



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

September 15, 2023

The Honorable J. Chris Woolard
Interim Superintendent of Public Instruction
Ohio Department of Education
25 S. Front Street
Columbus, OH 43215

Dear Interim Superintendent Woolard:

I am pleased to inform you that the Ohio Department of Education (ODE) has resolved all actions required that the U.S. Department of Education (Department) identified in its October 18-20, 2022, virtual review of ODE's administration of fiscal, performance, and program requirements of the Nita M. Lowey 21st Century Community Learning Centers (21st CCLC) program, authorized under Title IV, Part B of the Elementary and Secondary Education Act of 1965 (ESEA).

Department staff recently conducted a review of action-required items and ODE's submissions of documentation and information to resolve 14 actions required under critical elements I, II, and III. Congratulations on successfully closing out these required actions. Additional details are provided in the enclosed Performance Review Resolution Report.

We appreciate the work of your team in addressing these issues promptly. The program office will continue to conduct biannual calls to monitor ongoing compliance. If at any time you think ODE could benefit from technical assistance in implementing the items noted in the monitoring report or any other aspect of the program, please reach out to your assigned program officer, Andrea Jackson at (202) 453-6524 as well as by email at andrea.jackson@ed.gov and 21stCCLC@ed.gov.

We look forward to continuing to partner with you and your staff to support the implementation of the 21st CCLC program.

Sincerely,

Patrick Rooney
Director, School Support and Accountability

Enclosure

cc: Shannon Teague, ODE 21st CCLC SEA Coordinator

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<http://www.ed.gov/>

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Nita M. Lowey 21st Century Community Learning Centers Program
Ohio Department of Education
October 18-20, 2022, Performance Review¹
Resolution Report
September 15, 2023

I.1. Subgrant Award Application

Requirement Summary

Does the SEA develop its subgrant award application in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities?

Issue

ODE submitted correspondence between its 21st CCLC team and the Governor's office. This correspondence indicates that the Governor's office was aware of the grant opportunity after the application was released. The monitoring team asked for evidence of consultation with the Governor's office and other State agencies responsible for administering youth development programs and adult learning activities during the development of the application. ODE was unable to produce evidence demonstrating that consultation occurred during the development of the application.

Required Action

Within 60 business days from the date of this report, ODE must submit its process for ensuring that consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities occurs during the development of the subgrant award application.

Documentation

The ODE 21st Century program team developed a new grant review process to include this step. As part of the development of this year's application, the State provided the draft request for applications (RFA) to the Governor's office for review, feedback, and consideration.

Status

Resolved.

I.2. Subgrant Award Notice

Requirement Summary

Does the SEA clearly identify all of the required information to the sub-recipient on the sub-award notice?

Issue

Before the monitoring review, ODE submitted its FY22 request for applications to demonstrate compliance with this indicator. However, this document does not include a sub-award notice.

¹ <https://oese.ed.gov/files/2023/08/OH-21st-cclc-monitoring-report.pdf>.

After the monitoring event, ODE submitted an award notification document that outlines the grant application approval process, period of availability, and accounting details, among other information associated with ODE's application approval process.

Required Action

Within 60 business days from the date of this report, ODE must submit its process for ensuring that all forthcoming sub-award notices clearly identify all the required information listed in uniform guidance (UG) § 200.332(a) and provide an example of a sub-award notice, following the completion of the next competition, that includes all the required information.

Documentation

ODE submitted evidence of its process to clearly identify all the required information listed in UG § 200.332(a) to all sub-recipients in their award notification. ODE provides sub-award notices to all sub-recipients within the Comprehensive Continuous Improvement Plan (CCIP) system that contains all required information.

Status

Resolved.

I.4. Subgrant Renewability

Requirement Summary

Does the SEA maintain a policy regarding subgrant renewability and ensure that subgrant renewals are based on the eligible entity's performance during the preceding subgrant period?

Issue

Before the monitoring event, ODE submitted its 21st CCLC FY22 continuation plan checklist and the request for applications. Neither document references renewability. During the monitoring event, ODE confirmed that it does not have a renewability policy.

Required Action

Within 60 business days from the date of this report, ODE must submit a written policy that addresses whether the State offers subgrant renewability. If the SEA awards subgrant renewals, it must describe the process used to ensure that renewals are based on the eligible entity's performance during the preceding subgrant period.

