

**U.S. DEPARTMENT OF EDUCATION
OFFICE OF INNOVATION AND IMPROVEMENT
WASHINGTON, D.C. 20202**

FY 2019

**APPLICATION FOR GRANTS
UNDER THE EXPANDING OPPORTUNITY THROUGH
QUALITY CHARTER SCHOOLS PROGRAM--STATE
CHARTER SCHOOL FACILITIES INCENTIVE GRANTS
PROGRAM**

CFDA Number: 84.282D

**FORM APPROVED
OMB No. 1855-0012, EXP. DATE TBD**



DATED MATERIAL - OPEN IMMEDIATELY

Closing Date: TBD



UNITED STATES DEPARTMENT OF EDUCATION
Office of Innovation and Improvement

Dear Applicant:

Thank you for your interest in the Expanding Opportunity Through Quality Charter Schools Program-- State Charter School Facilities Incentive Grants Program (State Incentive). Included in this application package are the instructions and forms needed to submit an application to the U.S. Department of Education. A copy of the Notice Inviting Applications for New Awards for Fiscal Year (FY) 2019, the authorizing statute, and program regulations are provided in the application package. Please take the time to review these documents thoroughly.

Please read the document within this application package titled *Grants.gov Submission Procedures and Tips for Applicants* which describes the submission procedures to ensure your application is received in a timely and acceptable manner. The application for the State Incentive Grants Program (CFDA 84.282D) for FY 2019 must be submitted electronically using the governmentwide [Grants.gov](http://www.Grants.gov) apply site at www.Grants.gov on or before the deadline date. The electronic submission of applications is required; therefore, you must submit an electronic application unless you follow the procedures in the Federal Register Notice and qualify for one of the exceptions to the electronic submission requirement. If you think you may need an exception, you are urged to review the requirements promptly.

Please note that U.S. Department of Education grant application deadlines are 4:30:00 P.M. Washington, D.C. time. **Applications submitted late will not be accepted.** The Department is required to enforce the established deadline to ensure fairness to all applicants. We suggest that you submit your application several days before the deadline, and we strongly recommend that you do not wait until the last day to submit your application.

An OII Program Officer is available to provide technical assistance to applicants. If you have any questions about the program after reviewing the application package, please call or e-mail Clifton Jones at **(202) 205-2204** or clifton.jones@ed.gov. For questions or problems in navigating the Grants.gov system, please call Grants.gov helpdesk at **1-800-518-4726**.

We look forward to receiving your application and appreciate your efforts in assisting and expanding the number of high-quality charter schools.

Sincerely,

Ellen Safranek
Charter Schools Program Director
Office of Innovation and Improvement

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SECTION A

GENERAL APPLICATION INSTRUCTIONS

IMPORTANT – PLEASE READ FIRST

U.S. Department of Education

Grants.gov Submission Procedures and Tips for Applicants

To facilitate your use of Grants.gov, this document includes important submission procedures you need to be aware of to ensure your application is received in a timely manner and accepted by the Department of Education.

ATTENTION – Adobe Forms and PDF Files Required

Applications submitted to Grants.gov for the Department of Education will be posted using Adobe forms. Therefore, applicants will need to download the latest version of Adobe reader (at least Adobe Reader 10.1.14). (Please note that in early 2013, Grants.gov discovered an issue with the newest version of Adobe Reader XI but it was subsequently resolved.) Information on computer and operating system compatibility with Adobe and links to download the latest version is available on Grants.gov at this link: [compatibility table](#). We strongly recommend that you review these details on www.Grants.gov before completing and submitting your application. In addition, applicants should submit their application a day or two in advance of the closing date as detailed below. Also, applicants are required to upload their attachments in .pdf format only. (See details below under “Attaching Files – Additional Tips.”) If you have any questions regarding this matter please email the Grants.gov Contact Center at support@grants.gov or call 1-800-518-4726.

- 1) **REGISTER EARLY** – Grants.gov registration involves many steps including registration on SAM (www.sam.gov) which may take approximately one week to complete, but could take upwards of several weeks to complete, depending upon the completeness and accuracy of the data entered into the SAM database by an applicant. You may begin working on your application while completing the registration process, but you cannot submit an application until all of the Registration steps are complete. Please note that once your SAM registration is active, it will take 24-48 hours for the information to be available in Grants.gov, and before you can submit an application through Grants.gov. For detailed information on the Registration Steps, please go to: <http://www.grants.gov/web/grants/register.html> [Note: Your organization will need to update its SAM registration annually (formerly Central Contractor Registry (CCR)*.)]

Primary information about SAM is available at www.sam.gov. However, to further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account the Department of Education has prepared a SAM.gov Tip Sheet which you can find at: <http://www2.ed.gov/fund/grant/apply/sam-faqs.html>

- 2) **SUBMIT EARLY** – **We strongly recommend that you do not wait until the last day to submit your application. Grants.gov will put a date/time stamp on your application and then process it after it is fully uploaded.** The time it takes to upload an application will vary depending on a number of factors including the size of the application and the speed of your Internet connection, and the time it takes Grants.gov to process the application will vary as well. If Grants.gov rejects your application (see step three below), you will need to resubmit successfully to Grants.gov before 4:30:00 p.m. Washington, DC time on the deadline date.

Note: To submit successfully, you must provide the DUNS number on your application that was used when you registered as an Authorized Organization Representative (AOR) on Grants.gov. This DUNS number is typically the same number used when your organization registered with the SAM (formerly CCR -Central Contractor Registry). If you do not enter the same DUNS number on your application as the DUNS you registered with, Grants.gov will reject your application.

- 3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov received your application submission on time and that it was validated successfully. To see the date/time your application was received, login to Grants.gov and click on the Track My Application link. For a successful submission, the date/time received should be earlier than 4:30:00 p.m. Washington, DC time, on the deadline date, AND the application status should be: Validated, Received by Agency, or Agency Tracking Number Assigned. Once the Department of Education receives your application from Grants.gov, an Agency Tracking Number (PR/award number) will be assigned to your application and will be available for viewing on Grants.gov’s Track My Application link.

If the date/time received is later than 4:30:00 p.m. Washington, D.C. time, on the deadline date, your application is late. If your application has a status of “Received” it is still awaiting validation by Grants.gov. Once validation is complete, the status will either change to “Validated” or “Rejected with Errors.” If the status is “Rejected with Errors,” your application has not been received successfully. Some of the reasons Grants.gov may reject an application can be found on the Grants.gov site: <http://www.grants.gov/web/grants/applicants/applicant-faqs.html>. For more detailed information on troubleshooting Adobe errors, you can review the Adobe Reader Error Messages document at <http://www.grants.gov/web/grants/support/technical-support/troubleshooting/encountering-error-messages.html>. If you discover your application is late or has been rejected, please see the instructions below. Note: You will receive a series of confirmations both online and via e-mail about the status of your application. Please do not rely solely on e-mail to confirm whether your application has been received timely and validated successfully.

Submission Problems – What should you do?

If you have problems submitting to Grants.gov before the closing date, please contact Grants.gov Customer Support at 1-800-518-4726 or <http://www.grants.gov/web/grants/about/contact-us.html>, or access the Grants.gov Self-Service web portal at: <https://grants-portal.psc.gov/Welcome.aspx?pt=Grants>

If electronic submission is optional and you have problems that you are unable to resolve before the deadline date and time for electronic applications, please follow the transmittal instructions for hard copy applications in the Federal Register notice and get a hard copy application postmarked by midnight on the deadline date.

If electronic submission is required, you must submit an electronic application before 4:30:00 p.m., unless you follow the procedures in the Federal Register notice and qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. (See the Federal Register notice for detailed instructions.)

Helpful Hints When Working with Grants.gov

Please note, once you download an application from Grants.gov, you will be working offline and saving data on your computer. Please be sure to note where you are saving the Grants.gov file on your computer. You will need to logon to Grants.gov to upload and submit the application. **You must provide the DUNS number on your application that was used when you registered as an Authorized Organization Representative (AOR) on Grants.gov.**

Please go to <http://www.grants.gov/web/grants/about/contact-us.html> for help with Grants.gov. For additional tips related to submitting grant applications, please refer to the Grants.gov Submit Application FAQs found on the Grants.gov <http://www.grants.gov/web/grants/support/general-support/faqs.html>.

Dial-Up Internet Connections

When using a dial up connection to upload and submit your application, it can take significantly longer than when you are connected to the Internet with a high-speed connection, e.g. cable modem/DSL/T1. While times will vary depending upon the size of your application, it can take a few minutes to a few hours to complete your grant submission using a dial up connection. **If you do not have access to a high-speed connection and electronic submission is required, you may want to consider following the instructions in the Federal Register notice to obtain an exception to the electronic submission requirement no later than two weeks before the application deadline date.** (See the Federal Register notice for detailed instructions.)

MAC Users

For MAC compatibility information, review the Operating System Platform Compatibility Table at the following Grants.gov link: <http://www.grants.gov/web/grants/support/technical-support/recommended-software.html>. **If electronic submission is required and you are concerned about your ability to submit electronically as a non-windows user, please follow instructions in the Federal Register notice to obtain an exception to the electronic submission requirement no later than two weeks before the application deadline date.** (See the Federal Register notice for detailed instructions.)

Attaching Files – Additional Tips

Please note the following tips related to attaching files to your application, especially the requirement that applicants **only include read-only, non-modifiable .PDF files** in their application:

1. Ensure that you attach **.PDF files only** for any attachments to your application, and they must be in a **read-only, non-modifiable format**. PDF files are the only Education approved file type accepted as detailed in the Federal Register application notice. Applicants must submit individual .PDF files only when attaching files to their application. Specifically, the Department will not accept any attachments that contain files within a file, such as PDF Portfolio files, or an interactive or fillable .PDF file. Any attachments uploaded that are not .PDF files or are password protected files will not be read. If you need assistance converting your files to a .pdf format, please refer to the following Grants.gov webpage with links to conversion programs under the heading of additional resources: <http://www.grants.gov/web/grants/support/technical-support/software/pdf-conversion-software.html>

2. Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission. Therefore, each file uploaded to your application package should have a unique file name.
3. When attaching files, applicants should follow the guidelines established by Grants.gov on the size and content of file names. Uploaded files must be less than 50 characters, contain no spaces, no special characters (example: -, &, *, %, /, #, \) including periods (.), blank spaces and accent marks. Applications submitted that do not comply with the Grants.gov guidelines will be rejected at Grants.gov and not forwarded to the Department.
4. Applicants should limit the size of their file attachments. Documents submitted that contain graphics and/or scanned material often greatly increase the size of the file attachments and can result in difficulties opening the files. For reference, the average discretionary grant application package totals 1 to 2 MB. Therefore, you may want to check the total size of your package before submission.

*Please note that the Central Contractor Registry (CCR) was replaced by the System for Award Management (SAM) effective July 30, 2012. For more information on the migration of CCR data to SAM, grant applicants should read this information located on Grants.gov:
<http://grants-gov.blogspot.com/2012/07/information-about-pending-migration.html#!/2012/07/information-about-pending-migration.html>

Electronic Submission Policy

Electronic Submission is Required – As outlined in the Federal Register notice for this grant competition, applications must be submitted electronically. You must submit your application using the electronic application system designated in the Federal Register notice. (The notice will designate whether you will use e-Application or Grants.gov). You may not e-mail an electronic copy to us. We will reject your application if you submit it in paper format unless you qualify for one of the exceptions to the electronic submission requirement described below and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions.

Under mandatory submission, electronic applications must be received by 4:30:00 pm Washington, DC time on the application deadline date. **Under this new policy, Education does not allow for any last minute waiver requests from applications, which is a change from the previous policy for mandatory electronic submission. Consequently, we strongly encourage you to review the registration and submission procedures for the designated electronic application system right away. In addition, we strongly suggest that you do not wait until the deadline date to submit your application.**

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, by mail or hand delivery, if you are unable to submit an application through the electronic application system designated in the Federal Register notice because –

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the system;
and
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date. (Please follow the fax instructions found in the Federal Register notice for this competition. Also, your paper application must be submitted in accordance with the mail or hand delivery instructions also described in the Federal Register notice for this grant competition.)

For detailed information on the electronic submission requirement for this competition, please refer to the Federal Register notice.

Instructions for D-U-N-S Number

All applicants must have a D-U-N-S number in order to apply for federal funds.

NOTE: Check with your fiscal office to see if your institution has an assigned D-U-N-S before contacting Dun & Bradstreet.

