

# Grant Guidance 2023-2024

*Updated Document ~ Revised: August 2023*

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**NC Department of Public Instruction**  
**21<sup>st</sup> Century Community Learning Centers**

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

# SECTION 1: GENERAL INFORMATION

## 1.A: Purpose of Guidance Document

This document is provided by the North Carolina Department of Public Instruction (NCDPI) as a resource for North Carolina’s 21st Century Community Learning Centers (21st CCLC) program subgrantees. It is intended to provide uniform practices to ensure fidelity in the implementation of the 21st CCLC program. Throughout this document, reference to “organization” or “subgrantee” applies to the fiscal agent for the 21st CCLC grant. It is the fiscal agent’s responsibility to: 1) maintain accurate and updated contact information for all 21st CCLC sites with NCDPI; 2) ensure adherence to all assurances and certifications associated with the 21st CCLC grant; and 3) assume responsibility for the reconciliation of any audit exception or compliance finding, including as necessary, the repayment of 21st CCLC funds from a non-federal funding source. Failure to comply with federal, state or grant guidelines may lead to implementation of a corrective action plan, reduction of allocation, suspension of reimbursement, repayment of misused funds, or suspension or closure of the program.

The manual is reviewed annually and changes to procedures and policies are shared with subgrantees during their annual training. This manual is available as a resource on CCIP and on the [NCDPI 21st CCLC website](#). NCDPI reserves the right to update, change or revise the content of this manual including any 21<sup>st</sup> CCLC program or fiscal requirements, policies, or procedures.

This guidance is not intended to replace the legislation, regulations, and Non-Regulatory Guidance published by the U.S. Department of Education (USED). Therefore, it is highly recommended 21<sup>st</sup> CCLC grantees consult the appropriate resources online for complete guidance and regulations. The sources listed below are the primary sources for regulations and guidance from the USED to state grantees and from state grantees to local subgrantees.

- [North Carolina Department of Public Instruction 21<sup>st</sup> CCLC](#)
- [The Elementary and Secondary Education Act \(ESEA\) as amended by the Every Student Succeeds Act \(ESSA\)](#)
- [21<sup>st</sup> Century Community Learning Centers - Legislation](#)
- [21<sup>st</sup> Century Community Learning Centers – Guidance](#)
- [Elementary and Secondary Education Non-Regulatory Policy Guidance](#)
- [Education Department General Administrative Regulations \(EDGAR\)](#)
- [2 CFR PART 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards \(Uniform Guidance\)](#)
- [General Education Provisions Act \(GEPA\)](#)

## 1.B: Updates to the Guidance

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

Much of the information provided in this document was available in previous versions. However, many sections have been updated to provide more specific support to better assist subgrantees to successfully remain in compliance with State and Federal 21<sup>st</sup> CCLC guidelines and the Uniform Guidance for Federal Grants.

The information in this document replaces all prior guidance documents for the NCDPI 21<sup>st</sup> CCLC program. It is the responsibility of each subgrantee to ensure that all provisions of the guidance document are read and understood. All subgrantees have signed a statement agreeing to read, understand and uphold the grant guidance as listed in this document as a part of the current fiscal year's Assurances Statement uploaded into the Comprehensive Continuous Improvement Plan ([CCIP](#)) system.

## 1.C: Background of the Program

The 21<sup>st</sup> Century Community Learning Centers (CCLC) Program is authorized under [Title IV, Part B, of the Elementary and Secondary Education Act \(ESEA\) of 1965](#) as amended by the Every Student Succeeds Act (ESSA) of 2015. Beginning with grants initially funded in the 2017-2018 school year, 21<sup>st</sup> CCLC programs must comply with the provisions outlined in [ESSA](#).

The U. S. Department of Education (USED) awards formula grants to the North Carolina Department of Public Instruction (NCDPI) which in turn makes competitive grants available to eligible entities. Generally, a new competition is offered once every three years. Please note, that availability of grant funds for new competitions and continuation awards is contingent upon budget approval by the United States Congress each year. Please visit the 21<sup>st</sup> CCLC [Request for Proposals](#) website for additional information as it becomes available.

Section 4204(a) of the ESSA defines Expanded Learning Programs (ELPs) as enrichment and academic activities that are included as part of a program that provides students at least 300 additional program hours before, during, or after the traditional school day. In addition, ELPs must supplement, but not supplant regular school day requirements. States receiving 21<sup>st</sup> CCLC funds may, but are not required, to support ELP activities. At this time, the North Carolina 21<sup>st</sup> CCLC program does not include ELPs as defined under the ESSA in the competitive grant program.

### 1.C.1: Renewability

Section 4204(j) of the ESSA describes that a state may, but is not required, to renew a subgrant provided under this part to an eligible entity, based on the eligible entity's performance during the preceding subgrant period. While North Carolina does consider subgrant performance during the preceding year as a part of the Continuation award during the three-year award period, North Carolina does not currently offer renewability as allowed under the ESSA.

## 1.D: Purpose of the Grant

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

The purpose of the 21st CCLC program is to provide federal funds to establish or expand community learning centers that operate during out-of-school time (OST) hours with three specific purposes:

1. Provide opportunities for academic enrichment, including providing tutorial services to help students (particularly students in high poverty areas and those who attend low-performing schools) meet state and local student performance standards in core academic subjects such as reading and mathematics.
2. Offer students a broad array of additional services, programs, and activities, such as: youth development activities; service learning; nutrition and health education; drug and violence prevention programs; counseling programs; arts, music, physical fitness and wellness programs; technology education programs; financial literacy programs; environmental literacy programs; mathematics, science, career and technical programs; internship or apprenticeship programs; and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students.
3. Offer families of students served by 21<sup>st</sup> CCLCs opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

### 1.E: Eligibility and Absolute Priority

Any public or private organization wanting to provide out-of-school time (OST) programs for K-12 students in North Carolina is eligible to apply for a 21st CCLC grant. Agencies and organizations eligible under the 21st CCLC program include but are not limited to local education agencies (LEAs), non-profit agencies, city or county government agencies, community-based organizations (CBOs), faith-based organizations (FBOs), Bureau of Indian Affairs (BIA), institutions of higher education (IHEs), and for-profit corporations.

Under Section 4203 of the ESEA, the State must give priority to applications proposing to primarily serve students who attend schools eligible for Title I, Part A schoolwide programs. Title I, Part A (Title I) of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESEA) provides financial assistance to LEAs and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards. Based on this requirement, NCDPI only awards 21<sup>st</sup> CCLC competitive grants to applicants that will target students who primarily attend schools eligible for schoolwide programs under section 1114 and the families of such students. Applicants must identify all feeder

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

schools for the program. The average poverty percentage across all schools must be at least forty (40) percent.

## NOTE

In NC, local boards of education must offer kindergartens as a part of the public-school system for all children living in the local school administrative unit who are eligible for admission (§ 115C-47). While the ESSA does not expressly prohibit serving preschool children in the 21<sup>st</sup> CCLC program, North Carolina offers awards to subgrantees that provide services to school-age children enrolled in kindergarten through high school grades.

### 1.F: Competitive Priorities

Section 4204(b)(2)(H) of the ESEA requires applicants to provide a description of the partnership between an LEA, a CBO, and other public or private organizations, if appropriate. If the local applicant is another public or private organization (e.g., an organization other than a school district), it must provide an assurance that its program was developed and will be carried out in active collaboration with the schools the students attend.

Section 4204(i)(1)(B) of ESEA requires that States must give competitive priority to applications that are submitted jointly between at least one LEA receiving funds under Title I, Part A and at least one public or private community organization. The statute provides an exception to this requirement for an LEA that can demonstrate that it is unable to partner with a public or private community organization in reasonable geographic proximity and of sufficient quality to meet the requirements of the 21<sup>st</sup> CCLC program.

In addition to joint submissions (as defined above), the State will also give competitive priority to applications which:

1. Propose that all (100%) schools to be served are identified as Comprehensive Support and Improvement (CSI) Schools or a combination of Comprehensive Support and Improvement (CSI) and Targeted Support and Improvement (TSI) schools. Refer.
2. Propose to provide a summer program component.
3. [Schools that meet poverty thresholds, but are not identified as Title I.](#)

### 1.G: Grant Awards and Duration

Organizations are eligible to receive grants of not less than fifty thousand dollars (\$50,000) and up to four hundred thousand dollars (\$400,000) a year, based on the proposed number of students served, with an opportunity for a second and third year of funding. To determine the level of funding eligibility, organizations will utilize the Wallace Foundation Out-of-School Time Cost Calculator and the North Carolina Department of Commerce County Tier Designations. Each organization will complete the Cost Calculator with information tailored to that organization's

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

proposed program and will attach a printout of the results to the application. Among its output, the Cost Calculator will provide an annual total program cost with low, median, and high estimates. Organizations serving schools in counties designated as Tier 1 counties are eligible for 90% of the high annual total program cost; Tier 2 county organizations are eligible to receive 85% of the median annual total program cost; Tier 3 county organizations are eligible to receive 80% of the low annual total program cost. (City organizations will use the Tier designation for the county in which they are located.) No organization is eligible to receive a grant award totaling less than \$50,000 or more than \$400,000 after Cost Calculator and Tier Designations are applied.

Applicants must implement program plans and structures as approved during the award period. Significant changes to the program design without prior approval from the NCDPI Office of Federal Programs staff for programmatic amendments may result in delays or loss of funding during subsequent years of the continuation period.

North Carolina 21st CCLC grants may be continued for up to two (2) additional years. Continuation awards are contingent upon availability of federal funds and are based on the program's ability to demonstrate compliance with state and federal laws, progress towards fully implementing the approved program, and progress towards local program goals including enrollment and attendance goals. A subgrantee's continuation of funding may be terminated due to failure to meet program goals; low average daily attendance (ADA) based on State Board of Education (SBE) approved application; noncompliance with programmatic and fiscal reporting and/or monitoring requirements; or misuse of funds. NCDPI defines low ADA as less than 70% of a program's enrollment number attending on a daily basis.

#### 1.G.1 Allotment Policy

This is a reimbursement grant; funds must be incurred and paid before requests for reimbursement can be made. Reimbursement requests must be based on actual expenditures. There is no liquidation period. All unspent funds remaining at the end of the grant period of availability will revert to the state.

For each 21<sup>st</sup> CCLC cohort, grants will be awarded for three (3) years. Funding for each of the three (3) years will be subject to the availability of funds and will be based on evidence of compliance with-state and federal laws,-progress towards fully implementing the approved program, and progress towards local program goals (including enrollment and attendance goals).

For each cohort of approved applicants, funding allotted in the first two years of the grant will be available for 27 months. Funding allotted for the final year will only be available for 15 months. Funding will be subject to reversion on the following basis:

- i. Any unobligated Year 1 funds as of September 30<sup>th</sup> following completion of the second year of the grant;
- ii. Any unobligated Year 2 or Year 3 funds as of September 30<sup>th</sup> following completion of the third year of the grant.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- 2) The minimum amount of an allotment to eligible entities is \$50,000, and the maximum amount is not to exceed \$400,000-unless the program administrators, with State Board approval, deem another amount as necessary to operate a program.
- 3) Any unallotted funds created from previous years will be used to cover allowable expenditures for current year projects until the previous year's funds have been used.
- 4) Funding for each year of the grant is to be provided in three installments, with eligibility to receive second and third installments dependent meeting or exceeding attendance thresholds for program participation. During each annual grant cycle, if a subgrantee does not qualify to receive all funding installments, the entity will be required to reduce funding; any reduced funds will not be available for carryover in a subsequent fiscal year.
  - a. If a subgrantee does not meet the established threshold for “regular attendees” by the annual deadline, the subgrantee will be required to take a mandatory reduction in funds.
  - b. If a subgrantee does not operate its program for the number of weeks approved in its SBE-approved application, the subgrantee will be required to take a mandatory reduction in funds.
  - c. If a subgrantee is required to waive a second or third installment over the course of the fiscal year, a subgrantee may be required to reduce funds for future years.

If a subgrantee requests to reduce the number of enrolled students as stated in its State Board of Education-approved application, the subgrantee will be required to reduce its annual grant award by a proportional amount. If a subgrantee does not operate for the number of weeks listed in its State Board of Education-approved application, the subgrantee will be required to reduce its annual grant award by a proportional amount. The reduction in the number of enrolled students and/or reduction in the number of program operating weeks, as well as the reduced grant award, will apply to the remainder of the 3-year grant cycle.

#### 1.G.2 NCDPI determined attendance thresholds for funding installments

Each year, the 21st CCLC annual allotments are disbursed in three (3) installments. Upon initial approval of current fiscal year budgets and related documents, subgrantees are eligible to their first funding installment (equivalent to 34% of the total SBE-approved grant award).

Starting July 1, 2022, to qualify for second and third funding installments, all NCDPI 21<sup>st</sup> CCLC Programs are required to meet or exceed updated thresholds for regular student attendance (see below) during 21<sup>st</sup> CCLC **school year** programs:

##### A. **Second installment:**

- a. Equal to 34% of the total SBE-approved grant award
- b. Subgrantee has met at least 50% of its enrollment goal as stated in the SBE-approved application.
- c. Students must attend the program for **at least 45 hours** to be counted towards the second installment attendance goal.

##### B. **Third installment:**

- a. Equal to 32% of the total SBE-approved grant award

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- b. Subgrantee has met at least 75% of its enrollment goal as stated in the SBE-approved application.
- c. Students must attend the program for **at least 90 hours** to be counted towards the third installment attendance goal.

Paperwork for second and third installments is due in CCIP for official review and approval no later than April 19, 2024, to avoid a reduction in funds. **No extensions will be granted during the 2023-2024 grant period.**

All 21<sup>st</sup> CCLC subgrantees must meet the SEA minimum requirement of 50 students enrolled. Subgrantees who fail to enroll the minimum number of students by the April 19, 2024, deadline will not be eligible for third installments.

## NOTE

Grant awards will be paid to the subgrantee listed on the application. All bank accounts, correspondence and documentation must use the subgrantee name for the duration of the program.

### 1.G.3 Reduction of Grant Award Due to Insufficient Program Space

NCDPI reserves the right to reduce a subgrantee's 21<sup>st</sup> CCLC grant award due to a program's inability to demonstrate a safe and effective learning space is available. If a subgrantee's designated 21<sup>st</sup> CCLC program site cannot safely and legally host the required number of students as listed in the SBE-approved application, NCDPI may reduce a grant prior to first installments of funding. The funding reduction will be proportional to the 21<sup>st</sup> CCLC program site's maximum building occupancy threshold. Maximum occupancy thresholds are inclusive of all staff, volunteers, contractors, and students occupying the building at a single time.

### 1.G.4 Termination of Grant Award

NCDPI reserves the right to terminate a subgrantee's 21<sup>st</sup> CCLC grant award at any time during the active grant cycle. NCDPI may terminate a grant prior to first installments of funding, during the active grant period, or prior to a continuation application approval. Reasons for termination may include, but are not limited to:

- Excessive questioned costs
- Failure to demonstrate safe and effective learning environments ([sec 4204\(b\)](#) and [sec 4204\(c\)](#), TITLE IV, PART B — 21st Century Community Learning Centers)
- Failure to meet program goals
- Low average daily attendance (ADA) (i.e., less than 70% of enrolled students attending on a daily basis)
- Failure to close programmatic and/or fiscal findings within 30-business days

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- Misuse of federal funds

## SECTION 2: Fiscal Management

### 2.A: Budgets

As stated in the Application Guidance, the proposed budget submitted with the 21<sup>st</sup> CCLC application is **NOT** the approved budget for release of funds. If the application is approved, subgrantees must submit a final budget for the full amount of the award by line-item detail for review and approval by NCDPI prior to the release of funds. **Please note, if an entity accesses funds prior to the approval of a budget or an amendment for the fiscal year in question, this can result in repayment of funds to NCDPI.** Subgrantees must complete the budget on the Budget Form 208 (FPD 208) and upload the document in the Related Documents section of the Comprehensive Continuous Improvement Plan (CCIP) system for NCDPI approval.

**21<sup>st</sup> CCLC funds are made available on a reimbursement basis only.** NCDPI requires applicants to have its own working capital to operate the 21<sup>st</sup> CCLC program for approximately a three-month period. **If it is discovered a subgrantee has been advancing 21<sup>st</sup> CCLC funds, the advanced funds will result in a questioned cost and funds will need to be repaid to NCDPI.** Additionally, the advancement of funds may result in the termination of the subgrantee's 21<sup>st</sup> CCLC grant award.

As a rule, program funds may be used only to cover costs that (1) comply with the approved grant application and budget and (2) are reasonable and necessary for the proper and efficient performance and administration of the grant. "A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost." (2 CFR 200.404)

Subgrantees must be able to demonstrate the extent to which the costs are reasonable in relation to the number of students and adults to be served and the correlation to the anticipated results and benefits. All items included in the budget must clearly relate to activities described in the program design section of the SBE-approved application. Please refer to [Section 2.D](#) of this document for additional information about budgeted salaries.

#### NOTE

No item should be identified in Budget Form 208 that does not reflect the approved grant and fiscal year plan of implementation. If amendments to the original budget are required throughout the grant cycle, Subgrantees must complete a Budget Amendment Form 209 and submit it through CCIP for NCDPI approval.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## 2.B: Chart of Accounts

The Financial and Business Services Division at NCDPI assigns all funding streams (whether federal, state, or local) to a unique Program Report Code (PRC). The 21st CCLC Grant is identified as PRC 110. Each PRC has a unique Chart of Accounts (COA) to document which purpose or object codes in the budget system represent allowable expenditures according to the requirements of that particular funding source.

