



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee members
From: Sorsha Anderson, Staff Associate
Date: September 18, 2020
Subject: Grant Requests – JFO #3022

Enclosed please find one (1) item, which the Joint Fiscal Office has received from the Administration.

JFO #3022 –\$4,488,802 from the U.S. Department of Education to the Vermont Governor’s Office. Funds from the Governor's Emergency Education Relief Fund, granted through the CARES Act, will be allocated to secondary Continuing Technical Education (CTE) programs for assistance with in-person/hybrid/remote learning opportunities. The Governor will delegate authority to the VT Secretary of Education to allocate the funds. *This request does stem from the state or federal response to the COVID-19 pandemic.*

*[Note: These funds stem from the CARES Act but are not part of the CRF grant allocations]
[JFO received 09/16/20]*

Please review the enclosed materials and notify the Joint Fiscal Office (Sorsha Anderson: sanderson@leg.state.vt.us) if you have questions or would like this item held for legislative review. Unless we hear from you to the contrary by October 15, 2020, we will assume that you agree to consider as final the Governor’s acceptance of this request.

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:		The Governor's Emergency Education Relief Fund, granted to governors through the CARES Act, will be used to allocate resources to secondary CTE institutions in the state to address the need for a combination of in-person/ remote/hybrid learning opportunities for CTE students and CTE adult learners, including on-line curricula, training, laptops and redesigned infrastructure.			
Date:		8/28/2020			
Department:		Governor's Office			
Legal Title of Grant:		Governor's Emergency Education Relief Fund			
Federal Catalog #:		84.425C			
Grant/Donor Name and Address:		U.S. Department of Education Washington, D.C.			
Grant Period:		From:	To:		
		5/6/2020	9/30/2021		
Grant/Donation		\$4,488,802			
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$0	\$4,488,802	\$0	\$4,488,802	
Position Information:		# Positions	Explanation/Comments		
		0			
Additional Comments:		The Governor will delegate authority to the Secretary of the Agency of Education to allocate the Governor's Emergency Education Relief Fund and responsibility for drawing funds from the federal government, completion of all reporting requirements, and following all assurances of original grant award.			
Department of Finance & Management		Adam Greshin	(Initial)		
Secretary of Administration		Susanne R. Young	(Initial)		
Sent To Joint Fiscal Office		Ariel Murphy	Date		



STATE OF VERMONT FINANCE & MANAGEMENT GRANT REVIEW FORM		



STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

DFM Received 8/28/2020

BASIC GRANT INFORMATION				
1. Agency:		Governor's Office		
2. Department:		Governor's Office		
3. Program:		CARES Act		
4. Legal Title of Grant:		Governor's Emergency Education Relief Fund		
5. Federal Catalog #:		84.425C		
6. Grant/Donor Name and Address:				
U.S. Department of Education				
CARES (Coronavirus Aid, Relief, and Economic Security) Act; Public Law 116-136 of 2020, Section 18002				
7. Grant Period:		From:	5/6/2020	To: 9/30/2021
8. Purpose of Grant:				
The Governor, through the Agency of Education, shall allocate the CARES Act Emergency Education Relief funding, granted to governors for a broad range of education purposes, to state secondary CTE institutions for redesigned learning experiences and opportunities for students, equipment, including laptops, for students and adult learners, on-line curricula and other software, instructor training and professional development, infrastructure redesign, and other expenses related to addressing the need for a combination of in-person/remote/hybrid learning opportunities. Additional detail is attached.				
9. Impact on existing program if grant is not Accepted:				
Additional funds will not be distributed to Career Technical Education Centers, which may compromise existing programming options.				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2020	FY 2021	FY 2022	
Personal Services	\$	\$	\$	
Operating Expenses	\$	\$	\$	
Grants	\$	\$4,488,802	\$	
Total	\$	\$4,488,802	\$	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$	\$4,488,802	\$	
(Direct Costs)	\$	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:	\$	\$	\$	
Grant (source)	\$	\$	\$	
Total	\$	\$4,488,802	\$	
Appropriation No:	1200010000	Amount:	\$4,488,802	
			\$	
			\$	
			\$	
			\$	

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

		\$
		\$
	Total	\$4,488,802

PERSONAL SERVICE INFORMATION

11. Will monies from this grant be used to fund one or more Personal Service Contracts? Yes No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.


Appointing Authority Name: _____ Agreed by: _____ (initial)

12. Limited Service Position Information:	# Positions	Title
Total Positions		

12a. Equipment and space for these positions: Is presently available. Can be obtained with available funds.

