

Grants for School-Based Student Drug-Testing Programs

Information and Application Procedures for FY 2008

Application Due Date: March 21, 2008

CFDA #84.184D



Frequently Asked Questions
[Page 24-31]

U.S. Department of Education

Office of Safe and Drug-Free Schools

<http://www.ed.gov/programs/drugtesting/index.html>

OMB No. 1865-0014 Expiration Date: 06/30/2008



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SAFE AND DRUG-FREE SCHOOLS

December 2007

Dear Applicant:

Thank you for your interest in applying to the Grants for School-Based Student Drug Testing Programs. This program is authorized by the Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act (NCLB) of 2001. NCLB represents the President's education reform plan and contains four basic principles: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods and other strategies that have been proven to work.

The purpose of these grants is to provide Federal funds to local educational agencies and other public and private entities for drug testing programs for student athletes, students engaged in competitive extracurricular activities, and students, who along with their parent or guardian, provide written consent to volunteer to be drug tested.

President Bush has called drug use one of the worst decisions our children can make and he notes that drug testing in our schools has proved to be an effective part of an aggressive, community-based strategy to reduce the demand for illegal drugs.

We look forward to receiving your application for support under the Grants for School-Based Student Drug-Testing Programs.

Sincerely,

A handwritten signature in cursive script, reading "Deborah A. Price".

Deborah A. Price
Assistant Deputy Secretary

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I. APPLICATION SUBMISSION PROCEDURES

Application Transmittal Instructions

Applications for grants under this competition may be submitted electronically or in paper format by mail or hand delivery. The electronic submission of applications is voluntary. However, if you choose to submit your application electronically you must use the site below. **Note:** You may not submit your application by e-mail or facsimile.

ATTENTION ELECTRONIC APPLICANTS: Please note that you must follow the Application Procedures as described in the Federal Register notice announcing the grant competition. Some programs may require electronic submission of applications, and those programs will have specific requirements and waiver instructions in the Federal Register notice.

If you want to apply for a grant and be considered for funding, you must meet the following deadline requirements:

Applications Submitted Electronically

You **must** submit your grant application through the Internet using the software provided on the Grants.gov Web site (www.grants.gov) by 4:30:00 p.m. (Washington, DC time) on the application deadline date. If you submit your application through the Internet via the Grants.gov Web site, you will receive an automatic acknowledgment when we receive your application.

For more information on using Grants.gov, please refer to the Notice Inviting Applications that was published in the Federal Register on December 18, 2007, the Grants.gov Submission Procedures and Tips document on pages 7-9 of the application package instructions, and the web site, www.grants.gov.

You may access the electronic application for the Grants for School-Based Student Drug-Testing Programs at the following Web sites: www.grants.gov or www.ed.gov/programs/studentdrugtesting/index.html.

Applications Sent by Mail

You must mail the original and two copies of the application on or before the deadline date. To help expedite our review of your application, we would appreciate your voluntarily including one extra copy of your application. Please mail copies to:

**U.S. Department of Education
Application Control Center
Attention: CFDA# 84.184D
400 Maryland Avenue, SW
Washington, DC 20202 – 4260**

You must show one of the following as proof of mailing:

- (1) A legibly dated U. S. Postal Service Postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U. S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the Secretary.

If you mail an application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark.
- (2) A mail receipt that is not dated by the U.S. Postal Services.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

Applications Delivered by Commercial Carrier:

Special Note: Due to recent disruptions to normal mail delivery, the Department encourages you to consider using an alternative delivery method (for example, a commercial carrier, such as Federal Express or United Parcel Service; or U. S. Postal Service Express Mail) to transmit your application for this competition to the Department. If you use an alternative delivery method, please obtain the appropriate proof of mailing under “Applications Sent by Mail,” then follow the mailing instructions under the appropriate delivery method.

Applications that are delivered by commercial carriers should be mailed to:

**U.S. Department of Education
Application Control Center – Stop 4260
Attention: CFDA# 84.184D
7100 Old Landover Road
Landover, MD 20785-1506**

Applications Delivered by Hand

You or your courier must hand deliver the original and two copies of your application by 4:30:00 p.m. (Washington, DC time) on or before the deadline date. To help expedite our review of your application, we would appreciate your voluntarily including an additional copy of your application. Please hand deliver copies to:

**U.S. Department of Education
Application Control Center
Attention: CFDA# 84.184D
550 12th Street, SW
PCP - Room 7041
Washington, DC 20202 – 4260**

The Application Control Center accepts application deliveries daily between 8:00 a.m. and 4:30 p.m. (Washington, DC time), except Saturdays, Sundays and Federal holidays.

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.

- 1) **REGISTER EARLY** – Grants.gov registration may take five or more business days to complete. 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. For detailed information on the registration Steps, please go to: http://www.grants.gov/applicants/get_registered.jsp. [Note: Your organization will need to update its Central Contractor Registry (CCR) registration annually.]
- 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 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 your organization registered with the CCR (Central Contractor Registry).

- 3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov and the Department of Education received your Grants.gov submission timely 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.

If the date/time received is later than 4:30:00 p.m. (Washington, D.C. time), on the closing 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/help/submit_application_faqs.jsp#10.

For more detailed information on why an application may be rejected, you can review Application Error Tips <http://www.grants.gov/section910/ApplicationErrorTips.pdf>. 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 use the customer support available on the Web site: http://www.grants.gov/applicants/applicant_help.jsp.

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. (Washington, DC time), 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 log on to Grants.gov to upload and submit the application. **You must provide on your application the DUNS number that was used when your organization registered with the CCR.**

Please go to http://www.grants.gov/applicants/applicant_help.jsp 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/help/submit_application_faqs.jsp.

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

If you do not have a Windows operating System, you will need to use the Citrix solution discussed on Grants.gov or a Windows Emulation program to submit an application using Grants.gov. For

additional information, review the FAQs for non-windows users http://www.grants.gov/resources/download_software.jsp#non_window. Also, to view white paper for Macintosh users published by Pure Edge go to the following link: <http://www.grants.gov/section678/PureEdgeSupportforMacintosh.pdf>, and/or contact Grants.gov Customer Support (<http://www.grants.gov/contactus/contactus.jsp>) for more information. 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.)

II. Program Background Information

General Information

Eligibility

We will award grants under this competition to local educational agencies (LEAs), public and private entities. The Secretary is limiting eligibility under the Grants for School-Based Student Drug-Testing Programs (84.184D) to applicants that **do not currently** have an active grant under this program. For the purpose of this eligibility requirement, a grant is considered 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 (71 FR 70369)

Definitions

A Local Educational Agency (LEA) is:

A public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for such combination of school districts or counties that are recognized in a State as an administrative agency for its public elementary or secondary school.

The term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

The term includes an elementary or secondary school funded by the Bureau of Indian Affairs but only to the extent that including the school makes such school eligible for programs for which specific eligibility is not provided to such school in another provision of law and the school does not have a student population that is smaller than the student population of the local educational agency receiving assistance under this Act with the smallest student population, except that the school shall not be subject to the jurisdiction of any State educational agency other than the Bureau of Indian Affairs [20 U.S.C. 7801 (26)].

The term includes educational service agencies and consortia of those agencies.

The term includes the State educational agency in a State in which the State is the sole educational agency for all public schools.

Drug:

"Drug" is defined to include controlled substances; the illegal use of alcohol, tobacco, and prescription drugs; and the harmful, abusive, or addictive use of substances, including inhalants, and anabolic steroids. [20 U.S.C. 7161 (2)]

Participation of Faith-based Organizations

Faith-based organizations are eligible to apply for grants under this competition provided they meet all statutory and regulatory requirements.

D-U-N-S Number Instructions

All applicants must provide a valid D-U-N-S Number on the SF 424 Form. If you do not have a number, you may obtain one without 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 address: at: http://www.dnb.com/US/duns_update/index.html. Dun & Bradstreet, a global information services provider, has assigned D-U-N-S numbers to over 43 million companies worldwide. **Please note: You must have a D-U-N-S number in order to receive a grant award.**

Authority

The authority for this program is found in 20 U.S.C. 7131.

Official Documents Notice

This is a complete application package for the Grants for School-Based Student Drug-Testing Programs. Together with the statute authorizing the program, Notice Inviting Applications for New Awards, the Notice of Final Eligibility and Application Requirements, Priorities, and Selection Criteria, published in the Federal Register (See Section III [Legal and Regulatory Documents.] and the Education Department General Administrative Regulations (EDGAR) governing the program, this package contains all of the information, application forms, and instructions needed to apply for this grant.

The official document announcing this competition is the Notice Inviting Applications for New Awards published in the Federal Register on December 18, 2007. (See Section III [Legal and Regulatory Documents] of this application package). This notice also is available electronically at: www.ed.gov/legislation/FedRegister and <http://www.gpoaccess.gov/nara/index.html>.

