



U.S. Department of Education (ED)
Office of Safe and Drug-Free Schools (OSDFS)
Readiness and Emergency Management for Schools (REMS)



FY 2010 Initial Grantee Meeting ♦ Santa Monica, CA ♦ December 8 – 9, 2010

Concurrent Session

GRANT ADMINISTRATION

Purpose of Session

Provide grantees with an overview of grants management and administration and a summary of major responsibilities for implementing grant/project.

Overview of Session

- ♦ Define roles and responsibilities and compliance with regulatory requirements
- ♦ Provide overview of Fiscal Management and G5
- ♦ Review Administrative Actions, “Expanded Authorities,” and requests for changes to terms of the original grant
- ♦ Review audit requirements and Human Subjects requirements
- ♦ Discuss performance monitoring including site visits, evaluation, and performance reports
- ♦ Introduce the ED 524B form and reporting requirements
- ♦ Discuss GPRA Measures and Project Measures
- ♦ Compare examples and correctly completed reporting forms
- ♦ Provide overview of useful resources

Key Messages

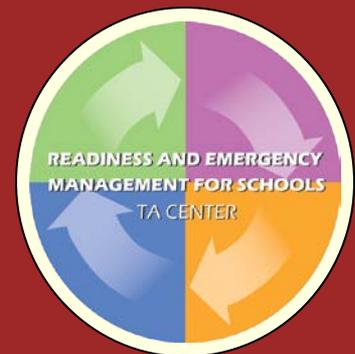
- ♦ The Education Department Grant Administration Regulations, or EDGAR, provide guidance regarding administration of discretionary grants
- ♦ Grantees shall ensure that adequate internal controls are maintained to maximize grant outcomes and to prevent fraud and abuse
- ♦ Grantees are required to maintain records that adequately identify how grant funds are spent
- ♦ Administrative actions are any post-award requests by the grantee to change the terms or conditions of the grant and require ED approval and updates to GAPS
- ♦ Evaluation is an important component of REMS grant implementation and is used to support the REMS program
- ♦ How to successfully report the project’s achievements



**U.S. Department of Education (ED)
Office of Safe and Drug-Free Schools (OSDFS)
Readiness and Emergency Management for Schools (REMS)**



FY 2010 Initial Grantee Meeting ♦ Santa Monica, CA ♦ December 8 – 9, 2010



Grant Administration, Performance Monitoring, Evaluation, and Interim Reports

Fiscal Year 2010 Initial Grantee Meeting
December 8 – 9, 2010, Santa Monica, California



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Objective

- **To provide FY 2010 REMS grantees with:**
 - A brief overview and resources supporting grants management and administration
 - A summary of major responsibilities for implementing your grant/project
 - A review of U.S. Department of Education's (ED) performance monitoring plan
 - An overview of evaluation and reporting requirements
 - An introduction to the ED 524B form



Session Overview

- **Part I: Grant Administration and Management**
- **Part II: Performance Monitoring**
- **Part III: Evaluation**
- **Part IV: Reporting and ED 524B Form**



Part I: Grant Administration and Management

- **Roles and responsibilities**
- **Compliance with Regulatory Requirements**
- **Human Subjects**
- **Freedom of Information Act (FOIA)**
- **Administrative Actions**
- **Expanded Authorities**
- **Fiscal Management**
- **Audit Requirements**



Responsible Parties

- **Grantee**
- **Department of Education (ED)**
- **Federal Program Officer (FPO)**
- **Project Director (PD)**
- **Authorized Representative (AR)**



Compliance with Regulatory Requirements

The following should be consulted in the management of the REMS grant:

- EDGAR – Education Department General Administrative Regulations
<http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>
- OMB Circulars (cost principles, administrative requirements, and audit requirements)
- REMS grant announcement/application package
- Other ED requirements
- Written guidance provided by ED FPOs and Competition Manager



Grant Administration Resources and Tools

- Readiness and Emergency Management for Schools Fiscal Year (FY) 2010 application
- “Grants Management Training and Resources” ED online training, <http://e-grants.ed.gov/training/index.htm>
- General Orientation Call Notes and Grants Administration 101 document
- Project–Specific Call Notes
- REMS TA Center Web site, “Information for REMS Grantees”
- REMS 2010 Grantee Glossary
- FPO Communications



Freedom of Information Act (FOIA),5 U.S.C.

■ **General Provisions:**

- Any person has the right to request access to Federal agency records or information.
- All agencies of the U.S. Government are required to disclose records upon receiving a written request for them.

■ **FOIA exemption 1 — REMS grantees may request that vulnerable information be redacted. This may include:**

- emergency management plans, or
- district vulnerabilities.

■ **FOIA Process**

- The PD is provided 5 days to request the redaction of specific information and send the request back to the FPO for forwarding to ED's FOIA office.



Human Subjects Regulations

- **Federal Policy for the Protection of Human Subjects or "Common Rule"**
- **REMS Grantees**
 - The application form that applicants use to apply for a grant from ED includes a "human subjects research" item.
 - Every applicant must respond to the item to indicate whether or not research activities involving human subjects are planned at any time during the project period.
 - Your local evaluation activity may be subjected to human subjects regulations.
- **ED Guidance accessible at**
<http://www2.ed.gov/about/offices/list/ocfo/humansub.html>



Administrative Actions

- **A post-award administrative request to change the terms and conditions or scope of the original grant**
- **Requires the GAN to be updated**
- **The following administrative actions require approval/disapproval:**
 - change addressing requirements established by the REMS grant program
 - change in key personnel
 - absence of the PD for more than 3 months
 - reduction in the PD's time by 25%
 - transfer of substantive work to a third party
 - any other costs that require approval in accordance with the OMB Cost Circulars A-21, A-87, and A-122
 - revising grantee cost-sharing
 - transfer of a grant from one entity to another
 - grant extensions beyond the one-time expanded authority no-cost extension



Expanded Authorities

- EDGAR now allows grantees to undertake certain types of administrative actions with discretionary grants without prior approval of the ED FPO
- **Specifically permits:**
 - a one-time no-cost extension for up to 12 months to complete activities,
 - reimbursement of pre-award (90 days) costs with FPO approval, and
 - some types of budget transfers.



Expanded Authorities (Cont'd.)

- **Budget transfers – Grantees may transfer funds among budget categories without prior approval, unless it**
 - Changes the project scope or objectives
 - Transfers funds for training to other budget categories
 - Transfers funds to contracting from other budget categories
- **You should notify your ED FPO in writing of the transfer**
 - Amount of funds,
 - Involved budget categories, and
 - Purpose (e.g., supporting activities).



