

U.S. DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION  
WASHINGTON, DC 20202-6335

**INDIAN EDUCATION PROGRAMS**  
**Application for Formula Grants to**  
**Local Educational Agencies**

CFDA Number: 84.060

**Formula Grant EASIE**  
**(Electronic Application System for Indian Education)**  
**Part I**



**Disclaimer**

This is a hard-copy representation of the EASIE online system which is located U.S. Department of Education's ED Facts portal. The URL is <http://eden.ed.gov/Survey>. Applicants must apply on EASIE unless they qualify for and receive a paper application. Directions are located in the Notice Inviting Application found in the Federal Register.

**PAPERWORK BURDEN STATEMENT**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for Formula Grant EASIE (Electronic Application System for Indian Education) is 1810-0021. The time required to complete the information collection is estimated to average 7.0 hours per response, inclusive of both Part I and Part II, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4700. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Office of Indian Education, U.S. Department of Education, Lyndon B. Johnson Building, 400 Maryland Avenue, S.W., Room 3W115, Washington, DC 20202-6335.

# U.S. Department of Education Office of Indian Education

## Program Overview

This package contains instructions and forms for Part I of grant applications for the Formula Grants to Local Educational Agencies Program (CFDA 84.060). The purpose of the Indian Education Formula Grant program, authorized in Part A, Subpart 1, of Title VI of the Every Student Succeeds Act (the Act), is to assist eligible applicants to provide Indian students with the opportunity to meet the unique educational and culturally related academic needs of such students; and ensure that all students meet the challenging State academic standards.. The instructions in this hard-copy representation of the application package can be used in developing Part I of your application.

## Applying for Funds

Applicants for grants from the U.S. Department of Education (ED) must compete for limited funds. Deadlines assure that all applicants are treated fairly, equally, and without last minute haste. The rules, including the deadline, for applying for each grant are published, individually, in the *Federal Register*. The *Federal Register* is also available on the Web at <http://www.federalregister.gov>.

The instructions in the *Federal Register* must be followed exactly. Do not accept any other advice you may receive. No ED employee is authorized to extend any deadline published in the *Federal Register*.

Questions regarding submission of applications may be addressed to:

U.S. Department of Education  
Office of Indian Education  
400 Maryland Ave., SW  
Washington, D.C. 20202-6335

## Formula Grant EASIE

The method for applying for funds for this program is Web-based, using the Formula Grant Electronic Application System for Indian Education (Formula Grant EASIE). Contact the Partner Support Center to register or update your access to Formula Grant EASIE:

U.S. Department of Education Partner Support Center  
Telephone: 877-457-3336 (877-HLP-EDEN)  
Fax: 888-329-3336 (888-FAX-EDEN)  
TTY/TDD: 888-403-3336 (888-403-EDEN)  
[eden\\_oie@ed.gov](mailto:eden_oie@ed.gov)

## Paper submission

Paper submission is permitted **with pre-arrangements** for districts on an exception basis that are unable to use Web-based submission. If you are a district that made pre-arrangements and are submitting a paper form, please follow the directions in the Federal Register notice for submitting your paper application. Use the forms that you received in response to your request for paper submission, not the sample forms attached to these instructions.

## Eligible Applicants

Eligible applicants include:

- (1) local education agencies;
- (2) bureau funded schools;
- (3) an Indian tribe
- (4) Indian organization
- (5) Indian community-based organizations

Local educational agencies, Indian tribes, Indian organizations or Indian community-based organizations may form a consortium for the purpose of obtaining grants.

## Application Due Date

Applications must be submitted on or before XXX XX, 2017. Please note that the Department of Education (Department) grant application deadlines are 8:00:00 P.M. Washington, D.C. time.

## Application Deadlines

Applications submitted must address all required information in order to be funded.

- Part I of the application consists of the, applicant type, Indian student count and application cycle.
- If Part I is submitted by the closing date, you will have the opportunity to complete an application for Part II. Part II of the application consists of identifying your program objectives, data sources, and budget details for your project.