Applicable Regulations

The following Education Department General Administrative Regulations (EDGAR) apply to the competition described in this application package:

- 34 CFR Part 74 (Administration of Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations)
- 34 CFR Part 75 (Direct Grant Programs)
- 34 CFR Part 77 (Definitions that Apply to Department Regulations)
- 34 CFR Part 79 (Intergovernmental Review of Department of Education Programs and Activities) (these regulations apply to all applicants except Federally recognized Indian tribes)
- 34 CFR Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments)
- 34 CFR Part 81 (General Education Provisions Act—Enforcement)
- 34 CFR Part 82 (New Restrictions on Lobbying)
- 34 CFR 84 [(Government-wide Requirement for Drug-Free Workplace) (Financial Assistance)]
- 34 CFR Part 85 [Government-wide Debarment and Suspension (Non procurement) and Government-wide Requirements for Drug-Free Workplace Grants]

- 34 CFR Part 86 (Drug and Alcohol Abuse Prevention) (applies only to institutions of higher education)
- 34 CFR Part 97 (Protection of Human Subjects)
- 34 CFR Part 98 (Student Rights in Research, Experimental Programs, and Testing)
- 34 CFR Part 99 (Family Educational Rights and Privacy)
- 34 CFR Part 299 (General Provisions)

Resources

- National Institutes of Drug Abuse, **Preventing Drug Use Among Children and Adolescents: A Research-Based Guide for Parents, Educators, and Community Leaders, Second Edition** (<http://ncadistore.samhsa.gov/catalogNIDA/>)
- EDPubs, **Understanding Evaluation: The Way to Better Prevention Programs**
- Community Anti-Drug Coalitions of America (CADCA) www.cadca.org
- ONDCP Pamphlets, Newsletter, grant information, and web sites (<http://www.whitehousedrugpolicy.gov/> or <http://www.randomstudentdrugtesting.org/>)
- OSDFS School-Based Student Drug-Testing Programs, <http://www.ed.gov/programs/drugtesting/index.html>

Project Period

The project period for this grant is 36 months, (3 budget periods of 12 months each). We expect to make awards by July 1, 2008, and no later than September 30, 2008. Projects will be funded for one year with an option for 2 additional years, contingent on the grantee's demonstration of substantial progress each year toward meeting project goals and objectives and the availability of funds. **Note:** Applicants requesting 3-year projects must submit ED Form 524 and a detailed budget narrative for each of the 3 years in order to be eligible for funding each year. Failure to submit a budget request in one or more of the three years will result in no funding being awarded for those years.

Estimated Range of Awards

An estimated 85 new awards will be made dependent on final appropriations. Projects will be funded for approximately \$150,000 per year depending on the scope of work. These figures are only estimates and do not bind the Department of Education to a specific number of grants or amount of any grant.

Summary Information

Applicants should include with their application a table that summarizes the following information about schools that will participate in grant-funded activities:

- Name of each school;
- Grades covered in each school;
- Total enrollment in each school;
- Number of students within each school that are in the testing pool; and
- Student population that will be tested—athletes, students who participate in competitive, extra-curricular activities, or students, who along with a parent or guardian volunteer to be tested.

Travel Budget

Applicants must budget for the Project Director to attend a Project Director Meeting in Washington, D.C. during the first year of the grant. In addition, applicants should budget for the Project Director and **at least** one other staff member to attend the OSDFS National Conference each year of the grant. There is no registration fee for these meetings. For planning purposes, applicants should budget for the following:

1: Required Project Director's Meeting (in Year 1 only)

- ❑ One participant for up to two nights and three days in Washington, DC.
- ❑ Funds for transportation, lodging, and per diem costs for one participant. (Per Diem costs in Washington, DC for 2008 may be found at http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentId=17943&contentType=GSA_BA_SIC.)

2: Required OSDFS National Conference

- ❑ Two participants for up to three nights and four days in Washington, D.C.
- ❑ Funds for transportation, lodging, and per diem costs for two participants.

Technical Assistance Webcast

OSDFS will offer a Webcast to provide information on applying for this grant in February. Please check the Web site at www.ed.gov/offices/osdfs for information about time and registration procedures.

Cost Sharing or Matching

This program does not require cost sharing or matching funds. However, if you propose cost sharing we will monitor the budget to ensure the cost share or match is met.

E-Mail Addresses

As part of the review of your application, we may need to contact you with questions for clarification. Please be sure your application includes valid, current e-mail addresses for the project director and authorized representative or another party designated to answer questions in case the project director and authorized representative are unavailable.

Time Commitment

Applicants are requested to provide the percent of the Project Director's time that will be dedicated to the grant project. For example, if the Project Director works 40 hours per week and spends 20 hours per week on SDT grant activities, then the time commitment for the Project Director would be 50%. We suggest that applicants include this information in the budget narrative or they may add this information to the Project Director line on the Department of Education Supplement to the SF 424.

Review of Applications and Notification of Awards

The review of applications and notification of awards for this grant competition requires approximately six to eight weeks. We expect to notify successful applicants by July 2008.

Unsuccessful applicants will be notified within 60 days of the award start date. We will also make peer reviewer comments available to you at the conclusion of the grant competition.

Contracting for Services

Generally, all procurement transactions must be conducted in a manner providing full and open competition, consistent with the procurement standards in Section 80.36 of the Education Department General Administrative Regulations (EDGAR). This section requires that grantees use their own procurement procedures (which reflect State and local laws and regulations) to select contractors, provided those procedures meet certain standards described in EDGAR. EDGAR is available online and can be accessed at <http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html>.

Because grantees must use appropriate procurement procedures to select contractors, applicants should not include information in their grant applications about specific contractors, nor the names of specific contractors, that may be used to provide services for the proposed project. Applicants may include information about the scope of work to be completed by outside contractors and contractor qualifications, however they should not pre-identify a specific contractor or enter into an agreement with a contractor until the grant is awarded, unless the applicant's procurement procedures allow for sole source procurements.

Consistent with the limitations of Section 75.515 of EDGAR concerning the use of consultants, contractors or consultants may be used to help prepare grant applications, but their participation in the application development process should not be presumed to result in the receipt of a contract for work under the project if the grant is awarded. Applicants may include a sum for grant writing costs in their proposed budget in year one provided that the amount requested is necessary and reasonable.

Expectations of Grantees

By submitting an application for this program, applicants agree to fully cooperate with the U.S. Department of Education (ED). At a minimum, grantees are expected to:

- Maintain records on the implementation of their project;
- Maintain records on the extent to which their program objectives are being met;
- Include specific performance measures in their evaluation plan;
- Document progress towards addressing the Government Performance and Results (GPRA) Act measures identified for this program; and
- Make ongoing project information, findings, and products available upon request to ensure the dissemination of knowledge gained from this grant program.

Annual Report

All grantees are required to submit an annual report detailing the progress toward meeting the Government Performance and Results Act (GPRA) measures established for this grant, expenditures for the year, in addition to reporting on the effectiveness of the programs and activities funded under the grant.

Additional Awards

Contingent upon the availability of funds, the Secretary may make additional awards in fiscal years 2008 and 2009 from the rank-ordered list of non-funded applications from this competition.

Statutory Requirements

Equitable Participation

Entities receiving a grant under the Grants for School-Based Student Drug Testing Programs are required to provide for the equitable participation of private school children and their teachers or other educational personnel. In order to ensure that grant program activities address the needs of private school children, timely and meaningful consultation with appropriate private school officials must occur during the design and development of the program. This consultation must take place before any decision is made that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate. Administrative direction and control over grant funds must remain with the grantee. See Section 9501, Participation by Private School Children and Teachers, of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001.

Maintenance of Effort

LEAs may receive a grant only if the State educational agency finds that the combined fiscal effort per student or the aggregate expenditures of the agency and the State with respect to the provision of free public education by the agency for the preceding fiscal year was not less than 90 percent of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

Institutional Review Board (IRB) Requirements and Federal Wide Assurances

Student drug-testing program grants that involve nonexempt human subjects research will need to obtain a federal wide assurance to abide by the Department's regulations for protection of human subjects in research and be reviewed by an Institutional Review Board (IRB) before beginning non-exempt activities. An IRB is a special panel responsible for protecting the rights and welfare of human research subjects. Projects that are designed to test or demonstrate the effectiveness of drug testing are considered "research" by some agencies under a Federal policy governing human subjects. While not every student drug-testing program will require IRB review, applicants should consult early on with someone knowledgeable in the field of human subjects research to determine whether or not the project requires IRB review.

A registry of Institutional Review Boards is available online at the Department of Health and Human Services' Office for Human Research Protection website, <http://ohrp.cit.nih.gov/search/asearch.asp#ASUR>. Applicants whose programs require review by an IRB should budget appropriate costs into their application. If an applicant fails to budget ahead of time for IRB review and then discovers later that IRB approval is needed, no additional grant funds will be awarded for the review. For additional information about human research subjects and the need for IRB approval, please reference the Department of Education's website for Grants Policy and Oversight Staff at: <http://www.ed.gov/about/offices/list/ocfo/humansub.html>. Please also see the instruction for SF 424 in this application package. If you have any questions about your responsibilities under these requirements, you may contact ED's Protection of Human Subject Coordinator at (202) 245-6153.

Government Performance and Results Act (GPRA)

The Government Performance and Results Act of 1993 (GPRA) is designed to address problems identified by the Congress more than a decade ago, including lack of performance data that can be used both by Federal program managers to improve program efficiency and effectiveness and by Congress to ensure that spending decisions and oversight are informed by information about program performance. GPRA seeks to improve public confidence in the capability of the Federal government by systematically holding Federal agencies accountable for achieving results, promote an increased focus on results and service quality, and help Federal managers improve program quality.

As required by GPRA, the Department of Education (ED) has developed a strategic plan that reflects organizational priorities and integrates those with our mission and program authorities. We have also developed GPRA measures for the individual programs we administer, including Grants for School-Based Student Drug-Testing programs. The GPRA measures for this program are:

1. The reduction of the incidence of drug use in the past month
2. The reduction of the incidence of drug use in the past year

The Secretary has set an overall performance target that calls for the incidence of drug use by students in the target population to decline by **five percent annually**.

(*Note:* The five percent annual decline applies to the past month and the past year measures. The data should come from self-reported surveys and must be collected on an annual basis.)

