



**Quality Assurance and Compliance  
Onsite Monitoring Visit  
for  
Adult Education and Family Literacy**

**ACE of Florida, Inc.**

**January 28 – 29, 2014**

**Final Report**

# FLORIDA DEPARTMENT OF EDUCATION



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March 24, 2014

Marc Hutek, President  
ACE of Florida, Inc.  
5410 N. 20<sup>th</sup> Street  
Tampa, FL 33610

Dear Mr. Hutek:

We are pleased to provide you with the final monitoring report for the adult education and family literacy program of ACE of Florida, Inc. The report will also be placed on our website at <http://www.fldoe.org/workforce/compliance.asp>.

Tashi Williams will be in touch with you for follow-up regarding any resolution activities that may be indicated in the report. We appreciate the leadership and professionalism demonstrated by you and your staff during our visit. If we can be of any assistance, please contact Ellen McCarron, director of Quality Assurance and Compliance, at 850-245-9033 or via electronic mail at [Ellen.McCarron@fldoe.org](mailto:Ellen.McCarron@fldoe.org).

Thank you for your continuing commitment to improve educational services for Florida's students.

Sincerely,

Rod Duckworth

RD/tdw

Enclosure

cc: Valorie Boyd, director, Adult Education Program  
Gloria Spradley-Brown, bureau chief, Grants Administration and Compliance  
Ellen McCarron, director, Quality Assurance and Compliance  
Tashi Williams, program specialist, Quality Assurance and Compliance

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## **I. INTRODUCTION**

The Florida Department of Education (FDOE), Division of Career and Adult Education, in carrying out its roles of leadership, resource allocation, technical assistance, monitoring and evaluation, is required to oversee the performance and regulatory compliance of recipients of federal and state funding. The Quality Assurance and Compliance section is responsible for the design, development, implementation and evaluation of a comprehensive system of quality assurance including monitoring. The role of the quality assurance system is to assure financial accountability, program quality and regulatory compliance. As stewards of federal and state funds, it is incumbent upon the division to monitor the use of workforce education funds and regulatory compliance of providers on a regular basis.

## **II. AUTHORITY**

The FDOE receives federal funding from the U.S. Department of Education for Adult Education and Family Literacy under the Adult Education and Family Literacy Act of 1998. FDOE awards subgrants to eligible providers to administer local programs. FDOE must monitor providers to ensure compliance with federal requirements, including Florida's approved state plans for adult education/family literacy. Each state is required to have procedures for reviewing and approving applications for subgrants and amendments to those applications, for providing technical assistance, for evaluating projects, and for performing other administrative responsibilities the state has determined are necessary to ensure compliance with applicable statutes and regulations (34 CFR 76.770). The Florida Department of Education, Division of Career and Adult Education is required to oversee the performance of subgrantees in the enforcement of all laws and rules (Sections 1001.03(8) and 1008.32, Florida Statutes).

Additional citations noting pertinent laws and regulations and authority to monitor are located in the 2012-2013 Quality Assurance Policies, Procedures, and Protocols, Module A, Section 1.

## **III. MONITORING METHODS**

The Quality Assurance Policies, Procedures, and Protocols manual provides a summary of each facet of the division's monitoring program. The manual, located on the division's website at <http://www.fldoe.org/workforce/compliance.asp>, was made available to the provider prior to the monitoring visit. It also contains protocols that may be used as agencies are monitored or reviewed. References may be made to the manual in this document.

## **IV. PROVIDER SELECTION**

Various sources of data are used throughout the implementation of the quality assurance system.

The monitoring strategy for Adult and Community Educators (ACE) of Florida, Inc. was determined to be an onsite visit. Notification was sent to Mr. Marc Hutek, president, on November 26, 2013. The designated representative for the agency was Mrs. Valorie Boyd, executive director.

The onsite visit to the agency was conducted January 28-29, 2014, by three representatives of the Grants Administration and Quality Assurance and Compliance section of the division: Program Specialists Jakita Jones, Dr. Shahrokh Massoudi and Tashi Williams.

