



Office of the
State Superintendent of Education

OSSE POLICY

Effective Date: January 10, 2011

Subgrantee Application Amendment Policy for Federal Formula Grants

PURPOSE OF THIS POLICY

The purpose of this policy is to assist OSSE subgrantees in effectively implementing federal formula grant programs and maintaining appropriate documentation of compliance with all applicable statutes, regulations, program plans, and applications. The policy provides a standard process for requesting and securing State Education Agency approval for amendments to approved applications in order to implement changes to planned program activities and/or budgets for Title I, Part A; Title II, Part A; Title III, Part A; IDEA Part B, Section 611; and IDEA Part B, Section 619.

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I. Introduction

In grant applications, subgrantees assure OSSE that each covered program will be administered in accordance not only with all applicable statutes and regulations but also with the submitted and approved program plans and applications. Then, a grant award is made subject to the terms of the approved application and budget submitted by the subgrantee. During OSSE review of requests for reimbursement and during various other monitoring activities, OSSE refers to the approved application submitted by the respective subgrantee. Many times, the initially-approved application represents plans and/or budgets that are only informed estimates, which may necessitate changes to the program plans, including budget plans, at some time during the grant period. In order to support subgrantees' meaningful implementation of grant programs, this policy outlines a standard process for requesting and securing approval for amendments to approved applications.

II. Applicability

This policy applies to all subgrantees of federal formula grant awards made by the U.S. Department of Education under the Elementary and Secondary Education Act (ESEA) or the Individuals with Disabilities Education Act (IDEA) and administered by OSSE. This includes: Title I, Part A; Title II, Part A; Title III, Part A; IDEA Part B, Section 611; and IDEA Part B, Section 619.

III. Definitions

OSSE defines an ***original application*** as an application that is submitted for a grant program and particular fiscal year for the first time.

OSSE defines a ***revised application (or revision)*** as a subsequent submission of an application that was previously submitted and reviewed by OSSE but not approved. A revised application is submitted in order to seek original approval of the application.

OSSE defines an ***amended application (or amendment)*** as a subsequent submission of a previously approved application. An amended application is submitted in order to seek approval of changes to an application and must be accompanied by a Subgrantee Application Amendment Summary Form.

OSSE defines a ***retroactive amendment request*** as an amendment that is requested after obligation and/or expenditure has already taken place that did not align with the approved application at the time of obligation. Under this policy, OSSE will not *begin* review of a reimbursement request for which one more costs require approval of a retroactive amendment request to be deemed allowable until such amendment request has been received and approved. Additionally, OSSE reserves the option to notify a specific subgrantee that the subgrantee may not request amendments retroactively based on the subgrantee's level of risk, prior performance, and/or other factors. Furthermore, after June 30, 2012, OSSE will no longer accept or review retroactive amendment requests, except in extenuating circumstances at the full discretion of the applicable program manager.

OSSE defines a ***narrative*** as all sections of an application that together create the textual program plans for a grant program, which is usually linked to a budget in the application. To the extent that an

amendment includes changes to any part of the narrative, the subgrantee must list the distinct changes made to the application as part of the Subgrantee Application Amendment Summary Form.

OSSE defines a ***budget*** as all sections of an application that together summarize the expenses into which program plans are translated. The budget connects proposed expenditures to program activities and objectives. To the extent that an amendment includes changes to any part of the budget, the subgrantee must list the distinct changes made to the application as part of the Subgrantee Application Amendment Summary Form.

Program categories, budget categories, and set-aside categories are categories that are included in applications for grant programs. The Subgrantee Application Amendment Summary Form requires subgrantees to identify these categories when listing amendments to the application that are being requested. For some grants programs, one or more of these categories do not apply.

IV. Amendment Process

Each subgrantee must implement the program/s for which OSSE has awarded funds in full accordance with the approved application. The subgrantee must maintain an approved application, for each grant program for which it receives funds, that accurately describes the program being implemented.

Amendments are required when:

- The scope of the program is expected to change (adding/changing a component); and/or
- More funds become available and will be added to the budget (adding to total budget); and/or
- The expected expenditures vary from the amount budgeted in any budget cell (moving funds).

A subgrantee that wishes to make changes to any part of the approved application must request amendment/s to the approved application before submitting a reimbursement request for which approval depends on amendment/s to the application. A subgrantee must ensure that no budget amendment results in its failure to comply with any set-aside requirements for the grant program.

OSSE will reimburse a subgrantee only for expenditures for obligations that align with the approved application at the time the reimbursement request is made. If reimbursement is requested for an expenditure for an obligation that does not align with the approved application, OSSE will disallow the cost. Therefore, the subgrantee must request amendments to the approved application *prior to* submitting a reimbursement request whenever its program activities have changed or will change.

To request an amendment to an application, a subgrantee must submit the following (four total items):

- Completed Subgrantee Application Amendment Summary Form (Microsoft Excel version and signed, scanned copy of cover page) and
- Full amended application (Microsoft Excel version and signed, scanned copy of cover page).

For covered ESEA programs, these items must be submitted electronically to Con.App@dc.gov. For IDEA programs, these items must be submitted electronically to OSSE.DSE-PartBFinance@dc.gov.

OSSE program staff will review and base the approval determination for an amendment request on the same elements as the review and approval determination for the original application. This varies by

program. OSSE's decision not to approve a requested amendment does not entitle the subgrantee to a hearing under the Education Department General Administrative Regulations (EDGAR).

V. Subgrantee Application Amendment Summary Form

Along with the amended application itself, the Subgrantee Application Amendment Summary Form must be submitted in order to request OSSE approval for an amendment request. While OSSE will review the full application to ensure all amendments are allowable under statutory and regulatory requirements, the purpose of the Subgrantee Application Amendment Summary Form is to provide a list of specific amendments that are made to the narrative/budget within the full application.

The Summary Form has three components:

1. **Applicant Information and Certification:** This requires information on the subgrantee and program contacts, along with a certification by an authorized subgrantee representative. For public charter schools, the Request Form must be certified by a named executive officer of the public charter school's Board of Directors; for the District of Columbia Public Schools, the Request Form must be certified by the Chancellor;
2. **List of Amendments to the Narrative:** This requires a line-by-line list of all distinct changes made to the narrative sections of the application, highlighting the sections within which OSSE will find amendments to the application itself; and
3. **List of Amendments to the Budget:** This requires a line-by-line list of all distinct changes made to the budget sections of the application, highlighting sections within which OSSE will find amendments to the application itself.

VI. OSSE Timelines

OSSE Review: OSSE will generally review, approve or disapprove, and notify the subgrantee of the status of a request for amendment within 10-15 business days. This timeline aligns with OSSE's commitment to high-quality customer service and should serve as a guide for LEAs, but imposes no additional obligation on OSSE. Depending on the volume of requests, the complexity of requests, and other work at the time of a particular request, review and notification may take more than 10-15 business days. Subgrantees should plan accordingly whenever applicant amendments are required.

Annual Deadline: The annual window for submitting amendment requests extends from October through July; OSSE will not accept application amendment requests during the months of August and September of any year. Both the initial grant period for awards in their first year and the carryover grant period for awards in a subsequent year end on September 30th of each year. This means that final amendments for the last two months of the respective grant period are due to OSSE by no later than July 31st each year. After July 31st, no subgrantee may change its program plans in any way (including budget changes) until after September 30th. To support subgrantees in preparing for this annual deadline, OSSE will provide updates for both open grant periods no less than three months prior to July 31st each year. Amendment requests after this annual deadline will be accepted and reviewed only in extenuating circumstances at the full discretion of the applicable OSSE program manager.