The GPRA measures identified for SDT Grants constitute the way in which we will measure the success of this initiative. Consequently, applicants for a grant under this program should give careful consideration to these measures in developing their projects, and particularly to how they will collect and report data for these performance measures to the Department. We will aggregate data provided by grantees for these GPRA measures and use that data in developing future budget proposals. We will also share this performance data with Congress. We may also publish results from individual grants to illustrate how grant sites are making progress toward program objectives.

If funded, grantees will be expected to collect data on the performance measures established for this program, and report that data to the Department in their interim and final performance reports.

Grantees are expected to complete all performance reports using the ED 524B Form:

http://www.ed.gov/fund/grant/apply/appforms/ed524b_cover.doc and

http://www.ed.gov/fund/grant/apply/appforms/ed524b_status.doc.

The ED 524B performance report requires that grantees report data on the GPRA indicators as well as on all project-specific objectives outlined by each individual grant as identified in project applications.

Tips for Preparing and Submitting an Application

A. Before you Begin

- Read this application package carefully and make sure you follow all of the instructions
- Read the Frequently Asked Questions section in this application package
- If you are uncertain about any aspects of this application package, contact the competition manager for clarification.
- Consult the Department's Web site for information on meeting your responsibilities for the protection of human subjects in research at <http://www.ed.gov/about/offices/list/ocfo/humansub.html>

B. Preparing your Application

- Be thorough in your program description. Write so that someone who knows nothing about your organization or your program plan can understand what you are proposing.
- Organize your application according to the selection criteria and respond comprehensively.
- Make sure your budget narrative provides enough detail about planned expenditures so staff can easily determine how the funds will be spent.
- Link your planned expenditures to the goals and objectives of your program. Do not request funds for miscellaneous purposes and make sure you demonstrate that your proposed expenditures are necessary to carry out your program.
- Grants for School-Based Student Drug-Testing Programs are generally subject to the requirements for the protection of human subjects in research. Applicants should begin early to make inquiries about securing appropriate Federal Wide Assurances and approval from an Institutional Review Board (IRB). Costs of the IRB review may be charged to the grant. Please see Section IV of this application package for further details.
- Student drug-testing program publications about procedures and methods can be found on the Office of National Drug Control Policy's website:
http://www.whitehousedrugpolicy.gov/publications/drug_testing - and -
http://www.whitehousedrugpolicy.gov/publications/student_drug_testing/index.html

C. Submitting your Application

- Use the checklist provided in this application package to make sure your application is complete before submitting it.
- Make sure all required forms are included and signed by an authorized representative of your organization.
- Transmit your application by the deadline date. If you submit your application electronically, you must use the Grants.gov Web site. If you use the U.S. Postal Service, make sure you have a legible postmark date. If you use an overnight carrier, get a receipt. Follow the instructions on the Grants.gov web site. See Section I, Application Transmittal Procedures.

D. Next Steps

- If you submitted your application by mail, you should receive a postcard in approximately two weeks (depending on the volume of applications) from the Department of Education's Application Control Center acknowledging receipt of your application and giving you its assigned PR/Award number. If you have any questions about your postcard, please contact the ACC via e-mail (application.center@ed.gov) or telephone (202/377-6289). If you submit your application electronically, the PR/Award number will be generated automatically when you submit your application. Please refer to this PR/Award number if you need to contact the Department about your application.
- Your application will be screened by Office of Safe and Drug-Free Schools (OSDFS) staff to ensure that all program eligibility requirements are met, requisite signatures from partners are included and all required forms are included and signed by the Authorized Representative.
- Your application will be assigned to a three-person panel of peer reviewers who will evaluate and score your proposal according to the selection criteria in this package. Your application will receive a score from 0 to 100 depending upon how well you respond to the requirements of the selection criteria and whether or not your application qualifies for a competitive preference.
- A grant award document will be sent to applicants whose proposals are funded. Unsuccessful applicants will receive a notification letter. Both successful and unsuccessful applicants will receive copies of the comments prepared by the peer reviewers. Please be sure your application contains a valid, current e-mail address for both the Project Director and Authorized Representative.

Drug Use and School-Based Student Drug Testing

Although drug use among America's youth has declined in recent years, far too many young people continue to use these harmful substances. Results of the 2007 Monitoring the Future Survey show that the proportions of 8th, 10th, and 12th grade students indicating any use of an illicit drug in the 12 months prior to the survey were 13 percent, 28 percent, and 36 percent, respectively. According to the 2006 National Survey on Drug Use and Health (NSDUH), an estimated 20.4 million Americans aged 12 or older (8.3 percent of the population) were current, within the past month, illicit drug users.

The consequences of drug use by this vulnerable population are clear. According to the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) survey findings, students using illegal drugs are more likely to have engaged in the following delinquent behaviors during the past year, such as gotten into a serious fight at school or work (9.7%), attacked someone with the intent to inflict serious injury (17.2%), carried a handgun (19.7%), or had stolen or tried to steal something worth \$50 or more (28.8%), than those who had not participated in illegal drug use (2006 NSDUH).

Research also suggests a relationship between substance use and academic performance. In the 2006 The NSDUH Report, Issue 18, it was reported that "72.2 percent of students who did not use marijuana in the past month reported an A or B average in their last semester or grading period compared with 58.0 percent of those who used marijuana on 1 to 4 days in the past month and 44.9 percent of those who used marijuana on 5 or more days during the past month".

Steroid abuse is also a problem for young people. The 2006 Monitoring the Future Study shows that 1.6 percent of eighth graders, 1.8 percent of tenth graders, and 2.7 percent of twelfth graders reported using steroids at least once in their lifetime. The Youth Risk Behavior Surveillance System (YRBSS) sponsored by the Centers for Disease Control and Prevention (CDC) reported that 4.0 percent of all high school students surveyed in 2005 reported lifetime use of steroid pills/shots without a doctor's prescription. This figure includes 4.8 percent of ninth graders, 3.9 percent of tenth graders, 3.7 percent of eleventh graders, and 3.3 percent of twelfth graders. Research carried out by the National Institute on Drug Abuse shows the consequences for teens of both sexes who use steroids can include severe acne, hormone imbalances, stunted growth, strokes, heart attacks, liver cancer, and increased irritability and aggression. (National Institute on Drug Abuse. NIDA Research Report—Anabolic Steroid Abuse. Printed in 2001. Revised August, 2006).

Further, in its 2007 National Drug Control Strategy the Office of National Drug Control Policy (ONDCP) states "Student drug testing serves a dual purpose: it can prevent drug use while also helping identify students who need help. Student drug testing can prevent drug use because it gives students an 'out:' if they want to participate in extracurricular activities, they know they will be subject to a test and can use potential testing as an excuse to refuse drugs when approached by a peer."

Funding Priority

Under 34 CFR 75.105(c)(3), we consider only applications that meet the absolute priority established for this competition. Contingent upon the availability of funds, we may make additional awards in fiscal year 2008 and subsequent years from the list of nonfunded applications from this competition.

Absolute Priority

This priority is:

Mandatory Random and Voluntary Student Drug-Testing Programs. Under this priority, we will provide Federal financial assistance to eligible applicants to develop and implement, or expand, school-based mandatory random or voluntary drug-testing programs for students in one or more grades 6 through 12. Any drug-testing program conducted with funds awarded under this priority must be limited to one or more of the following:

- (1) students who participate in the school's athletic program;
- (2) students who are engaged in competitive, extracurricular, school-sponsored activities; and
- (3) a voluntary drug-testing program for students who, along with their parent or guardian, have provided written consent to participate in a random drug-testing program. Applicants that propose voluntary drug testing for students who, along with their parent or guardian, provide written consent, must not prohibit students who do not consent from participating in school or extracurricular activities.

Note: Applicants are encouraged to ensure, to the extent feasible, that all students who participate in the drug-testing program remain in the random drug-testing pool for the entire academic year.

In order to receive funding, projects must meet the above absolute priority, in addition to the following application requirements.

Application Requirements

- (1) Applicants may not submit more than one application for an award under this program.
- (2) Eligibility under this grant competition is limited to applicants that do not currently have an active grant under the Department of Education's School-Based Student Drug-Testing Program (CFDA 84.184D). For the purpose of this requirement, a grant is considered 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.
- (3) Funds may not be used for the following purposes:
 - (a) Student drug tests administered under suspicion of drug use;
 - (b) Incentives for students to participate in programs;
 - (c) Drug treatment; or
 - (d) Drug prevention curricula or other prevention programs.

- (4) Applicants must:
- (a) Identify a target population and demonstrate a significant need for drug testing within the target population;
 - (b) Explain how the proposed drug-testing program will be part of an existing, comprehensive drug prevention program in the schools to be served;
 - (c) Provide a comprehensive plan for referring students who are identified as drug users through the testing program to a student assistance program, counseling, or drug treatment if necessary;
 - (d) Provide a plan to ensure the confidentiality of drug-testing results, including a provision that prohibits the party conducting drug tests from disclosing to school officials any information about a student's use of legal medications;
 - (e) Limit the cost of site-based evaluations to no more than 10 percent of total funds requested; and
 - (f) Provide written assurances of the following:
 - (i) That results of student drug tests will not be disclosed to law enforcement officials;
 - (ii) That results of student drug tests will be destroyed when the student graduates or otherwise leaves the LEA or private school involved;
 - (iii) That all positive drug tests will be reviewed by a certified medical review officer;
 - (iv) That legal counsel has reviewed the proposed program and advised that the program activities do not appear to violate established constitutional principles or State and Federal requirements related to implementing a student drug-testing program; and
 - (v) That all proposed activities will be carried out in accordance with the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA).

