State of New Jersey Department of Education PO Box 500 Trenton, New Jersey 08625-0500

Rahway Public Schools

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New Jersey K to 12 Education

Collaborative Monitoring Report August 2023

District:	Rahway Public Schools
County:	Union
Dates Monitored:	May 16, 17, 18 and 19, 2023
Case Number:	CM-06-23

Funding Sources:

Program

Funding Award

Title I, Part A	878,422
Title I SIA	141,419
Title II, Part A	249,437
Title III	123,603
Title III Immigrant	0
Title IV, Part A	82,687
IDEA Part B, Basic and Preschool	1,140,123
CRRSA ESSER II (includes all subgrants)	2,007,843
ARP ESSER (includes all subgrants)	4,717,426
Perkins V	0
Total Funds	9,340,960

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 Rahway Public Schools (RPS 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 RPS 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 I SIA;
- Title II, Part A (Title II-A);
- Title III, Part A (Title III);
- 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
- 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, equipment and school buses purchased with Federal funds were selected and physically examined, except where noted by ARP ESSER and Title I SIA Finding 1 in the Detailed Findings and Recommendations, Multiple Grants Section.

Expenditures Reviewed

The grants and programs reviewed included Title I, Title I SIA, Title II-A, Title III, Title IV-A, IDEA Basic and Preschool from July 1, 2022 through February 1, 2023. In addition, CRRSA ESSER II and ARP ESSER and all applicable subgrants were reviewed from commencement of the related project periods through February 1, 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, Part A Projects

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

RPS is using its FY 2023 Title I funds to implement schoolwide programs in four elementary schools and targeted assistance programs in both the middle and high school. Title I funds are used to support the following activities:

- salaries and benefits of basic skills teachers to supplement the instruction of lowperforming students;
- instructional materials and supplies;
- extended day/year programs;
- professional development;
- social-emotional learning;

- Science, Technology, Engineering and Mathematics (STEM)/STEAM¹; and
- transition programs.

Title I SIA Projects

The School Improvement Award (SIA) is allocated to districts with schools designated as comprehensive support and improvement (CSI), targeted support and improvement (TSI) or additional targeted support and improvement (ATSI). The SIA exclusively supports evidence-based practices, as defined by ESSA, which demonstrate a statistically significant effect on improving student outcomes, as reflected in studies with strong, moderate, or promising evidence of effectiveness.

RPS receives SIA for four schools designated as ATSI based on indicators outlined in the NJDOE's ESSA Plan and addendum. Two of these schools are no longer designated as such, effective June 30, 2023 and two schools were newly identified in January 2023. These funds are used for instructional resources to support evidence-based interventions in English Language Arts and Mathematics, enhancements to the Positive Behavior Support in Schools program and staff stipends for extended day and mentoring programs. Additionally, funds are allocated to support staff development in best practices and to increase parent and family engagement.

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, principal and other school leaders;
- 3. increase the number of teachers, principal 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, principal and other school leaders.

RPS uses their Title II-A funds to provide high-quality personalized professional development which includes a teacher mentoring program. Training and assistance on selecting and implementing assessments for English Language Arts (ELA) and English as Second Language (ESL) is implemented with Title II-A funding.

¹ The acronym STEAM consists of STEM, plus an "A" for "Arts."

Title III Projects

The purpose of Title III is to:

- 1. help ensure that English learners, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English;
- 2. assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that all English learners can meet the same challenging, State academic standards that all children are expected to meet;
- assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, local educational agencies, and schools in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth;
- 4. assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instructional programs designed to prepare English learners, including immigrant children and youth, to enter all English instructional settings; and
- 5. promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners.

RPS uses their Title III funds for staff to run a summer program for English learners and to obtain instructional supplies, such as curricula software.

Title III Immigrant Projects

The purpose of Title III Immigrant funds is to provide enhanced instructional opportunities for immigrant students and their families. RPS used its allocation to promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners.

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.