Please provide the applicant's D-U-N-S Number. You can obtain your D-U-N-S Number at no charge by calling **1-800-333-0505** or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL:

http://www.dnb.com/US/duns_update/index.html

The D-U-N-S Number is a unique nine digit number that does not convey any information about the recipient. A built-in check digit helps assure the accuracy of the D-U-N-S Number. The ninth digit of each number is the check digit, which is mathematically related to the other digits. It lets computer systems determine if a D-U-N-S Number has been entered correctly.

*Dun & Bradstreet, a global information services provider, has assigned D-U-N-S numbers to over 43 million companies worldwide. **Live help Monday-Friday 8am-6pm (EST) Dial 1-888-814-1435.***

Note: Electronic submission via Grants.gov must use the D-U-N-S number your organization used when it registered in the System for Award Management.

SECTION B

FEDERAL REGISTER NOTICE, PROGRAM STATUTE, AND PROGRAM REGULATIONS

Program NIA

4000-01-U

DEPARTMENT OF EDUCATION

Application for New Awards; Expanding Opportunity Through Quality Charter Schools Program (CSP)-- State Charter School Facilities Incentive Grants Program

AGENCY: Office of Innovation and Improvement, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education is issuing a notice inviting applications for fiscal year (FY) 2019 for CSP-- State Charter School Facilities Incentive Grants Program, Catalog of Federal Domestic Assistance (CFDA) number 84.282D.

DATES:

Applications Available: TBD.

Date of Pre-Application Meeting: The State Charter School Facilities Incentive Grants Program intends to hold a webinar designed to provide technical assistance to interested applicants. Detailed information regarding this webinar will be provided on the State Charter School Facilities Incentive Grants Program webpage at <https://innovation.ed.gov/what-we-do/charter-schools/state->

THE NOTICE INVITING APPLICATIONS HAS NOT PASSED THROUGH DEPARTMENT CLEARANCE AND IS SUBJECT TO CHANGE.

charter-school-facilities-incentive-grants/applicant-info-and-eligibility/

Deadline for Transmittal of Applications: TBD.

Deadline for Intergovernmental Review: TBD.

ADDRESSES: For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the *Federal Register* on February 12, 2018 (83 FR 6003) and available at www.gpo.gov/fdsys/pkg/FR-2018-02-12/pdf/2018-02558.pdf.

FOR FURTHER INFORMATION CONTACT: Clifton Jones, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W244, Washington, DC 20202-5970. Telephone: (202) 205-2204 or by email: Clifton.Jones@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

[Full Text of Announcement](#)

I. Funding Opportunity Description

Purpose of Program: The State Charter School Facilities Incentive Grants Program provides grants to eligible *States* to help them establish or enhance, and administer, a *per-pupil facilities aid program* for charter schools in the

State, that is specified in State law, and provides annual financing, on a per-pupil basis, for charter school facilities.

Priorities: We are establishing these priorities for the FY 2019 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of the General Education Provisions Act (GEPA), 20 U.S.C. 1232(d)(1).

Competitive Preference Priorities: These priorities are competitive preference priorities. Under 34 CFR 75.105(c) (2)(i) we award up to an additional 40 points to an application, depending on how well the application meets these priorities. The Secretary may award up to an additional 10 points to an applicant that addresses competitive preference priority 1; up to an additional 10 points to an applicant that addresses competitive preference priority 2; and an additional 20 points to an applicant that meets competitive preference priority 3.

These priorities are:

Competitive Preference Priority 1 - State Support for Charter Schools (10 points).

The Secretary will award up to 10 points to an applicant under this competitive preference priority 1.

The applicant must address each of the following factors in order to receive the full 10 points.

(a) High-Quality Charter School Authorizing (up to 3 points).

The extent to which the *State* demonstrated support for high-quality charter school authorizing, such as through providing technical assistance to support each *authorized public chartering agency* in the *State* to improve such agency's ability to monitor the *charter schools* authorized by the agency including e.g. –

(1) assessing annual performance data of the schools, including, as appropriate, graduation rates, student academic growth, and rates of student attrition;

(2) reviewing the schools' independent, annual audits of financial statements prepared in accordance with generally accepted accounting principles, and ensuring that any such audits are publically reported; and

(3) holding *charter schools* accountable to the academic, financial, and operational quality controls agreed to between the charter school and the *authorized public chartering agency* involved, such as through renewal, non-renewal, or revocation of the school's charter.

(b) Number of High-Quality Charter Schools (up to 3 points).

The extent to which the *State* has demonstrated support for increasing the number of high-quality *charter schools* through the opening of new *charter schools*, including the *replication* of high-quality *charter schools*, and the *expansion* of high-quality *charter schools*.

(c) At Least One Authorized Public Chartering Agency Other Than a Local Educational Agency (LEA), or an Appeals Process(0 or 1 points).

The *State*--

(1) Allows at least one entity that is not a local educational agency (LEA) to be an *authorized public chartering* agency for *developers* seeking to open a *charter school* in the *State*; or

(2) In the case of a *State* in which LEAs are the only *authorized public chartering agencies*, the *State* has an appeals process for the denial of an application for a *charter school*.

(d) High Degree of Autonomy and Flexibility (up to 3 points).

The extent to which the *State* ensures that--

(1)Each charter school receiving funds through the program will have a high degree of autonomy and flexibility, including autonomy over budget, and operations, and personnel decisions; and

(2) Such autonomy and flexibility granted consistent with the definition of “*charter school*” in section 4310 of the ESEA.

Competitive Preference Priority 2 - Communities With The Greatest Need For Public School Choice (10 points).

The Secretary will award up to 10 points to an applicant under this competitive preference priority. The applicant must address each of the following factors in order to receive the full 10 points.

(a) The extent to which the applicant would target services in geographic areas in which a large proportion of public elementary and secondary schools are identified for comprehensive or targeted support and improvement under the ESEA, as amended by the Every Student Succeeds Act of 2015.

(b) The extent to which the applicant would target services to geographic areas in which a large proportion of students perform below proficient on *State* academic assessments.

Competitive Preference Priority 3 - Novice Applicants (20 points).

The Secretary will award 20 points under this competitive preference priority for applicants that have not previously received a grant under the program.

CLEARANCE AND IS SUBJECT TO CHANGE.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on proposed priorities, and selection criteria. Section 437(d)(1) of GEPA, however, allows the Secretary to exempt from rulemaking requirements regulations governing the first grant competition under a new or substantially revised program authority. This is the first grant competition for this program under section section 4304(k) of the ESSA, (20 U.S.C. 7221c(k))and therefore qualifies for this exemption. In order to ensure timely grant awards, the Secretary has decided to forgo public comment on the priorities, and selection criterion under section 437(d)(1) of GEPA. These priorities, and these selection criteria, will apply to the FY 2019 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition.

Definitions:

The following definition is from section 4304(k)(1) of the ESEA (20 U.S.C. 7221c(k)(1)).

Per-pupil Facilities Aid Program means a program in which a *State* makes payments, on a per-pupil basis, to *charter schools* to provide the schools with financing—

(A) that is dedicated solely to funding charter school facilities; or

(B) a portion of which is dedicated for funding charter school facilities.

The following definition is from section 4310(1) of the ESEA (20 U.S.C. 7221i(1)).

Authorized Public Chartering Agency means a State educational agency, local educational agency, or other public entity that has the authority pursuant to State law and approved by the Secretary to authorize or approve a charter school.

The following definition is from section 4310(2) of the ESEA (20 U.S.C. 7221i(2)).

Charter school means a public school that--

(a) In accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements in section 4310 of the ESEA;

(b) Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

(c) Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the *authorized public chartering agency*;

(d) Provides a program of elementary or secondary education, or both;

(e) Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

(f) Does not charge tuition;

(g) Complies with the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the "Family Educational Rights and Privacy Act of 1974"), and part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.);

(h) Is a school to which parents choose to send their children, and that--

(1) Admits students on the basis of a lottery, consistent with section 4303(c)(3)(A) (20 U.S.C. 7221b(c) (3)(A)), if more students apply for admission than can be accommodated; or

(2) In the case of a school that has an affiliated *charter school* (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated *charter school* and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated *charter school* and the enrolling school, admits students on the basis of a lottery as described in paragraph (1);

(i) Agrees to comply with the same Federal and *State* audit requirements as do other elementary schools and secondary schools in the *State*, unless such *State* audit requirements are waived by the *State*;

(j) Meets all applicable Federal, *State*, and local health and safety requirements;

(k) Operates in accordance with *State* law;

(l) Has a written performance contract with the *authorized public chartering agency* in the *State* that includes a description of how student performance will be measured in *charter schools* pursuant to *State* assessments

that are required of other schools and pursuant to any other assessments mutually agreeable to the *authorized public chartering agency* and the *charter school*; and

(m) May serve students in early childhood education programs or postsecondary students.

State means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas (ESEA section 8101(48)).

The following definitions are from 34 CFR 77.1(c):

Ambitious means promoting continued, meaningful improvement for program participants or for other individuals or entities affected by the grant, or representing a significant advancement in the field of education research, practices, or methodologies. When used to describe a *performance target*, whether a *performance target* is *ambitious* depends upon the context of the relevant *performance measure* and the baseline for that measure.

Demonstrates a rationale means a key project component included in the project's *logic model* is informed by research or evaluation findings that suggest the project component is likely to improve *relevant outcomes*.

Logic model (also referred to as a theory of action) means a framework that identifies key project components of

the proposed project (i.e., the active “ingredients” that are hypothesized to be critical to achieving the *relevant outcomes*) and describes the theoretical and operational relationships among the key project components and *relevant outcomes*.

Performance measure means any quantitative indicator, statistic, or metric used to gauge program or project performance.

Performance target means a level of performance that an applicant would seek to meet during the course of a project or as a result of a project.

Relevant outcome means the student outcome(s) or other outcome(s) the key project component is designed to improve, consistent with the specific goals of the program.

Program Authority: 20 U.S.C. 7221c.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as

adopted and amended as regulations of the Department in 2 CFR part 3474.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: \$10,000,000.

Estimated Range of Awards: \$1,000,000 to \$10,000,000.

Estimated Average Size of Awards: \$5,000,000.

Estimated Number of Awards: 1-3.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. Eligibility Information

1. Eligible Applicants: States that

(a) Have a *per-pupil facilities aid program* for *charter schools* specified in *State law*,

(b) provides annual financing, on a per-pupil basis, for charter school facilities.

Note: States that are required under *State law* to provide *charter schools* with access to adequate facility space, but do not have a *per-pupil facilities aid program* for *charter schools* specified in *State law*, if the *State* agrees to use funds to develop a *per-pupil facilities aid program* consistent with the requirements of this program.

2. a. Cost Sharing or Matching: Under section 4304(k)(2) of the ESEA, a *State* must provide a *State* share of the total cost of the project. The minimum *State* share of the total cost of the project increases each year of the grant, from 10 percent the first year to 80 percent in the fifth year. A *State* may partner with one or more organizations, and such organizations may provide up to 50 percent of the *State* share.

Applicants that are provisionally selected to receive grants will not receive grant funds unless they demonstrate, by September 1, 2019, that they are or will be able to provide the *State* share required under this program.

b. Supplement-Not-Supplant: This program involves supplement-not-supplant funding requirements. Under section 4110 of the ESEA (20 U.S.C. 7120), program funds must be used to supplement, and not supplant, *State* and local public funds expended to provide *per-pupil facilities aid programs*, operations financing programs, or other programs, for *charter schools*. Therefore, the Federal funds provided under this program, as well as the matching funds provided by the grantee, must be in addition to the *State* and local funds that would otherwise be used for this purpose in the absence of this Federal program. The

Department generally considers that *State* and local funds would be available for this purpose at least in the amount of the funds that was available in the preceding year and that the Federal funds and matching funds under this program would supplement that amount.

3. Other: The *charter schools* that a grantee selects to benefit from this program must meet the definition of "*charter school*" in the Charter Schools Program authorizing statute throughout the grant period. The definitions of "*charter school*," "*per-pupil facilities aid programs*," and "*authorized public chartering agency*" are in sections 4310(2), 4304(k)(1) and 4310(1) of the ESEA. (20 U.S.C. 7221).

IV. Application and Submission Information

1. Application Submission Instructions: For information on how to submit an application please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the *Federal Register* on February 12, 2018 ([83 FR 6003](#)) and available at www.gpo.gov/fdsys/pkg/FR-2018-02-12/pdf/2018-02558.pdf.

2. Content and Form of Application Submission:

Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this program.

