**MONITORING POLICIES AND PROCEDURES**

The Office of the State Director for Career and Technical Education (OSDCTE), as staff to the Hawaii State Board for Career and Technical Education, will annually monitor the eligible recipients (Hawaii Department of Education and University of Hawaii Community Colleges System) and their subrecipients (high schools and community colleges) for the purposes of:

* Assuring that Carl D. Perkins funds have been expended appropriately to meet the intent of the legislation and in compliance with laws, regulations, and policies;
* Reviewing and verifying accurate data collection and reporting policies are established and implemented;
* Analyzing, identifying, and changing policies and activities that hinder program quality and student achievement;

* Ensuring that equal educational opportunities are provided to all students, including full opportunity to participate in programs, activities, and job opportunities and to benefit from services; and
* Fulfilling federal CTE program assessment, data collection, and reporting requirements.

The expected outcomes of the monitoring are to:

* Assist eligible recipient and subrecipient administrators, instructors, and other staff involved in Perkins IV grant planning, implementation, data collection, and reporting to better understand the grant requirements;
* Identify professional development needs to improve CTE programs and to meet the intent and requirements of Perkins IV legislation; and
* Identify strengths, best practices, and areas for program improvement to assist eligible recipients and subrecipients to improve quality and increase support for CTE initiatives.

OSDCTE must verify that every recipient and subrecipient is audited when it is expected that the recipient’s or subrecipient’s federal awards expended during the fiscal year equaled or exceeded the $750,000 threshold set out in the Omni Circular.

In addition to the following programmatic monitoring procedures, the OSDCTE will annually conduct a fiscal monitoring of the eligible recipients (UHCCS and HIDOE) and the individual community college(s) and high schools selected by the eligible recipients for subrecipient monitoring for that program year. This monitoring is for the purpose of assuring proper expenditure of funds and fiscal processes that are not fully described in the monitoring instruments for eligible recipient and subrecipients. This audit will be conducted in the timeframe delineated in the monitoring procedures.

A Monitoring Timeline, included in this document, delineates the major activities that will be conducted for both Eligible Recipients (ERs) and Subrecipients. Early submissions of required documentation of procedures may be provided without advance permission. Any deviations from the monitoring timeline must be approved by the OSDCTE.

**Eligible Recipient Monitoring Procedures**

By January 15 of each year, the Office of the State director for Career and Technical Education (OSDCTE) will provide electronic monitoring forms to the eligible recipients (UHCCS and HIDOE). The eligible recipients will be requested to complete specific monitoring forms and submit them to OSDCTE within one month of receipt of the monitoring form. The monitoring form requires the eligible recipients to submit evidence as proof that activities/procedures/processes that meet the requirements and/or intent of the Carl D. Perkins legislation, the Hawaii State Plan for CTE, and other guiding fiscal and/or state/federal legislative requirements have been accomplished.

Within 30 days of submission of the completed electronic monitoring forms, the OSDCTE will provide the eligible recipients a summary of the review findings, recommendations, and commendations. The OSDCTE will determine whether evidence submitted:

Conforms – Evidence was provided that indicated requirements or criteria were met

Does not Conform - Insufficient or no evidence was provided to indicate that requirements or criteria were met

Not applicable – The criteria listed does not apply to the specific grant criteria reviewed

The OSDCTE will denote actions that must be taken for any items that do not conform. The eligible recipient will have 15 days upon receipt of this notification to respond with a remediation of proper evidence.

If after this 15-day period to remedy the evidence the ER has more than 60 percent of the items on the monitoring form not in conformance, the OSDCTE will conduct an on-site visit to investigate the deficiencies and provide technical assistance. The on-site visit will be conducted within 15 days after receipt of the remediation of proper evidence.

