the district's FY 2019 *ESEA* Consolidated Subgrant Application, a total of \$93,665 [\$71,500 (salary) + \$22,165 (benefits)] was budgeted in Title I funds for 100-100 TPAF Eligible Salaries; however, the entered 'Base Salary' for this position totaled \$55,000. Time and activity documentation must reflect what the Title I-funded staff is doing, when and where they are working, and it must match their funded percentage, as well as be signed by the staff member and supervisor. This documentation is necessary to verify that Title I funded-staff are performing allowable Title I activities.

Citation:

2 CFR §200.404 Cost Principles: Subpart E (Compensation – personal services)

Required Action:

The district must explain why \$71,500 in Title I funds was budgeted for the salary of the Read 180 teacher when that person's base salary was entered as \$55,000. This means that an additional \$16,500 was budgeted over that of the teacher's standard base salary (this overage does not take into account the associated \$22,165 in Title I-funded benefits). The district must submit the time and activity documentation for the Read 180 position, to reflect the actual time allotted to Title I activities, including the staff member's and supervisor's signatures. For the FY 2020 *ESEA* project period, the district must ensure steps are taken to prevent this type of error from occurring in its FY 2020 *ESEA* Consolidated Subgrant Application.

Finding 9:

In the district's FY 2019 *ESEA* Consolidated Subgrant Application, salaries for fifty-five (55) teachers were budgeted under 100-100 FICA Only, with a total '*Base Salary of \$130,000;*' however, the total amount of Title I funds budgeted equaled '*\$157,500.*'

Citation:

2 CFR §200.404 Cost Principles: Subpart E (Compensation – personal services)

Required Action:

The district must explain why \$157,500 in Title I funds was budgeted for the salary of these 55 teachers when the total base salary of these teachers was entered as \$130,000. This results in an additional \$27,500 being budgeted than was necessary to pay for the total of these teachers' standard base salaries (this overage does not take into account the associated \$12,049 in Title I-funded benefits). For the FY 2020 *ESEA* project period, the district must ensure steps are taken to prevent this type of error from occurring in its FY 2020 *ESEA* Consolidated Subgrant Application.

Finding 10:

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In the district's FY 2019 *ESEA* Consolidated Subgrant Application, salaries for thirty (30) teachers were budgeted under 200-100 FICA Only, with a total '*Base Salary of \$19,000;*' however, the total amount of Title I funds budgeted equaled '\$22,570.'

Citation:

2 CFR §200.404 Cost Principles: Subpart E (Compensation – personal services)

Required Action:

The district must explain why \$22,570 in Title I funds was budgeted for the salary of these 30 teachers when the total base salary of these teachers was entered as \$19,000. This results in an additional \$3,570 being budgeted than was necessary to pay for the total of these teachers' standard base salaries (this overage does not take into account the associated \$1,727 in Title I-funded benefits). For the FY 2020 *ESEA* project period, the district must ensure steps are taken to prevent this type of error from occurring in its FY 2020 *ESEA* Consolidated Subgrant Application.

Finding 11:

The district did not provide nonpublic school documentation including, but not limited to: Affirmation of Consultation and Refusal of Services forms, agenda for all consultation meetings, and sign-in sheets from these meetings, to verify its consultation process with nonpublic school officials was timely, ongoing, and meaningful. Title I, Part A regulations stipulate that consultation must continue throughout implementation and assessment of programs/services to ensure these Title I-funded programs/services align to the needs of the identified nonpublic students.

Citation:

ESEA §1120 and §9504 and §200.63 of the Title I regulations

Required Action:

In order to ensure timely, ongoing, and meaningful nonpublic school consultation, the district must institute steps for the FY 2020 *ESEA* project period to enhance record keeping of its ongoing contact with nonpublic school officials. The district must maintain all required documentation to verify that consultation was timely, ongoing, and meaningful, covered all appropriate topics, and resulted in program designs that had a reasonable expectation of success. The district should review the NJDOE and/or USDE guidance on the provision of equitable services to eligible nonpublic school children at <https://www.nj.gov/education/nonpublic/federal/>.

Title II-A

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

Title III

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

Title III Immigrant

Finding 12:

The district counted 25 students from Puerto Rico and 1 from the Northern Mariana Islands as immigrant students; the federal definition of an immigrant student is one who was born outside of the United States and has been attending US schools for less than three years. Since Puerto Rico and Northern Mariana Islands are US territories, these students cannot be counted as immigrant students.

Citation:

ESEA §3115(g) Activities by agencies experiencing substantial increases in immigrant children and youth

Required Action:

The district must remove these students from their immigrant count as these students cannot count toward Title III Immigrant funds.

Title IV-A

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

IDEA (Special Education)

Finding 13:

The district did not consistently document in the IEPs of students removed from the general education setting for more than twenty 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; and,
- 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.

Citation:

N.J.A.C. 6A:14-4.2 (a)8(i),(ii) and (iii)

Required Action:

The district must ensure that 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

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from general education for more than twenty percent of the school day. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. To demonstrate that the 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 a site visit to interview staff, review the revised IEPs, along with a random sample of IEPs for students whose annual review meetings were conducted between November 2019 and February 2020 and review the oversight procedures. Names of the students with IEPs that were identified as noncompliant will be provided to the district by the special education monitor.