3. Submission of Proprietary Information: Given the types of projects that may be proposed in applications for the State Charter School Facilities Incentive Grants Program, your application may include business information that you consider proprietary. In 34 CFR 5.11, we define “business information” and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you feel is exempt from disclosure under Exemption 4. In the appropriate Appendix section of your application, under “Other Attachments Form,” please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

4. Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part

79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition. Under section 4304(k)(3)(B) of the ESEA, from the amount made available to a *State* through a grant under this program for a fiscal year, the *State* may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

5. Recommended Page Limit: The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to 40 pages and (2) use the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

Furthermore, applicants are strongly encouraged to include a table of contents that specifies where each required part of the application is located.

V. Application Review Information

1. Selection Criteria: The selection criteria and factors are also listed in this section. The maximum score for addressing all of the selection criteria is 100 points. The maximum score for addressing each criterion is indicated in parentheses. Each criterion also includes the factors that the reviewers will consider to determine how well an application addresses the criterion. We encourage applicants to make explicit connections to the selection criteria and factors in their applications.

(a) Need for facility funding (30 points).

(1) The need for per-pupil *charter school* facility funding in the *State*.

(2) The extent to which the proposal meets the need to fund *charter school* facilities on a per-pupil basis.

(b) Quality of plan (30 points).

(1) The likelihood that the proposed grant project will result in the *State* either retaining a new per-pupil facilities aid program or continuing to enhance such a program without the total amount of assistance (*State* and Federal) declining over a five-year period.

(2) The flexibility *charter schools* have in their use of facility funds for the various authorized purposes.

(3) The quality of the plan for identifying *charter schools* and determining their eligibility to receive funds.

(4) The per-pupil facilities aid formula's ability to target resources to *charter schools* with the greatest need and the highest proportions of students in poverty.

(5) For projects that plan to reserve funds for evaluation, the quality of the applicant's plan to use grant funds for this purpose.

(6) For projects that plan to reserve funds for technical assistance, dissemination, or personnel, the quality of the applicant's plan to use grant funds for these purposes.

(7) The extent to which the proposed project *demonstrates a rationale* (as defined in this notice).

Note: The applicant should review the Performance Measures section of this notice for information on the requirements for developing project-specific *performance measures* and targets consistent with the objectives of the program.

(c) The grant project team (10 points).

(1) The qualifications, including relevant training and experience, of the project manager and other members of

the grant project team, including employees not paid with grant funds, consultants, and subcontractors.

(2) The adequacy and appropriateness of the applicant's staffing plan for the grant project.

(d) The budget (10 points).

(1) The extent to which the requested grant amount and the project costs are reasonable in relation to the objectives, design, and potential significance of the proposed grant project.

(2) The extent to which the costs are reasonable in relation to the number of students served and to the anticipated results and benefits.

(3) The extent to which the non-Federal share exceeds the minimum percentages (which are based on the percentages under section 4304(k)(2)(C) of the ESEA), particularly in the initial years of the program.

(e) Quality of project evaluation (10 points).

(1) The Secretary considers the quality of the evaluation to be conducted of the proposed project.

(2) In determining the quality of the evaluation, the Secretary considers the extent to which--

(i) The methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.

(ii) The methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.

(iii) The methods of evaluation will provide valid and reliable performance data on *relevant outcomes*.

(f) State experience (10 points).

The experience of the *State* in addressing the facility needs of *charter schools* through various means, including providing per-pupil aid, access to *State* loan or bonding pools, and the use of Qualified Zone Academy Bonds.

2. Review and Selection Process: We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal

financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

Note: As described in 34 CFR 226.14(c), the Secretary may elect to consider the points awarded under the competitive preference priorities only for proposals that exhibit sufficient quality to warrant funding under the selection criteria.

3. Risk Assessment and Special Conditions: Under 34 CFR 74.14 and 80.12, the Secretary may impose special conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 34 CFR parts 74 or 80, as applicable; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

Consistent with 2 CFR 200.205, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose special conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in

2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. Integrity and Performance System: If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$150,000), under 2 CFR 200.205(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards--that is, the risk posed by you as an applicant--before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2

CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. Administrative and National Policy Requirements: We identify administrative and national policy requirements in the application package and reference these and other requirements in the Applicable Regulations section of this notice.

We reference the regulations outlining the terms and conditions of an award in the Applicable Regulations section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. Open Licensing Requirements: Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant

deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. For additional information on the open licensing requirements please refer to 2 CFR 3474.20(c).

4. Reporting: (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

5. Performance Measures:

(a) (a) Program Performance Measures. The *performance measure* for this program is the ratio of funds leveraged by *States for charter school facilities* to funds awarded by the Department under the State Charter School Facilities Incentive Grants Program.

(b) Project-Specific Performance Measures.

Applicants must propose project-specific *performance*

measures and *performance targets* consistent with the objectives of the project and program. Applicants must provide the following information as directed under 34 CFR 75.110(b):

(1) Project Performance Measures. How each proposed project-specific *performance measure* would accurately measure the performance of the project and how the proposed project-specific *performance measure* would be consistent with the *performance measures* established for the program funding the competition.

(2) Project Performance Targets. Why each proposed *performance target* is *ambitious* yet achievable compared to the baseline for the *performance measure* and when, during the project period, the applicant would meet the *performance target(s)*.

Note: The Secretary encourages applicants to consider measures and targets tied to their grant activities (for instance, if an applicant is using eligibility for free and reduced-price lunch to measure the number of low-income families served by the project, the applicant could provide a percentage for students qualifying for free and reduced-price lunch), during the grant period. The measures should be sufficient to gauge the progress throughout the grant period, and show results by the end of the grant period.

(3) Data Collection and Reporting. (i) The data collection and reporting methods the applicant would use and why those methods are likely to yield reliable, valid, and meaningful performance data; and (ii) The applicant's capacity to collect and report reliable, valid, and meaningful performance data, as evidenced by high-quality data collection, analysis, and reporting in other projects or research.

6. Continuation Awards: In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the *performance targets* in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

Note: If applicants do not have experience with collection and reporting of performance data through other projects or research, they should provide other evidence of their capacity to successfully carry out data collection and reporting for their proposed project.

VII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under FOR FURTHER INFORMATION CONTACT.

Electronic Access to This Document: The official version of this document is the document published in the *Federal Register*. You may access the official edition of the *Federal Register* and the Code of Federal Regulations via the Federal Digital System at: www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the *Federal Register*, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the *Federal Register* by using the article

search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated:

James C. Blew, _____
Acting Assistant Deputy Secretary for Innovation and
Improvement.

DRAFT

Program Statute

“(k) PER-PUPIL FACILITIES AID PROGRAM.—

“(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.— In this subsection, the term ‘per-pupil facilities aid program’ means a program in which a State makes payments, on a per- pupil basis, to charter schools to provide the schools with financing—

“(A) that is dedicated solely to funding charter school facilities; or

“(B) a portion of which is dedicated for funding charter school facilities.

“(2) GRANTS.—

“(A) IN GENERAL.—From the amount reserved under section 4302(b)(1) and remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering, per-pupil facilities aid programs.

“(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

“(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

“(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

“(ii) 80 percent for the second such year;

“(iii) 60 percent for the third such year;

“(iv) 40 percent for the fourth such year; and

“(v) 20 percent for the fifth such year.

“(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations, and such organizations may provide not more than 50 percent of the State share of the cost of establishing or enhancing, and administering, the per-pupil facilities aid program.

“(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of total funds provided to charter schools increases with each successive grant.

“(3) USE OF FUNDS.—

“(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per- pupil facilities aid program for charter schools in the State of the applicant.

“(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

“(C) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this subsection shall be used to supplement, and not supplant, State and local public

funds expended to provide per-pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

“(4) REQUIREMENTS.—

“(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

“(B) STATE LAW.—

“(i) IN GENERAL.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

“(I) is specified in State law; and

“(II) provides annual financing, on a per-pupil basis, for charter school facilities.

“(ii) SPECIAL RULE.—A State that is required under State law to provide its charter schools with access to adequate facility space, but that does not have a per-pupil facilities aid program for charter schools specified in State law, is eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

“(5) APPLICATIONS.— To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

Program Regulations

PART 226--STATE CHARTER SCHOOL FACILITIES INCENTIVE PROGRAM

Subpart A--General

- 226.1 What is the State Charter School Facilities Incentive program?
- 226.2 Who is eligible to receive a grant?
- 226.3 What regulations apply to the State Charter School Facilities Incentive program?
- 226.4 What definitions apply to the State Charter School Facilities Incentive program?

Subpart B--How Does the Secretary Award a Grant?

- 226.11 How does the Secretary evaluate an application?
- 226.12 What selection criteria does the Secretary use in evaluating an application for a State Charter School Facilities Incentive program grant?
- 226.13 What statutory funding priority does the Secretary use in making a grant award?
- 226.14 What other funding priorities may the Secretary use in making a grant award?

Subpart C--What Conditions Must Be Met by a Grantee?

- 226.21 How may charter schools use these funds?
- 226.22 May grantees use grant funds for administrative costs?
- 226.23 May charter schools use grant funds for administrative costs?

AUTHORITY: 20 U.S.C. 1221e-3;7221c (k), unless otherwise noted.

Subpart A -- General

§226.1 What is the State Charter School Facilities Incentive program?

(a) The State Charter School Facilities Incentive program provides grants to States to help charter schools pay for facilities.

(b) Grantees must use these grants to--

(1) Establish new per-pupil facilities aid programs for charter schools;

(2) Enhance existing per-pupil facilities aid programs for charter schools; or

(3) Administer programs described under paragraphs (b)(1) and (2) of this section.

(Authority: 20 U.S.C. 7221c(k))

§226.2 Who is eligible to receive a grant?

States are eligible to receive grants under this program.

(Authority: 20 U.S.C. 7221c(k))

§226.3 What regulations apply to the State Charter School Facilities Incentive program?

The following regulations apply to the State Charter School Facilities Incentive program:

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR part 74 (Administration of Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations).

(2) 34 CFR part 75 (Direct Grant Programs).

(3) 34 CFR part 77 (Definitions that Apply to Department Regulations).

(4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(5) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

- (6) 34 CFR part 81 (General Education Provisions Act--Enforcement).
- (7) 34 CFR part 82 (New Restrictions on Lobbying).
- (8) 34 CFR part 84 (Government wide Requirements for Drug-Free Workplace (Financial Assistance)).
- (9) 34 CFR part 85 (Government wide Debarment and Suspension (Non-procurement)).
- (10) 34 CFR part 97 (Protection of Human Subjects).
- (11) 34 CFR part 98 (Student Rights in Research, Experimental Programs, and Testing).
- (12) 34 CFR part 99 (Family Educational Rights and Privacy).

(b) The regulations in this part 226.

(Authority: 20 U.S.C. 1221e-3; 7221c(k))

§226.4 What definitions apply to the State Charter School Facilities Incentive program?

(a) Definitions in the statute. The following term used in this part is defined in section 4310 (2) of the Elementary and Secondary Education Act of 1965, amended by Every Student Succeeds Act of 2015:

Charter school

(b) Definitions in EDGAR. The following terms used in this part are defined in 34 CFR 77.1:

Applicant

Application

Award

Department

EDGAR

Facilities

Grant

Grantee

Project

Public

Secretary

(c) Other definition. The following definition also applies to this part:

Construction means--

- (1) Preparing drawings and specifications for school facilities projects;
- (2) Repairing, renovating, or altering school facilities;
- (3) Extending school facilities;
- (4) Erecting or building school facilities; and
- (5) Inspections or supervision related to school facilities.

(Authority: 20 U.S.C. 7221c(k); 7221c(i))

Subpart B -- How Does the Secretary Award a Grant?

§226.11 How does the Secretary evaluate an application?

- (a) The Secretary evaluates an application on the basis of the criteria in §226.12 and the competitive preference priorities in §226.13 and §226.14.
- (b) The Secretary informs applicants of the maximum possible score for each criterion and competitive preference priority in the application package or in a notice published in the Federal Register.

(Authority: 20 U.S.C. 7221c(k))

§226.12 What selection criteria does the Secretary use in evaluating an application for a State Charter School Facilities Incentive program grant?

The selection criteria for this program are as follows:

(a) Need for facility funding.

(1) The need for per-pupil charter school facility funding in the State.

(2) The extent to which the proposal meets the need to fund charter school facilities on a per-pupil basis.

(b) Quality of plan.

(1) The likelihood that the proposed grant project will result in the State either retaining a new per-pupil facilities aid program or continuing to enhance such a program without the total amount of assistance (State and Federal) declining over a five-year period.

(2) The flexibility charter schools have in their use of facility funds for the various authorized purposes.

(3) The quality of the plan for identifying charter schools and determining their eligibility to receive funds.

