

S U S A N
C O M B S

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

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July 12, 2010

Master Sergeant Leslie Alexander
Ector County Independent School District
P.O. Box 3912
Odessa, Texas 79760-3912

Dear Master Sergeant Alexander:

Congratulations! Your school district has been awarded a Tobacco Compliance grant in the amount of \$7,000 under the provisions of the Texas Health and Safety Code Ann. Sec. 161.088(b) for fiscal 2011, beginning Sept. 1, 2010.

Enclosed you will find the "Grant Acceptance Agreement and Compliance Standards" form along with the Scope of Work. Please review these documents thoroughly. To accept your grant award, please have an authorized official of your school district sign and return the agreement. **Your grant funds will be mailed upon receipt of the agreement.** If you choose *not* to accept this grant, please write "declined" on the agreement. Please mail the agreement to the following address by Aug. 11, 2010, and keep a copy for your files:

Texas Comptroller of Public Accounts
Attention: Carol Lauder
P.O. Box 13528
Austin, Texas 78711-3528

Each grantee must begin implementation of the grant provisions, as outlined in the acceptance agreement and the statement of work, within 30 days of attending a technical assistance workshop. Attendance at a grant workshop is mandatory. Any exception to these requirements will require review and written approval by the Comptroller or the Comptroller's designee.

The technical assistance workshops will be presented by the Comptroller's office and Texas Statewide Tobacco Education and Prevention (Texas STEP) program. The workshop encompasses tobacco enforcement and compliance education requirements. It will also cover activity and financial reporting requirements and the latest information concerning the issue of tobacco and minors in Texas. Expenses related to attending this workshop are covered by this grant using the "Education" budget category. Texas STEP will mail the workshop information to grantees so you can make the appropriate arrangements to attend.

If you have any questions regarding this letter, please contact Texas STEP at (888) 783-7123.

Sincerely,


Susan Combs

Enclosures

cc: Carol Lauder
Texas STEP

2011 Texas Comptroller's Tobacco Compliance Grant
Scope of Work
Independent School District Grantee Requirements

Grantee funds shall be used to support the compliance education, enforcement and reporting of activities related to the grant, as follows: 70 percent of the effort of all grant activities shall be focused on tobacco law compliance education for school-aged youth; 25 percent shall be focused on enforcement of minor in possession of tobacco law; and 5 percent is available to cover reporting costs. Grantee shall follow additional program requirements outlined in Sections A, B and C.

A. Grant Activities – Education (70 percent), Enforcement (25 percent), Reporting of Activities (5 percent)

- Grantee shall conduct tobacco law compliance education activities to school-age youth.
- Grantee shall enforce state tobacco possession laws for minors, tobacco possession on school property and/or at school events, and providing tobacco to a minor in accordance with Health and Safety Code, Chapter 161, Subchapter N.
- Grantee shall conduct follow-up activities on complaints sent to Grantee by Texas Statewide Tobacco Education and Prevention Program (Texas STEP), concerning Minor in Possession tobacco law violations within applicable jurisdiction.
- Grantee shall submit reports to the Comptroller's contractor Texas STEP, (as noted in "C" on the next page).

B. Additional Program Requirements

- Grantee shall designate staff to attend the Technical Assistance Training provided by Texas STEP concerning the recommended protocols for performing compliance education and enforcement activities, appropriate use of grant funds and reporting requirements.
- Grantee shall ensure attendance at the training by local law enforcement officer(s)/administrator(s) responsible for conducting the tobacco compliance education and enforcement activities, who can return to the department and train other officers and staff on the grant requirements and procedures covered in the training.
- Grantee shall ensure attendance at the training by the person(s) designated to file reports concerning finances, compliance education and enforcement activities (if different from the officer attending) if possible.
- Grantee shall not send more than three department representatives to attend the grant training workshop without prior permission from the Comptroller's office. Attendance at the grant training workshop is an eligible grant expenditure in the compliance education budget category.

- Grantee shall comply with all requirements imposed by the Comptroller's office concerning special requirements of law, program requirements and other administrative requirements.