Selection Criteria

The following selection criteria will be used to evaluate applications. Applicants are advised to develop their narrative description to follow the sequence of these criteria provided below. The maximum number of possible points awarded for all selection criteria is 100. **Note:** The criteria contain weighted sub-criteria. Applicants must address each sub-criterion to qualify for the maximum number of points for each criterion. The maximum score for each criterion is indicated in parentheses.

- 1) Need for Project - 15 points
- 2) Significance –20 points
- 3) Quality of Project Design - 30 points
- 4) Management Plan – 20 points
- 5) Quality of Evaluation Plan – 15 points

(1) Need for Project (15 points)

In determining the need for the proposed project, we consider the following factors:

- (a) the documented magnitude of student drug use in schools to be served by the drug-testing program, including the nature, type, and frequency, if known, of drugs used by students in the target population. (10 points)
- (b) other evidence of student drug use, such as reports from parents, students, school staff, or law enforcement officials. (5 points)

(2) Significance (20 points)

In determining the significance of the proposed project, we consider the following factors:

- (a) the extent to which the proposed project includes a thorough, high-quality review of Federal and State laws and relevant Supreme Court decisions related to the proposed student drug-testing program. (5 points)
- (b) the extent to which the applicant demonstrates school and community support for the student drug-testing program and has included a diversity of perspectives such as those of parents, counselors, teachers, and school board members, in the development of the drug-testing program; and (10 points)
- (c) the importance or magnitude of the outcomes the student drug-testing program. (10 points)

Note: Under this criterion, we will look for evidence of school board and community support as evidenced by an approved school board policy.

(3) Quality of Project Design (30 points)

In determining the quality of the project design, we consider the following factors:

- (a) the extent to which the project will be based on up-to-date knowledge from research and effective practice, including the methodology for the random selection of students to be tested and procedures outlining the collection, screening, confirmation, and review of positive student drug tests by a certified medical review officer. (10 points)
- (b) the extent to which the applicant identifies the drugs for which it plans to test and includes a rationale for the type of testing device it plans to use for each drug test. (10 points)
- (c) the quality of the applicant's plan to develop and implement a drug-testing program that includes—
 - (i) detailed procedures for responding to a positive drug test, including parental notification and referral to student assistance programs, drug education, counseling or formal drug treatment, if necessary and; (5 points)

- (ii) clear consequences for a positive drug test. (5 points)

(4) Management Plan (20 points)

In determining the quality of the management plan, we consider the following factors:

- (a) the extent to which the applicant describes appropriate chain-of-custody procedures for test samples and demonstrates a commitment to use a federally or nationally accredited lab to process student drug tests. (10 points)
- (b) the quality of the applicant's plan to ensure confidentiality of drug test results, including limiting the number of school officials who will have access to student drug-testing records. (10 points)

(5) Quality of Project Evaluation (15 points)

In determining the quality of the project evaluation, we consider the following factors:

- (a) the extent to which the methods of evaluation include the use of objective performance measures that are clearly related to the intended outcomes of the project. (10 points)
- (b) the quality of the applicant's plan to collect data on the Government Performance and Results Act (GPRA) performance measure established by the Department for this program and to report these data to the Department. (5 points)

*Note: Under this criterion, we will look for a description of the evaluation plan that includes methods to be used to evaluate the outcomes and effectiveness of the project, including the applicant's plan to collect data to report to Department on the **Government Performance and Results Act (GPRA) measures** established for this program.*

The GPRA measures for this program are:

1. The reduction of the incidence of drug use in the past month
2. The reduction of the incidence of drug use in the past year

The Secretary has set an overall performance target that calls for the incidence of drug use by students in the target population to decline by **five percent annually**.

Note: The five percent annual decline applies to the past month and the past year measures. The data should come from self reported surveys and must be collected annually.

Frequently Asked Questions

What is the goal of this grant competition?

The goal of this grant competition is to provide funds to develop and implement or expand school-based, student drug testing programs as a means to deter student drug use.

When will SDT grant awards be announced?

The Office of Safe and Drug-Free Schools (OSDFS) expects to announce SDT grant awards in July but no later than September 30, 2008.

What is the project and budget period for these grants?

The project period will be for up to 36 months. Projects will be funded for one year with an option for two additional years, contingent upon substantial progress by the grantee and the availability of funds.

What is the deadline date for transmittal of applications under this grant competition?

March 21, 2008.

May I get an extension of the deadline date?

Waivers for individual applications failing to meet the deadline will not be granted, regardless of the circumstances. Under very extraordinary circumstances, the Department may change the closing date for this grant competition. When this occurs, the Department announces such a change in a notice published in the Federal Register.

Am I required to submit my application electronically?

No, you may submit your application electronically through Grants.gov or in hard copy through the U.S Postal Service or by overnight carrier.

How much money is available under this grant competition?

Approximately \$12,750,000 is available to fund new grants under this competition in fiscal year 2008. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program. This figure is only an estimate and does not bind the Department to any specific level of funding.

How many new awards will be made?

It is estimated that 85 new awards will be made in 2008, depending on final appropriations.

Who is eligible to apply?

Eligible applicants are local educational agencies (LEAs), and public and private entities that do not have a currently active student drug-testing grant. Applicants may not submit more than one application for an award under this program.

May I submit an application on behalf of my local school?

An application submitted by an individual school will not be considered unless it meets the definition of a local educational agency.

Is a charter school considered an LEA?

Some states do consider charter schools LEAs. Check with your State Education Agency (SEA) for their determination.

May private schools or non-profit organizations apply?

Yes, they may apply as private entities.

Are previous SDT grant recipients eligible to apply for the SDT grant in FY 2008?

Previous grant recipients whose grants have ended may apply for a new award.

If an SDT grantee is operating under a no-cost extension, is the entity eligible to re-apply?

In order to be eligible for funding, the grant project period must end prior to the deadline for transmittal of applications for this competition, or by March 21, 2008.

What are some of the circumstances that might cause a grant application submitted for funding under this competition to be deemed ineligible for review?

Some common reasons applications are rejected include, but are not limited to, the following:

- Failure to address the absolute priority.
- Failure to address the other application requirements for this competition.
- A preponderance of the activities proposed in the application is unallowable under the requirements of the competition.
- The applicant is currently a U.S. Department of Education student drug-testing demonstration grantee.

What is an indirect cost rate?

An indirect cost is usually an expense that you incur that is necessary to implementing the grant, but may be difficult to identify with your grant. For example, indirect costs may include money spent for heat, light, rent, telephone, security, accounting, and Internet use depending on items that are part of the indirect cost pool.

A grantee must have obtained a current indirect cost rate agreement from its cognizant agency, to charge indirect costs to a grant.

How do I obtain a negotiated indirect cost rate?

To obtain an indirect cost rate, a grantee must submit an indirect cost proposal to its cognizant agency within ninety days after the date the Department issues the grant award notification. If a grantee does not have a federally recognized indirect cost rate agreement, the Secretary may permit the grantee to charge its grant for indirect costs at a temporary rate of ten percent of budgeted direct salaries and

wages. If a grantee fails to submit an indirect cost rate proposal to its cognizant agency within the required ninety days, the grantee may not charge indirect costs to its grant from the end of the ninety-day period until it obtains a federally recognized indirect cost rate agreement applicable to the grant.

If your organization prefers to use all of its grant funds for direct project costs, you are not required to charge the grant for indirect costs. If you wish to charge indirect costs, however, *you must use a negotiated indirect cost rate for this competition*. If you do not have a negotiated rate, you may request a provisional rate. You will then have 90 days to submit the necessary paperwork to the Department to receive a negotiated indirect cost. For more information, please see: <http://www.ed.gov/about/offices/list/ocfo/fipao/icgindex.html>.

Your organization may already have a negotiated indirect cost rate with a Federal government agency. If your organization has not negotiated this rate in the past, please contact Katrina McDonald with the Department of Education's Indirect Cost Group at 202-377-3838 or Katrina.Mcdonald@ed.gov.

How do I determine my cognizant agency?

Cognizant agency means the Federal agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals. If you have multiple Federal awards, the cognizant agency is usually the one that provides the most funding or with which you do the most business. If you do not have other Federal awards, the Department of Education is your cognizant agency. LEAs may substitute their State rate for an ED-negotiated rate. Non-LEA grantees that do not have other Federal awards or have never had a negotiated rate need to have a negotiated rate from ED.

May I use the indirect cost rate assigned by my state department of education instead of a federal rate?

Yes, ED will accept either a state rate or a rate negotiated with another federal agency. You must include a copy of your current rate agreement in your application package.

Who in my organization may be able to provide information about our negotiated indirect cost rate?

If you do not know your negotiated indirect cost rate, please contact your business office. Please note you will need to submit proof of this cost rate, such as a signed letter or a page from a state agency web site.

Is there a cost sharing or matching requirement?

No, there is not a cost sharing or matching requirement. However, if you 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 of the ED 524 form. If you propose cost sharing or matching we will monitor the budget to ensure the cost share or match is met.

May the Department of Education share a copy of a grant application with the public?

Under the Freedom of Information Act (FOIA) any person has the right to request access to federal agency records or information. All applications submitted for funding consideration under this grant competition are subject to the FOIA. All agencies of the U.S. Government are required to disclose

records upon receiving a written request for them, except for those records that are protected from disclosure by the nine exemptions listed in the FOIA. Under FOIA Exemption 1, we are able to withhold any information needed to protect vulnerable security information from unauthorized or untimely disclosure. This may include information related to risks and vulnerabilities within the district or at particular schools. To read the text of the Freedom of Information Act, visit www.usdoj.gov/04foia/foiastat.htm

Who do I contact for more information about this grant competition?

