

2019 Title I School Improvement Section 1003

New York State Integration Project - Professional Learning Community (NYSIP-PLC) Grant – Phase II

Purpose:

New York State has been found by one measure to have the most racially and socioeconomically segregated school system in the nation.¹ In light of this, the New York State Education Department (NYSED or “the Department”) presented a proposed [Diversity Statement](#) to the Board of Regents in June 2017, outlining the positive impacts of socioeconomic, racial, and other types of integration on academic outcomes for elementary and secondary-school students.

In an effort to support this renewed commitment to racial, socioeconomic, and other types of student integration in New York State, the NYSIP-PLC grant offers funds to assist LEAs to promote staff understanding of the benefits of integration and to assist staff to develop individualized district integration plans.

The purpose of the NYSIP program is to increase student achievement in New York State public schools by encouraging greater racial/ethnic, special education, English Language Learner/Multilingual Learner (ELL/MLL), and socioeconomic integration in Title I schools, particularly those identified for improvement. The three phases of the program are intended to provide districts with the funding and support to 1) learn about the benefits of integration and develop a sustainable integration strategy for the district, 2) refine their strategy and implement a limited pilot, and 3) fully implement a district integration plan.

Title I School Improvement Grant funds under Section 1003 must be used to support Local Education Agencies (LEAs) that receive Title I funds and:

- Are identified as a Target District under the State’s accountability system.
- Serve the lowest achieving schools;
- Demonstrate the greatest need for such funding;
- Demonstrate the strongest commitment to ensuring that such funds are used to enable the lowest achieving schools to meet the progress goals in their school improvement plans; and

¹ Orfield, G., Frankenberg, E., Ee, J., & Kuscera, J. (2014). *Brown at 60: Great progress, a long retreat and an uncertain future*. Civil Rights Project/Proyecto Derechos Civiles.

Eligibility:

For participation in Phase II of the New York State Integration Project – Professional Learning Community Grant (the “NYSIP-PLC”), NYSED has established a list of preliminarily eligible districts based on participation in Phase I of the NYSIP-PLC.

| District Name | Allocation |
|---|-------------------|
| BUFFALO CITY SCHOOL DISTRICT | \$136,000 |
| EAST RAMAPO CENTRAL SCHOOL DISTRICT (SPRING VALLEY) | \$115,000 |
| MOUNT VERNON SCHOOL DISTRICT | \$115,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT # 1 | \$115,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT # 2 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT # 3 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #10 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #13 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #15 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #21 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #22 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #24 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #27 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #28 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #30 | \$130,000 |
| NEW YORK CITY GEOGRAPHIC DISTRICT #31 | \$130,000 |
| PEEKSKILL CITY SCHOOL DISTRICT | \$100,000 |
| ROCHESTER CITY SCHOOL DISTRICT | \$136,000 |
| SYRACUSE CITY SCHOOL DISTRICT | \$136,000 |
| WYANDANCH UNION FREE SCHOOL DISTRICT | \$100,000 |
| YONKERS CITY SCHOOL DISTRICT | \$130,000 |

Eligibility for Phase II will be based in part on (1) identification as a Target District; (2) satisfactory attendance at all Phase I NYSIP-PLC sessions and check-in calls; and (3) satisfactory submission of interim Phase I assignments.

Funding:

Phase II funding will be awarded via non-competitive grant awards for use during an 18 month project period. An initial award totaling 20 percent of the total available funds will be made available upon review and approval of the initial application.

These funds will generally support an LEA's ongoing participation in facilitated PLC sessions, as well as other allowable planning activities. Up to 70 percent of funds will be made available to an LEA upon submission of an acceptable plan for piloting or partially implementing integration strategies and plans. The final 10 percent of funds will be made available upon completion of the final program report and submission of the FS-10F Final Expenditure Report Form.

Please note that Phase II participants are not guaranteed to receive funding for Phase III. NYSED will select participants eligible to apply for Phase III funding based on participation in Phase II's PLC and the final Phase II submission.

Program Description and Allowable Use of Funds:

The primary purpose of this grant is to provide districts with funding to pilot or partially implement integration strategies and plans that were developed in Phase I of the NYSIP-PLC. Allowable uses of funds may include the following activities related to developing, implementing, and/or piloting integration plans:

- Staff time to model, conduct focus groups, or test integration plans;
- Conducting community engagement activities; and
- Hiring additional personnel and/or consultants to support integration plans.

