

**State of New Jersey
Department of Education
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Ocean Gate School District

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New Jersey K to 12 Education

Collaborative Monitoring Report
June 2023

District: Ocean Gate School District
County: Ocean
Dates Monitored: March 7, 8, 9 and 10, 2023
Case Number: CM-01-23

Funding Sources:

Program	Funding Award
Title I, Part A	108,123
Title I SIA	0
Title II, Part A	15,047
Title III	0
Title III Immigrant	0
Title IV, Part A	20,000
IDEA Part B, Basic and Preschool	83,155
CRRSA ESSER II (includes all subgrants)	263,479
ARP ESSER (includes all subgrants)	609,832
Perkins V	0
Total Funds	1,099,636

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Background

The Every Student Succeeds Act (ESSA), the Individuals with Disabilities Education Act (IDEA) and other Federal education laws require local education agencies (LEAs - school districts and charter schools) to provide programs and services to schools within their local jurisdiction. The provision of these programs and services is based on the pertinent authorizing statutes specified in each of the Federal education laws.

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 subrecipients. 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 Ocean Gate School District (OGSD or district) virtually, except where noted, to monitor the district's use of Federal funds. The NJDOE also examined related program plans, as applicable, to determine whether the district'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 requirements of each program, Federal and State laws, and applicable regulations. The monitoring of OGSD included staff interviews, as well as the review of documents and records related to the requirements of these programs:

- Title I, Part A (Title I);
- Title II, Part A (Title II-A);
- Title IV, Part A (Title IV-A);
- IDEA Part B - Basic and Preschool;
- Coronavirus Response and Relief Supplemental Appropriations ESSER Fund (CRRSA ESSER II) and applicable subgrants; and
- American Rescue Plan (ARP) ESSER and applicable subgrants.

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

- accounting records
- annual audits
- board of education (board) meeting minutes
- grant applications program plans and needs assessments
- grant awards

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- payroll records
- purchase orders
- student records

The scope of work performed also included interviews with:

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

In addition, a sampling of computing devices and equipment purchased with Federal funds was selected and physically examined without exception.

Expenditures Reviewed

The grants and programs reviewed included Title I, and IDEA Basic and Preschool from July 1, 2022 through January 31, 2023. In addition, CRRSA ESSER II and ARP ESSER and all applicable subgrants were reviewed from commencement of the related project periods through January 31, 2023. A sampling of purchase orders and/or salaries and wages was selected from each program and reviewed for examination.

General Overview of Uses of Federal Funds

Title I Projects

The purpose of the Title I program is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.

The Ocean Gate School District is a single attendance area that serves grades PK–6 and operates a Title I targeted assistance program. During the 2022-2023 school year, the district programmed and budgeted its Title I allocation, as articulated in its FY 2023 ESEA Consolidated Subgrant Application, for the following allowable uses:

1. instructional staff for in-class support;
2. professional development; and
3. applied behavior analysis (ABA) therapy and speech consultants.

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Title II-A Projects

The purpose of Title II-A is to:

1. increase student achievement consistent with the challenging State academic standards;
2. improve the quality and effectiveness of teachers, principals and other school leaders;
3. increase the number of teachers, principals and other school leaders who are effective in improving student academic achievement in schools; and
4. provide low-income and minority students greater access to effective teachers, principals and other school leaders.

According to the FY 2023 ESEA Consolidated Subgrant Application, a review of the district's professional development plan and an interview with the Superintendent and School Business Administrator, the OGSD plans to spend their allocation on professional development.

OGSD received a total award of \$15,047.00 including carryover and as of the monitoring visit, had not requested any reimbursements.

Title IV-A Projects

The purpose of Title IV-A is to improve students' academic achievement by increasing the capacity of LEAs to:

1. provide all students with access to a well-rounded education;
2. improve school conditions for student learning; and
3. improve the use of technology in order to improve the academic achievement and digital literacy of all students.

According to the FY 2023 ESEA Consolidated Subgrant Application, review of the district's professional development plan and an interview with the Superintendent and School Business Administrator, the OGSD plans to spend their allocation on Science, Technology, Engineering and Mathematics (STEM) and Visual and Performing Arts programs.

OGSD received a total award of \$20,000.00 including carryover and as of the monitoring visit, had not requested any reimbursements.

IDEA Grant

The purpose of the IDEA grant is to provide federal entitlement funds to assist with the excess costs of providing special education and related services to students with disabilities. The IDEA

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Basic funds are used to pay for educational consultants. The Preschool allocation is used for the purchase of instructional supplies.

CRRSA ESSER II

The purpose of CRRSA ESSER II funding is to provide money to LEAs to assist in safely reopening schools; measuring and effectively addressing significant learning loss; and testing, repairing, and upgrading projects to improve air quality in buildings.

OGSD uses most of its CRRSA ESSER II funds for heating, ventilation and air conditioning (HVAC) projects to improve air quality and for instructional services.

In addition, CRRSA Mental Health funds are being used for instructional software for students and mental health support services for the district staff. CRRSA Learning Acceleration funds are budgeted primarily for professional services by educational consultants and notebook computers.

ARP ESSER

The purpose of ARP ESSER funding is to assist LEAs in preparing for and responding to the impact of COVID-19 on educators, students and families. Additional uses of funds include, but are not limited to:

1. hiring new staff and avoiding layoffs; and
2. addressing learning loss through summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs.

OGSD uses its ARP ESSER funds for HVAC projects. ARP ESSER funds are also budgeted for among other things, school facilities repair and transformation, professional development of staff, personal protective equipment and cleaning supplies and a summer learning program.

ARP ESSER subgrant funds are budgeted for uses including, but not limited to:

1. the professional development of staff concentrated on responding to the academic, needs of its students in a multi-tiered system of support;
2. a summer learning program for all students;
3. beyond the school day activities and academic interventions/opportunities for enrichment in the form of genius projects for students; and
4. tiered interventions for mental health concerns and wellness.

