

REHABILITATION SERVICES ADMINISTRATION
Randolph-Sheppard Financial Relief and Restoration Payments (FRRP) Appropriation
ASSURANCES and USE of FRRP FUNDS

Name of State licensing agency (SLA): Vermont Division for the Blind and
Visually Impaired
DUNS: 809376155

A. Assurances

The State licensing agency (SLA), responsible for administering the Randolph-Sheppard Act program in the State, assures it will (check if yes):

X (1) cooperates with the Secretary in applying the requirements of the Randolph-Sheppard Act in a uniform manner when administering the FRRP, pursuant to 34 C.F.R. § 395.3(a)(11)(i), and will comply with all applicable Federal statutory and regulatory requirements for Federal recipients, as well as the terms and conditions of the grant award;

X (2) use all funds received under the FRRP in accordance with the terms of the Consolidated Appropriations Act of 2021, PL 116-260, Division H, Title III, section 318, specifically for the purposes of:

- offsetting losses of blind vendors that occurred during calendar year 2020, to the extent that such losses were not otherwise compensated; and
- other purposes authorized under 34 C.F.R. § 395.9 for set-aside funds, but only to the extent any funds remain available after offsetting losses that were incurred by blind vendors during calendar year 2020. x

X (3) actively participate with the State Elected Committee of Blind Vendors in developing for RSA approval how it will use the FRRP funds, consistent with the information required by Part B of this document, pursuant to 34 C.F.R. §§ 395.3(a)(2), 395.3(a)(6), 395.3(a)(11)(iii), 395.4(a), and 395.14, and Technical Assistance Circular RSA-TAC-21-01. The SLA understands that this information in Part B is required since receipt and use of the FRRP funds represent a change in the SLA's procedures covering the operation of vending facilities in accordance with Federal laws and its sources of funds for the administration of the program;

(4) expend all FRRP funds, including for administrative purposes, in a manner that is allowable, reasonable, and allocable as required by 2 C.F.R. §§ 200.403 through 200.405;

X (5) not use Vocational Rehabilitation (VR) program funds, either Federal or non-Federal, to cover the administration of the FRRP funds unless such costs are also allowable under the VR program in accordance with section 103(b)(1) of the Rehabilitation Act of 1973 (Rehabilitation Act) and 34 C.F.R. § 361.49(a)(5) (*i.e.*, "financial relief and restoration

payments to offset losses of blind vendors that occurred during calendar year 2020” are not allowable expenses under the VR program), and allocable to that program in accordance with the Federal cost principles at 2 C.F.R. §§ 200.403 through 200.405. In the unusual event an activity under the FRRP funds is also authorized under the VR program and the SLA wants to use VR program funds, either Federal or non-Federal, to pay the administrative costs, the SLA assures it will allocate those costs proportionately across all benefitting programs in accordance with 2 C.F.R. §§ 200.403 through 200.405;

- x___ (6) not use expenditures paid with these FRRP funds to meet the non-Federal share of the VR program, because these are Federal – not non-Federal – funds; and
- x___ (7) satisfies all applicable requirements under the Randolph-Sheppard Vending Facility Program, including those set forth at 34 C.F.R. § 395.3(a)(11) (viii) and (ix), as well as those of 2 C.F.R. part 200, including those governing internal controls (§ 200.302), financial management (§ 200.303), financial reporting (§ 200.328), performance reporting and monitoring (§ 200.329), and grant closeout (§ 200.344).

B. Use of FRRP Funds

1. Explain briefly how the SLA will distribute the FRRP funds to blind vendors to offset losses incurred during the 2020 calendar year (*e.g.*, proportional to losses incurred, based on losses due to vendor’s spoiled or expired stock, etc.).

FRRP funds will be expended based on losses for 2020 to qualifying operators. The Vermont Elected Committee of Vermont Blind Vendors reviewed their individual profit and loss statements to determine what, if any, net profit loss each blind vendor may have incurred in calendar year 2020. The SLA also reviewed the profit and loss statements and determined all Vermont blind vendors, except for one, had a net profit loss. The Vermont Elected Committee of Blind Vendors requested the SLA expend all the FRRP funds available to those blind vendors who incurred a loss in calendar year 2020 and to distribute the funds with respect to their losses. Based on this request, the SLA created a payout spreadsheet documenting fair and appropriate payouts as agreed upon by the Operators. The individual payouts do not exceed each Operator’s 2020 losses. Our fourth operator was able to remain open and had a more profitable year than her previous years. The Randolph Sheppard Vendors of Vermont took all of the available financials into consideration and unanimously agreed to this plan for disbursement of the FRRP funds.

None of the Vermont Blind Vendors were approved for more than their losses. One of our cafes, the Overlook Café, remained open

providing service to the Department of Health and had a very profitable year and was not eligible for funding.

2. Does the SLA anticipate using any of the FRRP funds to cover administrative costs?
 Yes No
3. If yes, what percentage of the FRRP funds do you anticipate expending on administrative costs? 0 percent
4. How will the SLA ensure blind vendor losses were not previously compensated (*e.g.*, attestation, financial reports, inventory reports, documentation of losses due to spoilage, etc.)?

The SLA verified losses through profit and loss statements. Each Vermont Blind Vendor verified they did not receive any compensation for losses during 2020.

5. Does the SLA anticipate having any FRRP funds remaining after distributing funds to the blind vendors to cover losses incurred in calendar year 2020? Yes No
6. If yes, please identify for which authorized set aside purposes under 34 C.F.R. § 395.9 the SLA anticipates using the funds (check all that apply):

<input type="checkbox"/> purchase of equipment	<input type="checkbox"/> fair minimum return to vendors
<input type="checkbox"/> maintenance of equipment	<input type="checkbox"/> establishment and maintenance of
<input type="checkbox"/> management services	<input type="checkbox"/> retirement or pension funds*
<input type="checkbox"/> paid sick leave*	<input type="checkbox"/> health insurance contributions*
<input type="checkbox"/> paid vacation time*	

*Use of funds for these purposes would also require a majority vote of the blind vendors licensed by the SLA in accordance with 34 C.F.R. § 395.9(b)(5).

7. Explain briefly how the SLA actively participated with the State's Elected Committee of Blind Vendors to develop the Use of FRRP funds under Part B of this document and the result of their active participation (*e.g.*, was there consensus on the use of the funds). Documentation, such as meeting minutes when the use of FRRP funds was discussed, must be available upon request.

The SLA and the Vermont Blind Vendors met virtually to review, discuss and the vendors provided a unanimous consensus on how to expend the funds. The SLA supports their request.

8. Please identify the date by which the SLA anticipates obligating all FRRP funds, making sure all funds will be obligated by September 30, 2022.

We hope to gain approval and have the funds distributed by August 1st 2021

C. Certification

As a duly authorized representative of the applicant, I hereby certify that the applicant will comply with the Assurances in Part A. I also attest that the information provided in Part B regarding the Use of FRRP Funds is true and accurate.

Printed name and title of authorized representative: Fred Jones-Director of DBVI
Signature: Fred Jones
Date: 7/15/21

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This form should be emailed to: randolph-sheppardvfprestorationfunds@ed.gov.