Under § 200.307 Program Income, paragraph (e) states:

- Subrecipients that collect program income/fees must have written approval from the state department
- State departments must have written approval from the federal government to allow subrecipients to collect program income/fees

All subrecipients with regard to collecting program fees must answer several questions. The North Dakota Department of Public Instruction is providing guidance on answering these questions.

Note: Each program is unique. Therefore, answers may differ according to local management of funds, policies and procedures.

**What is Program Income or Program Fees?**

Program Income is the gross income earned by the non-Federal entity that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance (2 CFR §200.80).

**Under what circumstance is the Subrecipient requesting to generate program income/fees: adhering to the statute, State Plan, Uniform Guidance or any other federal or state regulations, as well as the approved application that require permission to assess fees; or sustainability.**

Programs are advised to cite the federal code of regulations, specifically, § 200.307 Program Income (e). Similarly, subrecipients are advised to cite the state of North Dakota’s requirement to have subrecipients ask permission to collect program income/fees.

In the future, programs will be able to cite the North Dakota 21st CCLC Application for Selection and the North Dakota 21st CCLC Continuation Application as these documents will have language requiring subrecipients to assure and ask for specific permission to collect program income/fees.

**What are the Subrecipient’s clearly delineated criteria to generate program income/fees?**

Subrecipients will need to provide the following:

a. Explanation of why program income/fees will be charged (sustainability is a valid and recommended reason).
b. Explanation detailing fewer students/fewer sites would be served if program income/fees were not collected (how many fewer would be served);
c. Documentation indicating subrecipients inform all parents and guardians no child will be turned away based on ability to pay (and where this language is located).

**How will the Subrecipient generate program income/fees, track and spend the funds within the performance period?**

Subrecipients will need to provide details with regard to the following:

a. Sliding fee schedules;
b. Procedures to collect and track program income/fees;
c. How program income/fees will be kept separate from grant funds; and
d. Assurance program income/fees will be expensed prior to grant funds.

If you have any questions, please contact Arlene Wolf at (701) 328-2295.