C. Reporting Requirements

- Monthly Reporting – Grantee shall submit the following reports monthly, using the appropriate reporting forms provided by Texas STEP.
 - All monthly “Minor in Possession of Tobacco Summary” reports shall be submitted to Texas STEP by the 10th of the month immediately following the month in which the activities occurred. The report should be mailed to Texas STEP, P.O. Box 1328, San Marcos, Texas 78667-1328, or faxed to (512) 245-8066.
- Quarterly Reporting – Grantee shall submit the following reports quarterly, using the appropriate reporting forms provided by Texas STEP.
 - The “Compliance Education Quarterly Summary Report,” by the 15th of the month immediately following the quarter in which the activities occurred. These should be mailed to Texas STEP, P.O. Box 1328, San Marcos, Texas 78667-1328, or faxed to (512) 245-8066.
 - The “Financial Status Report,” by the 15th of the month immediately following the quarter in which the activities occurred. These should be mailed to Texas STEP, P.O. Box 1328, San Marcos, Texas 78667-1328, or faxed to (512) 245-8066.
- Recordkeeping – Grantee shall maintain specific and accurate financial records including receipts for all expenditures, copies of all enforcement reports including all citations issued, as well as any other detailed documentation of all enforcement, education and grant communication activities, such as certified mail receipts or fax confirmation sheets, which are reported for and funded by this grant. If requested by the Comptroller's office, grantee shall provide copies of said records.

TEXAS COMPTROLLER'S 2011 TOBACCO GRANT
ACCEPTANCE AGREEMENT AND COMPLIANCE STANDARDS
FOR INDEPENDENT SCHOOL DISTRICTS WITH ON-CAMPUS LAW ENFORCEMENT
(This signed document must be returned before grant funds will be awarded)

By this Agreement, Ector County Independent School District (hereinafter "Grantee") hereby agrees and certifies that Grantee shall comply with all requirements of the *2011 Scope of Work* provided to Grantee contemporaneously with this Agreement and all applicable provisions of the Uniform Grant and Contract Management Standards (UGCMS) promulgated by the Office of the Governor pursuant to the Uniform Grant and Contract Management Act, Chapter 783, Government Code. A copy of the UGCMS may be obtained from the Office of the Governor at www.governor.state.tx.us/files/state-grants/UGMS062004.doc.

Grantee acknowledges that appropriate approvals have been obtained from its governing body (school board) to accept and utilize the grant funds as specified in this Agreement. Grantee acknowledges that they have on-campus police who are available to fulfill the grant requirements.

Grantee shall use or expend grant funds exclusively for the following tobacco compliance education and enforcement activities, unless directed otherwise by the Texas Comptroller of Public Accounts (Comptroller):

- Grantee shall provide ongoing and consistent education about the tobacco laws to school age children.
- Grantee shall provide an ongoing and consistent tobacco enforcement program, prohibiting anyone under 18 years of age from possessing, smoking or using tobacco products on-campus or at school-sanctioned events and fully acknowledges that the foregoing may result in the issuance of citations upon the discovery of violations.
- Grantee shall allocate grant funds for enforcement and education activities as recommended by the Comptroller's office.
- Grantee shall provide monthly enforcement activity reports and quarterly compliance education and financial status reports to Comptroller's contractor the Texas Statewide Tobacco Education and Prevention (Texas STEP) initiative.

Approval of grant funding based on the application submitted by prospective Grantee or agency does not constitute approval of any or all plans or requests as listed in the submitted application. Appropriate use of grant funds and proper protocols for education and enforcement activities will be covered in the required grant training.

Comptroller reserves the right, under this Agreement, to unilaterally amend the terms of the Agreement at any time and to impose additional requirements on Grantee at the sole discretion of the Comptroller.

Grantee understands and acknowledges that failure to comply with the terms of this Agreement (including grant usage restrictions), or with any applicable state or federal law or regulation, shall result in the forfeiture of grant funds. Upon forfeiture, Grantee shall also be responsible for the return to the Comptroller of the full amount of the original grant.

This grant award is in the amount of \$7,000 and covers the period from Sept. 1, 2010, through Aug. 31, 2011. Grantee shall return all unexpended grant funds within 45 days after the close of this grant period.

Tonya Tillman, Asst. Superintendent/Business Operations
Name and Title of Official authorized to accept grant funds
on behalf of Independent School District (*Please print*)

Ector Co. Independent School District
Department or Agency Name

Signature of Authorized Official

Date

75-6001362
FEI Number (**required**)