The account code structure consists of four dimensions. The dimensions are: 1) fund, 2) purpose, 3) program report code, and 4) object:

1. Fund Code - consists of one numeric digit. The fund is an independent fiscal accounting entity with a self-balancing set of accounts. (e.g., federal fund code is 3).
2. Purpose Code - consists of four numeric digits and describes the purpose for which the activity exists or the type of balance sheet account. (e.g., Instructional Services code is 5000).
3. Program Report Code (PRC) - consists of three numeric digits. The program report code describes the funding for each activity, classifying expenditures by program to determine cost. (e.g., PRC 110 for 21st CCLC awards; PRC 050 for Title I, Part A awards).
4. Object Code - consists of three numeric digits. The object is the service or commodity obtained as the result of a specific expenditure. (e.g., Teacher's Salary (Certified/Licensed) is code 121; Supplies and Materials is code 411).

The Office of Federal Programs is responsible for approving the COA for PRC 110 on an annual basis. Subgrantees may request additional object and/or purpose codes for division management to consider by completing the COA Revision Request Form.

### NOTE

All budgets must be submitted under approved account codes in the Chart of Accounts (COA).

## 2.C: Use of Funds

Grant funds must be used in a manner consistent with all statutory requirements and must be used only to supplement, not supplant, any federal, state, or local dollars available to support activities allowable under the 21<sup>st</sup> CCLC program. Funds may be used to expand or enhance, but not replace, current activities. Proposed budgets must be developed in consideration of costs that are reasonable and necessary to fulfill the goals of the 21<sup>st</sup> CCLC grant. Subgrantees are strongly encouraged to attend all training provided to assist non-LEAs and LEAs on budget and operational

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

requirements, as related to the [2 CFR § 200](#) – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Subgrantees should work with their NCDPI 21<sup>st</sup> CCLC Program Administrator (PA) to determine allowable use of funds for a program activity.

### 2.C.1 Allowable Purchases

Funds **MAY** be used (i.e., reimbursed) for program implementation as well as for operational expenses, including, but not limited to the following:

- Personnel and personnel benefits (see [Section 2.D.](#))
- Staff development and training
- Consultants, subcontracts, and evaluators
- Transportation costs for students (see [Section 2.F.](#))
- Educationally related field trips (see [Section 4.I.](#))
- Approved food purchases (see [Section 4.I.4](#) and [Section 4.J.](#))
- Renting space to the extent that the rates are reasonable and in alignment with 200.465, if necessary
- Property Insurance related to equipment and furniture (see [Section 2.N.4](#))
- Teacher substitutes
- Travel reimbursements (see [Section 2.G.](#))
- 21<sup>st</sup> CCLC program equipment and supplies, including computers and software (see [Section 2.C.4](#))
- Memberships in warehouse clubs or business, technical and/or professional organizations if the membership is in the name of the 21<sup>st</sup> CCLC Program
- Memberships in any civic or community organization

### 2.C.2 Clothing Purchase Allowability

- 21<sup>st</sup> CCLC subgrantees may use grant funds to [purchase](#) program-specific t-shirts as uniforms for staff employed by the 21<sup>st</sup> CCLC grant.
- Clothing items may be purchased for students if it is needed for safety purposes (e.g., branded t-shirts that students wear on field trips so that they are easily identifiable).
- All clothing items purchased with 21<sup>st</sup> CCLC funds for both staff and students must have the name of the 21<sup>st</sup> CCLC grant or the 21<sup>st</sup> CCLC logo printed on them.  
All clothing costs paid for with 21<sup>st</sup> CCLC grant funds must have proof of being reasonable and necessary.

### 2.C.3 Cell Phone Allowability

Cellphone purchases are allowable costs. However, due to the difficulty in identifying portions of a communications bill to 21<sup>st</sup> CCLC with a high degree of accuracy and certainty, communication expenses are generally included in the indirect cost calculations and treated as indirect costs.

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

If the associated cell phone cost can be directly linked to the 21st CCLC grant with a high degree of accuracy and are used exclusively for 21st CCLC, cell phones, smart phones, or other personal digital assistant devices may be charged as a direct expense.

Examples of communication expenses that may be charged as a direct cost include the following:

- Communication devices used exclusively for multi-site management.
- Dedicated telephone lines set up to receive data.
- Hotel and airline Internet fees related to 21st CCLC travel.

#### **NOTE**

The purchase of the cell phone device out right is only allowable if the device is solely used for the 21<sup>st</sup> CCLC program. Personal cellphone device purchases are not allowable.

### 2.C.4 Non-Allowable Purchases

Funds may **NOT** be used (i.e., reimbursed) for the following (this is NOT an all-inclusive list):

- Purchase of vehicles
- Costs for developing the proposal.
- Food purchases for staff (see [Section 2.G.](#))
- Fundraising costs
- Land acquisition
- Building or renovation costs
- Leases or contract service agreements
- Cost of conducting an audit if total of all federal grants received is less than \$750,000\*\*
- Direct cash or gift cards in any amount for students or their parents
- Field trip tickets purchased in advance for those who do not attend.
- Entertainment or any costs associated with entertainment including diversions and social activities.
- Charitable contributions
- Bonuses of any kind
- District level expenses not directly or clearly related to the program.
- Activities that take place during the regular school day.
- Lobbying
- Grant writing services
- Interest rates on credit cards or late fee payments

Additional fund-use considerations include, but are not limited to, the following for the state of North Carolina:

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- All field trips require pre-approval from NCDPI.
- All technology expenses require pre-approval from NCDPI if the equipment per unit exceeds \$5K.
- Subgrantees must conduct an inventory of equipment purchased with grant funds once every two years and reconcile that information with the property records (§ 200.313d2)
- If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit.
- Equipment purchased for the 21st CCLC program must be made available for use on other projects or programs. However, care should be taken during the purchasing phase to consider the reason for the purchase. For example, cost allocation should be considered when planning to purchase equipment that is intended primarily for the regular school day hours, or other programming, but also is used by the 21<sup>st</sup> CCLC program.
- Student incentives are limited to school supply type items with no intrinsic value greater than \$25.
- Subgrantees may not use 21<sup>st</sup> CCLC funds pay students or their parents to participate in afterschool programs.
- Subgrantees must contact the NCDPI 21<sup>st</sup> CCLC Program Administrator prior to disposing of any equipment (see [Section 2.O.](#))

## NOTES

- Federal funds generally may not be used for non-educational/entertainment activities; this includes spending program funds on items such as amusement parks fees, ball games, purchasing gift cards, giving monetary incentive awards, etc. Specific costs that might otherwise be considered entertainment that have a programmatic purpose and are authorized in the approved budget for the Federal award or with prior written approval of the Federal agency are allowable ([2 CFR § 200.438](#) & Slide #12 in <https://www2.ed.gov/programs/21stcclc/21stcclc-program-income-parent-fee-presentation.pdf>).
- If NCDPI determines any costs to be unallowable, subgrantees are subject to repayment, including interest, of such costs ([2 CFR § 200.410](#)).

### 2.C.5: Equipment & Supply Purchases

The NCDPI 21<sup>st</sup> CCLC Grant adheres to the Federal Guidelines identified in [2 CFR §200.313](#) as well as the Procurement Guidelines outlined in [Section 2.J](#). All 21<sup>st</sup> CCLC programs must use, manage and dispose of equipment acquired under the Federal award by the state in accordance with state laws and procedures.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

**Use** - All equipment and supply purchases must be in alignment with the project goals outlined in the grant application. Such purchases must be included in the Subgrantee's budget with prior budget approval.

**Management** - Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part by 21<sup>st</sup> CCLC funds, until disposition takes place will, must be documented.

**Disposition** - When original or replacement equipment acquired under the 21<sup>st</sup> CCLC Grant Award are no longer needed for the original project, the Subgrantee must follow 21<sup>st</sup> CCLC disposition instructions. *Items of equipment with a current per unit fair market value of \$5,000 or less may be retained, or otherwise disposed of with no further responsibility to the Federal awarding agency.*

In order to manage and provide effective control over 21<sup>st</sup> CCLC equipment, all Subgrantee's *should* maintain property records, such as an Asset Inventory, to include ([2 CFR 200.313\(c\)\(1\)](#)):

- Description of the property
- Serial number or other identification number
- Source of funding for the property (including the FAIN)
- Title Holder
- Acquisition date
- Cost of the property
- Percentage of Federal participation in the project costs for the Federal award under which the property was acquired.
- Physical location
- Use or purpose.
- Condition of the property
- Disposition information (Date of disposal)

\*NCDPI provides a sample Asset Inventory Template for 21<sup>st</sup> CCLC program use, located in CCIP, under "Optional Resources".

A physical inventory of 21<sup>st</sup> CCLC property must be taken and the results reconciled with the property records at least once every two years ([2 CFR 200.313\(d\)\(2\)](#)). A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated ([2 CFR 200.313\(d\)\(3\)](#)).

At the end of the three-year grant cycle, all Subgrantee's asset inventory will be reviewed by NCDPI to determine options for other equipment usage. (See [Section.N.2](#)).

## NOTE

General larger equipment purchases budgeted for in the final year of the grant cycle will not be approved. All purchases must strictly follow the cost principles (2 CFR 200.400 - 2 CFR 200.405) of being necessary and reasonable for meeting the goals and objectives stated in the SBE approved grant application, and making large equipment purchases at the end of the grant cycle creates a presumption that the equipment is not necessary for the performance of the program during the grant performance period.

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

2.C.5.1 Guidelines for prorating costs for equipment or supply use outside of the 21<sup>st</sup> CCLC Program ([2 CFR 200.313](#) and [200.314](#))

- **Equipment (includes computing devices with a per-unit acquisition cost equal to or exceeding \$5,000)**
  - It is allowable for a subgrantee to use equipment purchased outright with 21<sup>st</sup> CCLC grant funds to support other programs without a cost-sharing requirement (i.e., prorating acquisition costs of the equipment between multiple funding sources based on percent used). During the grant period the equipment is used in the 21<sup>st</sup> CCLC Program for which it was acquired, the subgrantee must also make the equipment available for use on other projects or programs currently or previously supported by the Federal Government, provided that such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use must be given to other programs or projects supported by Federal awarding agency that financed the equipment and second preference must be given to programs or projects under Federal awards from other Federal awarding agencies. Use for non-federally funded programs or projects is also permissible.
  
- **Supplies (includes computing devices with acquisition costs less than \$5,000):**
  - Materials and supplies used for the performance of a federal award may be charged as direct costs. In the specific case of computing devices, charging as direct costs is allowable for devices that are essential and allocable, but not solely dedicated, to the performance of a Federal award ([2 CFR 200.453\(c\)](#))

## 2.D: Salaries

**All personnel should receive a W-2 or a 1099 for working for the 21<sup>st</sup> CCLC program.** Each program must submit a pay rate schedule to NCDPI 21<sup>st</sup> CCLC program staff during the annual budget review and approval process.

As with all expenditures paid from 21<sup>st</sup> CCLC grant funds, it is the responsibility of each organization to work with the regionally assigned Program Administrator to ensure that all costs, including salaries, are reasonable and necessary to implement the afterschool program. The

### NOTE

If any staff are paid with 21<sup>st</sup> CCLC funds and are employed in work outside of the 21<sup>st</sup> CCLC program, documentation must be maintained and may be requested by NCDPI to justify time and effort for the 21<sup>st</sup> CCLC program.

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

qualifications of the duties to be performed in the 21st CCLC program should match the employee's education level. ([2 CFR 200.403](#) - [2 CFR 200.405](#))

## 2.D.1 Excessive Salaries

[2 CFR 200.430](#) Compensation - personal services.

**Reasonableness.** Compensation for employees engaged in work on Federal awards will be considered reasonable to the extent that it is consistent with that paid for similar work in other activities of the non-Federal entity. In cases where the kinds of employees required for Federal awards are not found in the other activities of the non-Federal entity, compensation will be considered reasonable to the extent that it is comparable to that paid for similar work in the labor market in which the non-Federal entity competes for the kind of employees involved.

**Nonprofit organizations.** For compensation to members of nonprofit organizations, trustees, directors, associates, officers, or the immediate families thereof, determination must be made that such compensation is reasonable for the actual personal services rendered rather than a distribution of earnings in excess of costs. This may include directors and executive committee member's fees, incentive awards, allowances for off-site pay, incentive pay, location allowances, hardship pay, and cost-of-living differentials.

### NOTE

NCDPI reserves the right to ensure that all costs are reasonable, necessary, and allocable to ensure the cost meets the needs of the grant.

## 2.E: Subcontractors

Subgrantees should exercise caution in selecting subcontractors to implement program components. Subgrantees may not contract with any party which is debarred, suspended, excluded from or ineligible for participation in federal programs under 2 CFR §200.213, "Debarment and Suspension."

- For NC Debarred Vendors, go to <https://ncadmin.nc.gov/documents/nc-debarred-vendors>.
- To search for federal exclusion records, go to: <https://www.sam.gov/SAM/>
- To search for eligible contractors, go to:  
[https://www.sosnc.gov/online\\_services/Search/Business\\_Registration\\_profile?Id=15319864](https://www.sosnc.gov/online_services/Search/Business_Registration_profile?Id=15319864)

All vendors must have professional qualifications and a taxpayer ID for the business providing the professional service. All payments made for vendor-provided services must have supporting documentation which includes a detailed description of services to be provided and dates services will be delivered. Although it is a best practice and NCDPI recommends federal exclusion records

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

are reviewed for all vendors, the Uniform Guidance requires this step for vendors with contracts over \$25,000.

Contracts must contain clear and specific language regarding the nature of the purchase or service, the time period of the contract, the total contract amount as well as sufficient cost details to facilitate invoice review, and lastly, the specific services/deliverables that must be rendered and accepted prior to payments being received. Deliverables must be specifically related to the contract's scope of work and must be both quantifiable and measurable. The document must also contain sanctions for non-performance. If necessary, it is also advisable to consider including an exit clause. (See [APPENDIX II TO PART 200—CONTRACT PROVISIONS FOR NON-FEDERAL ENTITY CONTRACTS UNDER FEDERAL AWARDS](#) for required contract terms and conditions).

Contracts that are paid on a reimbursement basis or a fixed rate for a specific time period should require written progress reports to be submitted detailing the activities accomplished for the period of the invoice (see [Section 2.F.](#) for transportation of students). Subgrantees are required to administer contracts in a manner that ensures the contractor performs in accordance with the terms, conditions, and specifications of the contract or purchase order.

Contracts may be more than 12 months in length per grant year. 21<sup>st</sup> CCLC programs cannot obligate grant funds beyond the applicable budget year.

Commitments or agreements that are written into the grant application that do not follow proper procurement and contract rules and procedures are **NOT** exempt from procurement and contracts rules and regulations. For more information on required procurement practices, please refer to [Section 2. J.](#) of this document.

If a contract has not been uploaded and approved in CCIP by the fiscal team, any amounts submitted for reimbursement that are associated with the unapproved contract will be considered questioned costs, and repayment must be made to NCDPI.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## NOTES

- All contracts must be uploaded into CCIP as part of the budget/amendment approval process for review and approval by the fiscal team prior to any contracts going into effect.
- Vendors cannot be 21<sup>st</sup> CCLC program employees.
- Charter school contracts must contain the following State language required per General Statute 115C-218.105 State and local funds for a charter school: (No indebtedness of any kind incurred or created by the charter school shall constitute an indebtedness of the State or its political subdivisions, and no indebtedness of the charter school shall involve or be secured by the faith, credit, or taxing power of the State or its political subdivisions)
- As it relates to the 21<sup>st</sup> CCLC Program, construction contracts are not an allowable cost to be expensed to the grant.
- Family members of program employees cannot be used as contract labor for enrichment services.
- Supplies and other goods cannot be purchased from a company in which a program employee has a financial interest.
- Contracted services to be provided to the 21<sup>st</sup> CCLC program should be on the letterhead of the entity providing the services.
- Contracts must be signed and dated with printed name(s) of both parties.
- Some LEAs may have certain processes they follow according to the school district's policies. Approval of that process will be evaluated on a case-by-case basis.

## 2.F: Transportation Costs for Students

Reimbursement of transportation costs must be based on total miles driven daily and must be multiplied by an approved mileage rate, which is determined by one of the following three scenarios:

- A. Students are transported on district yellow school buses.
  - a. Approved Mileage Rate: Current District Mile Rate
    - i. This rate is inclusive of fuel, oil, tires, repairs and maintenance, driver wages and benefits.
- B. Students are transported on organization owned/leased vehicles that are designed to transport 16 or more passengers including the driver (Commercial Driver's License Required)
  - a. Approved Mileage Rate: Current District Mile Rate, minus the cost of drivers
    - i. This rate is inclusive of fuel, oil, tires, repairs, and maintenance.
    - ii. Expend driver's salary in separate account code (6550-171 or 6550-311)
  - b. Examples of Vehicle Type: minibus, activity bus

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- C. Students are transported on organization owned/leased vehicles that are 15 passengers or less (Commercial Driver's License Not Required)
  - a. Approved Mileage Rate: Current IRS rate of \$0.655/ mile
    - i. Current IRS rate as of 1/1/2023 and is subject to change.
    - ii. This rate is inclusive of fuel, oil, tires, repairs, and maintenance.
    - iii. Expend driver's salary in separate account code (6550-171 or 6550-311)
  - b. Examples of Vehicle Type: 15-passenger van, minivans

Detailed mileage logs must be maintained and submitted as supporting documentation.

