

# **2015-16 Title I School Improvement Section 1003(a)**

## **Basic School Improvement Grant Application**

### **Purpose of Allocation**

Section 1003(a) of the Elementary and Secondary Education Act (ESEA) requires that State Education Agencies allocate funds to Local Education Agencies (LEAs) for Title I Priority and Focus Schools to meet the progress goals in their District Comprehensive Improvement Plan and School Comprehensive Education Plan(s) (DCIP/SCEP) and thereby improve student performance.

These funds are to be used to support implementation of school improvement activities as required in the 2015-2019 ESEA flexibility waiver. More information regarding the approved four-year flexibility renewal can be found at:

<http://www.p12.nysed.gov/accountability/ESEAFlexibilityWaiver.html>.

### **Eligibility**

1. Only Title I Focus Districts and Districts with Title I Local Assistance Plan (LAP) Schools are eligible to apply for this grant.
2. Focus Districts, Priority Schools, Focus Schools and LAP Schools that are identified as of August 31, 2015 are eligible for funding. The 2015-16 lists of Focus Districts, Priority Schools, Focus Schools and LAP Schools are posted online at: <http://www.p12.nysed.gov/accountability/ESEADesignations.html>.
3. Title I Districts that were identified as a Focus District and Title I schools identified as a Priority or Focus School as of June 1, 2015 and subsequently removed from that status will remain eligible for funding during the 2015-16 school year.
4. Only Title I schools providing instruction to students during the 2015-16 school year are eligible for an allocation.

**Please note:** The following districts/schools are not eligible for the Section 1003(a) BASIC School Improvement Grant:

- Non-Title I Focus Districts;
- Non-Title I Schools;
- Focus or Priority Charter Schools;
- Priority Schools receiving 1003(g) School Improvement Grants;
- Priority Schools receiving 1003(a) School Innovation Fund Grants;
- Schools receiving 1003(a) Socioeconomic Pilot Program (SIPP) Grants;
- Priority Schools receiving Receivership Grants during the 2015-16 school year.

## **Funding**

Title I Focus Districts identified for 2015-16 will receive the following allocation(s):

- Title I Focus District base allocation: \$50,000 per district
- Title I Priority School: \$75,000 per school
- Title I Focus School: \$50,000 per school
- Title I LAP School: \$20,000 per school

Title I Districts in Good Standing with Title I LAP Schools are eligible to apply for a LAP School allocation, but are not eligible for a district allocation. Each Title I Local Assistance Plan School identified for 2015-16 will receive the following allocation:

- Title I LAP School: \$20,000 per school

**Each Title I Focus District, Title I Priority and Title I Focus School that is newly identified in February 2016 will receive an allocation of \$25,000 to initiate required improvement activities from the date of identification through August 31, 2016. Additional information and forms to access those funds will be made available when the new list of identified districts and schools is finalized.**

## **Allowable Activities**

Title I School Improvement 1003(a) funds may not be used for any school level activities in Non-Title I schools. Districts must target funds toward the area(s) of identification

and toward the particular subgroup(s) identified for improvement. Funds may only be used for activities allowed under Title I and must be used for required improvement activities listed below:

- A. Participation in Diagnostic Tool for School and District Effectiveness (DTSDE) training, including the DTSDE Certification program, and implementation of DTSDE reviews, including required surveys;
- B. Participation in training for and development of the District Comprehensive Improvement Plan (DCIP), School Comprehensive Education Plans (SCEPs) and Strategic Plans for School Excellence (SPSE), including the DTSDE Professional Learning Community (PLC) program;
- C. Review of Qualifications of Priority and Focus School Leaders;
- D. Work with an independent evaluator to monitor and evaluate fidelity of program implementation;
- E. Submission quarterly of leading indicators report to NYSED;
- F. Provision of Public School Choice to students attending Title I Priority and Focus Schools;
- G. Provision of 200 hours of Extended Learning Time Programming to students in Priority Schools;
- H. Funding to sustain and/or implement a whole school reform model in a Priority School or Focus School;
- I. Funding to implement a community school model or advanced coursework/CTE program in a Priority or Focus School;
- J. Funding to support other DTSDE recommendations;
- K. Funding to support implementation of Local Assistances Plans (LAPs) in Title I LAP Schools; and,
- L. Partnerships with Institutions of Higher Education (IHE) to provide college and career enrichment programs in Science, Technology, Engineering and Math (STEM) for historically underserved students from Focus and Priority Schools.