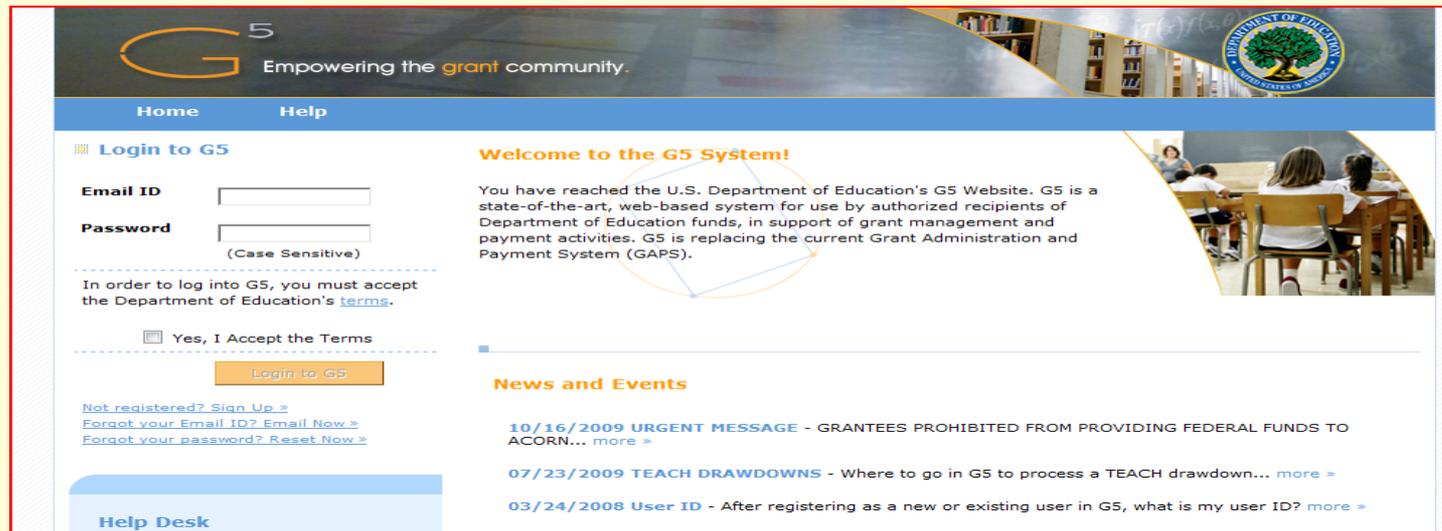
Fiscal Management

- ***“A grantee shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds.” EDGAR §75.702***
- **Accountability**
 - Project Director is responsible for fiscal management of all grant funds even if other staff (finance office) may be assigned to perform a variety of financial functions.
 - obtain access to **G5** system to monitor drawdowns
 - maintain fiscal records
 - knowledgeable about procurement process



G5: Accessing Funds

- **G5**—electronic system for grants management and payment.
- Accessible at www.g5.gov
- Requires registration



The screenshot shows the G5 website homepage. At the top left is the G5 logo with the tagline "Empowering the grant community." and navigation links for "Home" and "Help". The main content area is split into two columns. The left column contains a "Login to G5" section with input fields for "Email ID" and "Password (Case Sensitive)", a checkbox for "Yes, I Accept the Terms", and a "Login to G5" button. Below this are links for "Not registered? Sign Up >", "Forgot your Email ID? Email Now >", and "Forgot your password? Reset Now >". A "Help Desk" link is at the bottom left. The right column features a "Welcome to the G5 System!" message, a "News and Events" section with three items: "10/16/2009 URGENT MESSAGE - GRANTEES PROHIBITED FROM PROVIDING FEDERAL FUNDS TO ACORN... more >", "07/23/2009 TEACH DRAWDOWNS - Where to go in G5 to process a TEACH drawdown... more >", and "03/24/2008 User ID - After registering as a new or existing user in G5, what is my user ID? more >". The background of the page includes a classroom scene and the Department of Education logo.



Fiscal Management

Award periods – grants will have a different status during the life cycle of the grant.

- Performance period – 2 years
 - Stated on GAN
 - Period of time between the grant award date and end date
 - Grantee completes activities
- Liquidation period – 90 Days
- Closeout – can take a year



Fiscal Management (Cont'd.)

- **Contracts and consultants**
 - Can be a large portion of your budget. You need to ensure that:
 - Federal, state and local procurement process were adhered to when awarding the contract
 - contractor or consultant is meeting the terms and conditions of the contracts and that products or services are acceptable and timely
 - contract and consultants are maintaining financial files to track expenditures
 - Contractors are not doing the work of the district

- ***NOTE: The Department has issued additional guidance on procurement and awarding contracts. This information is available on ED's website, in the REMS application package, and on the REMS TA Center Web site. Make sure you review this guidance along with your business office, counsel and others in your district as appropriate. Accessible at http://rems.ed.gov/index.php?page=REMS_Grantees_Info***



Fiscal Management (Cont'd.)

■ Internal Controls

- Appropriate management of funds
- Prevents fraud and mismanagement

■ Drawing Down Funds

- Draw down only those funds to meet immediate needs and obligations
- Minimize time between drawdown and disbursement (EDGAR § 80.20-21)
- Return quarterly interest earned on grant funds deposited in interest-bearing accounts
- Avoid large available balances
- Avoid excessive drawdowns



Fiscal Management (Cont'd.)

- **Indirect Cost Rates (ICR)** – grantee must have a current ICR agreement in order to charge indirect costs to the grant.
 - Applicants that do not have a current negotiated indirect cost rate and are awarded a grant are subject to the terms and conditions included in Attachment D: Prohibition against Indirect Cost Recovery
 - Grantee shall submit ICR proposal to cognizant agency within 90 days after award of the grant
 - Grantee may not charge its grant for indirect costs until negotiated ICR agreement is in place
 - Grantee must provide proof of its negotiated ICR agreement to grant monitor



Fiscal Management (Cont'd.)

- **Recordkeeping** – should have in place a viable recordkeeping system that includes copies of:
 - Most recently approved budget
 - Policies or procedures for overseeing and implementing the grant
 - Post-award Institutional Review Board (IRB) certifications, if applicable
 - Any grant-related documents, including communications
 - All performance reports submitted to ED
 - Monitoring tools/forms, including project timeline
 - Inventory of all equipment purchased or leased
 - Evaluation plan – including timelines and measurement instruments
 - Site visit reports and audits, if applicable



Audit Requirements

- **Two types of audits**

- Grantee-Initiated
- Office of Inspector General (OIG) Audit

- **Grantee-Initiated**

- Required for grantees with annual Federal expenditures of \$500,000 or more
- Conducted by an independent auditor
- Reported to Federal Audit Clearinghouse
- Comply with OMB Circular A-133, Part 7- Guidance for Auditing Programs Not Included in Compliance Supplement

- **OIG Audit**

- Complaint
- Office of Chief Financial Officer (OCFO) reviews audit reports and an OIG audit is triggered by serious audit findings identified by OCFO



Audit Requirements (Cont'd.)