(4) The per-pupil facilities aid formula's ability to target resources to charter schools with the greatest need and the highest proportions of students in poverty.

(5) For projects that plan to reserve funds for evaluation, the quality of the applicant's plan to use grant funds for this purpose.

(6) For projects that plan to reserve funds for technical assistance, dissemination, or personnel, the quality of the applicant's plan to use grant funds for these purposes.

(c) The grant project team.

- (1) The qualifications, including relevant training and experience, of the project manager and other members of the grant project team, including employees not paid with grant funds, consultants, and subcontractors.
- (2) The adequacy and appropriateness of the applicant's staffing plan for the grant project.

(d) The budget.

- (1) The extent to which the requested grant amount and the project costs are reasonable in relation to the objectives, design, and potential significance of the proposed grant project.
- (2) The extent to which the costs are reasonable in relation to the number of students served and to the anticipated results and benefits.
- (3) The extent to which the non-Federal share exceeds the minimum percentages (which are based on the percentages under section 4304(k)(2)(C) of the ESEA), particularly in the initial years of the program.

(e) State experience.

The experience of the State in addressing the facility needs of charter schools through various means, including providing per-pupil aid, access to State loan or bonding pools, and the use of Qualified Zone Academy Bonds.

(Approved by the Office of Management and Budget under control number 1855-0012)

(Authority: 20 U.S.C. 7221c(k))

§226.13 What statutory funding priority does the Secretary use in making a grant award?

The Secretary shall award additional points under a competitive preference priority regarding:

(a) Periodic Review and Evaluation. The State provides for periodic review and evaluation by the authorized public chartering agency of each charter school at least once every five years unless required more frequently by State law, to determine whether the charter school is meeting the terms of the school's charter and is meeting or exceeding the student academic performance requirements and goals for charter schools as set forth under State law or the school's charter.

(b) Number of High-Quality Charter Schools. The State has demonstrated progress in increasing the number of high-quality charter schools that are held accountable in the terms of the schools' charters for meeting clear and measurable objectives for the educational progress of the students attending the schools, in the period prior to the period for which the State applies for a grant under this competition.

(c) One Authorized Public Chartering Agency Other than an LEA, or an Appeals Process.

The State --

(1) Provides for one authorized public chartering agency that is not a local educational agency (LEA), such as a State chartering board, for each individual or entity seeking to operate a charter school pursuant to State law; or

(2) In the case of a State in which LEAs are the only authorized public chartering agencies, allows for an appeals process for the denial of an application for a charter school.

(d) High Degree of Autonomy. The State ensures that each charter school has a high degree of autonomy over the charter school's budgets and expenditures.

(Approved by the Office of Management and Budget under control number 1855-0012)

(Authority: 20 U.S.C. 7221b; 7221c(k))

§226.14 What other funding priorities may the Secretary use in making a grant award?

(a) The Secretary may award points to an application under a competitive preference priority regarding the capacity of charter schools to offer public school choice in those communities with the greatest need for this choice based on--

(1) The extent to which the applicant would target services to geographic areas in which a large proportion or number of public schools have been identified for improvement, corrective action, or restructuring under title I of the ESEA;

(2) The extent to which the applicant would target services to geographic areas in which a large proportion of students perform poorly on State academic assessments; and

(3) The extent to which the applicant would target services to communities with large proportions of low-income students.

(b) The Secretary may award points to an application under a competitive preference priority for applicants that have not previously received a grant under the program.

(c) The Secretary may elect to consider the points awarded under these priorities only for proposals that exhibit sufficient quality to warrant funding under the selection criteria in §226.12 of this part.

(Approved by the Office of Management and Budget under control number 1855-0012)

(Authority: 20 U.S.C. 7221c(k))

Subpart C -- What Conditions Must Be Met by a Grantee?

§226.21 How may charter schools use these funds?

(a) Charter schools that receive grant funds through their State must use the funds for facilities. Except as provided in paragraph (b) of this section, allowable expenditures include:

- (1) Rent.
- (2) Purchase of building or land.
- (3) Construction.
- (4) Renovation of an existing school facility.
- (5) Leasehold improvements.
- (6) Debt service on a school facility.

(b) Charter schools may not use these grant funds for purchasing land when they have no immediate plans to construct a building on that land.

(Authority: 20 U.S.C. 7221c(k))

§226.22 May grantees use grant funds for administrative costs?

State grantees may use up to five percent of their grant award for administrative expenses that include: indirect costs, evaluation, technical assistance, dissemination, personnel costs, and any other costs involved in administering the State's per-pupil facilities aid program.

(Authority: 20 U.S.C. 7221c(k))

§226.23 May charter schools use grant funds for administrative costs?

(a) Except as provided in paragraph (b) of this section, charter school subgrantees may use grant funds for administrative costs that are necessary and reasonable for the proper and efficient performance and administration of this Federal grant. This use of funds, as well as indirect costs and rates, must comply with EDGAR and the Office of

Management and Budget Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments).

(b) Consistent with the requirements in 34 CFR 75.564(c)(2), any charter school subgrantees that use grant funds for construction activities may not be reimbursed for indirect costs for those activities.

(Authority: 20 U.S.C. 1221e-3; 7221c(k))

SECTION C

GENERAL APPLICATION INSTRUCTIONS AND INFORMATION

General Instructions

The 84.282D application consists of the below forms, as outlined in the Federal Register Notice. All forms listed below are required. Please review all instructions and the Federal Register Notice before completing your application.

If you have received an exemption to the mandatory electronic submission requirement and are submitting a hard copy application, you will not use these forms, but will prepare a narrative incorporating each element.

ED Abstract Form – The applicant will attach their abstract to the “ED Abstract Attachment Form” in the application package in Grants.gov.

Project Narrative Attachment Form - The applicant will attach their narrative responses to the application requirements and selection criteria that will be used to evaluate applications submitted for this competition to the “ED Project Narrative Attachment Form” in the application package in Grants.gov. Make sure that your narrative addresses all of the elements. We strongly recommend that the information be organized around and appear in the same sequence as the Project Selection Criteria. This section has a suggested page limit of 40 pages (not including the required forms and tables).

Also include in this section, but not subject to the 40 page limit, will be the table of contents and response to the competitive preference priorities.

Budget Narrative Attachment Form – The applicant will attach their ED 524 and Table 2 to the “Budget Narrative Attachment Form” in the application package in Grants.gov.

Other Attachments Form – The applicant will attach additional documents, including resumes/curriculum vitae and appendices to the “Other Attachment Form” in the application package in Grants.gov. This is also where the applicant will upload Table 1 (Charter School Aid Paid by State) and Table 3 (Grant Funds as a Percentage of the Cost of Per-Pupil Facilities Aid).

In this section, the applicant will also include the bill or enacted statute (please specify which one it is) that authorizes per-pupil facilities aid for charter schools. In the event it is a bill, please indicate which hurdles it has passed towards enactment (e.g., passage by a specified legislative body) and which hurdles remain (e.g., passage by a specified legislative body and signature of a governor).

In addition, the applicant should provide any available statutes regarding the appropriation level for per-pupil facilities aid for charter schools since authorized activities are not always funded. In the event that funding has not already been enacted, please indicate which hurdles it has passed towards enactment and which hurdles remain.

Electronic submission requires that narratives and other files be attached to the following attachment forms as per the instruction in this document such as:

- One page Abstract must be attached to the “Department of Education Abstract Form”
- Program Narratives must be attached to the “Program Narrative Attachment Form”
- Budget Narratives must be attached to the “Budget Narrative Attachment Form”
- All vitas, resumes, table of contents, letters, certifications, supplementary statements; and other requested appendices must be attached to the “Other Attachment Forms”

Forms, Assurances, and Certifications – Applicants must complete all forms included in the application package. Instructions for the following forms are included in this document:

- Application for Federal Assistance (SF-424)
- Instructions for the SF-424
- Supplemental Information, Instructions, and Definitions for the U.S. Department of Education Supplemental Information for the SF-424
 - Budget ED 524 and Instructions for ED 524
 - Disclosure of Lobbying Activities (SF-LLL)
 - Instructions for the Completion of SF-LLL, Disclosure of Lobbying Activities
- Certification Regarding Lobbying (Grants.gov Lobbying Form - formerly ED 80-0013 form)
 - GEPA Statement
 - Assurances--Non-Construction Programs (SF-424B)

Instructions for ED Abstract Narrative

Attach the abstract to the “ED Abstract Attachment Form” in the application package in Grants.gov.

The abstract narrative must include the name and address of your organization and the name, phone number, and e-mail address of the contact person for this project.

The abstract narrative must not exceed one page and should use language that will be understood by a range of audiences. For all projects, include the project title (if applicable), goals, expected outcomes and contributions for research, policy, practice, etc. Address how your application meets the purpose of the State Incentive Grants Program as stated in the Notice Inviting Applications.

Instructions for Project Narrative

Attach the project narrative to the “Project Narrative Attachment Form” in the application package of Grants.gov.

Before preparing the project narrative, applicants should review the Federal Register notice, the Dear Applicant Letter, and the program statute for specific guidance and requirements. Note that applications will be evaluated according to the specific selection criteria specified in the Federal Register notice.

Please limit the Project Narrative to 40 pages, double-spaced, and number the pages consecutively. Refer to the Federal Register notice for additional application submission requirements.

This part of your application contains information responsive to the Project Selection Criteria and the Application Content Requirements. Make sure that your narrative addresses all of the elements. We strongly recommend that the information be organized around and appear in the same sequence as the Project Selection Criteria and Competitive Priorities as listed in the notice inviting applications. Please upload the program narrative as one document.

Instructions for Budget Narrative

Attach the budget (ED 524 and Table 2- Budget Form: Grant Funds Expenditures) to the “Budget Narrative Attachment Form” in the application package in Grants.gov.

This part of the application contains information about the Federal funding the applicant is requesting. The applicant must fill in the ED 524 budget form. Provide an itemized budget breakdown narrative, by project year, for each budget category listed in Sections A and B of the ED 524 form. If applicable to this program, provide the rate and base on which fringe benefits are calculated.

If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. Specify the estimated amount of the base to which the indirect cost rate is applied and the total indirect expense. Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied.

Each State educational agency receiving a grant pursuant to this subpart may reserve not more than 5 percent of such grant funds for administrative expenses associated with the charter school grant program.

Provide other budget explanations or comments deemed necessary.

Applicants are also required to fill out Table 2 (Budget Form: Grant Funds Expenditures).

Instructions for Other Attachments

Attach additional documents to the “Other Attachments Form” in the application package in Grants.gov. These documents would be supplementary statements and other requested information.

In addition to the program narrative, applications should include resumes for key personnel. Before preparing additional documentation, applicants should review the Federal Register notice, the Dear Applicant Letter, and the program statute for specific guidance and requirements. Note that applications will be evaluated according to the specific selection criteria specified in the Federal Register notice.

To facilitate the review of the application, please organize your attachments in the following order:

1. Table 1 - Charter School Aid Paid by State
2. Table 3 - Grant Funds as a Percentage of the Cost of Per-Pupil Facilities Aid
3. Bill or enacted statute
4. Logic Model
5. Resumes/Curriculum Vitae
6. Appendices

Resumes/Curriculum Vitae: Provide resumes/curriculum vitae for the project director as well as any key personnel identified in the application.

Priorities and Project Selection Criteria

The Challenge: Helping Charter Schools and Promoting School Choice

Charter schools have difficulty obtaining adequate facilities for various reasons. One major obstacle is that charter schools that are freestanding local educational agencies (LEAs) generally lack the authority to raise property taxes. This inability to raise taxes, combined with the inherent risk that charter schools need to renew their charters to remain open, makes it difficult for investors to risk financing the purchase of school facilities.

The Expanding Opportunity Through Quality Charter Schools Program--State Charter School Facilities Incentive Grants Program (State Incentive) is intended to encourage States to develop per-pupil facilities aid programs and share in the costs associated with charter schools facilities funding.

Charter schools serve as a key to providing meaningful public school choice. In addition, the number of charter schools that grantees will be able to serve with these funds is limited. Consequently, proposals that focus funds on areas that need school choice the most will score higher than other proposals.

The Secretary will select for funding under the State Incentive Grants Program those applications that are deemed of highest overall quality. Experts in charter schools and education finance will review the applications and assign to each application up to 140 points using the Project Selection Criteria and corresponding weights described in this section and the Competitive Priorities. Each criterion includes factors the reviewers will consider in determining how well an application meets the criterion.

