

State of New Jersey  
Department of Education  
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**Trenton Public School District**

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New Jersey K to 12 Education

Collaborative Monitoring Report  
July 2024

**District:** Trenton Public School District  
**County:** Mercer  
**Dates Monitored:** March 19, 20, 21 and 22, 2024  
**Case Number:** CM-08-24

**Funding Sources:**

<b>Program</b>	<b>Funding Award</b>
Title I, Part A	7,520,818
Title I SIA	1,816,800
Title II, Part A	696,889
Title III	805,467
Title III Immigrant	0
Title IV, Part A	542,020
IDEA Part B, Basic and Preschool	4,767,006
ARP ESSER (includes all subgrants)	45,967,553
Perkins V	209,956
<b>Total Funds</b>	<b>62,326,509</b>

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## **Background**

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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**

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The NJDOE visited the Trenton Public School District (TPSD 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 TPSD 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;
- American Rescue Plan (ARP) ESSER and applicable subgrants; and
- Perkins V.

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

The scope of work also included interviews with appropriate district staff regarding the administration of the aforementioned programs/grants. In addition, a sampling of computing devices and equipment purchased with Federal funds was selected and physically examined without exception.

The grants and programs reviewed included Title I, Title I SIA, Title II-A, Title III, Title IV-A, IDEA Basic, IDEA Preschool and Perkins V from July 1, 2023 through February 29, 2024. In addition, ARP ESSER and all applicable subgrants were reviewed from commencement of the related project periods through February 29, 2024. 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**

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### **Title I, Part A Projects**

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

TPSD is using its FY 2024 Title I funds to implement schoolwide programs in all schools. Title I funds are used primarily to pay the salaries and benefits of basic skills teachers to supplement the instruction of low-performing students, instructional materials and supplies, extended day/year programs, college and career readiness, and parent and family engagement. Title I funds are also being used to support students experiencing homelessness.

### **Title I SIA Projects**

The School Improvement Award (SIA) is allocated to districts with schools designated as comprehensive support and improvement (CSI), additional targeted support and improvement (ATSI) or targeted support and improvement (TSI). 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.

TPSD receives SIA for the benefit of eleven (11) schools designated as CSI, six (6) schools designated as ATSI and one (1) school that exited CSI status for the 2023-2024 school year. Additionally, six (6) schools were identified as CSI in January 2024 and received SIA funds to support planning activities prior to the 2024-2025 school year.

FY 2024 SIA funds are budgeted primarily for supplemental instructional materials and supplies to address English Language Arts, Mathematics, and Social Emotional and Learning. The district also budgeted stipends for some of its schools to implement activities beyond the contractual

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school day including extended learning for students, parent and family engagement programs, and professional learning communities.

### **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.

TPSD uses its Title II-A funds to provide evaluation and support for teachers, principals, and other schools leaders with the Proximity Learning platform. High-quality personalized professional development which includes effective instructional leadership for all educators is also implemented with Title II-A funding.

### **Title III Projects**

The purposes of the Title III, Part A and Title III, Immigrant program include the following:

1. help ensure that multilingual learners (MLs), 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 high levels in academic subjects so that all MLs can meet the same challenging, State academic standards that all children are expected to meet;
3. 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 MLs, 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 MLs, 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 MLs.

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**Note:** The term multilingual learner is synonymous with “English learner” or “English language learner.” Sources which are cited from the United States Department of Education may still reference the use of the term English learner or EL. The NJDOE recognizes that multilingual learners may enter New Jersey’s schools with a level of proficiency in a world language other than English. The NJDOE will use “Multilingual Learner” and “ML,” respectively, to shift to asset-based language and honor a student’s primary language.

In FY 2024, TPSD uses its Title III funds for the following: instructional supplies; salaries; supplies and materials; and professional and technical services.

### **Title III Immigrant Projects**

The purposes of the Title III Immigrant program include:

1. family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;
2. recruitment of, and support for, personnel, including teachers and paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth;
3. provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;
4. identification, development, and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with awarded funds;
5. basic instructional services that are directly attributable to the presence of immigrant children and youth in the local educational agency involved, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services;
6. other instructional services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and
7. activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services.