Recommended documents to provide to your auditor(s):

- OMB Circular A-133
(<http://www.whitehouse.gov/omb/circulars/a133/a133.html>)
- OMB Circular A-87 (Cost Principles)
(http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html)
- REMS FY 2010 Program Announcement/Application Package
- Grant Award Notifications and Attachments (all versions)
- Post Award Conference Call Memo
- Grantee's original REMS application
- Approved Budget (from your post award conference call memo)
- Performance Reports
- Correspondence (memos, emails, letters) regarding program changes and expenditures



Part II: Performance Monitoring

- **Performance Calls**
 - Post-Award (Orientation Call and Project-Specific Call)
 - Periodic Monitoring
- **Technical Assistance**
 - Correspondence (emails, letters, faxes)
 - Meetings (workshops, trainings)
- **Site Visits**
- **Evaluation**
- **Performance Reports**
 - Interim/Annual and Final Reports
 - ED 524 Form



REMS Site Visits: Overview

- **Site visits, also called on-site reviews, are a grant monitoring tool as provided for in the Education Department General Administrative Regulations (EDGAR) Part 80.40(e), “Federal agencies may make site visits as warranted by program needs.”**
- **Two staff (ED and Technical Assistance Center) will typically participate**
- **Typically last 1.5 days**
- **At least 5% of all FY 2010 REMS grantees (approximately 6 sites) will be visited**



REMS Site Visits: Reasons for Selection

- **Program performance – Exemplary**
 - Goals and objectives achieved in unique or innovative ways
 - Development of effective strategies that may be replicable at other sites
- **Program performance – Problems Identified**
 - Difficulty achieving goals and objectives
 - Compliance issues
 - Fiscal improprieties
 - Technical assistance
- **Upon request by grantees**



REMS Site Visits: Participants and Expectations

■ Grantee Participants

- Project Director (required)
- Authorized Representative
- Key community partners
- Other key project personnel
 - Evaluator
 - Finance/Budget personnel

■ What to expect during the site visit

- Entrance and exit interviews
- Review of grant activities to date
- Review recent budget and expenditures
- Review evaluation plan



REMS Site Visits: Follow-up

- **Federal Project Officer (FPO) provides a written report**
 - Positive findings
 - Negative findings
 - Required Actions: Compliance
 - Recommended Actions: Non-binding suggestions
- **REMS grantee provides a written response**
 - Required Actions
 - Describe corrective actions that will bring grant into compliance with programmatic/fiscal guidelines
 - Dispute findings and present supporting documents
 - Recommended Actions
 - Respond to recommended actions
- **FPO will ensure all corrective actions have been accomplished**



Part III: Evaluation

- **Role of Evaluation**
- **Creating an Evaluation Plan**



Evaluating REMS Projects

■ Evaluation...

- gathers district-, school- and community-based data involving multiple stakeholders
- uncovers new information or consequences that were not anticipated
- allows for feedback and continuous improvement
- determines if a project is accomplishing objectives
- helps the U.S. Department of Education report on progress

■ Evaluation does not ...

- attempt to judge a project or school system subjectively
- represent a false picture of program success for administrators or funders



Creating an Evaluation Plan: Key Components

Key questions to consider:

- Who will conduct your evaluation? Are they unbiased?
- Who are the key stakeholders in your grant project and your overall emergency management efforts?
- Have you captured the appropriate baseline data at the beginning of your project?
- What are your key project objectives outlined in the application?
- What evaluation features are outlined in the application?



Part IV: Reporting

- **Performance Reports: Interim and Final Reports**
- **GPRA**
- **ED 524B Form**



Interim and Final Performance Reports

■ Interim Reports

- FY 2010 REMS Grantees will be notified of Interim Report due date via a listserv message
 - instructions and examples
 - will be sent on, or around, August, 2011

■ Final Reports

- Grantees have up to 90 days after the project performance period to submit the final report



What information should be included in performance reports?

- **Explanation of progress on:**
 - GPRA measure
 - Project-specific measures
 - Grant requirements
- **Other relevant information, such as:**
 - Innovative practices or outcomes
 - Explanation of challenges encountered on the project
- **Reporting must be comprehensive and consistent in both reports, even if to say, “*No progress has been made yet.*”**



Government Performance and Results Act (GPRA) 1933: Overview

■ What is GPRA?

- All Federal agencies must:
 - State intended accomplishments
 - Identify the resources required
 - Periodically report to Congress

■ What are the benefits of GPRA?^a

- Improved accountability for expenditures using public funds
- Informed Congressional decision making through use of objective information
- Government focus on results

■ Reports that do not properly report on the REMS

- GPRA measure will not be accepted

^a:Government Performance and Results Act of 1993. Accessed at:
<http://www.whitehouse.gov/omb/mgmt-gpra/gplaw2m.html> August 27, 2008.



Project-Specific Objectives

- A specific, measurable statement about what the project will achieve.
- For example, a Project-Specific objective might be:

“To train five emergency management team members in each of our 10 school buildings in basic first aid as measured by 100% successful certification in the ‘Basic First Aid Training’ course offered by our local Red Cross by August 1, 2012.”



What is the ED 524B form?

- **A generic reporting form covering most U.S. Department of Education discretionary grants**
 - Same form used for the Interim and Final Reports
 - Accessible on ed.gov and REMS TA Center Web site
- **Your job is to populate and individualize this generic form to describe your progress toward meeting:**
 - GPRA Measure
 - Project-Specific Measures
 - Grant Requirements



Performance Reporting: ED 524B

- **What are the components of the ED 524B?**
 - Cover Sheet
 - Executive Summary
 - Section A - Project Status Charts
 - GPRA measure
 - Project-specific objectives
 - Section B - Budget Information
 - Section C - Additional Information



ED 524B Instructions

■ Review

- the instructions that are provided for completing the ED 524B
- the samples and examples

■ **Doing so will save you time, and extra work**

Because...

- **Incomplete or incorrect reports will not be accepted and will be returned for correction**



What does ED do with this information?

- ED completes an analysis of all final reports. We use this information to guide REMS program improvements and to determine TA needs.
- GPRA data is public data and will be posted online.
- GPRA data from the FY 06 and FY 07 grant cohorts is available at:

<http://www.ed.gov/programs/dvpemergencyresponse/performance.html>



ED 524B: Cover Sheet and Executive Summary





U.S. Department of Education
Grant Performance Report Cover Sheet (ED 524B)

OMB No. 1594-0003
 Exp. 02/28/2011

Check only one box per Program Office instructions.
 Annual Performance Report Final Performance Report

General Information

1. PR/Award #: _____ (Block 5 of the Grant Award Notification - 11 characters.)
 2. Grantee NCES ID#: _____ (See instructions. Up to 12 characters.)
3. Project Title: _____
 (Enter the same title as on the approved application.)
4. Grantee Name (Block 1 of the Grant Award Notification): _____
5. Grantee Address (See instructions.): _____
6. Project Director (See instructions.) Name: _____ Title: _____
 Ph #: () _____ - _____ Ext: () _____ Fax #: () _____ - _____
 Email Address: _____

Reporting Period Information (See instructions.)