Reviewers will use their own professional judgment to assess the quality of each application against these criteria. To be competitive, applicants must address each of the selection criteria fully and clearly. We recommend that applicants organize their application narrative around the Competitive Priorities and the Project Selection Criteria.

Competitive Preference Priorities (up to 40 points)

Competitive Preference Priority 1 - State Support for Charter Schools (10 points).

The Secretary will award up to 10 points to an applicant under this competitive preference priority 1. The applicant must address each of the following factors in order to receive the full 10 points.

(a) High-Quality Charter School Authorizing (up to 3 points).

The extent to which the State in which the applicant is located has demonstrated support for high-quality charter school authorizing, such as through providing technical assistance to support each authorized public chartering agency in the State to improve such agency's ability to monitor the charter schools authorized by the agency including

- (1) assessing annual performance data of the schools, including, as appropriate, graduation rates, student academic growth, and rates of student attrition;
- (2) reviewing the schools' independent, annual audits of financial statements prepared in accordance with generally accepted accounting principles, and ensuring that any such audits are publically reported; and
- (3) holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency involved, such as through renewal, non-renewal, or revocation of the school's charter.

(b) Number of High-Quality Charter Schools (up to 3 points).

The extent to which the State in which the applicant is located has demonstrated support for increasing the number of high-quality charter schools through the opening of new *charter schools*, including the *replication of high-quality charter schools*, and the *expansion of high-quality charter schools*.

Note: The Secretary encourages the applicant to include in its application an analysis of the proposed number of new charter schools to be opened, high-quality charter schools to be opened as a result of the replication of a high-quality charter school, or high-quality charter schools to be expanded.

(c) At Least One Authorized Public Chartering Agency Other Than a Local Educational Agency (LEA), or an Appeals Process(0 or 1 points).

The State in which the applicant is located—

- (1) Allows at least one entity that is not a local educational agency (LEA) to be an *authorized public chartering agency for developers* seeking to open a *charter school* in the *State*; or
- (2) In the case of a *State* in which LEAs are the only *authorized public chartering agencies*, the *State* has an appeals process for the denial of an application for a *charter school*.

(d) High Degree of Autonomy and Flexibility (up to 3 points).

The extent to which the State in which the applicant is located ensures that--

- (1) Each charter school receiving funds through the program will have a high degree of autonomy and flexibility, including autonomy over budget, and operations, and personnel decisions; and
- (2) Such autonomy and flexibility granted consistent with the definition of "charter school" in section 4310 of the ESEA.

Competitive Preference Priority 2 - Communities With The Greatest Need For Public School Choice (10 points).

The Secretary will award up to 10 points to an applicant under this competitive preference

priority. The applicant must address each of the following factors in order to receive the full 10 points.

- (a) The extent to which the applicant would target services in geographic areas in which a large proportion of public elementary and secondary schools are identified for comprehensive or targeted support and improvement under the ESEA, as amended by the Every Student Succeeds Act of 2015.
- (b) The extent to which the applicant would target services to geographic areas in which a large proportion of students perform below proficient on State academic assessments.

Competitive Preference Priority 3 Novice Applicants (20 points).

The Secretary will award 20 points under this competitive preference priority for applicants that have not previously received a grant under the program.

Selection Criteria (up to 100 points)
--

(a) Need for facility funding (30 points).

- (1) The need for per-pupil charter school facility funding in the State.
- (2) The extent to which the proposal meets the need to fund charter school facilities on a per-pupil basis.

This criterion rewards applicants that need the Federal funds to meet the facility needs of charter schools in the State. The materials that reviewers will take into account when rating against this selection criterion include:

- State budget proposals and tables.
- A description of how charter schools' costs in total (operating, capital, and interest costs) are financed in the State and the level of that funding.
- A description of how public school facilities are financed within the State with a focus on a comparison between how facilities are financed for charter schools and regular public schools.
- A description of what represents an adequate amount of facilities funding for charter schools in the State.
- A description of the unmet need for charter school facility funding absent the assistance that would be provided under the proposal.

(b) Quality of plan (30 points).

- (1) The likelihood that the proposed grant project will result in the State either retaining a new per-pupil facilities aid program or continuing to enhance such a program without the total amount of assistance (State and Federal) declining over a five-year period.

- (2) The flexibility charter schools have in their use of facility funds for the various authorized purposes.
- (3) The quality of the plan for identifying charter schools and determining their eligibility to receive funds.
- (4) The per-pupil facilities aid formula's ability to target resources to charter schools with the greatest need and the highest proportions of students in poverty.
- (5) For projects that plan to reserve funds for evaluation, the quality of the applicant's plan to use grant funds for this purpose.
- (6) For projects that plan to reserve funds for technical assistance, dissemination, or personnel, the quality of the applicant's plan to use grant funds for these purposes.
- (7) The extent to which the proposed project demonstrates a rationale. Note: The applicant should review the Performance Measures section of this notice for information on the requirements for developing project-specific performance measures and targets consistent with the objectives of the program.

The materials that reviewers will take into account when rating against this selection criterion include:

- Enabling statutes and other relevant legislation, such as appropriation legislation or tables.
- Table 1 – Per-Pupil Facilities Aid Paid by State.
- Table 3 – Grant Funds as a Percentage of the Cost of Per-Pupil Facilities Aid.
- State budget proposals and tables.
- A description of how charter schools' facility costs are financed in the State and the level of that funding, and how the distribution and level of funding would change under the plan.
- A statement identifying the activities proposed to be undertaken with grant funds and the timeline for the activities, including the distribution of funds, and the procedures the applicant will use for documenting grant project procedures and results.
- Logic model.

(c) The grant project team (10 points).

- (1) The qualifications, including relevant training and experience, of the project manager and other members of the grant project team, including employees not paid with grant funds, consultants, and subcontractors.
- (2) The adequacy and appropriateness of the applicant's staffing plan for the grant project.

The materials that reviewers will take into account when rating against this selection criterion include:

- A description of current job responsibilities, the educational background, and the experience and skills of each member of the grant project team as described in current resumes. The resumes should pay particular attention to experience in the fields of education finance and charter schools. Position qualification statements should be

provided for any staff, including through contracts, the applicant plans to hire for the project.

- A staffing plan for the project, including a description of the assignments by activity or service.

(d) The budget (10 points).

(1) The extent to which the requested grant amount and the project costs are reasonable in relation to the objectives, design, and potential significance of the proposed grant project.

(2) The extent to which the costs are reasonable in relation to the number of students served and to the anticipated results and benefits.

(3) The extent to which the non-Federal share exceeds the minimum percentages (which are based on the percentages under section 4304(k)(2)(C) of the ESEA), particularly in the initial years of the program.

The materials reviewers will take into account when rating against this selection criterion include:

- Table 2 -- Budget Form
- Table 3 -- Grant Funds as a Percentage of the Cost of Per-Pupil Facilities Aid
- State budget proposals and tables.
- A description of how charter schools' costs in total (operating, capital, and interest costs) are financed in the State and the level of that funding.
- A description of how public school facilities are financed within the State with focus on a comparison between how facilities are financed for charter schools and regular public schools.
- A description of the unmet need for charter school facility funding absent the assistance that would be provided under the proposal.

(e) Quality of project evaluation (10 points).

(1) The Secretary considers the quality of the evaluation to be conducted of the proposed project.

(2) In determining the quality of the evaluation, the Secretary considers the extent to which--

(i) The methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.

(ii) The methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.

(iii) The methods of evaluation will provide valid and reliable performance data on relevant outcomes.

The materials reviewers will take into account when rating against this selection criterion include:

- Logic Model
- Timeline
- Performance Measures

(f) State experience (10 points).

The experience of the State in addressing the facility needs of charter schools through various means, including providing per-pupil aid, access to State loan or bonding pools, and the use of Qualified Zone Academy Bonds.

The materials reviewers will take into account when rating against this selection criterion include:

- State budget proposals and tables.
- A description of how charter schools' costs in total (operating, capital, and interest costs) are financed in the State and the level of that funding.
- Enabling statutes and other relevant legislation, such as appropriation legislation or tables.
- A description of how public school facilities are financed within the State with focus on a comparison between how facilities are financed for charter schools and regular public schools.

Table 1 – Charter School Aid Paid by State

Source	Fiscal year 20XX ¹	Fiscal year 20XX	Fiscal year 20XX	Fiscal year 20XX	Fiscal year 20XX	Fiscal year 20XX	Fiscal year 20XX	Fiscal year 20XX
1. Number of pupils in average daily attendance in charter schools								
2. a. Per-pupil funding for charter school facilities in total ²								
2. b. Per-pupil funding for charter school facilities per charter school student in average daily attendance								
3. a. Other funding for charter schools ³								
3. b. Other funding for charter schools per charter school student in average daily attendance								
Total								

¹ The State’s fiscal year 20XX begins on _____ and ends on _____. If the State has not yet made a decision about the level of funding for these activities in Fiscal Year 20XX, please indicate the status of funding for Fiscal Year 20XX in the State for these activities. The purpose of this table is to determine total amount of per-pupil facilities aid and assistance in general for charter schools.

² This funding includes funds that are distributed on a per-pupil basis that are (1) dedicated solely for funding charter school facilities and (2) the portion of funds that are dedicated for charter school facilities that are part of a distribution of funds that may be used for other purposes, such as operating expenses for charter schools or facility funds for regular public schools.

³ These funds include operating funds for charter schools, per-pupil allocations to charter schools that are not designated solely for facilities, facilities funds that are not awarded to charter schools on a per-pupil basis.

Table 2 -Budget Form: Grant Funds Expenditures

Budget categories	Project year 1	Project year 2	Project year 3	Project year 4	Project year 5	Total
A. Administrative funds (5%)						
A.1. Indirect costs						
A.2. Evaluation						
A.3. Technical assistance						
A.4. Dissemination						
A.5. Personnel costs not associated with evaluation, technical assistance, or dissemination						
A. Total administrative costs						
B. Per-pupil facilities aid for charter schools						
Per-pupil funding for charter school facilities						
C. Grand total – Federal grant request						

Instructions for Table 2 -- Budget Form: Grant Funds Expenditures

A. Administrative funds:

A.1. Indirect costs: Many organizations have indirect cost rates established with the U.S. Department of Education which allow those organizations to spend a portion of their grant funds on a share of the total organization costs such as rent and utilities. For this grant you may choose to claim indirect costs, but the total amount may not exceed five percent. Also, if you choose to claim indirect costs, the sum of your indirect costs and your other administrative costs combined may not exceed five percent.

A. Total administrative costs: The total for this line should include the sum of lines A.1. through A.5. This line cannot exceed five percent of the requested amount for any fiscal year.

B. Per-pupil facilities aid for charter schools

This funding includes funds that are distributed on a per-pupil basis that are (1) dedicated solely for funding charter school facilities and (2) the portion of funds that are *dedicated for charter school facilities* that are part of a distribution of funds that may be used for other purposes, such as operating expenses for charter schools or facility funds for regular public schools.

C. Grand Total

The amount in the total column for this row should be the same as the request on Form ED 424.

Table 3 - Grant Funds as a Percentage of the Cost of Per-Pupil Facilities Aid

Budget Categories	Project year 1*	Project year 2	Project year 3	Project year 4	Project year 5	Total
A. Line C, Grand total, from Table 2 – Budget Form						
B. Line 1, State per-pupil funding for charter school facilities, from Table 1 -- Charter School Aid Paid by State						
C. Total						
D. Federal grant request (Line A., Table 3) as a percentage of the cost of per-pupil facilities aid (Line C., Table 3)						

*Project Year 1 is the same as State fiscal year 20XX unless the applicant explicitly notes and explains which project year maps to which State fiscal year

Program-Specific Assurance

I assure that my State intends to provide (either alone or with the assistance of other parties, such as foundations) annual funding, on a per-pupil basis, for charter school facilities. Furthermore, I am aware that the Federal share declines in accordance with the table below:

Matching Requirement for Expanding Opportunity Through Quality Charter Schools Program--State Charter School Facilities Incentive Grants Program (State Incentive), by Grant Project Year.