Documentation

ODE clarified that it does not offer subgrant renewability. ODE added a renewability validation statement in its RFA with the following language to address the required action:

“Section 4204(j) of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), authorizes State Education Agencies (SEAs) to renew programs awarded under the Nita M. Lowey 21st Century Community Learning Centers (21st CCLC) program to eligible entities based on the eligible entity's performance during the preceding subgrant period. Ohio does not offer a renewal application process.”

Status

Resolved.

I.7. Application Priority**Requirement Summary**

When awarding subgrants, does the SEA prioritize applications that propose activities not accessible to students who would be served or expand accessibility to high-quality services available within the community?

Issue

Before the monitoring event, ODE submitted its FY22 request for applications. This document does not address how the SEA prioritizes applications that propose activities not accessible to students who would be served, nor does it address how it expands access to high-quality services available within the community. During the monitoring event, when asked about this element, ODE was not able to produce evidence demonstrating compliance.

Required Action

Within 60 business days from the date of this report, ODE must submit its process for prioritizing applications for the State's next competition that proposes activities not accessible to students who would be served or expand the accessibility to high-quality services available within the community.

Documentation

ODE revised its RFA and application to address the required action. ODE added the following language to the "accessibility" section of the application:

"Describe how the applicant will serve students where programming is not accessible or expand access to high-quality services that may be available in the community."

In addition, ODE added the following language to the "funding priority" section of its RFA:

"Priority will be given to those applications that seek to serve students where programming is not accessible or to expand access to high-quality services that may be available in the community."

Status

Resolved.

I.11. Facility Assurance**Requirement Summary**

Does the SEA require that applicants provide an assurance that the program will take place in a safe and easily accessible facility?

Issue

Before the monitoring event, ODE submitted its FY22 request for applications. This document does not demonstrate how ODE requires applicants to provide an assurance that the program will take place in a safe and easily accessible facility. During the monitoring event, when asked about this indicator, ODE stated that it has a list of assurances that applicants are required to attest to before submitting their online application. Upon request, ODE submitted a list of assurances; however, the list did not include an assurance that the program would take place in a safe and easily accessible facility.

Required Action

Within 60 business days from the date of this report, ODE must submit the language the SEA will use in the request for application for the next competition to ensure that applicants provide an assurance that the program will take place in a safe and easily accessible facility.

Documentation

ODE added the following language in its application to address the required action: “Please verify the following: The applicant ensures programming is provided in a safe and accessible facility (e.g., security measures, ADA accommodations).”

Status

Resolved.

I.12. Transportation**Requirement Summary**

Does the SEA require that applicants describe in the application how the transportation needs of participating students will be addressed?

Issue

Before the monitoring event, ODE submitted its FY22 21st CCLC Monitoring Survey – Compliance and Performance Assessment (CAPA) document, which includes a question on transportation. Specifically, “[t]he program addresses the transportation needs of children in the program and has a system that demonstrates how students are safely transported to and from the program site.” However, the survey is part of the post-award monitoring of subgrantees. This critical element is focused on how the applicant describes how the transportation needs of participating students will be addressed. The Department reviewed the FY22 request for application, the FY22 application, and the FY22 continuation application. Transportation needs are not addressed in any of the documents.

Required Action

Within 60 business days from the date of this report, ODE must submit the process it includes in a draft application for its next competition that requires applicants to describe how the transportation needs of participating students will be addressed.

Documentation

ODE has added the following language to the “accessibility” section of its application to address the required action: “In compliance with federal law, specifically sections 4203(a)(10) and 4204(b)(2)(A)(ii), please describe how the transportation needs of participants will be addressed.”

Status

Resolved.

I.13. Application – Disseminate Information**Requirement Summary**

Does the SEA require that applicants describe in the application how information about the center is disseminated to the community?

Issue

ODE’s FY22 request for applications does not address the requirement for applicants to describe how information about the center is disseminated to the community. The Department also reviewed the FY22 application and the FY22 continuation application, which also did not include how information about the center is disseminated to the community and is not included in either of those documents.

Required Action

Within 60 business days from the date of this report, ODE must submit its process, including a draft application for the next competition, which requires applicants to describe in the application how information about the center is disseminated to the community.