When applicable, the applicant also must submit:

- Signed consortium agreement;
- Signed evidence of eligibility form;
- Parent Committee Approval form;
- Copy of the indirect cost rate agreement;
- Administrative Cost Limit Waiver Request.
- Indirect Cost Rate Agreement

## Late applications will not be accepted.

*We strongly suggest that you submit your application several days before the deadline.* The Department is required to enforce the established deadline to ensure fairness to all applicants. No changes or additions to an application will be accepted after the deadline date and time. **Applicants must meet the deadlines for both EASIE Part I and Part II to receive a grant. Any application not meeting the Part I and Part II deadlines will not be considered for funding.**

## Current Contact Information

As part of our review of your application, we may need to contact you with questions for clarification. Please be sure your application contains at least three valid e-mail addresses (general user, managing user and certifying official users) for the project director and authorized representative or another party designated to answer questions in the event the project director and authorized representative are unavailable. Telephone numbers are required for each user and the administration office of the applying entity.

## ISDEAA Hiring Preference Requirements

Grants that serve primarily members of federally-recognized tribes are subject to the provisions of section 7(b) of the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638). That section requires that, to the greatest extent feasible, a grantee give preferences and opportunities for training and employment in connection with the administration of the grant to Indians; and give preference in the award of contracts in

connection with the administration of the grant to Indian organizations and to Indian-owned economic enterprises, as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452(e)).

## Definitions

**Bureau-funded school** means a Bureau of Indian Education school, a contract or grant school, or a school for which assistance is provided under the Tribally Controlled Schools Act of 1988.

**Indian** means an individual who is--

- (1) A member of an Indian tribe or band, as membership is defined by the Indian tribe or band, including any tribe or band terminated since 1940, and any tribe or band recognized by the State in which the tribe or band resides;
- (2) A descendant of a parent or grandparent who meets the requirements described in paragraph (1) of this definition;
- (3) Considered by the Secretary of the Interior to be an Indian for any purpose;
- (4) An Eskimo, Aleut, or other Alaska Native; or
- (5) A member of an organized Indian group that received a grant under the Indian Education Act of 1988 as it was in effect on October 19, 1994.

**Indian Community-Based Organization** means an organization comprised of Indians (as defined above) that—

- (1) Is composed primarily of Indian parents, family members, and community members, tribal government education officials, from a specific community;
- (2) Assists in the social, cultural and educational development of Indians in such committee;
- (3) Meets the unique cultural, language, and academic needs of Indian students; and
- (4) Demonstrates organizational and administrative capacity to manage the grant.

**Local Education Agency** is --

- A public board of education or other public authority legally constituted within a state for either administrative control or direction of, or to perform service functions for, public elementary or secondary schools in: a city, county, township, school district, or other political subdivision of a state; or
- Such combination of school districts or counties a state recognizes as an administrative agency for its public elementary or secondary schools; or
- Any other public institution or agency that has administrative control and direction of a public elementary or secondary school.

(Source: Elementary and Secondary Education Act, Section 9101(26))

## Specific Instructions for Formula Grant EASIE Part I

### Instructions for the EASIE Part I Cover Sheet

1. **Applicant Agency Name.** Identify the name of the entity applying for the Indian Education Formula Grant. If the grantee agency name has changed, contact PSC for more information.
2. **Mailing Address.** Identify the mailing address. If the mailing address has changed, contact PSC for information.
3. **Applicant Identification.** Identify the DUNS number and NCES number. The DUNS Number is a unique nine-digit number that does not convey any information about the recipient. Dun & Bradstreet, a global information services provider, has assigned DUNS numbers to over 43 million organizations worldwide. You

can obtain your DUNS number at no charge by calling 1-800-333-0505 or by completing a DUNS Number Request Form. The form can be obtained via the Internet at the following URL: <http://www.dnb.com/>

To do business with the Department of Education, you must—

- a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);
- b. Register both your DUNS number and TIN with the System for Award Management (SAM) (formerly the Central Contractor Registry), the Government's primary registrant database;
- c. Provide your DUNS number and TIN on your application; and
- d. Maintain an active SAM registration with current information while your application is under review by the Department and for the duration of the project for an awarded grant.

4. **Application Cycle.** Select the application cycle. Select: single-year applicant, new multi-year applicant or continuing multi-year application.

You will make only one selection.