Detailed mileage logs must include the following:

- Dates of transportation
- From/to destination for each day
- Rate per mile as reflected in the contract.
- Number of students transported.
- Vehicle license plate number
- Total number of miles for the billing period
- Contractor invoice for payment

'Flat-fee' transportation contracts are allowed on a case-by-case basis with transportation companies. 'Flat fee' transportation contracts will only be allowed if the [regularly invoiced] amount is equal to or less than the appropriate approved mileage rate per vehicle type.

To enter in a 'flat fee' transportation contract, subgrantees must be able to provide the following evidence:

1. Documentation of lesser rate to be charged versus the appropriate mileage rate per vehicle type.
2. Total daily mileage bus route
3. The proposed amount to be charged (in writing from Vendor)

#### NOTES

- 21st CCLC funds cannot be used to purchase vehicles.
- Separate costs for vehicle maintenance cannot be charged to the 21st CCLC grant.
- Payment to contractors for transportation cannot be paid until the contract is approved by NCDPI (see Section 2.E.).
- Budget approval of leased vehicles will be considered on a case-by-case basis.
- Personal Vehicles should not be used to transport students.

## 2.G: Travel Expenses

21<sup>st</sup> CCLC grant funds may be used to pay for pre-approved travel expenses for employees paid from 21<sup>st</sup> CCLC funds and/or employees who are listed on a subgrantee's approved 21<sup>st</sup> CCLC-organization chart. Travel expenses may apply to cover the cost of travel to and from NCDPI-sponsored in-person meetings and/or other professional development opportunities.

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

Reimbursements made to staff for travel expenses must follow the entity's established travel policies and occur after the travel has been completed.

Per Uniform Guidance 200.475, costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the non-Federal entity in its regular operations as the result of the non-Federal entity's written travel policy. In addition, if these costs are charged directly to the Federal award documentation must justify that:

- (1) Participation of the individual is necessary to the Federal award; and
- (2) The costs are reasonable and consistent with non-Federal entity's established travel policy.

In the absence of an acceptable written policy regarding travel costs, grantees must follow the Federal travel and subsistence rates established by the General Services Administration.

Employees must pay for their own meals and submit expenditures on a travel reimbursement request form. Subgrantee organization credit cards cannot be used to pay for staff meals during travel.

An entity should ensure that travel costs are reasonable and necessary to accomplish the goals of subgrantee's 21<sup>st</sup> CCLC program. A reasonable per diem would be those generally in alignment with Federal or State rates. **NCDPI recommends meal costs should only be reimbursed if there is an overnight stay or if the number of hours required for travel includes the entire workday.**

**The following travel costs cannot be paid with 21<sup>st</sup> CCLC funds:**

- Cost of upgrading airline seats, unless required for medical reasons.
- Travel insurance
- Additional Baggage fees (checked or extra weight) *(revised 7/20)*
- Daily pass fees for airline clubs if flights are cancelled/delayed.

Additionally, reimbursement for plane tickets cannot be requested until round-trip travel has occurred.

## 2.H: Internal Controls

21<sup>st</sup> CCLC subgrantees must operate their federal grants in accordance with the Code of Federal Regulations. Each organization must establish and maintain effective fiscal control and fund accounting procedures (internal controls) over the Federal award that provide reasonable assurance that the organization is compliantly managing the Federal award. Internal controls can be defined as a process, implemented by an organization designed to provide reasonable assurance regarding the achievement of objectives in the following categories: effectiveness and efficiency in operations, reliability of reporting for internal and external use, and compliance with applicable

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

laws and regulations (2 CFR §200.1). Internal controls also help to reduce fraud, waste, and abuse in the use of Federal funds.

Per Government Accountability Office’s (GAO) Standards for Internal Control in the Federal Government (the “Green Book”), internal controls are comprised of the plans, methods, policies, and procedures used to fulfill the mission, strategic plan, goals, and objectives of the entity. Internal control serves as the first line of defense in safeguarding assets. In short, internal control helps managers achieve desired results through effective stewardship of public resources.

These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States or the “Internal Control Integrated Framework,” issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

Standards for financial management systems include, but are not limited to:

- Effective control and accountability must be maintained for all grant cash, real and personal property, and other assets.
- Subgrantees must adequately safeguard all such property and must assure that it is used solely for authorized purposes and protected against loss from unauthorized use or disposition.
- Subgrantees must maintain certified time and effort documentation that corresponds to payroll records for all staff, including management.
- Actual expenditures or outlays must be compared with corresponding budgets for each grant.
- Transactions must be properly recorded. Accounting records must be supported by such source documentation such as cancelled checks, paid bills, payrolls, time and attendance records, contracts, and sub-grant award documents.

The entity must implement internal controls ensuring compliance in accordance with all subpart sections of 2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards listed below While not all internal controls are required to be addressed in writing, the entity must still adhere to these requirements, and addressing the topics in writing helps ensure that all staff will consistently follow procedures and may reduce the risk of monitoring or audit findings. Please see 2.H.1 Required Written Procedures for information about which provisions must be addressed in writing.

<b>Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards</b>	
Subpart A - Acronyms and Definitions	2 CFR§200.0-200.1
Subpart B – General Provisions	2 CFR§200.100-200.113

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

Subpart C – Pre-Federal Award Requirements and Contents of Federal Awards	2 CFR§200.200-200.216
Subpart D – Post Federal Award Requirements	2 CFR§200.300-200.346 including: 200.303 Internal controls, 200.309 Period of Performance 200.334-200.338 Record Retention and Access
Subpart E – Cost Principles	2 CFR§200.400-200.476
Subpart F – Audit Requirements	2 CFR§200.500-200.521

## 2.H.1 Required Written Procedures

As defined by the GAO, written policies and procedures are one form of internal control. Some written policies and procedures are required, and others are recommended as best practice. Written policies and procedures governing the entity’s implementation of federal grants should be reviewed routinely and revised as needed. If, in the course of monitoring and audits, a revision of internal controls is required, entities must take prompt action.

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200 requires written policies and procedures for certain provisions, including the following:

- §200.302 Financial Management.
- §200.305. Federal payment.
- §200.403. Factors affecting allowability of costs.
- §200.404 Reasonable costs.
- §200.405 Allocable costs.
- §200.313 Equipment.
- §200.318 General Procurement Standards.
- §200.318 (c) (1) Conflicts of Interest.
- §200.319 Competition.
- §200.320 Methods of procurement to be followed.
- §200.430 Compensation – personal services.
- §200.431 Compensation – fringe benefits.
- §200.475 Travel costs.

The following resources can be utilized for additional information:

- 2 CFR Part 200 of the Uniform Guidance can be accessed online at <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>
- NCDPI Required Written Procedures Resource <https://www.dpi.nc.gov/documents/21cclc/monitoring/required-written-permissions-chart/download?attachment>

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

As a best practice, written procedures for fiscal management should also address:

- Preparing Budget 208
- Preparing Budget 209 Amendment
- Managing Budget vs Actual Expenditures
- Accounts Payable
- Payroll Processing
- Submitting for Reimbursement in ERaCA (non-LEAs), or
- Realigning PRC 110 (LEAs & Charters)
- Submitting Adequate Documentation to NCDPI
- Indirect Cost Allocation
- Period of Performance
- Record Retention
- Supplement Not Supplant

## 2.1: Conflict of Interest

According to the general procurement standards, the non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. The non-Federal entity must disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. Board members may not receive payment under the 21<sup>st</sup> CCLC Program. This is a conflict of interest. ([2 CFR §200.318](#))

A grantee may not permit a person to participate in an administrative decision regarding a project if the decision is likely to benefit that person or a member of his or her immediate family. A grantee may not permit any person participating in the project to use his or her position for a purpose that is, or gives the appearance of being, motivated by a desire for private financial gain for that person or for others. ([§75.525](#))

Examples of conflicts of interest within the 21<sup>st</sup> CCLC program include but are not limited to:

- Making a business decision involving a company in which a board director or program employee has a financial interest or would receive a financial benefit.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- Hiring an unqualified relative or friend to provide services to the program.
- Reporting to a supervisor who is also a close friend or family member.
- Contracting with immediate family members or program employees for services.

Any real or apparent conflict of interest must be disclosed in writing to NCDPI. In addition, the recusal of the director or employee from involvement in an affected decision-making process as well as the basis for the final decision made, must be clearly recorded in formal documents to demonstrate that the subgrantee has appropriately identified and managed the specific conflict.

While Uniform Guidance does not stipulate a specific accounting system, the accounting system must provide detailed information regarding each transaction using 21<sup>st</sup> CCLC funds. For example, it is not enough to record that \$5,000 was spent on equipment. The accounting system must maintain \$5,000 was spent on a computer from [NAME] Company and the date of the purchase.

### NOTES

- All 21<sup>st</sup> CCLC subgrantees must provide training to 21<sup>st</sup> CCLC staff to ensure staff understands and follows written fiscal procedures. Documentation of training (e.g., agendas, sign-in sheets, etc.) must be maintained for review during monitoring reviews.
- North Carolina General Statute (G.S. 115C-12.2) defines "immediate family member" as a spouse, parent, child, brother, sister, grandparent, or grandchild. The term also includes the step, half, and in-law relationships.

## 2.J: Procurement

Procurement transactions (purchases) of both goods and services must be conducted in a manner to provide open and free competition. Procurement transactions must consider price, quality, service, and other factors important to the subgrantee as set out in the Uniform Grant Guidance (UGG) (2 CFR §200.218 - §200.227).

### Procurement Requirements Using Federal Funds for Services and Goods\*

Procurement Method	Goods	Services
Micro-Purchase - No required quotes. However, must consider price as reasonable, and, to the extent practical, distributed equitably among suppliers.	\$10,000 or less Must use more restrictive \$10,000 federal threshold.	\$10,000 or less

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

<p>Small Purchase Procedures (Informal) - Obtain/document quotes from a reasonable number of qualified sources (at least three).</p>	<p>\$10,000.01 - \$90,000 Must use more restrictive \$90,000 state threshold instead of \$250,000 federal threshold for LEA's, LAB, ISD, regional schools. Charter Schools and nonprofits are not subject to State procurement laws and can use a \$250,000 threshold.</p>	<p>\$10,000.01 - \$250,000 <b>LEAs</b> Service contracts not subject to state competitive bidding requirements. LEAs utilize UG process (or local if more restrictive). <b>Non-LEAs</b> If a non-LEA has an SBE-approved application describing work with specific contractors and the contract is between \$10,000.01-\$250,000, the non-LEA must apply to have the vendor approved as a sole source prior to implementation.</p>
<p>Sealed Bids / Competitive Bids (Formal)</p>	<p>\$90,000.01 or more Must use more restrictive \$90,000 state threshold for LEA's, LAB, ISD, regional schools. Charter Schools and nonprofits are not subject to State procurement laws and can use a \$250,000 threshold. instead of \$250,000 federal threshold</p>	<p>\$250,000 or more Service contracts subject to state competitive bidding requirements. for LEA's, LAB, ISD, regional schools. Charter Schools and nonprofits are not subject to State procurement laws and can use a \$250,000 threshold. LEAs must utilize UG process (or local if more restrictive).</p>
<p>Noncompetitive proposals</p>	<p>Appropriate only when:</p> <ul style="list-style-type: none"> <li>• Available only from a single source (sole source)</li> <li>• Public emergency</li> <li>• Expressly authorized by awarding or pass-through agency in response to written request from district</li> <li>• After soliciting a number of sources, competition is deemed inadequate.</li> <li>• A waiver must be obtained from NCDPI. See the <a href="#">“Noncompetitive Procurements Proposals” section under UG Procurement Methods on the NCDPI Fiscal website for submission instructions.</a></li> </ul>	

### Self-Certification Option for Higher Micro-Purchase Threshold

The updates to the Uniform Guidance did not change the micro-purchase threshold; the current micro-purchase threshold remains \$10,000. A subrecipient does not need to solicit competitive price or rate quotations when awarding a micro-purchase if it considers the price to be “reasonable

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

based on research, experience, purchase history or other information and documents it files accordingly.”

However, 2 CFR 200.320 provides PSUs with the ability to raise, via annual self-certification, the micro-purchase threshold to a “higher threshold consistent with State, local, tribal laws and regulations” and which cannot exceed \$50,000. State and local procurement laws must be addressed in any higher threshold that is established. (2 CFR 300.17 and 2 CFR 300.18) LEA’s, Regional, LAB, and Charter Schools are subject to different procurement requirements and the thresholds allowed will be different.

LEA’s, Regional, and LAB schools are subject to North Carolina procurement laws, under the new Uniform Guidance requirements, an LEA, Regional, or LAB school that completes the annual self-certification may raise the micro-purchase threshold of \$10,000 via annual self-certification up to the North Carolina State threshold of \$30,000 for the purchase of “goods” or the purchase of “construction or repair work”, and to \$50,000 for service contracts other than those subject to the Mini-Brooks Act. Local and tribal procurement laws may be more restrictive and must be addressed in certifying a higher threshold.

Charter Schools are not subject to North Carolina procurement laws. Under the new Uniform Guidance requirements, a Charter School that completes the annual self-certification may raise the micro-purchase threshold of \$10,000 via annual self-certification up to the \$50,000 threshold. Local procurement laws may be more restrictive and must be addressed in certifying a higher threshold. A PSU must maintain documentation supporting the self-certification of a higher micro-purchase threshold and must make such documentation available to a Federal awarding agency or auditor upon request in accordance with 2 C.F.R. 200.334. When self-certifying a higher micro-purchase threshold, a

PSU self-certification must include:

1. a justification for the threshold.
2. a clear identification of the threshold amount; and
3. supporting documentation of any of the following:
  - a qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit.
  - an annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or
  - for public institutions, a higher threshold consistent with State law.

The self-certified micro purchase threshold only applies to federal awards received after November 12, 2020, the effective date of the Uniform Guidance revisions.

Under the Uniform Guidance, NC NCDPI *does not* need to approve a PSU’s self-certification to a higher micro-threshold. However, to ensure that NCDPI can effectively monitor compliance with procurement requirements during standard fiscal monitoring activities, NCDPI plans to establish a process for PSUs to provide formal notice to NC NCDPI of approved increases in their micro-purchase threshold. Additional information may be required to substantiate compliance with the self-certification process during normal monitoring activities.

To ensure smooth implementation of these new requirements, NCDPI recommends following:

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

1. The self-certification should be approved by the PSU's Board. UNC SOG recently suggested a resolution process to self-certify. This document has been reviewed by NCDPI and can be found in the following [blog post](#).
2. Self-certification procedures should be clearly documented.
3. Responsibility for implementing the annual self-certification procedures should be clearly assigned.
4. If a PSU does not qualify as a low-risk auditee, the PSU should be sure to address all elements of the required risk assessment, which should result in a systematic way of identifying, mitigating, and managing financial risks.

## NOTES

- In addition, procurement procedures must be maintained to avoid any potential conflicts of interest. Potential conflicts of interest that may arise as a result of a contract must be disclosed to NCDPI in advance of entering into a contract with an individual or company (EDGAR 2 CFR §200.319).
- Equipment purchases, regardless of method of procurement, must be approved in the Budget Form 208 or 209.

## 2.K: Time and Effort Reporting

The purpose of time and effort reporting is to certify and verify that the employee's compensation from the grant funds is commensurate with their percent of effort worked on the grant. Compensation for personal services, 2 CFR 200.430, by an individual employed by the PSU includes all remuneration, paid currently, or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. Compensation may also include fringe benefits. Costs of compensation are allowable to the extent that they satisfy the specific requirements noted below and that the total compensation for individual employees:

- Is reasonable for the services rendered and conforms to the established written policy of the non-Federal entity consistently applied to both Federal and non-Federal activities.
- Follows an appointment made in accordance with the non-Federal entity's laws or written policies.
- Is determined and supported by appropriate documentation.

Uniform Guidance no longer explicitly requires semi-annual certifications or personnel activity reports (PARs) as support for compensation expenses. However, entities should continue to use their current internal control system of semi-annual certifications, PAR reports, or approved substitute systems but are not required to use these controls. If an entity decides not to use semi-annual certifications or PAR reports, the entity is still required to maintain auditable "time and effort" documentation that describes how each employee, paid in part or whole from federal funds, has spent their compensated time.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

2 CFR 200.430i requires the following as *Standards for Documentation of Personnel Expenses*:

Charges to Federal awards for salaries and wages must be based on records that accurately reflect the work performed. These records must:

- Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated.
- Be incorporated into the official records of the non-Federal entity.
- Reasonably reflect the total activity for which the employee is compensated by the non-Federal entity, not exceeding 100% of compensated activities (for IHE, this per the IHE's definition of IBS).
- Encompass federally assisted and all other activities compensated by the non-Federal entity on an integrated basis, but may include the use of subsidiary records as defined in the non-Federal entity's written policy;
- Comply with the established accounting policies and practices of the non-Federal entity (See paragraph (h)(1)(ii) above for treatment of incidental work for IHEs.); and
- [Reserved]
- Support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.
- Budget estimates (i.e., estimates determined before the services are performed) alone do not qualify as support for charges to Federal awards, but may be used for interim accounting purposes, provided that:
  - The system for establishing the estimates produces reasonable approximations of the activity actually performed.
  - Significant changes in the corresponding work activity (as defined by the non-Federal entity's written policies) are identified and entered into the records in a timely manner. Short term (such as one or two months) fluctuation between workload categories need not be considered as long as the distribution of salaries and wages is reasonable over the longer term; and
  - The non-Federal entity's system of internal controls includes processes to review after-the-fact interim charges made to a federal award based on budget estimates. All necessary adjustments must be made such that the final amount charged to the Federal award is accurate, allowable, and properly allocated.