In FY 2024, TPSD total award of Title III Immigrant consists of \$281,966 carryover which is budgeted for purchased services, instructional supplies, and supplies and materials. A programmatic review was conducted due to the enrollment of MLs and related ESEA requirements. As of the monitoring visit, the district had not requested any reimbursements which serves in part to explain why a fiscal review was not performed.

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### **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.

TPSD uses its Title IV-A funds primarily for accelerated learning programs which focus on student access and opportunities. Crisis and trauma-informed prevention/intervention training and reduction of exclusionary discipline are implemented with Title IV-A funds as well.

### **IDEA**

The purpose of the IDEA grant is to provide Federal entitlement funds to assist with the costs of providing special education and related services to students with disabilities. FY 2024 IDEA Basic funds are being used to reduce district tuition costs for students receiving special education services in approved private schools for students with disabilities. Additional IDEA funds are being used to purchase instructional supplies and provide support services to students in the district receiving special education.

### **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.

TPSD uses its ARP ESSER funds mainly for:

1. window removal and replacement at the Grace A. Dunn Middle School;
2. boiler system replacements at various schools;
3. heating, ventilation and air conditioning repairs/upgrades at the Arthur J. Holland Middle School;
4. installation of electric systems for window air conditioners;
5. computing devices and software licenses;
6. instructional supplies and materials;
7. a new modular classroom;
8. janitorial equipment; and

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9. salaries and benefits of learning loss teachers, social workers and attendance officers.

ARP ESSER subgrant funds are being used for student transportation services and a violence prevention program. Also, subgrant funds are budgeted for uses including, but not limited to, teacher stipends for extended day/school year programs, teacher development and job embedded coaching and to hire additional social workers trained to assist with mental and behavioral health care.

**Perkins V**

Perkins V is a Federal education program that invests in secondary and postsecondary career and technical education (CTE) programs. It is dedicated to increasing learner access to high-quality CTE programs of study (POS) with a focus on program improvement, alignment across grades 5–12, postsecondary programs, and workforce and economic development.

The NJDOE Office of Career Readiness (OCR) records show that the district has department approval to operate one CTE POS and seven CTE programs<sup>1</sup> under the following Classification of Instructional Program (CIP) codes:

<b>POS/ Program</b>	<b>Career Cluster® Title</b>	<b>Program Name</b>	<b>CIP Code</b>	<b>OCR Approval Date</b>
POS	Human Services	Cosmetology/Cosmetologist, General	120401	5/27/2022
Program	Architecture & Construction	Carpentry/Carpenter	460201	6/16/2022
Program	Arts, Audio-Video Technology & Communications	Photographic and Film/Video Technology/Technician & Asst.	100201	2/13/2013
Program	same as above	Digital Arts	500102	9/25/2013
Program	same as above	Dance, General	500301	4/06/2020
Program	same as above	Drama & Dramatics, Theatre Arts, General	500501	4/06/2020
Program	Finance	Finance, General	520801	3/30/2016
Program	Marketing	Sales, Distribution, & Marketing Operations, General	521801	2/13/2013

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<sup>1</sup> In January 2022, the department advised all eligible recipients, including TPSD, that to continue to be eligible for FY 2025 Perkins V funding all CTE programs had to be upgraded to CTE POS by December 31, 2023. In December 2023, TPSD requested and was granted an extension of this deadline until April 1, 2024. As of the date of this ROE, none of the district’s CTE programs have been upgraded and are at risk of not being eligible for FY 2025 Perkins V funding.

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The department approved the district to expend the award primarily for various instructional supplies and payroll costs associated with work-based learning (WBL), career and technology student organization (CTSO) events and teacher professional development. The district was approved to spend the residual funds on site licenses, student technical skill assessments, field trips, and district affiliations. The district expended its FY 2024 Perkins V award mainly for student technical skills assessments, site licenses, professional development, and various instructional supplies.

## **Detailed Findings and Recommendations**

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

1. Multiple Grants Section – findings necessitating correction, or the reversal of charges due to the lack of adequate supporting documentation, for multiple grants.
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**

There are no findings which warrant mention in this section.