- By choosing a multi-year application, applicants can establish Indian Education Formula Grant project objectives and corresponding activities/services **for up to 4 years.**
  - Continuing multi-year applicants (applicants who received an Indian Education formula grant in the previous year), will not have to re-enter information reported in Sections 2 or 3 if they have no changes to their description of coordination of services for AI/AN students, and grant project objectives or activities/services. At the end of the 4 years, applicants will need to complete all required items in Sections 1-6 in Part II of the application
5. **Type of Application Information.** Select the type of application.
  6. **Partner Identification (for Consortiums).** Identify all of the entities of the consortium. Consortium, tribe, Indian Organization and Indian Community-Based Organization applicants enter the NCES #, name, city, and state of each participating LEA. Single LEA and BIE school applicants leave this box blank.
  7. **Project Director Name and Title.** Identify the name, title, phone number, fax number and email address of the project director. If there is no project director assigned to the grant, identify who is responsible for carrying out program objectives and services.
  8. **Authorized Official Representative.** Identify the name, title, phone number, fax number and email address of the approved authorized representative (certifying official user) who is legally authorized to approve the application. This is often the school district's superintendent.

## Indian Student Count Form

On this form, report a consolidation of the actual numbers of Indian students for whom the school or district has collected an Indian Student Certification (ED 506) Form that is signed and dated by the child's parent. You must have an ED 506 form on file for each Indian student; and those students being counted must be enrolled in the LEA during the count period. A review of your ED 506 forms for your Indian student count should be conducted each year and is an independent process from the report generated by your school's data management system. OIE may review your ED 506 forms at any time.

**Sections A and B.** Complete section A or B according to the type of application checked on the cover page.

- **LEA, as a single applicant**
  - o Identify Applicant Name, Address and NCES # in the appropriate space.
  - o Complete Section A.

- **LEA consortium leader**
  - All LEAs in a consortium must be in the same state.
  - A consortium leader must meet the same eligibility requirements as consortium members.
  - For each consortium partner (including the lead LEA), enter the name of the LEA and the mailing address and NCES # in the appropriate space.
  - Complete a form labeled “Consortium Total” with the name of the LEA that is the consortium leader; on this form compile the totals from each LEA’s Indian student count form.
  - Complete Section A on each form.
  - Obtain Consortium Member Agreements from each participating consortium LEA.
  - All Consortium Member Agreements must be received no later than the EASIE Part I deadline. The agreement must be scanned and uploaded within the EASIE system.
  
- **BIE funded school**
  - Enter the name of the BIE school, mailing address, and NCES # in the appropriate space.
  - Complete Section A by entering the number of Indian students, by category, from the applicant tribe and the number of Indian students, by category, from other tribes. Select the method used to document Indian student eligibility (e.g., ED-506 forms or ISEP).
  - If a BIE funded school forms a consortium with another BIE funded school or with an LEA, follow the instructions for a consortium application by completing separate forms for each LEA and a Indian Student Count Form with compiled numbers.
  
- **Indian Tribe and Indian Organization that applies in lieu of an LEA**
  - Enter the name of the LEA and the mailing address and NCES # in the appropriate space.
  - Complete Section B by entering the number of Indian students, by category, from the applicant tribe and the number of Indian students, by category, from other tribes.
  - If an Indian tribe and Indian Organization applies in lieu of more than one LEA, follow the instructions for a consortium application by completing separate forms for each LEA and a Indian Student Count Form with compiled numbers.
  - An Indian tribe and Indian Organization must upload with its application, no later than the EASIE Part I deadline, the “Sample Agreement for Applicants Applying in Lieu of LEAs form,” or a letter from each LEA (evidence of eligibility) containing the following information to document eligibility for the program:
    - The LEA has not established a parent committee according to Section 6114(c)(4);
    - The applicant Indian tribe and Indian Organization represents no less than one-half of the eligible Indian children served by the LEA; and
    - All of the Indian students identified by the applicant were enrolled in the LEA’s schools **during the count period indicated by the applicant.**
  - The Office of Indian Education will consider for funding only those Indian tribes and Indian Organizations that submit evidence of eligibility (applicant agreement or LEA letters) by the EASIE Part I deadline.
  - Eligible Indian children means those children for whom the applicant has a completed Indian Student Eligibility (ED 506) form on file at the time of the count. Of the total number of eligible Indian children counted, the Indian children must represent no less than one-half. It is the responsibility of the applicant to collect and maintain the Indian student eligibility certification forms on each Indian child. These forms are used to document the total number of Indian students counted to generate funds for the formula grant award.