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Detailed Findings and Recommendations

The Detailed Findings and Recommendations are disaggregated into the following sections:

1. Multiple Grants Section – findings necessitating the reversal of charges for multiple grants due to the lack of adequate supporting documentation.
2. Grant Specific Programmatic and Fiscal Section – findings directly attributable to the Federal awards covered during the monitoring. The programmatic findings proceed the fiscal findings unless otherwise denoted by an asterisk (*).
3. Administrative Section – crosscutting administrative findings may be found in this section.

Multiple Grants Section

Title I and ARP ESSER

Finding 1:

The district issued purchase order (PO) number 23J-0296 in the amount of \$29,701.20 for the acquisition of SAVVAS Learning for Math Envision for its students. The district charged the associated costs to the following grants and line items:

Grant	Line Item	PO Amount	Amount Liquidated	Nbr. of Payment Labels
Title I	200-300	2,201.20	2,201.20	5
ARP ESSER	100-600	25,000.00	996.76	7
ARP ESSER	200-300	2,500.00	10,360.81	7
Total		29,701.20	13,558.77	19

The total number of payment labels appearing on the face of the PO is comprised in part of nine in the amount of \$1.00 each and one for \$1.51. The labels indicate the payments were liquidated via two check numbers. The district was unable to explain why the partial payment of PO 23J-0296 was disaggregated in such a manner. Nor did the district provide copies of the checks from the bank as requested for examination. Therefore, the costs incurred for this PO are not allowable.

Pursuant to the Uniform Grant Guidance, charges to Federal awards must be, among other things:

1. necessary, reasonable, and allocable to the Federal award; and
2. adequately documented.

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Citation(s):

Uniform Grant Guidance, Subpart E – Cost Principles 2 C.F.R. §200.403 Factors affecting allowability of costs, §200.404 Reasonable costs and §200.405 Allocable costs

Required Action(s):

The district is required to provide accounting records evidencing reversal of the Title I - \$2,201.20 and ARP ESSER - \$11,357.57 charges, including all payments disbursed for PO 23J-0296 following the monitoring visit. If the district has already submitted reimbursement for these expenditures, the district must reduce the expenses claimed on its next reimbursement request for this Federal award by \$13,558.77 plus the sum of subsequent payments. This offset is necessary to ensure the accuracy of the district's reimbursement requests and Final Report. The required documents must be submitted to Office of Fiscal Accountability and Compliance (OFAC) through the CFM Homeroom Application within thirty (30) days from the date of this report of examination (ROE).

Grant Specific Programmatic and Fiscal Section

Title I

Finding 1:

In its FY 2023 ESEA Consolidated Subgrant Application, the district budgeted Title I funds for salaries and benefits of two teachers (\$45,300) for the provision of instructional in-class support programs. A review of the district's submitted documentation disclosed no indication of board approvals for the teachers.

Please note that board minutes must clearly delineate the names of all staff members whose salaries and benefits will be funded with Title I funds for the percentage of time they provide allowable Title I services.

More significantly, time and activity reports (TARs) for the teachers whose salaries were charged in part to the Federal award were not provided, nor were alternate records such as teacher schedules/classroom rosters furnished for examination.

Pursuant to the Uniform Grant Guidance, time and activity documentation must among other things:

- reflect what Title I-funded staff are doing, as well as when and where they are working;
- match the staff member's funded percentage of time providing the Title I-funded services; and
- reasonably reflect the total activity for which the employee is compensated by the LEA, not exceeding 100% of compensated activities.

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This documentation is necessary to verify that Title I-funded staff are performing allowable Title I activities.

Citation(s):

Uniform Grant Guidance, Subpart E – Cost Principles 2 C.F.R. §200.403 Factors affecting allowability of costs, §200.404 Reasonable costs and §200.405 Allocable costs

Required Action(s):

The district is required to provide board meeting minutes evidencing appointment of the Title I funded staff, as well as their TARs and classroom schedules/rosters for examination. If the district is unable to provide these records, the district must submit accounting records evidencing the reversal of salaries funded with Title I monies totaling \$12,000.00 from July 1, 2021 through January 28, 2022 and all sums incurred thereafter, including any benefits costs. The required documents must be submitted to OFAC through the CFM Homeroom Application within thirty (30) days from the date of this ROE.

Recommended Action(s):

It is recommended that both district program and fiscal staff work collaboratively to institute policies and procedures to ensure all:

- board minutes clearly delineate the names and position titles of all staff members whose salaries and benefits are funded with Title I monies; and
- Federally funded employees prepare TARs compliant with applicable Uniform Grant Guidance requirements.

Finding 2:

The district expended Title I funds totaling \$2,201.20 in line item 200-300 in which funds were not previously budgeted without filing an amendment application. In addition, appropriations of an amount equal to, or greater than, the sum expended were not properly recorded in the corresponding account number, which caused a negative available balance.

Citation(s):

Education Department General Administrative Regulations (EDGAR), 34 C.F.R. §76.700 Compliance with the U.S. Constitution, statutes, regulations, stated institutional policies and regulations, N.J.A.C. 6A:23A-16.10 Budgetary controls and over expenditure of funds and [FY2023 ESEA Amendment Applications](#) (these instructions are updated annually)

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Required Action(s):

The sum of \$2,201.20 mentioned herein is otherwise subject to reversal in accordance with Title I and ARP ESSER Finding 1 under the Multiple Grants Section. Going forward, the district is required to:

1. file an amendment application to obtain approval for the use of Title I funds in a previously unopened line item; and
2. transfer sufficient funds from appropriate resource to correct any line item that which is over-expended.

Finding 3:

As articulated in the district's FY 2023 ESEA Consolidated Subgrant Application, the district identified the following needs through its comprehensive needs assessment (CNA):

- equitable assessments and tiered supports aligned with the New Jersey Student Learning Standards (NJSL) English Language Arts and mathematics; and
- using additional instructional services for targeted academic supports.