### **Grant Specific Programmatic and Fiscal Section**

#### **Title I**

The review of the district's 2023-2024 Title I programs yielded the following programmatic findings and fiscal findings which are more broadly addressed in the Administrative Section:

#### **Finding 1:**

Evidence was not provided to support that the district provides outreach to engage the parents/families of students within each school of their Title I schoolwide program.

Pursuant to the Elementary and Secondary Education Act (ESEA), parents/families have a right to be involved in the development of the school-parent compact and the written parent engagement policies for the district and each school. The district needs to determine how they can engage parents/families in the academic performance and achievement of their children.

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

ESEA §1116(a)(1) Parent and Family Engagement: General Provisions



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**Required Action(s):**

As part of the submission of its corrective action plan (CAP), the district must submit evidence of established processes to ensure:

- Parents and families are included on the schoolwide planning team and in the decision-making process for how parent and family engagement funds will be spent in the district.
- Programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents.

**Finding 2:**

The district did not provide evidence that each Title I school convened annual Title I parent meetings. Not conducting an annual meeting to explain the Title I legislation and the LEA's Title I programs in the beginning of the school year does not allow parents of identified Title I students to be informed and vested in the Title I process.

**Citation(s):**

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

**Required Action(s):**

The district must ensure that its Title I schools convene an annual Title I meeting, at the beginning of the school year, to inform all parents of the legislative requirements, and the school's Title I program. The district must outline the steps it will take to ensure the Title I Annual meeting will occur, at the aforementioned time, as part of the submission of its CAP.

**Finding 3:**

The district provided evidence of a Title I LEA parent and family engagement policy. However, they did not provide evidence of school-level parent and family engagement policies. In addition, the district parent and family engagement policy is outdated, and references No Child Left Behind (NCLB) instead of the Every Student Succeeds Act (ESSA). The annual review and current board adoption of such policies allow parents and other stakeholders to impact the parental involvement process and identify the unique needs of the school and parents/families.

**Citation(s):**

ESEA §1116(a)(2) Parent and Family Engagement: Written Policy and ESEA §1116(b) Parent and Family Engagement: School Parent and Family Engagement Policy

**Required Action(s):**

The district must have written district and school-level parent and family engagement policies developed with parental input, evaluated regularly, and reflective of all applicable ESEA citations. The district must submit a copy of an updated LEA/district-level parent and family engagement policy as part of the submission of its CAP. The

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district also must submit evidence of engaging parents in the development and review of this policy (e.g., meeting agenda, sign-in sheets, meeting minutes).

**Title I SIA**

The review of the district’s 2023-2024 Title I SIA programs yielded the following programmatic findings and fiscal findings which are more broadly addressed in the Administrative Section:

**Finding 1:**

The following identified CSI or ATSI schools do not have a fully approved 2023-2024 Annual School Plan (ASP):

Elementary Schools	Intermediate / Middle Schools
<ul style="list-style-type: none"> <li>• Benjamin Franklin Elem. School</li> <li>• Benjamin Gregory Elem. School</li> <li>• Cadwalder Elementary School</li> </ul>	<ul style="list-style-type: none"> <li>• Battle Monument Intermediate School</li> <li>• Grace A. Dunn Middle School</li> </ul>

**Citation(s):**

ESEA §§1111(d)1(B) and 1111(d)(2)(B) School Support and Improvement Activities

**Required Action(s):**

The district shall collaborate with the NJDOE Office of Comprehensive Support (OCS), to ensure all identified schools have a fully approved 2023-2024 ASP.

**Finding 2:**

The following identified schools did not have all required stakeholders (including principals and other school leaders, teachers, parents, students (secondary schools), and community members) involved in the 2023-2024 ASP planning process:

Elementary Schools	Intermediate / Middle Schools
William Harrison Elem. School	<ul style="list-style-type: none"> <li>• Battle Monument Interm. School</li> <li>• Clara Parker Intermediate School</li> <li>• Ulysses S. Grant Intermediate School</li> </ul>

**Citation(s):**

ESEA §§1111(d)1(B) and 1111(d)(2)(B) School Support and Improvement Activities

**Required Action(s):**

The district shall ensure that all identified schools have a 2024-2025 ASP that involves all stakeholders in the planning process.