- **Indian Community Based Organization (ICBO) that applies in lieu of an LEA**
  - o Enter the name of the LEA and the mailing address and NCES # in the appropriate space.
  - o Complete Section B by entering the number of Indian students, by category, and the number of Indian students, by category, from each LEA.
  - o If the ICBO applies in lieu of more than one LEA, follow the instructions for a consortium application by completing separate forms for each LEA and a Indian Student Count Form with compiled numbers.
  - o An ICBO must upload with its application, no later than the EASIE Part I deadline, the “Sample Agreement for Indian Community Based Organizations Applying in Lieu of LEAs form,” or a letter from each LEA (evidence of eligibility) containing the following information to document eligibility for the program:
    - The LEA has not established a parent committee according to Section 6114(c)(4);
    - All of the Indian students identified by the applicant were enrolled in the LEA’s schools **during the count period indicated by the applicant.**
  - o The Office of Indian Education will consider for funding only those ICBO that submit evidence of eligibility (applicant agreement or LEA letters) by the EASIE Part I deadline.
  - o Eligible Indian Children means those children for whom the applicant has a completed Indian Student Eligibility (ED 506) form on file at the time of the count. It is the responsibility of the applicant to collect and maintain the Indian student eligibility certification forms on each Indian child. These forms are used to document the total number of Indian students counted to generate funds for the formula grant award.

### Section C

- Section C must be completed on **all** forms.
- Based on the entries in Section A or B, enter the total number of all **eligible Indian children** enrolled in the school or district during the count period.
- Enter the total number of students enrolled in the school(s) or district(s) – include **all students, both Indian and non-Indian students.**
- Enter the Count Period. The Count Period is the span of time during the current school year in which the Indian student count was taken. The count period may be up to 31 consecutive (i.e., calendar) days, inclusive of all dates (Example: Oct. 1-31, 2012). Note: The last day of the count period cannot be a future date and cannot be later than the date the application is signed.

### Section D

- Section D must be completed on **all** forms.
- An authorized official representative of the school or district must sign each Indian Student Count. If someone other than the person certifying the application signs the form, provide a letter of authorization with the application to the Office of Indian Education. The authorized representative must be authorized to legally bind the entity.
- For a consortium application, the consortium leader may be the authorized representative for each consortium partner, therefore the authorized representative is certifying that each LEA partner’s Indian student counts are correct. LEA consortium member agreements must be signed by all participating LEAs and uploaded within the EASIE Part I system by the EASIE Part II deadline date.
- Provide title of the authorized official representative
- The EASIE system will date your certified application. A PDF may then be downloaded.

## Formula Grant EASIE Sample Documents

### **Sample Consortium Agreement (Consortium Agreement)**

- A consortium applicant may use the sample agreement as a guide which fulfills all legislative requirements of 34 CFR 75.128 for the consortium agreement. This agreement must be uploaded into the EASIE system prior to certifying the Part I application.

### **Sample Tribes and Indian Organizations in Lieu of LEA (Evidence of Eligibility)**

- Tribes and Indian Organizations applying in lieu of LEAs may use the sample agreement as a guide. This agreement must be uploaded into the EASIE system prior to certifying the Part I application.

### **Sample Indian Community Based Organizations (ICBO) in Lieu of LEA (ICBO Agreement)**

- Indian Community Based Organizations applying in lieu of LEAs may use the sample agreement as a guide. This agreement must be uploaded into the EASIE system prior to certifying the Part I application.



**U.S. Department of Education  
Office of Indian Education  
Title VII Indian Education Formula Grant  
Formula Grant EASIE Part I Sample Cover Page**

Complete the EASIE Part I Cover Sheet with the appropriate information.

1. **Applicant Agency Name** \_\_\_\_\_

2. **Mailing Address** \_\_\_\_\_

**City, State, Zip** \_\_\_\_\_

3. **Grantee Identification:**

a. **DUNS #** \_\_\_\_\_

b. **NCES #** \_\_\_\_\_

4. **Application Cycle:**

- Single-Year Application
- Multi-Year Application
- Continuing Multi-Year Application (Year \_\_\_ of 4)

5. **Applicant Type:**

- LEA as a single applicant
- LEA consortium leader
- BIE-operated elementary and/or secondary school
- BIE-grant and contract elementary and/or secondary school
- Tribe applying in lieu of LEA
- Tribe applying in lieu of LEAs
- Indian Organization applying in lieu of LEA
- Indian Organization applying in lieu of LEAs
- Indian Community-Based Organization applying in lieu of LEA
- Indian Community-Based Organization applying in lieu of LEAs