See application for additional information on allowable and unallowable expenditures.

**Please Note: There is no carryover for these funds.** All activities must be encumbered during the project period below. Funds under this grant may not be used for construction, renovation, furnishings, or acquisition of technology.

**All Focus Districts must submit their 2015-16 DCIP and SCEPs to NYSED and post them on their district web site by July 31, 2015.** Applications will be accepted from eligible districts that have received NYSED Office of Accountability approval for an extension to submit their plans, but funding will not be approved until the required plans have been received.

Additional information regarding district and school improvement requirements under the ESEA Flexibility waiver may be found at:

<http://www.p12.nysed.gov/accountability/ESEAFlexibilityWaiver.html>

### **Grant/Project Period**

September 1, 2015 to August 31, 2016

### **Application Due Date**

Applications will be accepted on a rolling basis until **November 30, 2015**, but all activities are subject to review and approval for funding. Applications with activities starting in September are due by **August 31, 2015**. Districts may submit a full or partial application in August and then submit revisions as needed until June 30, 2016.

### **Budget Amendment Deadline**

**All budget amendments are subject to review and approval.** Amendments to add new activities must be postmarked and submitted electronically no later **June 30, 2016**. Amendments must be submitted with sufficient time for review of any new activities. Amendments to adjust costs for approved activities or adjust fund codes can be accepted at any time during the project period; however **supplies exceeding 10% of an activity cost requires a full review and must be submitted by June 30, 2016**. **Late amendments will not be accepted.**

## Submission Instructions

This is district grant and only one grant may be submitted by the district for all allowable activities and eligible schools.

A complete application consists of **one original** bearing the original signature of the Superintendent and **one electronic copy** (email to [SIGA@nysed.gov](mailto:SIGA@nysed.gov)) of the following:

- Cover page (with original signature)
- Title I School Improvement Grant Allocation Chart\*
- Title I School Improvement Grant Program Narrative Chart\*
- Assurances and Certification Regarding Lobbying, etc.
- FS-10 Budget (with original signature)

Form available at <http://www.oms.nysed.gov/cafe/forms/>

### Send applications to:

#### Attn: Title I School Improvement, 1003(a) Application

New York State Education Department  
Title I School & Community Services, Room 368 EBA  
89 Washington Avenue  
Albany, New York 12234

### Send an electronic copy to [SIGA@nysed.gov](mailto:SIGA@nysed.gov).

Please include your **DISTRICT NAME** in the subject line of all e-mail submissions.

For additional information or assistance please contact: [SIGA@nysed.gov](mailto:SIGA@nysed.gov)

# 2015-16 Title I School Improvement Grant Application

## Basic School Improvement Grant

### COVER PAGE

<b>District:</b>	<b>BEDS Code:</b>
<b>Address:</b>	
<b>Program Contact Person:</b>	<b>Telephone:</b>
<b>Address of Contact:</b>	
<b>E-mail Address:</b>	<b>Fax:</b>

I hereby certify that I am the applicant's chief school/administrative officer and that the information contained in this application is, to the best of my knowledge, complete and accurate. I further certify, to the best of my knowledge, that any ensuing program and activity will be conducted in accordance with all applicable Federal and State laws and regulations, application guidelines and instructions, Assurances, Certifications, Appendix A, and that the requested budget amounts are necessary for the implementation of this project.

I further certify that the district will implement the Diagnostic Tool for School and District Effectiveness (DTSDE) or a school review (focused on DTSDE Tenet 3) with district oversight in all Focus and Priority Schools as required in Commissioner's Regulations 100.18 (h). District staff will participate in DTSDE professional development, and administer surveys as required by NYSED. The district will contract with NYSED approved Outside Educational Experts as needed and use the DTSDE in the format and content prescribed by the Commissioner for all Focus and Priority Schools. The district will submit all required reports as required by NYSED.