		Non-Federal share	Amount	Federal share (maximum)	Amount
Year 1		10%		90%	
Year 2		20%		80%	
Year 3		40%		60%	
Year 4		60%		40%	
Year 5		80%		20%	

Signature

Title

SECTION D

INSTRUCTIONS TO STANDARD FORMS AND GRANT APPLICATION REQUIREMENTS

Forms, Assurances, and Certifications

Applicants must complete all forms included in the application package. Instructions for the following forms are included in this document:

- Application for Federal Assistance (SF-424)
- Instructions for the SF-424
- Supplemental Information, Instructions, and Definitions for the U.S. Department of Education Supplemental Information for the SF-424
- Budget ED 524 and Instructions for ED 524
- Disclosure of Lobbying Activities (SF-LLL)
- Instructions for the Completion of SF-LLL, Disclosure of Lobbying Activities
- Certification Regarding Lobbying (Grants.gov Lobbying Form - formerly ED 80-0013 form)
- GEPA Statement
- Assurances--Non-Construction Programs (SF-424B)

Application for Federal Assistance SF-424

* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s):
<input type="checkbox"/> Preapplication	<input type="checkbox"/> New	<input type="text"/>
<input type="checkbox"/> Application	<input type="checkbox"/> Continuation	* Other (Specify):
<input type="checkbox"/> Changed/Corrected Application	<input type="checkbox"/> Revision	<input type="text"/>

* 3. Date Received:	4. Applicant Identifier:
<input type="text"/>	<input type="text"/>

5a. Federal Entity Identifier:	5b. Federal Award Identifier:
<input type="text"/>	<input type="text"/>

State Use Only:

6. Date Received by State:	7. State Application Identifier:
<input type="text"/>	<input type="text"/>

8. APPLICANT INFORMATION:

* a. Legal Name:	<input type="text"/>
* b. Employer/Taxpayer Identification Number (EIN/TIN):	<input type="text"/>
* c. Organizational DUNS:	<input type="text"/>

d. Address:

* Street1:	<input type="text"/>
Street2:	<input type="text"/>
* City:	<input type="text"/>
County/Parish:	<input type="text"/>
* State:	<input type="text"/>
Province:	<input type="text"/>
* Country:	<input type="text" value="USA: UNITED STATES"/>
* Zip / Postal Code:	<input type="text"/>

e. Organizational Unit:

Department Name:	Division Name:
<input type="text"/>	<input type="text"/>

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:	* First Name:
<input type="text"/>	<input type="text"/>
Middle Name:	<input type="text"/>
* Last Name:	<input type="text"/>
Suffix:	<input type="text"/>
Title:	<input type="text"/>
Organizational Affiliation:	<input type="text"/>

* Telephone Number:	Fax Number:
<input type="text"/>	<input type="text"/>

* Email:	<input type="text"/>
<input type="text"/>	<input type="text"/>

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

* Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant [Redacted]

* b. Program/Project [Redacted]

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date: [Redacted]

* b. End Date: [Redacted]

18. Estimated Funding (\$):

* a. Federal

* b. Applicant

* c. State

* d. Local

* e. Other

* f. Program Income

* g. TOTAL

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on [Redacted].

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix:

* First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Teleph

one Number:

Fax Number:

Email:

* Date Signed:

Signature of Authorized Representative *

INSTRUCTIONS FOR THE SF-424

This is a standard form required for use as a cover sheet for submission of pre-applications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the federal agency (agency). Required fields on the form are identified with an asterisk (*) and are also specified as "Required" in the instructions below. In addition to these instructions, applicants must consult agency instructions to determine other specific requirements.

Item	Entry:	Item	Entry:
1.	Type of Submission: (Required) Select one type of submission in accordance with agency instructions. <ul style="list-style-type: none"> • Pre-application • Application • Changed/Corrected Application – Check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this form to submit changes after the closing date. 	10.	Name Of Federal Agency: (Required) Enter the name of the federal agency from which assistance is being requested with this application.
		11.	Catalog Of Federal Domestic Assistance Number/Title: Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
2.	Type of Application: (Required) Select one type of application in accordance with agency instructions. <ul style="list-style-type: none"> • New – An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the federal government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. <p>A. Increase Award D. Decrease Duration B. Decrease Award E. Other (specify) C. Increase Duration</p>	12.	Funding Opportunity Number/Title: (Required) Enter the Funding Opportunity Number (FON) and title of the opportunity under which assistance is requested, as found in the program announcement.
		13.	Competition Identification Number/Title: Enter the competition identification number and title of the competition under which assistance is requested, if applicable.
		14.	Areas Affected By Project: This data element is intended for use only by programs for which the area(s) affected are likely to be different than the place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Add attachment to enter additional areas, if needed.
3.	Date Received: Leave this field blank. This date will be assigned by the Federal agency.	15.	Descriptive Title of Applicant's Project: (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For pre-applications, attach a summary description of the project.
4.	Applicant Identifier: Enter the entity identifier assigned by the Federal agency, if any, or the applicant's control number if applicable.		
5a.	Federal Entity Identifier: Enter the number assigned to your organization by the federal agency, if any.	16.	Congressional Districts Of: 16a. (Required) Enter the applicant's congressional district. 16b. Enter all district(s) affected by the program or project. Enter in the format: 2 characters state abbreviation – 3 characters district number, e.g., CA-005 for California 5th district, CA-012 for California 12 district, NC-103 for North Carolina's 103 district. If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. If nationwide, i.e. all districts within all states are affected, enter US-all. If the program/project is outside the US, enter 00-000. This optional data element is intended for use only by programs for which the area(s) affected are likely to be different than place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Attach an additional list of program/project congressional districts, if needed.
5b.	Federal Award Identifier: For new applications, enter NA. For a continuation or revision to an existing award, enter the previously assigned federal award identifier number. If a changed/corrected application, enter the federal identifier in accordance with agency instructions.		
6.	Date Received by State: Leave this field blank. This date will be assigned by the state, if applicable.		
7.	State Application Identifier: Leave this field blank. This identifier will be assigned by the state, if applicable.		
8.	Applicant Information: Enter the following in accordance with agency instructions:		
	a. Legal Name: (Required) Enter the legal name of applicant that will undertake the assistance activity. This is the organization that has registered with the Central Contractor Registry (CCR). Information on registering with CCR may be obtained by visiting www.Grants.gov .	17.	Proposed Project Start and End Dates: (Required) Enter the proposed start date and end date of the project.
	b. Employer/Taxpayer Number (EIN/TIN): (Required) Enter the employer or taxpayer identification number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444.	18.	Estimated Funding: (Required) Enter the amount requested, or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.

	<p>c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting www.Grants.gov.</p>	19.	<p>Is Application Subject to Review by State Under Executive Order 12372 Process? (Required) Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State.</p>		
	<p>d. Address: Enter address: Street 1 (Required); city (Required); County/Parish, State (Required if country is US), Province, Country (Required), 9-digit zip/postal code (Required if country US).</p>	20.	<p>Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of federal debt include; but, may not be limited to: delinquent audit disallowances, loans and taxes. If yes, include an explanation in an attachment.</p>		
	<p>e. Organizational Unit: Enter the name of the primary organizational unit, department or division that will undertake the assistance activity.</p> <p>f. Name and contact information of person to be contacted on matters involving this application: Enter the first and last name (Required); prefix, middle name, suffix, title. Enter organizational affiliation if affiliated with an organization other than that in 7.a. Telephone number and email (Required); fax number.</p>	21.	<p>Authorized Representative: To be signed and dated by the authorized representative of the applicant organization. Enter the first and last name (Required); prefix, middle name, suffix. Enter title, telephone number, email (Required); and fax number. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain federal agencies may require that this authorization be submitted as part of the application.)</p>		
9.	<p>Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority </td> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> M. Nonprofit N. Private Institution of Higher Education O. Individual P. For-Profit Organization (Other than Small Business) Q. Small Business R. Hispanic-serving Institution S. Historically Black Colleges and Universities (HBCUs) T. Tribally Controlled Colleges and Universities (TCCUs) U. Alaska Native and Native Hawaiian Serving Institutions V. Non-US Entity W. Other (specify) </td> </tr> </table>	<ul style="list-style-type: none"> A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority 	<ul style="list-style-type: none"> M. Nonprofit N. Private Institution of Higher Education O. Individual P. For-Profit Organization (Other than Small Business) Q. Small Business R. Hispanic-serving Institution S. Historically Black Colleges and Universities (HBCUs) T. Tribally Controlled Colleges and Universities (TCCUs) U. Alaska Native and Native Hawaiian Serving Institutions V. Non-US Entity W. Other (specify) 		
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[U.S Department of Education note: As of spring, 2010, the FON discussed in Block 12 of the instructions can be found via the following URL: http://www.grants.gov/applicants/find_grant_opportunities.jsp.]

**U.S. Department of Education
Supplemental Information for the SF-424**

1. Project Director:

Prefix: * First Name: Middle Name: * Last Name: Suffix:

Address:

* Street1:

Street2:

* City:

County:

* State: * Zip Code: Country:

* Phone Number (give area code): Fax Number (give area code):

* Email Address:

2. Novice Applicant:

Are you a novice applicant as defined in the regulations in 34 CFR 75.225 (and included in the definitions page in the attached instructions)?

Yes No

3. Human Subjects Research:

a. Are any research activities involving human subjects planned at any time during the proposed Project Period?

Yes No

b. Are ALL the research activities proposed designated to be exempt from the regulations?

Yes Provide Exemption(s) # (s): 1 2 3 4 5 6 7 8

No Provide Assurance #(s), if available:

c. If applicable, please attach your "Exempt Research" or "Nonexempt Research" narrative to this form as indicated in the definitions page in the attached instructions.

Instructions for U.S. Department of Education Supplemental Information for the SF-424

1. Project Director. Name, address, telephone and fax numbers, and e-mail address of the person to be contacted on matters involving this application. Items marked with an asterisk (*) are mandatory.

2. Novice Applicant. Check “Yes” if you meet the definition for novice applicants specified in the regulations in 34 CFR 75.225 and included on the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424”). By checking “Yes” the applicant certifies that it meets these novice applicant requirements. Check “No” if you do not meet the definition for novice applicants.

This novice applicant information will be used by ED to: 1) determine the amount and type of technical assistance that a novice might need, if funded, and 2) determine novice applicant eligibility in discretionary grant competitions that give special consideration to novice applications. Certain ED discretionary grant programs give special consideration to novice applications, either by establishing a special competition for novice applicants or by giving competitive preference to novice applicants under the procedures in 34 CFR 75.105(c)(2). If special consideration is being given to novice applications under a particular discretionary grant competition, the application notice for the competition published in the Federal Register will specify this information

3. Human Subjects Research. (See I. A. “Definitions” in attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”)

3a. If Not Human Subjects Research. Check “No” if research activities involving human subjects are not planned at any time during the proposed project period. The remaining parts of Item 3 are then not applicable.

3a. If Human Subjects Research. Check “Yes” if research activities involving human subjects are planned at any time during the proposed project period, either at the applicant organization or at any other performance site or collaborating institution. Check “Yes” even if the research is exempt from the regulations for the protection of human subjects. (See I. B. “Exemptions” in attached page entitled “Definitions for U.S. Department of Education Supplemental Information for SF-424.”)

3b. If Human Subjects Research is Exempt from the Human Subjects Regulations. Check “Yes” if all the research activities proposed are designated to be exempt from the regulations. Check the exemption number(s) corresponding to one or more of the eight exemption categories listed in I. B. “Exemptions.” In addition, follow the instructions in II. A. “Exempt Research Narrative” in the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”

3b. If Human Subjects Research is Not Exempt from Human Subjects Regulations. Check “No” if some or all of the planned research activities are covered (not exempt). In addition, follow the instructions in II. B. “Nonexempt Research Narrative” in the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”

3b. Human Subjects Assurance Number. If the applicant has an approved Federal Wide Assurance (FWA) on file with the Office for Human Research Protections (OHRP), U.S. Department of Health and Human Services, that covers the specific activity, insert the number in the space provided. (A list of current FWAs is available at: <http://ohrp.cit.nih.gov/search/search.aspx?styp=bsc>) If the applicant does not have an approved assurance on file with OHRP, enter “None.” In this case, the applicant, by signature on the SF-424, is declaring that it will comply with 34 CFR 97 and proceed to obtain the human subjects assurance upon request by the designated ED official. If the application is recommended/selected for funding, the designated ED official will request that the applicant obtain the assurance within 30 days after the specific formal request.

3c. If applicable, please attach your “Exempt Research” or “Nonexempt Research” narrative to your submission of the U.S. Department of Education Supplemental Information for the SF-424 form as instructed in item II, “Instructions for Exempt and Nonexempt Human Subjects Research Narratives” in the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”

Note about Institutional Review Board Approval. ED does not require certification of Institutional Review Board approval with the application. However, if an application that involves non-exempt human subjects research is recommended/selected for funding, the designated ED official will request that the applicant obtain and send the certification to ED within 30 days after the formal request.

No covered human subjects research can be conducted until the study has ED clearance for protection of human subjects in research.