6. **Consortium Partner Identification.**

| NCES # | LEA Name | City | State |
|--------|----------|------|-------|
| 1.     |          |      |       |
| 2.     |          |      |       |
| 3.     |          |      |       |
| 4.     |          |      |       |
| 5.     |          |      |       |
| 6.     |          |      |       |
| 7.     |          |      |       |
| 8.     |          |      |       |
| 9.     |          |      |       |
| 10.    |          |      |       |

**7. Project Director Name and Title:**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**8. Authorized Representative of the Grantee:**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

## Formula Grant EASIE Part I Indian Student Count Form

**Applicant Name:** \_\_\_\_\_  
**PR #S060A** \_\_\_\_\_

Instructions: This form is used to establish the total Indian student count of the LEA for the purpose of generating funds under the Indian education formula grant program. The count is derived from the total number of individual ED 506 forms on file for Indian students enrolled in the LEA during the designated count period.

In Section A or B below, identify the number of eligible Indian children according to their eligibility status as indicated on the ED 506 form. Count each child only once according to the categories shown. Complete only Section A or Section B, as appropriate.

**A. LEA, BIE Funded Schools, or ICBO complete this section with numbers of Indian students by category: (total of all students counted in Section A must match total shown in Section C)**

LEA: \_\_\_\_\_ NCES#: \_\_\_\_\_

|                           |   |
|---------------------------|---|
| Number of Indian Students | Eligibility Status  |
|                           | Federally Recognized including Alaska Native              |
|                           | State Recognized  |
|                           | Terminated Tribes   |
|                           | Organized Indian Group meeting the definition of "Indian" |
|                           | <b>Total number of all eligible Indian children</b>       |

For **BIE Funded Schools**, Indian student count method is based on: (check exactly one)

€ 506 Forms

€ ISEP Count

**B. Tribes and Indian Organizations that apply in lieu of an LEA, complete this section with numbers of Indian students in the LEA by category: (total of all students counted in Section B must match total shown in Section C)** Note that for Tribes and Indian Organizations the total number of eligible Indian children counted, the Indian children must represent no less than one-half.

LEA: \_\_\_\_\_ NCES#: \_\_\_\_\_

| Number of Students of Applicant Tribe or Indian Organization |   | Number of Students of Other Tribes |   |
|--|---|------------------------------------|---|
|  | LEA: _____ NCES#: _____                                   |                                    |   |
| Number of Indian Students                                    | Eligibility Status  | Number of Indian Students          | Eligibility Status  |
|  | Federally Recognized including Alaska Native              |                                    | Federally Recognized including Alaska Native              |
|  | State Recognized  |                                    | State Recognized  |
|  | Terminated Tribes   |                                    | Terminated Tribes   |
|  | Organized Indian Group meeting the definition of "Indian" |                                    | Organized Indian Group meeting the definition of "Indian" |
|  | <b>Total number of all eligible Indian children</b>       |                                    | <b>Total number of all eligible Indian children</b>       |

**C. Total Student Count and Count Period**

Total number of all eligible Indian children enrolled in the school or district during the count period: \_\_\_\_\_

Total number of all students enrolled in the school or district (Indian and Non-Indian): \_\_\_\_\_

Count period dates (Period may be up to 31 consecutive days): \_\_\_\_\_ to \_\_\_\_\_

**D. Certification**

I certify that I am authorized to legally bind this entity, and that, based on the information provided to me, the above count represents the number of eligible Indian students enrolled in the schools of the applicant entity and for whom a Student Eligibility Certification (ED 506) form was on file (or for BIE schools an ISEP count was used) during the count period indicated, pursuant to the requirements of 20 U.S.C. 7427. It is understood that this count will be used to calculate an award of federal assistance and that it is subject to audit. I certify that, to the best of my knowledge, the information in this application is true, reliable, and valid and I understand that any false statement provided herein that I have made is subject to penalties under The False Claims Act, 18 U.S.C. 1001.