Because practices vary as to the activity constituting a full workload (for IHEs, IBS), records may reflect categories of activities expressed as a percentage distribution of total activities.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

Cost Objective(s)	Criteria	Supporting Documentation Examples
Single Cost Objective	<ul style="list-style-type: none"> <li>Employee works solely on a single Federal award or cost objective.</li> </ul>	<u>Semi-annual certification</u> <ul style="list-style-type: none"> <li>Prepared at least semi-annually; and</li> <li>Signed after-the-fact by the employee or a supervisory official having firsthand knowledge of the work performed by the employee.</li> </ul>
Multiple Cost Objectives	<ul style="list-style-type: none"> <li>More than one Federal award.</li> <li>Federal award &amp; non-Federal award.</li> <li>Indirect cost activity &amp; direct cost activity.</li> <li>Two or more indirect activities that are allocated using different allocation bases; or</li> <li>Unallowable activity &amp; a direct or indirect cost activity</li> </ul>	<u>Personnel activity reports (PAR)</u> <ul style="list-style-type: none"> <li>Reflect an after-the-fact distribution of the actual activity of the employee.</li> <li>Account for the total activity for which each employee is compensated.</li> <li>Be prepared at least monthly &amp; coincide with one or more pay periods; and</li> <li>Signed after-the-fact by the employee &amp; a supervisory official having firsthand knowledge of the work performed by the employee.</li> </ul>

Important Reminders Regarding Time and Effort if PARS and Semi-annual Certifications are Elected as Documentation for Employees<sup>1</sup>

1. Semi-annual (periodic) certifications are needed for all employees not required to maintain PARs.
2. Appropriate time and effort documentation for all employees include time sheets for hourly paid employees with single cost objectives or (PAR) for employees with multiple cost objectives or with multiple roles within single cost objectives.
3. Semi-annual (periodic) certification must be signed by the employee or supervisory official having firsthand knowledge of the work performed by the employee. Timesheets and PARS must be dated and signed by both the employee and their supervisor.
4. All time and effort documentation should reflect after-the-fact distribution of the actual activity of each employee.
5. PARs should account for the total activity (21st CCLC and non-21st CCLC) for which the employee is compensated by the organization.
6. Time period (start and end dates) of time and effort documentation such as time sheets and PARs must be prepared at least monthly and coincide with one or more pay periods/cycles.
7. Documents must present breakdown of the benefits/payroll taxes paid on behalf of the employees being paid through 21st CCLC funds.
8. NCDPI may request documents relating to proof of payment/transfer of payroll.

<sup>1</sup> An 'employee', for tax purposes, means whether federal (and state) income taxes must be withheld from the person's pay and whether the employee and employer must pay FICA taxes (for Social Security and Medicare benefits). In these circumstances, the opposite of an employee is an independent contractor.

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## NOTE

Official electronic signatures for Time and Effort Reporting are allowable with appropriate documentation as referenced above.

## 2.L: Indirect Cost

The USED has given NCDPI authority to issue indirect cost rates for all subgrantees. Subgrantees that receive their indirect cost rates from NCDPI use the rates to recover organization-wide administrative costs of managing federal grants, such as costs related to accounting, budgeting, purchasing, auditing, and payroll processing. Subgrantees may spend no more than the calculated rate of each year's budget on activities related to the fiscal agent's administration of the 21<sup>st</sup> CCLC grant. All LEA organizations are to utilize their assigned federal indirect cost rate as with all other federal grants. All non-LEA organizations should utilize the statewide average restricted indirect cost rate provided annually. Documentation to support expenses for indirect cost must be maintained and provided during a fiscal monitoring or desk review.

## 2.M: Budget Amendment or Revision Process

Post-award changes in budgets and projects require the prior written approval of NCDPI, and submission of a Budget Amendment Form (FPD 209). Budget amendments/revisions (changes to the budget) can be submitted anytime through CCIP during the approved grant period. Budget Amendment Forms (FPD 209) along with appropriate justification narrative and programmatic change (if applicable) should be uploaded to CCIP for review and approval by your assigned 21<sup>st</sup> CCLC PA. In addition to submitting Budget Amendment Form (FPD 209) in CCIP, LEAs are expected to submit and receive approval in the Budget and Amendment Approval System (BAAS). The template for the FPD 209 may be found in Related Documents section of CCIP.

## NOTE

A fiscal finding will result if a reimbursement request is made in a Chart of Account code that has not been adequately budgeted and a corrective action will be required.

## 2.N: Close-Out Processes

### 2.N.1: Records Retention

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a federal award must be retained for a period of five (5) years from the date of submission of the final expenditure report or, for continuation award, from the date of the submission of the annual continuation application. If any litigation, claim, or audit is started before the expiration of the 5-year period, the records must be retained until all litigation, claims, or audit

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

findings involving the records have been resolved and the final action taken. Records for real property and equipment acquired with Federal funds must be retained for five (5) years after final disposition ([2 CFR §200.333](#)).

## **2.N.2:** Close-Out Processes: Equipment & Supplies

Inventory records for items identified as *furniture/equipment* should be retained for five (5) years following the close-out of the grant. A written description and/or narrative should be provided to NCDPI as to how the retention and storage of all 21<sup>st</sup> CCLC records, reports, files, and documents will be stored and maintained.

### 2.N.3: LEAs Disposition of Equipment ([§200.313](#)) and Supplies ([§200.314](#))

If the LEA closes one cohort and is granted another 21<sup>st</sup> CCLC cohort, the grantee can retain the equipment and excess supplies for use in the new cohort.

If the LEA does not continue an afterschool 21<sup>st</sup> CCLC program and they are a Title I school, the LEA can transfer the equipment to another federal program.

If the LEA does not continue an afterschool program and is not considered a Title I school, the LEA must then offer the equipment to another 21<sup>st</sup> CCLC program in the district.

In addition to equipment, if there is residual inventory of unused supplies *exceeding* \$5000 in total aggregate fair market value upon termination (close-out) or completion of a grant, the supplies should first be offered to another 21<sup>st</sup> CCLC program within the district/area. If they are not needed by another 21<sup>st</sup> CCLC program, the supplies/equipment may be offered to another federally sponsored school/program/project within the community (*with coordination from NCDPI's Program Administrator*).

*\*\*If no federal program needs nor accepts the property/equipment/supplies, disposition of the items will be determined by NCDPI.*

### 2.N.4: Non-LEAs Disposition of Equipment ([§200.313\(e\)](#)) and Supplies ([§200.314](#))

If the non-LEA closes one cohort and is granted a successive 21<sup>st</sup> CCLC cohort, the subgrantee can retain the equipment and excess supplies for use in the new cohort.

If the program ends, the subgrantee must first offer to transfer equipment and items to other federally funded 21<sup>st</sup> CCLC programs within the district/area of the current grant; and then to other federal educational programs, such as Title 1 funded schools/programs (*this is with coordination from NCDPI's Program Administrator*).

In addition to equipment, if there is residual inventory of unused supplies *exceeding* \$5000 in total aggregate fair market value upon termination (close-out) or completion of a grant, the supplies should first be offered to another 21<sup>st</sup> CCLC program within the district/area. If they are not needed by another 21<sup>st</sup> CCLC program, the supplies/equipment may be offered to another federally sponsored school/program/project within the community (*with coordination from NCDPI's Program Administrator*).

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

*\*\* If no federal program accepts the property/equipment/supplies, disposition of the equipment/supplies will be determined by NCDPI.*

**NOTE**

Any furniture/equipment destroyed by acts of nature (Hurricane, Fire, Flood, etc.) can be replaced by the 21<sup>st</sup> CCLC organization; however, all furniture/equipment remains the property of DPI.

2.N.5: Transfer/Redistribution of Assets Protocol for LEAs/Non-LEAs

<b>21<sup>st</sup> CCLC Transfer/Redistribution of Assets Protocol</b>	
<b>STEP 1</b>	NCDPI Program Administrator and 21 <sup>st</sup> CCLC Program Director identify either another federally funded Title 1 or extended learning program in the district (LEAs) or a qualifying feeder school (non-LEAs)
<b>STEP 2</b>	NCDPI Program Administrator, 21 <sup>st</sup> CCLC Program Director and a point of contact from transfer agency determine an agreed upon date of transfer of assets.
<b>STEP 3</b>	<p><b><u>Transfer/Redistribution of Assets</u></b></p> <p>All parties (NCDPI Representative, 21<sup>st</sup> CCLC Program Director and point of contact from transfer agency) must be present on the day of the scheduled transfer of assets. During the on-site visit, the NCDPI Representative will inventory the 21<sup>st</sup> CCLC Program’s assets. Once the assets are inventoried, the NCDPI Representative will transfer ownership of all materials to the identified transfer agency representative. The inventory check and transfer of asset ownership will be logged for recordkeeping by the NCDPI Representative.</p>

2.N.6: Data and Reporting

21<sup>st</sup> CCLC grantees remain responsible for the following:

- Providing required data to NCDPI for submission to the 21 APR system.
- Providing programmatic, financial, evaluation data to NCDPI as required at the end of the grant.
- Submission of any performance reports required by NCDPI at the end of the grant (no later than 90 calendar days at the end of the grant).

2.N.7: Later Disallowance & Adjustments

The close-out of a grant does not affect the following:

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- NCDPI's right to disallow and recover funds on the basis of a **later audit**\*\* or review.
- The grantee's obligation to return any funds due as a result of later refunds, corrections, or other transactions.
- Records retention as required by federal law.

*\*\*This is usually an entity outside of NCDPI (USED, Office of the State Auditor, etc.)*

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## SECTION 3: FUND DISTRIBUTION AND REIMBURSEMENT

### 3.A: LEA Subgrantees

Once a subgrantee's Budget Form 208 for PRC 110 is approved in CCIP by NCDPI program staff and the first allotment installment is released, 34% of the total grant award is deposited directly in the LEA account via electronic transfer. Upon approval for second installment, an additional 34% will be deposited directly in the LEA account via electronic transfer. For third installments, a final 32% will be deposited directly in the LEA account via electronic transfer. LEAs work with approved third-party vendors to post budgets and to account for program expenditures by object and purpose code. Vendor products must electronically interface with BAAS, which is managed by NCDPI. LEAs must initially budget for only 34% of their total grant award in BAAS. Once approved for second installment, LEAs will file an amendment to budget for an additional 34% of the total grant award in BAAS. Finally, LEAs will file an amendment in BAAS for the remaining 32% of their total grant award upon approval of their third installment documentation.

The BAAS system is connected to NCDPI's Cash Management System, which in turn, is connected to the NC Department of the State Treasurer. Transactions in BAAS generate a report which automatically feeds entries to the external General Ledger (GL) and North Carolina Accounting System (NCAS). The NCDPI Cash Management Section then draws the funds down from the State Treasurer account according to the NCAS and GL data. The LEAs' accounting systems are automatically linked to BAAS to track their approved use of state and federal funds which pass through NCDPI.

NCDPI serves as the flow-through agency to LEAs for an extremely large number of state and federally funded programs; however, there are several distinct characteristics about the 21st CCLC program that require a unique approach to how NCDPI and the subgrantees manage the operational budgets, allotments, and even the monitoring process. Some of the ways that PRC 110 varies from most other PRCs include the following:

- PRC 110 has no planning allotment.
- Subgrantees must submit the Budget Form FPD 208 as an upload in the CCIP grants management system and receive an approval from NCDPI before the LEA's budget can be approved in the BAAS accounting system.
- To accommodate summer programming, the period of availability is set to fifteen (15) months; however, there is no liquidation period.
- The allotment is distributed in three (3) separate installments during the program year. LEAs must file an initial budget of 34% in BAAS and then file amendments once approved for second and third installments.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

LEA grantees are required to maintain documentation to support expenditures reflected on the end of month BAAS reports. In the event of a fiscal monitoring or desk review, documentation to support incurred expenses will be requested for reconciliation with BAAS reports.

### 3.B: Non-LEA Subgrantees

The School Business Section at NCDPI assigns a unique banking vendor number for each non-LEA entity which has been approved by the State Board of Education to receive federal or state funds through NCDPI. Prior to the NCDPI approval of the budget or release of funds, the non-LEA subgrantees must complete and submit a Vendor Electronic Payment Form and state provided W-9 Form to NCDPI. Once the proper forms are submitted, the Cash Management Section can register the organizations' checking accounts with the Office of the State Controller. Once the checking account is registered with NCDPI, NCDPI program staff must approve the Budget Form FPD 208 and other required documentation (e.g., field trip requests, proposed contracts, Basic Info, etc.) in CCIP. After approval is completed, the first installment of the allotment is released and subgrantee organizations can begin submitting cash reimbursement requests.

#### **NOTE**

A copy of the Vendor Electronic Payment Form and state provided W-9 Form can be found [here](#). Subgrantees should NOT submit forms directly to the Office of the State Controller. Please submit completed forms to NCDPI.

Non-LEAs enter their reimbursement requests in the online [Expenditure Reporting and Cash Application](#) (ERaCA) system. To access ERaCA, non-LEAs are required to register with the [North Carolina Identity Management](#) (NCID) system. The NCID system verifies the identity of the user and authorizes specific rights within ERaCA.

After non-LEAs login with their NCID credentials, the ERaCA system tracks the availability of allotted funds and ensures the dollar amounts of the organizations' requests are limited to available balance. Non-LEAs may submit reimbursement requests weekly into ERaCA and they will generally receive the funds via direct deposit within 10-14 business days.

Once a subgrantee submits for PRC 110 reimbursement in the ERaCA system, they will not be able to submit for another submission for PRC 110 until their first request has been processed. NCDPI encourages all non-LEAs to submit for reimbursement in ERaCA at least once monthly, after the subgrantee's first allotment has been released. This will reduce the likelihood of a higher risk assessment in determining on-site fiscal monitoring throughout the 3-year cohort. Additionally, it helps the subgrantee to establish better internal controls over their fiscal operations.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

In addition to submitting the documentation with a printed copy of the ERaCA Expenditure/Cash Request Data Inquiry Screen, non-LEA subgrantees must provide the ERaCA Reconciliation Cover Sheet. Non-LEAs receiving 21st CCLC grant awards in more than one cohort must provide back-up documentation separately for each cohort. The ERaCA Reconciliation Cover Sheet must be signed by the Chief Administrator for the non-LEA as listed on the Basic Program Information form.

Reconciliations and corresponding documentation must be aligned with ERaCA submissions for each reimbursement request. The ultimate purpose of these submissions is to verify that there is proof of purchase for the requested reimbursement. Below is a list of documents grantees should submit to the fiscal team to verify allowable expenses:

- Reports from ERaCA to confirm date(s) of the reimbursement request, and under which, approved budget codes the expenditures and subsequent cash request have been posted – receipts should have director/management initials and date of review.
- Payroll Support: payroll registers including employee name, job title, rate of pay, and pay period, daily timesheets with employee and supervisor signatures and duties performed.
- Expense Support: itemized invoices indicating vendor name, date paid, check number, amount, and the corresponding COA (chart of account) code used when entering into ERaCA.
- Payment Support: paid receipts, cancelled checks (with front and back images), credit card statements, and/or bank statements.
- Other documents as needed to match cash requests for the ERaCA submission.

Non-LEA subgrantees must scan and email all back-up documentation to the attention of: Melba Strickland at [Melba.Strickland@dpi.nc.gov](mailto:Melba.Strickland@dpi.nc.gov) and their assigned regional NCDPI 21<sup>st</sup> CCLC fiscal team members on the same day the reimbursement is requested in the ERaCA system.

Each subgrantee will receive a link to the google drive to access your folder.

Late document submissions may result in ERaCA disablement and will be used to inform the subgrantee's risk level during NCDPI's 21<sup>st</sup> CCLC annual risk assessment for future monitoring events.

#### **NOTE**

Non-LEA subgrantees must submit supporting documentation to NCDPI on the **same day** the ERaCA reimbursement is requested. Supporting documentation must include:

- 1) ERaCA Reconciliation Cover Sheet
- 2) ERaCA Expenditure/Cash Request Data Inquiry Screen NCDPI
- 3) Transaction Detail (Itemized Account Summary)
- 4) All payroll documentation, receipts & invoices related to the reimbursement request

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

The ERaCA system creates an interface file to an external General Ledger (GL) and enters the cash request into the Cash Management System (CMS). The CMS produces a report and generates entries to the external GL and NCAS. The NCDPI Cash Management Section draws the funds down per the report.

### 3.B.1 Error with ERaCA Submission

If a subgrantee has determined that an error was made when submitting for reimbursement in the ERaCA system (whether an expense was over or under reported in a specific chart of account code), the subgrantee will make the correction in the next ERaCA submission and retain documentation within their records for future reference.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## SECTION 4: PROGRAM MANAGEMENT

### 4.A: Location of Program Centers/Sites

In addition to public school campuses (PSUs), 21<sup>st</sup> CCLC program centers or sites may be located in a variety of facilities, including, but not limited to, community centers, church activity buildings, college campuses, local government buildings, or even rented commercial spaces.

