# Attachment D

# Superintendent's Memo #094-22

# May 6, 2022

## Reporting Subgrant Data and Executive Compensation Data for Subrecipients as Required under the Federal Funding Accountability and Transparency Act (FFATA)

Last revised 08/10/2021

The Federal Funding Accountability and Transparency Act (FFATA) is designed to increase transparency and improve the public’s access to federal government information. To this end, FFATA requires that sub-grant data be reported for all new federal grants funded at $25,000 that meet the reporting conditions as set forth in the grant award term and that are awarded on or after October 1, 2010. Sub-grant data and executive compensation data for sub-recipients must be reported by the prime awardee. Only sub-grants made by the prime awardee to first-tier sub-recipients are reportable in accordance with FFATA.

**Reporting of Total Compensation of Sub-recipient Executives:**

**Applicability and what to report**: The Virginia Department of Education (VDOE) is responsible to report the names and total compensation of each of the sub-recipient's five most highly compensated executives for the sub-recipient's preceding completed fiscal year if all of the following conditions are applicable to the sub-recipient:

1. in the sub-recipient's preceding fiscal year, the sub-recipient received:
   1. 80 percent or more of its annual gross revenues from federal procurement contracts (and subcontracts) and federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and sub-awards); **and**
   2. $25,000,000 or more in annual gross revenues from federal procurement contracts (and subcontracts), and federal financial assistance subject to the Transparency Act (and sub-awards); **and**
   3. the public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the [U.S. Securities and Exchange Commission](http://www.sec.gov/answers/execomp.htm) total compensation filings.)

**When to report:** The VDOE must report sub-recipient executive compensation by the end of the month following the month during which the prime awardee makes the sub-award. For example, if the prime awardee obligates a sub-grant on any date during the month of October of a given year (i.e., between October 1 and 31), the prime awardee must report any required compensation information of the sub-recipient by November 30 of that year.

**What to report:** Total compensation means the cash and noncash dollar value earned by the executive during the sub-recipient's preceding fiscal year and includes the following (for more information, see 17 CFR 229.402(c) (2)):

1. salary and bonus;
2. awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments;
3. earnings for services under non-equity incentive plans (This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees);
4. change in pension value (this is the change in present value of defined benefit and actuarial pension plans);
5. above-market earnings on deferred compensation which is not tax-qualified; and
6. other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.

**To be completed by the Organization**

**Check one of the following:**

School Division

Higher Education

State Agency

Nonprofit

Other, please specify: Click or tap to enter text

**Organization**: Click or tap to enter text

**Organization Contact Information (individual who can be contacted about the data presented on this form)**:

Name: Click or tap to enter text

Address: Click or tap to enter text

Phone: Click or tap to enter text

Fax: Click or tap to enter text

Email: Click or tap to enter text

**Universal Identifier (DUNs)**: Click or tap to enter text

**Payee Number**: Click or tap to enter text

**In FY 2021, the Organization received**:

Yes or  No: 80 percent or more of its annual gross revenues from federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and sub-awards)

Yes or  No: $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and sub-awards)

Yes (True) or  No (False): The public **does not** have access to information about the compensation of the executives (through periodic reports that may be filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986).

If the Organization has answered “Yes” to **all** conditions above, the Organization must provide to VDOE as an attachment to this signed and certified document the Total Compensation (including compensation components under *What to Report* i–vi above) of each of the Organization’s five most highly compensated executives for the Organization’s preceding completed fiscal year (FY 2021).

If the Organization has answered “No” to **any** of the conditions above, the Organization must provide this signed document certifying the accuracy of the responses to the above conditions to VDOE by the deadline prescribed below.

**Organizations must return this document and any necessary supporting documentation within five days of award notification,** to the VDOE Office of School Nutrition Programs policy mailbox at [SNPpolicy@doe.virginia.gov](mailto:SNPpolicy@doe.virginia.gov).

Failure to return this document to the VDOE will void Grant Award Notifications issued in FY 2021.

Signature and Title of Authorized Official

Date