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Newark Public School District

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*New Jersey K to 12 Education*

Collaborative Monitoring Report  
April 2021

**District:** Newark Public School District  
**County:** Essex  
**Dates Monitored:** February 9, 10 and 11, 2021  
**Case #:** CM-05-21

**Funding Sources**

Program	Funding Award
Title I, Part A	\$25,204,906
Title I SIA	4,387,268
Title II	2,332,412
Title III	1,501,139
Title III Immigrant	579,633
Title IV	2,920,207
IDEA Basic	10,790,446
IDEA Preschool	280,765
ESSER	19,290,708
Perkins V	382,582
Total Funds	<u>\$ 67,670,066</u>

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**Background**

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The Every Student Succeeds Act (ESSA), the Individuals with Disabilities Act (IDEA) and other federal laws require local education agencies (LEAs) to provide programs and services to districts within their local jurisdiction. The provision of these programs and services is based on the requirements as specified in each of the pertinent authorizing statutes (ESSA, IDEA or other federal law(s)).

The laws further require that state education agencies, in this case, the New Jersey Department of Education (NJDOE) to monitor the implementation and execution of federal programs by the sub recipients. The monitors thereby determine whether the funds are being properly used by the district for their intended purposes and achieving the overall objectives of the funding initiatives.

**Introduction**

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The NJDOE visited the Newark Public School District (district) to monitor the district's use of federal funds. It also monitors related program plans, as applicable, to determine whether the school's programs are meeting the intended purposes and objectives, as specified in the current year's applications and authorizing statutes.

The goal of the monitoring is to determine whether the funds were spent in accordance with the program's requirements, federal and state law and applicable regulations.

The on-site visit included: staff interviews and document and documentation reviews related to the requirements of the following programs: Title I, Part A (Title I); Title I SIA; Title II, Title III, Title III immigrant, Elementary & Secondary School Emergency Relief Fund (ESSER), IDEA Basic and Preschool and the Perkins V grant for the period July 1, 2020 through December 31, 2020.

The scope of work performed included the review of documents and documentation which included:

- accounting records
- annual audits
- board minutes
- current school policies and procedures
- grant applications program plans and needs assessments,
- grant awards
- payroll records
- purchase orders
- student records

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The scope of work performed also included:

- classroom visitations and interviews with instructional staff to verify implementation of Individualized Education Programs (IEPs)
- interviews of child study team members and speech-language specialists
- interview of the program administrator regarding the IDEA grant

## **Expenditures Reviewed**

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The grants reviewed included Title I, Title I SIA, Title II, Title III, Title III Immigrant, Title IV, ESSER, IDEA Basic and Preschool and the Perkins V grant from July 1, 2020 through December 31, 2020. A sampling of purchase orders and/or salaries was taken from each program reviewed.

## **General Overview of Uses of Federal Funds**

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### **Title I Projects**

The Newark Public Schools serve grades PK-12 and operate Title I schoolwide programs in all Title I-funded schools except for the NJ Regional Day School. This school operates a targeted assistance program. During the 2020-2021 school year, the district programmed and budgeted its Title I, Part A allocation in the following areas: 1) increased learning time; 2) extended day/year programs; 3) instructional materials and supplies; 4) professional development; 5) parent and family engagement; and 6) college and career readiness.

The NJDOE recognizes and acknowledges that the COVID-19 pandemic presented the district with many unforeseen challenges during the 2019-2020 school year. Inevitably, these circumstances impacted the district's Title I, Part A program, including the comprehensive needs assessment (CNA) process, as well as the development of Annual School Plans (ASPs) in all applicable schools. The following recommendations are presented to assist the district in continuing to meet these challenges in the 2021-2022 school year by further strengthening and enhancing its Title I, Part A programs and services:

#### **Comprehensive Needs Assessment:**

Annually, the comprehensive needs assessment (CNA) process affords the district the opportunity to analyze quantitative and qualitative data to determine specific, identified needs to be addressed with Title I, Part A funds. To further increase the direct connections between data analysis and identified needs, it is recommended the district:

- Include more specific and quantifiable details for each identified need related to the following: student subgroups, grade levels, performance targets, academic and non-academic outcomes, and evaluation of prior year outcomes
- Ensure the active engagement of parents and families, as well as other community members in the development and ongoing monitoring of the CNA

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In this way, the district's CNA will show a more focused connection to data driven decision-making and the importance of stakeholder engagement.