Kandice Kostic or Sigrid Melus
U.S. Department of Education
400 Maryland Avenue SW
Washington DC, 20202-6450
Telephone: (202) 260-7836
Fax: 202-205-5722
E-mail: OSDFSdrugtesting@ed.gov

Do I need to register with CCR (Central Contractor Registry) to submit my application using Grants.gov?

Yes. Before you can apply for a grant through Grants.gov, your organization must obtain a Data Universal Number System (DUNS) number and register with the Central Contractor Registry (CCR). [Go to the CCR Website \(http://www.bpn.gov/ccrinq/scripts/search.asp\)](http://www.bpn.gov/ccrinq/scripts/search.asp) and select the "Start New Registration" option to begin the registration process. Please allow 1-2 business days for processing of your registration including the IRS validating your Employer Identification Number (Social Security Number - also known as your Taxpayer Identification Number). If you have the information ready, online registration will take about 30 minutes, depending on the complexity of your organization. Once you finish this process, you are able to move on to the next step of the Grants.gov registration the very next business day.

Can we submit our application through the Department of Education web site (www.ed.gov)?

No. All electronic applications must be submitted through www.grants.gov.

How do we know if our application was successfully submitted?

You will want to verify that Grants.gov and the Department of Education received your Grants.gov submission timely and that it was validated successfully. To see the date and time your application was received, log in to Grants.gov and click on the Track My Application link.

For a successful submission, the date and 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. 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 (www.grants.gov/help/submit_application_faqs.jsp#10).

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.

If I am submitting electronically, how should I submit the signed face sheet (and other required forms)?

If you are submitting an electronic application, you are required to fax the signed face page and the required assurances to the Department of Education in accordance with the instructions listed elsewhere in this application package. After reviewing the instructions, please fax assurances to 202-205-5722.

Do I need to submit a copy of my application to my State Single Point of Contact?

Yes. Per Executive Order 12372, a grant award cannot be made if an applicant in a participating state has not been given the opportunity to review the application.

Do applicants need to include the address for responses in the letter to the State Single Point of Contact?

Yes, you should direct them to send comments to the following address: The Secretary, EO 12372-CFDA #84.184D, U.S. Department of Education, room 7W301, 400 Maryland Avenue, SW, Washington, DC 20202. A grant award cannot be made if an applicant in a participating state has not been given the opportunity to review the application.

What is required from an applicant whose State Single Point of Contact indicates that they are not reviewing applications for this grant competition?

Applicants should include a copy of such a response from the State Single Point of Contact in their application package submitted to the U.S. Department of Education and check the appropriate line on the SF 424 form.

By what date do applicants have to submit their application to their State Single Point of Contact, if participating?

Applicants must submit their application to the State Single Point of Contact on or before the deadline date for transmitting their application to the Department.

Does Grants.gov support the new Microsoft Vista Operating System?

Grants.gov uses two viewer products – Adobe Acrobat Reader and PureEdge – that predate the release of Windows Vista. Adobe Reader 7.0.9 may work with Vista, but Adobe does not fully support this configuration. PureEdge Viewer v.6.0.2 is only compatible with Vista when using a Citrix server connection. Grants.gov is anticipating the release of Adobe Reader 8.1.1 shortly, which will be compatible with Microsoft Vista. Until Adobe Reader 8.1.1 is released, you have two choices: Use an operating system other than Vista or use Citrix, which has been identified as an option for any applicant that is using Vista. The Grants.gov Web site (www.grants.gov/help/general_faqs.jsp#18) has been updated to provide applicants with instructions on how to utilize the Citrix solution.

Do I need to provide the Funding Opportunity Number (Item #12) and the Competition Identification Number (Item #13) on the SF-424?

If you are submitting your application electronically via Grants.gov, then you will need to provide these numbers. They can be located on Grants.gov website on the application download page and also on the application package page once the package has been downloaded. If you are submitting a hard copy of your application, then you do not need to provide these numbers as they are used strictly for the electronic package submitted via Grants.gov.

Can we hire an external evaluator?

Grant funds may be used to hire an external evaluator, although it is not required. There is a ten percent cap on the site based evaluation activities for this competition.

How much time should the Project Director spend on the grant?

Each proposal must contain information that provides the project director's time commitment to the project. For example, the time commitment for a full-time project director is 100 percent. The time commitment for a part-time project director could be 20 percent or some other percentage less than 100 percent. **All grant recipients must provide the project director's time commitment before receiving a grant award. Please include this information in your project budget and supporting narrative.**

Are we required to submit GPRA information each year?

Yes. You are required to submit GPRA information every year as part of your annual report (524B form). The GPRA measures for this program are:

1. The reduction of the incidence of drug use in the past month
2. The reduction of the incidence of drug use in the past year

The Secretary has set an overall performance target that calls for the incidence of drug use by students in the target population to decline by **five percent annually**.

(*Note:* The five percent annual decline applies to the past month and the past year measures. The data should come from self-reported surveys and reported annually.)

What is the role of a medical review officer?

A medical review officer (MRO) is a licensed physician who is also an expert in drug and alcohol testing and the Federal regulations governing such testing. It is the job of the MRO to ensure the integrity of the drug test. If a test is positive, the medical review officer consults with the student and/or the student's family and gives them an opportunity to supply evidence that there was a justifiable reason for the positive test, such as a properly prescribed legal medication. If the MRO determines that the positive test was not the result of illegal drug use, the test is reported as negative. Having an MRO on board helps protect the rights of students and can have the added benefit of strengthening the school's position if the test results are ever challenged.

Most laboratories can provide a list of available MROs. To verify the certification status of MROs, see the American Society of Addiction Medicine (ASAM) Web site at <http://www.asam.org/search/search4.html>. For more information about certified labs, visit the Web site for SAMHSA's Division of Workplace Programs at http://dwp.samhsa.gov/drugtesting/level_1_pages/certified%20labs.aspx

Am I required to keep students in the testing pool during the time they are not participating in a covered activity?

Applicants have flexibility to propose drug-testing programs that take into consideration the special needs and circumstances in the LEA; are consistent with their adopted policies; and are in accordance with the decisions of the U.S. Supreme Court in Vernonia School District 47J v. Acton, 515 U.S. 646 (1995), and Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls, 536 U.S. 822 (2002) and advice of the LEA's legal counsel. Therefore, we do not require that

students remain in the testing pool when they are not participating in a covered activity, but leave the length of time students are subject to testing to the discretion and policies of each district.

Where can I find more information about student drug-testing programs?

The White House Office of National Drug Control Policy published two booklets providing information about student drug testing in schools. Those publications are titled, “What You Need to Know About Drug Testing in Schools” and “What You Need to Know about Starting a Student Drug-Testing Program” and can be found online at:

http://www.whitehousedrugpolicy.gov/publications/drug_testing - and -
http://www.whitehousedrugpolicy.gov/publications/student_drug_testing/index.html

Can grant funds be used to pay for drug testing students who park on campus?

No. This program has been carefully designed in accordance with decisions handed down by the U.S. Supreme Court. To date, the Court has not ruled on whether students who park on campus may be subject to drug testing.

If our State Supreme Court has authorized drug testing for students who park on campus, may we use ED funds to pay for tests for this population?

No. ED funds may be used only to test students who participate in athletics, students who participate in competitive, extra-curricular, school-sponsored activities, or students who volunteer to be tested.

May we test all of our students who participate in extra-curricular activities?

Only to the extent the extra-curricular activities are competitive. If the activities are not competitive, that is, students do not compete against students in another district, you may not use these funds to drug test those students.

Can our program use grant funds to hire staff to work with students who test positive?

Grant funds may be used to pay for staff to implement and carry out the drug-testing program. When a student tests positive for alcohol or other drug use, staff may be paid for time spent counseling the student, conducting an alcohol/drug abuse assessment, and for referring a student to alcohol or other drug treatment services. Generally, however, the number of students who test positive does not warrant the addition of a full time staff person devoted exclusively to counseling. Funds may not be used for alcohol or other drug abuse treatment services.

Can our program offer incentives to students who test negative for drugs?

No. Funds may not be used for incentives for students to participate in programs.

We want to have a volunteer student drug-testing program. Can we use grant funds to pay for student clubs, incentives, or treatment?

No. Funds may not be used for the following purposes:

- Student drug tests administered under suspicion of drug use;
- Incentives for students to participate in programs;
- Drug treatment;
- Drug prevention curricula or other prevention programs.

My district would like to implement a research-based program to help students stay drug free. May we use grant funds to purchase the program and train teachers in its implementation?

No, funds may not be used to purchase prevention curricula, materials, or training.

We want to have parent meetings several times throughout the year to provide information about the testing program. May we charge meeting supplies to the grant?

Yes, activities that are directly related to implementing the drug-testing program, including parent and community outreach, may be charged to the grant. Note, however, that refreshments may not be paid for with grant funds.

III. LEGAL AND REGULATORY DOCUMENTS

Notice Inviting Applications

Federal Register Publication Date- December 18, 2007

4000-01-U

DEPARTMENT OF EDUCATION
Office of Safe and Drug-Free Schools

Overview Information

Grants for School-Based Student Drug-Testing Programs

Notice inviting applications for new awards for fiscal year (FY) 2008

Catalog of Federal Domestic Assistance (CFDA) Number: 84.184D

Dates:

Applications Available: December 18, 2007

Deadline for Transmittal of Applications: March 21, 2008

Deadline for Intergovernmental Review: May 22, 2008

Full Text of Announcement

I. Funding Opportunity Description

Purpose of the Program: The School-Based Student Drug-Testing program awards grants to LEAs and public and private entities to develop and implement, or expand, school-based drug-testing programs for students.