Two of the district's selected allowable uses were "professional development" and "applied behavior analysis (ABA) therapy," but neither allowable use was aligned with either of the above referenced identified needs. The district did not budget any Title I funds for ABA therapy, but did budget funds for professional development. The Title I funds budgeted for professional development; however, were aligned to the Homeless Students reserve to cover the cost of transportation for this population of students rather than for professional development.

Without a direct connection among identified needs, selected allowable uses, and associated budgeted costs, there is no evidence that implemented activities are necessary and reasonable for the proper and efficient performance and administration of the district's Title I schoolwide program.

Citation(s):

ESEA §1112 Local Educational Agency Plans, Uniform Grant Guidance, Subpart E – Cost Principles 2 C.F.R. §200.403 Factors affecting allowability of costs, §200.404 Reasonable costs and §200.405 Allocable costs

Required Action(s):

The district must implement the following three (3) actions, to address Finding 1:

- amend its FY 2023 ESEA Consolidated Subgrant Application to ensure information in the CNA is quantifiable in nature and specifically articulates identified needs for the district's students, staff, and/or parents and families;

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- establish processes to ensure the ESEA Program Coordinator and school business administrator work jointly to complete all future ESEA Consolidated Subgrant Applications; and
- develop processes and procedures to address the ways in which district staff will ensure a direct connection and alignment among all identified needs, selected allowable uses, and associated budgeted costs in all future ESEA Consolidated Subgrant Applications (e.g., memorialize the processes and procedures in a Standard Operating Procedures manual, provide training to staff that can be turnkeyed). In this way, the district will prevent misalignment of information contained in the CNA, program plan, and Title I budget in all future ESEA Consolidated Subgrant Applications.

The Title I program monitor will be available to assist district staff with completion of an amendment to the FY 2023 ESEA Consolidated Subgrant Application. It was recommended that district staff schedule a meeting with the Title I monitor before April 28, 2023, to complete the amendment application¹. A copy of these processes and procedures must be submitted as part of the district's corrective action plan (CAP).

Finding 4:

The district did not provide documented evidence to demonstrate it met the Title I requirements for equitable services with nonpublic schools. It appeared there were nonpublic schools outside the district's boundaries that may have provided educational services to resident nonpublic school students; however, the district did not conduct timely, meaningful, and ongoing consultation with these nonpublic school officials prior to and during the 2022-2023 school year, to date. As a result, any resident nonpublic school students who may have met established entrance criteria have not received the mandated equitable, Title I-funded services for the 2022-2023 school year, as of the date of the collaborative monitoring visit.

Citation(s):

ESEA §1117 Participation of Children Enrolled in Private Schools and ESEA §8501: Participation by Private School Children and Teachers

Required Action(s):

The district must develop and implement processes, to ensure it meets all ESEA legislative requirements regarding equitable services for nonpublic school students for

¹ This recommendation was previously shared with district staff during the exit conference held on March 10, 2023.

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the remainder of the 2022-2023 school year² and throughout all future ESEA project periods. These written processes must address the following elements:

1. the steps the district will take to ensure nonpublic school consultation for a given project year begins no later than March of the previous year;
2. the responsibilities of both the public and nonpublic school officials in agreeing to the provision of specific programs and/or services prior to the end of the consultation process;
3. the actions the district will implement to ensure that the provision of equitable services to resident nonpublic school students, staff, and/or parents and families begins at the same time as programs and/or services begin for public school students; and
4. the uniform utilization of the Nonpublic Affirmation of Consultation and Nonpublic School Participation Refusal forms. These forms, as well as nonpublic templates may be found on the NJDOE website at [Nonpublic School Services](#).

In addition, during the remainder of the 2022-2023 school year, the district must contact nonpublic schools located inside and outside the district's boundaries to initiate consultation for equitable services to be provided before the end of the 2022-2023 school year. The district must send consultation letters to these nonpublic schools, to initiate ongoing, timely, and meaningful consultation for equitable, Title I services. Based on the outcome of the nonpublic school consultation process, the district will ensure the provision of equitable services to all identified, eligible students and their parents and/or teachers, as applicable.

As part of the CAP, the district must submit the following information:

- a copy of the established nonpublic school processes and procedures; and
- documented evidence of the district's outreach to nonpublic schools, as well as any resulting consultation and provision of services (e.g., copies of nonpublic consultation letters, return receipts, agenda, meeting minutes, and sign-in sheets or lists of attendees to document the initial consultation meeting). The district must keep this same documentation on file for future reference.

Recommended Action(s):

To enhance the nonpublic school consultation process, the district should consider providing a needs assessment template to the nonpublic school officials to ensure:

² District staff were advised of the applicability of these required actions "during the remainder of the 2022-2023 school year" via the March 10, 2023 exit conference.

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1. the needs of resident nonpublic school students are identified; and
2. agreement occurs regarding the types of programs/services that will be implemented to address the identified needs. An example can be accessed at [Nonpublic School Services](#).

Finding 5:

The district provided an agenda to show it held its Annual Title I meeting for parents and families of participating children on February 27, 2023. This mandatory meeting should have been held no later than early October 2022. The district did not provide evidence of an invitational letter/flyer, meeting minutes, and sign-in sheets, to document:

1. the type of information presented at the February 27 meeting or whether the content presented included information on the Title I legislative requirements;
2. the types of Title I-funded programs and services being provided by the district, and
3. how parents and families could become more actively involved in their children's educational program.

Pursuant to the ESEA legislation, a Title I-funded school must convene an annual meeting on a date at the beginning of the school year, to inform parents and families of the school's Title I, program(s), the Title I legislative requirements, and the ways in which parents and families can be engaged actively in helping their children succeed academically.

Citation(s):

ESEA §1116(c) Parent and Family Engagement: Policy Involvement

Required Action(s):

The district must develop processes and procedures to ensure the Annual Title I meeting is held at the beginning of the 2023-2024 school year (no later than early October 2023). A copy of these processes and procedures must be submitted as part of the district's CAP.

