



Office of Budget
and Management

Mike DeWine, Governor
Jon Husted, Lt. Governor

Kimberly Murnieks, Director

July 30, 2020

To: Brandon Webber, Program Officer
State and Grantee Relations, U.S. Department of Education

FROM: Stacie Massey, State Director
Ohio – S425C200040
Governor’s Emergency Education Relief Fund

DATE: July 30, 2020

RE: State of Ohio Initial Report, Grant Award S425C200040

Please accept the following responses as submission of the initial report as requested by the U.S. Department of Education.

- 1. Please describe the State’s process for awarding GEER funds to LEAs, institutions of higher education (IHEs), or other education-related entities, including:**
 - **Timeline(s) for awarding GEER funds to LEAs, IHEs, and/or other education-related entities.**
 - **The criteria, process, and deliberations you use to determine which LEAs, IHEs, and/or other education-related agencies are:**
 - **“Most significantly impacted by coronavirus;” and/or**
 - **“Essential” for carrying out emergency educational service**
 - **The funding mechanisms (e.g., grants, contracts) the State will use to provide GEER funds to LEAs, IHEs, and/or other education-related entities; and**
 - **Any specific funding conditions or requirements the State will place on awards to ensure the funds are spent for specific purposes or activities.**

The State of Ohio GEER funds will be awarded to all qualifying LEAs, IHEs, and other eligible entities in an expedited, yet strategic manner. Ohio is leveraging all available funding sources to include the Coronavirus Relief Fund to strategically maximize the amount of funding available to the educational community to address their needs and

challenges in re-opening and continuing to provide a safe educational environment, as well as address gaps in educational development and special needs which were a direct result of the pandemic. The intent is to award funds as efficiently as possible to ensure dollars are quickly put to work to support the most critical needs while implementing the best process to identify LEAs, IHEs, and other education-related entities with the most significant impact by coronavirus and/or essential for carrying out emergency educational service. Ohio has seen the needs of the education community regarding re-opening plans for schools and institutions of higher education rapidly change in the last few weeks due to the recent surge in COVID-19 cases. Ohio has recently obligated Coronavirus Relief Funds to address some immediate needs, while continuing to develop the specific needs of GEER funding to supplement and continue to support ongoing needs. Due to this strategic use of funds, it is anticipated that a better picture on the outlook of the pandemic will put Ohio in a stronger position to award GEER funds in the next 90-120 days. Ohio will work with the Ohio Department of Education and the Department of Higher Education to ensure alignment on the best use of funds, as well as provide funding to each of these agencies to manage grant awards to their stakeholders for specific purposes and activities agreed upon in these next 90-120 days.

Ohio has implemented the Ohio Public Health Advisory system, which is a color-coded system designed to supplement existing statewide orders through a data-driven framework in assessing the degree of the virus' spread and to engage and empower local decision making. This system has four levels ranging from yellow, which indicates active exposure and spread, to purple, which indicates severe exposure and spread. This alert system, along with combining other factors such as economic impact, population served, and level of essential services, will be used in deliberating and determining the distribution of funds. Ohio will use all available data sources and information in determining which LEAs, IHEs, and other education-related entities qualify as most significantly impacted.

Ohio has put in place a grants team within the Ohio Office of Budget and Management (OBM) called the Ohio Grants Partnership. This team made up of members with audit, fiscal, and grants management experience, will work in collaboration with the Ohio Department of Education and Department of Higher education to ensure all funds are spent appropriately and comply with federal and state regulations. Ohio plans to subaward funds with the corresponding requirements identified by the US Department of Education on the GEER award. Additional specific funding conditions or requirements will be limited to those that serve the specific purposes or activities identified during the next 90 to 120 day period which will ensure appropriate use of funds. There is no intent to put additional requirements which cause administrative burden or limits use within the intended purpose and federal regulations.

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. See 2 CFR § 200.303.

The State of Ohio will establish internal controls for the administration of the GEER award to provide reasonable assurance the award is managed in compliance with federal statutes, regulations, and terms and conditions within the award agreement. In accordance with the “Internal Control Integrated Framework” issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO) and in compliance with 2 CFR §200.303, to include the following internal controls:

- **Control Environment** – OBM will be administering the GEER award and providing oversight to the state agency program areas within the Ohio Department of Education and the Department of Higher Education that will act as a subrecipient of the funds. OBM is an oversight agency within the state which sets the state accounting policies and regularly enforces accountability and competence when handling financial activities. This structure sets the tone at the top in the management of these funds in accordance with federal and state laws and regulations. This structure also allows for appropriate oversight and coordination as more than one state agency has a program interest in the grant.
- **Risk Assessment** – OBM plans to perform risk assessments of subrecipients to develop an effective monitoring plan in collaboration with the Ohio Department of Education and Department of Higher Education who traditionally these subrecipients.
- **Control Activities** – OBM intends to operate this program as reimbursement only, thus requiring review on the use of funds at the time of approval of payment and draw down of funds. This will provide assurances in complying with the Cash Management Improvement Act as well as limit exposure to funds being used inappropriately.
- **Information and Communication** – Subrecipients will be provided a Notice of Award with all relevant federal and state regulations and funding information. Additional guidance on the use of funds for GEER will be provided to subrecipients. If necessary, a webinar to address questions and explain compliance requirements will be provided.
- **Monitoring Activities** - OBM in coordination with the Ohio Department of Education and Department of Higher Education will conduct monitoring visits based on the monitoring plan to ensure appropriation use of funds and compliance with federal and state rules and regulations.

- 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.**

Ohio does not plan to use any of the GEER funds for this purpose.

- 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.**

Ohio understands that the U.S. Department of Education (USED) Interim Final Rule (IFR) on the equitable services requirements for CARES Act applies to the GEER funds. Ohio will ensure any LEA receiving a direct GEER subaward will provide equitable services consistent with the IFR.

Excluding any decision to provide direct GEER service amounts to nonpublic schools or awarding GEER funds to regional providers to provide comprehensive supports to all public and nonpublic schools, any LEA that receives a direct GEER award will include a condition and assurance that the LEA must consult with the nonpublic school officials within the LEA boundaries on how the LEA plans to use GEER funds, prior to obligation, as well as how the LEA plans to provide equitable services to nonpublic school students and educators associated with the GEER funds.

Nonpublic officials may submit a formal complaint to the Ohio Department of Education for any allegations that the consultation or equitable service requirements noted above were not addressed. The Governor's Office will work with the Ohio Department of Education to determine appropriate mechanisms for ensuring LEAs and nonpublic schools are meeting the conditions of any GEER subawards.