This grant also broadly serves as continued funding for developing districts' integration strategies. As such, grant funds may be used to ensure full participation of district representatives in the NYSIP-PLC sessions and working meetings (including travel and lodging costs), as well as to support districts in completing any required PLC assignments. Any remaining funds may be used for the further development of specific integration strategies, such as additional planning, data gathering, community engagement, and staff time.

Travel expenses for NYSIP-PLC sessions must conform with NYS travel rates and regulations. The current rates are available at: <https://www.gsa.gov/travel/plan-book/per-diem-rates>.

Application Requirements:

The primary components of each participant's application for the Phase II PLC are (1) the **Needs Assessment**, (2) the **Application Narrative**, and (3) the **Commitment Narrative**.

The Needs Assessment is the applicant's opportunity to demonstrate the district's understanding of the causes of racial/ethnic, special education, ELL/MLL, and socioeconomic segregation in the community, as well as lessons learned from Phase I of the NYSIP-PLC. The Needs Assessment also serves to show intended uses of funds for Phase II.

The Application Narrative is the applicant's opportunity to provide an account of the district's progress during Phase I and illustrate the district's integration strategy. The Application Narrative must include: (1) The integration strategy (a final version of the impact statement and strategic plan developed in Phase I); and (2) a problem-solving process or plan to address problems or issues during anticipated implementation.

The Commitment Narrative is the applicant's opportunity to provide a comprehensive description of the district's commitment to continue developing and implementing a robust integration strategy. The Commitment Narrative should be clear and precise, and adhere to the required structures for each document.

Reporting Requirements

Grant recipients will be required to complete and submit (1) assignments identified by the PLC facilitators throughout the project period and (2) a Phase II Final Report within 90 calendar days from the end of the project period. The Final Report will include:

- Documentation sufficient to show the key elements from and adjustments made during the pilot or partial-implementation of the district's integration strategy;
- An evaluation of the results from the pilot or partial implementation, including how the pilot or partial implementation informs full-scale implementation during Phase III; and
- An updated Strategic Plan for full-scale implementation.

Submission of completed assignments and a final report will be a condition of receiving payment.

Project Period:

February 15, 2019 – August 31, 2020

Application Deadline:

Applications must be emailed and postmarked no later than February 12, 2019.

Submission Instructions:

A complete application consists of **one original** and **one electronic copy** (email to SIGA@nysed.gov) including the following:

- Cover page (with original signature)
- Application Checklist
- Attachment A: Needs Assessment
- Attachment B: Application Narrative
- Attachment C: Commitment Narrative
- Attachment D (optional): Geographically Proximate District and/or BOCES Commitment
- Budget Narrative
- FS-10 Budget

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

Send the completed application to:

Attn: Title I 1003 NYSIP Phase II Grant

New York State Education Department
Office of ESSA-Funded Programs
89 Washington Avenue
Room 320 EB
Albany, New York 12234

For additional information or assistance please contact: SIGA@nysed.gov.

2018 New York State Integration Project – Professional Learning Community (NYSIP-PLC) Grant – Phase II Application

COVER PAGE

| | |
|---|-------------------|
| District: | BEDS Code: |
| Address: | |
| Contact Person: | Telephone: |
| E-mail Address: | Fax: |
| <p>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, and that the requested budget amounts are necessary for the implementation of this project.</p> <p>I further assure the collaborative development/implementation of a district integration plan to reduce racial/ethnic, special education, English Language Learner/Multilingual Learner, and socioeconomic isolation. This collaboration will include: participation in grant-related meetings, review of data, completion of PLC assignments, and the development of a district integration plan.</p> <p>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.</p> | |
| <p>Authorized Signature of Chief School/Administrative Officer (in blue ink)</p> | |
| Typed Name: | Date: |

Application Checklist

Listed below are the required documents for a complete application package in the order that they must be submitted. The complete application must be signed and submitted by the district. See below for instructions on the forms required. Use this checklist to ensure that your application submission is complete. Incomplete applications will not be reviewed.