Documentation

ODE added the following language to the “program outreach and information sharing” section of its application to address the required action:

- “Describe the process the applicant will follow to inform the community of the intent to apply for the Nita M. Lowey 21st CCLC grant.”
- “Describe how the applicant will disseminate information to the community about the Community Learning Center in an understandable and accessible manner.”

Status

Resolved.

I.17. Application – Community Needs**Requirement Summary**

Does the SEA require applicants to evaluate the community needs and available resources for the community learning center and describe how the program will address those needs (including the needs of working families)?

Issue

ODE provided its FY22 request for applications in response to this element, which requires the applicant to conduct a needs assessment and direct applicants to address student populations that are below proficient in reading and mathematics and student populations that are economically disadvantaged. While the title of this section is “Needs Assessment,” it is unclear how applicants are evaluating community needs (e.g., what data are being used) and available resources for the community learning center (CLC), and then describing how the program will address those specific needs (including the needs of working families).

Required Action

Within 60 business days from the date of this report, ODE must submit the language the SEA will use in the request for application for the next competition that requires applicants to evaluate the community needs and available resources for the CLC and describe how the program will address those needs (including the needs of working families).

Documentation

ODE added the following language to the “program outreach and information sharing” section of its application to address the required action: “Describe how the applicant will evaluate and address community needs.”

Status

Resolved.

I.19. Application – Intent to Apply**Requirement Summary**

Does the SEA require applicants to provide timely notice of intent to apply to the community and an assurance that the application and any waiver request are available for public review after submission of the application?

Issue

ODE indicated that “Ohio’s 21st CCLC Program does not require applicants to provide timely notice of intent to apply to the community and an assurance that the application and any waiver request are available for public review after submission of the application.”

Required Action

Within 60 business days from the date of this report, ODE must submit the language the SEA will use in the request for application for the next competition that requires applicants to provide timely notice of intent to apply to the community and an assurance that the application and any waiver request are available for public review after submission of the application.

Documentation

ODE added the following language to the “program outreach and information sharing” section of its RFA to address the required action:

“Local 21st Century Community Learning Centers programs shall announce to the community information about their intended community learning center. Applicants will describe in the application how the information will be disseminated to the community about the center(s) (including program location, youth development activities, homework support, etc.) in a manner that is understandable and easily accessible to the community. Applicants will also include how the information will be disseminated to the English language learner populations.”

Status

Resolved.

II.5. Monitoring - Facility

Requirement Summary

Does the SEA monitor that subgrantees house activities in a safe and accessible facility?

Issue

ODE shared its FY22 bidder’s conference webinar and FY22 21st CCLC monitoring survey. The webinar addresses licensure requirements. The monitoring survey questions include, “[t]he subgrantee implements an attendance policy and procedures to ensure accurate reporting and the safety of eligible students. The program policies and procedures ensure students participate”; and “[t]he program addresses the transportation needs of children in the program and has a system that demonstrates how students are safely transported to and from the program site.” The documentation does not address the requirement that the SEA monitors that subgrantees house activities in a safe and accessible facility.

Required Action

Within 60 business days from the date of this report, ODE must submit the language the SEA will use in the monitoring protocol that addresses the requirement that the SEA monitors that subgrantees house activities in a safe and accessible facility.

Documentation

ODE added the following language to the “program management” section of its monitoring protocol to address the required action:

“Question 9: The subgrantee implements an attendance policy and procedures to ensure accurate reporting and the safety of eligible students. The program implements policies and procedures to ensure students participate. The subgrantee implements policies and procedures that ensure that activities are housed or take place in a safe and accessible facility.”

Status

Resolved.

II.6. Monitoring - Disseminate Information

Requirement Summary

Does the SEA monitor that subgrantees disseminate information about the center's operations to community members?

Issue

ODE's FY22 21st CCLC monitoring survey includes the following prompt: "Program outcomes are shared with program stakeholders, including, but not limited to, parents, students, community, and business members." The Department appreciates the prompt's focus on program outcomes being shared with community members, but the subgrantee is required to disseminate more information, about the center's operations.

Required Action

Within 60 business days from the date of this report, ODE must submit the language the SEA will use in the monitoring protocol that addresses the requirement that the SEA monitors that subgrantees disseminate information about the center's operations to community members.

