

GRANT MANAGERS BROWN BAG

IT'S 2025, YOU ARE A GRANT MANAGER, WHAT DO YOU
DO?

FEBRUARY 2025



FOCUS OF THE BROWN BAG

- Status of Grants in 2025
 - What do we know
 - What we don't know
- Role of the Grant Manager
- Steps to Take Now

GOALS:

- 1) To inform, not alarm
- 2) To prepare, not react

WHAT WE KNOW- EXECUTIVE ORDERS

Nearly 100 Executive Orders (as of 2/24/2025)

- [Federal Register :: Ending Radical and Wasteful Government DEI Programs and Preferencing \(14151\)](#)
- [Federal Register :: Unleashing American Energy \(14154\)](#)
- [Federal Register :: Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government \(14168\)](#)
- [Federal Register :: Ending Illegal Discrimination and Restoring Merit-Based Opportunity \(14173\)](#)
- [Federal Register :: Ending Radical Indoctrination in K-12 Schooling \(14190\)](#)



WHAT WE KNOW – DEAR COLLEAGUE LETTER

- Dear Colleague Letter
 - Office of Civil Rights
 - Interpretation based on the Students for Fair Admissions vs. Harvard
 - It is not law, it is guidance
 - Identifies DEI as race, color or national origin

The Department will no longer tolerate the overt and covert racial discrimination that has become widespread in this Nation's educational institutions. The law is clear: treating students differently on the basis of race to achieve nebulous goals such as diversity, racial balancing, social justice, or equity is illegal under controlling Supreme Court precedent.

All students are entitled to a school environment free from discrimination. The Department is committed to ensuring those principles are a reality.

This letter provides notice of the Department's existing interpretation of federal law. Additional legal guidance will follow in due course. The Department will vigorously enforce the law on equal terms as to all preschool, elementary, secondary, and postsecondary educational institutions, as well as state educational agencies, that receive financial assistance.

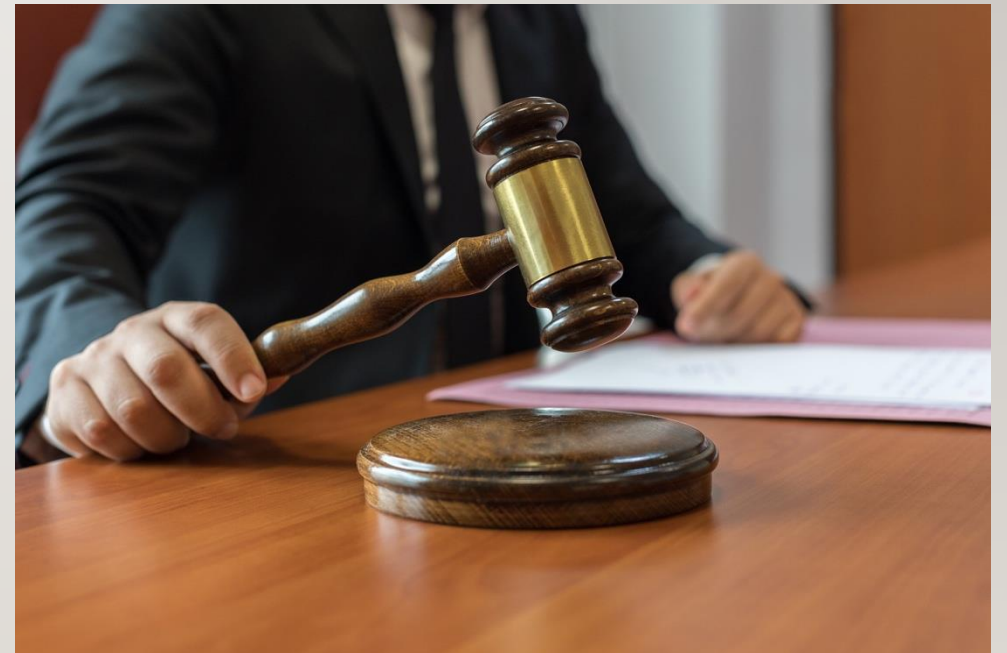
The Department intends to take appropriate measures to assess compliance with the applicable statutes and regulations based on the understanding embodied in this letter beginning no later than 14 days from today's date, including antidiscrimination requirements that are a condition of receiving federal funding.

