



Reobligation of Returned Restitution

OF INTEREST TO

The Office of Early Learning (OEL, the Office), Early Learning Coalitions (ELCs, coalitions) and other direct subrecipients of OEL implementing federal and state early learning programs.

Authority

[Chapter 2018-9, Laws of Florida - General Appropriations Act, Line 85](#)

[45 CFR 98.60](#)

[Child Care and Development Fund State Plan](#) for FFY 2016/2018 (effective 10/01/16)

SUMMARY

This guidance describes the processes by which OEL may reobligate School Readiness (SR) federal funds (excluding American Recovery and Reinvestment Act (ARRA)) to coalitions / subrecipients for which restitution has been received and processed by OEL during the prior fiscal year.

OVERVIEW

All program funds recovered through fraud recovery efforts must be returned to OEL following the procedures outlined in Program Guidance 240.01 Cash Management.

If the original funding source of funds returned through fraud recovery efforts is federal but not ARRA funds, OEL may reobligate the funds received and processed by OEL during the prior fiscal year to those coalitions/subrecipients from which the restitution was recovered, contingent upon legislative budget authority.

COALITION / SUBRECIPIENT RESPONSIBILITIES

When fraud is suspected at the family unit, provider, or employee level, activities should be immediately referred to the Florida Department of Financial Services through OEL's Fraud Referral System, found at <https://oelfrs.floridaearlylearning.com/>. For user credentials, access or technical assistance with your OEL Fraud Referral account, contact the Office of Inspector General at Inspector.General@oel.myflorida.com.

When fraudulent actions are determined and restitution ordered, these recovered funds must be returned to OEL following procedures for refunds contained in Program Guidance 240.01.

All program funds recovered through fraud recovery efforts must be returned to OEL. Only federal funds (excluding ARRA) recovered through fraud recovery efforts are considered for future nonrecurring reobligation to eligible coalitions. Coalitions will be eligible to receive reobligated funds based on recovered restitutions from family units, providers, employees or subcontractors within their coalition service area. Coalitions must expend any reobligated funds by the end of the same fiscal year the funds are reobligated.

OEL Responsibilities

OEL is responsible for tracking the repayment of restitution as it is received and processed. Each fiscal year, OEL will determine the total amount of federal (excluding ARRA) restitution received and processed from each coalition during the previous fiscal year.

The General Appropriations Act provides the budget available, if any, for reobligation of restitution payments. The coalition may be reobligated its total amount of federal (excluding ARRA) restitution received and processed on behalf of that coalition during the prior fiscal year or its prorata share of the total restitution repayments if the total amount of restitution repayments exceed the budget available for this purpose.

OEL will issue a revised SR Notice of Award (NOA) based on available restitution budget each year.

If you have any questions, contact your grant manager or supervisor.

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EXAMPLES

EXAMPLE ONE

The amount of funds reobligated to a coalition/subrecipient will equal the total of federal funds received and processed for or on behalf of that coalition if the total amount received and processed for or on behalf of all coalitions during the prior fiscal year is equal to or less than the budget authority.

	SR federal (excluding ARRA) funds for restitution received and processed by OEL during Fiscal Year 1		Reobligation to eligible coalitions/subrecipients in subsequent Fiscal Year	
Coalition / Subrecipient	Funds returned		Total of funds returned	
Coalition – A	\$	125,483.31	\$	125,483
Coalition – B	\$	159,569.63	\$	159,570
Coalition – C	\$	75,727.41	\$	75,727
Coalition – D	\$	100,387.22	\$	100,387
Coalition – E	\$	14,126.35	\$	14,126
Coalition – F	\$	178,911.23	\$	178,911
Coalition – G	\$	31,098.75	\$	31,099
Coalition – H	\$	116,321.98	\$	116,322
Coalition – I	\$	58,589.20	\$	58,589
Coalition – J	\$	36,983.46	\$	36,983
TOTAL	\$	897,198.54	\$	897,197

EXAMPLE TWO

The amount of funds reobligated to each eligible coalition/subrecipient will be based on its prorata share of the total restitution received and processed for or on behalf of all coalitions during the prior fiscal year if the total amount of federal funds received and processed for or on behalf of all coalitions during the prior fiscal year exceeds the budget authority.

	SR federal (excluding ARRA) funds for restitution received and processed by OEL during Fiscal Year 1		Reobligation to eligible coalitions/subrecipients in subsequent Fiscal Year	
Coalition / Subrecipient	Funds returned	Prorata share of total	Prorata share of total	
Coalition – A	\$ 125,483.31	11.45%	\$	108,802
Coalition – B	\$ 159,569.63	14.56%	\$	138,357
Coalition – C	\$ 75,727.41	6.91%	\$	65,660
Coalition – D	\$ 100,387.22	9.16%	\$	87,042
Coalition – E	\$ 14,126.35	1.29%	\$	12,248
Coalition – F	\$ 178,911.23	16.33%	\$	155,127
Coalition – G	\$ 31,098.75	2.84%	\$	26,965
Coalition – H	\$ 116,321.98	10.62%	\$	100,858
Coalition – I	\$ 58,589.20	5.35%	\$	50,800
Coalition – J	\$ 36,983.46	3.38%	\$	32,067
Coalition – K	\$ 198,456.09	18.11%	\$	172,074
TOTAL	\$ 1,095,654.63	100.00%	\$	950,000

EFFECTIVE DATE

Issuance of this guidance represents approval by OEL management of the indicated procedures and related administrative forms. These procedures will be effective as of the date of this guidance listed below.

HISTORY

This guidance is based on Fiscal Guidance FG 10.04 issued in September 2010. Edited and reissued in March 2011 and August 2012. Issued November 23, 2014. Revised and reissued June 1, 2016; Effective July 1, 2016. Revised and reissued July 1, 2018.