Liquidation Extension Requests for CARES-ESSER and CARES-GEER

WEBINAR

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Presentation Topics

Liquidation Extension of CARES ESSER and GEER funds

1. Liquidation and Obligation Requirements

2. Liquidation Extension Request Process Overview

3. Completing and Submitting a Request

4. Q&A

A recording of the presentation and accompanying slides will be made available on the Department’s State and Grantee Relations announcements webpage.
CARES Act Background

On March 27, 2020, Congress set aside approximately $13.2 billion of the $30.75 billion allotted to the Education Stabilization Fund through the Coronavirus Aid Relief, and Economic Security (CARES) Act for the Elementary and Secondary School Emergency Relief Fund (ESSER) Fund. The Department awarded these grants to State educational agencies (SEAs) for the purpose of providing local educational agencies (LEAs), including charter schools that are LEAs, with emergency relief funds to address the impact that COVID-19 has had, and continues to have, on elementary and secondary schools across the Nation.

In 2020, Congress set aside approximately $3 billion of the $30.75 billion allotted to the Education Stabilization Fund through the Coronavirus Aid, Relief, and Economic Security (CARES) Act for the Governor’s Emergency Education Relief Fund (GEER) Fund.

ESSER FAQs  GEER FAQs  ESSER-GEER FAQs
# Liquidation and Obligation Requirements

<table>
<thead>
<tr>
<th>Program</th>
<th>Obligation Deadline</th>
<th>Liquidation Deadline</th>
<th>Liquidation Extension Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>CARES - ESSER I</td>
<td>Sep. 30, 2022</td>
<td>Jan. 28, 2023</td>
<td>Apr. 1, 2024</td>
</tr>
<tr>
<td>CARES - GEER I</td>
<td>Sep. 30, 2022</td>
<td>Jan. 28, 2023</td>
<td>Apr 1, 2024</td>
</tr>
</tbody>
</table>

The process for submitting CRRSA and ARP liquidation extension requests will be released at a later date.

**Liquidation Extension Resources**
- [Liquidation Extension Letter](#)
- [Liquidation Extension Request Template](#)
Liquidation and Obligation Requirements

What does it mean to “Obligate” Funds?

The regulations at 34 C.F.R. § 76.707 govern when an obligation of Federal funds by a State or subgrantee such as an LEA occurs. Specifically, for services or assistance provided through a contract, the obligation is made on the date that the State or subgrantee makes a binding written commitment to obtain the services, work, or products. For rental or lease of real or personal property, the obligation is made when the property is used.
# Liquidation and Obligation Requirements

<table>
<thead>
<tr>
<th>If the obligation is for -</th>
<th>The obligation is made</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Acquisition of real or personal property</td>
<td>On the date on which the State or subgrantee makes a binding written commitment to acquire the property.</td>
</tr>
<tr>
<td>b) Personal services by an employee of the State or subgrantee</td>
<td>When the services are performed.</td>
</tr>
<tr>
<td>c) Personal services by a contractor who is not an employee of the State or subgrantee</td>
<td>On the date on which the State or subgrantee makes a binding written commitment to obtain the services.</td>
</tr>
<tr>
<td>d) Performance of work other than personal services.</td>
<td>On the date on which the State or subgrantee makes a binding written commitment to obtain the work.</td>
</tr>
<tr>
<td>e) Public utility services</td>
<td>When the State or subgrantee receives the services</td>
</tr>
<tr>
<td>f) Travel</td>
<td>When the travel is taken</td>
</tr>
<tr>
<td>g) Rental of real or personal property</td>
<td>When the State or subgrantee uses the property</td>
</tr>
<tr>
<td>h) A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 CFR part 200, Subpart E - Cost Principles</td>
<td>On the first day of the grant or subgrant performance period</td>
</tr>
</tbody>
</table>

The regulations at [34 C.F.R. § 76.707](https://www.law.cornell.edu/cfr/text/34/76/707) govern when an obligation of Federal funds by a State or subgrantee such as an LEA occurs.
Liquidation and Obligation Requirements

What does it mean to “Liquidate” Funds?