It is understood by the applicant that this application constitutes an offer and, if accepted by the NYS Education Department or renegotiated to acceptance, will form a binding agreement. It is also understood by the applicant that immediate written notice will be provided to the grant program office if at any time the applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

Authorized Signature of Chief School/Administrative Officer (**in blue ink**)

Typed Name:

Date:

# 2015-16 Title I School Improvement Section 1003(a)

## Basic School Improvement Grant

### ALLOCATION CHART

<b>District Name:</b>	<b>BEDS Code:</b>
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1. Enter the applicable District allocation in Row 1 or Row 2 of the chart below. Only one district allocation will apply to each district.
2. Enter the number of eligible Title I Priority, Focus and LAP schools in Rows 3, 4, and 5 in the chart below. Do not count schools receiving 2015-16 SIG(g), SIF, SIPP or Receivership Grants.
3. Multiply the number of Title I Priority, Focus and LAP schools by the allocations shown and enter the subtotals for each group of schools.
4. Add the District Allocation, Priority School, Focus School and LAP School Subtotals and enter the Total District Allocation in Row 6.
5. The Total District Allocation is the maximum available for the district as of 9/1/15. Districts may apply for some or all of the available funds in the initial application. Districts have until June 30, 2016 to revise their application.

Row #	District / School Status	Allocation	Number	Subtotal
<b>1</b>	<b>Good Standing District</b>	<b>\$0</b>		<b>\$</b>
<b>2</b>	<b>Focus District</b>	<b>\$50,000</b>		<b>\$</b>
<b>3</b>	<b>Title I Priority Schools</b>	<b>\$75,000</b>		<b>\$</b>
<b>4</b>	<b>Title I Focus Schools</b>	<b>\$50,000</b>		<b>\$</b>
<b>5</b>	<b>Title I LAP Schools</b>	<b>\$20,000</b>		<b>\$</b>
<b>6</b>	<b>Total District Allocation</b>			<b>\$</b>

## **Title I School Improvement Program Narrative Chart Instructions**

Funds may only be used for activities allowed under Title I and must be used for the required improvement activities listed below:

- A. Participation in Diagnostic Tool for School and District Effectiveness (DTSDE) training, including the DTSDE Certification program, and implementation of DTSDE reviews, including required surveys;
- B. Participation in training for and development of the District Comprehensive Improvement Plan (DCIP), School Comprehensive Education Plans (SCEPs) and Strategic Plans for School Excellence (SPSE), including the DTSDE Professional Learning Community (PLC) program;
- C. Review of Qualifications of Priority and Focus School Leaders;
- D. Work with an independent evaluator to monitor and evaluate fidelity of program implementation;
- E. Submission quarterly of leading indicators report to NYSED;
- F. Provision of Public School Choice to students attending Title I Priority and Focus Schools;
- G. Provision of 200 hours of Extended Learning Time Programming to students in Priority Schools;
- H. Funding to sustain and/or implement a whole school reform model in a Priority School or Focus School;
- I. Funding to implement a community school model or advanced coursework/CTE program in a Priority or Focus School;
- J. Funding to support other DTSDE recommendations;
- K. Funding to support implementation of Local Assistances Plans (LAPs) in Title I LAP Schools; and
- L. Partnerships with Institutions of Higher Education (IHE) to provide college and career enrichment programs in Science, Technology, Engineering and Math (STEM) for historically underserved students from Focus and Priority Schools.

**IMPORTANT NOTE:** Due to the approval of New York State's ESEA flexibility renewal request for 2015-16 through 2018-19, the number of eligible schools and districts has more than tripled for the BASIC School Improvement Grant. Please read follow the directions below carefully. **Failure to provide required information will significantly delay review and approval of your grant.**

1. For each activity being funded, provide a description in the appropriate section of the chart. Districts with up to five identified schools may use a single chart for both district and school activities. Districts with more than five identified schools must use separate charts for the district and schools, and may group schools with similar accountability and interventions in the school program narrative chart(s) as appropriate.
2. Only brief descriptions are needed for the charts. Please limit the chart description to the most relevant facts (what, when, how many, how much).
3. Activities that are being implemented from the DCIP, SCEP, or SPSE must include plan citation(s). The plans should provide sufficient detail for review and approval of these activities.
4. Expanded descriptions for activities not associated with the DCIP, SCEP or SPSE may be submitted as attachments to the chart to explain rationale and impact of the proposed activity. This information is OPTIONAL for the initial review and approval, but may be requested by reviewers if needed.
5. Cost Type (staff/vendor/supplies/other) cannot be blank and must contain estimated numbers and basic item types. Responding with blanks, "TBD" and "Varies" will delay review and approval of the application. Please provide sufficient information for approval or wait to submit those costs when the required information is available.
6. Cost Calculation (units/rate/cost) is required for approval. Reviewers must see the rates and amounts used to generate costs for each activity to determine whether the costs are reasonable. Responses that are blank or contain "TBD" or "Varies" cannot be approved.
7. Duplicate rows may be inserted as needed and rows that are not applicable may be deleted. EX: Good Standing Districts with LAP Schools may only need to complete information for Activity K.
8. Information about amendments and allowable/unallowable expenses is found in the **Allowable & Unallowable Expenses Chart** (page 12).