7. Reporting Period: From: ____/____/____ To: ____/____/____ (mm/dd/yyyy)

Budget Expenditures (To be completed by your Business Office. See instructions. Also see Section B.)

8. Budget Expenditures

	Federal Grant Funds	Non-Federal Funds (Match/Cost Share)
a. Previous Budget Period		
b. Current Budget Period		
c. Entire Project Period (For Final Performance Reports only)		

Indirect Cost Information (To be completed by your Business Office. See instructions.)

9. Indirect Costs
- a. Are you claiming indirect costs under this grant? Yes No
- b. If yes, do you have an Indirect Cost Rate Agreement approved by the Federal Government? Yes No
- c. If yes, provide the following information:
 Period Covered by the Indirect Cost Rate Agreement: From: ____/____/____ To: ____/____/____ (mm/dd/yyyy)
 Approving Federal agency: ED Other (Please specify): _____
 Type of Rate (For Final Performance Reports Only): Provisional Final Other (Please specify): _____
- d. For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:
 Is included in your approved Indirect Cost Rate Agreement?
 Complies with 34 CFR 76.564(c)(2)?

Human Subjects (Annual Institutional Review Board (IRB) Certification) (See instructions.)

10. Is the annual certification of Institutional Review Board (IRB) approval attached? Yes No N/A

Performance Measures Status and Certification (See instructions.)

11. Performance Measures Status
- a. Are complete data on performance measures for the current budget period included in the Project Status Chart? Yes No
- b. If no, when will the data be available and submitted to the Department? ____/____/____ (mm/dd/yyyy)
12. To the best of my knowledge and belief, all data in this performance report are true and correct and the report fully discloses all known weaknesses concerning the accuracy, reliability, and completeness of the data.

 Name of Authorized Representative: _____ Title: _____

 Signature: _____ Date: ____/____/____

ED 524B: Cover Sheet

1. Check this box:[X] Annual Performance Report at the top.
2. Reporting Period: Grant start date until 30 days prior to report due date.
3. **The budget expenditure information requested in items 8a. – 8c. and 9a. – 9d. must be completed in their entirety by your Business Office.** The PD checks G5 to ensure that report and drawdown amounts are consistent. The information should reflect expenditures within reporting the period—Project start to 30 days before report due date.
4. **Note: If your project includes in-kind funds (see application), the Non-Federal Funds column in section 8 must also be completed.**
5. The Cover Sheet **must be signed by the Authorized Representative (AR)** or the report will not be accepted. The AR is typically the Superintendent for your district. It is usually **NOT the Project Director**. If you are not the AR, then you should not sign the report.
6. If you submit the report via e-Reports, you will need email or fax the signed Cover Sheet to the attention of your FPO.



Common ED 524B Cover Sheet Errors

Example:

- Washington School District has expended \$15,000 out of their approved budget of \$150,000 in Federal funds and \$20,000 in “in-kind funds” for the project. The grantee has a final indirect cost rate that is approved by the U.S. Department of Education.





U.S. Department of Education
Grant Performance Report Cover Sheet (ED 524B)

OMB No. 1894-0003
 Exp. 02/28/2011

Check only one box per Program Office instructions.

Annual Performance Report Final Performance Report

General Information

1. PR/Award #: _____ 2. Grantee NCES ID#: _____
(Block 5 of the Grant Award Notification - 11 characters.) (See instructions. Up to 12 characters.)

3 Project Title: _____
(Enter the same title as on the approved application.)

4. Grantee Name (Block 1 of the Grant Award Notification): _____

5. Grantee Address (See instructions.) _____

6. Project Director (See instructions.) Name: _____ Title: _____
 Ph #: () _____ - _____ Ext: () _____ Fax #: () _____ - _____
 Email Address: _____

Reporting Period Information (See instructions.)

7. Reporting Period: From: ___/___/___ To: ___/___/___ (mm/dd/yyyy)

Budget Expenditures (To be completed by your Business Office. See instructions. Also see Section B.)

8. Budget Expenditures

	Federal Grant Funds	Non-Federal Funds (Match/Cost Share)
a. Previous Budget Period	\$15,000	
b. Current Budget Period		
c. Entire Project Period <i>(For Final Performance Reports only)</i>		

Indirect Cost Information (To be completed by your Business Office. See instructions.)

9. Indirect Costs

a. Are you claiming indirect costs under this grant? Yes No

b. If yes, do you have an Indirect Cost Rate Agreement approved by the Federal Government? Yes No

c. If yes, provide the following information:
 Period Covered by the Indirect Cost Rate Agreement: From: ___/___/___ To: ___/___/___ (mm/dd/yyyy)
 Approving Federal agency: ___ ED ___ Other (Please specify): _____
 Type of Rate (For Final Performance Reports Only): ___ Provisional ___ Final ___ Other (Please specify): _____

d. For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:
 Is included in your approved Indirect Cost Rate Agreement?
 Complies with 34 CFR 76.564(c)(2)?

Human Subjects (Annual Institutional Review Board (IRB) Certification) (See instructions.)

10. Is the annual certification of Institutional Review Board (IRB) approval attached? Yes No N/A

Performance Measures Status and Certification (See instructions.)

11. Performance Measures Status

a. Are complete data on performance measures for the current budget period included in the Project Status Chart? Yes No
 b. If no, when will the data be available and submitted to the Department? ___/___/___ (mm/dd/yyyy)

12. To the best of my knowledge and belief, all data in this performance report are true and correct and the report fully discloses all known weaknesses concerning the accuracy, reliability, and completeness of the data.

Sally Sue **Project Director**
 Name of Authorized Representative: _____ Title: _____

Signature: _____ Date: ___/___/___



**Common
 Errors Found
 on The
 Cover Sheet**



ED 524B: Executive Summary

■ Executive Summary should:

- Include a 1-2 page (for Interim Reports) narrative summary
- Provide highlights of the project's goals
- Describe the extent to which outcomes and performance measures have been achieved
- Explain any contributions the project has made toward advancing the field of campus-based emergency management



ED 524B, Section A: Project Status Charts





**U.S. Department of Education
Grant Performance Report (ED 524B)
Project Status Chart**

OMB No. 1894-0003
Exp. 02/28/2011

PR/Award # (11 characters): _____

SECTION A - Performance Objectives Information and Related Performance Measures Data (See Instructions. Use as many pages as necessary.)