**Annual School Plan (ASP):**

It is recommended, whenever possible, to include more than one (1) parent and more than one (1) community member as representatives on all ASP stakeholder planning teams. This ensures these relevant stakeholders more actively participate in the development, implementation, and evaluation of all Annual School Plans (ASPs). Additionally, stakeholder engagement in the ASP process should happen throughout the entire school year, as much as possible, rather than occur in a one- or two-month timeframe.

**Title I SIA Projects**

Title I SIA funds are used for extended day/year programs, supplemental instructional materials and supplies, including technology, and for contracting with external partners for a variety of services including professional development for teachers and supplemental social-emotional supports for students.

**Title II Projects**

Title IIA funds are used to support a range of professional development initiatives including the Principal Pipeline project.

**Title III Projects**

Title III funds are used for salaries, purchased services, supplies, and professional and technical services.

**Title III Immigrant Projects**

Title III Immigrant funds are used for salaries and supplies.

**Title IV Projects**

Title IVA funds are used to support social emotional learning initiatives, professional development for school counseling staff, and technology to enable school counselors to provide services to students remotely.

**IDEA Grant**

The FY 2021 IDEA Basic funds are used to develop an Applied Behavior Analysis (ABA) program for students with Autism. The district will be partnering with Rutgers University to create a model program that includes a Board-Certified Behavior Analyst (BCBA), graduate interns, Rutgers professor and professional development for special education teachers, parents and Newark Public Schools staff. IDEA funds will also be utilized to develop district-wide

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transition services across all the secondary programs, including professional development opportunities. In addition, the district has allocated \$694,197 in salary/fringe for all personnel paid through CEIS. Preschool funds support two preschool teachers that provide direct instruction to classified students in the collaborative preschool sites.

There were no findings with the IDEA Grant.

### **Perkins V**

Perkins V funds are used for the following CTE programs and implementation: Allied Health, Biomedical Science, Carpentry, Computer Networking, Cosmetology, Culinary Arts, Dental, Engineering, Entrepreneurial Studies, Film, Graphic Design, Hospitality & Tourism, Law Studies, Music Technology, Supply Chain Management, Teacher Academy, TV Broadcasting.

A review of the Perkins V grant yielded no findings.

### **Title I**

#### **Finding 1:**

Personnel records for the district indicated one (1) instructional paraprofessional working in a Title I schoolwide school did not meet the highly qualified requirements as articulated in ESEA.

#### **Citation(s):**

ESEA §1111(g)(2)(J) and (M): Other Plan Provisions: Assurances; ESEA §1112(c)(6): Assurances

#### **Required Action:**

The district must ensure that all instructional paraprofessionals working in Title I schools operating schoolwide programs meet the highly qualified requirements as articulated in ESEA. These requirements include meeting any **one** of the following conditions:

- completion of two years of study at an institution of higher learning or
- an associates (or higher) degree or
- meeting a rigorous standard of quality that demonstrates, through a formal state or commercially developed assessment, knowledge of and ability to assist in instructing reading, writing and mathematics instruction or reading, writing, and mathematics readiness

By June 30, 2021, the district must submit evidence that the one noted instructional paraprofessional meets the highly qualified requirements as articulated in ESEA to the Office of Supplemental Educational Programs for review.

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**Finding 2:**

The district did not provide documented evidence that the development of its Annual School Plans (ASPs) for each Title I-funded high school involved the participation of students as stakeholders on the ASP planning teams. Per ESEA legislation, if the ASP relates to a secondary school, all relevant stakeholders, including students, must actively participate in the development, implementation, and evaluation of the applicable ASPs.

**Citation:**

ESEA §1114(b)(2) Schoolwide Program Plan

**Required Action:**

As the district continues to implement and monitor the Annual School Plans (ASPs) for the FY 2022 ESEA project period, **secondary students must be included** as active participants on the ASP planning teams for each Title I-funded high school.

**Title I SIA**

The review of Title I SIA grant yielded no findings.

**Title II**

The review of Title II grant yielded no findings.

**Title III**

A review of the Title III grant yielded no findings.

**Title III Immigrant**

A review of the Title III Immigrant grant yielded no findings.

**Title IV**

The review of Title IV grant yielded no findings.

**IDEA Program**

**Finding 1:**

The district did not consistently provide parents of students referred and/or eligible for special education and related services and students referred and/or eligible for speech-language services notice of a meeting for identification, eligibility, reevaluation planning, and determination of continued eligibility following reevaluation.