Upon holding the 2023-2024 Annual Title I meeting, the district must keep on file the following documented evidence of the meeting:

1. invitational letter/flyer;
2. meeting agenda;
3. meeting minutes; and
4. sign-in sheets or a list of staff and parents who attended the meeting.

Each piece of documentation must include the exact date on which the district held the mandatory, FY 2024 Annual Title I meeting.

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Recommended Action(s):

To further enhance knowledge regarding meaningful and timely parent and family engagement, it is recommended the district administrators and staff review the parent and family engagement resources available on the NJDOE website at [Title I, Part A Parent and Family Engagement](#). For additional assistance, please contact the Office of Supplemental Educational Programs at titleone@doe.nj.gov.

Finding 6:

The district did not provide documented evidence that the Title I parent notification letter to inform parents of their children's eligibility for services was distributed in English or other languages representative of the school community. Pursuant to ESEA legislation, the parent notification letter regarding children's eligibility for services should be sent at the beginning of the school year, after the student selection process is completed, and must include the Title I entrance and exit criteria for the parent's children. In addition, the parent notification letter must be distributed in multiple languages and in an understandable format.

Citation(s):

ESEA §1116(c)(4) Parent and Family Engagement: Policy Involvement

Required Action(s):

At the beginning of the 2023-2024 school year, the district must distribute a dated, Title I parent notification letter on school letterhead, regarding student eligibility for services and providing an option for parents to refuse Title I services for their children. In the letter, the district should include contact information for district staff member(s), who parents may contact if they want to discuss their decision to refuse Title I services. If a parent refuses services, the parent's signature must be kept on file by the district. This letter must be distributed in multiple languages and in an understandable format for parents.

In addition, the district must establish processes and procedures to ensure the annual distribution of the Title I parent notification letter regarding student eligibility for services. A copy of these processes and procedures must be submitted as part of the district's CAP.

Finding 7:

The district budgeted \$28,000.00 for tuition for one (1) student living with a disability to attend an approved private school for the disabled; however, the district did not identify a specific need that aligned with this type of budgeted cost or indicate tuition would be an identified use of Title I funds. In addition, district staff were unable to document how paying tuition for one student living with a disability enabled the district to implement its Title I program. Given these circumstances, it was determined this proposed budgeted cost was unallowable under Title I.

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Citation(s):

ESEA §1112 Local Educational Agency Plans and Uniform Grant Guidance, Subpart E – Cost Principles 2 C.F.R. §200.403 Factors affecting allowability of costs, §200.404 Reasonable costs and §200.405 Allocable costs

Required Action(s):

The district must amend its FY 2023 ESEA Consolidated Subgrant Application to re-budget the \$28,000.00 in tuition costs for other allowable Title I uses that align with and enable the district to implement its Title I program.

The Title I program monitor will be available to assist district staff with completion of the amendment to its FY 2023 ESEA Consolidated Subgrant Application.

Finding 8:

Although, the district provided evidence of its school-parent compact, no evidence was presented to show how:

- this compact was distributed to parents
- parents were involved actively in the development and implementation of the compact; and
- the district widely distributed the compact to parents and families.

Pursuant to ESEA legislation, the school-parent compact must outline how parents, the entire district staff, and students will share the responsibility for improved student academic achievement and the ways in which the district and parents will build and develop a partnership to help children achieve the challenging, State academic standards. The exclusion of parents and families in the development of the school-parent compact resulted in these stakeholders being excluded from active participation in their children’s educational programs.

Citation(s):

ESEA §1116(d)(2) Parent and Family Engagement: Shared responsibilities for High Student Academic Achievement

Required Action(s):

The district must develop and distribute a board approved school-parent compact at the beginning of the 2023-2024 school year. The district must establish processes and procedures to:

1. ensure the school-parent compact is reviewed and distributed annually;
2. identify the methods by which the school-parent compact will be widely distributed to parents;

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3. detail how parents are involved actively in the development, implementation, and evaluation of all elements of the school-parent compact;
 - describe the school’s responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the served children to meet the challenging, State academic standards, and the ways in which each parent will be responsible for supporting their children’s learning; volunteering in their child’s classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
 - address the importance of communication between teachers and parents on an ongoing basis through, at a minimum –
 - Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child’s achievement;
 - Frequent reports to parents on their children’s progress;
 - Reasonable access to staff, opportunities to volunteer and participate in their child’s class, and observation of classroom activities, and
 - Ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

As part of the CAP, the district must submit a copy of its processes and procedures regarding the annual review and distribution of the school-parent compact and the active involvement of parents in the monitoring, development, and implementation of the school-parent compact. The district must maintain on file its board approved school-parent compact at the beginning of the 2023-2024 school year.

Finding 9:

In the district’s FY 2023 ESEA Consolidated Subgrant Application, the uploaded file of the district’s Educational Stability for Children in Foster Care policies and procedures opened to an error message. Since this legislative requirement could not be verified through a review of the uploaded file, the district was asked to provide a copy of these policies and procedures. Unfortunately, the district was unable to provide this information prior to the exit conference held on Friday, March 10, 2023.

Pursuant to ESEA legislation, all districts must have board approved policies and procedures regarding the Educational Stability of Children in Foster Care in place no than December 10, 2016. These policies and procedures must include specific information, to delineate how transportation to maintain children in foster care in their school of origin, when in their best

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interest, will be provided, arranged, and funded in a cost-effective manner for the duration of the children's time in foster care.

Citation(s):

ESEA §1112(c)(5)(B) Assurances: Written Policies and Procedures

Required Action(s):

As part of its CAP, the district must submit a copy of its policies and procedures regarding the Educational Stability of Children in Foster Care, including mention of the date of adoption and approval by its board. In addition, the district must upload a copy of these policies and procedures in its FY 2023 ESEA Amendment Application and ensure the file opens properly.