RPS uses its Title IV-A funds for accelerated learning programs with training and resources. Title IV-A funding is also used to implement social emotional learning through professional development for faculty which includes relationship building and trauma-informed class management activities and resources.

IDEA

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 FY 2023 IDEA Basic funds are being used for instructional supplies, related services, and professional development and to reduce the cost of out of district tuition.

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.

RPS used its CRRSA ESSER II funds primarily for architectural services for school window repairs and ventilator replacements, educational technology, such as software licenses and subscriptions and digital textbooks, instructional supplies, and sanitization equipment and supplies.

In addition, CRRSA Learning Acceleration (CLA) funds are being used for school year learning acceleration and instructional supplies. CRRSA Mental Health funds are being expended for counseling for students and professional development for staff.

ARP ESSER II

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.

RPS uses its ARP ESSER funds mainly for educational technology, such as Chromebooks and software subscriptions, school buses, salaries of coaches/interventionists working with staff to improve instruction and architectural services for school window repairs. ARP ESSER funds are also budgeted for heating, ventilation and air conditioner repairs to improve air quality.

ARP ESSER subgrant funds are budgeted for uses including, but not limited to instructional coaches/interventionists and a school counselor.

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 precede the fiscal findings unless otherwise denoted by an asterisk (*).
- 3. Administrative Section crosscutting administrative findings may be found in this section.

Multiple Grants Section

ARP ESSER and Title I SIA

Finding 1:

The district spent ARP ESSER funds for the acquisition of 500 HP ProBooks for district staff. The district prepared a computing device log (CDL) that identifies the devices assigned to their staff members. In addition, the district bought 1,900 Chromebooks and 16 sets of Air Pods for its students using ARP ESSER and Title I SIA funds, respectively.

A comparison of the HP ProBooks serial numbers on the invoice received from the vendor to those on the CDL disclosed 79 of the devices do not appear on the log. Of the 79 devices, 19 remain unaccounted for as of the present date. In contrast, every service tag number for the Chromebooks listed on the vendor's invoice correctly appears on the export from the district's Google Admin console provided for our review.

A sample of the HP ProBooks, Chromebooks and Air Pods were also selected and physically examined. A total of 19 HP ProBooks,42 Chromebooks and 1 pair of Air Pods have not been produced for examination. Most of the missing Chromebooks were identified as damaged in a supplemental log or could not be obtained on the dates of the physical inspection due to student absences. Furthermore, copies of contemporaneous emails documenting incidents of damaged Chromebooks were not provided following the on-site inspection. Nor were pictures of devices which show the serial numbers of the devices of absent students furnished for review.

The aforementioned exceptions illustrate why the district must *all* equipment items, as well as any electronic devices that are less expensive to track than to replace, on inventory records, which are purchased with federal grant funds until transfer, replacement, or disposition takes

place. Pursuant to the Uniform Grant Guidance, the inventory records must include the following information, at a minimum:

- 1. description of the item/property;
- 2. serial number, model number, or other identification number (bar code or local identifying number);
- 3. funding source of the item/property;
- 4. title holder (name of funding title/grant);
- 5. acquisition date;
- 6. acquisition cost of the item/property;
- 7. records showing maintenance procedures to keep item/property in good condition;
- 8. percentage of federal participation in the cost of the item/property;
- 9. location, use, and condition of the item/property, and date information was reported; and
- 10. all pertinent information on the ultimate transfer, replacement or disposition (including date of disposal and the sale of the item/property, if applicable) when the item/property is retired from service.

With respect to item 2, LEAs should utilize numbers which correspond directly or that can be referenced, to those recorded on the vendor's shipping or packaging slips in order to facilitate effective:

- implementation of internal controls over the equipment and computing devices purchased with federal funds; and
- monitoring and audits.

The district is required to update the inventory listings for new purchases of equipment and computing devices and the purging of items. A physical inventory of equipment item/property must be performed, and the results reconciled with the inventory property records at least once every two (2) years. Any loss, damage, or theft must be investigated and fully documented by local law enforcement officials.