1. Project Objective Check if this is a status update for the previous budget period.

1.a. Performance Measure	Measure Type	Quantitative Data					
		Target			Actual Performance Data		
		Raw Number	Ratio	%	Raw Number	Ratio	%
			/			/	

1.b. Performance Measure	Measure Type	Quantitative Data					
		Target			Actual Performance Data		
		Raw Number	Ratio	%	Raw Number	Ratio	%
			/			/	

Explanation of Progress (Include Qualitative Data and Data Collection Information)

ED 524B: Section A

- **Section A will highlight progress towards all project objectives:**
 - Government Performance and Results Act (GPRA) measure
 - Project-specific objectives and measures
 - Drawn from needs assessment
 - As reflected in grant application
 - Based on individual campus priorities



ED 524B, Section A: Project Status Chart, GPRA

■ GPRA:

- “The average number of NIMS course completions by key personnel at the start of the grant compared to the average number of NIMS course completions by key personnel at the end of the grant.”

- **ED’s target for this measure is an aggregated average increase of 2 course completions.**



ED 524B, Section A: Project Status Chart, GPRA (Cont'd.)

- **Information needed to respond to this measure includes:**
 - Baseline of key personnel in the district to be trained on NIMS courses and the total number of NIMS course completions that each of those key personnel have completed prior to the start of the grant
 - Outcome information on actual number of course completions by those same key personnel at the end of the grant.
- **Goal should be an average increase of two course completions per person by the end of the grant.**
- **Start tracking this information early in your project!**



ED 524B, Section A: Project Status Chart, GPRA (Cont'd.)

- **Under Project Objective:**
 - Write “To achieve an average increase of two NIMS course completions by key personnel by the end of the grant.”
- **In Box 1.a. Performance Measure:**
 - Write “Average number of NIMS course completions by key personnel at the start of the grant compared to the average number of NIMS course completions by key personnel at the end of the grant.”
- **In the Measure Type box:**
 - Write “GPRA.”



ED 524B, Section A: Project Status Chart, GPRA (Cont'd.)

- **Under Quantitative Data**
- **Under “Target/Raw Number”:**
 - Indicate the TARGET for this measure: 2
 - All grantees will have the same TARGET for this measure
- **Under “Actual Performance Data/Raw Number”:**
 - Indicate the increase in average course completion



ED 524B, Section A: Project Status Chart for GPRA (Cont'd.)

Under Explanation of Progress:

- A table indicating baseline data including number of courses completed at the beginning of the project and actual course completions during the grant

Personnel	Number of NIMS Course Completions at the Beginning of the Grant
Staff 1	1
Staff 2	0
Staff 3	2
Staff 4	1
Staff 5	2
Average Course Completions	1.2 Course Completions

- A narrative list of the actual NIMS courses completed by school personnel



GPRA: Example Project Status Chart

- The “Target/Raw Number” will ALWAYS be 2. The “Actual Performance Data/Raw Number” will be 999. Grantees will provide the actual data below in the “Explanation of Progress” field.

1. Performance Measure	Measure Type	③ Quantitative Data					
① Average number of NIMS course completions by key personnel at the start of the grant compared to the average number of NIMS course completions by key personnel at the end of the grant	② GPRA	Target			Actual Performance Data		
		Raw Number	Ratio	%	Raw Number	Ratio	%
		③ 2	/			999	/



GPR: Example Explanation of Progress

- **Outcome: Grantees should report on the increase in average course completions by key personnel.**

	Employee Name and Title	NIMS Course Completions at the Start of the Grant	NIMS Course Completions at the End of the Grant (or at the grant midpoint for interim reports)
1.	Bob Jones, Project Director	2	6
2.	Cindy Roberts, Superintendent	0	2
3.	John Phillips, Head of Security	1	4
4.	Chris Thomas, Public Information Officer	2	4
5.	Sally Smith, Director of Student Services	0	3
6.	Matthew Anderson, Chief Business Officer	1	3
	Total Course Completions	6	22
	Average Course Completions	1	3.7

- **Outcome (3.7) – Baseline (1) = 2.7**
- **In this example, the grantee would have successfully met the target for the GPR measure.**



ED 524B, Section A: Project Status Chart, Project-Specific Measures

- **Grantees are required to provide information under the following sections for each project-specific measure identified in your grant application:**

- Project Objective (if applicable)
- Performance Measure
- Measure Type (write “Project”)
- Quantitative Data (if applicable)
- A detailed Explanation of Progress

- ***NOTE: It is preferable to include just one measure on each Project Status Chart page in Section A even though there is space for two measures per page.***



ED 524B, Section B: Budget Information





**U.S. Department of Education
Grant Performance Report (ED 524B)
Project Status Chart**

OMB No. 1894-0003
Exp. 02/28/2011

PR/Award # (11 characters): _____

SECTION B - Budget Information (See Instructions. Use as many pages as necessary.)

SECTION C - Additional Information (See Instructions. Use as many pages as necessary.)

ED 524B, Section B: Budget Information

- **Section B must be completed by the business office.**
- **Under Section B grantees are requested to submit a budget indicating expenses incurred to date and how much funding remains available for unexpended funds in each of the following categories:**
 - Personnel,
 - Fringe Benefits,
 - Travel,
 - Equipment,
 - Supplies,
 - Contractual,
 - Other,
 - Indirect Costs, and
 - Training Stipends.
- **In-Kind Funds: If a grantee claimed “matching” or in-kind funds in the original application, they report on these funds in the budget.**



Communicating Expenditures and Budget Modifications—One Approach

Budget Category	Award Amount	Modifications	Description of Activities	Total Expenditures	Remaining
Personnel	\$60,000	none	\$2,500 a month X 12 = \$30,000	\$30,000	\$30,000
Fringe Benefits	\$15,000	none	\$625 a month = \$7,500	\$7,500	\$7,500
Travel	\$5,000	none	1 required meeting for 2= \$2,200	\$2,200	\$2,800
Equipment	\$0	N/A	N/A	\$0	\$0
Supplies	\$35,000	Transferred \$5,000 from Contractual to Supplies. <ul style="list-style-type: none"> Notified FPO of cost-savings and allowable budget Cost savings: Partners conducted safety audits at no charge Allowable Purchase (Enhanced budget activity in original grant) Purchased 9 extra radios for incident command team 	<ul style="list-style-type: none"> Purchased Go Kits for 8 schools contents- \$4,000 Purchased radios for Incident Command Teams - \$4,500 	\$8,500	\$31,500
Contractual	\$15,000	Transferred \$5,000 to Supplies		\$5,000	\$10,000
Other					
Indirect Costs (.015)	\$1,950		\$48,200 (Personnel, Fringe, Travel, Supplies, and Contractual) X .015	\$723.00	\$1,227
Training Stipends	\$15,000			\$0	\$15,000
Total	\$146,950			\$53,923	\$93,027

Grantee's original application allocated 5,000 for safety audits



Grantee's original application allocated monies for purchasing radios to support communication during response.




