

OFFICE OF THE SECRETARY OF STATE
BEV CLARNO
SECRETARY OF STATE
JEFF MORGAN
INTERIM DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR
800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 274
DEPARTMENT OF VETERANS' AFFAIRS

FILED
09/24/2020 12:11 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Campus Veteran Resource Center Grant Program

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/23/2020 12:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

CONTACT: Jennifer Donovan
503-881-5903
jennifer.donovan@odva.state.or.us

700 Summer St NE
Salem, OR 97301

Filed By:
Jennifer Donovan
Rules Coordinator

NEED FOR THE RULE(S):

Administration of the Campus Veteran Resource Center Grant Program.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

SB 143 (2017) OLIS, SB 35 (2019 OLIS)

FISCAL AND ECONOMIC IMPACT:

These rules will not create a fiscal or economic impact.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

These rules will affect public colleges and universities. These rules will not have an impact on small businesses.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not involved in the development of these rules because the rules will not affect small businesses.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

Those who will be impacted by the rule were consulted as were Oregon Department of Veterans' Affairs stakeholders, but not in a formal advisory committee setting.

RULES PROPOSED:

274-037-0400, 274-037-0410, 274-037-0420, 274-037-0430, 274-037-0440, 274-037-0450, 274-037-0460, 274-037-0470, 274-037-0480, 274-037-0490

ADOPT: 274-037-0400

RULE SUMMARY: Defines terms for the Campus Veteran Resource Center Grant Program.

CHANGES TO RULE:

274-037-0400

CAMPUS VETERAN RESOURCE CENTER GRANT PROGRAM ¶

Definitions

As used in OAR chapter 274, division 37, unless the context of the rule requires otherwise, the following definitions apply:¶

(1) "Applicant" means an Oregon Community College (ORS 341.005) or Public University (ORS 352.002) that has submitted a proposal to the Department.¶

(2) "Asset" means non-capital assets tangible or intangible property used in organization operations having a useful life beyond a single year and an initial cost (inclusive of ancillary charges) of less than \$5,000. (Oregon Accounting Manual (OAM) 65.00.00 Glossary). Public stewardship, risk, and internal control concerns should govern the agency's decision on how these assets are managed and tracked. OAM 10.50.00.PR.102¶

(3) "Award Letter" means an initial notification of award to a successful applicant, indicating the award amount, grant period and that a grant agreement will be prepared with all details as indicated in ORS 406.530 (7)(b).¶

(4) "Capital Assets" means tangible and intangible property as defined as "capital assets" in the State of Oregon Accounting Manual, Number 10.50.00, as amended, that have initial estimated useful lives beyond a single year and have an initial cost of at least \$5,000 and does not include items below \$5,000. Examples of capital assets include land, land improvements, buildings and building improvements, motor vehicles, equipment and machinery, works of art and historical treasures, and infrastructure items such as state highways and airports.¶

(5) "Capital Improvement" means an action that increases the useful life of a capital asset or adapts a capital asset to a new use.¶

(6) "Department" OR "ODVA" means the Oregon Department of Veterans' Affairs.¶

(7) "Evaluation Committee" means a committee selected by the Department to evaluate and score eligible grant proposals.¶

(8) "Grant Agreement" means a legally binding agreement between the Department and the recipient that contains the terms and conditions under which the Department is providing grant funds under ORS 406.530 (7)(b) and the Request for Grant Proposals (RFGP).¶

(9) "Grant Program" means the Campus Veteran Resource Center (CVRC) Grant Program.¶

(10) "Policy" means specific guidelines used by the Department in the decision-making process.¶

(11) "Proposal" means a grant application submitted to the Department in response to the Request for Grant Proposal (RFGP).¶

(12) "Recipient" means an applicant that was selected as a recipient of grand funds by the Department and that enters into a grant agreement with the Department to receive funds from the grant program.¶

(13) "Veteran" has the meaning given in ORS 408.225.

Statutory/Other Authority: ORS 406.005(4), ORS 406.530

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)

ADOPT: 274-037-0410

RULE SUMMARY: Establishes eligibility for the Campus Veteran Resource Center Grant Program.

CHANGES TO RULE:

274-037-0410

Eligibility Requirements

Applicant must meet all eligibility requirements as set forth in ORS 406.530(4).

Statutory/Other Authority: ORS 406.005(4), ORS 406.530

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)

ADOPT: 274-037-0420

RULE SUMMARY: Establishes allowable uses of grant funds.

CHANGES TO RULE:

274-037-0420

Use of Grant Funds

Grant funds may be used subject to all allowances and restrictions set forth in ORS 406.530(3) and other expenses such as capital improvement and capital assets, as provided for in policy and guidance by the Department.

Statutory/Other Authority: ORS 406.530, ORS 406.005(4)

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)

ADOPT: 274-037-0430

RULE SUMMARY: Provides requirements for grant proposals.

CHANGES TO RULE:

274-037-0430

Grant Proposal Requirements

(1) The Department shall announce deadlines and RFGP requirements for grant program funding. The Department shall not consider RFGPs submitted after the deadline set by the Department.¶¶

(2) Applicants interested in receiving funds under the grant program must submit a proposal to the Department in a format prescribed by the Department that includes:¶¶

(a) measurable goals and outcomes;¶¶

(b) the estimated completion date for each goal's objective.; ¶¶

(c) a detailed budget of projected funding needs.¶¶

(d) demonstrated capacity to complete the proposal by the specified date in the RFGP.