The 21<sup>st</sup> CCLC program facilities must be at least as available and accessible to the participants as if the program were in a school and meet the same criteria for safe and effective learning including fire codes for safe egress. See [Section 7](#) for additionally safety related information. Program officials are reminded of their obligation under [Section 504 of the Rehabilitation Act](#) to ensure that facilities for community learning center programs must be accessible to persons with disabilities. If the programs are operated in facilities other than a school building, the organization must ensure the facility still meets state, federal, and local standards for safety, building occupancy and general accessibility ([sec 4204\(b\)](#) and [sec 4204\(c\)](#), TITLE IV, PART B — 21st Century Community Learning Centers). For more information about building code and safety guidelines, review resources provided by the [Office of the State Fire Marshall](#) and the [NC Existing Building Codes](#) provided by the NC Department of Insurance.

Prior to Budget 208 Form approval, subgrantees will need to submit documentation to CCIP demonstrating the 21<sup>st</sup> CCLC Program occurs in a location that meets the criteria for accessibility and is safe for effective learning. Documentation provided to NCDPI to demonstrate compliance can include, but is not limited to:

- Annual Building Maintenance and Fire Inspection Reports
- Evacuation Routes specific to 21<sup>st</sup> CCLC classrooms and learning spaces
- Maps indicating wheelchair accessible entrances, exits and bathrooms within proximity to 21<sup>st</sup> CCLC classrooms and learning spaces.
- Documentation of maximum occupancy thresholds for all buildings where 21<sup>st</sup> CCLC programs will be held. Maximum occupancy thresholds are inclusive of all staff, volunteers, contractors, and students occupying the building at a single time.

### 4.B: Program Income<sup>2</sup>

The intent of the 21<sup>st</sup> CCLC program is to ensure equal access to all students (and their families) targeted for services; therefore, **fees** of any kind cannot be collected for participation in the 21<sup>st</sup> CCLC program. Additionally, subgrantees may not charge late fees to caregivers who arrive after a Program's scheduled end time to pick up their student(s). If fees have been collected for student

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<sup>2</sup> Program Income is the gross income earned by the non-Federal entity that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance ([2 CFR §200.80](#)). More information may be found in the [USED Presentation](#).

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

participation or late pick-ups in the past, no fees can be collected by subgrantees for participation or late pick-ups going forward.

As of the 2021-2022 funding period, programs found to be collecting fees for late pick-ups and/or student participation in 21<sup>st</sup> CCLC programs or denying student access to 21<sup>st</sup> CCLC programs because of inability to contribute to the costs of the program will be ineligible for 21<sup>st</sup> CCLC funds or continuation of 21<sup>st</sup> CCLC funds and may be required to repay funds received through 21<sup>st</sup> CCLC grants to the State.

#### 4.C: Program Enrollment

21<sup>st</sup> CCLC programs in North Carolina must serve a minimum of 50 students each year. Students participating in public schools providing instructional programs for kindergarten through 12<sup>th</sup> grade are eligible to enroll. In North Carolina, Pre-K students are not eligible to be served by 21<sup>st</sup> CCLC Programs, noting this restriction also applies to rising kindergarteners during the summer.

##### 4.C.1: 21<sup>st</sup> CCLC Program Enrollment Procedures

All 21<sup>st</sup> CCLC Programs in North Carolina should host an orientation for potential participants and their families prior to the start of both academic year and summer programs. 21<sup>st</sup> CCLC Program Orientations should at a minimum include a review of the following items:

- Program Goals and Impact Measures.
- Program Schedules / Calendars.
- Family Engagement Requirements.
- Data Sharing Agreements with the Feeder School.
- Review of Parent/Student Handbook- parent compacts (including, but not limited to, review of attendance policies, behavior management policies, internet safety policies, and emergency preparedness plans).

Whenever possible, all 21<sup>st</sup> CCLC Program orientation materials and translation support services should be made available in the home language(s) of interested families.

##### 4.C.2: 21<sup>st</sup> CCLC Program Enrollment Forms

All students participating in the academic year and summer 21<sup>st</sup> CCLC Programs are required to have an enrollment form on file. When enrolling students in 21<sup>st</sup> CCLC programming, enrollment forms should at a minimum include the following elements:

- Student Full Name, Grade Level, Feeder School
- Primary parent(s)/guardian(s) full name(s), email address(es), and phone number(s)
- (3) Emergency Contacts
- Parent/Guardian signatures, parent compact, with date stating agreement to uphold 21<sup>st</sup> CCLC Program Policies and Procedures as described in the Parent/Student Handbook.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- Parent/Guardian signatures with date noting if providing consent for: photo releases (including social media); data sharing with feeder school.
- Parent/Guardian signatures with date and authorization for Internet access for children ages thirteen (13) and under.

Whenever possible, enrollment forms should be made available in the students' home language. Enrollment forms may be electronic or hardcopy. 21<sup>st</sup> CCLC program orientation and enrollment information must be made available to NCDPI upon request.

#### 4.D: Required Hours of Operation and Student Attendance

##### 4.D.1: Program Hours Requirements

Organizations awarded a 21<sup>st</sup> CCLC grant award must offer students educational opportunities outside the traditional school hours. In addition to after school, programs may be offered before school, evenings, weekends, summers or during student intercession periods. The operational hours should demonstrate adequate contact time is being spent with students and families each week. As a condition of the grant in North Carolina, subgrantee programs **must offer a minimum of twelve (12) hours of programming each week at each site** (i.e., center) for participating students within the regular-school-year program component. Each enrolled student should be given the opportunity to attend academic and enrichment activities a minimum of 12 hours each week to provide a quality program that fosters maximum positive impact on students' development and learning.

Travel time does not count towards the 12-hour minimum requirement. Quality contact time should encompass the entire targeted student population each day (e.g., cannot serve only sixth grade students on Monday and Wednesday and only seventh grade students on Tuesday and Thursday).

##### 4.D.2: Student Attendance Requirements

To maximize the potential impact on student achievement and overall success, subgrantee programs should make every attempt to promote regular attendance of the same students that are served each day of operation throughout the program year. In the state of North Carolina, 21<sup>st</sup> CCLC student participants are not counted towards meeting the subgrantee's enrollment goal stated in their SBE approved application until they have attended the 21<sup>st</sup> CCLC Program for **at least 45 hours (see Section 1.G.2)**. Additionally, any student enrolled in the 21<sup>st</sup> CCLC Program is required to have a completed instructional staff survey prior to 21DC data submission at the end of the school year and summer (if applicable). NCDPI 21<sup>st</sup> CCLC Program Administrators will provide subgrantees with updated instructional staff survey templates each Spring. Programs should establish their own policies and procedures for entering student attendance into 21DC. Programs should also establish when to count students as an official attendee of the program.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## 4.E: Program Activities

All 21<sup>st</sup> CCLC programs must implement academic support programming activities that are aligned to the North Carolina Standard Course of Study. For information, go to the [Standard Course of Study](#) homepage. Programming may vary from site to site, but the awarded organization must use the grant funds to carry out a variety of activities designed to support student academic achievement, and those activities must adhere to the federal Measures of Effectiveness. According to section 4205(b) of the ESEA, as amended by the ESSA, activities for the afterschool program must meet the following criteria;

*(A) be based upon an assessment of objective data regarding the need for before and after school (or summer recess) programs and activities in the schools and communities.*

*(B) be based upon an established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities;*

*(C) if appropriate, be based upon evidence-based research that the program or activity will help students meet the challenging State academic standards and any local academic standards;*

*(D) ensure that measures of student success align with the regular academic program of the school and the academic needs of participating students and include performance indicators and measures described in section 4203(a)(14)(A); and*

*(E) collect the data necessary for the measures of student success described in subparagraph.*

Subgrantees may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success. In North Carolina, subgrantees must provide a focus on math and reading/language arts, and other activities may include, but are not limited to, the following based on the needs of the population served:

- Academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with the challenging State academic standards and local academic standards;
- Local curricula that are designed to improve student academic achievement;
- Well-rounded education activities, including such activities that enable students to be eligible for credit recovery or attainment
- Literacy education programs, including financial literacy programs and environmental literacy programs
- Programs that support a healthy and active lifestyle, including nutritional education and regular, structured physical activity programs
- Services for individuals with disabilities
- Programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;
- Cultural programs
- Telecommunications and technology education programs

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- Expanded library service hours
- Parenting skills programs that promote parental involvement, healthy living, and family literacy
- Programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement
- Drug and violence prevention programs and counseling programs
- Programs that build skills in science, technology, engineering, and mathematics (referred to as 'STEM'), including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods
- Programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) and the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.)

#### 4.F: Schedule of Program Activities

The subgrantee should develop and maintain a daily schedule of program activities. The schedule provides students, staff, and volunteers with clear expectations for each day of the program. The program schedule should be aligned to the proposed schedule described in the approved application. The schedule should be readily available to students, parents, and staff. In addition, the program schedule should demonstrate the following characteristics:

- A focus on NC Standard Course of Study standards for math and reading/language arts (at a minimum)
- Non-academic activities that will complement the regular academic program and/or promote whole-child development
- A variety of strategies and/or activities to address various learning interests, grade levels and ability
- Transition time between activities
- Parent engagement activities when appropriate (parent activities may also be provided separately)

#### 4.G: Summer and Intersession Components

21<sup>st</sup> CCLC summer programs must adhere to the same guiding principles as the school-year program. At a minimum, 21<sup>st</sup> CCLC summer programs must operate for at least 12 hours per week.

For year-round schools, the block of time that students are scheduled to be away from school is referred to as the *intersession* or *track-out* time. For the purposes of the 21<sup>st</sup> CCLC program, subgrantees who serve feeder schools on a year-long school calendar may select one or more intersession periods to serve as the summer program component(s).

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

21<sup>st</sup> CCLC summer program schedules and structures, total student enrollment, and number of proposed weeks should match the approved summer program plans in the subgrantee's SBE-approved application. If the proposed number of weeks must be adjusted to meet a feeder school summer program schedule, the number of hours must be maintained according to the SBE approved application. Should a subgrantee need to make changes to their 21<sup>st</sup> CCLC summer program plans, subgrantees must submit a program amendment form in CCIP for NCDPI approval. Depending on changes requested, subgrantees may also need to submit a Budget Amendment Form 209 for additional NCDPI approval.

As with 21<sup>st</sup> CCLC programming during the traditional school year, summer and intercession programming should involve:

- Academic activities that are aligned to North Carolina Standard Course of Study
- [Quality enrichment activities designed to reinforce and complement the summer program's academic activities](#)
- Demonstrated partnership between the local school district and the community at-large
- Hours of operation necessary to meet program goals (required minimum of 12 student contact hours per week)
- Adherence to the section 4205(b) of the ESEA, as amended by the ESSA, Measures of Effectiveness

## 4.H: Transition Safety

### 4.H.1: School Day to Out of School Time Transition

When students transition from the regular school day to an out-of-school program, written procedures should be in place to ensure student safety. Subgrantees should have formal written transition procedures in their 21<sup>st</sup> CCLC Staff Handbooks, as well as in their Parent/Student Handbooks. Transition written procedures should be made available to NCDPI upon request. Additionally, transition times between the school day to out of school time, as well as transition times between activities during the out of school time program should be designated on the 21<sup>st</sup> CCLC Program's daily/weekly schedules.

### 4.H.2: Transportation Transitions

When students travel from a feeder school to a program site located off site, procedures should ensure that students transition safely. Subgrantees should have formal written transportation transition procedures in their 21<sup>st</sup> CCLC Staff Handbooks, as well as in their Parent/Student Handbooks. Transportation transition written procedures should be made available to NCDPI upon request. Formal written transportation transition materials should include at a minimum the following policies and procedures:

- Maintaining accurate bus/van student rosters with emergency contact information
- Staff supervision during offsite travel

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- Ensuring bus/van drivers must be appropriately licensed, adhere to motor vehicle laws, and be trained on procedures in the event of an emergency on the bus/van.

## NOTE

Whether a bus or transit van is used, all motor vehicle safety laws, especially those related to passenger safety must be followed.

### 4.1: Field Trips

Field trips with an associated cost funded by 21<sup>st</sup> CCLC require NCDPI approval **at least 30 days in advance** via the completion of the Field Trip Form (See [Section 4.1.2](#)). Additionally, the cost of taking a field trip must be included and approved in the program's Budget 208/Budget 209 Amendment. Educationally related field trips can take place virtually or in-person. Field trips must align with the program's goals and objectives listed in a subgrantee's SBE-approved application and correlate to a curriculum being implemented throughout the 21<sup>st</sup> CCLC Program that is designed to meet North Carolina Standard Course of Study learning goals and objectives at the time of the field trip.

Field trips that are not connected to an SBE-approved program goal or objective, do not clearly demonstrate educational value, or are not aligned with a curriculum currently being implemented in the 21<sup>st</sup> CCLC program are not allowable. Field trips solely for entertainment purposes are not allowable ([See §200.438](#)) except where the specific costs that might otherwise be considered entertainment have a programmatic purpose and are authorized either in the approved budget or with prior written approval.

To ensure field trips are aligned with a 21<sup>st</sup> CCLC Program's approved goals, the 21<sup>st</sup> CCLC subgrantee should develop policies and procedures that address the following:

- Is the expense of the trip the most reasonably priced and available activity to yield the desired educational outcomes for the student?
- How will consent and medical emergency (including insurance) information be received from parents/guardians?
- How will staff / volunteers be trained, allocated, and available for supervision?
- Is the field trip accessible to all students?
- What form of transportation will be used and is it in compliance with safe transport of students?
- Has safety and evacuation training been provided to all students prior to any trip?
- What adult-to-student ratio is needed to ensure adequate supervision for the field trip?
- What is the relevance of the proposed field trip to a learning objective?
- What instructional activities or student work product will occur prior to, during and after the field trip that will tie into the goals of the approved grant project?
- How will the trip's educational value be assessed upon completion of the trip?
- What is the impact of the trip on available program budget resources?

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

Careful attention must be given to trip selection, pre-visit preparation, appropriate follow up activities, and evaluation of the impact of field trips especially as it relates to overall goals and objectives for the 21<sup>st</sup> CCLC program. Documentation must be maintained to identify the students who participated in each field trip (e.g., sign-in sheets) as well as to demonstrate completion of pre/post field trip activities. Please contact your 21<sup>st</sup> CCLC Program Administrator with questions regarding a specific field trip.

#### NOTE

- Costs associated with unused tickets are not reimbursable.
- Field trips must not be used as an incentive or reward.

#### 4.1.2: Field Trip Approval Process:

- A Field Trip Request Form for each planned 21<sup>st</sup> CCLC field trip must be submitted to the program administrator at least 30 days prior to the anticipated trip date for NCDPI review and approval. All field trips must be pre-approved by NCDPI prior to any expenditure related to the trip.
- Any changes to approved field trip form the program administrator for review and approval no later than ten (10) days prior to the field trip.
- Subgrantees should always submit the current fiscal year's field trip request form. **Please do not submit field trip requests on an old form. The new form is here: [21<sup>st</sup> CCLC Field Trip Request Form](#)**

#### 4.1.3: Parent/Caregivers, Chaperones and Staff Field Trip Expenses

21<sup>st</sup> CCLC grant funds can be used to pay for field trip admission for parents/caregivers and 21<sup>st</sup> CCLC staff members acting as chaperones while attending NCDPI-approved field trips. Additionally, 21<sup>st</sup> CCLC funds can be used to pay for admission for parents/caregivers to attend educational field trips with their registered 21<sup>st</sup> CCLC student(s) if it is stated as a part of the subgrantee's annual family engagement initiative in the SBE-approved application or NCDPI-approved continuation application for the current grant year.

#### 4.1.4: Food on Field Trips

To provide food for day field trips during the grant year, 21<sup>st</sup> CCLC Programs should partner with the school's food /nutrition department and/or other funding sources (See [Section I](#)). If partnering with the school's food/nutrition department or other funding sources is not an option, 21<sup>st</sup> CCLC grant funds can be used to pay for a brown-bag student lunch that is reasonable and appropriate in cost and falls within [USDA nutritional guidelines](#).

21<sup>st</sup> CCLC Programs can use grant funds to purchase items to pre-make brown bag lunches to bring on field trips or to purchase food while on site. No more than \$5.00 per lunch per student can be charged against the 21<sup>st</sup> CCLC grant. Any expenses above the \$5.00 allowable threshold must be

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

charged against another non-21<sup>st</sup> CCLC funding source. All field trip food purchases should be detailed on your Field Trip Approval form prior to NCDPI approval.

Chaperone and Staff food costs cannot be covered by 21<sup>st</sup> CCLC funds.

All 21<sup>st</sup> CCLC Programs using grant funds to purchase brown-bag lunch supplies and/or on-site food should keep up-to-date records for future program and/or fiscal monitoring events. To ensure food costs are reasonable and necessary, 21<sup>st</sup> CCLC Programs may be asked to show documentation demonstrating the number of lunches purchased matched to daily student attendance on a given field trip day. Discrepancies between these two numbers may result in a program's inability to be fully reimbursed for food purchases.

