

# 2013-14 Title I School Improvement Section 1003(a)

## LEADERSHIP AND STEM ENRICHMENT GRANTS

### **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.

Funds will be allocated to Focus Districts to support partnerships with Higher Education Institutions (IHE), Boards of Cooperative Educational Services (BOCES), education research organizations and/or local business and industry. The funds must be used to develop leadership programs for implementation of Common Core Learning Standards (CCLS) and Annual Personnel Performance Reviews (APPR) as required under the provisions of Education Law §3012-c, and to provide college and career enrichment programs in Science, Technology, Engineering and Math (STEM) for historically underserved students.

### **Eligibility**

Only Title I Focus Districts are eligible to apply for this grant. The list of Focus Districts is posted at: <http://www.p12.nysed.gov/accountability/documents/2012-13FocusDistricts.xls>. Non-Title I Focus Districts and Focus or Priority Charter Schools are not eligible for this grant.

### **Funding**

Each Title I Focus District will receive the following additional allocation(s):

- Title I Focus District base allocation: \$50,000 per district
- Title I Priority School: \$20,000 per school
- Title I Focus School: \$10,000 per school

## **Allowable Activities**

Funds may only be used for activities allowed under Title I and must be used for required improvement activities from the following list:

**Districts that do not have an APPR plan approved for the 2012-13 school year may only use these funds to support professional development designed to prepare for implementation of an APPR plan in the 2013-2014 school year.**

1. Development of partnerships with IHEs, BOCES, and/or education research organizations to support school leaders (principals, assistant principals, superintendents and curriculum leaders) with the implementation of Annual Personnel Performance reviews in Title I Focus and Priority Schools,
2. Development of partnerships with IHEs, BOCES, and/or education research organizations to support school leaders with the implementation of rigorous curricular and instructional practices aligned with the Common Core Learning Standards, and
3. Development of partnerships with IHEs and/or local business and industry to provide enrichment programs in Science, Technology, Engineering and Math (STEM) for at risk (levels 1 and 2) students.
  - STEM learning opportunities must include summer residential programs at colleges and universities, as well as after-school, weekend, and summer enrichment programs. A significant portion of the student activities must be located at the IHE campus or at local business or industry facilities, and meaningful field trips are highly encouraged.
  - The programs must target students that are low performing (levels 1 and 2 on State assessments in the areas of ELA and mathematics). These academic enrichment experiences must encompass in-depth study, creative, hands-on learning that fosters higher level thinking, cooperative learning, and advanced problem solving. The goal is to help students develop an appreciation of and confidence in their ability to excel and succeed in school and careers.
  - Parent involvement activities and workshops to enable parents to better assist their students in achieving academic success should be integrated into these programs. The involvement of mentors in these programs is highly encouraged as well.

## **Grant/Project Period**

**July 1, 2013 to August 31, 2014**

**PLEASE NOTE: THERE IS NO CARRYOVER FOR THESE FUNDS.** All activities must be encumbered during the project period above. Funds under this grant may not be used for construction, renovation, furnishings, or acquisition of technology.

## **Application Deadline**

Applications must be postmarked by **June 21, 2013**.

## **Budget Amendment Deadline**

Amendments must be postmarked by **June 30, 2014**.

All budget amendments are subject to review and approval. 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 always require a full review and must be submitted by June 30, 2014.

**Late amendments will not be accepted.**

## **Submission Instructions**

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

- Cover page
- Title I School Improvement Grant Allocation Chart
- Title I School Improvement Grant Program Narrative Chart(s)
- Assurances and Certification Regarding Lobbying, etc.
- FS-10 Budget Form available at <http://www.oms.nysed.gov/cafe/forms/>

Electronic copies sent via email should include **YOUR DISTRICT NAME** in the subject line to expedite processing.

**Send the completed documents to:**

New York State Education Department  
89 Washington Avenue  
Grants Management, Room 464 EBA  
Albany, New York 12234

**Attn: Title I SIGA, Leadership & STEM Enrichment**

For additional information or assistance please contact:

[SIGA@mail.nysed.gov](mailto:SIGA@mail.nysed.gov)

**2013-14 Title I School Improvement Section 1003(a)  
Leadership and STEM Enrichment**

**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 Outside Educational Experts as required and use the DTSDE in the format and content prescribed by the Commissioner for all Focus and Priority Schools that will not be visited by the NYSED Integrated Intervention Teams (IIT). 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:

## 2013-14 Title I School Improvement Section 1003(a)

### Leadership and STEM Enrichment ALLOCATION CHART

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

1. Enter the number of Title I Priority and Focus Schools in your district in the chart below.
2. Multiply the number of Title I Priority and Focus schools by the allocation shown and enter the subtotals.
3. Add the District Allocation, Priority School Subtotal and Focus School Subtotal and enter the Total District Allocation.