Finding 14:

The district did not consistently complete all required transition planning components for students ages 14 and above and document decisions in the IEP.

Citation:

N.J.A.C. 6A:14-3.7(e)11

Required Action:

The district must ensure that transition is discussed at each IEP meeting for students age 14 or above, and that decisions are documented in the IEP. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. To demonstrate that the 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 a site visit to interview staff, review the revised IEPs, along with a random sample of IEPs for students whose annual review meetings were conducted between November 2019 and February 2020 and review the oversight procedures. Names of the students with IEPs that were identified as noncompliant will be provided to the district by the special education monitor.

Finding 15:

The district did not document all required considerations and statements in each IEP for students eligible for special education and related services and for students eligible for speech-language services. IEPs developed for students eligible for special education and related services did not consistently include goals and objectives for all subjects where the student is removed from general education and the specific location where related services will be provided.

IEPs developed for students eligible for speech and language services did not consistently include an explanation of the extent, if any, a student will not participate with nondisabled students in nonacademic and extracurricular activities.

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Citation:

N.J.A.C. 6A:14-3.7(c)1-11, (e) 1-17

Required Action:

The district must ensure that 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 and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. In addition, to demonstrate correction of individual instances of noncompliance, the district must conduct annual review meetings and revise IEPs for the specific students whose IEPs were identified as noncompliant. A monitor from the NJDOE will conduct a site visit to interview staff, review the revised IEPs, along with a random sample of additional IEPs developed at meetings conducted between November 2019 and February 2020 and review the oversight procedures. Names of the students whose IEPs were identified as noncompliant will be provided to the district by the special education monitor.

Finding 16:

The district did not consistently provide to students beginning at age 14, written invitations to meetings where post-school transition was being discussed.

Citation:

N.J.A.C. 6A:14-2.3(k)1(iii)

Required Action:

The district must ensure that each student with an IEP age 14 or above is provided with a written invitation to any IEP meeting where transition to adult life will be discussed. In order to demonstrate correction of noncompliance, the district must conduct training for child study team members and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. A monitor from the NJDOE will conduct a site visit to interview staff, review copies of invitations to IEP meetings to students age 14 and above for meetings conducted between November 2019 and February 2020 and review the oversight procedures.

Finding 17:

The district did not consistently conduct multi-disciplinary initial evaluations for students referred for speech-language services by obtaining a written educational impact statement from the classroom teacher after the parent provided written parental consent to conduct an evaluation.

Citation:

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

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Required Action:

The district must ensure that a multidisciplinary evaluation is conducted for students referred for speech-language services by obtaining a written statement from the general education teacher that details 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 and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above. A monitor from the NJDOE will conduct a site visit to interview staff, review initial evaluation reports for students referred for speech-language services whose eligibility meetings were held between November 2019 and February 2020, and review the oversight procedures.

Administrative

Finding 18:

The district did not comply with required timekeeping standards for federally funded grants. Employees with 100 percent of their salary paid with IDEA funds must complete a semi-annual certification attesting to their performance of IDEA related duties, and employees with less than 100 percent of their salary paid with IDEA funds must complete monthly personal activity reports.

Citation:

Uniform Grant Guidance 2 C.F.R. 200.302

Required Action:

The district must ensure that employees submit personal activity reports that have been verified by supervisors, as required.

Finding 19:

The district failed to adhere to New Jersey Public School Contracts Law (PSCL) and federal regulations when purchasing certain professional development services over the bid threshold. The district failed to have a competitive process as required.

Citation:

N.J.S.A. 18A:18A-4 *Contracts and agreements requiring advertising*, Uniform Grant Guidance 2 C.F.R. 200.302

Required Action:

The district must comply with current federal and state procurement regulations.

Finding 20:

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The monitors noted that through June 10, 2019 the district had expended little of their Federal funding for FY 2018/2019 for Title III, Title III Immigrant and Title IV. The following is a summary of the year to date expenditures.

Title	Total Allocation	Expended Thru June 10, 2019	% Expended
Title III	\$ 99,698	\$4,213	4%
Title III Immigrant	\$115,682	\$3,328	3%
Title IV	\$27,739	\$3,000	11%

Failure to expend additional funds in accordance with the approved grant applications by June 30, 2019 could result in the permanent loss of Federal funds.

Citation:

Uniform Grant Guidance 2 C.F.R. 200.302

Recommended Action:

In order to avoid the potential loss of funds, where possible, appropriate expenditures should be charged to these grants by June 30, 2019.

Observation:

The monitors noted that the district was not executing written contracts with various consultants paid with Federal funds.

Citation:

N.J.S.A. 18A:18A-40 *Form and execution of contracts*, Uniform Grant Guidance 2 C.F.R. 200.302

Recommended Action:

The district should execute written contracts with all federally funded consultants. Contracts should include a detailed description of the services to be performed, term of contract, hourly or daily rate, and a not to exceed amount.

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 Steven Hoffmann via phone at (973) 621-2750 or via email at steven.hoffmann@doe.nj.gov.