13. AUTHORIZATION AGENCY/DEPARTMENT

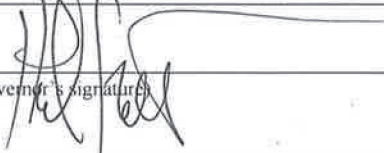
I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):

Signature:  Date: 9/11/2020
 Title: Secretary, Agency of Education
 Signature: _____ Date: _____
 Title: _____

14. SECRETARY OF ADMINISTRATION

Approved: _____ (Secretary or designee signature) **Susanne R. Young** Digitally signed by Susanne R. Young Date: 2020.09.11 12:24:26 -04'00' Date: _____

15. ACTION BY GOVERNOR

Check One Box: Accepted  Date: 9/15/20
 Rejected

16. DOCUMENTATION REQUIRED

Required GRANT Documentation

- | | |
|---|---|
| <input type="checkbox"/> Request Memo | <input type="checkbox"/> Notice of Donation (if any) |
| <input type="checkbox"/> Dept. project approval (if applicable) | <input type="checkbox"/> Grant (Project) Timeline (if applicable) |
| <input checked="" type="checkbox"/> Notice of Award | <input type="checkbox"/> Request for Extension (if applicable) |
| <input checked="" type="checkbox"/> Grant Agreement | <input type="checkbox"/> Form AA-1PN attached (if applicable) |
| <input type="checkbox"/> Grant Budget | |

End Form AA-1

(*) The term "grant" refers to any grant, gift, loan, or any sum of money or thing of value to be accepted by any agency, department, commission, board, or other part of state government (see 32 V.S.A. §5).

Governor's Emergency Education Response (GEER) Fund- 45 Day Report

Purpose

Given the centrality of Continuing Technical Education (CTE) programs (including adult CTE programs operated via partnerships with education and labor stakeholders) for recovering/bolstering Vermont's economy, it is essential that we direct GEER funds to this arm of the Governor's Cradle to Career education system. The traditional "hands-on" nature of CTE programming and activities make the remote learning requirements of the COVID-19 pandemic especially difficult. Many of the initial fiscal and planning resources for addressing Continuity of Learning (COL) were framed within a traditional preK-12 model; in many instances, regional CTE centers were not part of the planning that occurred during the remote learning phase. As such, they were potentially left on their own to devise and coordinate COL experiences for students coming from several different high schools (each with their own unique model for COL). In addition, many students had their cooperative and work-based learning experiences cancelled when the state was forced to shut down to control viral spread.

1. Please describe the State's process for awarding GEER funds to LEAs, IHEs, and/or other education-related entities.

a. To address the special needs of our CTE system, Governor Scott will use the \$4.4M in GEER funds to:

- Set up a grant program whereby all secondary CTE institutions in the state (i.e., independent schools, comprehensive high schools, regional CTE centers, and adult CTE programs) may submit applications to reimburse costs associated with addressing the COVID-19 challenges. Following the requirements of Section 5001 of the CARES Act, these costs must have been incurred on or after March 13, 2020. Such costs may include, but are not restricted to, redesigned learning experiences and opportunities for students, related expenses such as equipment, software, instructor training and professional development, infrastructural redesign, on-line curricula purchase and training, and other expenses related to addressing the need for a combination of in-person/remote/hybrid learning opportunities.

Estimated funds: \$2.5M (approx. \$147K per center, should all 17 centers choose to apply)

- Funds for secondary CTE institutions to purchase laptops allowing students to remotely access programming and learning opportunities. These laptops will also

Contact Information:

If you have questions about this document or would like additional information please contact:

Dr. Heather Bouchey, Deputy Secretary of Education, at Heather.Bouchey@vermont.gov

allow younger students, such as seventh and eighth graders, to access CTE programming. This will be a new and innovative approach, in keeping with Vermont's broader vision for engaging younger students (pre-high school) in CTE.

Estimated funds: \$1.7M (\$250 per laptop X 5000 current CTE students X 800 middle school students X 1000 adult CTE learners)

- Administrative funds

\$200,000: The state is recouping the 0.05% administrative cost. The state expects that all of the administrative budget is going to be used to claim earned indirects.

b. Timeline for awarding GEER funds to LEAs:

It is anticipated that funds will be awarded to LEAs by September 30, 2020 to ensure that all CTE institutions have the necessary resources to carry out instruction in a hybrid or remote learning environment. The deadline for CTE institutions to obligate these funds is September 30, 2022, however CTE institutions will be strongly encouraged to utilize these funds as part of an immediate response to the COVID-19 pandemic.

c. The criteria, process and deliberations you use to determine which LEAs, IHEs, and/or other education-related agencies:

To determine which CTE institutions have been "most significantly impacted by coronavirus" applicants for GEER funds will be initially ranked by county unemployment data from the Department of Labor in April 2020. CTEs located in counties where unemployment rates are among the top 10% in the state will be awarded 20 points out of the available 100, those in counties where the unemployment rate falls within next decile will be awarded 10 points, while counties in the lowest decile of unemployment in the state will receive no additional points as part of the grant review process.

d. The funding mechanisms (e.g., grants, contracts) the State will use to provide GEER funds to LEAs, IHEs, and/or other education-related entities:

The AOE will use a paper grant process to distribute the GEER funds. Applications will be submitted to the AOE where they will be reviewed for eligibility and allowable uses by program and finance teams. Applications will be a fillable pdf form to ensure that accurate and standardized data will be available for reporting. The approval process for the grant award will be carried out in OneSpan, an electronic signature tool.

e. Any specific funding conditions or requirements the State will place on awards to ensure the funds are spent for specific purposes or activities:

The GEER funds will follow [Bulletin No. 5](#) from the Agency of Administration, specifically the following sections:

B. Grantee Responsibilities

A grantee is responsible for performing the services or activities described in the grant agreement and meeting all performance measures within the timeframe designated by the award. It must ensure that when performing those services or activities, it complies with all of the requirements of the grant agreement. A grantee should have a system for managing the grant activities and must be able to demonstrate that the funds were spent on allowable activities and in accordance with grant requirements.

