

2022-23 Title I School Improvement Grant 1003 COACHING FOR EXCELLENCE Grant

Project Purpose

For the 2022-23 school year, the New York State Education Department (NYSED or “the Department”) is providing Target Districts with schools identified for Comprehensive Support and Improvement the opportunity to receive funding to support the employment of a **new** instructional coach to enhance instructional capacity within the school.

Eligibility

Target Districts with at least one non-Receivership CSI school are eligible to submit an [application for the 2022-23 SIG Coaching for Excellence](#) funds for each non-Receivership CSI school interested in participating in the program.

Non-Receivership CSI schools may participate if they have at least ten teachers committed to participate in peer coaching and meet one of the following conditions:

- The school did not have a school-based instructional coach during the 2021-22 school year; OR
- The school had one school-based instructional coach during the 2021-22 school year, and the school serves 600 or more students.

Districts must ensure that any interested eligible school is familiar with the [Coaching for Excellence Program Theory of Action \(Appendix A\)](#) and [Coaching for Excellence Program Participation Expectations](#) prior to completing an application.

Funding

The Department will provide up to \$100,000 in funding to support the salary and benefits for the employment of up to 1.0 Full-Time Equivalent (FTE) instructional coach or, in secondary schools only, two 0.5 FTE instructional coaches, provided the coach(es) fulfill the criteria outlined below:

- the individual identified has not served as an instructional coach during the 2020-21 or 2021-22 school years; and
- the individual identified has at least three years of teaching experience within the school identified for Comprehensive Support and Improvement; OR at least one year experience within the school identified for Comprehensive Support; and Improvement AND five years’ experience total.

The funding available may only support the costs associated with the new coach’s salary and benefits. Although an individual district’s salary and benefits for the instructional coaching position may be less than \$100,000, the Coaching for Excellence Grant cannot be applied to other school activities. However, reasonable and necessary resources to support the success of the new instructional coach may be covered through the SIG Basic grant.

The grant will cover the costs of a new instructional coach for the 2022-23 school year only.

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Project Period

September 1, 2022 to August 31, 2023

Application Deadline

Completed applications are due by **July 15, 2022** and will be reviewed on a rolling basis. LEAs are encouraged to submit completed applications as soon as possible to expedite the review and approval process.

Submission Instructions

To receive SIG COACHING FOR EXCELLENCE funding, eligible Districts must submit:

1. One signed original of the Cover Page;
2. One signed original of the District's FS-10 budget form.

LEAs are required to send the signed original and two hard copies to the address below, along with one electronic copy of each of the items listed above to fieldsupport@nysed.gov.

**NYS Education Department - Office of Accountability
Attn: Title I SIG 1003 COACHING FOR EXCELLENCE GRANT
Room 320 EB
89 Washington Avenue
Albany, New York 12234**

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

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Appendix A: Coaching for Excellence Program Theory of Action

The Office of Accountability's Field Support Services designed the Coaching for Excellence program using an evidence base supporting the benefits of Instructional Coaching¹ and the following Theory of Action:

IF the New York State Education Department provides schools identified for Comprehensive Support and Improvement (CSI) with funding to **add** an Instructional Coach to the school staff; and:

- The Department provides the Instructional Coach with comprehensive training on the foundations of coaching; and
- The Department provides the Instructional Coach with guidance and support; and
- The Instructional Coach is provided opportunities to participate in a cohort of learners with other Instructional Coaches; and
- The Instructional Coach is familiar with the school and has experience working with students in the school community; and
- The Instructional Coach supports at least ten teachers, all of whom are willing participants that see a value in being coached by a colleague; and
- The Instructional Coach has a routine coaching schedule with minimal disruptions; and
- The Principal introduces coaching in a manner that emphasizes that the Instructional Coach is a designated support and not an evaluator; and
- The Principal is kept informed about the support provided by the Instructional Coach and by NYSED; and
- The Principal and the Instructional Coach have opportunities to ensure that their vision for instruction is aligned;

THEN Instructional capacity at schools identified as Comprehensive Support and Improvement will increase.

¹ For additional information, see: Matthew A. Kraft, David Blazar, Dylan Hogan. [The Effect of Teacher Coaching on Instruction and Achievement: A Meta-Analysis of the Causal Evidence](#) *Review of Educational Research*, November 2016

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**Coaching for Excellence Application
Cover Page**

District:
BEDS Code:
Address:
Program Contact Person:
Telephone of Contact:
E-mail Address of Contact:

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

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:

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Application Packet Checklist

A complete Application consists of the following:

	Item	Checked Applicant	Checked NYSED
1.	Cover Page (1 per District)	<input type="checkbox"/>	<input type="checkbox"/>
2.	Completed and Signed Application Statement of Assurances (1 per District)	<input type="checkbox"/>	<input type="checkbox"/>
3.	School-Level Plan (1 per school) A. School Steps B. School Narrative C. School Information Form D. School Signature Page	<input type="checkbox"/>	<input type="checkbox"/>

Incomplete Applicants will be returned for revision. To be eligible to participate, Districts must have submitted a completed Application by July 15, 2022.