The Uniform Grant Guidance allows the use of equipment no longer needed for the original project program on other activities currently or previously supported by federal funds. Otherwise, the disposition of equipment acquired with federal grant funds must be in accordance with the grant requirements. In the absence of specific instructions of the federal grant, equipment valued at \$5,000 or less may be retained, sold or otherwise disposed of with no further federal obligation.

Citation(s):

Uniform Grant Guidance, 2 C.F.R. §200.313(d) Equipment; §200.403(a) and §200.403(g) Factors affecting allowability of costs; and <u>Office of Grants Management, General</u> <u>Federal Entitlement Grant Guidance</u>

Required Action(s):

As of the present date, the dollar amount of the missing HP ProBooks - \$32,411.34, Chromebooks - \$14,325.78 and Air Pods - \$179.00, total \$46,737.12. This figure will be reduced accordingly for any missing devices the district is able to locate in the Fall of 2023 following the return of district staff and students to school.

In the event the district is unable to locate additional devices, the district must submit copies of accounting records evidencing the reversal of charges totaling \$46,737.12 for 39 HP ProBooks and 42 Chromebooks, and \$179.00 for 1 set of Air Pods allocated to the ARP ESSER and Title I SIA grant, respectively. Given the district has already submitted reimbursement for these costs, the district must reduce the expenses claimed on its next reimbursement request for ARP ESSER and Title I SIA by the amounts noted. This adjustment 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 report of examination.

Recommendation(s):

District staff have been advised to enter or transfer service tag or serial numbers from the invoices received from its vendor to properly account for the population of computing devices and equipment for tracking purposes.

Grant Specific Programmatic and Fiscal Section

Title I, Part A

Finding 1:

The annual school plan (ASP) development teams throughout the LEA did not consistently include all stakeholder groups (e.g., administrators, instructional staff, non-instructional staff, support personnel, parents, other community members, and students, when applicable).

Citation(s):

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

Required Action(s):

As part of its corrective action plan (CAP), the LEA must submit evidence of established processes to ensure parents/families and community members, are included on the

schoolwide planning team and in the decision-making process for how Title I funds will be spent in the LEA.

Recommended Action(s):

The LEA should provide technical assistance to school-level staff regarding the completion of the ASP, to ensure consistency throughout the LEA. There were inconsistencies noted during the monitoring visit regarding stakeholder engagement representatives.

Finding 2:

An examination of the district's detailed account analysis for the Title I disclosed account numbers which contain school-level subcodes for salaries and benefits and district-level subcodes. The district incorrectly recorded non-personnel expenditures incurred for its schools under account numbers containing district-level subcodes. Expenditures clearly spent at the school-level are recorded at the school-level and those incurred for central administrative functions are recorded at the district-level. The coding and reporting of personnel and non-personnel expenditures impacts the Federal funds used to calculate the per-pupil expenditure figures that must be included on State and local report cards.

In addition, the detailed account analysis did not reflect the use of distinct sub-codes for its parent and family engagement and homeless reserves. Amounts expended for these set-asides must be used for allowable program activities and accounted for separately to enhance the district's ability to monitor unexpended balances, which may be carried forward, provided the funds are spent for their intended purpose or returned to the State.

Citation(s):

ESEA §1111(h)(1)(C)(x) Report Cards (Minimum Requirements), Uniform Grant Guidance, 2 C.F.R. §200.302(b)(3) Financial Management and The Uniform Minimum Chart of Accounts for New Jersey Public Schools and Approved Private Schools for Students with Disabilities (UMCOA)

Required Action(s):

The district is required to implement procedures to ensure the proper recording of expenditures in its accounting records and accuracy of fiscal information used for school level reporting required under ESEA. In addition, the district must utilize distinct subcodes to ensure its parent and family engagement and homeless reserves are accounted for separately.