The drawing down and expenditure of funds by a grantee for obligations incurred during the grant’s legal obligation period. **Timely liquidation occurs during the project performance period and through the first 120 days after the final day of that period or an extension of that period authorized by ED, pursuant to 2 C.F.R. § 200.344(b).**
Liquidation and Obligation Requirements

May grantees carry out grant activities during liquidation?

Yes, for contracted activities.

The period for delivery of goods and services and the associated payments for those goods and services can extend to the end of the liquidation period, so long as a timely and valid obligation had been made pursuant to 34 C.F.R. § 76.707.

Liquidation Extension Resources
Liquidation Extension Request Process Overview

The Department has the authority to approve liquidation extension requests for properly obligated funds upon review of written requests made by the grantee on behalf of itself and its subrecipients. Should funds be properly and timely obligated by September 30, 2022, the Department has the authority to approve liquidation extension requests based upon the specific facts and circumstances of a given obligation and upon written request of a grantee, in accordance with 2 CFR § 200.344(b).

During the development of the CARES ESSER and CARES GEER liquidation extension request process, the Office of State and Grantee Relations received feedback from various groups regarding grantee and subrecipient needs for a late liquidation

- Representative group of State Education Agencies and Local Education Agencies
- Chief Counsel of State School Officers
- Association of Latino Administrators and Superintendents
- National Association of State Auditors, Comptrollers, and Treasurers
Liquidation Extension Request Process Overview

Overview of Feedback from Outreach

- Greater need for liquidation extensions under CRRSA and ARP as opposed to CARES
- Timely communication of a request process
- Single request structure from SEA to incorporate requests from LEAs
- Single date of extension rather than individual by LEA or SEA for grants management capabilities
- Preference for LEAs to request of SEA and not directly to the Department
- SEA discretion for LEA approval
- Clear description of process, requirements, and approval criteria such that SEA need for interpretation is minimal
- Provision of notes or descriptions of allowable situations
- Concerns regarding capacity and state-level personnel for oversight
- Timely communication of approval/denial with clear documentation for auditing purposes
- Continued focus on intent of legislation/funding and the compliance required
Liquidation Extension Request Process Overview

Resulting Process for Liquidation Extensions

• Grantees will submit one comprehensive Excel document to represent an extension at the grantee and subrecipient levels as appropriate with a single date for the extension

• Notes, resources, and FAQ links have been embedded within the request template

• Responsibilities for grantees and subrecipients are clearly outlined within the attestations

• Single request process for grantees and subrecipients will expedite the approval process

• Grantees maintain autonomy for subrecipient process, documentation, and oversight
Liquidation Extension Request Process Overview

Liquidation Extension Request: Components

- Title Page – Informational Only
- Table of Contents and Instructions – Informational Only
- Grantee Request Overview – To be Completed/Submitted by Grantee
- Grantee Attestation - To be Completed/Submitted by Grantee
- Grantee Information - To be Completed/Submitted by Grantee
- Subrecipient Information - To be Completed/Submitted by Grantee
- Definitions and Additional Resources – Informational Only

Liquidation Extension Resources

- Suggested submission prior to December 31, 2022
- Requests submitted after December 31, 2022 may experience a lapse in G5 access but will still be reviewed
Completing and Submitting a Request

Title Page (Information Only)

- Grantees and subgrantees of the CARES Act must obligate funds by September 30, 2022.
- Grantees may submit liquidation extension requests on behalf of itself and its subrecipients/LEAs.
- Once approved, grantees and subrecipients/LEAs may have up to 18 months to liquidate the funds.
- Completed requests, using the Excel request template, should be submitted as an Excel document to the state mailbox (e.g., Alabama.OESE@ed.gov) and assigned program officer.
- Submission may occur when data is available and is recommended prior to December 31, 2022.
Completing and Submitting a Request