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Application Statement of Assurances

In order for the District to receive funds under the Title I 1003 School Improvement Grant Coaching for Excellence Program, compliance with the following statements must be attested to by the superintendent and the representative of the teachers' collective bargaining organization:

- The plan and budget have been developed in accordance with the provisions of Article Fourteen of the Civil Service Law; that is, cooperative planning occurred, and all plan components have been agreed upon by the superintendent of schools (or a representative) and the representative of the teachers' collective bargaining organization. Any amendments to the approved budget also will be developed in accordance with Article Fourteen of the Civil Service Law.
- The applicant agency hereby applies for a grant of federal funds to provide educational activities as set forth in this Application.

Coaching for Excellence Program Participant Expectations

The following are participation requirements for all grant recipients.

- **Large Group Convenings** for all coaches enrolled in the program:
 - Two full-day in-person convenings
 - Three virtual sessions
- **Coach The Coach Individual Sessions:** These in-person and online sessions provide ongoing foundational training and feedback to each coach from a dedicated coaching specialist. This coach-specific, job-embedded professional learning is delivered in a manner reflective of the coaching taking place in the school, hence the name, *Coach the Coach*. Sessions for the year include:
 - Three Five-Hour in-person Coach the Coach Sessions at the participating school
 - Three 60-minute online Coach the Coach sessions
 - Three half-hour online Check-in sessions
- In addition, the participating school will ensure that the coach can fully participate by providing the following assurances:
 - The instructional coach's time and responsibilities will be reserved for instructional coaching. The new coach will not be utilized for "coverages" except in extreme circumstances.
 - The instructional coach will not have any teaching responsibilities for the 2022-23 school year, with the limited exception that secondary schools

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may elect to have two 0.5 FTE instructional coaches that may also have 0.5 FTE teaching responsibilities.

- A minimum of 10 teachers are committed to participating in peer coaching during the 2022-23 school year.
- The principal will participate in a 15 minute check-in during either the virtual or in-person consultation with the option of participating in both consultation sessions. The instructional coach will obtain a copy of *Taking the Lead: New Roles for Teachers and School-based Coaches* by Joellen Killion and Cindy Harrison, a book that will be used throughout the year as part of the NYSED Coaching for Excellence program.
- The school has completed the following sequence of required steps prior to the submission of the application:
 1. School leadership reviews and confirms commitment to the Coaching for Excellence Theory of Action and Program Expectations.
 2. School leadership presents to staff the opportunity to add an instructional coach and emphasizes the role of the coach as a support, not an evaluator.
 3. School leadership solicits interest among staff and confirms that there are at least ten staff interested in being coached.
 4. School leadership communicates interest to District leaders that the school would like to pursue this opportunity.

Name of District	
School(s) to participate in this Grant	
Name of Superintendent	
Signature of Superintendent	
Name of Teachers' Collective Bargaining Organization Representative	
Signature of Teachers' Collective Bargaining Organization Representative	

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School-Level Plan (complete 1 per school)

The School-Level Plan consists of four components:

- A. School Steps
- B. School Narrative
- C. School Information Form
- D. School Signature Page

Districts with multiple participating schools should duplicate the pages in the School-Level Plan and have each school complete its own School-Level Plan. All submissions must be received by July 15, 2022.

Part A: School Steps

Eligible schools will need to complete four steps in the order listed below. Schools should identify when these steps occurred in the space below. Any sections below that are incomplete will result in this section being returned for revision.

Name of School

Step	When Step Occurred
1. School leadership reviews and confirms commitment to the Coaching for Excellence Theory of Action and Program Expectations .	
2. School leadership presents to staff the opportunity to add an instructional coach and emphasizes the role of the coach as a support, not an evaluator.	
3. School leadership solicits interest among staff and confirms that there are at least ten staff interested in participating in peer coaching.	
4. School leadership communicates interest to District leaders that the school would like to pursue this opportunity.	

After schools have completed these steps and begin identifying potential staff members that can serve as an instructional coach for one year, the New York State Education Department **strongly recommends** that the school considers the qualities below as part of their identification process:

- *The Instructional Coach has strong interpersonal skills*
- *The Instructional Coach has an understanding of adult learning theory*
- *The Instructional Coach is respected by their current colleagues*
- *The Instructional Coach has demonstrated success as a classroom teacher*

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Part B: School Narrative

Participating schools must provide a response to each of the items below that indicates that the school is committed to instructional coaching as a means of schoolwide improvement and in a manner consistent with the [Coaching for Excellence Program Theory of Action](#). Any questions below that are incomplete will result in this section being returned for revision.