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**Finding 3:**

The following identified schools do not have a fully updated quarterly reporting as of Cycle 2:

Elementary Schools	Intermediate / Middle Schools and High Schools
<ul style="list-style-type: none"> <li>• Benjamin Franklin Elem. School</li> <li>• Cadwalder Elementary School</li> <li>• Carroll Robbin Elementary School</li> <li>• Dr. Crosby Copeland Elem. School</li> <li>• George Washington Elem. School</li> <li>• Gershom Mott Elementary School</li> <li>• Joseph Stokes Elementary School</li> <li>• Patton J. Hill Elementary School</li> <li>• William Harrison Elem. School</li> </ul>	<ul style="list-style-type: none"> <li>• Battle Monument Interm. School</li> <li>• Clara Parker Intermediate School</li> <li>• Hedgepeth-William Interm. School</li> <li>• Joyce Kilmer Intermediate School</li> <li>• Ulysses S. Grant Interm. School</li> <li>• Grace A. Dunn Middle School</li> <li>• Daylight/Twilight High School</li> </ul>

The Benjamin Gregory Elem. School, although not in status for the 2023-2024 school year, is utilizing SIA carryover funds and therefore, is required to complete ASP reporting.

**Citation(s):**

ESEA §1111(d)1(B)(vi) Comprehensive Support and Improvement

**Required Action(s):**

The district shall collaborate with OCS to ensure that each identified school and schools utilizing SIA carryover funds update all sections of the 2023-2024 ASP Report quarterly to facilitate the NJDOE’s cycle review process.

**Finding 4:**

Each school’s FY 2024 SIA allocation and/or FY 2023 carryover is not fully budgeted in the 2023-2024 ASP to support implementation of evidence-based action steps. Specifically, at the time of the virtual visit, the following schools have discrepancies between their actual and budgeted SIA allocation and/or carryover:

Elementary Schools	Intermediate / Middle Schools and High Schools
<ul style="list-style-type: none"> <li>• Benjamin C. Gregory Elem. School</li> <li>• Benjamin Franklin Elem. School</li> <li>• Cadwalder Elementary School</li> <li>• Darlene C. McKnight Elem. School</li> <li>• Dr. Crosby Copeland Elem. School</li> <li>• George Washington Elem. School</li> </ul>	<ul style="list-style-type: none"> <li>• Battle Monument Intermediate School</li> <li>• Clara Parker Intermediate School</li> <li>• Hedgepeth-William Intermediate School</li> <li>• Joyce Kilmer Intermediate School</li> <li>• Ulysses S. Grant Intermediate School</li> <li>• Daylight/Twilight High School</li> </ul>

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Elementary Schools	Intermediate / Middle Schools and High Schools
<ul style="list-style-type: none"> <li>• Gershom Mott Elementary School</li> <li>• Joseph Stokes Elementary School</li> <li>• William Harrison Elem. School</li> </ul>	

**Citation(s):**

ESEA §1003(e) School Improvement: Application

**Required Action(s):**

The district shall ensure that all SIA funds, including carryover, are reflected accurately in each school’s ASP. In addition to the schools listed above, the district shall ensure that amended 2023-2024 ASPs for the newly identified schools reflect the full January 2024 SIA allocation.

The district shall ensure that the line-item sum of the ASP budgets is consistent with line-item figure reflected in the Electronic Web-Enabled Grant (EWEG) system.

**Finding 5:**

The district did not demonstrate that SIA is used exclusively to support evidence-based practices that demonstrate a statistically significant effect on improving student outcomes or other relevant outcomes based on strong, moderate, or promising evidence of effectiveness, as defined in the ESSA. The district’s ASPs reflect school teams’ diligence in aligning many capacity-building needs with evidence-based strategies; however, the following budget items are not reflected in the research as necessary components of the listed strategies:

- field trips;
- student clubs;
- awards, incentives and celebrations;
- announcement/display message board (Benjamin Franklin Elem. School and Battle Monument Interm. School, also referred to herein as Monument);
- DRONE supplies (Ulysses S. Grant Intermediate School); and
- VR Oculus (Hedgepeth-William Interm. School).