Recommended Action(s):

The district is encouraged to access the NJDOE website [Educational Stability for Children in Foster Care](#) for specific information regarding the establishment of its Educational Stability policies and procedures and turn-key this information with all staff members.

Additional Recommended Action(s):

The NJDOE recognizes and acknowledges that the district continues to address the impact of the COVID-19 pandemic on students, staff, and parents, as well as on its Title I programs and services. The following recommendations are presented to assist the district in addressing this impact by continuing to strengthen and enhance its Title I programs and services:

Comprehensive Needs Assessment (CNA)

As discussed with district staff, the CNA serves as the basis for determining whether all programs and services, along with associated budgeted costs, are necessary, reasonable, and allocable. It is recommended the district focus efforts to collect and thoroughly analyze both quantitative and qualitative data to better describe root causes and more readily identify and articulate the specific needs for the district's students, staff, and parents. It is recommended the district include more specific information regarding grade levels, target populations, performance targets, and the identification of data sources in the CNA included in its FY 2023 ESEA Amendment Application and all future ESEA Consolidated Subgrant Applications. In this way, all comprehensive needs assessment information is aligned, and shows a clearer connection to data driven decision-making and the importance of stakeholder engagement.

Parent and Family Engagement Notifications

It is recommended that the district administration review [ESEA Section 1116: Parent and Family Engagement](#) to gain an enhanced understanding of these Title I requirements and turn-key this information to all staff and parents through ongoing workshops and training sessions. In addition, the district should develop processes to ensure the timely

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disbursement of all required Title I parent and family engagement notifications, as well as procedures to show how the district will actively and meaningfully involve parents and families in the ongoing development of these notifications.

Title I Budget

It is recommended that when district staff completes the Title I Budget in all ESEA Consolidated Subgrant Applications, that specific details are provided, to describe each selected expenditure category (e.g., classroom supplies to include notebooks, file folders, calculators, and rulers). Listing 'miscellaneous classroom' for a description is not sufficient detail to determine if the associated budgeted cost is associated with instructional or non-instructional supplies and materials and allowable under the Title I program.

IDEA Program

Finding 1:

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

Citation(s):

N.J.A.C. 6A:14-2.3(k)1 and 2 Parental consent, notice, participation and meetings

Required Action(s):

The district must ensure all meetings are conducted with required participants and that documentation of attendance and/or written parental consent to excuse a member of the IEP team is maintained in student files. 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 meeting documentation, including the sign-in sheets, for meetings conducted between September 2023 and December 2023
- review the oversight procedures

Finding 2:

The district did not consistently follow appropriate procedures to evaluate students referred for a speech-language evaluation. Specifically, speech-language specialists conduct screenings of individual students to determine if an evaluation is warranted prior to initiating a referral to determine if an evaluation is warranted.

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Citation(s):

N.J.A.C. 6A:14-3.3(e) Location, referral and identification and 3.4(a)-(j) Evaluation

Required Action(s):

The district must discontinue the practice of screening individual students prior to initiating the evaluation process. 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 citations listed above.

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

- interview staff
- review initial evaluation information for speech-language referrals made between September 2023 and December 2023
- review the oversight procedures

Finding 3:

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

Citation(s):

N.J.A.C. 6A:14-2.5(b)6 Protection in evaluation procedures and 3.6(b) Determination of eligibility for speech-language services

Required Action(s):

The district must ensure 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 citations 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 between September 2023 and December 2023
- review the oversight procedures

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Finding 4:

The district did not consistently document in the IEPs of students removed from the general education setting for more than twenty (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 appropriate
- comparison of the benefits provided in the general education class and the benefits provided in the special education class
- for those students placed in separate settings, district activities to transition the student to a less restrictive environment.

Citation(s):

N.J.A.C. 6A:14-4.2 (a)8(iii) Placement in the least restrictive environment and 3.7(k) Individualized education program

Required Action(s):

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 twenty (20) percent of the school day. The district must also ensure that for students placed in separate settings, the IEP team identifies district activities to transition the student to a less restrictive environment and document them in each 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 citations listed above; and 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. The names of the students whose IEPs were identified as noncompliant will be provided to the district by the monitor.

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 September 2023 and December 2023
- review the oversight procedures

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Finding 5:

The district did not consistently determine eligibility collaboratively for students referred for initial evaluations for speech-language services. Specifically, speech-language specialists determine eligibility in evaluation reports rather than at an eligibility meeting with appropriate participants.

Citation(s):

N.J.A.C. 6A:14-3.3(e) Location, referral and identification, and 3.6(c) Determination of eligibility for speech-language services

Required Action(s):

The district must ensure that eligibility for speech-language services is determined collaboratively at an eligibility meeting. 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 citations 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 September 2023 and December 2023
- review the oversight procedures

CRRSA ESSER II

Finding 1:

The district expended CRRSA ESSER II funds for the installation of a roof-top air conditioning unit over the district's computer room.

Construction is authorized under Title VII of the ESEA (Impact Aid) and therefore, is an allowable use of the Governor's Emergency Education Relief and ESSER funds under the CARES Act, the CRRSA Act and the ARP Act. Pursuant to ESEA legislation, the term "construction" means:

1. the preparation of drawings and specifications for school facilities;
2. erecting, building, acquiring, altering, remodeling, repairing, or extending school facilities;
3. inspecting and supervising the construction of school facilities; and
4. debt service for such activities.

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When expending federal funds for construction projects over \$2,000, local education agencies such as OGSD, must comply with Davis-Bacon Act (DBA) and related Acts. The definition of construction is a bit more extensive under DBA and includes, among other things, painting and decorating. DBA requires the payment of wage rates and fringe benefits prevailing in the area for each class of laborer and mechanic engaged in construction activity under contracts financed or assisted by federal funds based on determinations by the U.S. Department of Labor (USDOL). When Federal and State legislation and regulations governing prevailing wages are in conflict, the most restrictive prevails.