1. What is the school hoping to accomplish with an instructional coach?
2. How did the school leadership determine that at least 10 teachers were interested in participating in a peer coaching model?
3. How will the principal and instructional coach communicate throughout the year to ensure that they establish and maintain a similar vision for instruction?
4. IF APPLICABLE: If the instructional coach supported by the Coaching for Excellence Grant will not be the only coach at the school: a) How many other coaches are there at the school? b) How will responsibilities be divided among the coaches? c) How will the coaches work together to ensure alignment across the school?
SCHOOLS THAT WILL ONLY HAVE ONE INSTRUCTIONAL COACH IN 2022-23 SHOULD WRITE "N/A" IN THE BOX BELOW

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Part C: School Information Form (complete 1 per school)

Schools will need to ensure that at least ten teachers will participate in peer coaching in order to participate in the program. If a school has yet to identify the coach participating in the program, the school may indicate “TBD” for “New Coach’s Name” and “Years of Experience.” All schools must identify the ten teachers willing to be coached as part of the application.

School Name	
Enrollment	
Number of School-Based Instructional Coaches in 2021-22	
New Coach’s name	
Years of Experience at the school	

Teacher Name to be Coached	Grade and/or Subject Area
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

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Part D: School Signature Page

Participating schools must include the signature of the Principal and the School’s Teacher Collective Bargaining Organization Representative (i.e. “Chapter Leader” or designee) indicating agreement with the following attestations:

1. The information contained in the School-Level Plan is accurate
2. Our school will abide by the [Coaching for Excellence Program Participation Expectations](#)
3. Our school meets the [Eligibility Criteria](#)
4. Our school will ensure that the individual identified as the instructional coach:
 - a. has not served as an instructional coach during the 2020-21 or 2021-22 school years; and
 - b. the individual identified has at least three years of teaching experience within the school identified for Comprehensive Support and Improvement; OR at least one year experience within the school identified for Comprehensive Support; and Improvement AND five years’ experience total.

Name of Participating School	
Name of Principal	
Signature of Principal	
Name of School Teachers’ Collective Bargaining Organization Representative	
Signature of School Teachers’ Collective Bargaining Organization Representative	

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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

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ESSA Section 8306 Assurances

1. The LEA assures that each program will be administered in accordance with all applicable statutes, regulations, program plans and applications. SEC. 8306. [20 U.S.C. 7846](a)(1).
2. The LEA assures that the control of funds provided under such programs and title to property acquired with program funds will be in a public agency or in an eligible private agency, institution, organization, or Indian Tribe, if the law authorizing the program provides for assistance to those entities. SEC. 8306. [20 U.S.C. 7846](a)(2)(A)
3. The public agency, eligible private agency, institution, or organization, or Indian Tribe will administer the funds and property to the extent required by authorizing statutes. SEC. 8306. [20 U.S.C. 7846](a)(2)(B)
4. The applicant will adopt and use proper methods of administering each such program, including the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program. SEC. 8306. [20 U.S.C. 7846](a)(3)(A)
5. The applicant will adopt and use proper methods of administering each such program, including the correction of deficiencies in program operations that are identified through audits, monitoring or evaluations. SEC. 8306. [20 U.S.C. 7846](a)(3)(B)
6. The LEA assures that the applicant will cooperate in carrying out any evaluations of each such program conducted by or for the state education agency, the Secretary, or other federal officials. SEC. 8306. [20 U.S.C. 7846](a)(4)
7. The LEA assures that the applicant will use fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, federal funds paid to the applicant under such program. SEC. 8306. [20 U.S.C. 7846](a)(5)
8. The LEA assures that the applicant will submit such reports to the state education agency (which will make the reports available to the Governor) and the Secretary as the state educational agency and the Secretary may require to enable the State educational agency and the Secretary to perform their duties under each such program. SEC. 8306. [20 U.S.C. 7846](a)(6)(A)
9. The LEA assures that the applicant will maintain such records, provide such information, and afford such access to the records as the state educational agency (after consultation with the Governor) or Secretary may reasonably require to carry out the state educational agency's or the Secretary's duties. SEC. 8306. [20 U.S.C. 7846](a)(6)(B)
10. The LEA assures that, before the application was submitted, the applicant afforded a reasonable opportunity for public comment on the application and considered such comment. SEC. 8306. [20 U.S.C. 7846](a)(7)

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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,

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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 (Clean Air) Implementation Plans under Section 176(c) of the Clean 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).

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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**

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**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;

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- (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.

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**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

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GENERAL EDUCATION PROVISIONS ACT ASSURANCES

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

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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.