Further, the following budget items are not allowable: gaming truck (Clara Parker Intermediate School, also referred to herein as Parker), apparel (Parker and Monument), and incentives for attendance and participation.

**Citation(s):**

ESEA §8101(21)(B) Evidenced Based: Definition for Specific Activities Funded Under This Act and Uniform Grant Guidance, 2 C.F.R. §200.403 Factors affecting allowability of costs

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**Required Action(s):**

The district shall ensure that all SIA-funded resources support practices that meet one of the following ESSA evidence-based standards:

- strong evidence from at least one well-designed and well-implemented experimental study;
- moderate evidence from at least one well-designed and well-implemented quasi-experimental study; or
- promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias.

The district shall ensure that all SIA-funded resources in the 2023-2024 ASP are necessary to implement listed evidence-based strategies. Any resource that is not linked to an evidence-based practice, as defined in the ESSA, must be reallocated for an allowable purpose.

Given the demonstrated need for capacity-building resources, as reflected in the comprehensive needs assessment, the LEA shall collaborate with school teams as they develop and implement 2024-2025 ASPs to identify and acquire capacity-building resources that are necessary to implement evidence-based practices that address systemic improvement.

**Recommended Action(s):**

The district's review of ASPs should include identification of similar needs, if any, among schools. Following identification, the district should initiate competitive procurement and/or bidding procedures to ensure that schools can secure evidence-based services from an effective external entity in a timely fashion.

**Title II-A**

The review of the district's 2023-2024 Title II-A programs yielded no programmatic or fiscal findings.

**Title III**

The review of the district's 2023-2024 Title III programs yielded the following programmatic findings and fiscal findings which are more broadly addressed in the Administrative Section:

**Finding 1:**

The district did not have a process to review their language instruction educational programs (LIEPs) using district-level data (e.g., testing scores, English language proficiency growth, state assessments, etc.).

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**Citation(s):**

ESEA §§3115(c) Required Subgrantee Activities, 3111(b)(2)(D)(i) Uses of Funds  
1111(c)(4)(A)(ii) Statewide Accountability System: Description of System

**Required Action(s):**

As part of the submission of its CAP, the district must provide a written process that outlines how they review their LIEPs on a consistent basis (at least every two years).

**Recommended Action(s):**

The district's EWEG application for Title III, Part A should be reviewed and updated accordingly to accurately reflect how the LEA spends Title III funds. The LEA should use district and state data (e.g., accountability profile, performance reports) to identify the needs for multilingual learners. The analysis of the data should drive how the funds are used in an asset-based approach, including developing goals and outcomes to support academic achievement for multilingual learners. A needs assessment should be updated annually with the required [stakeholder engagement](#) to appropriately choose how to prioritize and spend Title III federal funds in a supplemental way.

**Finding 2:**

The district did not provide evidence that professional development is provided for special education, Bilingual-endorsed and English as a Second Language (ESL) endorsed teachers who work with MLs, instruct MLs with disabilities, on how disabilities affect language acquisition (e.g., sign-in sheets, agendas, PowerPoint presentations). Nor did the district provide a list of staff who have training, skills and experience on the intersection of ML and special education services.

**Citation(s):**

ESEA §3115(c)(2) Subgrants To Eligible Entities: Required Subgrantee Activities

**Required Action(s):**

As part of the submission of its CAP, the district must develop a plan to provide professional development for special education, Bilingual-endorsed and ESL-endorsed teachers who work with MLs, who instruct MLs with disabilities, on how disabilities affect language acquisition and identify staff who have training, skills, experience on intersection of ML and special education services.

**Finding 3:**

The district did not provide the process the LEA uses if a former ML fails to make academic progress in the mainstream content areas.

**Citation(s):**

ESEA §3121(a)(2) In General

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**Required Action(s):**

As part of the submission of its CAP, the district must develop and submit a process that the district will use if a former ML fails to make academic progress in the mainstream content areas.

**Finding 4:**

The district did not provide the criteria used to qualify its personnel who are used for translating purposes. Nor did the district have evidence of the process of updating their policies and information about their LIEPs.