**DISTRICT/SCHOOL NAME:**

**Title I School Improvement Grant Program Narrative Chart**

<b>Activity Description</b> (include all applicable plan citations)	<b>Dates</b>	<b>Cost Type</b> (staff/vendor/supplies/other)	<b>Cost Calculation</b> (units/rate/cost)	<b>Total Cost</b>
<b>A. Participation in Diagnostic Tool for School and District Effectiveness (DTSDE) training, including the DTSDE Certification program, and implementation of DTSDE reviews, including required surveys. (DO NOT INCLUDE DTSDE REGISTRATION FEES)</b>				
<b>B. Participation in training for and development of the District Comprehensive Improvement Plan (DCIP), School Comprehensive Education Plans (SCEPs) and Strategic Plans for School Excellence (SPSE), including the DTSDE Professional Learning Community (PLC) program (DO NOT INCLUDE DTSDE REGISTRATION FEES: See Allowable/Unallowable Chart p. 12)</b>				
<b>C. Review of Qualifications of Priority and Focus School Leaders</b>				
<b>D. Work with an independent evaluator to monitor and evaluate fidelity of program implementation</b>				
<b>E. Submission quarterly of leading indicators report to NYSED</b>				
<b>F. Provision of Public School Choice to students attending Title I Priority and Focus Schools</b>				
<b>G. Provision of 200 hours of Extended Learning Time Programming to students in Priority Schools</b>				

**DISTRICT/SCHOOL NAME:**

**Title I School Improvement Grant Program Narrative Chart**

<b>Activity Description</b> (include all applicable plan citations)	<b>Dates</b>	<b>Cost Type</b> (staff/vendor/supplies/other)	<b>Cost Calculation</b> (units/rate/cost)	<b>Total Cost</b>
<b>H. Funding to sustain and/or implement a whole school reform model in a Priority School or Focus School</b>				
<b>I. Funding to implement a community school model or advanced coursework/CTE program in a Priority or Focus School</b>				
<b>J. Funding to support other DTSDE recommendations</b>				
<b>K. Funding to support implementation of Local Assistances Plans (LAPs) in Title I LAP Schools</b>				
<b>L. Partnerships with Institutions of Higher Education (IHE) to provide college and career enrichment programs in Science, Technology, Engineering and Math (STEM) for historically underserved students from Focus and Priority Schools</b>				
<b>Total amount for school improvement activities:</b>				

## 2015-16 Title I School Improvement Grants 1003(a) Allowable & Unallowable Expenses

**THERE IS NO CARRYOVER FOR TITLE I SCHOOL IMPROVEMENT FUNDS.**  
All activities must be encumbered during the project period: 9/1/15 – 8/31/16.

**AMENDMENTS ARE DUE 6/30/16. PRIOR APPROVAL IS REQUIRED FOR ALL ACTIVITIES.** Amendments must be submitted with sufficient time for review of all NEW activities. Amendments to adjust costs for APPROVED activities or adjust fund codes can be accepted at any time during the project period; however **SUPPLIES EXCEEDING 10% OF AN ACTIVITY COST ALWAYS REQUIRE A FULL REVIEW AND MUST BE SUBMITTED BY 6/30/16.**