If the proper evidence is not available, the eligible recipient must prepare an Action Plan to remedy the “does not conform” elements. The Action Plan must be submitted to the OSDCTE within 15 days. The OSDCTE will have 15 days to review the Action Plan, request any changes deemed necessary, and approve the Action Plan. The eligible recipient will have until June 15 to remedy the problem(s) and submit the appropriate documents to OSDCTE.

If the appropriate remediation evidence is not received by June 30, the ER program will be unapproved. The Hawaii Department of Education Superintendent and Chairperson of the Hawaii State Board Of Education and/or the University of Hawaii Vice President for Community Colleges and the Chairperson of the University of Hawaii Board of Regents will be notified via certified mail the actions to be taken based on the “Conditions of Awards” included in these Monitoring Policies and Procedures.

The OSDCTE will prepare a summary of findings, recommendations and strategies to address the findings, commendations, and, if necessary, required corrective actions. This report will be submitted to the Hawaii Department of Education Superintendent, the University of Hawaii Vice President for Community Colleges, and Chairperson of the State Board for Career and Technical Education.

**Subrecipient Monitoring Procedures**

By January 15 of each year, the OSDCTE will provide electronic monitoring forms to the eligible recipients (Hawaii Department of Education and University of Hawaii Community Colleges) to electronically distribute to their subrecipients (high schools and postsecondary institutions). All subrecipients will submit evidence to complete the Site Monitoring form over a 7-year period of time. The Hawaii Department of Education, with 43 high schools, will select a minimum of 6 schools each of the 7 years and the University of Hawaii, with 7 postsecondary institutions, will select a minimum of 1 institution each of the 7 years to complete the Subrecipient Monitoring form. Over a 7-year period, all 43 high schools and 7 community colleges must complete a Subrecipient Monitoring form.

To meet its oversight responsibilities, the OSDCTE may request that the eligible recipients provide to OSDCTE all or portions of the monitoring files of evidence submitted by their subrecipients. The OSDCTE may request additional information from the subrecipients to substantiate and verify any or all evidence submitted.

The eligible recipients may establish their own timeline for the submission of the completed Subrecipient Monitoring forms from their high schools and postsecondary institution. The monitoring forms require the subrecipients to submit evidence as proof that activities/procedures/processes that meet the requirements and/or intent of the Carl D. Perkins legislation, the Hawaii State Plan for CTE, and other guiding fiscal and/or state/federal legislative requirements have been accomplished.

The eligible recipients will review the completed electronic monitoring forms and provide the subrecipients a summary of the review findings, recommendations, and commendations. The eligible recipients will determine whether evidence submitted:

Conforms – Evidence was provided that indicated requirements or criteria were met

Does Not Conform - Insufficient or no evidence was provided to indicate that requirements or criteria were met

Not applicable – The criteria listed does not apply to the specific grant criteria reviewed

The eligible recipients will denote actions that must be taken for any items that do not conform and provide copies of this notification to the appropriate subrecipients and the OSDCTE. By March 31, subrecipients must submit responses to remediation requirements noted by the ERs.

If the ER finds more than 60 percent of the items on the subrecipient monitoring form do not conform, the ER will conduct an on-site review by April 15. If evidence is not apparent during the on-site review, the subrecipients will submit to the ERs and OSDCTE an Action Plan to remedy the non-conforming elements. The ER will work with the subrecipeint(s) to implement the Action Plan. The OSDCTE will provide technical assistance as requested.

By June 30, the ERs will conduct a final review of remediation evidence submitted by the subrecipients. If compliant, the review ends and the ER will submit a letter of approval to the subrecipients and the OSDCTE.

Also by June 30, ERs will notify OSDCTE of the subrecipients with more than 60 percent of the items on the monitoring form that do not conform. OSDCTE will conduct an on-site review of these subrecipients to investigate the situation and provide technical assistance. The OSDCTE will submit a letter of findings to the appropriate ERs and subrecipients by July 15.