**Citation(s):**

ESEA §3115(a)(1) Purposes of Subgrants

**Required Action(s):**

As part of the submission of its CAP, the district must submit evidence of how the district qualifies its personnel used for translating purposes and provide evidence of the process of updating their policies and information about their LIEPs.

**Title III, Immigrant**

The review of the district's 2023-2024 Title III Immigrant programs yielded the following programmatic findings and no fiscal findings:

**Finding 1:**

The district did not provide an accurate list of immigrant students. Some of the students included on the list were in a United States school for more than three years. Another student was born in Guam, an island territory which is part of the United States. The Federal definition of an immigrant student is one who has been born in another country, ages 3-21 and in a United States school for less than three years.

**Citation(s):**

ESEA §3115(e) Activities By Agencies Experiencing Substantial Increases In Immigrant Children And Youth

**Required Action(s):**

As part of the submission of its CAP, the district must submit an accurate list of immigrant students based on the federal definition above.

**Recommended Action(s):**

The district's EWEG application for Title III, Immigrant should be reviewed and updated to accurately reflect how the LEA spends Title III, Immigrant funds. The LEA should use district and state data (e.g., accountability profile, performance reports) to identify the needs for immigrant children and youth. The analysis of the data should drive how the

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funds are used in an asset-based approach, including developing goals and outcomes to support academic achievement for immigrant children and youth. A needs assessment should be completed annually with the required [stakeholder engagement](#) to appropriately choose how to prioritize and spend Title III, Immigrant federal funds in a supplemental way.

## **Title IV-A**

The review of the district's 2023-2024 Title IV-A programs yielded no programmatic or fiscal findings.

## **IDEA**

The review of the district's 2023-2024 IDEA programs yielded no programmatic findings. The fiscal review of these programs resulted in findings which are addressed more broadly in the Administrative Section.

## **ARP ESSER and Applicable Subgrants**

### **Finding 1**

The district expended ARP ESSER funds for window removal and replacement at the Grace A. Dunn Middle School

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.

When expending federal funds for construction projects over \$2,000, local education agencies such as TPSD, 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.



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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](https://sam.gov/content/wage-determinations) and [dol.gov](https://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.

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.

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**Citation(s):**

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 report of examination (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.

**Perkins V**

**Finding 1:**

The district did not provide evidence of the evaluation of a Comprehensive Local Needs Assessment (CLNA), including an analysis of each of the six elements listed below:

1. Program Alignment to Labor Market;
2. Program Size, Scope, and Quality;
3. Student Performance;
4. Program Implementation;
5. Staff Recruitment, Retention, and Development; and
6. Program Access and Equity.

Also, the district was unable to furnish for examination, evidence of a rating and action plan to improve gaps in program services and activities for special populations/subgroups.

**Citation(s):**

Perkins V Act §134(c)-(d) Local Application for Career and Technical Education Programs: Comprehensive Needs Assessment

**Required Action(s):**

As part of the submission of its CAP, the district must provide the completed CLNA worksheets as indicated in the [New Jersey State Department of Education Comprehensive Local Needs Assessment Guide and Template](#). The worksheets must,

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among other things, demonstrate that the district comprehensively reviewed the gaps and disparities within programs and services for special populations and student subgroups.

**Finding 2:**

As of the CFM visit, the district only provided evidence of one of two CLNA stakeholder consultation meetings. The district is required to consult with stakeholders, at least twice per school year, to obtain their input on the CLNA process, assess community workforce needs, to ensure POS align to local industry needs, relevant standards, curriculum, industry-recognized credentials, and current technologies.

**Required Action(s):**

Perkins V Act §134(d)-(e) Local Application for Career and Technical Education Programs: Consultation

**Required Action(s):**

The district must adopt procedures that ensure CLNA stakeholder consultation meetings are conducted at least twice a year. For each meeting, the district must maintain written evidence including, among other things, invitations, agenda, sign-in sheets, meeting minutes.

