

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

Basic School Improvement Grant Application

Purpose of Allocation

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

These funds are to be used to support implementation of school improvement activities identified through the Diagnostic Tool for School and District Effectiveness (DTSDE) reviews or a school review with district oversight and included in the DCIP/SCEP.

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: \$30,000 per school
- Title I Focus School: \$20,000 per school

Please note: Non-Title I Schools and Priority Schools receiving 2013-14 School Improvement Grants under Section 1003(g) or 2013-14 School Innovation Fund Grants are not eligible for an allocation under Section 1003(a). Only Title I schools providing instruction to students during the 2013-14 school year are eligible for an allocation.

Allowable Activities

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

complete required school and district reviews and support the goals outlined in the DCIP/SCEP.

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

1. Conducting district and school level reviews using the Diagnostic Tool for School and District Effectiveness (DTSDE) (including required training costs and administration of any DTSDE parent, staff or student surveys) or conducting a school review (focused on DTSDE Tenet 3) with district oversight,
2. Hiring an Outside Educational Expert (OEE) to help conduct district-led reviews, and revise or implement improvement plans,*
3. Developing District Comprehensive Improvement and/or School Comprehensive Education Plans (DCIP/SCEP), and
4. Implementing activities to achieve a specific major goal from the approved DCIP/SCEP (including any goals related to preparing Priority Schools for implementation of one of the four federal intervention models: Turnaround, Transformation, Restart, or Closure).

***PLEASE NOTE:** For the 2013-14 NYSED is contracting with a vendor to provide the required OEEs for all state-led DTSDE Integrated Intervention Team (IIT) reviews. Districts have the option of requesting that an additional OEE selected by the district be assigned as an additional reviewer on any IIT review. Districts are encouraged to continue to identify and utilize OEEs to assist in conducting district-led DTSDE reviews, and to assist in the development and implementation of the District Comprehensive Improvement Plans (DCIP) and School Comprehensive Education Plans (SCEP). Districts may use their Basic SIGA funds to support OEE activities in Title I schools, and OEEs funded with 1003(a) must continue to participate in NYSED mandated training. Consultants who do not participate in the NYSED mandated training may also be appropriate for SIGA activities such as implementing specific DCIP or SCEP goals (Activity #4), but their services should not be included as OEE services (Activity #2).

The June DTSDE RFP Field Memo provides additional information about 2013-14 OEE activities and funding.

<http://www.p12.nysed.gov/accountability/documents/dtsderfpmemo0612131.pdf>.

Districts were notified in August regarding all IIT reviews scheduled for 2013-14. To request additional information, please contact the DTSDE Logistics Unit at: DTSDetraining@mail.nysed.gov. See application for additional information on allowable activities.

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

Additional information regarding district and school improvement requirements under the ESEA Flexibility waiver may be found at: <http://www.p12.nysed.gov/accountability/ESEAFlexibilityWaiver.html>

Grant/Project Period

September 1, 2013* to August 31, 2014

** Districts may include allowable required activities encumbered as of September 1, 2013 in their grant application, but all expenditures are subject to NYSED approval.*

Application Deadline

Applications must be postmarked by **September 30, 2013**.

Budget Amendment Deadline

All budget amendments are subject to review and approval. Amendments must be postmarked by June 30, 2014. 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

Please Note: This is an LEA Grant. Do not submit an application for individual schools.

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) including the following:

- Cover page (with original signature)
- 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 (with original signature)

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 application to:

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

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

For additional information or assistance please contact:

SIGA@mail.nysed.gov

2013-14 Title I School Improvement Grant Application

Basic School Improvement Grant

COVER PAGE

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

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)

Basic School Improvement Grant

ALLOCATION CHART

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

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.

District Base Allocation	All Title I Districts	\$50,000
Number of Title I Priority Schools (exclude 2013-14 SIG or SIF schools)	School Allocation	Priority School Subtotal
	\$30,000	
Number of Title I Focus Schools	School Allocation	Focus School Subtotal
	\$20,000	
Total District Allocation		

Title I School Improvement Grant Program Narrative Chart Directions

1. Funds may only be used for activities allowed under Title I and must be used for the improvement activities listed in the **Title I School Improvement Grant Program Narrative Chart** (page 8).
2. Information about allowable and unallowable expenses is found in the **Allowable & Unallowable Expenses Chart** (page 9 -10).
3. For each activity being funded with this grant, provide a description in the appropriate section of the chart. Districts with more than four identified schools must use separate charts for the district and each school. Districts with up to four identified schools may use a single chart for both district and school activities as appropriate.
4. For Activity #4 only brief descriptions are needed for this grant. The District Comprehensive Improvement Plan (DCIP) or School Comprehensive Education Plans (SCEP) should provide full details and Program Narrative Chart must include the DCIP/SCEP citation(s). Citations must include the plan name (DCIP or specific SCEP) and identify the appropriate Statement(s) of Practice such as 2.1 or 3.5.
5. Be sure to include cost calculations (e.g., number & type of staff, hours & pay rate, or number of units and unit cost for supplies). Include names of the Outside Educational Expert(s) in the description with pay rate and costs broken down by district and school. Charts that combine school and district activities must show cost breakdown by district and individual schools.