Public 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. Public reporting burden for this collection of information is estimated to average 20 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (20 USC 3474 General Education Provisions Act). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington,

Definitions for U.S. Department of Education Supplemental Information for the SF-424

Definitions:

Novice Applicant (See 34 CFR 75.225)

For discretionary grant programs, novice applicant means any applicant for a grant from ED that—

- Has never received a grant or subgrant under the program from which it seeks funding;
- Has never been a member of a group application, submitted in accordance with 34 CFR 75.127-75.129, that received a grant under the program from which it seeks funding; and
- Has not had an active discretionary grant from the Federal government in the five years before the deadline date for applications under the program. For the purposes of this requirement, a grant is active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds.

In the case of a group application submitted in accordance with 34 CFR 75.127-75.129, a group includes only parties that meet the requirements listed above.

PROTECTION OF HUMAN SUBJECTS IN RESEARCH

I. Definitions and Exemptions

A. Definitions.

A research activity involves human subjects if the activity is research, as defined in the Department's regulations, and the research activity will involve use of human subjects, as defined in the regulations.—**Research**

The ED Regulations for the Protection of Human Subjects, Title 34, Code of Federal Regulations, Part 97, define research as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge. Activities which meet this definition constitute research whether or not they are conducted or supported under a program that is considered research for other purposes. For example, some demonstration and service programs may include research activities.”—**Human Subject**

The regulations define human subject as “a living individual about whom an investigator (whether professional or student) conducting research obtains (i) information or biospecimens through intervention or interaction with the individual and uses through intervention or interaction with the individual and uses, studies, or analyzes the information or biospecimens, or (ii) obtains, uses, studies, analyzes, or generate identifiable private information or identifiable biospecimens. ”

*If an activity involves obtaining information about a living person by manipulating that person or that person's environment, as might occur when a new instructional technique is tested, or by communicating or interacting with the individual, as occurs with surveys and interviews, the definition of human subject is met. If an activity involves obtaining private information about a living person in such a way that the information can be **directly or indirectly** linked to that individual), the definition of human subject is met.*

Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (for example, a school health record).

B. Exemptions.

Research activities in which the **only** involvement of human subjects will be in one or more of the following eight categories of **exemptions** are not covered by the regulations:

(1) Research conducted in established or commonly accepted educational settings, that specifically involves normal educational practices that are not likely to adversely impact students' opportunity to learn required educational content or the assessment of educators who provide instruction. This includes most research on regular and special education instructional strategies, and research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods. *If an educational practice is being introduced to the site and is not widely used for similar populations, it is not covered by this exemption.*

(2) Research that only includes interactions involving educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior (including visual or auditory recordings) if at least one of the following criteria is met: (i) the information obtained is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained, directly or through identifiers linked to the subjects; (ii) Any disclosure of the human subjects' responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, educational advancement or reputation; or (iii) the information obtained is recorded by the investigator in such a manner that the identity of the human subjects can readily be ascertained, directly or through identifiers linked to the subjects, and an IRB conducts a “limited IRB review” to make the determinations required by 34 CFR 97.111(a)(7).

If the subjects are children, exemption 2 applies only to research involving educational tests and observations of public behavior when the investigator(s) do not participate in the activities being observed.

Exemption 2 does not apply if children are surveyed or interviewed or if the research involves observation of public behavior and the investigator(s) participate in the activities being observed. Children are defined as persons who have not attained the legal age for consent to treatments or procedures involved in the research, under the applicable law or jurisdiction in which the research will be conducted.

(3) Research involving benign behavioral interventions in conjunction with the collection of information from an adult subject through verbal or written responses (including data entry) or audiovisual recording if the subject prospectively agrees to the intervention and information collection and at least one of the following criteria is met: (A) The information obtained is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained directly or through identifiers linked to the subjects; (B) Any disclosure of the human subjects' responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subject' financial standing, employability, educational advancement or reputation; or (C) The information obtained is recorded by the investigator in such a manner that the identity of the human subjects can readily be ascertained, directly or through identifiers linked to the subjects, and an IRB conducts a limited IRB review to make the determination required by 34 CFR 97.111(a)(7).

For the purpose of this provision, benign behavioral interventions are brief in duration, harmless, painless, not physically invasive, not likely to have a significant adverse lasting impact on the subjects, and the investigator has no reason to think the subjects will find the interventions offensive or embarrassing. Provided all such criteria are met, examples of such benign behavioral interventions would include having the subject play an online game, having them solve puzzles under various noise conditions, or having them decide how to allocate a nominal amount of received cash between themselves and someone else.

If the research involves deceiving the subjects regarding the nature or purposes of the research, this exemption is not applicable unless the subject authorizes the deception through a prospective agreement to participate in research in circumstances in which the subject is informed that he or she will be unaware of or misled regarding the nature or purposes of the research.

(4) Secondary Research for which Consent is not required. Secondary research uses of identifiable private information or identifiable biospecimens, if at least one of the following criteria is met: (i) The identifiable private information or identifiable biospecimens are publicly available; (ii) Information, which may include information about biospecimens, is recorded by the investigator in such a manner that the identity of the human subjects cannot readily be ascertained directly or through identifiers linked to the subjects, the investigator does not contact the subjects, and the investigator will not re-identify subjects; (iii) the research involves only information collection and analysis involving the investigators' use of identifiable health information when that use is regulated under 45 CFR parts 160 and 164, subparts A and E, for the purposes of "health

care operations" or "research" as those terms are defined at 45 CFR 164.501 or for "public health activities and purposes" as described under 45 CFR 164.512 (b); or (iv) The research is conducted by, or on behalf of, a Federal department or agency using government-generated or government-collected information obtained for nonresearch activities, if the research generates identifiable private information that is or will be maintained on information technology that is subject to and in compliance with section 208(b) of the E-Government Act of 2002, 44 USC 3501 note, if all of the identifiable private information collected, used or generated as part of the activity will be maintained in systems of records subject to the Privacy Act of 1974, 5 USC 552a, and, if applicable, the information used in the research was collected subject to the Paperwork Reduction Act of 1995, 44 USC 3501 et seq.

(5) Research and demonstration projects that are conducted or supported by a Federal department or agency, or otherwise subject to the approval of department or agency heads (or otherwise subject to the approval of department or agency heads (or the approval of the heads of bureaus or other subordinate agencies that have been delegated authority to conduct the research and demonstration projects), and that are designed to study, evaluate, improve, or otherwise examine public benefit or service programs, including procedures for obtaining benefits or services under those programs, possible changes in or alternative to those programs or procedures, or possible changes in methods or levels of payment for benefits or services under those programs. Such projects include, but are not limited to, internal studies by Federal employees, and studies under contracts or consulting arrangements, cooperative agreements, or grants. Exempt projects also include waivers of otherwise mandatory requirements using authorities such as sections 1115 and 1115A of the Social Security Act as amended.

Each Federal department or agency conducting or supporting the research and demonstration projects must establish, on a publicly accessible Federal website or in such other manner as the department or agency head may determine, a list of the research and demonstration projects that the Federal department or agency conducts or supports under this provision. The research or demonstration project must be published on this list prior to commencing the research involving human subjects.

(6) Taste and food quality evaluation and consumer acceptance studies, (a) if wholesome foods without additives are consumed or (b) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture.

(7) Storage or Maintenance for Secondary Research for which Broad Consent is required. Storage or maintenance of identifiable private information or identifiable biospecimens for potential secondary research use if an IRB conducts a limited IRB review and makes the determinations required by 34 CFR 97.111(a)(8).

(8) Secondary Research for which Broad Consent is Required. Research involving the use of identifiable private information or identifiable biospecimens for secondary research use if the following criteria are met: (i) Broad Consent for the storage, maintenance and secondary research use of the identifiable private information or identifiable biospecimens was obtained in accordance with 34 CFR 97.116(a) (1)-(4), (a) (6) and (d); (ii) Documentation of informed consent or waiver of documentation of consent was obtained in accordance with 34 CFR 97.117. (iii) an IRB conducts a limited IRB review and makes the determination that the research to be conducted is within the scope of the broad consent referenced in paragraph (d)(8)(i) of this section; and (iv) The investigator does not prevent an investigator from abiding by any legal requirements to return individual research results.

II. Instructions for Exempt and Nonexempt Human Subjects Research Narratives

If the applicant marked “Yes” for Item 3.b. of the U.S. Department of Education Supplemental Information for the SF-424, the applicant must attach a human subjects “exempt research” or “nonexempt research” narrative to the U.S. Department of Education Supplemental Information for the SF-424 form. If you have multiple projects, include information about each, labeling the responses as to the project they address. For applications that include multiple research projects this can be done in a single narrative or in more than one narrative as appropriate.

A. Exempt Research Narrative.

If you marked “Yes” for item 3.b. and designated exemption numbers(s), attach the “exempt research” narrative to the U.S. Department of Education Supplemental Information for the SF-424. The narrative must contain sufficient information about the involvement of human subjects in the proposed research to allow a determination by ED that the designated exemption(s) are appropriate. The narrative must be succinct.

B. Nonexempt Research Narrative.

If you marked “No” for item 3.b. you must attach the “nonexempt research” narrative to the U.S. Department of Education Supplemental Information for the SF-424. The narrative must address the following seven points. Although no specific page limitation applies to this section of the application, be succinct.

(1) **Human Subjects Involvement and Characteristics:** Provide a detailed description of the proposed involvement of human subjects. Describe the characteristics of the subject population, including their anticipated number, age range, and health status. Identify the criteria for inclusion or exclusion of any subpopulation. Explain the rationale for the involvement of special classes of subjects, such as children, children with disabilities, adults with disabilities, persons with mental disabilities, pregnant women, prisoners, institutionalized individuals, or others who are likely to be vulnerable

(2) **Sources of Materials:** Identify the sources of research material obtained from individually identifiable living human subjects in the form of specimens, records, or data. Indicate whether the material or data will be obtained specifically for research purposes or whether use will be made of existing specimens, records, or data.

(3) **Recruitment and Informed Consent:** Describe plans for the recruitment of subjects and the consent procedures to be followed. Include the circumstances under which consent will be sought and obtained, who will seek it, the nature of the information to be provided to prospective subjects, and the method of documenting consent. State if the Institutional Review Board (IRB) has authorized a modification or waiver of the elements of consent or the requirement for documentation of consent.

(4) **Potential Risks:** Describe potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness. Where appropriate, describe alternative treatments and procedures that might be advantageous to the subjects.

(5) **Protection Against Risk:** Describe the procedures for protecting against or minimizing potential risks, including risks to confidentiality, and assess their likely effectiveness. Where appropriate, discuss provisions for ensuring necessary medical or professional intervention in the event of adverse effects to the subjects. Also, where appropriate, describe the provisions for monitoring the data collected to ensure the safety of the subjects.

(6) **Importance of the Knowledge to be Gained:** Discuss the importance of the knowledge gained or to be gained as a result of the proposed research. Discuss why the risks to subjects are reasonable in relation to the anticipated benefits to subjects and in relation to the importance of the knowledge that may reasonably be expected to result.

(7) **Collaborating Site(s):** If research involving human subjects will take place at collaborating site(s) or other performance site(s), name the sites and briefly describe their involvement or role in the research.

Copies of the Department of Education’s Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Office of the Chief Financial Officer, U.S. Department of Education, Washington, D.C. 20202-4331, telephone: (202) 245-8090, and on the U.S. Department of Education’s Protection of Human Subjects in Research Web Site: <http://www.ed.gov/about/offices/list/ocfo/humansub.html>

NOTE: The **State Applicant Identifier** on the SF-424 is for State Use only. Please complete it on the SF-424 in the upper right corner of the form (if applicable).



