

Oklahoma State Department of Education  
Office of Federal Programs

Local Educational Agency (LEA) Risk Assessment Tool

In an effort to adhere to the new administrative rules in the Code of Federal Regulations (CFR) 200.205, the Office of Federal Programs has established guidelines for LEA risk assessment pertaining to programmatic and fiscal requirements. All data gathered is from FY15.

1. Sub-recipient (LEA) Award Size

- a) Has the LEA received a Title I allocation less than \$1,000,000? (0)
- b) Has the LEA received a Title I allocation between \$1,000,000 and \$10,000,000? (5p)
- c) Has the LEA received a Title I allocation between \$11,000,000 and \$20,000,000? (10p)

2. Financial Stability and Fiscal Assessment

- a) Has the LEA met Maintenance of Effort in FY15? (4)
- b) Has the LEA lost 2<sup>nd</sup> year carryover funds in FY15? (5)
- c) Has the LEA lost excess 1<sup>st</sup> year carryover funds in FY15? (4)
- d) Has the LEA made multiple application amendments (more than 5 in any program) within the current fiscal year? (2)

3. Reports/Findings from Independent Audits/Office of Civil Rights (OCR)

- a) Has the LEA had an audit finding reported in FY15, for the previous fiscal year? (5)

4. Legal Assessment

- a) Has any formal legal/formal complaint action pertaining to federal funds been filed at OSDE against the LEA? (3)

5. Ability to implement statutory and regulatory requirements

- a) At the end of this fiscal year monitoring period, had the LEA failed to meet all the consolidated monitoring requirements? (10)
- b) At the final federal Highly Qualified Teacher (HQT) check, was the LEA 100% Highly Qualified? (2)

6. History of Performance
  - a) Has the LEA failed to meet Title III Annual Measureable Achievement Objectives (AMAOs)? (3)
  
7. Quality of Management System (Timely submission of required SDE reports)
  - a) Has the LEA failed to submit its annual Oklahoma Cost Accounting System (OCAS) data to the Financial Accounting Office by the September 1 current fiscal year deadline? (1)
  - b) Has the LEA failed to submit its Independent Audit Findings to the Financial Accounting Office? (1)
  
8. Other Factors to Consider as High Risk
  - a) Has the LEA posed any other risk factors not outlined in this tool? If yes, please explain. (5)

If a non-Federal entity fails to comply with Federal statutes, regulations or the terms and conditions of a Federal award, the Federal awarding agency or pass-through entity may impose additional conditions, as described in *OMB § 200.207 Specific conditions*. If the Federal awarding agency or pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, the Federal awarding agency or pass-through entity may take one or more of the following actions, as appropriate in the circumstances:

- a) Temporarily withhold cash payments pending correction of the deficiency by the non-Federal entity or more severe enforcement action by the Federal awarding agency or pass-through entity.
  - b) Disallow (that is, 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.
  - c) Wholly or partly suspend or terminate the Federal award.
  - d) Initiate suspension or debarment proceedings as authorized under 2 CFR Part 180 and Federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a Federal awarding agency).
  - e) Withhold further Federal awards for the project or program.
  - f) Take other remedies that may be legally available.
- [OMB, § 200.338 Remedies for noncompliance]***