ED 524B, Section B: Budget Information

The following should also go in Section B:

- An explanation if funds have not been drawn down from G5 to pay for the budget expenditure amounts reported on the Cover Sheet.
- An explanation if funds were not expended at the expected rate during the reporting period.
- A description of any significant changes to the budget resulting from modification of project activities.
- A description of any budget changes that affected your ability to achieve the approved project activities and/or project objectives.



ED 524B, Section C: Additional Information



ED 524B, Section C: Additional Information

- **If applicable, describe your plans for continuing the project (sustainability; capacity building) and/or disseminating the project results.**
- **Report on any grant requirements that were not covered in the project-specific measures or in the Executive Summary, such as:**
 - Coordination with community partners
 - Training for students and staff on emergency procedures
 - Coordination with State and/or local homeland security plans
 - Implementation of NIMS
 - Emergency planning for individuals with disabilities
 - Development of a written infectious disease plan that includes disease surveillance, business continuity planning, and continuation of educational services



Avoid These Common Interim Report Issues

- Report is not signed by the AR
- Budget information is incomplete
- Budget information is inconsistent with G5
- Indirect cost information (section 9 of the cover sheet) is not completed
- GPRA measure is not included
- GPRA measure has been altered by the grantee and is not consistent with ED's language
- Project-specific measures are not included
- Project-specific measures are not complete and do not match what is included in the grant application
- Section C does not include an explanation of progress on all grant requirements



Additional Resources for Completing Interim Report

- Presentation slides and glossary
- FPO correspondence to be disseminated on the listserv
- “Information for REMS Grantees”
Web page at
http://rems.ed.gov/index.php?page=REMS_Grantees_Info



Useful Resources

- **Office of Safe and Drug-Free Schools (OSDFS)**
 - www.ed.gov/about/offices/list/osdfs/index.html
- **Readiness and Emergency Management for Schools Technical Assistance Center**
 - <http://rems.ed.gov/>
- **School Emergency Management Planning Resources**
 - www.ed.gov/emergencyplan
- **Education Department General Administrative Regulations (EDGAR)**
 - www.ed.gov/policy/fund/reg/edgarReg/edgar.html
- **Office of Management and Budget (OMB) Circulars**
 - www.whitehouse.gov/omb/circulars
- **“Grants Management Training and Resources” ED online training**
 - <http://e-grants.ed.gov/training/>



Useful Resources

- **Protection of Human Subjects in Research**
 - www.ed.gov/about/offices/list/ocfo/humansub.html
- **Family Educational Rights and Privacy Act (FERPA) & Protection of Pupil Rights Amendment (PPRA)**
 - www.ed.gov/policy/gen/guid/fpco/index.html
- **Indirect Cost Rate**
 - www.ed.gov/about/offices/list/ocfo/fipao/icgindex.html
- **Freedom of Information Act (FOIA)**
 - www.ed.gov/policy/gen/leg/foia/foiatoc.html
- **Federal Register**
 - www.gpoaccess.gov/fr/index.html
- **National Clearinghouse for Educational Facilities**
 - www.edfacilities.org
- **Government Performance and Results Act of 1993**
 - <http://www.whitehouse.gov/omb/mgmt-gpra/gplaw2m.html>





**U.S. Department of Education
Grant Performance Report Cover Sheet (ED 524B)**

OMB No. 1894-0003
Exp. 02/28/2011

Check only one box per Program Office instructions.

[] Annual Performance Report [] Final Performance Report

General Information

1. PR/Award #: _____ 2. Grantee NCES ID#: _____
(Block 5 of the Grant Award Notification - 11 characters.) (See instructions. Up to 12 characters.)

3 Project Title: _____
(Enter the same title as on the approved application.)

4. Grantee Name *(Block 1 of the Grant Award Notification.):* _____

5. Grantee Address *(See instructions.)* _____

6. Project Director *(See instructions.)* Name: _____ Title: _____

Ph #: () _____ - _____ Ext: () _____ Fax #: () _____ - _____

Email Address: _____

Reporting Period Information *(See instructions.)*

7. Reporting Period: From: ____/____/____ To: ____/____/____ (mm/dd/yyyy)

Budget Expenditures *(To be completed by your Business Office. See instructions. Also see Section B.)*

8. Budget Expenditures

	Federal Grant Funds	Non-Federal Funds <i>(Match/Cost Share)</i>
a. Previous Budget Period		
b. Current Budget Period		
c. Entire Project Period <i>(For Final Performance Reports only)</i>		

Indirect Cost Information *(To be completed by your Business Office. See instructions.)*

9. Indirect Costs

- a. Are you claiming indirect costs under this grant? ___Yes ___No
- b. If yes, do you have an Indirect Cost Rate Agreement approved by the Federal Government? ___Yes ___No
- c. If yes, provide the following information:
 Period Covered by the Indirect Cost Rate Agreement: From: ____/____/____ To: ____/____/____ (mm/dd/yyyy)
 Approving Federal agency: ___ED ___Other *(Please specify):* _____
 Type of Rate *(For Final Performance Reports Only)*: ___ Provisional ___ Final ___ Other *(Please specify):* _____
- d. For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:
 ___ Is included in your approved Indirect Cost Rate Agreement?
 ___ Complies with 34 CFR 76.564(c)(2)?

Human Subjects (Annual Institutional Review Board (IRB) Certification) *(See instructions.)*

10. Is the annual certification of Institutional Review Board (IRB) approval attached? ___Yes ___ No ___ N/A

Performance Measures Status and Certification *(See instructions.)*

11. Performance Measures Status

- a. Are complete data on performance measures for the current budget period included in the Project Status Chart? ___Yes ___ No
- b. If no, when will the data be available and submitted to the Department? ____/____/____ (mm/dd/yyyy)

12. To the best of my knowledge and belief, all data in this performance report are true and correct and the report fully discloses all known weaknesses concerning the accuracy, reliability, and completeness of the data.

 Name of Authorized Representative: Title: _____

 Signature: Date: ____/____/____



**U.S. Department of Education
Grant Performance Report (ED 524B)
Executive Summary**

OMB No. 1894-0003
Exp. 02/28/2011

PR/Award # (11 characters): _____

(See Instructions)



U.S. Department of Education
Grant Performance Report (ED 524B)
Project Status Chart

PR/Award # (11 characters):

SECTION A - Performance Objectives Information and Related Performance Measures Data (See Instructions. Use as many pages as necessary.)

