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Passaic City School District

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New Jersey K to 12 Education

Collaborative Monitoring Report
July 2021

District: Passaic City School District
County: Passaic
Dates Monitored: May 18, 19 and 20, 2021
Case #: CM-15-21

Funding Sources

Program	Funding Award
Title I, Part A	\$9,990,579
Title I SIA	18,100
Title III	669,670
Title III Immigrant	82,782
IDEA - Basic	5,338,534
IDEA - Preschool	156,082
ESSER	6,099,002
Perkins V	159,103
Total Funds	<u><u>\$22,513,852</u></u>

**Passaic City School District
Collaborative Monitoring Report
July 2021**

Background

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

The NJDOE visited the Passaic City 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 April 30, 2021. 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

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

**Passaic City School District
Collaborative Monitoring Report
July 2021**

- interview of the program administrator regarding the IDEA grant

Expenditures Reviewed

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 April 30, 2021. A sampling of purchase orders and/or salaries was taken from each program reviewed.

General Overview of Uses of Federal Funds

Title I Projects

The district is using its fiscal year 2020-2021 Title I funds to implement schoolwide programs in all of its Title I schools. Primarily, the district provides supplemental instructional opportunities through push-in and pull-out programs.

Title I SIA

Title I – SIA funds are used for staffing, instructional materials and supplies for the Saturday Academy.

Title III Projects

Title III funds are primarily being used to fund staff and equip staff with professional development. More than half of Title III funds are blended into Title I School-Wide.

Title III Immigrant Projects

Title III Immigrant funds are primarily being used for professional development.

IDEA Grant

The FY 2021 IDEA basic and preschool funds are being used to reduce district tuition costs for students receiving special educational services in other school districts and approved private schools for students with disabilities. It will also fund a portion of the 2020 special education extended school year program and the special education support program. In addition, the district is utilizing Comprehensive Coordinated Early Intervention Service (CCEIS) funds for four Reading Interventionists to support identified at-risk students: students from 1st and 2nd grades that are reading below grade level.

There were no findings with the IDEA grant.

Perkins V

The district is using Perkins V funds at three high schools to support Career and Technical

**Passaic City School District
Collaborative Monitoring Report
July 2021**

Education (CTE) programs approved by the state for industry standard equipment and partners for dual enrollment opportunities for students.

Detailed Findings and Recommendations

Title I

Finding 1:

The activities in each school's Annual School Plan did not support all of the activities for which the schools are using their Title I funds. In a Title I schoolwide program, the school must use Title I funds and services to upgrade the entire educational program while continuing to provide services to its lowest performing students. The Annual School Plan becomes the mechanism for the school to document its efforts to meet the purpose and intent of the Title I legislation, and how the Title I funds will be used to support the program.

Citation:

ESEA §1114(b): Schoolwide Programs: Components of a Schoolwide Program.

Required Action:

The district must ensure each school's 2021-2022 Annual School Plan reflects the current programs being delivered in each school and includes interventions for addressing the needs of the full continuum of students (including students with disabilities and gifted and talented students).

Recommendation:

The district should provide technical assistance to school-level staff, regarding the completion of the Annual School Plan, to ensure consistency throughout the district. There were inconsistencies noted during the monitoring visit in the areas of stakeholder engagement and the documentation of interventions listed for each school.

Title I SIA

The review of Title I SIA yielded no findings.

Title III

Finding 1:

The district is using federal funds to pay for professional development required under State code. This budgeted cost is not an allowable expense, because the district is meeting the state's bilingual education requirement by using federal funds to implement a dual language program. It is the local district's responsibility to train all educators about the necessary tools and strategies to utilize in the instruction of the district's bilingual students (Source: N.J.A.C. 6A:15-1.8; 6A:9C-1.2; 6A:8-3.; 6A:9-3.1).

**Passaic City School District
Collaborative Monitoring Report
July 2021**

Citation:

ESEA §3115(g): Subgrants to Eligible Entities - Supplement not Supplant

Required Action:

The district must:

- Reverse the use of funds in the amount of \$94,500.27 used to pay for dual language professional development
- Reallocate the funds for an allowable expense during the current fiscal year (or during the carryover period)
- Provide documented evidence, as part of the Corrective Action Plan (CAP) submission, of allocated funds connected to an allowable expense(s)

Recommended Action:

The district can use funds to pay for sheltered English instruction training and/or other related strategies that meet the definition of an allowable use under Title III.

Finding 2:

The district is using federal funds to pay for a consultant to deliver professional development related to dual language education that is required under State code. This budgeted cost is not an allowable expense, because the district is meeting the state’s bilingual education requirement by using federal funds to implement a dual language program. It is the local district’s responsibility to train all educators about the necessary tools and strategies to utilize for the instruction of its bilingual students (Source: N.J.A.C. 6A:15-1.8; 6A:9C-1.2; 6A:9-3.1).