A grantee will produce programmatic and financial reports as required by the grant agreement and provide supporting documentation if required.

The grantee must also ensure that it complies with all terms and conditions of the grant agreement, including any public policy requirements. Those requirements may include state or federal requirements and may also include additional requirements imposed by the grantor. To ensure compliance, the grantee should establish and maintain internal policies and properly train its staff.

2. Additional Responsibilities for Subrecipients

A subrecipient must ensure that it complies with all Federal programmatic and financial requirements that are passed down from the grant agreement between the Federal awarding agency and the pass-through entity. To ensure compliance, the subrecipient should establish internal policies and procedures and properly train its staff in all Federal requirements. It should establish an accounting system that allows it to trace Federal expenditures to demonstrate that the funds were spent properly and that matching funds or in-kind are properly documented.

DUNS: At the time of grant execution, subrecipients must provide the pass-through entity with a valid D-U-N-S Number. The D-U-N-S Number is a unique nine-digit identification number assigned and maintained solely by Dun & Bradstreet (D&B). D-U-N-S Number assignment is free for all businesses required to register with the US Federal government for contracts or grants. Created in 1962, the Data Universal Numbering System or D-U-N-S® Number is D&B's copyrighted, proprietary means of identifying business entities.

Internal Controls: Subrecipients will establish and maintain effective internal control over Federal awards that provides reasonable assurance that they are managing them in compliance with Federal statutes, regulations, and the terms and conditions. These internal controls should be in compliance with the guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

Subgranting: Subrecipients may pass through funds they receive to their own subrecipients only with prior written approval of the pass-through entity. They must advise their subrecipients of requirements imposed on them by federal laws, regulations, and the provisions of contracts or grant agreements as well as any supplemental requirements imposed by the pass-through entity. They must also set up a plan for monitoring those subrecipients' use of the funds in accordance with Subpart F of the Uniform Guidance.

In addition, AOE will include an application assurance ensuring that every recipient and subrecipient of GEER funds will cooperate with any examination of records with respect to such funds by making records available for inspection, production, and examination, and authorized individuals available for interview and examination, upon the request of (i) the Department and/or its Inspector General; or (ii) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.

2. Describe the system of Internal controls the State will use to ensure that GEER funds are expended for allowable purposes and in accordance with cash management principles and the Uniform Guidance.

The Executive office will use MOUs to pass funds to other State Agencies and subgrant agreements to eligible subrecipients, as applicable. All agreements will include spending authority, allowable uses, required assurances and applicable regulations per EDGAR, 2 CFR Part 200, and the Vermont State Administrative Bulletin 5.

All Federal draws will be completed through the G5 system and all funds will be drawn only after the State has verified the expenses as allowable and paid for using State funds. No Federal funds will be drawn in advance.

3. If GEER funds are being awarded or used for payments to SEA or IHE administrators, executives, and/or state or local teachers' unions or associations, please describe your process for reporting the amount of funds used for this purpose, and how the funds are consistent with allowable uses of funds under section 18002(c) of the CARES Act.

N/A

4. If you intend to provide GEER funds to LEAs, please describe the process you will use to ensure that LEAs receiving GEER funds provide equitable services to students and teachers in non-public schools located within the LEA in the same manner as provided under section 1117 of the ESEA.

There are two non-public CTE Institutions in Vermont. Working through their local LEA these two institutions will have the same access (based on the unemployment data point system described in 1c above) to GEER funds to reimburse allowable costs as described in 1a above.

The LEA will retain control of the GEER funds and have title to materials, equipment, and property purchased with GEER funds.


DELEGATION OF AUTHORITY

I hereby designate Daniel M. French, Secretary of the Vermont Agency of Education (AoE), to be responsible for administering Vermont's share of Public Law 116-136, The Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Governors Emergency Education Relief Fund (GEER).

Secretary French shall represent the Governor to the U.S. Department of Education and shall have the authority and responsibility to:

- Grant the GEER funds to the State's secondary CTE institutions in accordance with the purposes outlined in the AoE 45 Day Report dated July 28, 2020 (attached hereto);
- Draw funds from the federal government for these purposes;
- Complete all reporting requirements; and
- Follow all assurances of original grant award (attached hereto).

Dated at Montpelier, Vermont this 15th day of September, 2020.



Philip B. Scott
Governor