## 4.J: Providing Healthy Snacks

### 4.J.1: Daily Program Snacks

Providing nutritious snacks in out-of-school programs promotes healthy eating behaviors and can be incorporated into an educational activity related to healthy life choices. However, the 21<sup>st</sup> CCLC grant is not designed to fund all anticipated program costs. All programs should pursue opportunities to access other funding sources to cover food costs/after school snacks such as:

- National School Lunch Program
- After School Snacks Summer Food Service Program
- [Child and Adult Care Food Program](#) (CACFP)
- Local Food Banks

Programs are required to document efforts to offset food costs including the date, person contacted and final resolution. If snacks cannot be provided by a food service program or the local food bank, programs should work to ensure the 21<sup>st</sup> CCLC program can purchase nutritional snacks that are reasonable and appropriate in cost (see below) and fall within [USDA nutritional guidelines](#).

21<sup>st</sup> CCLC Programs may use grant funds to purchase daily nutritional snacks based on the following guidelines:

- 21<sup>st</sup> CCLC Program operates for **4 hours or less per day**: (1) snack per day per student allowable.
- 21<sup>st</sup> CCLC Program operates for **more than 4 hours per day**: (2) snacks per day per student allowable.

All funds used to purchase daily snacks for 21<sup>st</sup> CCLC Programs will only be reimbursed up to \$1.16 per snack per student. Any costs over \$1.16/snack will need to be covered by another non-21<sup>st</sup> CCLC funding source. When submitting for reimbursement of daily snack purchases, 21<sup>st</sup> CCLC Programs will be required to send in their daily attendance documentation to demonstrate the costs are reasonable and fall within appropriate guidelines ([USDA](#)) .

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

Here is a sample snack menu for afterschool programs developed by School Nutrition Services at NCDPI:

Monday	Tuesday	Wednesday	Thursday	Friday
Whole Grain-rich Blueberry Muffin, 2 oz Apple Juice, ¾ cup	Hard Pretzels, .8 oz Skim Chocolate Milk, 1 cup	Carrot Sticks, 3/8 cup. Celery Sticks, 3/8 cup Low-fat Ranch Dip, 1 oz 1% Unflavored Milk, 1 cup	Low-fat Cheese Stick, 1 oz Whole Grain-rich crackers, .8 oz Water	Whole Apple, 125 oz 1 cup Skim Chocolate Milk, 1 cup
Bagel, 1 oz Low-fat cream cheese, 1 oz Orange Juice, ¾ cup	Low-fat yogurt, 4 oz Graham Crackers, 1 oz Water	Ready to Eat Cereal, 1 oz eq 1% Unflavored Milk, 1 cup	Whole Grain-rich Bread, 1 oz Peanut Butter, 2 Tbsp Water	Animal Crackers, 1 oz Grape Juice, ¾ cup

## NOTES

- The above menu is provided as a sample to be used by grantees to measure the appropriate cost to the line item for snacks. NCDPI will continue to work with all 21<sup>st</sup> CCLC grantees to accommodate the needs in their specific community related to snacks.
- Programs should maintain appropriate snacks to address students that have disclosed dietary restrictions and/or food allergies. Due to the health risk posed with either situation, the purchase of a reasonable number of snacks to address these criteria could be paid with 21<sup>st</sup> CCLC funds.

### 4.J.2: Providing Food for Family Engagement Events

Subgrantees can use 21<sup>st</sup> CCLC funds to purchase food for family engagement events. Subgrantees should uphold the following policies and procedures when purchasing food for family engagement events:

- Subgrantees should spend no more than \$5/attendee (including parents, siblings, etc.).
- Subgrantees will only be reimbursed the cost of food for the actual number of attendees, not the projected number of attendees.
- To demonstrate compliance, subgrantees should provide NCDPI sign-in sheets AND agendas for family engagement events to be reimbursed for food costs.

## SECTION 5: STAFFING

### 5.A: Recruitment, Hiring, and Retention

#### 5.A.1: Recruitment and Hiring

Subgrantees should ensure that all 21<sup>st</sup> CCLC staff roles have clearly written job descriptions. The 21<sup>st</sup> CCLC Program should also have formal written hiring policies and procedures to not only be shared with all 21<sup>st</sup> CCLC staff members, but also with NCDPI upon request. Subgrantees should

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

ensure all 21<sup>st</sup> CCLC employees are well informed about their job descriptions, performance expectations, and information regarding the evaluation of their job performance. When recruiting and hiring staff and volunteers, 21<sup>st</sup> CCLC management should make every attempt to match potential staff with 21<sup>st</sup> CCLC positions that align with their strengths. **All personnel must have a clear criminal background check and screening on file (see [Section 7. B](#)).**

#### 5.A.2: 21<sup>st</sup> CCLC Staff Retention

Once subgrantees have hired their 21<sup>st</sup> CCLC Program staff, subgrantees will be monitored by NCDPI to ensure they are taking the following measures to best support their staff members for high quality out-of-school program implementation:

- Providing time for regular staff meetings to discuss program impact, program improvement as well as individual student and large group needs
- Ensuring staff members have access to materials and resources that inform their work
- Providing staff continual formal and informal feedback on how to improve their practice
- Offering all 21<sup>st</sup> CCLC staff regular professional development opportunities throughout the academic year (see [Section 5. D](#) below)
- Providing time for the comparison of collected program impact data to approved subgrantee program goals with 21<sup>st</sup> CCLC staff, students, parents/guardians, and feeder school stakeholders.

#### 5.B: 21<sup>st</sup> CCLC Leadership Positions Program Director and Site Coordinator

##### 5.B.1: Required Leadership Position(s):

- *21<sup>st</sup> CCLC Program Director*
  - The Program Director acting on behalf of the subgrantee serves as the leader for the local 21<sup>st</sup> CCLC program office and all the program sites.
  - The 21<sup>st</sup> CCLC Program Director is responsible for the implementation of the approved program grant. The Program Director recruits and trains staff, maintains collaborative partnerships to build program sustainability, oversees data collection for program evaluation, ensures program policies and procedures are written and followed, and that the overall out of school program remains in compliance with NCDPI and federal 21<sup>st</sup> CCLC Grant Guidance.
  - The 21<sup>st</sup> CCLC Program Director serves as the primary point of contact between NCDPI and the subgrantee and as such, is responsible for ensuring that all relevant communication from NCDPI is provided to appropriate staff at the local level. Additionally, The 21<sup>st</sup> CCLC Program Director is the main point of contact for NCDPI 21<sup>st</sup> CCLC Program Monitoring events.
  - The 21<sup>st</sup> CCLC Program Director should be available during business hours to attend NCDPI required meetings, trainings, etc.
  
- *21<sup>st</sup> CCLC Fiscal Agent Chief Administrator*

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- The 21<sup>st</sup> CCLC Fiscal Agent Chief Administrator is responsible for:
  - Developing and maintaining the annual grant budget
  - Preparing and submitting required financial reports for the grant
  - Maintaining a balanced grant budget and submitting budget amendments as needed
  - Reviewing financial information and reports
  - Supervising day-to-day staff (bookkeeper, admin asst.)
- The 21<sup>st</sup> CCLC Fiscal Agent Chief Administrator works to oversee and manage the following processes:
  - Payroll and billing
  - Procurement and bid proposals
  - Audits and fiscal reviews
- The 21<sup>st</sup> CCLC Fiscal Agent should be available during business hours to attend NCDPI required meetings, trainings, etc.

*Please note the above lists are not all inclusive of responsibilities for 21<sup>st</sup> CCLC Fiscal Agent Chief Administrators or Program Directors.*

#### 5.B.2: Optional Leadership Position(s):

- *21<sup>st</sup> CCLC Site Coordinator(s)*
  - Although not required, Site Coordinators may be beneficial to support program oversight when subgrantees have multiple 21<sup>st</sup> CCLC program sites (also referred to as ‘centers’).
  - The Site Coordinator may be responsible for maintaining and organizing resources at a 21<sup>st</sup> CCLC site to ensure project activities are implemented consistently so that program goals are achieved.
  - When subgrantees have programs located at multiple sites, the Site Coordinator is critical for ensuring that accurate enrollment and attendance records are maintained for submission to NCDPI.

#### 5.C: Volunteers

Volunteers should be appropriately trained by the Program Director, Site Coordinator, and/or another appropriate staff to maximize the successful use of the volunteers. Once trained, volunteers should be partnered with staff to guide the implementation of the activity. **As with all personnel who interact with children, volunteers, including parent volunteers, must maintain clear criminal background checks (see Section 7.B.).**

#### 5.D: Staff Training/Professional Development

A well-trained staff is critical to the success of a 21<sup>st</sup> CCLC program. Initial and ongoing staff training increases the likelihood that all program goals will be met. All staff and volunteers are required to receive and sign an attestation of receipt of each organization’s 21<sup>st</sup> CCLC Staff Handbook that includes formal written policies and procedures for creating and maintaining a safe and high

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

quality out-of-school learning environment. All 21<sup>st</sup> CCLC Program staff, including volunteers, should receive appropriate training in the following areas at a minimum:

- Federal and State requirements for the 21<sup>st</sup> CCLC program
- Awareness and understanding of the approved 21<sup>st</sup> CCLC grant proposal's goals and strategies, program design, timelines, deliverables, and evaluation strategies
- 21<sup>st</sup> CCLC Program Safety procedures (see [Section 10](#))
- Fiscal procedures, as appropriate
- Subgrantee-specific 21<sup>st</sup> CCLC Program policies and procedures as outlined in the Staff Handbook. 21<sup>st</sup> CCLC Staff Handbooks should include at a minimum:
  - Behavior Management Policies and Procedures
  - 21<sup>st</sup> CCLC-specific safety policies and procedures (See [Section 7](#))
  - Data Collection Plans and Procedures
  - Communication policies and procedures with families and feeder school staff
  - Transition policies and procedures for student arrival, departure and during program time
  - Procedures for formal staff performance evaluations
  - 21DC Policies and Procedures

Evidence of staff training, including dated agendas with sign-in sheets and presentation materials (e.g., presentation slides, handouts, etc.), should be retained on file and provided during monitoring events for review by NCDPI staff.

Identifying the needed skills and knowledge of each staff member and providing ongoing feedback and resources, supports all staff working with school-age children in out-of-school programs. NCDPI suggests all 21<sup>st</sup> CCLC Programs survey staff members to gather professional development topics of interest at the beginning of the academic year and then use the collected feedback to develop an annual professional development calendar for 21<sup>st</sup> CCLC Program staff members. Annual 21<sup>st</sup> CCLC Program staff professional development calendars should include the following information at a minimum:

- Workshop date (month, day, year) and time
- Workshop topic and facilitator
- Required and optional attendees

Additionally, at the end of each professional development workshop, subgrantees are required to issue a feedback survey to all attendees to determine if the workshop was successful in implementation style and providing 21<sup>st</sup> CCLC staff with applicable knowledge.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## SECTION 6: COLLABORATIONS

The establishment of collaborative partners is critical to both the implementation and sustainability of the 21<sup>st</sup> CCLC program. Collaborative partners provide resources which may be defined as contributions of expertise, facilities, in-kind or other types of services. Identify the partnering organization contributing each resource. A collaborative partner provides routine, regular, and ongoing services to the program as outlined in a signed partnership agreement or Memorandum of Understanding (MOU).

### NOTE

Vendors are not considered to be collaborative partners. Vendors are paid contractors who provide specific, time-limited services.

### 6.A: Joint Partnerships between LEAs and Non-LEAs

Section 4204(i)(1)(B) of ESEA also requires that States must give competitive priority to applications that are submitted jointly between at least one LEA receiving funds under Title I, Part A and at least one public or private community organization. Joint applications are those where the LEA and participating organization(s) are applying together and share equal responsibility for the 21<sup>st</sup> CCLC program.

If an awarded subgrantee received priority points for a joint application submission, all required documents must be signed by the person with signatory authority for all participating organizations and uploaded to CCIP in the appropriate Related Documents section. Each joint 21<sup>st</sup> CCLC Program must have all the following documents signed by the LEA superintendent (or designee) and the community organization's chief executive officer:

- Basic Organization Information
- Statement of Assurances
- Debarment Certification
- Criminal Background Checks
- CCLC Data Integrity and Confidentiality Certification
- Memorandum of Understanding (MOU) detailing each partner's responsibility
- Organizational Chart (illustrating executive and key personnel of fiscal agent and partners)

All completed (i.e., signed and dated for current fiscal year) joint documents must be approved by a 21<sup>st</sup> CCLC Program Administrator and be made available to NCDPI for review upon request.

### 6.B: Collaboration with Feeder Schools

Feeder schools refer to the school's 21<sup>st</sup> CCLC students attend during the regular school day. As previously noted, subgrantees must provide an assurance that its program was developed and will be carried out in active collaboration with the schools the students attend. On an annual basis,

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

subgrantees must confirm the various feeder schools served by the 21<sup>st</sup> CCLC program as part of the continuation funding application. Documentation should be maintained by the 21<sup>st</sup> CCLC Program to demonstrate active communication with feeder schools throughout the grant cycle.

During annual 21<sup>st</sup> CCLC program monitoring events NCDPI may review the following information to determine a subgrantee's level of compliance and implementation of collaborative feeder school partnerships:

- Formal dated meeting notes and agendas between 21<sup>st</sup> CCLC Program Director and Feeder School Principals/District Administrators
- Formal dated meeting notes and agendas between 21<sup>st</sup> CCLC Program Director/Staff and Feeder School Teaching Staff
- Signed and dated impact data sharing agreements between 21<sup>st</sup> CCLC Program and Feeder School Site(s)/District(s)
- Written impact data collection and evaluation plan including regular meetings focused on sharing 21<sup>st</sup> CCLC Program impact goals and outcomes with feeder school stakeholders.

#### 6.B.1 LEA Collaboration Form – Required Document

Additionally, all non-LEA subgrantees must complete an LEA Collaboration Form for each designated Title I feeder school. All completed forms must be uploaded to CCIP for approval prior to the first installments of funding each year.

It is important to note the LEA Collaboration Form captures high level agreements between LEAs and the non-LEAs. The LEA Collaboration Form does not replace or override any MOUs, contracts, or other partnership agreements a non-LEA may have with an LEA. The LEA Collaboration Form does not prescribe *how* an LEA will collaborate with a non-LEA; Instead, the form documents an LEA's willingness to support the afterschool and summer programs in a way that is aligned with context of the LEA, the non-LEA and the community being served by the 21<sup>st</sup> CCLC Program. Lastly, the LEA Collaboration Form documents an LEA's willingness to engage in conversations with a non-LEA regarding sharing data to support the 21<sup>st</sup> CCLC program. The LEA Collaboration Form *does not* commit the LEA to sharing data with the non-LEA. Non-LEAs will need separate documentation to detail a data-sharing agreement with the LEA for the purposes of the 21<sup>st</sup> CCLC program.

If an LEA has refused to collaborate, did not respond to the non-LEA's requests for meeting or declined the offer to collaborate, the non-LEA organization must remove the LEA/feeder school from their proposed feeder school list. The non-LEA organization must then look to serve a new LEA/feeder school who is willing to collaborate or look to increase enrollment at their other feeder schools who are willing to collaborate. The non-LEA organization should file a programmatic amendment detailing these changes and submit the form via CCIP.

If a non-LEA organization cannot find a new feeder school and/or cannot increase enrollment at other sites, the non-LEA organization must file a programmatic amendment and adjust their overall enrollment numbers, noting the enrollment number cannot be less than 50 students. Upon review, this may lead to a reduction in funds due to serving less students than originally proposed in the SBE-approved application.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## 6.C: Private Schools

[Section 8501](#) of the ESEA, as amended by the ESSA, outlines the requirements for 21<sup>st</sup> CCLC programs and consultation with private schools.

1. During the development of the grant proposal, the applicant organization is required to contact private school officials in the proposed program's attendance zone (as determined by the proposed feeder schools in the application) to inform them of the opportunity for the private school students and their families to receive 21<sup>st</sup> CCLC services. Organizations must attest to consultation requirements as a component of applying for funds through the CCIP system.
2. If funds are awarded, subgrantees must consult with private school officials and upload one Private Schools Consultation Form for each private school in the Related Documents section of CCIP.
3. During the continuation grant years, subgrantees must contact those private schools each year to ensure that private school children and their families have an equitable opportunity to participate in the 21<sup>st</sup> CCLC program.

The consultation required must occur before the agency, consortium, or entity makes any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in 21<sup>st</sup> CCLC programs. Ongoing consultation with private school officials must continue throughout the implementation and assessment of 21<sup>st</sup> CCLC activities.

Efforts to contact the private schools are monitored by NCDPI as part of the Modified Comprehensive Program Monitoring Review (M-CPMR) and Comprehensive Program Monitoring Review (CPMR) Processes.

For more information regarding the consultation requirements with private schools, see [Section 8501](#) of the ESEA, as amended by the ESSA. For a list of private schools in the feeder schools attended by students, refer to the [NC Directory of Private Schools](#).

## 6.D: Parent and Family Engagement

Successful 21<sup>st</sup> CCLC programs foster parent/caregiver engagement, promote school and family collaborations, and encourage effective family engagement in consideration of several key factors.