Citation:

ESEA §3115(g): Subgrants to Eligible Entities – Supplement not Supplant.

Required Action:

The district must:

- Reverse the use of funds in the amount of \$22,000 used to pay for a dual language consultant
- Reallocate the funds to use for an allowable expense during the current fiscal year (or during the carryover period)
- Provide documented evidence, as part of the CAP submission, of allocated funds connected to an allowable expense(s)

Finding 3:

The district transferred \$376,408.12 to Title I Schoolwide. The blended monies still must be used to meet the requirements of the original monies – to support English language learners.

Citation:

ESEA §3115(c): Required Subgrantee Activities

**Passaic City School District
Collaborative Monitoring Report
July 2021**

Required Action:

The district must, as part of the CAP submission, provide the following documented evidence:

- A description of programs to demonstrate how Title III blended funds totaling \$376,408.12 are used in schoolwide planning
- A list of schools in which the Title III blended monies are being used

Title III Immigrant

Finding 1:

The district expended \$21,900 for the cost of licenses (\$19,900) and professional development (\$2,000-FY20 carryover) by the vendor ELLevation. This is not an allowable expenditure. The district must use Title III Immigrant funds for programs that serve immigrant students and are distinct from Title III programs.

Citation:

ESEA §3115(e): Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth.

Required Action:

The district must:

- Reverse the use of funds in the amount of \$21,900
- Reallocate the funds to use for an allowable expense during the current fiscal year
- As part of the CAP submission, provide documented evidence of allocated funds connected to an allowable expenditure(s)

IDEA Program

Finding 1:

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 and for students referred for speech language services.

Citation:

N.J.A.C.6A:14-3.4(f)4(i-vi)

Required Actions:

The district must ensure all components of the functional assessment are conducted as part of all initial evaluations. 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.

**Passaic City School District
Collaborative Monitoring Report
July 2021**

Monitors from the NJDOE will conduct a site visit to:

- interview staff
- review initial evaluation reports for students evaluated between October 2021 and January 2022
- review the oversight procedures

Finding 2:

The district did not consistently conduct multi-disciplinary initial evaluations for students referred for speech-language services by obtaining an educational impact statement from the classroom teacher.

Citations:

N.J.A.C. 6A:14-2.5(b)6, 3.4(g)3 and d 3.6(b)

Required Action:

The district must ensure that a multidisciplinary evaluation is conducted for students referred for speech-language services by obtaining a statement from the general education teacher that details the educational impact of the speech problem on the student's progress in general education. To demonstrate correction of the noncompliance the district must conduct training for speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above.

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

- interview staff
- review a random sample of records from initial speech referrals conducted between October 2021 and January 2022
- review the oversight procedures

Finding 3:

The district did not consistently determine eligibility for students referred for speech-language services through an eligibility meeting with required participants in attendance. Speech-language specialists are not holding eligibility meetings and are determining eligibility independently through the evaluation report.

Citation:

N.J.A.C. 6A:14-3.6(c)

Required Action:

The district must ensure that eligibility for speech-language services determined through an eligibility meeting with required participants in attendance. To demonstrate correction

**Passaic City School District
Collaborative Monitoring Report
July 2021**

of the noncompliance the district must conduct training for speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citations listed above.

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

- interview staff
- review documentation from eligibility meetings conducted between October 2021 and January 2022
- 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 for students placed in separate settings, activities to transition the student to a less restrictive environment.

Citation:

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

Required Actions:

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 from general education for more than 20 percent of the school day. The district must also ensure that for students placed in separate settings, the IEP team identifies activities to transition the student to a less restrictive environment and document them in each IEP.

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.

To demonstrate that the district has corrected the individual instances of noncompliance, the district must conduct annual review meetings and revise the IEPs for the specific students IEPs 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 October 2021 and January 2022
- review the oversight procedures

**Passaic City School District
Collaborative Monitoring Report
July 2021**

The names of the students whose IEPs were identified as noncompliant will be provided to the district by the special education monitor.

Perkins V

A review of the Perkins V grant yielded no findings.

Administrative

Finding 1:

The district did not provide detailed schedules, by individual, of salaries that reconciled with the expenditures charged to the programs in the general ledger.

Citation:

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

Required Action:

The district must maintain records that account for the salary amounts charged to the federal grants, by individual.

Finding 2:

The district failed to formally appoint 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 3:

The district did not comply with 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

Required Actions:

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

**Passaic City School District
Collaborative Monitoring Report
July 2021**

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 (609) 376-3593 or via email at steven.hoffmann@doe.nj.gov.