Priority: This priority is from the notice of final eligibility and application requirements, priorities, and selection criteria for this program, published in the Federal Register on July 7, 2005 (70 FR 39254).

Absolute Priority: For FY 2008 and any subsequent year in which we make awards based on the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

Mandatory Random and Voluntary Student Drug-Testing Programs.

Under this priority, we will provide Federal financial assistance to eligible applicants to develop and implement, or expand, school-based mandatory random or voluntary drug-testing programs for students in one or more grades 6 through 12. Any drug-testing program conducted with funds awarded under this priority must be limited to one or more of the following:

- (1) Students who participate in the school's athletic program;
- (2) Students who are engaged in competitive, extracurricular, school-sponsored activities; and
- (3) A voluntary drug-testing program for students who, along with their parent or guardian, have provided written consent to participate in a random drug-testing program. Applicants that propose voluntary drug testing for students who, along with their parent or guardian, provide written consent, must not prohibit students who do not consent from participating in school or extracurricular activities.

Application Requirements: In the notice of final eligibility and application requirements, priorities, and selection criteria published in the Federal Register on July 7, 2005 (70 FR 39254),

we established five application requirements. In this competition, we will not be using requirement number 3 that directs non-LEA applicants to submit a letter of agreement to participate from an LEA. The following requirements apply to all applications submitted under this program.

(1) Applicants may not submit more than one application for an award under this program.

(2) Eligibility under this grant competition is limited to applicants that do not currently have an active grant under the Department of Education's School-Based Student Drug-Testing Program (CFDA 84.184D). For the purpose of this requirement, a grant is considered 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.

(3) Funds may not be used for the following purposes:

- (a) Student drug tests administered under suspicion of drug use;
- (b) Incentives for students to participate in programs;
- (c) Drug treatment; or
- (d) Drug prevention curricula or other prevention programs.

(4) Applicants must:

- (a) Identify a target population and demonstrate a significant need for drug testing within the target population;
- (b) Explain how the proposed drug-testing program will be part of an existing, comprehensive drug prevention program in the schools to be served;
- (c) Provide a comprehensive plan for referring students who are identified as drug users through the testing program to a student assistance program, counseling, or drug treatment if necessary;
- (d) Provide a plan to ensure the confidentiality of drug-testing results, including a provision that prohibits the party conducting drug tests from disclosing to school officials any information about a student's use of legal medications;
- (e) Limit the cost of site-based evaluations to no more than 10 percent of total funds requested; and
- (f) Provide written assurances of the following:
 - (i) That results of student drug tests will not be disclosed to law enforcement officials;
 - (ii) That results of student drug tests will be destroyed when the student graduates or otherwise leaves the LEA or private school involved;
 - (iii) That all positive drug tests will be reviewed by a certified medical review officer;
 - (iv) That legal counsel has reviewed the proposed program and advised that the program activities do not appear to violate established constitutional principles or State and Federal requirements related to implementing a student drug-testing program; and
 - (v) That all proposed activities will be carried out in accordance with the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA).

Program Authority: 20 U.S.C. 7131.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, 97, 98, 99, and 299. (b) The notice of final eligibility and application requirements, priorities, and selection criteria published in the Federal Register on July 7, 2005 (70 FR 39254). (c) The notice of final eligibility requirement for the Office of Safe and Drug-Free Schools discretionary grant programs published in the Federal Register on December 4, 2006 (71 FR 70369).

Note: The regulations in 34 CFR part 79 apply to all applicants except Federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: The Administration has requested \$17,850,000 for the student drug testing student programs in FY 2008, of which \$12,750,000 would be for new grant awards. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program. Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2008 and in FY 2009 from the list of unfunded applicants from this competition.

Estimated Range of Awards: \$100,000-\$200,000.

Estimated Average Size of Awards: \$150,000.

Estimated Number of Awards: 85.

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

Project Period: Up to 36 months.

III. Eligibility Information

1. Eligible Applicants: LEAs and public and private entities.
2. Cost Sharing or Matching: This competition does not require cost sharing or matching.
3. Other:
 - (a) Participation by Private School Children and Teachers.

An entity that receives a grant under the School-Based Student Drug-Testing Programs is required to provide for the equitable participation of private school children and their teachers or other educational personnel.

In order to ensure that grant program activities address the needs of private school children, the applicant must engage in timely and meaningful consultation with appropriate private school officials during the design and development of the program. This consultation must take place before the applicant makes any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate. Administrative direction and control over grant funds must remain with the grantee. (See Section 9501, Participation by Private School Children and Teachers, of the Elementary and Secondary Education Act of 1965, as amended.)

(b) Maintenance of Effort. An LEA may receive a grant under the School-Based Student Drug-Testing Programs only if the State educational agency finds that the combined fiscal effort per student or the aggregate expenditures of the agency and the State with respect to the provision of a free public education by the agency for the preceding fiscal year were not less than 90 percent of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

(c) Participation of Faith-based Organizations. Faith-based organizations are eligible to apply for grants under this competition provided they meet all statutory and regulatory requirements.

IV. Application and Submission Information

1. Address to Request Application Package:

You can obtain an application package via the Internet or from the Education Publications Center (ED Pubs). To obtain a copy via the Internet, use the following address:

<http://www.ed.gov/programs/drugtesting/index.html> To obtain a copy from ED Pubs, write, fax, or

call the following: Education Publications Center, P.O. Box 1398, Jessup, Maryland 20794-1398. Telephone, toll free: 1-877-433-7827. FAX: 301-470-1244. If you use a telecommunications device for the deaf (TDD), you may call (toll free): 1-877-576-7734.

You can contact ED Pubs at its Web site, also:

www.ed.gov/pubs/edpubs.html or at its e-mail address: edpubs@inet.ed.gov

If you request an application from ED Pubs, be sure to identify this program or competition as follows: CFDA 84.184D.

Individuals with disabilities can obtain a copy of the application in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) by contacting the person or team listed under Alternative Format in section VIII of this notice.

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 competition.

3. Submission Dates and Times:

Applications Available: December 18, 2007

Deadline for Transmittal of Applications: March 21, 2008

Applications for grants under this competition may be submitted electronically using the Grants.gov Apply site (Grants.gov), or in paper format by mail or hand delivery. For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery, please refer to section IV. 6. Other Submission Requirements in this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under For Further Information Contact in section VII in this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

Deadline for Intergovernmental Review: May 22, 2008

4. Intergovernmental Review: This competition 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.

5. Funding Restrictions: We reference additional regulations outlining funding restrictions in the Applicable Regulations section of this notice.

6. Other Submission Requirements: Applications for grants under this competition may be submitted electronically or in paper format by mail or hand delivery.

a. Electronic Submission of Applications.

To comply with the President's Management Agenda, we are participating as a partner in the Governmentwide Grants.gov Apply site. The School-Based Student-Drug Testing Programs competition, CFDA Number 84.184D, is included in this project. We request your participation in Grants.gov

If you choose to submit your application electronically, you must use the Governmentwide Grants.gov Apply site at <http://www.Grants.gov>. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us.

You may access the electronic grant application for School-Based Student Drug-Testing Programs at <http://www.Grants.gov>. You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.184, not 84.184D).

Please note the following:

- Your participation in Grants.gov is voluntary.
- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not consider your application if it is date and time stamped by the Grants.gov system later than 4:30:00 p.m., Washington, DC time, on the application deadline date. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.
- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application submission process through [Grants.gov](http://www.grants.gov).
- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov at <http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf>
- To submit your application via Grants.gov, you must complete all steps in the Grants.gov registration process (see http://www.grants.gov/applicants/get_registered.jsp). These steps include (1) registering your organization, a multi-part process that includes registration with the Central Contractor Registry (CCR); (2) registering yourself as an Authorized Organization Representative (AOR); and (3) getting authorized as an AOR by your organization. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see <http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf>). You also must provide on your application the same D-U-N-S Number used with this registration. Please note that the registration process may take five or more business days to complete, and you must have completed all registration steps to allow you to submit successfully an application via Grants.gov. In addition you will need to update your CCR registration on an annual basis. This may take three or more business days to complete.
- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you submit your application in paper format.
- If you submit your application electronically, you must submit all documents electronically, including all information you typically provide on the following forms: Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications. Please note that two of these forms--the SF 424 and the Department of Education Supplemental Information for SF 424--have replaced the ED 424 (Application for Federal Education Assistance).
- If you submit your application electronically, you must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified in this paragraph or submit a password-protected file, we will not review that material.
- Your electronic application must comply with any page-limit requirements described in this notice.

- After you electronically submit your application, you will receive from Grants.gov an automatic notification of receipt that contains a Grants.gov tracking number. (This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by e-mail. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).

- We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30:00 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30:00 p.m., Washington, DC time, on the application deadline date, please contact the person listed elsewhere in this notice under For Further Information Contact in section VII in this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30:00 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

b. Submission of Paper Applications by Mail.

If you submit your application in paper format by mail (through the U.S. Postal Service or a commercial carrier), you must mail the original and two copies of your application, on or before the application deadline date, to the Department at the applicable following address:

By mail through the U.S. Postal Service:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.184D)
400 Maryland Avenue, SW.
Washington, DC 20202-4260

or

By mail through a commercial carrier:

U.S. Department of Education
Application Control Center, Stop 4260
Attention: (CFDA Number 84.184D)
7100 Old Landover Road
Landover, MD 20785-1506

Regardless of which address you use, you must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of

Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark.
- (2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. Submission of Paper Applications by Hand Delivery.