ALLOWABLE ACTIVITIES	UNALLOWABLE ACTIVITIES
<ul style="list-style-type: none"> <li>• Substitutes or overtime for staff participating in required activities</li> <li>• Administration of parent, teacher, and/or student surveys required for DTSDE reviews</li> <li>• Consultants needed for required activities</li> <li>• Registration fees that EXCLUDE meals</li> <li>• Reasonable supplies</li> <li>• Supplemental instructional materials</li> <li>• Supplemental teacher materials</li> <li>• Supplemental work with existing curricula (PD, revision, mapping, etc.)</li> <li>• Travel costs for staff attending training (mileage, tolls, parking, train fare, taxis, per diem, lodging, etc.)</li> <li>• Travel must conform to NYS travel rates and regulations</li> <li>• Indirect cost up to \$25,000 per contract</li> </ul>	<ul style="list-style-type: none"> <li>• <b>DTSDE Registration fees and any registration fees that include meals cannot be paid with federal funds.</b></li> <li>• Contract hours for school principals or mandated staff positions</li> <li>• Instructional materials for core courses</li> <li>• School costs for reviews and surveys in Non-Title I buildings</li> <li>• Curriculum development for new credit bearing core courses</li> <li>• Food or refreshments for staff activities except per diem costs during travel</li> <li>• Consultant travel, per diems and supplies should be included in the contractual fees and not be billed separately.</li> <li>• Federal funds can never be used for incentives (T-shirts, gift cards, etc.)</li> <li>• Indirect cost cannot be taken on contract amounts exceeding \$25,000</li> <li>• Construction, renovation, furnishing or acquisition of general use technology (computers, iPads, laptops, etc.)</li> </ul>

## **Assurances**

The following assurances are a component of your application. By signing the certification on the application cover page you are ensuring accountability and compliance with state and federal laws, regulations, and grants management requirements and certifying that you have read and will comply with the following assurances and certifications.

### Federal Assurances and Certifications, General:

- Assurances – Non-Construction Programs
- Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions
- General Education Provisions Act Assurances

### Federal Assurances and Certifications, NCLB (if appropriate):

The following are required as a condition for receiving any federal funds under the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001.

- NCLB Assurances
- School Prayer Certification

## **General Federal Assurances**

1. The program will be administered in accordance with all applicable statutes, regulations, program plans and applications;
2. Each LEA shall assure its compliance with all supplement not supplant requirements;
3. (a) The control of funds provided under each program and title to property acquired with program funds will be in a public agency or in a non-profit private agency, institution, organization, or Indian tribe, if the law authorizing the program provides for assistance to those entities; (b) the public agency, nonprofit private agency, institution or organization, or Indian tribe will administer the funds and property to the extent required by the authorizing statutes;
4. The applicant will adopt and use proper methods of administering each such program, including (a) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program; and (b) the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation;
5. The applicant will cooperate in carrying out any evaluation of each such program conducted by or for the State educational agency, the Secretary, or other Federal officials;
6. The applicant will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the applicant under each such program;
7. The applicant agrees to comply with the following civil rights authorities, their implementing regulations, and appropriate federal and State guidelines: Title VI of the Civil Rights Act of 1964, Title IX of the Federal Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975.

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## ASSURANCES - NON-CONSTRUCTION PROGRAMS

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As the duly authorized representative of the applicant, and by signing the application cover page, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §§874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction sub agreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

**Standard Form 424B (Rev. 7-97), Prescribed by OMB Circular A-102, Authorized for Local Reproduction, as amended by New York State Education Department**

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## CERTIFICATIONS REGARDING LOBBYING

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Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of the Application Cover Page provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- (c) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including sub grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub recipients shall certify and disclose accordingly.

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## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION — LOWER TIER COVERED TRANSACTIONS**

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This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

### **Instructions for Certification**

1. By signing the Application Cover Page, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

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**Certification**

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

*ED 80-0014, as amended by the New York State Education Department*

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## GENERAL EDUCATION PROVISIONS ACT ASSURANCES

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These assurances are required by the General Education Provisions Act for certain programs funded by the U.S. Department of Education.

As the authorized representative of the applicant, by signing the application cover page, I certify that:

- (1) that the local educational agency will administer each program covered by the application in accordance with all applicable statutes, regulations, program plans, and applications;
- (2) that the control of funds provided to the local educational agency under each program, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;
- (3) that the local educational agency will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to that agency under each program;
- (4) that the local educational agency will make reports to the State agency or board and to the Secretary as may reasonably be necessary to enable the State agency or board and the Secretary to perform their duties and that the local educational agency will maintain such records, including the records required under section [1232f](#) of this title, and provide access to those records, as the State agency or board or the Secretary deem necessary to perform their duties;
- (5) that the local educational agency will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program;
- (6) that any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public;
- (7) that in the case of any project involving construction –
  - (A) the project is not inconsistent with overall State plans for the construction of school facilities, and
  - (B) in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under section [794](#) of title [29](#) in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities;
- (8) that the local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and
- (9) that none of the funds expended under any applicable program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.