Signature of Authorized Representative:

\_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

**Formula Grant EASIE Part I Sample Documents**  
**U.S. Department of Education**  
**Office of Indian Education**  
**SAMPLE Consortium Agreement**

For the purpose of applying for an Indian Education Formula Grant application as consortium members, we, the undersigned local educational agencies (LEAs) agree to adhere to the requirements under 34 CFR §75.127–129 (attached). Each LEA also certifies that it is not submitting a separate application as an individual LEA for this same grant. In addition,

**1. General Agreement**

It is agreed that the lead consortium member LEA will be \_\_\_\_\_ School District, which is designated to act on behalf of all consortium member LEAs. As a consortium member we understand that this agreement binds each member of the group to every statement and assurance made by the applicant in the application. It is also understood that any false statement provided in the application is subject to penalties under The False Claims Act, 18 U.S.C. 1001.

The applicant for the group is the grantee and is legally responsible for --

- (A) The use of all grant funds;
- (B) Ensuring that the project is carried out by the group in accordance with Federal requirements; and
- (C) Ensuring that indirect cost funds are determined as required under 34 CFR §75.564(e).

**2. Legal Responsibility**

We also understand that, as an LEA member of the consortium, we are each legally and individually responsible to --

- (A) Carry out the activities we agree to perform; and
- (B) Use the funds that we receive under the agreement in accordance with Federal requirements that apply to the grant, including the parent consultation and committee requirements below.

**3. Parent Consultation and Committee requirements**

(A) The local program for which we seek funding (“Indian Education program”) was developed in open consultation with parents of Indian children and teachers, and, if appropriate, Indian students from secondary schools, including through public hearings held to provide individuals in each member LEA a full opportunity to understand the program and to offer recommendations regarding the program.

(B) The Parent Committee has set forth such policies and procedures, including policies and procedures relating to the hiring of personnel, as will ensure that the Indian Education program will be operated and evaluated in consultation with, and with the involvement of, parents of the children in each LEA, and representatives of the area, to be served.

(C) The Indian Education program was developed with the participation and written approval of a Parent Committee, in accordance with section ESEA section 7114(c)(4) (20 USC 7424(c)(4)). The consortium is using: **(Select only one option)**

1. A single parent committee, whose members are representative of all LEAs in the consortium, either through equal or through proportionate representation. The consortium should submit one Parent Committee Approval Form.

(Or)

2. Multiple parent committees, one from each LEA in the consortium. Each LEA in the consortium must have its Parent Committee sign a Parent Committee Approval Form. The consortium should submit multiple Parent Committee Approval forms, one from each LEA in the consortium.



## Group Applications: From Code of Federal Regulations (34 CFR Part 75)

### **§ 75.127 Eligible parties may apply as a group.**

- (a) Eligible parties may apply as a group for a grant.
- (b) Depending on the program under which a group of eligible parties seeks assistance, the term used to refer to the group may vary. The list that follows contains some of the terms used to identify a group of eligible parties:
  - (1) Combination of institutions of higher education.
  - (2) Consortium.
  - (3) Joint applicants.
  - (4) Cooperative arrangements.

(Authority: 20 U.S.C. 1221e-3 and 3474)

### **§ 75.128 Who acts as applicant; the group agreement.**

- (a) If a group of eligible parties applies for a grant, the members of the group shall either:
  - (1) Designate one member of the group to apply for the grant; or
  - (2) Establish a separate, eligible legal entity to apply for the grant.
- (b) The members of the group shall enter into an agreement that:
  - (1) Details the activities that each member of the group plans to perform; and
  - (2) Binds each member of the group to every statement and assurance made by the applicant in the application.
- (c) The applicant shall submit the agreement with its application.

(Authority: 20 U.S.C. 1221e-3 and 3474)

### **§ 75.129 Legal responsibilities of each member of the group.**

- (a) If the Secretary makes a grant to a group of eligible applicants, the applicant for the group is the grantee and is legally responsible for:
  - (1) The use of all grant funds;
  - (2) Ensuring that the project is carried out by the group in accordance with Federal requirements; and
  - (3) Ensuring that indirect cost funds are determined as required under §75.564(e).
- (b) Each member of the group is legally responsible to:
  - (1) Carry out the activities it agrees to perform; and
  - (2) Use the funds that it receives under the agreement in accordance with Federal requirements that apply to the grant.