<b>District Base Allocation</b>	<b>All Title I Districts</b>	<b>\$50,000</b>
<b>Number of Title I Priority Schools (exclude 2012-13 SIG or SIF schools)</b>	<b>School Allocation</b>	<b>Priority School Subtotal</b>
	<b>\$20,000</b>	
<b>Number of Title I Focus Schools</b>	<b>School Allocation</b>	<b>Focus School Subtotal</b>
	<b>\$10,000</b>	
<b>Total District Allocation</b>		

## Title I School Improvement Leadership and STEM Enrichment

### Program Narrative Chart DIRECTIONS

1. Funds may only be used for activities allowed under Title I and must be used for the activities listed in the **Program Narrative Chart** (page 7).
2. Information about allowable and unallowable expenses is found in the **Allowable & Unallowable Expenses Chart** (page 8).
3. For each activity being funded with this grant, provide a narrative description in the appropriate section of the chart. Please expand the chart or add rows as needed.
4. Program narratives must **fully** describe both the nature of the partnership and the expected deliverables that would result from the partnership. For Activity #1 and 2 the activity description must specify which components of the APPR and CCLS implementation are included (EX: training evaluators, creating SLOs, selecting local assessments, etc.)
5. All activities are district level projects, but only staff and students from Priority and Focus Schools in the district may participate.
6. Be sure to include cost calculations (EX: number & type of staff, hours & pay rate, or number of units and unit cost for supplies). **IMPORTANT NOTE:** Principal contract hours cannot be funded. Any required administrative position cannot be funded. Only supplemental pay is allowed. You may attach a separate chart to show more detail for principals or other required administrators receiving supplemental pay as needed.

## Title I School Improvement Leadership and STEM Enrichment Program Narrative Chart

**District and/or School Name:**

**Activity 1:** Development of partnerships with IHEs, BOCES, and/or education research organizations to support school leaders with the implementation of Annual Personnel Performance reviews in Title I Focus and Priority Schools

Description	Dates	Staff/Other (number & type)	Cost Calculation (days/hrs/rate/cost)	Total Cost

**Activity 2:** Development of partnerships with IHEs, BOCES, and/or education research organizations to support school leaders with the implementation of rigorous curricular and instructional practices aligned with the Common Core Learning Standards

Description	Dates	Staff/Other (number & type)	Cost Calculation (days/hrs/rate/cost)	Total Cost

**Activity 3:** Development of partnerships with IHEs and/or local business and industry to provide college and career enrichment programs in Science, Technology, Engineering and Math (STEM) for at risk students.

Description	Dates	Staff/Other (number & type)	Cost Calculation (days/hrs/rate/cost)	Total Cost

**Total amount for all activities:**

**2013-14 Title I School Improvement Grants  
Leadership and STEM Enrichment  
Allowable & Unallowable Expenses**

**THERE IS NO CARRYOVER FOR TITLE I SCHOOL IMPROVEMENT FUNDS.**  
All activities must be encumbered during the project period: **7/1/13-8/31/14.**

**Activity 1:** Development of partnerships with IHEs, BOCES, and/or education research organizations to support school leaders with the implementation of Annual Personnel Performance reviews in Title I Focus and Priority Schools

<p><b>Allowable Expenses:</b></p> <ul style="list-style-type: none"> <li>• Costs for school leaders attending APPR Training (substitutes, registration &amp; travel)</li> <li>• Stipends for administrators outside contract hours</li> <li>• Contract costs for IHE, BOCES or education research organization</li> <li>• Consultants or Educational Experts</li> <li>• Reasonable supplies and materials</li> <li>• Indirect cost up to \$25,000 per contract</li> </ul>	<p><b>Unallowable Expenses:</b></p> <ul style="list-style-type: none"> <li>• Contractual salaries for required school administrators are not allowed under Title I (principals &amp; superintendents)</li> <li>• Food or refreshments as prohibited by NY state law</li> <li>• Construction, renovation, furnishings, or acquisition of technology</li> </ul>
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**Activity 2:** Development of partnerships with IHEs, BOCES, and/or education research organizations to support school leaders with the implementation of rigorous curricular and instructional practices aligned with the Common Core Learning Standards

<p><b>Allowable Expenses:</b></p> <ul style="list-style-type: none"> <li>• Costs for school leaders attending CCLS Training (substitutes, registration &amp; travel)</li> <li>• Stipends for administrators outside contract hours</li> <li>• Contract costs for IHE, BOCES or education research organization</li> <li>• Consultants or Educational Experts</li> <li>• Reasonable supplies and materials</li> <li>• Indirect cost up to \$25,000 per contract</li> </ul>	<p><b>Unallowable Expenses:</b></p> <ul style="list-style-type: none"> <li>• Contractual salaries for required school administrators are not allowed under Title I (principals &amp; superintendents)</li> <li>• Food or refreshments as prohibited by NY state law</li> <li>• Construction, renovation, furnishings, or acquisition of technology</li> </ul>
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**Activity 3:** Development of partnerships with IHEs and/or local business and industry to provide enrichment programs in Science, Technology, Engineering and Math (STEM) for at risk students

<p><b>Allowable Expenses:</b></p> <ul style="list-style-type: none"> <li>• Stipends for administrators outside contract hours</li> <li>• Reasonable supplies and materials (limited to instructional material/equipment/lab supplies)</li> <li>• Indirect cost up to \$25,000 per contract</li> <li>• Reasonable travel expenses</li> <li>• Contract costs for programs provided by IHE or business/industry</li> </ul>	<p><b>Unallowable Expenses:</b></p> <ul style="list-style-type: none"> <li>• Contractual salaries and substitutes for required school administrators (principals &amp; superintendents) are not allowed under Title I</li> <li>• Food or refreshments as prohibited by NY state law</li> <li>• Construction, renovation, furnishings, or acquisition of technology</li> </ul>
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**PRIOR APPROVAL IS REQUIRED FOR ALL ACTIVITIES.** 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 ALWAYS REQUIRE A FULL REVIEW.**

## **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**

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.