Documentation

ODE added the following language to the "evaluation and program outcomes" section of its monitoring protocol to address the required action: "Question 26: Program operations and outcomes are shared with program stakeholders, including, but not limited to parents, students, community, and business members."

Status

Resolved.

II.16. Monitoring – Evaluation Results

Requirement Summary

Does the SEA monitor that subgrantees use the results of evaluations to refine, improve, and strengthen the program and to refine subgrantees' performance measures?

Issue

Before the monitoring review, ODE submitted its FY22 continuation plan checklist as evidence of compliance with this indicator. The continuation plan checklist does not address evaluation and how evaluations are used to improve programming and refine performance measures. The Department also reviewed other monitoring-related evidence, including the monitoring survey, which does not include questions or indicators about evaluations being used to improve programming and refine performance measures.

During the monitoring event, the monitoring team asked how ODE monitors that subgrantees use the results of evaluations to refine, improve, and strengthen the program and to refine subgrantees' performance measures. ODE was unable to articulate this practice.

Required Action

Within 60 business days from the date of this report, ODE must submit the language the SEA will use in the monitoring protocol that addresses the requirement that the SEA monitors that subgrantees use the results of evaluations to refine, improve, and strengthen the program and to refine subgrantees' performance measures.

Documentation

ODE updated the following language in the "evaluation and program outcomes" section of its monitoring protocol to address the required action:

- "Question 25: The program has an internal evaluation process to monitor progress and measure the achievement of Program Performance Objectives, as written in the grant. The program also has a comprehensive evaluation report. The evaluation includes qualitative and quantitative program data."
- "There is evidence that the subgrantee uses the results from evaluation reports to refine, improve, and strengthen the program and performance measures."

Status

Resolved.

II.17. Monitoring – Evaluation Results**Requirement Summary**

Does the SEA monitor that subgrantees make the results of evaluations available to the public upon request?

Issue

Before the monitoring review, ODE submitted its FY22 monitoring survey as evidence of compliance with this indicator. The monitoring survey does not address how ODE monitors that subgrantees make the results of evaluations available to the public upon request.

During the monitoring event, ODE was unable to articulate how it monitors that subgrantees make the results of evaluations available to the public upon request.

Required Action

Within 60 business days from the date of this report, ODE must submit the language the SEA will use in the monitoring protocol that addresses the requirement that the SEA monitors that subgrantees make the results of evaluations available to the public upon request.

Documentation

ODE updated the following language in the "evaluation and program outcomes" section of its monitoring protocol to address the required action: "Question 26: Program operations and outcomes are shared with program stakeholders, including, but not limited to parents, students, community, and business members."

Status

Resolved.

III.9. Maintenance of Financial Records

Requirement Summary

Does the SEA maintain financial records for at least three years from the end of the 21st CCLC grant?

Issue

ODE provided a document referencing ODE's record retention policy but did not submit the actual policy. ODE also submitted a screenshot of its comprehensive continuous improvement plan assurances, referencing question 20 in the CAPA survey, which states the following: That the SUBGRANTEE will maintain records, including the records required under Section 437 of the General Education Provisions Act ("GEPA"), 20 U.S.C. Section 1221, and provide access to those records as ODE or the DEPARTMENT and the Comptroller General or any of their authorized representatives in the conduct of audits authorized by Federal Law or State Statute. This cooperation includes access without unreasonable restrictions to its records and personnel to obtain relevant information. The Uniform Guidance 2 CFR 200.333-337. That it shall per 2 CFR 200.333 maintain records for 3 years following completion of the activities for which the SUBGRANTEE uses the federal or state funding and which show:

- A. The amount of funds under the subgrant or grant.
- B. How the SUBGRANTEE uses the funds.
- C. The total cost of the project.
- D. The share of that total cost provided from other sources.

This assurance is a requirement of the subgrantee, not the SEA. This assurance does not reflect the SEA required assurance.

Required Action

Within 60 business days from the date of this report, ODE must submit a written policy that states that the SEA maintains financial records for at least three years from the end of the 21st CCLC grant.

Documentation

ODE submitted a records management policy and a records retention schedule that requires ODE to maintain financial records related to the 21st CCLC grant for at least three years from the end of the grant period.

Status

Resolved.