If you submit your application in paper format by hand delivery, you (or a courier service) must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.184D)
550 12th Street, SW.
Room 7041, Potomac Center Plaza
Washington, DC 20202-4260

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department--

(1) You must indicate on the envelope and--if not provided by the Department--in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive the notification within 15 business days from the application deadline date, you should contact the U.S. Department of Education Application Control Center via e-mail (application.center@ed.gov) or telephone (202/377-6289).

V. Application Review Information

1. Selection Criteria: The selection criteria for this competition are from the notice of final eligibility and application requirements, priorities, and selection criteria published in the Federal Register on July 7, 2005 (70 FR 39254), and are listed in the application package.

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). We may also notify you informally. 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. Reporting: At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>

4. Performance Measures: The Department has established the following Government Performance and Results Act (GPRA) performance measures for the School-Based Student Drug-Testing Program: the reduction of the incidence of drug use in the past month and the reduction of the incidence of drug use in the past year. The Secretary has set an overall performance target that calls for the prevalence of drug use by students in the target population to decline by five percent annually.

These measures constitute the Department's indicator of success for this program. Consequently, applicants for a grant under this program are advised to give careful consideration to these measures in conceptualizing the approach and evaluation for their proposed project. If funded, applicants will be asked to collect and report data in their annual performance and final reports about progress toward these measures.

VII. Agency Contacts

For Further Information Contact: Sigrid Melus, U.S. Department of Education, 400 Maryland Ave, SW, room 3E248, Washington, DC 20202-6450. Telephone: 202-260-2673, or Kandice Kostic, U.S. Department of Education, 400 Maryland Ave., SW, room 3E258, Washington, DC 20202-6450. Telephone: 202-260-7836. E-mail address: OSDFSdrugtesting@ed.gov.

If you use a TDD, call the Federal Relay Service (FRS) at 1-800-877-8339.

VIII. Other Information

Alternative Format: Individuals with disabilities can obtain this document and a copy of the application package in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact persons listed under For Further Information Contact in section VII in this notice.

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: www.ed.gov/news/fedregister.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

You may also view this document in text or PDF at the following site: www.ed.gov/programs/drugtesting/applicant.html.

Note: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated:

Deborah A. Price,
Assistant Deputy Secretary for
Safe and Drug-Free Schools.

Authorizing Legislation – No Child Left Behind Act of 2001 Subpart 2-National Programs

SEC. 4121. FEDERAL ACTIVITIES.

(a) Program Authorized-From funds made available to carry out this subpart under section 4003(2), the Secretary, in consultation with the Secretary of Health and Human Services, the Director of the Office of National Drug Control Policy, and the Attorney General, shall carry out programs to prevent the illegal use of drugs and violence among, and promote safety and discipline for, students. The Secretary shall carry out such programs directly, or through grants, contracts, or cooperative agreements with public and private entities and individuals, or through agreements with other Federal agencies, and shall coordinate such programs with other appropriate Federal activities. Such programs may include-

- 1) the development and demonstration of innovative strategies for the training of school personnel, parents, and members of the community for drug and violence prevention activities based on State and local needs;
- 2) the development, demonstration, scientifically based evaluation, and dissemination of innovative and high quality drug and violence prevention programs and activities, based on State and local needs, which may include-
 - a) alternative education models, either established within a school or separate and apart from an existing school, that are designed to promote drug and violence prevention, reduce disruptive behavior, reduce the need for repeat suspensions and expulsions, enable students to meet challenging State academic standards, and enable students to return to the regular classroom as soon as possible;
 - b) community service and service-learning projects, designed to rebuild safe and health neighborhoods and increase students' sense of individual responsibility
 - c) video-based projects developed by noncommercial telecommunications entities that provide young people with models for conflict resolution and responsible decision-making; and
 - d) child abuse education and prevention programs for elementary and secondary students;
- 3) the provision of information on drug abuse education and prevention to the Secretary of Health and Human Services for dissemination;
- 4) the provision of information on violence prevention and education and school safety to the Department of Justice for dissemination;
- 5) technical assistance to chief executive officers, State agencies, local educational agencies, and other recipients of funding under this part to build capacity to develop and implement high-quality, effective drug and violence prevention programs consistent with the principles of effectiveness in section 4115(a);
- 6) assistance to school systems that have particularly severe drug and violence problems, including hiring drug prevention and school safety coordinators, or assistance to support appropriate response efforts to crisis situations;
- 7) the development of education and training programs, curricula, instructional materials, and professional training and development for preventing and reducing the incidence of crimes and conflicts motivated by hate in localities most directly affected by hate crimes;

- 8) activities in communities designated as empowerment zones or enterprise communities that will connect schools to community-wide efforts to reduce drug and violence problems; and
- 9) other activities in accordance with the purpose of this part, based on State and local needs.

(b) Peer Review-The Secretary shall use a peer review process in reviewing applications for funds under this section.

IV. General Application Instructions and Information

Preparing the Application

A completed application for assistance under this competition consists of two parts: a detailed narrative description of the proposed project and budget, and all forms and assurances that must be submitted in order to receive a grant. An application under this program should address the specific needs of the applicant and propose activities specifically designed to meet those needs. We strongly discourage applicants from using “form” applications or proposals that address general rather than specific local needs. Identical or substantially similar applications are not responsive to the scoring criteria.

A panel of non-federal readers with experience in school-based alcohol and substance abuse prevention or student drug testing, will review each eligible application submitted by the deadline. The panel will award points ranging from 0 to 100 to each application depending on how well the selection criteria are addressed. Be sure you provide a comprehensive response to each factor under each selection criterion. Applications that fail to do so will be read, but our experience suggests they may not score well enough to be funded.

If you apply via Grants.gov, you will use the following Grants.gov narrative forms:

- ED Abstract Form
- Project Narrative Attachment Form
- Other Attachments Form
- Budget Narrative Attachment Form

The **ED Abstract Form** is where you will attach your program abstract.

The **Project Narrative Attachment Form** is where you will attach the narrative sections addressing the selection criteria that will be used to evaluate applications submitted for this grant competition.

The **Other Attachments Form** is where you will attach proposal appendices, such as curriculum vitae of key personnel, letters of commitment, and assurances. The Grants.gov system will allow applicants to attach as many as 10 separate appendices in this section.

The **Budget Narrative Attachment Form** is where you will attach a detailed line item budget and any supplemental budget information.

All applicants should adhere to the following formatting guidelines:

- Use 1-inch margins. If you submit your application in paper format by mail or hand delivery, your application must be printed on 8 1/2” by 11” paper.
- Use consistent font no smaller than 12-point type throughout your document. You may use boldface type, underlining, and italics; however, do not use colored text.

- For the project narrative, your application should consist of the number and text of each selection criterion followed by the narrative. The text of the selection criterion, if included, does not count against any page limitation.
- Place a page number at the bottom right of each page beginning with 1, and number your pages consecutively throughout your document, beginning with the Abstract and ending with the Appendices. **Note:** Do not paginate any of the forms.

If you submit your proposal via Grants.gov, you will use your own word-processing software to complete the application for this grant competition.

D-U-N-S NUMBER INSTRUCTIONS

All applicants must obtain and use a D-U-N-S number, and all applicants applying through Grants.gov must register with Grants.gov. The D-U-N-S Number used on the application must be the same number that the applicant's organization used to register with Grants.gov. If the numbers are not the same, Grants.gov will reject the application.

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 to ensure 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.

You can obtain a D-U-N-S Number at no charge by calling 800/333-0505 or by completing the D-U-N-S Number Request Form, available online at http://www.dnb.com/US/duns_update/index.html. Dun & Bradstreet, a global information provider, has assigned D-U-N-S Numbers to more than 43 million companies worldwide. Customer service is available on Monday-Friday from 8:00 a.m. to 6:00 p.m. (Eastern Time) at 888/814-1435.

Organizing the Application

Supplemental Instructions for Standard Form 424

1. Application for Federal Assistance (SF Form 424): Use the Application for Federal Assistance and the Department of Education Supplemental Information for SF 424. This is the title page of your application. Be sure that Item 10 identifies the CFDA Number for this grant competition: 84.184D and the Title as Grants for School-Based Student Drug-Testing Programs.

Under Item 3 in the ED Supplemental Information, indicate whether the proposed project includes human subjects research activities, and if so, whether any or all of the proposed activities are exempt. For additional guidance, see instructions for ED Supplemental Information in the required forms section of this application package or call ED's protection of human subjects coordinator at 202/245-6153.

If you submit your proposal for this grant competition via Grants.gov, please complete the SF424 (Application for Federal Assistance) first. Grants.gov will insert the correct CFDA and program name automatically where needed.

If you submit your proposal in paper format by mail or hand delivery, you will need to insert the correct CFDA number and program name where requested.

2. Abstract: Include a concise, one-page, double-spaced abstract following the Table of Contents. This is a key element and should include a brief narrative describing a brief summary of the project goals and objectives and the intended outcomes of the project. Clearly mark this page with the applicant's name as shown in Item 1 of SF Form 424. If you submit your application via Grants.gov, attach this document to the ED Abstract Form.

3. Project Narrative: This section should be no more than 25 double-spaced typewritten pages. The narrative must contain evidence that the applicant meets either of the two absolute priorities, and should contain and follow in sequence the information requested for each selection criterion. Applicants should review Section II for a discussion of the selection criteria and the chief considerations for this specific grant competition. A timeline or schedule of tasks and events, responsible person(s), project milestone(s), and/or completion dates should be included in the narrative. Include a Table of Contents with page references. The Table of Contents does not count against any page limitations. If you submit your application via Grants.gov, attach this document to the Project Narrative Attachment Form.