## V. GRANTS FISCAL SUMMARY

Grants Fiscal Summary:

<b>Fiscal Year</b>	<b>Grant Type</b>	<b>Award Amounts</b>	<b>Unexpended Funds</b>
2011-12 <i>Not funded</i>			
2012-13	State Leadership/AGE	\$ 58,000.00	\$ 17,150.00*
	State Leadership/EL Civics	\$ 83,968.87	\$ 10,100.79*
2013-14	State Leadership/AGE Continuation	\$ 106,363.00	n/a
	State Leadership/EL Civics	\$ 100,000.00	n/a

*\*unexpended funds greater than 10 percent*

Additional general information about the provider may be found at the following web address:  
<http://www.aceofflorida.org>.

## VI. MONITORING ACTIVITIES

The onsite monitoring activities included:

- an entrance conference
- interviews with administrative staff
- records reviews
- an exit conference

### Onsite Visit

Members of the team made an onsite visit to ACE of Florida, Inc. located in Tallahassee, Florida.

### Entrance and Exit Conferences

The entrance conference for ACE of Florida, Inc., was conducted on January 28, 2014, the exit conference was conducted on January 29, 2014. The participants are listed below:

<b>Name</b>	<b>Title</b>	<b>Entrance Conference</b>	<b>Exit Conference</b>
<b>ACE of Florida, Inc.</b>			
Valorie Boyd	Executive Director/Training Project Coordinator	1/28/2014	1/29/2014
Leigh Ann Clark	Office/Financial Manager	1/28/2014	1/29/2014
Julie Roberts	Project Training Facilitator		1/29/2014
<b>FDOE</b>			
Jakita Jones	Program Specialist	1/28/2014	

Dr. Shahrokh Massoudi	Program Specialist		1/29/2014
Tashi Williams	Program Specialist	1/28/2014	1/29/2014

#### Interviews

Interviews were conducted during the course of the visit with selected administrative staff.

#### Records Review

Program, financial and administrative records were reviewed. A complete list is provided in section VII, item D.

### **VII. RESULTS BY FOCUS AREA**

**A. ADMINISTRATION** refers to the management and/or supervision of programs, structure of programs and services, grant oversight, and other administrative areas.

- A quarterly dial-in discussion is used to discuss pertinent issues and concerns related to adult and community education in Florida.
- All positions at ACE of Florida, Inc. are salaried positions.
- ACE of Florida, Inc. is governed by its board of directors, its officers and the executive director.
- The board of directors consists of 17 district directors and four ex-officios.
  - The board of directors is elected from 17 ACE of Florida, Inc. districts around the state of Florida.
- The executive director has been employed with ACE of Florida, Inc. for 19 years, and in this current position for 17 years.
  - The executive director reports to the board of directors.
- Board meetings are held at a minimum of four times throughout the year.
- The agency has a comprehensive board of directors manual.
- ACE of Florida, Inc. is an economical operation, with limited employment and other clerical support.
- This statewide community based organization supports the professional association for adult educators in Florida.
- ACE of Florida, Inc. has 625 members on record that pay dues on an annual basis.
  - Membership is open to all persons supportive of adult and community education.
- The agency's representatives make numerous presentations, highlights include:
  - ACE of Florida, Inc. conference:
    - Over 500 attendees
    - Thirteen nationally-recognized speakers
    - Coordination of 24 highly regarded and successful annual conferences for adult education
  - Summer Symposium
  - ELITE Conference
  - CASAS and TABE Training Workshop

**B. TECHNOLOGY AND EQUIPMENT** refers to a review of the technology and equipment used by students and teachers in the classroom addresses access, availability, innovation, use and condition.

- Equipment is inventoried on an annual basis.

- The inventory contains all of the elements as required in Education Department General Administrative Regulations (EDGAR).
  - The inventoried items are easy to locate.
  - The equipment was in excellent condition.
  - There have not been any reports of loss, damage or theft in the last 12 months.
- C. **ACCESS AND EQUITY** refers to compliance with the requirements of federal non-discrimination laws as relating to recruitment, enrollment, participation, and completion of programs.

Concerns:

Concern C1: The non-discrimination notice posted in the ACE of Florida, Inc. workroom did not include genetic identity as a protected class as per the Genetic Information Nondiscrimination Act (GINA) of 2008.