LEAs must place a copy of the current prevailing wage determination issued by the USDOL in requests for price quotation, requests for proposals and invitation for bids. The New Jersey Prevailing Wage Act, as amended by P.L. 2021, c.301 (NJPW Act) addresses certain bids as well. Effective May 7, 2022, contractors submitting the lowest bid for a contract covered by the NJPW Act must certify to LEAs that the prevailing wages required by NJPW Act shall be paid, if that bid is 10 percent or more lower than the next lowest bid. The NJPW Act also requires contracts for public work expressly state the workers performing work under the contract shall not be paid less than the required prevailing wage rate.

LEAs must ensure that contracts and/or subcontracts for construction projects contain wage determinations and appropriate clauses required by the DBA. Wage determinations set forth by the DBA and USDOL resources to assist with compliance are available at sam.gov/content/wage-determinations and dol.gov, respectively. The wage determination and the DBA poster (WH-1321) must be posted at all times by the contractor and its subcontractors at the site of the work. This information must be displayed in a prominent and accessible place, clearly visible by the workers.

The contractor and each subcontractor are required to pay their laborers and mechanics no less than weekly and to submit certified payroll records to the district each week that:

- are accompanied by a signed "Statement of Compliance" indicating the payrolls are correct and complete;
- contain wage rates not less than those determined by the Secretary of Labor; and
- reflect classifications for each employee which conform with work performed.

The contractor is responsible for submitting payroll records for all of its subcontractors.

The DBA and related Acts specify additional requirements for prime contracts over \$100,000. In particular, the Contract Work Hours Standard Act stipulate that contractors and subcontractors pay laborers and mechanics at least one and one-half times their regular rate of pay for all hours worked over 40 in a workweek. The overtime provision under the Fair Labor Standards Act may apply to DBA-covered contracts as well.

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The district is required to obtain and review the weekly, certified payroll records to determine if any worker has been paid less than the prevailing wage. In the event the district determines the contractor or subcontractor has failed to pay any laborer or mechanic the prevailing wage, the district must:

- notify the contractor or subcontractor accordingly in writing; and
- take such action as may be necessary to suspend further payments of funds until the violations have ceased.

The penalties and sanctions for noncompliance with the DBA and related Acts can be rather significant.

Citation(s):

CARES Act §§18002(c)(3) and 18003(d)(1); CRRSA Act §§312(c)(3) and 313(d)(1); ARP Act §2001(e)(2); Davis-Bacon Regulations 29 C.F.R. §5.5 Contract provisions and related matters; ESEA §7013(3) Construction; Uniform Grant Guidance, Subpart E Federal Cost Principles such as §§200.403-200.404 and 200.439(b); 2 CFR Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards; EDGAR, 34 C.F.R. §§76.600 Compliance with the U.S. Constitution, statutes, regulations, stated institutional policies and regulations; and 75.600 Use of a grant for construction: Purpose of §§75.601-617; OMB Standard Forms 424B and 424D (Assurances for Non-Construction and Construction Programs Sample forms which are accessible at [Grants.Gov](https://www.grants.gov)). Also, refer to the assurances relating to labor standards; flood hazards; historic preservation; health and safety, energy conservations, and coastal barrier resources) and N.J.S.A. 34:11-56.25 et seq. New Jersey State Prevailing Wage Act.

Required Action(s):

For all budgeted construction project costs unpaid as of the date of this ROE, the district must obtain and keep on file for seven (7) years, records evidencing adherence to prevailing wage requirements pursuant to the DBA and related Acts and the NJPW Act in relevant part.

Finding 2:

The district disbursed a payment of \$2,650.00 to Central Jersey Security Cameras for invoice number 6918 under PO 22J-0363. The district improperly remitted a second payment of \$3,550.00 (inclusive of the same services totaling \$2,650.00) for invoice 7011 under PO 22J-0431. The district acknowledged this oversight.

Pursuant to the Uniform Grant Guidance, charges to Federal awards must be, among other things:

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1. necessary, reasonable, and allocable to the Federal award; and
2. adequately documented.

Citation(s):

Uniform Grant Guidance, Subpart E – Cost Principles 2 C.F.R. §200.403 Factors affecting allowability of costs, §200.404 Reasonable costs and §200.405 Allocable costs

Required Action(s):

The district is required to provide accounting records evidencing reversal of the duplicate payment of \$2,650.00 allocated to the CRRSA ESSER II grant for PO 23J-0431. If the district has already submitted reimbursement for these expenditures, the district must reduce the expenses claimed on its next reimbursement request for this Federal award by \$2,650.00. This offset is necessary to ensure the accuracy of the district's reimbursement requests and Final Report. The required documents must be submitted to OFAC through the CFM Homeroom Application within thirty (30) days from the date of this ROE.

Finding 3:

The district issued PO 23J-0392 to TTI Environmental, Inc. in the amount of \$3,645.00 for a hazardous material survey before the start of an HVAC project. The PO was allocated to the CRRSA ESSER II grant. The district disbursed a payment of \$3,645.00 following receipt of the vendor's invoice for a lower amount, \$3,140.00. The difference of \$505.00 is unsubstantiated.

Citation(s)

Uniform Grant Guidance, Subpart E – Cost Principles 2 C.F.R. §200.403 Factors affecting allowability of costs, §200.404 Reasonable costs and §200.405 Allocable costs

Required Action(s):

The district is required to provide accounting records evidencing reversal of the excess costs of \$505.00 allocated to the CRRSA ESSER II grant for PO 23J-0392. If the district has already submitted reimbursement for these expenditures, the district must reduce the expenses claimed on its next reimbursement request for this Federal award by \$505.00. This offset is necessary to ensure the accuracy of the district's reimbursement requests and Final Report. The required documents must be submitted to OFAC through the CFM Homeroom Application within thirty (30) days from the date of this ROE.

Finding 4:

The district charged expenditures for computing devices to an incorrect line item (also referred to as an expenditure category) to 400-731 Instructional Equipment. The costs should have been charged to line item 100-600.