1. Project Objective [] Check if this is a status update for the previous budget period.

Table with 3 main columns: 1.a. Performance Measure, Measure Type, and Quantitative Data. Quantitative Data is further divided into Target and Actual Performance Data, each with Raw Number, Ratio, and % sub-columns.

Table with 3 main columns: 1.b. Performance Measure, Measure Type, and Quantitative Data. Quantitative Data is further divided into Target and Actual Performance Data, each with Raw Number, Ratio, and % sub-columns.

Explanation of Progress (Include Qualitative Data and Data Collection Information)



**U.S. Department of Education
Grant Performance Report (ED 524B)
Project Status Chart**

OMB No. 1894-0003
Exp. 02/28/2011

PR/Award # (11 characters): _____

SECTION A - Performance Objectives Information and Related Performance Measures Data (See Instructions. Use as many pages as necessary.)

2. Project Objective Check if this is a status update for the previous budget period.

2.a. Performance Measure	Measure Type	Quantitative Data					
		Target			Actual Performance Data		
		Raw Number	Ratio	%	Raw Number	Ratio	%
			/			/	

2.b. Performance Measure	Measure Type	Quantitative Data					
		Target			Actual Performance Data		
		Raw Number	Ratio	%	Raw Number	Ratio	%
			/			/	

Explanation of Progress (Include Qualitative Data and Data Collection Information)



**U.S. Department of Education
Grant Performance Report (ED 524B)
Project Status Chart**

OMB No. 1894-0003
Exp. 02/28/2011

PR/Award # (11 characters): _____

SECTION B - Budget Information (See Instructions. Use as many pages as necessary.)

SECTION C - Additional Information (See Instructions. Use as many pages as necessary.)



**U.S. Department of Education
Grant Performance Report (ED 524B)**

OMB No. 1894-0003
Exp. 02/28/2011

Project Status Chart: Example for FY 2010 Readiness and Emergency Management for Schools (REMS) Grantees

PR/Award # (11 characters): _____

SECTION A - Performance Objectives Information and Related Performance Measures Data (See Instructions. Use as many pages as necessary.)

1. Project Objective Check if this is a status update for the previous budget period.

To achieve an average increase of two NIMS course completions by key personnel by the end of the grant

1. Performance Measure	Measure Type	③ Quantitative Data					
		Target			Actual Performance Data		
① Average number of NIMS course completions by key personnel at the start of the grant compared to the average number of NIMS course completions by key personnel at the end of the grant	② GPRA	Raw Number	Ratio	%	Raw Number	Ratio	%
				③ 2	/		999

④ Explanation of Progress (Include Qualitative Data and Data Collection Information)

The school district had a target average increase of two course completions at the baseline and an average increase of 2.7 course completions during the reporting period.

INSTRUCTIONS:

- ① Type the GPRA performance measure in the “Performance Measure” box on Section A (Project Status Chart) of the ED 524B.
- ② Type “GPRA” in the “Measure type” box.
- ③ In the Target Raw Number box, provide the target average number of course completions for the performance period. The target increase should be an average increase of at least 2 courses. In the Actual Performance Data Raw Number box, put the number 999 (the system is not accepting decimal points at this time)
- ④ Provide the actual, average number of course completions as of the reporting date in “Explanation of Progress”

In the above example, the school district had a target average increase of two course completions at the baseline and an average increase of 2.7 course completions during the reporting period.

④ Under the “Explanation of Progress” section, also include the following:

Data:

- Key personnel in the district to be trained on NIMS courses and the total number of NIMS course completions that each of those key personnel have completed at the start of the grant (baseline data).
- The average course completions of the group as an aggregate number.
- This information may be reported in a table. For example,

	Employee Name and Title	NIMS Course Completions at the Start of the Grant	NIMS Course Completions at the End of the Grant (or at the grant midpoint for interim reports)
1.	Bob Jones, Project Director	2	6
2.	Cindy Roberts, Superintendent	0	2
3.	John Phillips, Head of Security	1	4
4.	Chris Thomas, Public Information Officer	2	4
5.	Sally Smith, Director of Student Services	0	3
6.	Matthew Anderson, Chief Business Officer	1	3
	Total Course Completions	6	22
	Average Course Completions	1	3.7

Increase in Average Course Completions: 2.7

Additional Information Needed:

- A narrative list of the actual NIMS courses completed by school personnel.
- Target number of NIMS courses to be completed by the school personnel (the number of courses you hope to complete by the end of the grant period) (Interim Reports only.)
- A narrative list of the TOTAL courses completed by school personnel. (Final Reports only).

Readiness and Emergency Management for Schools

GLOSSARY

Fiscal Year 2010 REMS Grantees

Key Roles

- **ED Federal Project Officer** – Federal staff who serves as the primary ED/Federal contact with the grantee.
- **Project Director** – an individual designated by the grantee to carry out and oversee the project or program being supported by the grant. They serve as the primary contact for the grantee to the ED Program Contact/Officer and must be an employee of the district.
- **Authorized Representative** – the individual entrusted by the applicant/grantee to sign the application on behalf of the local educational agency and to represent and authorize matters related to the grant.

Monitoring and Reporting Requirements

- **Grant Award Notification (GAN)** – the official document that states the terms, conditions, and amount of an award and is signed by the official from the Department of Education.
- **Performance Call** – communication between a grantee and ED Program Contact/Officer to monitor the grant throughout the project performance period.
- **Technical Assistance** – guidance provided to the grantee to respond to inquiries, provide assistance, or clarification.
- **Site Visits** – a grant monitoring tool as provided for in the Education Department General Administrative Regulations (EDGAR) Part 80.40(e), “Federal agencies may make site visits as warranted by program needs.”
- **Grant Performance Report (ED 524B)** – ED’s generic performance report that is used by discretionary grantees.
- **Government Performance and Results Act (GPRA) of 1993** – requires all Federal agencies to manage activities with attention to outcomes.
- **Project-specific Objectives** – specific, measurable statements about what the project will achieve.

Fiscal Management

“A grantee shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds.” EDGAR §75.702

- **G5** – electronic system for grants management and payment. Website: www.g5.gov
- **Performance period** – the period of time between the grant award begin date and the date during which the grantee satisfies the requirements of the grant award.
- **Liquidation period** – the 90-day period immediately following the performance period, during which time a grantee is to submit their final performance report and draw down funds for obligations incurred prior to their performance period end date. No new obligations may occur during this time.
- **Suspension period** – the 6-month period that follows the liquidation period to complete grant closeout activities. No new payment actions can occur without the approval of the ED Program Contact/Officer.
- **Manual Closeout** – the 6-month period that follows the suspension period. This status is for those grantees that have either unexpended funds or not submitted a required report preventing the grant from closing.