*Agency response:* The staff was advised to update the posting. They immediately posted a copy in the front office which is located in a common area.

Recommendation: This concern was addressed during the visit.

Concern C2: The agency's non-discrimination policy as incorporated within the board of directors manual does not include genetic identity as a protected class as per GINA.

Recommendation: On the next printing cycle, update the board of directors manual to include genetic identity as a protected class.

Concern C3: Program materials for adult education do not uniformly contain non-discrimination notices that include genetic identity as a protected class as per GINA.

Recommendation: On the next printing cycle, update all adult education program materials to include genetic identity as a protected class.

Concern C4: Access and equity training has not been conducted in more than eight years.

Recommendation: Consult with the FDOE Equity Office or the Office of Regional Civil Rights in regards to training in the immediate future.

D. **RECORDS REVIEW** refers to a review of the records and documents that evidence compliance with federal and state rules and regulations. Samples of financial and programmatic records are reviewed.

- Board of directors manual
- Invoices
- Timesheets
- Agendas
- Deposit summaries
- VISA control account
- Checks
- Salary expenditures
- Travel expenditures

- Equipment rentals
- Trainer agreements for services
- Deliverables

E. **FINANCIAL** refers to aspects of the federal fiscal requirements that providers must meet when expending federal funds, including financial management, procurement, inventory management, and allowable costs.

- Samples of invoices and deliverables for 2011-12 were reviewed.
- Documentation of expenditures was organized and complete.
- A Certified Public Accountant (CPA) reviews all expenditures, assuring internal control.
  - Accounting software captures each grant by expenditure, allowing the CPA to review expenditures to ensure consistency with approved grants.
- The annual agency review conducted by the CPA contained no findings.

Findings:

Finding E1: There were several checks that exceeded \$10,000 and were signed only by the executive director of ACE of Florida, Inc.

*Agency Response:* The board of directors did not have an executive board member or president in place due to the timeframe of re-election, therefore a second signatory's signature was not present on checks which exceeded \$10,000.

FDOE Response: A corrective action must be identified and implemented to address the finding.

Finding E2: Some timesheets were not signed by the employee or the supervisor.

FDOE Response: A corrective action must be identified and implemented to address the finding.

Finding E3: Travel authorization forms for the executive director were self approved. The executive director cannot approve his/her own personal travel authorization form.

FDOE Response: A corrective action must be identified and implemented to address the finding. The agency is advised to review current advisory committee policies to ensure procedures are consistent with policy.

Concerns:

Concern E1: Unexpended funds greater than ten percent was an issue for the 2012-2013 grant year.

*Agency Response:* Unexpended funds greater than ten percent were caused by FDOE cancelling an advisory committee meeting which was included in the 2012-2013 budget. The advisory committee meeting was designated to cover any tasks not completed during prior meetings. Because all tasks were completed during prior meetings, there was not a need for an additional advisory committee meeting to take place.

Recommendation: When applicable, submit project amendment(s) to FDOE as an effort to minimize unexpended funds.

Concern E2: Although employee timesheets contained elements that are required on a personnel activity report (PAR), the title was not immediately identifiable as a PAR.



Recommendation: Agency is advised to create a form titled 'PAR' to reflect employees' time accounting.

**F. COLLABORATION** refers to the collaborative agreements, partnerships, or memoranda of understanding that are in place to benefit an agency's programs and students.

Collaborations exist with the following:

- Council of Adult Basic Education – national association
- American Association for Adult and Continuing Education – national association
- National Career Pathways Network
- Florida Literacy Coalition
- Florida Tech Net
- Institute for Professional Development for Adult Education – Adult Education Career Pathway
- Florida Department of Corrections

## **VIII. REQUIRED RESOLUTION ACTIVITIES**

### **ADULT EDUCATION**

1. Corrective Actions – ACE of Florida, Inc. is required to complete a list of corrective actions (Appendix A) to address the findings noted in focus area E documented in Section VII above.
2. Actions - ACE of Florida, Inc. is also required to complete a list of actions (Appendix A) to address the concerns noted in focus areas C and E that are documented in Section VII above.