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Citations:

Uniform Grant Guidance, 2 C.F.R. §200.302 Financial Management, N.J.A.C. 23A-16.2 et. seq. Principles and directives for accounting and reporting and the Uniform Minimum Chart of Accounts

Required Action(s):

The district must follow the requirement of the citations listed above when charging expenditures in the general ledger.

CRRSA ESSER Mental Health

Finding 1:

The district transferred CRRSA ESSER Mental Health funds totaling \$52,875.00 to line item 400-732, in which no funds were previously budgeted, without filing an amendment application.

Citation(s):

EDGAR, 34 C.F.R. §76.700 Compliance with the U.S. Constitution, statutes, regulations, stated institutional policies and regulations and [ESSER I, II, and III Funding – Grant Specific Information](#)

Required Action(s):

The district must be sure to file amendment application to obtain approval for the use of CRRSA ESSER Mental Health funds in a previously unopened line item or reverse the related appropriation and expenditures. The district must submit records showing this correction to OFAC within thirty (30) days from the date of this ROE.

ARP ESSER Summer Learning

Finding 1:

The district was requested to provide timesheets or pay forms for staff paid on an hourly basis with ARP ESSER Summer Learning funds on August 15, 2022. This date was selected based on a review of accounting and payroll submitted for examination. The unsubstantiated payroll costs total \$11,732.08.

Pursuant to the Uniform Grant Guidance, charges to Federal awards for salaries and compensation must be based on records that among other things:

- accurately reflect what grant funded staff are doing, as well as when and where they are working; and
- reasonably reflect the total activity for which the employee is compensated by the district, not exceeding 100% of compensated activities.

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This documentation is necessary to verify that grant funded staff are performing allowable grant activities. In addition, board meeting minutes approving district staff to perform the grant funded activity for pay on an hourly basis must delineate pertinent information including, but not necessarily limited to the account number, funding source, employee's name, type and rate of compensation, and a not-to-exceed amount.

Citation(s):

Uniform Grant Guidance, 2 C.F.R. §200.430(i) Compensation - personal services:
Standards for Documentation of Personnel Expenses, Subpart E – Cost Principles 2 C.F.R.
§200.403 Factors affecting allowability of costs, §200.404 Reasonable costs and
§200.405 Allocable costs

Required Action(s):

The district must submit copies of accounting records evidencing the reversal of the expenditures identified that were allocated to the ARP ESSER Summer Learning subgrant. If the district has already submitted reimbursement for these expenditures, the district must reduce the expenses claimed on its next reimbursement request for this federal award by \$11,732.08. This offset is necessary to ensure the accuracy of the district's reimbursement requests and Final Report. The required documents must be submitted to OFAC through the CFM Homeroom Application within thirty (30) days from the date of this ROE.

Administrative Section

Finding 1:

The district did not have formal written procedures that address Uniform Grant Guidance requirements including, but not limited to:

- determining the allowability of costs in accordance with Federal cost principles and the terms and conditions of the Federal award;
- the mandatory disclosure of all violations of Federal criminal law involving fraud (additional requirements relating to fraud follow), bribery, or gratuity violations potentially affecting the Federal award; and

Pursuant to ESEA legislation, each recipient of a grant or subgrant under ESEA must also display, in a public place, the hotline contact information of the Office of Inspector General of the Department of Education (USDEOIG) so that any individual who observes, detects, or suspects improper use of taxpayer funds can easily report such improper use.

Federal guidance relating to the prevention of fraud is accessible from [USDEOIG Brochures](#); scroll past multiple tables to the Brochures, Flyers & Posters (Download Free) section. Use this

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link, [For K-12: Preventing Fraud and Corruption in Federal Education \(2021\)](#), to access a video training presentation.

In addition, the district's policy pertaining to the submission of reimbursement requests refers to the Excluded Parties List System in lieu of the current System for Award Management (SAM). Some polices mention Office of Budget and Management circulars that were replaced several years ago by the Uniform Grant Guidance. Further, a number of the district's board policies relating to Title I contain legislative references to No Child Left Behind Act, rather than applicable citations to ESEA. In sum, the district's board policies also need to be reviewed and updated accordingly.

Citation(s):

ESEA §9203 Preventing Improper Use of Taxpayer Funds; Uniform Grant Guidance, 2 C.F.R. §§200.302(b)(6)-(7) Financial management and 2 C.F.R. §§200.400 – 200.476 Subpart E - Cost Principles; §200.113 Mandatory disclosures; and 2 C.F.R. §§200.317 – 327 Procurement Standards

Required Action(s):

The district must develop, revise, adopt and implement board policies and written procedures which address the requirements of the Uniform Grant Guidance, and include relevant citations and references to current legislation, where appropriate. The district may opt to utilize a vendor for the preparation and revision of the requisite board policies and procedures.

Finding 2:

The board meeting minutes provided for examination lacked mention that the district agreed to:

1. submit applications and/or amendment applications for certain grants/subgrants, including the dollar amount of the federal award; and
2. accept the funds upon subsequent approval of the applications.

In the case of ESEA titled programs, the district's board meeting minutes mentioning the submission of the ESEA Grant Applications did not list the dollar amount of all awards separately.

Citation(s):

All Consolidated Grant Applications; refer to the Submit tab (Board Authorization) in the Electronic Web-Enabled Grant system (EWEG)

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Required Action(s):

While completing each Consolidated Grant Applications in EWEG, the district must enter the actual or anticipated date of a board resolution approving the submission of the grant application and acceptance of grant funds following subsequent approval. The board resolution must be kept on file for audit or monitoring purposes.

Finding 3:

The district did not provide a number of accounting records requested for examination prior to, during or after the monitoring visit. Such records include, but are not necessarily limited to: Revenue Summaries, Revenue Detail Reports for all grant and subgrants, and Budget Reports for more than one grant/subgrant.