Readiness and Emergency Management for Schools

GLOSSARY

Fiscal Year 2010 REMS Grantees

- **Closed** – a grant in the closed status indicates that the performance period has ended, all required reports received, and the remaining balance is zero so that the grant files can be transferred to Records Center.

Expanded Authorities

In 1994, the Department revised parts of EDGAR to allow grantees to undertake certain types of administrative actions with discretionary grants without prior approval of the ED FPO.

Expanded authorities specifically permit: a one-time no-cost extension, budget transfers, carry-over of funds, and reimbursement of pre-award costs.

- **No-cost extensions (NCE)** – extend the grant project period for up to one 12-month period to finish activities intended to be completed during the initial performance period, but have not been finished due to mitigating circumstances.
- **Budget transfers** – make transfers of funds among budget categories without prior approval from your ED Program Contact/Officer.
- **Pre-award costs** – allows the grantee to be reimbursed for allowable costs that occurred up to 90 days prior to the start of the budget/performance period.

Human Subjects Regulations

Every applicant must respond to the item to indicate whether or not research activities involving human subjects are planned at any time during the project period.

- **Research** – a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge. It includes activities which meet this definition, whether or not conducted under a program considered "research" for other purposes.
- **Human Subject** – a living individual about whom an investigator (whether professional or student) conducting research obtains data through intervention or interaction with the individual or obtains identifiable private information." [34 CFR 97.102(f)(1) and (2)].
- **ED Guidance:** <http://www2.ed.gov/about/offices/list/ocfo/humansub.html>.

Freedom of Information Act (FOIA)

The Freedom of Information Act (FOIA), 5 U.S.C. § 552, enacted in 1966, generally provides:

- Any person has the right to request access to Federal agency records or information.
- All agencies of the U.S. Government are required to disclose records upon receiving a written request for them.

There is a special REMS exemption that allows grantees to request that confidential information about emergency management plans or district vulnerabilities be redacted before materials are released.

Readiness and Emergency Management for Schools

GLOSSARY

Fiscal Year 2010 REMS Grantees

Administrative Actions

Administrative actions are post-award administrative requests by the grantee to change the terms and conditions of the original grant. These require ED Program Contact/Officer to update the project in GAPS, which will result in a new Grant Award Notification.

The following administrative actions require that the Grantee submit written request to the ED Program Contact/Officer for approval/disapproval:

- any prior approval requirement established by the terms and conditions of the grant
- pre-award costs incurred more than 90 days prior to the performance/budget period
- change in key personnel
- absence of the project director for more than three months
- a 25% reduction in the project director's time
- transfer of substantive work to a third party
- any other costs that require approval in accordance with the OMB Cost Circulars A-21, A-87, and A-122
- revising grantee cost-sharing
- transfer of a grant from one entity to another
- grant extensions beyond the one-time expanded authority no-cost extension

Audit Requirements

- **Grantee-Initiated Audit** – any grantee that expends \$500,000 or more annually of Federal funds must have a non-Federal audit performed yearly and submit the report to the Federal Audit Clearinghouse.
 - Use an independent auditor and comply with OMB Circular A-133.
 - REMS – 84.184E is not included in the Audit Compliance Supplement -- OMB Circular A-133, auditors should use Part 7-Guidance for Auditing Programs Not Included in Compliance Supplement.
- **OIG Audit** – Office of Chief Financial Officer (OCFO) reviews audit reports and OIG audit is triggered by serious audit findings identified by OCFO.

REMS Grant Administration

The following should be consulted in the management of the REMS grant:

- EDGAR – Education Department General Administrative Regulations
 - <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>
- OMB Circulars (cost principles, administrative requirements, and audit requirements)
 - http://www.whitehouse.gov/omb/circulars_default
- REMS grant announcement/application package
 - http://rems.ed.gov/index.php?page=REMS_Grant_Application
- Other ED requirements
- Written guidance provided by ED FPOs and Competition Manager
- Other Resources and Information for REMS Grantees
 - http://rems.ed.gov/index.php?page=REMS_Grantees_Info

Readiness and Emergency Management for Schools

GLOSSARY

Fiscal Year 2010 REMS Grantees

Procurement Practices for REMS Grants

As a general matter, 34 C.F.R. 80.36 governs competition in procurement transactions by grantees in the REMS program, including a requirement that all procurement transactions must be conducted in a manner “providing full and open competition” consistent with the standards in that regulation. 34 C.F.R. 80.36(c). Although grantees use “their own procurement procedures which reflect State and local laws and regulations” to the extent those procedures are consistent with the Federal requirements, all grantees under the REMS program also must follow the minimum requirements in 34 C.F.R. 80.36. 34 C.F.R. 80.36(b)(1).

The requirements in 34 C.F.R. 80.36 are designed to protect the competitive procurement process from undue influence, and have been in effect for many years. According to 34 C.F.R. 80.36(c), all transactions must be conducted in a manner “providing full and open competition” consistent with the standards in the regulation. Several situations are listed in 34 C.F.R. 80.36(c)(1) that would be considered to be restrictive of competition, although it is important to understand that the list is not exhaustive. Among the examples are:

- (1) Placing unreasonable requirements on firms in order for them to qualify to do business;
- (2) Requiring unnecessary experience and excessive bonding;
- (3) Organizational conflicts of interest; and
- (4) Specifying only a “brand name” product instead of allowing “an equal” product to be offered.

If a vendor has already assisted the LEA in preparing an application for a REMS grant, and subsequently is interested in providing contract services after the LEA receives the grant award,

a close examination of all activities is warranted to ensure that the vendor did not act as an agent of the grantee, that the vendor does not have an organizational conflict of interest in the procurement, and that the requirements for full and open competition have not been violated.

Please note that the requirements regarding full and open competition could be violated even if a vendor's participation in the application process was limited and the vendor was not acting as an agent of the grantee. For example, a vendor that provides specifications that are then included in a grant application could have a competitive advantage over other vendors. Grantees should carefully examine all of their interactions with vendors to ensure that these interactions do not violate the requirements concerning full and open competition.

It is the responsibility of each grantee to comply with the procurement requirements in 34 C.F.R. 80.36, which takes precedence over State and local procedures in those cases where the minimum requirements in section 80.36 provide greater protection of the procurement process. This Department generally does not have sufficient information to confirm that any particular vendor is eligible or ineligible to compete for contracts with REMS grantees and the status of a vendor may vary depending on the circumstances surrounding each procurement.

Regulations at 34 C.F.R. 80.36(b)(12) require each REMS grantee to have protest procedures to handle and resolve any disputes concerning the procurement process. Under section 80.36(b)(12), the Department does not review disputes between grantees and vendors except in a case where the vendor has already exhausted its administrative remedies under the grantee's protest procedures and the dispute involves either an alleged violation of a Federal statute or regulation, or failure of a grantee to review the dispute under its protest procedures.