Once the corrective actions and actions are submitted, reviewed, and approved, FDOE will provide regular follow-up with the agency's designated representative to track progress and completion of resolution items.

## **IX. SUMMARY**

Once the field work is completed, including receipt of requested information, a draft report is forwarded to the provider for review. Comments are accepted and considered. The final report is completed, forwarded to the agency head with a copy to the appropriate parties, and is posted on the department's website at the following address: <http://www.fldoe.org/workforce/reports.asp>.

Finally, the division issues a closure notice to the agency head and designated contact person. This notice indicates all outstanding resolution items have been completed.

On behalf of FDOE, the monitoring team extends our appreciation to all participants in the ACE of Florida, Inc. onsite monitoring visit. Special thanks are offered to Mrs. Valorie Boyd, Mrs. Leigh Ann Clark and Mrs. Julie Roberts for their participation and leadership in this process.

## APPENDIX A

### ACE of Florida, Inc. - Adult Education Resolution Plan

Corrective Action(s) or Action (s)	Action or Strategy to Address Finding or Concern	Person Responsible	Projected Date of Completion
<b>Corrective Action (findings):</b>			
<p>Authority/Law: Office of Management and Budget (OMB) Circular A-122, Appendix A A.3.b. and c:</p> <p>b. The restraints or requirements imposed by such factors as generally accepted sound business practices, arms length bargaining, Federal and State laws and regulations, and terms and conditions of the award.</p> <p>c. Whether the individuals concerned acted with prudence in the circumstances, considering their responsibilities to the organization, its members, employees, and clients, the public at large, and the Federal Government.</p> <p>ACE of Florida, Inc. Board of Directors Manual, Policy and Procedure, Article IV, (Section 3: Receipts and Disbursements - General Fund) (D) states the following: The executive director or president's designee shall be bonded and shall have sole check signing authority on checks not to exceed \$10,000. An executive board member shall have authority to be a second signatory on checks which exceed \$10,000.</p> <p>Finding E1: There were several checks that exceeded \$10,000 and were signed only by the executive director of ACE of Florida, Inc.</p>	<p>A corrective action must be identified and implemented to address the finding.</p> <p>Action or strategy: The ACE Executive Director discussed this finding with the ACE President, and the ACE Office/Financial Manager.</p> <p>The executive director and office/financial manager are aware of the policy in the ACE Policy and Procedure Manual. From this point forward, the Executive Director and the Financial Manager will:</p> <ol style="list-style-type: none"> <li>1. At the board meeting when the new board President takes over the duties, the Financial Manager will have ready the bank signature cards for the incoming president and treasurer to sign.</li> <li>2. If the President resigns before his tenure is up, the executive director and financial manager will in a timely manner, have the President-elect sign on the bank signature card.</li> <li>3. The executive director and the office/financial manager will serve as a check and balance to each other and ensure that any bank check that exceeds the \$10,000 limit will be signed by the executive director, then the check will be mailed (or Fed-Exed) to the president for his/her signature. The president will then mail, or (Fed-Ex), the check back to the ACE office and then, the check will be sent to the payee.</li> </ol>	Executive Director and Office/Financial Manager	2/20/14