Title I School Improvement Grant Program Narrative Chart

District and/or School Name:

Activity 1: Conducting district and school level reviews using the DTSDE (including required training costs and any DTSDE parent, staff or student surveys) or School Review (focused on DTSDE Tenet 3) with District Oversight

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

Activity 2: Hiring an Outside Educational Expert (OEE) to help conduct district-led reviews, and revise or implement improvement plans

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

Activity 3: Developing District Comprehensive Improvement and School Comprehensive Education Plans (DCIP/SCEP)

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

Activity 4: Implementing activities to achieve a specific major goal from the approved DCIP/SCEP (including activities related to preparing Priority Schools for implementation of whole school reform models)

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 1003(a) Allowable & Unallowable Expenses

THERE IS NO CARRYOVER FOR TITLE I SCHOOL IMPROVEMENT FUNDS.
All activities must be encumbered during the project period: 9/1/13 – 8/31/14.

AMENDMENTS ARE DUE 6/30/14. 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 AND MUST BE SUBMITTED BY 6/30/14.**

Activity 1: Conducting district and school level reviews using the DTSDE (including required training costs and any DTSDE parent, staff or student surveys) or School – Review (focused on DTSDE Tenet 3) with District Oversight

Allowable Expenses:

- ALL costs for staff attending DTSDE Training (travel, registration, lodging, substitutes; staff from all identified buildings may be included as part of the district level review)
- Substitutes or overtime for staff participating in DTSDE reviews or School Reviews with District Oversight
- Administration of parent, teacher, and/or student surveys required for DTSDE reviews
- Consultants needed for DTSDE reviews
- Supplies and materials needed for DTSDE
- Indirect cost

Unallowable Expenses:

- School costs for DTSDE reviews in Non-Title I buildings
- Food or refreshments (except registration costs for required DTSDE training)
- Consultant travel and per diems should not be billed separately. These costs should be included in the contractual fees
- Supplies and materials not directly related to required DTSDE reviews
- Construction, renovation, furnishings, or acquisition of technology

Activity 2: Hiring an Outside Educational Expert (OEE) to help conduct district-led reviews, and revise or implement improvement plans

Allowable Expenses:

- District costs for OEEs attending DTSDE Training (travel, registration, lodging, & per diems should be shared proportionally among districts as applicable)
- OEE name and training cost breakdown must be included in each district narrative
- Costs for OEE participation in district level DTSDE reviews & DCIP/SCEP
- Costs for OEE participation in school level DTSDE reviews for Title I Schools
- Indirect cost up to \$25,000 per contract

Unallowable Expenses:

- Do not include general consultants other than NYSED approved OEEs for Activity #2.
- OEE costs for School Level DTSDE reviews in NON-Title I Schools must be funded from other sources
- OEE travel, per diems and supplies should not be billed separately. These costs should be included in the contractual fees
- Construction, renovation, furnishing or acquisition of technology

Activity 3: Developing District Comprehensive Improvement and School Comprehensive Education Plans (DCIP/SCEP)

Allowable Expenses:

- Substitutes or overtime for staff to develop DCIP/SCEP
- Consultants needed to develop or implement DCIP/SCEP
- Limited supplies needed for DCIP/SCEP
- Indirect cost

Unallowable Expenses:

- SCEP costs for Non-Title I buildings
- Food or refreshments
- Consultant travel and per diems should not be billed separately. These costs should be included in the contract fees
- Supplies and materials not directly related to required DCIP/SCEP

Activity 4: Implementing activities to achieve a specific major goal from the approved DCIP/SCEP (including activities related to preparing Priority Schools for implementation of whole school reform models)

Allowable Expenses:

- Substitutes or overtime for staff to implement a specific major DCIP/SCEP activity (citation required)
- Consultants and trainers needed to implement a specific major DCIP/SCEP activity (citation required)
- Consultants needed to prepare Priority Schools for implementation of whole school reform models
- Supplies needed to implement a specific major DCIP/SCEP activity (citation required)
- Indirect cost

Unallowable Expenses:

- Construction, renovation, furnishings, or acquisition of technology
- Food or refreshments
- Consultant travel and per diems should not be billed separately. These costs should be included in the contract fees.
- Supplies and materials not directly related to implementing a specific major DCIP/SCEP activity

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.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

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

CERTIFICATIONS REGARDING LOBBYING

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.

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.

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

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 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.