4. Budget Narrative: Use the Budget Information Form (ED 524) provided in the required forms section of this application package to prepare a budget for the project. Note: A budget must be submitted for each year in which funds are requested (up to 3 years). Failure to supply a budget and narrative for each year of the project will result in no funding for those years.

You must include a detailed budget narrative that supports and explains the information provided in ED Form 524. Use the same budget categories as those on ED Form 524 and explain the basis used to estimate costs for all budget categories, and how the cost items relate to the proposed project's goals, objectives, and activities. All expenditures must be necessary to carry out the goals and objectives of the project, reasonable for the scope and complexity of the project, and allowable under the terms and conditions of the grant and in accordance with government cost principles.

The Budget Information Form and accompanying narrative should provide enough detail for ED staff to easily understand how costs were determined and if the budget is commensurate with the scope of the project. Applicants must submit separate detailed budgets for each year as shown on the Budget Information Form. If you submit your application via Grants.gov, attach this document to the Budget Narrative Attachment Form.

For this grant competition, you may charge indirect costs using the rate negotiated with your cognizant federal agency (e.g., Department of Education, Department of Health and Human Services, and Department of the Interior). Be sure to include evidence of a federally negotiated indirect cost rate. Individuals who apply for any grant competition through ED are not allowed to budget for an indirect cost rate. If you budget for contractual services, please note that indirect costs may be applied only to the first \$25,000 of each subcontract, regardless of the period covered by the subcontract.

You are encouraged to give priority to direct services to students by limiting the indirect costs charged to the project. You will not be penalized for failure to reduce indirect costs nor will you gain competitive advantage if you do.

If you claim indirect costs in the budget for your proposed project and do not have a negotiated rate with the federal government, **you have 90 days** from the time you transmit your application to submit the necessary paperwork to the Department to receive a negotiated indirect cost rate. For more information about indirect cost rates, please visit www.ed.gov/about/offices/list/ocfo/intro.html.

5. Appendices: If you submit your application via Grants.gov, the **Other Attachments Form** is where you will attach proposal appendices that applicants may choose to submit in support of their capacity and preparation to undertake the proposed project, such as curriculum vitae of key personnel or letters of commitment. The Grants.gov system will allow applicants to attach as many as 10 separate appendices in this section.

If you submit your application in paper format via mail or hand delivery, information provided in this section includes forms and other material required by ED in order for an application to be eligible for funding as well as any other information that applicants may choose to submit in support of their capacity and preparation to undertake the proposed project.

The following items are **not** part of the appendices and **may not** be included:

- Budget or program narrative information that the applicant wishes to have reviewed as part of its response to one or more scoring criteria—all such information must be included in the narrative portion of the application
- Videotapes, CD-ROMs, photographs, or floppy disks—they will not be reviewed and we will not return them.

This section **must** include the following:

- GEPA 427, Equitable Access to and Participation in Federally Assisted Programs
- Letter of Transmittal to State Single Point of Contact (if your state participates)
- Proof of federally negotiated indirect cost rate (if you are claiming indirect costs)

This section **may** include the following:

- Other information the applicant wishes to include in support of its capacity, experience, and readiness to undertake the proposed project, including:
- Resumes of key personnel. If personnel have yet to be hired for this proposed project, include a narrative description of expected staff qualifications.
- Letters of commitment that reflect each person's awareness of their role in the proposed project. Each letter should indicate a willingness to put forth the necessary time and effort to make the project work efficiently and effectively.
- Relevant prior grant experience.

6. Assurances and Certifications: If you submit your application electronically, you must complete all forms posted on Grants.gov.

If you submit your application in paper format via mail or hand delivery, you **must** fill out, have signed by the person authorized to sign for the institution, and submit the following forms:

- Assurances, Non-Construction Programs (Standard Form, 424B)
- Grants.gov Lobbying Form (formerly ED Form 80-0013)
- Disclosure of Lobbying Activities (Standard Form-LLL)
- Faith-based EEO Survey (private, nonprofit organizations only)

Note: If Item 2 of the Grants.gov Lobbying Form applies because of lobbying activities related to a previous grant, or are anticipated to occur with this project if it is funded, you must submit Standard Form LLL. If your organization does not engage in lobbying, please submit Standard Form LLL and indicate as “Not Applicable.”

Electronic versions of the Standard Form 424B and the Standard Form LLL can be downloaded via the following Web site: <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>

An electronic version of the Grants.gov Lobbying Form can be downloaded via the following Web site:

http://apply.grants.gov/apply/forms/sample/GG_LobbyingForm-V1.1.pdf

Forms and Instructions

- Program Specific Assurances
- Application for Federal Assistance (Standard Form 424)
- Department of Education Supplemental Form for the Standard Form 424
- Department of Education Budget Information – Non-Construction Programs (ED Form 524)
- Assurances-Non-Construction Programs (Standard Form 424B)
- Disclosure of Lobbying Activities (Standard Form LLL)
- Grants.gov Lobbying Form
- Faith-Based EEO Survey (nonprofit private organizations only)

Program-Specific Assurance

In addition to the standard assurances included with this application package, all applicants must review and sign the following assurances:

As the duly authorized representative of the applicant, I hereby certify that:

2. Results of student drug tests will not be disclosed to law enforcement officials;
3. Results of student drug tests will be destroyed when the student graduates or otherwise leaves the LEA or private school involved;
3. All positive drug tests will be reviewed by a certified medical review officer;
4. Legal counsel has reviewed the proposed program and advised that the program activities do not appear to violate established constitutional principles or State and Federal requirements related to implementing a student drug-testing program; and
5. All proposed activities will be carried out in accordance with the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA).

----- Signature of Authorized Certifying Official	----- Title	----- Date
----- Signature of Applicant's Attorney	----- Title	----- Date

Intergovernmental Review of Federal Programs

This grant competition is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. One of the objectives of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism. The Executive Order relies on processes developed by state and local governments for coordination and review of proposed federal financial assistance.

Applicants must contact the appropriate State Single Point of Contact to find out about, and to comply with, the state's process under Executive Order 12372. Applicants proposing to perform activities in more than one state should immediately contact the Single Point of Contact for each of those states and follow the procedure established in each state under the Executive Order. The name and address of each State Single Point of Contact is listed below. *Note: A copy of the applicant's letter to the State Single Point of Contact must be included with the application.*

To view a list of states that participate in the intergovernmental review process, visit www.whitehouse.gov/omb/grants/spoc.html.

In states that have not established a process or chosen a program for review, state, area-wide, regional, and local entities may submit comments directly to the Department.

Any state process recommendation and other comments submitted by a State Single Point of Contact and any comments from state, area-wide, regional, and local entities must be received by March 21, 2008, at the following address: The Secretary, EO 12372—CFDA #84.184D, U.S. Department of Education, 400 Maryland Avenue, SW, Room 7W300, Washington, DC 20202-0124. Recommendations or comments may be hand-delivered until 4:30:00 p.m. (Eastern Time) on March 21, 2008. Please do not send applications to this address.

States that are not listed have chosen not to participate in the intergovernmental review process, and therefore do not have a State Single Point of Contact. If you are located within one of these states, you are exempt from this requirement.

General Education Provisions Act (GEPA) Section 427

Section 427 of GEPA affects applicants for new discretionary grant awards under this program. All applicants for new awards must include information in their applications to address this provision, summarized below, in order to receive funding under this program.

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 section allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation that you may address: *gender, race, national origin, color, disability, or age*. Based on local circumstances, you can determine whether these or other barriers may prevent your students, teachers, or others from equitable access or

participation. Your description 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.

NOTE: A general statement of an applicant’s nondiscriminatory hiring policy is not sufficient to meet this requirement. Applicants must identify potential barriers and explain steps they will take to overcome these barriers.

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 eliminate barriers it identifies.

Examples

The following examples 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 audiotape 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 tends to conduct “outreach” efforts to girls to encourage their enrollment.

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 Public Reporting Burden

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for the GEPA 427 is OMB No. 1890-0007. The time required to complete GEPA 427 is estimated to average 1.5 hours per response, including the time to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: U.S. Department of Education, Office of Safe and Drug-Free Schools, 400 Maryland Avenue, SW, Washington, DC 20202-6450.

Application Preparation Checklist

Application for Federal Assistance (SF Form 424) is completed according to the instructions and includes the nine-digit D-U-N-S Number and Tax Identification Number.

All required forms are signed in black or blue ink and dated by an authorized official and the signed original is included with your submission.

One signed original and two copies of the application, including all required forms and appendices plus one voluntarily submitted additional copy, are included. All copies are unbound and each page is consecutively numbered.

Deadline Date: **March 21, 2008**. See Sections I and IV of this application package for complete application transmittal instructions and general application instructions and information.

EACH COPY OF THE APPLICATION MUST INCLUDE THE FOLLOWING:

- Application for Federal Assistance (SF Form 424) - Page 1
- Department of Education Supplemental Information Form for the SF 424
- Project Abstract - Page 2 (one page maximum)
- Project Narrative (up to 25 pages double-spaced)
- All applications must include the required forms, assurances, and certifications, including:
 - Budget Information Form (ED Form 524) and detailed budget narrative
 - Assurances, Non-Construction Programs (ED Form 424B)
 - Grants.gov Lobbying Form
 - Disclosure of Lobbying Activities (Standard Form–LLL)
 - Program Assurances
- Narrative response to GEPA 427
- Faith-Based EEO Survey
- Copy of letter to State Single Point of Contact (see page 56)
- Proof of federally negotiated indirect cost rate (if you are claiming indirect costs)
- Resumes of key personnel
- Letters of commitment
- Proof of federally negotiated indirect cost rate (if claiming indirect costs)