<p>Authority/Law: Office of Management and Budget (OMB) Circular A-122 Appendix B 8.m.(2)(c)</p> <p>The reports must be signed by the individual employee, or by a responsible supervisory official having first hand knowledge of the activities performed by the employee, that the distribution of activity represents a reasonable estimate of the actual work performed by the employee during the periods covered by the reports.</p> <p>Finding E2: Some timesheets were not signed by the employee or the supervisor.</p>	<p>A corrective action must be identified and implemented to address the finding.</p> <p>Action or strategy:</p> <ol style="list-style-type: none"> <li>1. The Executive Director will follow up to ensure that all ACE employees are using the correct "Time Sheet/PARS Report Form" that has the signature line at the bottom of the time sheet.</li> <li>2. The Policy and Procedure Manual for ACE of Florida will be revised to include a statement that timesheets/PARS will be signed by the employee and/or supervisor. Revision as of Feb. 20, 2014. <u>Article VII Executive Director and Staff</u> <u>Section 7: Staff Attendance/Payroll</u> <u>G: Each month after an employee finalizes their time sheet, the executive director or office manager will check each time sheet for the proper signatures needed.</u></li> <li>3. The Policy and Procedure Manual revision (above) will be sent to the ACE Board of Directors for Board discussion, and a vote for approval of the revision will follow by May, 2014.</li> </ol>	<p>Executive Director and or Office Manager</p>	<p>5/30/14</p>
<p>Authority/Law: Florida Department of Education Project Application and Amendment Procedures for Federal and State Programs (Green Book) - 2013, Section (C) page C-8:</p> <p>All travel-related expenses must have a DOE C-676C (travel form) for each traveler signed by the traveler and his supervisor.</p> <p>Finding E3: Travel authorization forms for the executive director were self approved.</p> <p>The executive director cannot approve his/her own personal travel authorization form.</p>	<p>A corrective action must be identified and implemented to address the finding. The agency is advised to review current advisory committee policies to ensure procedures are consistent with policy.</p> <p>Action or strategy:</p> <ol style="list-style-type: none"> <li>1. The executive director will scan her completed travel form and email it to the ACE Board President or other executive board members. The President, or executive board member will sign the travel form and email it back to the ACE office.</li> <li>2. The Policy and Procedure Manual for ACE of Florida, will be revised to include a statement that the ACE Board of Directors President, or Executive Committee member will approve and sign the travel forms for the executive director.</li> </ol>	<p>Executive Director</p>	<p>5/30/14</p>

	<u>Article IV Finance</u> <u>Section 7: Reimbursements</u> <u>G. Staff Member Travel Guidelines</u> <u>3. Travel Forms for the Executive Director will be approved and signed by the ACE Board President or a member of the Executive Committee.</u> The Policy and Procedure Manual revision above will be sent to the ACE Board of Directors for discussion and a vote for approval of the revision will follow.		
<b>Action(s) (concerns):</b>			
Concern C1: The non-discrimination notice posted in the ACE of Florida, Inc. workroom did not include genetic identity as a protected class as per the Genetic Information Nondiscrimination Act (GINA) of 2008..	The staff was advised by FDOE staff to update the posting. ACE of Florida, Inc. immediately posted a copy in the front office which is located in a common area.  This concern was addressed during the visit. No further action is required.	N/A	Completed during visit
Concern C2: The agency's non-discrimination policy as incorporated within the board of directors manual does not include genetic identity as a protected class as per GINA.	Action or strategy:  The ACE of Florida Policy and Procedure Manual will be revised on May 30, 2014 to include the following statement of non-discrimination on genetic identity discrimination.  (see attached sheet (Attachment #1) of the proposed changes and revisions to the Policy and Procedure Manual.)	Executive Director	5/30/14
Concern C3: Program materials for adult education do not uniformly contain non-discrimination notices that include genetic identity as a protected class as per GINA.	Action or strategy:  This item was discussed with the ACE staff and the ACE Board President. All staff members are now aware of this issue. All printed materials from ACE will now contain the new non-discrimination notice: <i>ACE of Florida prohibits any policy or procedure which results in discrimination on the basis of age, color, disability, gender identity, gender expression, national origin, marital status, race, religion, sex or sexual orientation or genetic information. ACE of Florida is an equal opportunity employer.</i>	Executive Director	2/20/14