Table of Contents and Instructions (Information Only)

- Grantees must complete the requested information on the Grantee Request Overview, Grantee Attestation, Grantee Information, and Subrecipient Information
- The request template and signed attestation should be remitted to the state’s program officer and state mailbox (e.g., State.OESE@ed.gov)
- Submissions can be made once data is available and are recommended by December 31, 2022 to ensure access to G5; data verification will be necessary
- Submissions provided after December 31, 2022 will also be reviewed
- Only subrecipients in need of a liquidation extension should be included
- CARES ESSER and CARES GEER requests must be submitted separately
Completing and Submitting a Request

Grantees must provide a signed attestation as part of the liquidation extension request.

Grantees should use both discretion and oversight when including a subrecipient/LEA within the request.

It is incumbent upon the grantee to collect sufficient documentation to support the liquidation extensions of the subrecipients included in the request.

Provision of this documentation may be requested for monitoring or auditing purposes.

Data verification of September 30 obligations and January 28 liquidations will be required.

Attestations must be signed by the appropriate official.
Completing and Submitting a Request

Grantee Request Overview (Complete and Submit)

- ALN = Assistance Listing Number (formerly CFDA)
  - GEER Requests = 84.425C
  - ESSER Requests – 84.425D
- Date of Submission vs Date of Data Finalization
  - Data finalization represents the date by which the data has been included for subrecipients.
- Several data fields are populated by formulas within the template (amounts) or are prepopulated dates
- Grantee vs Subgrantee Requested Extension Dates
  - Cannot exceed 04/01/2024
  - May be the same date
  - Subrecipient date may be adjusted for administrative purposes at the grantee level
Completing and Submitting a Request

Grantee Attestation
(Complete and Submit)

- All information at the top of the page will be populated from information previously entered on the Grantee Overview tab.
- The attestation must be signed by an Authorizing Official. The page may be printed, signed, and submitted along with the request template or an official digital signature may be used.
- Attestations for Grantees include –
  - Accuracy and completeness of included information
  - Proper and timely obligations
  - Continued applicability of the Certifications and Assurances
  - Continued monitoring and oversight of subrecipients
  - Verification of data
  - Collection of sufficient supporting documentation
  - Grantee review of subrecipients included in request
Completing and Submitting a Request

Grantee Information (Complete and Submit)

- Information in Columns A, B, F, and G will either populate from information on the Grantee Request Overview tab or from embedded formulas.
- Grantees should complete the information for Columns C-E and H-K.
- It may be necessary and adequate to only include 1 line of data for the grantee’s information. Additional lines are included for optional use should the grantee have need for additional lines.
- Examples of supporting documentation should be included in column K but will not be submitted to the Department. Supporting documentation should be available upon request.

<table>
<thead>
<tr>
<th>Grantee Name</th>
<th>UFI</th>
<th>State Aid/Other Reserve Total</th>
<th>Amount Obligated as of 09/30/2022 or Date of First Distribution Received</th>
<th>Amount Liquidated as of 09/30/2022 or Date of Last Distribution Received</th>
<th>% Liquidated as of 09/30/2022 or Date of Last Distribution Received</th>
<th>Balance Remaining as of 09/30/2022 or Date of Last Distribution Received</th>
<th>Amount of obligated funds requiring extension</th>
<th>Use of Funds</th>
<th>Justification</th>
<th>SEA Documentation on File</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

Examples of supporting documentation on file might include: GFOA’s Order Form, purchase orders, invoices, etc. Supporting documentation must be available upon request.
Completing and Submitting a Request