1. **Involve families in program planning:** Programs designed to include families and children in the planning of the 21<sup>st</sup> CCLC program draw greater support from participants and their families and from the community at large.
2. **Attend to the schedules of working parents:** Family engagement should be designed to accommodate to the daily schedules of working parents/guardians.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

3. **Identify family needs:** Adult and family services may vary from site to site, but based upon the identified needs and the approved grant, 21<sup>st</sup> CCLC parent/family educational opportunities may include:
- English Learner (EL) training
  - Literacy training in English and mathematics
  - GED preparation classes
  - High school completion classes
  - Parenting education classes
  - Computer training programs

Documentation should be maintained by the 21<sup>st</sup> CCLC Program to demonstrate active communication with families throughout the grant cycle. During annual 21<sup>st</sup> CCLC program monitoring events NCDPI may review the following information to determine a subgrantee's level of compliance and implementation of parent/guardian engagement and communication requirements:

- 21<sup>st</sup> CCLC Program Parent/Student Handbook
  - 21<sup>st</sup> CCLC Program Parent/Student Handbooks should include at a minimum:
    - Program Goals/Outcomes
    - Daily/Weekly Program Schedules
    - Attendance Policies
    - Arrival/Departure Procedures
    - Bus/Transit Procedures
    - Behavior Management Policies and Procedures
    - Homework/Academic Support Procedures
    - Emergency Policies and Procedures
    - Internet Use and Consent Agreements
    - Family Engagement Requirements
    - Consent for data sharing/communication with feeder school, photo releases (including social media), including space for parents/guardians to initial/sign
    - Signature Page for parents/guardians to agree to uphold policies and procedures for duration of student(s) participation in 21<sup>st</sup> CCLC Program
- Family Engagement Interest Survey templates and completed samples for current grant year
- Dated family engagement workshop and event sign-in sheets with handwritten or electronic signatures and supporting workshop agendas/materials for the current grant year
- Family Engagement Workshop Feedback Survey templates and completed samples for current grant year

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

- Written annual family communication plan including dates and times for orientations, regular family workshops/events, as well as meetings focused on sharing 21<sup>st</sup> CCLC Program impact goals and outcomes
- Written annual family communication plans for engaging and supporting non-native English speaking families in 21<sup>st</sup> CCLC programming

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## SECTION 7: SAFETY POLICIES AND PROCEDURES

### 7.A: Written Policies and Procedures

In addition to the required written fiscal policies, written policies and procedures must be developed for the safe and effective operations of the 21<sup>st</sup> CCLC program. Subgrantees who are also Local Education Agencies (LEAs) may need to expand existing policies to ensure safe and effective learning occurs at out-of-school program sites and during out-of-school time hours. Non-LEA subgrantees may need to access LEA policies to ensure applicable state and federal laws are contained within written policies and procedures. At a minimum, 21<sup>st</sup> CCLC written emergency preparedness policies and procedures should address:

- Procedures for maintaining participant emergency contact information
- Criminal background checks
- Disciplinary policies for violence and bullying
- Emergency preparedness plans that include:
  - Fire safety (including evacuation route maps from all 21<sup>st</sup> CCLC classrooms and schedules for 21<sup>st</sup> CCLC-specific fire drills)
  - Adverse weather (including schedules for 21<sup>st</sup> CCLC-specific fire drills)
  - Lockdowns, lockouts, and safe family reunification
- Internet usage

Written emergency policies and procedures should also be provided to parents, guardians, and community members in an easily understood format and to the extent possible, written in the language spoken in the home. All written policies and procedures should be maintained on file and available to NCDPI upon request.

All 21<sup>st</sup> CCLC staff, volunteers and students should be trained on site-specific 21<sup>st</sup> CCLC emergency policies and procedures and evidence of training such as agendas, meeting minutes, and sign in sheets must be retained. In addition, Program Directors are encouraged to develop written agreements and require that staff, volunteers, parents/caregivers, and students sign acknowledging they have received and read each of the policies. Signed agreements should be maintained on file and available for review during annual program monitoring events. NCDPI may immediately suspend a subgrantee's funds if NCDPI determines that a threat exists to the health or safety of students, including a lack of staff training.

Additional details for developing required emergency preparedness policies and procedures for the 21<sup>st</sup> CCLC program can be found below.

### 7.B: Criminal Background Check Policies and Procedures

Organizations awarded the 21<sup>st</sup> CCLC Grant must certify that all employees, direct-service contractors, and volunteers who work with the program have approved criminal background

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

checks on file prior to their work with the program. In accordance with State 21st CCLC guidelines, the organization's procedure regarding criminal background checks must meet the following requirements:

1. Must comply with the criminal background check policy and personnel procedures of the program feeder schools' district(s) [district is also referred to as the Local Education Agency (LEA)], or that of the subgrantee's governing board.
2. In the absence of an LEA or subgrantee's governing board policy, the subgrantee must obtain background checks that meet the following criteria at a minimum:
  - Criminal background checks are run against national and state criminal databases and must include the [North Carolina Sex Offender Database](#) and the [National Sex Offender Database](#).
  - Criminal record checks must be completed and cleared for all new or existing employees, volunteers, or contractors prior to their interaction with children or handling of 21<sup>st</sup> CCLC funds. All criminal background checks from program employees are considered expired by NCDPI at the end of a subgrantee's 3-year 21<sup>st</sup> CCLC grant cycle.
  - Statewide criminal background checks must include all states in which the employee or volunteer lives or has lived for the previous five (5) years.
  - All criminal background checks must be obtained directly and kept on file by the subgrantee; background checks obtained/submitted by employees are not acceptable. The subgrantee maintains responsibility to ensure that the background check data is accurate and current.
  - All criminal background checks must include the following:
    - Date criminal history check was obtained;
    - Name of agency that completed criminal history check;
    - Name or identity code of the person who ran the background check; and
    - Results of the criminal history check (i.e., "no record," "record attached," etc.).
3. Individuals convicted of a felony (of any kind) or any offense involving sexual or physical abuse/neglect against a child are strictly prohibited from working with the 21<sup>st</sup> CCLC Program in any capacity.
4. If an employee or volunteer is arrested, charged, or convicted of a crime as indicated above during the course of contracted services with the 21<sup>st</sup> CCLC Program, that individual is required to notify the subgrantee within 24 hours (or within 72 hours if arrested), and the organization must run a new criminal background check. If arrested, charged, or convicted of a crime involving physical abuse/neglect against a child the individual must automatically be disqualified from employment.

Up-to-date criminal background documentation for all 21<sup>st</sup> CCLC employees and volunteers must be maintained by the 21<sup>st</sup> CCLC Program Director throughout the grant cycle. During annual 21<sup>st</sup> CCLC program monitoring events criminal background check reports, policies and procedures should be made available to NCDPI upon request.

## 7.C: Violence and Bullying Policies

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

Workplace violence includes, but is not limited to, intimidation, threats, physical attacks, or property damage. Intimidation includes, but is not limited to, stalking, or engaging in actions intended to frighten, coerce, or induce duress. Threat is the expression of intent to cause physical or mental harm. Physical attack is unwanted or hostile physical contact such as hitting, fighting, pushing, shoving, or throwing objects. Property damage includes any intentional damage to property, including property owned by the State, employees, visitors, or vendors. Written policies must address specific expectations for staff, volunteers, and visitors to the program as it relates to prohibition and response to violence in the workplace.

In 2012, amendments and additions were made to the School Violence Prevention Act, and it was renamed the North Carolina School Violence Prevention Act of 2012. In addition to bullying, these amendments added a focus on computer related crimes and cyberbullying in order to address their impact on student success and school climate. Subgrantees are encouraged to review the [School Violence Prevention Act](#) and ensure the local 21<sup>st</sup> CCLC standards and procedures reflect the expected guidelines of the statute for a safe and effective learning environment.

## 7.E: Fire Safety Policies and Procedures

Program Directors should contact local fire marshals to ensure the facility being considered for a 21<sup>st</sup> CCLC site complies with state and local fire codes for facilities where children gather.

Programs should develop a written fire prevention and evacuation plan and have up to date fire inspection reports for all sites in accordance with state and county guidelines for facilities where children gather (NC [GSS§115C-525](#)). At a minimum, the written plan should include policies and procedures in the event of a fire, a schedule for planned evacuation drills, and guidelines for staff on how to respond during and after a fire emergency including but not limited to: how to operate a fire extinguisher, safe egress procedures for all students and adults on site, activating the fire alarm or phoning 911 and follow-up reports after a fire.

Fire exits should be clearly indicated and allow for safe egress. Fire extinguishers should be routinely tested as per state fire codes for buildings where children gather. At a minimum, a fire extinguisher should be easily accessible for each area occupied by children and flashlights should be available to all staff in case of a power outage.

Directors may consider notifying local fire stations that an out-of-school program is in operation within their jurisdiction and consider inviting local fire department personnel to speak with the students about fire safety and emergency preparedness.

## 7.F: Adverse Weather Policy

Policies and procedures should address actions in the event of adverse weather such as a severe thunderstorm, excessive heat warnings, hurricane, tornado, or snowstorm. The Program Director should routinely review local weather reports to determine if student and staff safety are at risk. In

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

the event the school district closes, the 21<sup>st</sup> CCLC program should close as well. Subgrantees may offer make-up days that either will coincide with the school's make up day or a day that programs do not usually operate.

### 7.G: Internet Usage Policy

If using the Internet, the 21<sup>st</sup> CCLC program should develop policies and procedures prohibiting access to or transmission of any material in violation of any U.S. or State regulation or school board policy, including, but not limited to, copyrighted, threatening, or obscene material. In compliance with Title XIII, the Children's Internet Protection Act, 21<sup>st</sup> CCLC program officials should obtain parent/caregiver consent for email and/or Internet communication usage by any students under the age of 13. For more information visit the feeder school district's policy on Internet use and access the [Children's Internet Protection Act Guide](#).

### 7.H: Procedures for Emergency Drills

Policies and procedures related to emergency drills (not related to weather) should be in place for each grantee and be site specific to address the following: lockdowns, lockout, and reuniting students with parents/caregivers in a designated and safe location.

If the 21<sup>st</sup> CCLC program operates on the campus of a local public school, the regular school day emergency policies and procedures are not sufficient in demonstrating compliance for practicing emergency drills. Emergency procedures should be specific to the spaces and personnel overseeing the afterschool program, and practice drills should be practiced during the afterschool hours of operation.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## SECTION 8: REPORTING REQUIREMENTS

### 8.A: System for Award Management

All subgrantees are required to register and annually update the account with the federal [System for Award Management](#) (SAM) electronic database. The fiscal agency that applied for and was awarded the grant is the entity that is required to register in SAM.

On April 4, 2022, the U.S. Department of Education joined other Federal agencies and transitioned to utilizing new Unique Entity Identifiers (UEIs) for grant recipient and applicant organizations, rather than the previously utilized D-U-N-S numbers. The UEI is administered through SAM.gov (System for Award Management).

If your organization is currently registered in SAM.gov with either an active or inactive registration, you have already been assigned a UEI. Your UEI is viewable on your entity's registration record in SAM.gov. To learn how to view your UEI, see this guide: [How can I view my unique entity identifier \(UEI\)?](#)

For detailed information about this change, please refer to the Fact Sheet found here: [UEI Transition Fact Sheet](#).

To demonstrate compliance, all non-LEA subgrantees must submit an active SAM confirmation registration status to NCDPI in the initial and continuation applications.

### 8.B: State Reporting

North Carolina General Statute (G.S. 143C-6-23) requires every nongovernmental entity that receives State or Federal pass-through grant funds directly from a state agency to file annual reports on how those grant funds were used. There are three (3) reporting levels which are determined by the total direct grant receipts from all State agencies in your fiscal year. A subgrantee's reporting threshold may change from year to year. A subgrantee's reporting date is determined by its fiscal year end and the total funding received directly from all State agencies. [Grantee Forms for Reporting on State or Federal Pass-through Grants](#) may be downloaded from the website for completion. Submit all reports to [NCGrants@NCDPI.nc.gov](mailto:NCGrants@NCDPI.nc.gov).

#### 8.B.1: Reporting Thresholds\*

Total Funds from All State Agencies	Reports Due Submit all reports to <a href="mailto:NCGrants@NCDPI.nc.gov">NCGrants@NCDPI.nc.gov</a>	Reports Due Date
Level 1 \$1 - \$24,999	<ul style="list-style-type: none"> <li>• Certification</li> <li>• Schedule of Receipts and Expenditures</li> </ul>	Within 3 months of entity's fiscal year end

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

Level 2 \$25,000 - \$749,999	<ul style="list-style-type: none"> <li>Certification</li> <li>Schedule of Receipts and Expenditures</li> <li>Program Activities and Accomplishments</li> </ul>	Within 3 months of entity's fiscal year end
Level 3 \$500,000 or more	<ul style="list-style-type: none"> <li>Certification</li> <li>Audit [Single Audit if &gt;= \$500,000 in federal funds or Yellow Book Audit]</li> <li>Program Activities and Accomplishments</li> </ul>	Within 9 months of entity's fiscal year end

*\*Reporting thresholds pursuant to [G.S. 143C-6-23](#). The information in the table is based on the NC Office of State Budget and Management's manual, Reporting Policies and Guidelines, section 8.6.2.*

*\*Reporting thresholds of \$500k or greater in grant funds received by any entity in North Carolina will constitute a single audit to be conducted.*

### NOTE

Failure to comply with reporting requirements will place the Subgrantee's 21<sup>st</sup> CCLC grant funds in suspension.

## 8.C: Program Attendance

Studies have shown the more a child participates in afterschool programs, the more likely they are to show academic and social gains. To allow youth to take advantage of all that 21st CCLC programs offer, there should be steady attendance and access to programs over a significant period of time. Subgrantees are expected to develop and communicate policies to families that emphasize the importance of regular daily attendance in the 21st CCLC program. NCDPI will closely monitor both student enrollment and average daily attendance (ADA) to ensure programs are serving the number of anticipated students from the original SBE-approved grant application, and to offer support and strategies to improve consistent attendance. Attendance reporting must be completed through the Attendance Module of the NCDPI data collection system, 21DC. Subgrantees should maintain up-to-date enrollment and attendance records in 21DC for each student participating in the 21st CCLC program regardless of the number of hours of participation. PowerSchool rosters for the feeder schools are made available from which to select participating students and are kept current throughout the school year. Below are some definitions used for the data collected in the 21DC system:

- Student enrollment:** The term student enrollment represents the number of students who have registered and attended at least one hour of 21st CCLC programming. Once a student is initially counted in the enrollment figure, they remain in that count throughout the school year even if they cease to attend the 21st CCLC program.
- Regular Attendees:** Students who attend the 21st CCLC program at least 45 hours (or more) during the academic year.
- Average Daily Attendance (ADA):** Student attendance is the presence of a student on days when the 21st CCLC program is in session. Average Daily Attendance (ADA) is calculated by summing the total number of days of attendance for all students and dividing that sum by

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

the total number of program days in the period. NCDPI defines low ADA as less than 70% of a program's enrollment number attending on a daily basis.

In addition to collecting data to meet federal reporting requirements, the attendance data in 21DC is used by NCDPI to determine if progress is made toward enrollment goals in order to release the second and third installment of funds. To be counted towards funding installment enrollment goals, enrolled students must meet the NCDPI-determined thresholds for 'regular attendees' ([See Section 1.G.2](#)). Attendance data for 21<sup>st</sup> CCLC funding installments will be collected through the Related Documents section of the Comprehensive Continuous Improvement Plan (CCIP) which will be reviewed for approval by NCDPI.

When program enrollment is reviewed, Program Administrators will also analyze the program's ADA. Program Administrators will notify subgrantees whose ADA is below 70% of their targeted enrollment goal. The purpose of this notification is to provide an early warning as well as support and strategies to improve attendance. After conducting the second installment attendance analysis, if a subgrantee has an ADA below 70% of their current enrollment number, the subgrantee will be provided technical assistance to create an action plan detailing how they will increase ADA.

Following the third installment attendance analysis, if a subgrantee has an ADA that is less than 70% of its current enrollment number, then the subgrantee's grant award may be at risk of being reduced or terminated for the following fiscal year (see [Section 1.H.2S](#)).

Late submissions of installment forms/21DC data, use of waivers, or failure to meet enrollment goals will be used to inform the subgrantee's risk level during NCDPI's 21<sup>st</sup> CCLC annual risk assessment for future monitoring events.

## 8.D: Annual Fiscal Audits

All LEA and charter school subgrantees are required to submit an audit each year of their financial statements, not later than October 31<sup>st</sup>, to the Local Government Commission (LGC) of the Department of State Treasurer. The 21<sup>st</sup> CCLC program, as with all state and federal grants, is subject to audit testing within the scope of the required audit as determined by the auditor. The audit shall be conducted by a Certified Public Accountant (CPA) that has been approved and certified by the LGC as qualified to audit local government accounts. The audits must be performed in accordance with Generally Accepted Auditing Standards (GAAS) and the financial statements must be prepared in conformity with Generally Accepted Accounting Principles (GAAP).

Uniform Guidance requires organizations to have an independent audit conducted by an independent CPA when the annual fiscal year total of all federal funds reaches \$750,000. Audit reports must be remitted to the Federal Audit Clearinghouse within 9 months of the organization's fiscal year end.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

North Carolina General Statute NC Administrative Code 09 NCAC 03M requires a single audit for non-state entities receiving over \$500k in accumulated federal or state dollars through NC State agencies. See additional requirements in the State Reporting Requirements section.