Pursuant to the Uniform Grant Guidance, the chart school must maintain records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

Citation(s):

EDGAR, 34 C.F.R. §76.730(e) Records related to grant funds and Uniform Grant Guidance, 2 C.F.R. §200.302 Financial Management

Required Action(s):

The district must keep records that show, in part, the amount of funds under the grant or subgrant, how the LEA uses the funds and other records to facilitate an effective audit.

Finding 4:

The amounts appropriated for one or more federal grants in the district's accounting records could not be reconciled with corresponding amounts awarded in the EWEG system. For example, the department adjusted the district's IDEA Part B Basic and Preschool grant allocations. However, the accounting records reflect the original allocation amounts.

Pursuant to the Uniform Grant Guidance, the district's financial management system provide for accurate, current, and complete disclosure of the financial results of each Federal award.

Citation(s):

Uniform Grant Guidance, 2 C.F.R. §200.302 Financial Management

Required Action(s):

The district must implement a process to ensure that appropriations of all federal grants are recorded appropriately in its financial records.

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Finding 5:

The district submitted a copy of its Board Treasurer's Report (BTR) as of December 31, 2022, as requested for examination. The BTR, however, could not be reconciled to the accompanying schedules. As a result, utilization of the BTR for comparison with the corresponding Board Secretary Report (BSR) for monitoring purposes is not practical.

Citation(s):

N.J.S.A. 18A:17-9 Monthly reconciliation of bank account statements; report by secretary and N.J.S.A. 18A:17-36 Accounting; monthly and annual reports

Required Action(s):

The district must implement a process to ensure that their BTRs are properly supported by underlying schedules and can be tied out to related BSRs. As part of the CAP submission, the district is required to provide their BTRs and BSRs, along with any schedules and reconciliation prepared as of June 30, 2023 for examination. The required documents must be submitted to OFAC through the CFM Homeroom Application.

Finding 6:

A number of purchase order voucher packets were selected and examined during monitoring. The district was unable to provide evidence that multiple quotes were obtained for applicable purchase orders including, but not necessarily limited to, PO 23J-0499 and PO 23J-0541. These POs exceeded the threshold necessitating quotes in accordance with:

1. the New Jersey Public School Contracts Law (PSCL) and district policy; or
2. procurement standards under Uniform Grant Guidance.

When the Federal and State legislation and regulations governing procurement are in conflict, the most restrictive prevails. Federal procurement standards do not include all exemptions allowed under the PSCL, specifically, professional services.

Citation(s):

Uniform Grant Guidance, 2 C.F.R. §§200.317 - 327 Procurement Standards and N.J.S.A. 18A:18A-37(a) Award of purchases, contracts, or agreements

Required Action(s):

The district must adhere to the PSCL or applicable provisions of the Uniform Grant Guidance, whichever is most restrictive, when obtaining goods and services.

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Finding 7:

On a few occasions, the district failed to issue a purchase order prior to goods being purchased or services being rendered (confirming order). State regulations require that a *properly executed* purchase order be issued *prior* to the purchase of goods or the rendering of services.

Citation(s):

Uniform Grant Guidance, 2 C.F.R. §200.302(b)(4) Financial management and N.J.S.A. 18A:18A(2)(v) Definitions “Purchase Order”

Required Action(s):

Purchase orders should be issued to all vendors prior to goods or services being provided.

Finding 8:

A number of purchase orders were examined during the monitoring with dollar amounts equal to or greater than \$25,000.00. Such purchase orders meet one of a number of definitions of a covered transaction in 2 C.F.R. §180.220. Before entering into covered transactions, these regulations require the district to determine the vendor is not debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities. The covered transactions tested lacked any indication that verifications of this nature are being performed. Verifications may be accomplished by:

1. checking the System for Award Management (SAM) Exclusions maintained by the General Services Administration and available at [SAM.gov | Home](https://sam.gov);
2. collecting a certification from the entity; or
3. adding a clause or condition to the covered transaction with that entity (2 C.F.R. section 180.300).

Copies of written evidence demonstrating performance of the requisite verifications must be maintained. In addition to items 1 and 2 above, other examples of evidence include printouts of search results from SAM, imprints from an ink stamp, or Avery labels affixed to purchase orders memorializing performance of this verification.

Citation(s):

Uniform Grant Guidance, 2 C.F.R. §200.214 Suspension and debarment

Required Action(s):

The district is required to implement procedures to confirm vendors are neither debarred, nor suspended prior to entering into purchase orders or contracts equal to or in excess of \$25,000.00. In addition, the district must maintain written records evidencing performance of these verifications on file for monitoring and audit purposes.

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Finding 9:

During the monitoring, it was determined that the district expended funds under Title I, IDEA Part B Basic, IDEA Preschool, CRSSA ESSER II, ARP ESSER and other grants/subgrants absent the submission of *any* reimbursement requests.

Pursuant to the Uniform Grant Guidance, LEAs must minimize the time elapsing between the receipt of funds from NJDOE for reimbursement purposes and the payment of grant expenditures. To this end, the department's guidance on reimbursement requests authorizes LEAs to claim expenditures that:

1. *have already been paid*; or
2. will be paid within three (3) days of receipt of its reimbursement check.

In order to comply with number 2 above, the district should only request the reimbursement of expenditures for invoices in hand and determined to be accurate.

Citation(s):

Uniform Grant Guidance, 2 C.F.R. §200.305 Federal Payment, [Office of Grants Management, General Federal Entitlement Grant Guidance](#) and [Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures](#)

Required Action(s):

The district is required to submit reimbursement requests on a monthly basis, or at least quarterly. In addition, the district is responsible for maintaining supporting documentation for seven (7) years and for making it available to the NJDOE, the U.S. Department of Education, and/or their authorized representatives upon request.

The NJDOE thanks you for your time and cooperation during the monitoring visit and looks forward to a successful resolution of every finding and implementation of all required actions and recommendations contained in this report.

If you have any questions, please contact Lisa D. McCormick via phone at (609) 376-3608 or via email at lisa.mccormick@doe.nj.gov.