**Finding 3:**

The district did not provide evidence of opportunities for affiliated student membership in CTSOs for the following POS/programs:

- Construction Trades General
- Cooking & Related Culinary Arts General
- Cosmetology/Cosmetologist General
- Dance General
- Drama & Dramatics Theatre Arts General
- Finance General
- Photographic & Film/Video Technology/Technician & Assistant
- Sales Distribution & Marketing Operations General
- Digital Arts

**Citation(s):**

Perkins V Act §135(b)(5)(O) Local Uses of Funds: Requirements for Uses of Funds and N.J.A.C. 6A:19-3.1(a)6 Program requirements

**Required Action(s):**

As part of the submission of its CAP, the district must submit evidence of CTSO memberships for each of the CTE POS that are funded and operating.

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**Finding 4:**

The district did not provide evidence of a current Career and Technology Education Safety and Health Plan.

Pursuant to state regulations, New Jersey district boards of education and other institutions and agencies operating an approved CTE program of study, cooperative education experience, and/or apprenticeship training in a hazardous occupation shall organize, adopt, and implement a written CTE Safety Health Plan describing the safety and health program being used to protect students and staff from safety and health risks in the CTE classroom or at a school-sponsored cooperative education experience or apprenticeship training worksite.

**Citation(s):**

N.J.A.C. 6A:19-6.4 Safety and health plan for career and technical education

**Required Action(s):**

As part of the submission of its CAP, the district must provide a copy of its current Career and Technology Education Safety and Health plan, along with copies of board meeting minutes adopting and approving the plan.

**Finding 5:**

The district did not submit required documentation for its approved CTE POS and programs that specifically demonstrates strategies and activities were implemented to prepare special populations with the skills necessary to pursue careers in high-skill, high-wage, or in-demand industry sectors or occupations that will lead to self-sufficiency. This lack of documentation prevents a determination as to whether equal access to high-quality CTE courses was available for all CTE students participating in its POS and programs.

**Citation(s):**

Perkins V Act §134(c)(2)(E) Comprehensive Needs Assessment: Requirements and  
N.J.A.C. 6A:19-3.3 Programs and services for students with specialized needs

**Required Action(s):**

As part of the submission of its CAP, the district must provide evidence relating to the strategies and activities which prepare special populations for high-skill, high-wage or in-demand industry sectors or occupations that will lead to self-sufficiency in its POS.

**Finding 6:**

The district spent Perkins V funds totaling \$6,663.83 for travel costs incurred in connection with faculty attendance at a conference in Phoenix, Arizona. Of the total amount expended, \$1,302.32 is attributable to first class and preferred seating which is deemed to be excessive and unallowable. The following is a summary of the questioned costs identified:

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Purchase Order Nbr.	Employee Name	Description	Disallowed
24-02609	A. Francis	Preferred seating	61.97
24-02610	J. Massenat	Preferred seating	80.55
24-02613	F. Latoya-Brown	First class	1,159.80
Total			1,302.32

**Citation(s):**

Uniform Grant Guidance, 2 C.F.R. § 200.475(e) Commercial air travel and New Jersey Department of the Treasury Circular Number: 20-04-OMB VIII.C. Air Travel

**Required Action(s):**

The district must reverse the charges of \$1,302.32 and submit copies of the accounting records evidencing the reversal to the Office of Fiscal Accountability and Compliance (OFAC) via the CFM Homeroom Application within thirty (30) days from the date of this ROE. Going forward, the district must improve procedures to ensure that all Perkins V expenditures represent allowable program costs and conform to applicable Federal and state regulations.

**Administrative Section**

**Finding 1:**

The district submitted board policies for examination which address certain Uniform Grant Guidance provisions. Copies of the requisite written procedures to implement such policies, however, were not provided for review as requested. 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 [USDEOIG Brochures](#); scroll past multiple tables to the Brochures, Flyers & Posters (Download Free) section. Use this link, [For K–12: Preventing Fraud and Corruption in Federal Education \(2021\)](#), to access a video training presentation.

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**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 quotes were obtained for purchase order numbers 24-01889 and 24-02288. 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

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**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:**

A number of purchase orders were examined during the monitoring with dollar amounts equal to or greater than \$25,000. 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 whether 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 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.

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](mailto:lisa.mccormick@doe.nj.gov).