**U.S. DEPARTMENT OF EDUCATION
BUDGET INFORMATION NON-CONSTRUCTION PROGRAMS**

OMB Control Number: 1894-0008
Expiration Date: 08/31/2020

Name of Institution/Organization

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY U.S. DEPARTMENT OF EDUCATION FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs *Enter Rate Applied _____						
11. Training Stipends						
12. Total Costs (lines 9-11)						

***Indirect Cost Information (To Be Completed by Your Business Office):**

If you are requesting reimbursement for indirect costs on line 10, please answer the following questions:

- (1) Do you have an Indirect Cost Rate Agreement approved by the Federal government? ____ Yes ____ No.
- (2) If yes, please provide the following information:
 Period Covered by the Indirect Cost Rate Agreement: From: ___/___/___ To: ___/___/___ (mm/dd/yyyy)
 Approving Federal agency: ___ED ___Other (please specify): _____ The Indirect Cost Rate is _____%
- (3) If this is your first Federal grant, and you do not have an approved indirect cost rate agreement, are not a State, Local government or Indian Tribe, and are not funded under a training rate program or a restricted rate program, do you want to use the de minimis rate of 10% of MTDC? ____ Yes ____ No. If yes, you must comply with the requirements of 2 CFR § 200.414(f).
- (4) If you do not have an approved indirect cost rate agreement, do you want to use the temporary rate of 10% of budgeted salaries and wages? ____ Yes ____ No. If yes, you must submit a proposed indirect cost rate agreement within 90 days after the date your grant is awarded, as required by 34 CFR § 75.560.
- (5) For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that: ___Is included in your approved Indirect Cost Rate Agreement? Or _____Complies with 34 CFR 76.564(c)(2)? The Restricted Indirect Cost Rate is _____%
- (6) For Training Rate Programs (check one) -- Are you using a rate that: ___Is based on the training rate of 8 percent of MTDC (See EDGAR § 75.562(c)(4))? Or ___Is included in your approved Indirect Cost Rate Agreement, because it is lower than the training rate of 8 percent of MTDC (See EDGAR § 75.562(c)(4)).

Name of Institution/Organization	Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.
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**SECTION B - BUDGET SUMMARY
NON-FEDERAL FUNDS**

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (Lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (Lines 9-11)						

SECTION C – BUDGET NARRATIVE (see instructions)

Instructions for ED 524

General Instructions

This form is used to apply to individual U.S. Department of Education (ED) discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable program specific instructions, if attached. You may access the Education Department General Administrative Regulations cited within these instructions at: <http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html>. You may access requirements from 2 CFR 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" cited within these instructions at: <https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards>.

You must consult with your Business Office prior to submitting this form.

Section A - Budget Summary U.S. Department of Education Funds

All applicants must complete Section A and provide a break-down by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e): For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, columns (a)-(e): Show the total budget request for each project year for which funding is requested.

Line 12, column (f): Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

Indirect Cost Information: If you are requesting reimbursement for indirect costs on line 10 the indirect cost rate to be charged to the grant must be entered in the applicable field on line 10, and the following information is to be completed by your Business Office.

(1): Indicate whether or not your organization has an Indirect Cost Rate Agreement that was approved by the Federal government. If you checked "no," ED generally will authorize grantees to use a temporary rate of 10 percent of budgeted salaries and wages (**complete (4) of this section when using the temporary rate**) subject to the following limitations:

(a) The grantee must submit an indirect cost proposal to its cognizant agency within 90 days after ED issues a grant award notification; and

(b) If after the 90-day period, the grantee has not submitted an indirect cost proposal to its cognizant agency, the grantee may not charge its grant for indirect costs until it has negotiated an indirect cost rate agreement with its cognizant agency.

(2): If you checked "yes" in (1), indicate in (2) the beginning and ending dates covered by the Indirect Cost Rate Agreement. In addition, indicate whether ED, another Federal agency (Other) or State agency issued the approved agreement. If you check "Other," specify the name of the Federal or other agency that issued the approved agreement.

(3): If you check "no" in (1), indicate in (3) if you want to use the de minimis rate of 10 percent of MTDC (see 2CFR § 200.68).

If you use the de minimis rate, you are subject to the provisions in 2 CFR § 200.414(f). Note, you may only use the 10 percent de minimis rate if you are a first-time Federal grant recipient, and you do not have an Approved Indirect Cost Rate Agreement. You may not use the de minimis rate if you are a State, Local government, or Indian Tribe, or if your grant is funded under a training rate or restricted rate program.

(5): If you are applying for a grant under a Restricted Rate Program (34 CFR 75.563 or 76.563), indicate whether you are using a restricted indirect cost rate that is included on your approved Indirect Cost Rate Agreement, or whether you are using a restricted indirect cost rate that complies with 34 CFR 76.564(c)(2). Note: State or Local government agencies may not use the provision for a restricted indirect cost rate specified in 34 CFR 76.564(c)(2). Check only one response. Leave blank, if this item is not applicable.

(6): For Training Rate Programs, ED regulations limit **non-governmental entities** to the recovery of indirect costs on training grants to the grantee's actual indirect costs, as determined by its negotiated rate agreement, or 8 percent of a MTDC, whichever is lower (see EDGAR § 75.562(c)(4)). The 8 percent limit also applies to cost-type contracts under grants, if these contracts are for training as defined in EDGAR § 75.562(a). If a **non-governmental entity** that receives a grant under a training grant program does not have an approved indirect cost rate and wants to recover indirect costs, it may use a temporary rate of 10 percent of budgeted direct salaries and wages, but it must submit an indirect cost rate proposal to its cognizant agency for indirect costs within 90 days after ED issues the GAN. After the 90-day period, the government entity may not charge its grant for indirect costs until it has negotiated an indirect cost rate agreement.

Section B - Budget Summary Non-Federal Funds

If you are required to provide or volunteer to provide cost-sharing or matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e): For each project year, for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e): Show the total matching or other contribution for each project year.

Line 12, column (f): Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

Section C - Budget Narrative [Attach separate sheet(s)] Pay attention to applicable program specific instructions, if attached.

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B. For grant projects that will be divided into two or more separately budgeted major activities or sub-projects, show for each budget category of a project year the breakdown of the specific expenses attributable to each sub-project or activity.

2. For non-Federal funds or resources listed in Section B that are used to meet a cost-sharing or matching requirement or provided as a voluntary cost-sharing or matching commitment, you must include:
 - a. The specific costs or contributions by budget category;
 - b. The source of the costs or contributions; and
 - c. In the case of third-party in-kind contributions, a description of how the value was determined for the donated or contributed goods or services.

[Please review cost sharing and matching regulations found in 2 CFR 200.306.]

3. If applicable to this program, provide the rate and base on which fringe benefits are calculated.
4. If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. Specify the estimated amount of the base to which the indirect cost rate is applied and the total indirect expense. Depending on the grant program to which you are applying and/or your approved Indirect Cost Rate Agreement, some direct cost budget categories in your grant application budget may not be included in the base and multiplied by your indirect cost rate. For example, you must multiply the indirect cost rates of "Training grants" (34 CFR 75.562) and grants under programs with "Supplement not Supplant" requirements ("Restricted Rate" programs) by a "modified total direct cost" (MTDC) base (34 CFR 75.563 or 76.563). Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied.

When calculating indirect costs (line 10) for "Training grants" or grants under "Restricted Rate" programs, you must refer to the information and examples on ED's website at: <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

You may also contact (202) 377-3838 for additional information regarding calculating indirect cost rates or general indirect cost rate information.

5. Provide other explanations or comments you deem necessary.

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 this information collection is **1894-0008**. The time required to complete this information collection is estimated to vary from 13 to 22 hours per response, with an average of 17.5 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to (insert program office), U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB
4040-0013

Review Public Burden Disclosure Statement

1. * Type of Federal Action:

- a. contract
- b. grant
- c. cooperative agreement
- d. loan
- e. loan guarantee
- f. loan insurance

2. * Status of Federal Action:

- a. bid/offer/application
- b. initial award
- c. post-award

3. * Report Type:

- a. initial filing
- b. material change

4. Name and Address of Reporting Entity:

- Prime
- SubAwardee

* Name [Redacted]
* Street 1 [Redacted] Street 2 [Redacted]
* City [Redacted] State [Redacted] Zip [Redacted]

Congressional District, if known: [Redacted]

5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:

6. * Federal Department/Agency:

[Redacted]

7. * Federal Program Name/Description:

[Redacted]

CFDA Number, if applicable: [Redacted]

8. Federal Action Number, if known:

[Redacted]

9. Award Amount, if known:

\$ [Redacted]

10. a. Name and Address of Lobbying Registrant:

Prefix [Redacted] * First Name [Redacted] Middle Name [Redacted]
* Last Name [Redacted] Suffix [Redacted]
* Street 1 [Redacted] Street 2 [Redacted]
* City [Redacted] State [Redacted] Zip [Redacted]

b. Individual Performing Services (including address if different from No. 10a)

Prefix [Redacted] * First Name [Redacted] Middle Name [Redacted]
* Last Name [Redacted] Suffix [Redacted]
* Street 1 [Redacted] Street 2 [Redacted]
* City [Redacted] State [Redacted] Zip [Redacted]

11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when the transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* Signature:

* Name: Prefix [Redacted] * First Name [Redacted] Middle Name [Redacted]
* Last Name [Redacted] Suffix [Redacted]

Title: [Redacted]

Telephone No.: [Redacted]
Date: [Redacted]

Federal Use Only:

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Standard Form - LLL (Rev. 7-97)

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) 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 an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any 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 commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

* APPLICANT'S ORGANIZATION <div style="border: 2px solid red; background-color: yellow; height: 15px; width: 100%;"></div>	
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix: <input type="text"/>	* First Name: <div style="border: 2px solid red; background-color: yellow; display: inline-block; width: 200px; height: 15px;"></div> Middle Name: <input type="text"/>
* Last Name: <div style="border: 2px solid red; background-color: yellow; display: inline-block; width: 300px; height: 15px;"></div>	Suffix: <input type="text"/>
* Title: <div style="border: 2px solid red; background-color: yellow; display: inline-block; width: 200px; height: 15px;"></div>	
* SIGNATURE: <input type="text"/>	* DATE: <input type="text"/>

NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about the following provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single

narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

- 1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- 2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.
- 3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.
- 4) An applicant that proposes a project to increase school safety might describe the special efforts it will take to address concern of lesbian, gay, bisexual, and transgender students, and efforts to reach out to and involve the families of LGBT students

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

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. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (Public Law 103-382. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1894-0005.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET.
SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. 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, 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 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).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 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.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

SECTION E

OTHER IMPORTANT INFORMATION

Intergovernmental Review of Federal Programs

Executive Order 12372 (Intergovernmental Review of Federal Programs)

This program falls under the rubric of Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations in 34 CFR Part 79. One of the objectives of the Executive order is to strengthen federalism--or the distribution of responsibility between localities, States, and the Federal government--by fostering intergovernmental partnerships. This idea includes supporting processes that State or local governments have devised for coordinating and reviewing proposed Federal financial grant applications.

The process for doing this requires grant applicants to contact State Single Points of Contact for information on how this works. Multi-state applicants should follow procedures specific to each state.

Further information about the State Single Point of Contact process and a list of names by State can be found at:

https://obamawhitehouse.archives.gov/omb/grants_spoc

Absent specific State review programs, applicants may submit comments directly to the Department. All recommendations and comments must be mailed or hand-delivered by the date indicated in the actual application notice to the following address: The Secretary, EO 12372--CFDA# [commenter must insert number--including suffix letter, if any], U.S. Department of Education, room 7E200, 400 Maryland Avenue, SW., Washington, DC 20202.

Proof of mailing will be determined on the same basis as applications (see 34 CFR §75.102).

Recommendations or comments may be hand-delivered until 4:30 p.m. (Eastern Time) on the closing date indicated in this notice.

Important note: The above address is not the same address as the one to which the applicant submits its completed applications. ***Do not send applications to the above address.***

Estimated Public Reporting Burden

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 this information collection is 1855-0012. The time required to complete this information collection is estimated to average 40 hours per response, 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(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202- 4651.

If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Expanding Opportunity Through Quality Charter Schools Program--State Charter School Facilities Incentive Grants Program, U.S. Department of Education, 400 Maryland Avenue, S.W., Room 4W244, Washington D.C. 20202- 4651.

Application Checklist

As discussed on the following pages, a complete application must include all of the documents listed below.

- [] Cover page (SF 424 Form)
- [] ED Abstract Narrative Attachment Form
- [] Project Narrative Attachment Form
 - Table of Contents
 - Responses to Competitive Preference Priorities
 - Responses to the Selection Criteria
- [] Budget Narrative Attachment Form
 - ED 524
 - Table 2 - Budget Form: Grant Funds Expenditures
- [] Other Attachments Form
 - Enabling Statutes and Other Relevant Legislation
 - Table 1- Charter School Aid Paid by State
 - Table 3- Grant Funds as a Percentage of the Cost of Per-Pupil Facilities Aid
 - Logic Model
 - Resumes/Curriculum Vitae
 - Program-Specific Assurance
- [] Other Standard Forms
 - Supplemental Information for the SF-424
 - Disclosure of Lobbying Activities (SF-LLL)
 - Certification Regarding Lobbying (Grants.gov Lobbying Form - formerly ED 80-0013 form)
 - GEPA Statement
 - Assurances--Non-Construction Programs (SF-424B)
- [] Did you submit a copy of the application to the State Single Point of Contact (if applicable)?