Required Documents to Be Submitted in the Following Order

| | Document |
|--------------------------|---|
| <input type="checkbox"/> | Application Cover Page with original signatures in blue ink |
| <input type="checkbox"/> | Application Checklist |
| <input type="checkbox"/> | Attachment A: Needs Assessment (no more than 3 pages, single-spaced, 12-point font and one-inch margins). |
| <input type="checkbox"/> | Attachment B: Application Narrative |
| <input type="checkbox"/> | Attachment C: Commitment Narrative (no more than 3 pages, single-spaced, 12-point font and one-inch margins). |
| <input type="checkbox"/> | Attachment D (optional): Geographically Proximate District and/or BOCES Commitment |
| <input type="checkbox"/> | Budget Narrative |
| <input type="checkbox"/> | FS-10 Budget Form with original signature in blue ink |

Attachment A: Needs Assessment

The Needs Assessment should not exceed 3 single-spaced pages with 12-point font and one-inch margins.

The Needs Assessment should demonstrate responses to the following questions:

- A. Describe how developing your Theory of Action, Strategic Plan, plan to measure implementation, and problem-solving process during Phase I helped your district understand the causes of racial/ethnic, special education, English Language Learner/Multilingual Learner (ELL/MLL), and socioeconomic segregation in the community. What did you learn through the process, including through your community engagement about segregation in your district?

- B. Identify and describe which of the causes of segregation that you have identified could be addressed through an initial pilot or partial-implementation of your integration strategy. Why did you pick this cause or this particular pilot/partial-implementation as a starting point? What are the benefits of starting with this effort, and how are these benefits aligned with your impact statements in your integration strategy? Please make reference to specific parts of your Strategic Plan in answering this question. Describe the scope of the pilot including the number of schools, teachers, and/or students that will be involved and/or affected, and how they will be involved and/or affected.

Attachment B: Application Narrative

The Application Narrative must include:

- A. **Integration strategy.** This is the final version of the district's Impact Statement (Vision Statement) and Strategic Plan.
- B. **A problem-solving process or plan to address problems or issues during implementation.** This document should identify the district's core implementation team and indicate when the implementation team plans to meet to measure and assess progress, and engage in the problem-solving inquiry cycle.

Applicants' integration strategies are expected to address the problem of segregation at the district, school, and classroom level for specific subgroups (socioeconomic status, race/ethnicity, ELL/MLL, differently abled students, etc.), and includes how they plan to address those issues through:

- (1) school enrollment and classroom placement,
- (2) representative and culturally competent educators,
- (3) educator training on culturally responsive-sustaining practices,
- (4) culturally responsive-sustaining curriculum and materials, and
- (5) review/revision of policies to align them with integration and culturally responsive-sustaining goals.

Some districts may not have all five elements in their integration strategy, depending on the nature of the district's Strategic Plan. To the extent these five elements are not each explicitly addressed, applicants should provide an explanation describing why.

Attachment C: Commitment Narrative

The Commitment Narrative should not exceed 3 single-spaced pages with 12-point font size and one-inch margins.

The district's Commitment Narrative should demonstrate how the district will meet the following requirements:

- A. Commitment to reducing racial/ethnic, socioeconomic, special education and ELL/MLL isolation throughout the school district, with a focus on identified schools. This includes, but is not limited to, a commitment to developing and implementing a pilot or partially-implementing part of the integration strategy developed in Phase I of the NYSIP-PLC. Proposed models and activities must be consistent with the U.S. Supreme Court decision in Parents Involved in Community Schools v. Seattle School District. No. 1, 551 U.S. 701 (2007).
- B. Commitment to ongoing problem-solving and adjustments to the district's integration strategy as piloting/partial-implementation is carried out.
- C. Full participation of district and community representatives at four 4 two-day learning meetings. These sessions will require all participants to travel to a pre-determined location, such as Albany or New York City. Participants must also commit to full participation in at least three 3 calls in the months in between the four learning meetings.
- D. Commitment by district staff to actively engage community members holistically in the pilot or partial-implementation process and further development of the integration strategy. This includes, but is not limited to, the development of communication materials or a public engagement campaign to increase buy-in among various stakeholders for the pilot or partial-implementation and further development of the integration strategy.
- E. Commitment by district staff to reach out to potential partners in other districts, should the grantee district seek to implement an inter-district integration strategy.
- F. Commitment to using evaluation and organizational management tools developed throughout the PLC to aid in piloting or partial-implementation.
- G. Commitment to using district data in similar ways to those presented at the PLCs to thoroughly explore models of integration and potential policy ramifications of strategy decisions.
- H. Commitment to engaging school and other district staff members in implementing a district pilot or partial-implementation of the integration strategy, and in further developing an integration strategy that addresses segregation at multiple levels of schooling.
- I. Commitment to leveraging different sources of funding to support the pilot or partial-implementation and further development of the integration strategy.