The subrecipient will have 15 days after the on-site visit to submit the appropriate evidence. If the OSDCTE does not receive the appropriate evidence within 15 days after the site visit, the subrecipient’s program will be unapproved. The Hawaii Department of Education Superintendent and Chairperson of the Hawaii State Board of Education and/or the University of Hawaii Vice President for Community Colleges and the Chairperson of the University of Hawaii Board of Regents will be notified via certified mail the actions to be taken based on the “Conditions of Awards” included in these Monitoring Policies and Procedures.

The eligible recipient will prepare a summary of findings, recommendations and strategies to address the findings, commendations, and, if necessary, required corrective actions for each subrecipient monitored in the reporting year. This report will be submitted to the OSDCTE.

**Conditions of Awards**

The OSDCTE may impose specific award conditions on a recipient or subrecipient if appropriate. For example, OSDCTE may impose conditions on an eligible recipient’s grant award if the eligible recipient is found to be in noncomformance with programmatic or fiscal requirements. Conditions on the federal award may include:

Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given period of performance;

Requiring additional and/or more detailed financial reports;

Requiring additional project monitoring;

Requiring the recipient or subrecipient to obtain technical or management assistance; and/or

Establishing additional prior approvals.

If OSDCTE imposes award conditions, recipients and subrecipients must be notified of:

The nature of the additional requirements;

The reason why the additional requirements are being imposed;

The nature of the action needed to remove the additional requirement, if applicable;

The time allowed for completing the actions, if applicable; and

The method for requesting reconsideration of the additional requirements imposed.

OSDCTE must promptly remove any special conditions once the conditions that promoted them have been corrected.

**Enforcement Actions**

OSDCTE must consider taking enforcement actions against recipients or subrecipients found to be not in conformance. OSDCTE may impose remedies for nonconformance described in the Omni Circular and in program regulations if OSDCTE determines that nonconformance cannot be remedied by imposing additional conditions. OSDCTE may take one or more of the following actions, as appropriate under the circumstances:

Temporarily withhold cash payments pending correction of the recipient’s or subrecipient’s deficiency or more severe enforcement action by OSDCTE,

Disallow (i.e., deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance,

Wholly or partly suspend or terminate federal award,

Initiate suspension or debarment proceedings, and/or

Withhold further federal awards for the project or program.

OSDCTE may also take other legally available remedies.

**Appeals Process**

The Hawaii Department of Education Superintendent and the University of Hawaii Vice President for Community Colleges may file an appeal if they do not agree with the decision(s) of the OSDCTE.

Step 1:

A written appeal must be filed with the Chair of the Career and Technical Education Coordinating Advisory Council (CTECAC) within twenty (20) calendar days following the date on which the Eligible Recipient received notice of formal actions to be taken against them. The appeal must include a concise statement of the facts concerning the action taken, arguments against the action, and the remedy requested.

Within twenty (20) calendar days of receipt of the appeal, the OSDCTE shall assist the CTECAC to convene a committee made up of the 7 members of the CTECAC who are not affiliated with the Eligible Recipient requesting the appeal. This committee will review the appeal, call witnesses as necessary and appropriate, and render a decision in writing to the appellant within twenty (20) calendar days of receipt of the appeal unless the appeal involves complex issues or requires extensive investigation, in which case the decision will be made within a reasonable period of time thereafter. In the event of a need to extend the twenty-day period, the appellant shall be notified via registered mail.

Step 2:

The decision of the CTECAC may be appealed to the State Board for Career and Technical Education (SBCTE) within fifteen (15) calendar days after notification of the decision by the CTECAC. The appeal must be in writing and must specify why the Step 1 decision is unsatisfactory. The SBCTE shall render a final decision in writing to the appellant within thirty (30) calendar days after receipt of the appeal unless the grievance involves complex issues or requires extensive investigation, in which case the decision will made within a reasonable period of time. In the event of a need to extend the thirty-day period, the appellant shall be notified via registered mail. The decision of the SBCTE shall be final and binding.