Grantee Information (Example)

| Amount Obligated as of 06/30/2022 as Date of Finalization Selected by Grantee | Amount Liquidated as of 09/30/22 or Date of Finalization Selected by Grantee | % Liquidated as of 09/30/22 or Date of Finalization Selected by Grantee | Balance Remaining as of 09/30/22 as Date of Finalization Selected by Grantee | Amount of Obligated Funds Necessitating Extension | Use of Funds | Justification | SEA Documentation on File |
|---|---|---|---|---|---|---|---|---|
| Amount liquidated as of 09/30/22, grantees should reconcile with the data indicated on the Grantee Request Overview in column D-EF. | Figure should be calculated automatically. |
| Example | $23,859,919.00 | $23,859,919.00 | $20,000,000.00 | 84% | $3,859,919.00 | $3,859,919.00 | Subrecipient oversight | 20 LAD require extension; oversight necessary to continue through liquidation extension period through service contract |
| Example | $23,859,919.00 | $23,859,919.00 | $20,000,000.00 | 84% | $3,859,919.00 | $3,859,919.00 | Subrecipient oversight | 20 LAD require extension; oversight necessary to continue through liquidation extension period through service contract |
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| Example | $23,859,919.00 | $23,859,919.00 | $20,000,000.00 | 84% | $3,859,919.00 | $3,859,919.00 | Subrecipient oversight | 20 LAD require extension; oversight necessary to continue through liquidation extension period through service contract |

Examples of documentation on file may include specific Purchase Order numbers, communications from vendors regarding delivery, change orders, etc.
Completing and Submitting a Request

Subrecipient Information (Complete and Submit)

- Information included should represent only the subrecipients/LEAs in need of an extension
- Data should be valid as of September 30, 2022, or the Date of Data Finalization indicated on the Grantee Request Overview tab
- Columns F, G, and H should calculate automatically once data is entered for the allocation total, amount obligated, and amount liquidated
- Selections for Uses of Funds might include construction contracts, HVAC contracts, instructional services contracts, delayed resources, or other allowable uses of funds.

<table>
<thead>
<tr>
<th>Subrecipient or LEA Name</th>
<th>UOI</th>
<th>Allocation Total</th>
<th>Amount Obligated as of 09/30/2022 or Date of Finalization Listed in Grantee</th>
<th>Amount Liquidated as of 09/30/2022 or Date of Finalization Listed in Grantee</th>
<th>% Liquidated as of 09/30/2022 or Date of Finalization Listed in Grantee</th>
<th>Balance Remaining as of 09/30/2022 or Date of Finalization Listed in Grantee</th>
<th>Amount of Obligated Funds Non-Expendable Expenditures</th>
<th>Use of Funds</th>
<th>Justification</th>
<th>Other Subrecipient-Specific Data Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

- Columns J & K should represent LEA-specific justifications currently available and may also include any other relevant subrecipient data notes
### Completing and Submitting a Request: Subrecipient Information (Example)