Finding 3:

The district was requested to provide records to substantiate a payroll disbursement adjustment of \$31,108 posted to their detailed account analysis for Title I on October 1, 2022. However, the district was unable to provide copies of employee timesheets which total \$31,108

exactly. As a result, copies of records supporting *all* payroll costs had to be examined to complete our testing in lieu of those attributable specifically to the disbursement adjustment.

Going forward, the district is required to maintain records which substantiate their disbursement adjustments precisely in order to facilitate an effective audit or monitoring and to avoid potential monetary findings.

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.

Additionally, the Uniform Grant Guidance requires grantees to maintain records which adequately identify the source and application of funds provided for Federally funded activities.

Citation(s):

Uniform Grant Guidance, 2 C.F.R. §200.403(a) and §200.403(g) Factors affecting allowability of costs and §200.302(b)(3) Financial management

Required Action(s):

The district is required to maintain copies of documents and records which substantiate the exact dollar amount of their disbursement adjustments for conformity with the Uniform Grant Guidance and to facilitate an effective audit or monitoring.

Title II-A

The review of district's 2022-2023 Title II-A programs yielded no findings.

Title III

The review of district's 2022-2023 Title III programs yielded no findings.

Title IV-A

The review of the district's 2022-2023 Title IV-A programs yielded no findings.

IDEA Program

Finding 1:

The district did not consistently document that required participants were in attendance at identification and eligibility meetings for students referred and/or eligible for special education and related services and for students referred and/or eligible for speech-language services.

Citation(s):

N.J.A.C. 6A:14-2.3(k)1(i-vii), 2.3(k)2, Parental consent, notice, participation, and meetings and 3.3(e) Location, referral, and identification

Required Action(s):

The district must ensure all meetings are conducted with required participants and that 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 citations 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 November 2023 and February 2024
- review oversight procedures

Finding 2:

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. Initial evaluation reports did not consistently contain:

- observations in non-testing setting
- parent interview
- teacher interview
- a review of prior interventions documented by the teacher(s) or others who work with the student
- informal measures

Citation(s):

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

Required Action(s):

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 speech-language specialists and develop an oversight mechanism to ensure compliance with the requirements in the citation listed above.

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

- interview staff
- review initial evaluation reports for students evaluated between November 2023 and February 2024
- review the oversight procedures

Administrative Section

Finding 1:

The district submitted board policies for examination which address certain Uniform Grant Guidance provisions. The board policy for debarment and suspension did not mention the dollar amount of covered transactions and the requirement for maintaining copies of written documentation

Other board policies were provided for review absent copies of the requisite *written procedures* to implement such policies. Examples include, but are not necessarily limited to:

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

Pursuant to ESEA legislation, each recipient of a grant or subgrant under ESEA must 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 <u>USDEOIG Brochures</u>; scroll past multiple tables to the Brochures, Flyers & Posters (Download Free) section. Use this link, <u>For K-12: Preventing Fraud and Corruption in Federal Education (2021)</u>, to access a video training presentation.

In addition, 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).

Citation(s):

ESEA §9203 Preventing Improper Use of Taxpayer Funds; Uniform Grant Guidance, 2 C.F.R. §200.214 Suspension and debarment, 2 C.F.R. §§200.302(b)(6)-(7) Financial management and 2 C.F.R. §§200.400 – 200.476 Subpart E - Cost Principles; and §200.113 Mandatory disclosures

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:

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 3:

A number of purchase order voucher packets were selected and examined during monitoring. The district was unable to provide evidence that bids were obtained prior to the distribution of purchase order numbers 2205306 and 2205307 to RPS' architect of record for two projects. The dollar amount of these POs exceeded thresholds necessitating:

- 1. bids in accordance with the New Jersey Public School Contracts Law (PSCL) and district policy; or
- 2. quotes pursuant to 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.

Finding 4:

The district is not submitting reimbursement requests for one or more Federal awards on a monthly, or at least quarterly basis.

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, <u>Office of Grants</u> <u>Management, General Federal Entitlement Grant Guidance</u> and <u>Policies and Procedures</u> <u>for Reimbursement of Federal and Other Grant Expenditures</u>

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 .