**NOTE**

Failure to comply with all reporting requirements will place the subgrantee's 21<sup>st</sup> CCLC grant funds in suspension.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## SECTION 9: PROGRAM EVALUATION

Program evaluation is not only a component of the federal Principles of Effectiveness, but process and outcome data collection and analysis can inform, refine, or reinforce key components of the 21<sup>st</sup> CCLC program. Process evaluations and progress monitoring can provide evidence to make programmatic changes while outcome evaluations can inform overall program goals.

### 9.A: Self-Assessment Tool

In 2017, NCDPI, in partnership with SERVE Center at the University of North Carolina at Greensboro, and the NC Center for Afterschool Programs (NCCAP), revised a self-assessment tool as a starting point to develop a more streamlined and accessible approach for 21<sup>st</sup> CCLC subgrantees to use in internal reviews of their program quality. The self-assessment tool is intended to facilitate the work of 21<sup>st</sup> CCLC Program Directors in their organizational reviews and planning around the continuous improvement of program quality in all areas of out-of-school programming. The program self-assessment format is designed to engage program leaders in thoughtful discussions with stakeholders, including internal staff, about how to identify areas of strength and improve other areas that may need attention. It includes questions under eight broad-based quality standards, reflecting features of a high quality out-of-school program. The instrument is not meant to be used for external judging of a program as “good” or “bad” but rather, is intended for program leaders’ use in identifying programmatic practices and processes that could be improved.

### 9.B: Data Reporting in the 21DC system

The key purposes of data collection are: (1) to complete federal reporting requirements; (2) to demonstrate that substantial progress has been made towards meeting the objectives of the 21<sup>st</sup> CCLC program as outlined in the grant application, including enrollment data; and (3) to provide information for local, state, and federal program evaluations. Subgrantees are required to collect 21<sup>st</sup> CCLC data and report it annually to NCDPI via the 21DC system. NCDPI collects data through 21DC to complete annual federal reporting requirements via the federal 21APR system. For more information on the 21DC system, click [HERE](#).

NCDPI suggests all 21<sup>st</sup> CCLC subgrantees update attendance information in 21DC at least one time per week. Late submission of attendance data in the 21DC system will be used to inform the subgrantee’s risk level during NCDPI’s 21<sup>st</sup> CCLC annual risk assessment for future monitoring events.

### 9.C: Annual Program Evaluation Report

In addition to meeting federal evaluation requirements, subgrantees must submit an Annual Program Evaluation Report (APER) and upload the document into the Related Documents section of CCIP. The APER must be uploaded and approved in CCIP prior to finalizing grant close out procedures for the current year of funding. Late submission of the APER will be used to inform the

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

subgrantee's risk level during NCDPI's 21<sup>st</sup> CCLC annual risk assessment for future monitoring events.

## 9.D: External Evaluators

Although not required, external evaluators may be used to conduct an independent assessment of the 21<sup>st</sup> CCLC program. If an external evaluator has agreed to serve as the evaluator for the program, the amount to be paid to the evaluator from grant funds cannot exceed 15% of the grant award amount. If the amount to be paid exceeds 15% of the grant award, the outstanding balance must come from other resources. In addition, all applicable federal, state, and local procurement procedures, including conflict of interest rules, must be followed when selecting an external contracted evaluator.

## 9.E: Comprehensive Program Sustainability Plan

Subgrantees should develop and annually update a Comprehensive Program Sustainability Plan. 21<sup>st</sup> CCLC sustainability plans have two key components: a data collection and evaluation plan and a funding sustainability plan.

### 9.E.1: Data Collection and Evaluation Plan

In support of the sustainability plan, 21<sup>st</sup> CCLC subgrantees should maintain accurate records and track student impact data annually to demonstrate success. Student impact data collected annually by each program should demonstrate students' academic and personal growth resulting from participation in the 21<sup>st</sup> CCLC funded program. At a minimum, annual 21<sup>st</sup> CCLC Program Data Collection and Evaluation Plans should include:

- the type(s) of impact data collected annually (e.g., assessments, report cards, survey results, etc.)
- time periods for collection of each identified impact data type
- the associated SBE-approved program goal the data supports
- the responsible 21<sup>st</sup> CCLC staff members assigned to collect each impact data type
- a brief description of how the impact data will be analyzed and shared with 21<sup>st</sup> CCLC staff, students, and stakeholders.

### 9.E.2: Funding Sustainability Plan

Data that substantiates students' academic and personal growth resulting from the 21<sup>st</sup> CCLC funded program can illustrate to community members, parents/caregivers, and potential funders the importance of continuing the work beyond the 21<sup>st</sup> CCLC funding cycles. Throughout the various program year cycles, subgrantees should use their annual data collection plans and program evaluation reports as evidence of success to engage potential donors and apply for additional grant funds to support long-term program operation beyond the funded 21<sup>st</sup> CCLC grant cycle.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

As a grant requirement, all NCDPI 21<sup>st</sup> CCLC Programs should develop a documented, time-bound action plan for multi-year program funding sustainability. At a minimum, the 21<sup>st</sup> CCLC Program Funding Sustainability Plan should include:

- An up-to-date list of potential grants/donors with associated funding amounts and potential funding restrictions
- Timelines for potential acquisition of funds
- The 21<sup>st</sup> CCLC staff responsible for building relationships and applying for grants
- A brief description of how the funds will work to enhance/supplement the 21<sup>st</sup> CCLC Program, and not supplant the current funding

During annual 21<sup>st</sup> CCLC program monitoring events a subgrantee's current Comprehensive Program Sustainability Plan should be made available to NCDPI upon request.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## SECTION 10: SUBGRANTEE MONITORING

NCDPI is required to monitor the quality and effectiveness of the programs operating with funds provided through 21<sup>st</sup> CCLC grants ([2 CFR § 200.331](#)). Monitoring reviews are conducted to ensure compliance with federal and state requirements and verify compliance with items included within the approved application such as assurances and budgets. Monitoring not only serves to ensure compliance, but also provides a means to identify areas that require additional support and technical assistance. The Office of Federal Programs at NCDPI engages in four types of monitoring of federal programs which may be conducted as announced or unannounced.

A risk assessment determines how programs will be monitored throughout the 3-year grant cycle. The risk assessment includes a consideration for factors including, but not limited to, novice subgrantee status, findings from previous fiscal and program monitoring events, timely submission of 21DC and CCIP data, timely submission of expenditure documentation, repayments or ERaCA disablements, and length of time since last monitoring event. Late submission of data and missed deadlines will be used to inform the subgrantee's risk level during the annual risk assessment process for future monitoring events. For programmatic monitoring, if a subgrantee has been rated as low risk during Year 1 and 2 of the grant cycle, the subgrantee will receive a CPMR monitoring during Year 3 of the grant regardless of risk level.

Although programs may deliver high quality 21<sup>st</sup> CCLC programming in compliance with both program and fiscal requirements, NCDPI will not be able to verify compliance without accurate documentation and records retention. Subgrantees are encouraged to organize, label, file, and retain records of all meetings, trainings, and communications to verify compliance. Records may be paper or electronic and stored in either paper or electronic format but should be easily accessible during the review process.

### 10.A: Program Monitoring Events

#### 10.A.1: Comprehensive Program Monitoring Reviews (CPMRs)

CPMRs are conducted on-site at the organization location where program documentation is maintained with visits to individual centers (sites) as appropriate. The review process utilizes an instrument with four (4) compliance strands:

1. Program Management
2. Program Implementation
3. Family and Community Engagement
4. Federal/State/Local Statute

During the visit, Program Administrators will review documentation, conduct interviews, and provide technical assistance when applicable. Following the review, a report is completed based on the following CPMR Rating Rubric:

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

Meets Requirements	Meets Requirements with Recommendations	Findings	Not Reviewed
<p>Compliance indicator is 100% met and supported by all required evidence(s).</p> <p>All required documents are provided and support compliance.</p> <p>Interviews support documentation, processes, and implementation.</p> <p>Compliance is consistent at program level and sites sampled.</p>	<p>Basic compliance requirements are met; recommendations are provided for improvement.</p>	<p>Evidence or lack of evidence show compliance indicator has not been met.</p> <p>Incomplete or lack of required documentation.</p> <p>Interviews lack understanding or support of documentation, processes, and implementation.</p> <p>Compliance is inconsistent at program level and sites sampled.</p>	<p>Accountability standard was not reviewed during a modified CPMR.</p>

The CPMR report will be provided to the program director for the organization. The organization must respond in writing to each item marked as Finding within thirty (30) business days of receipt of the report. The organization’s response must demonstrate the required action has already been addressed by including supporting documentation with the response. If the organization’s initial response to findings is not sufficient to demonstrate compliance, follow-up documentation and responses must be sent to NCDPI within (10) business days until the finding is resolved.

### 10.A.2: Modified Comprehensive Program Monitoring Report (M-CPMR)

M-CPMRs are conducted on-site at the organization location where program documentation is maintained with visits to individual centers (sites) as appropriate. The review process utilizes the risk assessment tool, prior subgrantee observation, and other available data to determine which of the following four (4) compliance strands will be included in the M-CPMR:

1. Program Management
2. Program Implementation
3. Family and Community Engagement
4. Federal/State/Local Statute

M-CPMRs typically include review of 1-2 compliance strands. During the visit, Program Administrators will review documentation, conduct interviews, and provide technical assistance when applicable. Following the review, a report is completed based on the following M-CPMR Rating Rubric:

Meets Requirements	Meets Requirements with Recommendations	Findings	Not Reviewed
<p>Compliance indicator is 100% met and supported by all required evidence(s).</p> <p>All required documents are provided and support compliance.</p> <p>Interviews support documentation, processes, and implementation.</p> <p>Compliance is consistent at program level and sites sampled.</p>	<p>Basic compliance requirements are met; recommendations are provided for improvement.</p>	<p>Evidence or lack of evidence show compliance indicator has not been met.</p> <p>Incomplete or lack of required documentation.</p> <p>Interviews lack understanding or support of documentation, processes, and implementation.</p> <p>Compliance is inconsistent at program level and sites sampled.</p>	<p>Accountability standard was not reviewed during a modified CPMR.</p>

The M-CPMR report will be provided to the program director for the organization. The organization must respond in writing to each item marked as Finding within thirty (30) business days of receipt of the report. The organization’s response must demonstrate the required action has already been

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

addressed by including supporting documentation with the response. If the organization’s initial response to findings is not sufficient to demonstrate compliance, follow-up documentation and responses must be sent to NCDPI within (10) business days until the finding is resolved [CFR §200.208](#).

### 10.A.3: Technical Assistance Visits

Technical Assistance Visits are less-formal visits allowing for conversations about strategies to improve program quality in any of the four compliance strands associated with the CPMR protocol. Technical Assistance Visits are conducted based on prior observation, available desk review data, the current fiscal year’s programmatic risk assessment results and/or subgrantee requests for specific support.

Concerns found during the Technical Assistance Visit will be used to inform the subgrantee’s risk level during NCDPI’s 21<sup>st</sup> CCLC annual programmatic risk assessment and may result in findings.

## 10.B: Fiscal Monitoring Events

### 10.B.1: Fiscal Monitoring Reviews (FMRs)

FMRs are conducted on-site at the organization location where fiscal records are maintained. The review process utilizes an instrument with nine (9) compliance strands:

1. Fiscal Management System
2. Written Fiscal Policies and Procedures
3. Subcontractors and Procurement Standards
4. Compensation
5. Budget
6. Inventory and Equipment Management
7. Expenditure Testing

During the on-site review, Fiscal Monitors will review documentation, conduct interviews, and provide technical assistance when applicable. Following the review, a report is completed based on the following FMR Rating Rubric:

Meets Requirements	Meets Requirements with Recommendation(s)	Finding(s)	NA - Not Applicable
Compliance indicator is 100% met and supported by all required evidence(s).	Basic compliance requirements are met; recommendations are provided for improvement.	Evidence or lack of evidence show compliance indicator has not been met.	Accountability standard is not applicable.

The FMR report will be provided to the fiscal agent for the organization. The organization must respond in writing to each item marked as Finding(s) within ten (10) business days of receipt of the report. The organization’s response must 1) demonstrate the required action has already been

<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

addressed by including supporting documentation with the response, or 2) describe a specific action plan for completing the required action with a detailed timeline and persons responsible. Beginning with the 2020-2021 grant year, if questioned costs are identified within the “sample” drawdowns being reconciled by the fiscal monitor (during a fiscal site visit and/or fiscal desk review), NCDPI staff may review all BAAS and/or ERaCA submissions for the grant year in question to determine if there are additional questioned cost to be returned to NCDPI.

#### **NOTE**

All fiscal monitoring reviews with questioned costs greater than \$500.00 will result in the program’s ERaCA account being disabled until all questioned costs are reconciled.

#### 10.B.2: Fiscal Desk Reviews (FDRs)

The purpose of the FDR is to reconcile the subgrantee’s incurred expenses to ensure they are allowable and properly documented in those areas referenced above and charged to the corresponding Chart of Account code in the subgrantee’s initial approved budget.

During the FDR process, the 21<sup>st</sup> CCLC fiscal monitoring team will review backup documentation (i.e., receipts, invoices, bank/credit card statements, payroll records, timesheets, etc.) to support one-two drawdowns from the ERaCA and/or BAAS system of reimbursement.

Subgrantees are required to upload Written Fiscal Policies and Procedures in CCIP. The document will be reviewed, and feedback will be provided.

All additional follow-up related to the FDR will be through the Fiscal Team at NCDPI. Upon completion of the FDR, the fiscal monitor assigned to your grant will send a follow up email detailing the results of the review and providing next steps to close out the FDR process.

#### 10.B.3: Technical Assistance Visits

Technical Assistance Visits are less-formal visits allowing for conversations about strategies to improve fiscal compliance in any of the indicators associated with Fiscal Monitoring. Technical Assistance Visits are conducted based on prior observation, available desk review data, the current fiscal year’s fiscal risk assessment results and/or subgrantee requests for specific support.

Concerns found during the Technical Assistance Visit will be used to inform the subgrantee’s risk level during NCDPI’s 21<sup>st</sup> CCLC annual fiscal risk assessment and may result in findings.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## SECTION 11: TERMINATION OF GRANTS

When there are issues that prohibit the subgrantee from administering the 21<sup>st</sup> CCLC program within requirements, subgrantees will first be provided with technical assistance to correct areas of non-compliance. 21<sup>st</sup> CCLC Program Administrators are available to assist with identifying how the subgrantee may be able to make fiscal and/or programmatic improvements. If technical assistance efforts do not result in full compliance, the NCDPI may terminate the 21<sup>st</sup> CCLC grant.

If a subgrantee does not agree with the termination, they must follow the appeals process in Section 12.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

## SECTION 12: APPEALS PROCESS

In accordance with federal rules, NCDPI provides applicants or recipients with the opportunity for a hearing to appeal NCDPI's final action under an applicable federal program. See 34 C.F.R. § 76.401(a), 34 C.F.R. § 76.783 and 20 U.S.C. 1231b-2. Specifically, the applicant or recipient must allege that NCDPI violated State or Federal law, rules, regulations, or guidelines in:

- 1) disapproving or failing to approve its application or program in whole or part,
- 2) failing to provide funds in amounts in accord with the requirements of laws and regulations,
- 3) ordering, in accordance with a final State audit resolution determination, the repayment of misspent or misapplied Federal funds, or
- 4) terminating further assistance for an approved program.

No other grounds for appeal will be accepted or considered.

To request a hearing, the appellant must file a full and complete written appeal, including the issue(s) in dispute, the legal authority or other basis for the appeal position, and the remedy sought within 30 days of the NCDPI's action (e.g., notification of any action under 1 through 4 above). The request must have the original signature of the authorized agent who signed the application, if available. If that individual is not available, the request must have the original signature of another individual who is authorized to sign official documents.

An original and two copies of the request for a hearing must be submitted by one of the following methods:

1. Certified mailed with a return receipt required (within 30 days based on the postmark) to:

**Mailing Address:**

Alex Charles, Senior Director  
Office of Federal Programs  
North Carolina Department of Public Instruction  
Mail Service Center 6307  
Raleigh, NC 27699

2. Hand-delivered to:

**Physical Address:**

Alex Charles, Senior Director  
Office of Federal Programs  
North Carolina Department of Public Instruction  
Mail Service Center 6307  
Raleigh, NC 27699

Within 30 days of receiving the hearing request, NCDPI will hold a hearing on the record to review its action. Pursuant to *in re Appeal of Clovis Unified School District*,<sup>1</sup> the applicant or recipient will receive notice of the hearing and have the opportunity to participate and be represented by counsel.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

The hearing will be conducted by an impartial hearing officer. During the hearing, the parties will have the opportunity to present and challenge evidence in an orderly fashion before an impartial decision maker. No later than 10 days after the hearing, the hearing officer, as the impartial decision maker, will issue a written ruling on behalf of NCDPI including findings of fact and reasons for the ruling. The parties may waive these deadlines by mutual consent in writing.

NCDPI will rescind its action if it determines the action conflicts with Federal or State laws and regulations governing the applicable program. If after review, NCDPI does not rescind its action, the applicant or recipient may appeal to the Secretary of the U.S. Department of Education within 20 days of being notified of the result.

NCDPI will make all records pertaining to any review or appeal of the applicant or recipient available at reasonable times and places to the applicant or recipient. This includes records of other applicants.

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<sup>1</sup> See *In re Appeal of Clovis Unified School District*, U.S. Dept. of Ed. Remand Order (July 10, 1995).