<table>
<thead>
<tr>
<th>LEA Name</th>
<th>UEI</th>
<th>Allocation Total</th>
<th>Amount Obligated as of 09/30/2023 as of Date of Final Obligation Selected by Grantee</th>
<th>Amount Liquidated as of 09/30/2023 as of Date of Final Obligation Selected by Grantee</th>
<th>% Liquidated as of 09/30/2023 as of Date of Final Obligation Selected by Grantee</th>
<th>Balance Remaining as of 09/30/2023 as of Date of Final Obligation Selected by Grantee</th>
<th>Amount of Obligated Funds Terminating Expiration</th>
<th>Use of Funds</th>
<th>Jurisdiction</th>
<th>Other Subrecipient-Specific Data Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>North LEA</td>
<td>DDACJW01</td>
<td>$1,000,000.00</td>
<td>$1,000,000.00</td>
<td>$950,000.00</td>
<td>95%</td>
<td>$50,000.00</td>
<td>$150,000.00</td>
<td>HVAC Controls</td>
<td>150,000.00</td>
<td></td>
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<tr>
<td>Northeast LEA</td>
<td>DDACJW01712</td>
<td>$2,900,000.00</td>
<td>$2,000,000.00</td>
<td>$1,800,000.00</td>
<td>90%</td>
<td>$200,000.00</td>
<td>200,000.00</td>
<td>HVAC and Construction</td>
<td>200,000.00</td>
<td></td>
</tr>
<tr>
<td>North Central LEA</td>
<td>DDACJW01719</td>
<td>$1,500,000.00</td>
<td>$1,500,000.00</td>
<td>$1,350,000.00</td>
<td>90%</td>
<td>$150,000.00</td>
<td>150,000.00</td>
<td>HVAC Controls</td>
<td>150,000.00</td>
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<tr>
<td>South LEA</td>
<td>DDACJW01718</td>
<td>$1,000,000.00</td>
<td>$1,000,000.00</td>
<td>$950,000.00</td>
<td>95%</td>
<td>$50,000.00</td>
<td>150,000.00</td>
<td>HVAC Controls</td>
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<tr>
<td>South Central LEA</td>
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<td>$1,200,000.00</td>
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<td>95%</td>
<td>$50,000.00</td>
<td>150,000.00</td>
<td>HVAC Controls</td>
<td>HVAC and Construction</td>
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<td>East LEA</td>
<td>DDACJW01717</td>
<td>$1,000,000.00</td>
<td>$1,000,000.00</td>
<td>$950,000.00</td>
<td>95%</td>
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<td>HVAC Controls</td>
<td>HVAC and Construction</td>
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<tr>
<td>East Northam LEA</td>
<td>DDACJW01709</td>
<td>$1,500,000.00</td>
<td>$1,500,000.00</td>
<td>$1,350,000.00</td>
<td>90%</td>
<td>$200,000.00</td>
<td>200,000.00</td>
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<td>HVAC and Construction</td>
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<tr>
<td>East Southern LEA</td>
<td>DDACJW01701</td>
<td>$5,000,000.00</td>
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<td>95%</td>
<td>$250,000.00</td>
<td>250,000.00</td>
<td>HVAC controls</td>
<td>HVAC and Construction</td>
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<tr>
<td>East Central LEA</td>
<td>DDACJW01713</td>
<td>$2,500,000.00</td>
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<td>$2,325,000.00</td>
<td>93%</td>
<td>$175,000.00</td>
<td>175,000.00</td>
<td>HVAC Controls</td>
<td>HVAC and Construction</td>
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<td>West LEA</td>
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<td>$10,000,000.00</td>
<td>$9,500,000.00</td>
<td>$9,400,000.00</td>
<td>94%</td>
<td>$600,000.00</td>
<td>600,000.00</td>
<td>HVAC Controls</td>
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<td>West Northern LEA</td>
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<td>$2,500,000.00</td>
<td>$2,325,000.00</td>
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<td>175,000.00</td>
<td>HVAC Controls</td>
<td>HVAC and Construction</td>
<td>175,000.00</td>
</tr>
</tbody>
</table>

Note: The LEA confirms obligations completed by 9/30/2022 ($50,000.00) but not available at date pull.

The LEA confirms obligations remaining $150,000.00 obligated as of 9/30/2022 for a total of personal services contract ($150,000.00). The contract is awarded through Sept 30, 2022.

LEA confirms obligations remaining $100,000.00 obligated as of 9/30/2022 for a total of personal services contract ($100,000.00). The contract is awarded through Sept 30, 2022.

LEA confirms obligations remaining $50,000.00 obligated as of 9/30/2022 for a total of personal services contract ($50,000.00). The contract is awarded through Sept 30, 2022.
Completing and Submitting a Request

Definitions and Additional Resources (Information Only)

- Includes definitions and associated reference links for obligations and liquidations
- FAQs for the ESSER and GEER programs are included
- Certification and Assurances for ESSER and GEER are included
QUESTIONS
Thank You

Additional Office Hours for liquidation extensions will be offered later in October and November. Dates/times to be announced through G5.