Concern C4: Access and equity training has not been conducted in over eight years.	<p>Action or strategy:</p> <p>The executive director of ACE has contacted a representative from the Equal Employment Opportunities Commission in Tampa by telephone.</p> <p>The training for the current ACE staff is scheduled for April 29, 2014.</p> <p>If/when ACE of Florida hires new employee(s), arrangements will be made with the EEOC to conduct access and equity training within a year of the new hire. At that time, it will be determined if a refresher training is appropriate for the current ACE staff.</p> <p>ACE of Florida will conduct access and equity training every five years.</p>	Executive Director	4/29/14
Concern E1: Unexpended funds greater than ten percent was an issue for the 2012-2013 grant year.	<p>Action or strategy:</p> <p>Unexpended funds during the 2012-2013, grant year were the results of the FLDOE cancelling an advisory committee meeting which was included in the ACE grant budget.</p> <p>ACE will work closely with the FLDOE, Division of Career and Adult Education, when conducting advisory committee meetings. We will be in communication with them on the need for all of the committee meetings, or if the tasks were completed early. If completed early, ACE will submit a project amendment to adjust the budget accordingly.</p>	Executive Director	2/20/14
Concern E2: Although employee timesheets contained elements that are required on a personnel activity report (PAR), the title was not immediately identifiable as a PAR.	<p>Action or strategy:</p> <p>The ACE of Florida time sheet has been revised to meet the PAR requirements, (see copy of PAR form for ACE which is attached).</p>	Executive Director	2/21/14
<p>Plan submitted by (name and title): <u>Valorie Boyd, Executive Director</u> Date: <u>March 19, 2014</u></p> <p>Plan accepted by: <u>Tashi D. Williams</u> Date: <u>March 19, 2014</u></p>			

**(Attachment # 1)**

Proposed Changes and Revisions to the  
ACE of Florida Policy and Procedure Manual

Proposed: 2/20/14

Board Approved: \_\_\_\_\_

Non-Discrimination and Equal Opportunity Employer Revision as of 2/20/14

Proposed Revision: 2/20/14

Approved:

Article VII

Section 9 Equal Opportunity Employer

All Adult and Community Educators of Florida activities and employment opportunities are offered without regard to race, color, sex or sexual orientation, national origin, marital status, age, religion, handicap, disability, gender identity, gender expression, or genetic information. ACE of Florida is an equal opportunity employer.

Proposed Revision: 2/20/14

Approved:

Article VIII - Non-Discrimination and Harassment

Section 1 – Non-Discrimination

A. ACE of Florida prohibits any policy or procedure which results in discrimination on the basis of age, color, disability, gender identity, gender expression, national origin, marital status, race, religion, sex or sexual orientation or genetic information. ACE of Florida strives affirmatively to provide equal opportunity for all as required by:

- Title VI of the Civil Rights Act of 1964 – prohibits discrimination on the basis of race, color, religion, or national origin.

- Title VII of the Civil Rights Act of 1964 as amended – prohibits discrimination in employment on the basis race, color, religion, gender, or national origin.
- Title IX of the Education Amendments of 1972 – prohibits the discrimination on the basis of gender.
- Age Discrimination in Employment Act of 1967 (ADEA) as amended – prohibits discrimination on the basis of age with respect to individuals who are at least 40.
- The Equal Pay Act of 1963 as amended – prohibits gender discrimination in payment of wages to women and men performing substantially equal work in the same establishment.
- Section 504 of the Rehabilitation Act of 1973 – prohibits discrimination against the disabled.
- Americans with Disabilities Act of 1990 (ADA) – prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications.
- The Pregnancy Discrimination Act of 1978 – prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions.
- Florida Educational Equity Act (FEEA) –prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student or employee.
- Title II of the Genetic Information nondiscrimination Act of 2008 (GINA) – prohibits discrimination against employees or applicants because of genetic information.

## Section 2 - Harassment

A. ACE of Florida prohibits harassment and/or discrimination against employees, or applicants on the basis of sex, race, color, ethnic or national origin, religion, marital status, disability, genetic information, age, political beliefs, sexual orientation, gender, gender identification, social and family background, linguistic preference, pregnancy, and any other legally prohibited basis.

(Attachment # 2)



**ACE of Florida & ACE of Florida Foundation**  
**Personnel Activity Report**  
912 S. Martin Luther King, Jr. Blvd  
Tallahassee, FL 32301

**Employee Name:**

**Month:**

**Year:**

Date	ACE	Foundation AGE Grant	Foundation EI-Civics Grant	Other	Vacation or Personal	Sick	Total
TOTALS							
TOTALS							



TOTALS							
TOTALS							
TOTALS							

*I hereby certify that the information contained in the Time and Effort/ (PARS) Report accurately reflects 100% of my actual time and effort distribution for the month reported.*

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_