All educational institutions are advised to: (1) ensure that their policies and actions comply with existing civil rights law; (2) cease all efforts to circumvent prohibitions on the use of race by relying on proxies or other indirect means to accomplish such ends; and (3) cease all reliance on third-party contractors, clearinghouses, or aggregators that are being used by institutions in an effort to circumvent prohibited uses of race.

WHAT WE KNOW - LAWSUITS

Multiple Lawsuits in Response to EOs/Dear Colleague Letter

- <https://www.justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration/>
- 84 lawsuits to date, including:
 - National Association of Diversity Officers in Higher Education, the American Association of University Professors, Restaurant Opportunities Centers United, and the Mayor and City Council of Baltimore, Maryland (ECF No. 27) vs. Donald S.Trump
 - To end the freeze and/or termination of grant programs based on non-compliance with the Executive Orders



WHAT WE KNOW - LAWSUITS

Most recent actions on this lawsuit:

- Court immediately issued a Temporary Restraining Order
- Federal payment systems re-opened
- Preliminary Injunction issued Friday afternoon/evening

From the Court Document

- Defendants other than the President, and other persons who are in active concert or participation with Defendants (the “Enjoined Parties”), shall not:
 - a. pause, freeze, impede, block, cancel, or terminate any awards, contracts or obligations (“Current Obligations”), or change the terms of any Current Obligation, on the basis of the Termination Provision;
 - b. require any grantee or contractor to make any “certification” or other representation pursuant to the Certification Provision; or
 - c. bring any False Claims Act enforcement action, or other enforcement action, pursuant to the Enforcement Threat Provision, including but not limited to any False Claims Act enforcement action premised on any certification made pursuant to the Certification Provision.

WHAT WE KNOW: PRELIMINARY INJUNCTION

Of Particular Note, Court Opinion Says:

The term “DEI,” of course, is shorthand for “diversity, equity, and inclusion.” And ensuring equity, diversity, and inclusion has long been a goal, and at least in some contexts arguably a requirement, of federal anti-discrimination law.

- Court Opinion of the Executive Order
 - Does not define any of the important words, including but not limited to DEI or DEIA
 - Does not identify the types of programs that the Executive Office deems illegal
 - Is unconstitutionally vague on their face with regard to the termination and enforcement clause

BUT the injunction does not prevent the Executive Office from preparing a report on DEI programs and/or conducting investigations.

WHAT DO WE KNOW – COMPLIANCE REVIEW AND CERTIFICATION

- Two Stages of Review
 - 1) Departments/Agencies are reviewing grant programs for compliance with Executive Orders
 - 2) If a program is deemed compliant, they are asking their grantees to submit a certification of compliance with all Executive Orders
 - 1) College Corps Program funded by AmeriCorps

NOTE: It is not clear at this time if the Preliminary Injunction will halt this request.

- Copying and pasting the appropriate response next to each listed sub application:
 - I certify that [Program Name], [Application ID] complies with all administration Executive Orders and does not include any activities that promote DEI activities **OR**
 - The sub application is currently **noncompliant** within the scope of approved grant activities and requires an amendment to ensure compliance. The commission will inform the PM and initiate the amendment **OR**
 - This sub application must be relinquished. The commission will initiate this process.

WHAT WE KNOW – TERMINATION OF GRANTS AND CONTRACTS

- Grants and Contracts are being terminated
 - Teacher Preparation Grants
 - Supporting Effective Educator Development (SEED) Program
 - Teacher Quality Partnership Program
 - Out of Compliance with [Federal Register :: Ending Radical Indoctrination in K-12 Schooling \(14190\)](#)
 - Technical Assistance Contracts regardless of DEI focus
 - ABA Grant
 - OVW Grant

(i) All Federal funding sources and streams, including grants or contracts, that directly or indirectly support or subsidize the instruction, advancement, or promotion of gender ideology or discriminatory equity ideology:

(A) in K-12 curriculum, instruction, programs, or activities; or

(B) in K-12 teacher education, certification, licensing, employment, or training;

WHAT WE KNOW – TERMINATION OF GRANT AWARDS

Uniform Guidance Outlines the Reasons for Termination Process (CFR 200.340)

