Office of Federal Programs Progressive Sanctions Policy
May 2018

Statement of Purpose

The Office of Federal Programs (OFP) is responsible for ensuring the state education agency (the Ohio Department of Education) and the local educational agencies (hereinafter referred to as "districts and/or grantees") are in compliance with all the requirements of the Elementary and Secondary Education Act (ESEA) programs.

The OFP is customer-focused and provides an array of professional development and technical assistance to districts and/or grantees at state, regional and local levels to ensure proper implementation of the ESEA requirements. The OFP conducts monitoring and oversight activities, and as needed, utilizes a system of progressive sanctions for noncompliant districts and/or grantees to ensure adherence with federal requirements.

Four-Step Compliance and Progressive Sanctions Process

Generally, the OFP will follow a four-step compliance and progressive sanctions process. However, depending on the severity of the noncompliance, the action may warrant special attention and acceleration through the four-step process. A description of the steps is below:

Step 1: *Routine Informational Requests and Deadlines: Initial Review and/or Corrective Action Plan to Address Non-Compliance Issue*

- The OFP may request information from districts/grantees regarding program requirements with deadlines for submission. Furthermore, during the more formal and routine risk-based monitoring process, districts/grantees receive a system-generated report of issues or findings which may require a corrective action plan (CAP) to be completed by a certain date. The OFP will ensure districts/grantees submit information requested by the deadlines and monitor the progress of each district/grantee meeting any CAP timelines.

Step 2: *Letter #1 for Failure to Address Corrective Action Plan*

- The district/grantee will receive a letter from the OFP Director if it fails to provide requested information or fails to meet the CAP requirements or timelines noted in Step 1. The letter will establish another timeline to address the original request or CAP requirements. The letter will also provide a list of possible sanctions for failure to meet the new timeline and require a written response from the district/grantee's superintendent and/or treasurer to address the informational request or the CAP requirements.

Step 3: *Letter #2 to Initiate Sanctions and Afford Hearing Opportunity*

- The district/grantee will receive another letter from the OFP Director if it fails to meet the requests noted in Step 2. The letter will identify and provide the district/grantee with the sanction(s) the Department will implement. In addition, the letter will notify the district/grantee of the opportunity to request a hearing.

Step 4: *Hearing*

- The Department will hold a hearing, in accordance to the processes specified by the Office of Federal Programs, if such a hearing is requested by the grantee.

State Enforcement Authority

The following citations outline the OFP's authority to enforce district/grantee compliance with federal laws and to impose sanctions:

1. ESEA Section 9304 (3): The State will adopt and use proper methods of administering each such program, including—(A) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program
2. Code of Federal Regulations (CFR): Uniform Guidance (2 CFR Part 200.338) http://www2.ed.gov/policy/fund/guid/uniform-guidance/index.html
3. 34 CFR EDGAR Part 76 (State Administered Programs): Sections 76.770 and 76.783