(Authority: 20 U.S.C. 1221e-3 and 3474)

**U.S. Department of Education  
Office of Indian Education  
SAMPLE Agreement for Tribes or Indian Organizations  
Applying in Lieu of LEAs (Evidence of Eligibility)**

For the purpose of applying for an Indian Education Grant application as a (Tribe/Indian Organization) Applying in Lieu of a single or multiple local education agency (LEA), the LEA and the (Tribe/Indian Organization) agree to and certify the following:

1. General Agreement

It is agreed that \_\_\_\_\_ (applicant), will apply in lieu of \_\_\_\_\_ School District.

2. LEA

- The LEA has not established a parent committee in accordance with ESEA Section 6112(c)(4), and therefore, is authorizing the (Tribe/Indian Organization) to apply in lieu of the LEA. The LEA also certifies that it is not submitting a separate application as an individual LEA for this same grant.
- The LEA certifies that the count submitted in the application represents the number of eligible Indian students enrolled in its school based on an ED 506 form.
- It is understood that this count will be used to calculate an award of federal assistance and that is subject to audit.
- It is understood that any false statement provided herein is subject to penalties under The False Claims Act, 18 U.S.C. 1001.

Signed by the following authorized representative (i.e. superintendent or principal) of each member LEA(s):  
(copy additional sign-off spaces as needed)

|                |                 |      |
|----------------|-----------------|------|
| Name and Title | School District | Date |
| Name and Title | School District | Date |
| Name and Title | School District | Date |

(Tribe/Indian Organization)

- The applicant (Tribe/Indian Organization) represents no less than one-half of the eligible Indian children served by the LEA.
- The applicant (Tribe/Indian Organization) is responsible for carrying out the activities described in the application and will use the funds received under the agreement in accordance with Federal requirements that apply to the grant.

Signed by the following authorized official representative (i.e. tribal chairperson) of the (tribe/Indian organization):

|                |                     |      |
|----------------|---------------------|------|
| Name and Title | Indian Organization | Date |
|----------------|---------------------|------|



**Office of Indian Education**  
**SAMPLE Agreement for Indian Community-Based Organization (ICBO)**

For the purposes of applying for an Indian Education Grant application as an Indian community-based organization the following entities agree to and certify the following statement: If no local educational agency pursuant to subsection (b), and no Indian tribe, Indian organization, or consortium pursuant to subsection (c), applies for a grant under this subpart in a particular community, an Indian community-based organization serving the community of the local educational agency may apply for such grant.

**General Agreement**

It is agreed that \_\_\_\_\_ (Indian Community-Based Organization), will apply in lieu of \_\_\_\_\_ School District.

**Indian Community-Based Organization (ICBO)**

- The applicant, ICBO, is composed primarily of Indian parents, family members, and community members, tribal government education officials, and tribal members, from a specific community.
- The applicant, ICBO, assists in the social, cultural, and educational development of Indians in such community.
- The applicant, ICBO, will meet the unique cultural, language, and academic needs of Indian students.
- The applicant, ICBO, demonstrates organizational and administrative capacity to manage the grant.
- The ICBO is responsible for carrying out the activities described in the application and will use the funds received under the agreement in accordance with Federal requirements that apply to the grant.

Signed by the following authorized representative of the Indian Community-Based Organization:

|                         |                              |               |
|-------------------------|------------------------------|---------------|
| _____<br>Name and Title | _____<br>Indian Organization | _____<br>Date |
| _____<br>Name and Title | _____<br>Indian Organization | _____<br>Date |

**LEA**

- The LEA has not established a parent committee in accordance with ESEA Section 7114(c)(4), and therefore, is authorizing the Indian community-based organization to apply in lieu of the LEA. The LEA also certifies that it is not submitting a separate application as an individual LEA for this same grant.
- The LEA certifies that the count submitted in the application represents the number of eligible Indian students enrolled in its school based on an ED 506 form.
- It is understood that this count will be used to calculate an award of federal assistance and that is subject to audit.
- It is understood that any false statement provided herein is subject to penalties under The False Claims Act, 18 U.S.C. 1001.

Signed by the following authorized representative of each member LEA(s):  
*(copy additional sign-off spaces as needed)*

|                         |                          |               |
|-------------------------|--------------------------|---------------|
| _____<br>Name and Title | _____<br>School District | _____<br>Date |
| _____<br>Name and Title | _____<br>School District | _____<br>Date |
| _____<br>Name and Title | _____<br>School District | _____<br>Date |