- 1) The Federal Agency may terminate an award for failure to comply with the Terms and Conditions of the Award
- 2) The Federal Agency may terminate with the consent of the Recipient
- 3) The Recipient may terminate with written notification
- 4) The Federal Agency may terminate if an award no longer effectuates the program goals or agency priorities

Points to Remember:

- Waste and Inefficiency that does not meet the definition of Fraud or Corruption are not grounds for termination
- The Federal Agency must clearly and unambiguously specify all termination provisions in the Terms and Conditions of the Federal Awards

WHAT WE DON'T KNOW

- The exact definition of DEI or DEIA
- The status of the majority of our funding programs
- Where the courts are going to go
- 24/25 and 25/26 Budget
- What tomorrow will bring



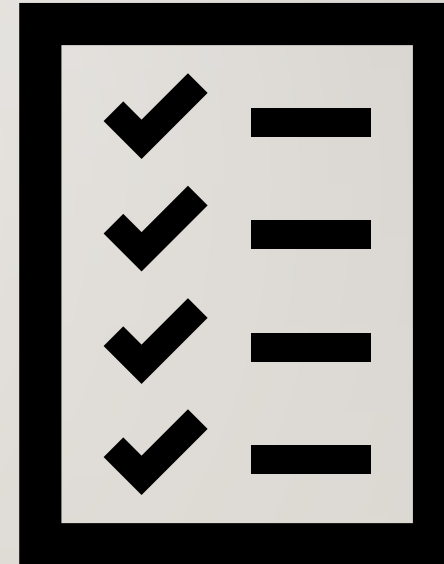
ROLE OF THE GRANT MANAGER - COMPLIANCE

- The easiest path to award termination is failure to comply
 - Failure to hire key personnel
 - Failure to spend grant funds in a timely manner
 - Failure to submit project reports
 - Failure to follow Uniform Guidance, Agency directive, and program policies and procedures related to:
 - Prior Approval
 - Program Documentation
 - Grant Expenditures



ROLE OF THE GRANT MANAGER - COMPLIANCE

- Strategies to Remain Compliant
 - Spend grant funds according to workplan
 - Hire key personnel
 - Reconcile Expenditures in Galaxy monthly
 - Track reporting deadlines and meet them
 - Respond to all Program Office inquiries as requested



ROLE OF THE GRANT MANAGER – COMPLIANCE (CONT.)

- Communicate often with Grant Accountant
 - Drawdown funds on a monthly basis if spending warrants
 - If there is a large expenditure, ask Grant Accountant to consider a drawdown between monthly drawdowns
 - Document all expenditures

Uniform Guidance 200.305

- Currently funded programs can continue to operate and draw down funding;
- Recipients must minimize the time elapsed between the transfer of funds and the disbursement of funds;
- Payments of allowable costs cannot be withheld unless a grant is out of compliance or the recipient is delinquent on debt.

STEPS TO TAKE NOW

- Know your grant
 - Are there other requirements to maintain compliance?
 - Evaluation
- Be wary of the words you choose to use in written communications (reports, emails, flyers, program announcements, etc.)
- If in doubt, ask for assistance from your Grants Office
 - Your Program Office may not respond!!!

Keywords that may trigger a decision of non-compliant:

- Vaccination (EO 14214, 14184)
- Unconscious bias (14190)
- Nonbinary (14190)
- DEI (14185, 14173, 14151)
- Diversity (14185, 14173, 14151)
- Equity (14185, 14173, 14170, 14151)
- Inclusion (14185, 14173, 14151)
- Undocumented (14181, 14165, 14159)
- Sanctuary (14159)
- Accessibility (14173, 14151)
- DEIA (14173, 14151)
- Privilege (14190)
- Gender (14201, 14190, 14170, 14168, 14148)
- Transgender (14168)
- Immigration (14163, 14159)
- Environmental justice (14151)
- Underserved (14148)
- Racial/Ethnic Identity (Black, African American, Hispanic, Latinx)

STEPS TO TAKE NOW

Please send all requests for information regarding your grant to your Grants Office and/or Sponsored Programs, including Certification of Compliance Requests, Changes in Program Officers, and Changes in Grant Terms.



QUESTIONS???