**Citations:**

N.J.A.C. 6A:14-2.3(k)3,5; 20 U.S.C. §1414(b)(1); and 34 CFR §300.304(a)

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**Required Actions:**

The district must provide parents notice of a meeting, in writing, early enough to ensure they have an opportunity to attend.

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(s) listed above.

A monitor from the NJDOE will conduct a site visit to:

- interview staff
- review copies of notices of meetings for meetings conducted between April 2021 and June 2021
- review the oversight procedures

**Finding 2:**

The district did not consistently convene meetings with required participants for students referred and/or eligible for special education and related services and for students referred and/or eligible for speech-language services.

**Citations:**

N.J.A.C 6A:14-2.3(k)1(i-vii), 2(i-x); 3.3(e); 20 U.S.C. §1414(d)(1)(B); and 34 CFR §300.321(a)

**Required Actions:**

The district must ensure all meetings are conducted with required participants and documentation of participation is maintained in students' records.

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(s) listed above.

A monitor from the NJDOE will conduct a site visit to:

- interview staff
- review meeting documentation, including the sign in sheets, for meetings conducted between April 2021 and June 2021
- review the oversight procedures

**Finding 3:**

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.

Initial evaluation reports did not contain observations in non-testing setting.

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**Citations:**

N.J.A.C.6A:14-3.4(f)4(i); 20 U.S.C. §1414(b)(4) and (5); and 34 CFR §300.306(c)(i)

**Required Actions:**

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 and develop an oversight mechanism to ensure compliance with the requirements in the citation(s) listed above.

Monitors from the NJDOE will conduct a site visit to:

- interview staff
- review initial evaluation reports for students evaluated between April 2021 and June 2021.
- review the oversight procedures

**Finding 4:**

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.

Specifically, IEPs did not consistently include:

- supplementary aids and services considered and an explanation of why they are not an appropriate comparison of the benefits provided in the general education 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 for students in separate settings
- the district activities necessary to move the student to a less restrictive environment

**Citations:**

N.J.A.C. 6A:14-4.2 (a)4,8(iii) and 3.7(k)

**Required Actions:**

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 develop an oversight mechanism to ensure compliance with the requirements in the citations listed above.



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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 whose IEPs that were identified as noncompliant.

A monitor from the NJDOE will conduct a site visit to:

- interview staff
- review the revised IEPs
- review a random sample of IEPs developed at meetings conducted between April 2021 and June 2021
- 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 5:**

The district did not consistently provide written notice of graduation and a summary of academic achievement and functional performance, containing all required components, to students eligible for special education and related services, prior to graduating and/or exiting.

**Citations:**

N.J.A.C. 6A:14-4.11(b)1 and 4

**Required Action:**

The district must ensure that parents or adult students are provided with written notice of graduation containing all required components prior to graduation and a written summary of academic achievement and functional performance prior to graduating or exiting.

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(s) listed above.

A monitor from the NJDOE will conduct a site visit to:

- interview staff
- review written notice of graduation and summary of academic achievement and functional performance provided to a sampling of students who are graduating/exiting at the conclusion of the 2020-2021 school year
- review the oversight procedures

**Finding 6:**

The district child study team members (CST) did not consistently participate in the transition planning conference for students transitioning from Early Intervention.

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**Citation:**

N.J.A.C. 6A:14-3.3(e)1(i-iv)

**Required Action:**

The district must ensure that the CST documents its participation at the transition planning conference for students transitioning from Early Intervention.

In order to demonstrate correction of the 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 a random sample of records from transition planning conferences conducted between April 2021 and June 2021
- review the oversight procedures

**Perkins V**

A review of the Perkins V grant yielded no findings.

**Administrative**

**Finding 1:**

The district formally appointed some, but not all, individuals charged to the federal programs, by board resolution.

**Citation:**

Uniform Grant Guidance (UGG) 2 C.F.R. 200.302

**Required Action:**

All staff charged to federal grants should be reappointed annually by board resolution.

**Finding 2:**

The district did not comply with all required timekeeping standards for federally funded grants.

Employees with 100 percent of their salary paid with federal funds must complete a semi-annual certification attesting to their performance of grant related duties. Employees with less than 100 percent of their salary, paid with federal funds, must complete monthly, personal activity reports.

**Citation:**

Uniform Grant Guidance 2 C.F.R. 200.302

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**Required Action:**

The district must enhance their personal activity reports for federally funded employees to comply with the required format.

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 Lisa D. McCormick via phone at (609) 206-4347 or via email at [Lisa.McCormick@doe.nj.gov](mailto:Lisa.McCormick@doe.nj.gov).