Attachment D: Geographically Proximate District and/or BOCES Commitment

The following should be signed by each superintendent of a geographically proximate district and/or Board of Cooperative Education Services (BOCES).

- The undersigned superintendent and staff, or BOCES, are committed to working with the partnering district to pilot or partially-implement part of the district's integration strategy designed to reduce racial/ethnic, special education, English Language Learner/Multilingual Learner, and socioeconomic isolation across districts.
- The undersigned superintendent and staff, or BOCES, are committed to supporting the partnering district with the program requirements for the PLC, as described in the RFP, including joint participation in sessions, if appropriate, joint completion of PLC assignments, and the piloting or partial implementation of the district's integration strategy.

| | |
|---|-------------|
| Superintendent Signature: (in blue ink) | |
| Date: | Typed Name: |
| Name of District or BOCES: | |

New York State Education Department

ASSURANCES AND CERTIFICATIONS FOR FEDERAL PROGRAM FUNDS

The following assurances and certifications are a component of your application. By signing the certification on the application cover page you are ensuring accountability and compliance with applicable State and federal laws, regulations, and grants management requirements.

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

Federal Assurances and Certifications, ESEA:

The following are required as a condition for receiving any federal funds under the Elementary and Secondary Education Act. (ESEA)

- ESEA Assurances
- School Prayer Certification

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Education Department Program Contact listed in the Application. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

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 subagreements.
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 2 CFR Part 200, 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 2 CFR Part 200, Authorized for Local Reproduction, as amended by New York State Education Department

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

These 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 2 CFR Part 200, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR 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 subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

This certification is required by OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 CFR Part 180

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of any offenses listed in 2 CFR §180.800(a) or had a civil judgment rendered against them for one of those offenses within that time period; and ;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in 2 CFR §180.800(a); and
- (d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIERED COVERED TRANSACTIONS

The terms “debarment,” “suspension,” “excluded,” “disqualified,” “ineligible,” “participant,” “person,” “principal,” “proposal,” and “voluntarily excluded” as used in this certification have the meanings set forth in 2 CFR Part 180, Subpart I, “Definition.” A transaction shall be considered a “covered transaction” if it meets the definition in 2 CFR Part 180 Subpart B, “What is a covered transaction?”

A. The applicant certifies that it and its principals:

- (a) Upon approval of their application, in accordance with 2 CFR Part 180 Subpart C, they shall not enter into any lower tier nonprocurement covered transaction with a person without verifying that the person is not excluded or disqualified unless authorized by USDOE.
- (b) Will obtain an assurance from prospective participants in all lower tier covered nonprocurement transactions and in all solicitations for lower tier covered nonprocurement transactions that the participants will comply with the provisions of 2 CFR Part 180 subparts A, B, C and I.
- (c) Will provide immediate written notice to the New York State Education Department if at any time the applicant and its principals learn that a certification or assurance was erroneous when submitted or has become erroneous because of changed circumstances.

**NEW YORK STATE DEPARTMENT OF EDUCATION
ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) ASSURANCES**

These assurances are required for programs funded under the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act of 2015.

As the chief school officer of the applicant, by signing the Application Cover Page, I certify that:

- (1) the applicant will comply with the requirements of Education Law § 3214(3)(d) and (f) and the Gun-Free Schools Act (20 U.S.C. § 7151);
- (2) the applicant will comply with the requirements of 20 U.S.C. § 7908 on military recruiter access;
- (3) the applicant will comply with the requirements of 20 U.S.C. § 7904 on constitutionally protected prayer in public elementary and secondary schools;
- (4) the applicant will comply with the requirements of Education Law § 2802(7), and any state regulations implementing such statute and 20 U.S.C. § 7912 on unsafe school choice; and
- (5) the applicant will comply with all fiscal requirements that apply to the program, including but not limited to any applicable supplement not supplant or local maintenance of effort requirements.
- (6) the applicant understands the importance of privacy protections for students and is aware of the responsibilities of the grantee under section 20 U.S.C. 1232g (FERPA) (ESSA §854