

Appendix J: After the Peer Review Process - Federal

After the Peer Review process, applicants with the highest scores are reviewed by the state for federal, state and application rules compliance.

EDGAR 76.400 State procedures for reviewing an application.

A State that receives an application for a sub grant shall take the following steps:

- a. *Review.* **The State shall review the application.** (Note: for Federal Statute and State compliance)
- b. *Approval—entitlement programs.* The State shall approve an application **if:**
 - 1- The application is submitted by **an applicant that is entitled** to receive a subgrant under the program; and (Note: This means eligible by a minimum of 40 percent free and reduced lunch in the building and adherence to other federal and state criteria outlined in the application).
 - 2- The applicant **meets the requirements of the Federal statutes** and regulations that apply to the program.
- c. *Approval—discretionary programs.* The State **may** approve an application if:
 1. The application is submitted by an **eligible** applicant under a program in which **the State has the discretion to select** subgrantees;
 2. The **applicant meets the requirements** of the Federal statutes and regulations that apply to the program; and
 3. **The State determines that the project should be funded** under the authorizing statute and implementing regulations for the program.
- d. *Disapproval—entitlement and discretionary programs.* **If an application does not meet the requirements** of the Federal statutes and regulations that apply to a program, **the State shall not approve** the application.

(Authority: 20 U.S.C. 1221e-3 and 3474)

The SEA is required to review all applications before funding doing a compliance check and risk assessment check.

The Office of the Inspector General defines grant fraud as:

- » Falsifying information in grant applications or contract proposals
- » Using Federal funds to purchase items that are not for Government use
- » Billing more than one grant or contract for the same work
- » Billing for expenses not incurred as part of the grant or contract
- » Billing for work that was never performed
- » Falsifying test results or other data
- » Substituting approved materials with unauthorized products
- » Misrepresenting a project's status to continue receiving government funds



U.S. Department of Health and Human Services Office of Inspector General

Example- Your grant application reported there were no non-public schools within your school boundary. However, a check showed a non-public school a block away. No Consultation was made and false information was provided in your application.

Example- Your grant application was to provide adult literacy services in cooperation with a local community college. However, you billed the grant for the same services that the college provided with another federal grant at the same time.

Example- A program bills for expenses to repair a copy machine. The copy machine was purchased with other funds. This expense was not incurred as part of the grant.

Example- Your grant application reported serving 400 children. You fail to report an attendance problem to your SEA for technical assistance. You actually only serve 100 children. False information is provided in attendance monitoring that misrepresents your project status to continue funding.

Note: All of the examples could have been prevented by contacting the SEA for technical assistance.

In Iowa, each high scoring application is reviewed and you can expect a letter from the SEA with any findings or questions that need to be addressed.

From the RFA:

Appeal Process

Any applicant for Iowa 21CCLC funds may appeal the denial of a properly submitted competitive program request for applications or the unilateral termination of a competitive program request for applications to the Director of the Department of Education.

Appeals must be submitted in writing and received within ten working days of the date of notice of the decision and must be:

based on a contention that the process was conducted outside of statutory authority; violated state or federal law, policy or rule; did not provide adequate public notice; was altered without adequate public notice; or involved conflict of interest by staff or committee members. Please refer to 281 IAC r. 7.5, the legal authority for this process.

We have created an appeal process form – to help you document your grounds for the appeal.