Statutory/Other Authority: ORS 406.005(4), ORS 406.530

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)

ADOPT: 274-037-0440

RULE SUMMARY: Provides guidelines for maximum amounts, matching requirements and funding criteria.

CHANGES TO RULE:

274-037-0440

Maximum Amounts, Matching Requirements and Funding Criteria

(1) Applicants may not apply for grant amounts above \$100,000, the maximum amount allowed for this grant program.

(2) ODVA may award a grant amount in part or in full of the proposal budget.

(3) If the proposal includes funds for a coordinator's salary, the applicant shall identify matching sources and amounts in accordance with ORS 406.530(3)(c).

(4) ODVA may be ask the applicant to identify matching sources and amounts for other proposal goals.

(5) Grants funds must be used exclusively for purposes listed in ORS 406.530 (3)(a) and (b) or as indicated in the RFGP.

Statutory/Other Authority: ORS 406.005(4), ORS 406.530

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)

ADOPT: 274-037-0450

RULE SUMMARY: Describes how grant proposals will be evaluated.

CHANGES TO RULE:

274-037-0450

Evaluation Committee, Grant Review and Scoring Process

(1) The department will select an evaluation committee(s). ¶

(2) Each applicant's proposal shall be reviewed and scored by members of an evaluation committee.¶

(3) The evaluation committee will score each proposal based on the rubric designed by the Department. The rubric shall be provided with the grant application and policy. ¶

(4) Grant funds may be awarded to the highest ranked proposals, in priority order until all funds are exhausted. ¶

(5) The evaluation committee may rank proposals based on which proposals:¶

(a) Are best designed to help veterans successfully transition from military service to college life, succeed in college, complete educational goals and transition from college to the workforce and the community; or¶

(b) Concentrate funds and resources in those areas of the state with the greatest need for veteran assistance programs.¶

(6) In addition to scored results of all proposals, the evaluation committee may consider the total amount of available grant funds and the total dollar amount requested in all grant proposals, when making the determination about a grant award amount.

Statutory/Other Authority: ORS 406.005(4), ORS 406.530

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)

ADOPT: 274-037-0460

RULE SUMMARY: Provides the details of how the grant program will be administered.

CHANGES TO RULE:

274-037-0460

Grant Administration

The Department shall administer the grant program.¶

(1) The Department and recipient shall execute a written grant agreement in a form acceptable to the Department, prior to the disbursement of funds, for a proposal approved by the evaluation panel.¶

(2) The Department will prepare the grant agreement to include all requirements of ORS 406.530 and those outlined in these rules.

Statutory/Other Authority: ORS 406.005(4), ORS 406.530

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)

ADOPT: 274-037-0470

RULE SUMMARY: Provides details of how grant funds will be distributed.

CHANGES TO RULE:

274-037-0470

Disbursement of Grant Funds

(1) The Department shall not distribute grant funds until a grant agreement is fully executed.¶

(2) The Department shall reimburse funds upon receipt and proper documentation as determined by the Department of request for reimbursements.¶

(3) Applicants may seek, at the Department's discretion, reimbursement for expenses incurred after award notification but prior to the execution of the grant agreement¶

(4) Notwithstanding subsection (1) of this section, the Department may authorize a one-time pre-expense disbursement for program expenses identified in the proposal¶

(5) The Department may hold a percentage not to exceed five percent of the total award until all final project reports are submitted to the Department.

Statutory/Other Authority: ORS 406.005(4), ORS 406.530

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)

ADOPT: 274-037-0480

RULE SUMMARY: Provides details on the record keeping and reporting requirements of the grant.

CHANGES TO RULE:

274-037-0480

Recordkeeping and Reporting Requirements

- (1) A quarterly report is due within 30-days after the end of each calendar quarter, each grant recipient shall provide a program report to the Department containing the information in ORS 406.530(8) as well as data on measurable outcomes as stated in the proposal and identified in the grant agreement.¶
- (2) A final report is due within 60-days after the end of the grant period. Each grant recipient shall provide a program report to the department containing the information in ORS 406.530(8) as well as data on measurable outcomes as stated in the proposal, and a final budget report as identified in the grant agreement.¶
- (3) Recipients must separately account for all moneys received from the Campus Veteran Resource Center Grant Program in project accounts in accordance with Generally Accepted Accounting Principles.¶
- (4) Recipients must keep an inventory log of all assets purchased with grant funds. The log shall include the serial number of any electronic item, (cell phone, printer, etc.).¶
- (5) The Department shall provide templates for the quarterly, final and budget reports.¶
- (6) Grant recipients must keep all original documentation on file for at least five-years after the grant has closed.

Statutory/Other Authority: ORS 406.005(4), ORS 406.530

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)

ADOPT: 274-037-0490

RULE SUMMARY: Provides guidelines for retention and disposal of assets purchased with grant funds.

CHANGES TO RULE:

274-037-0490

Retention and Disposal of Assets

(1) Any asset purchased under this grant shall remain an asset in service of the Campus Veteran Resource Center for at least three years.¶

(2) Any capital asset purchased under this grant shall remain an asset in service of the Campus Veteran Resource Center for at least five years.¶

(3) If the Campus Resource Center should discontinue providing services to veterans prior to the above retention schedule, then the assets purchased with grant funds must be transferred to another organization that provides services to veterans.

Statutory/Other Authority: ORS 406.005(4), ORS 406.530

Statutes/Other Implemented: SB 35 (chapter 731 Oregon Laws 2019), ORS 406.530, SB 143 (2017)