

Archived Information

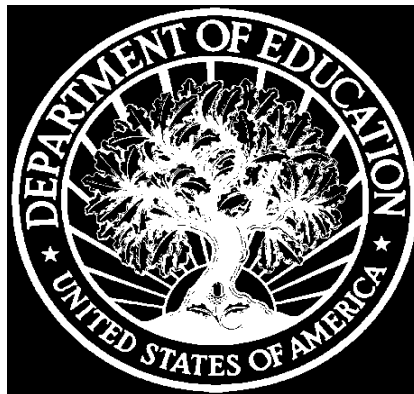
U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
WASHINGTON, D.C. 20202-2649

2005 APPLICATION KIT FOR NEW GRANTS UNDER THE REHABILITATION SERVICES ADMINISTRATION TRAINING PROGRAM

**REHABILITATION TRAINING:
SPECIAL PROGRAMS -- National Clearinghouse of
Rehabilitation Materials**

CFDA NUMBER: 84.275A

FORM APPROVED
OMB No. 1820-0018, EXP. DATE 02/28/2007
ED FORM 424, OMB APPROVED



**DATED MATERIAL - OPEN IMMEDIATELY
CLOSING DATE: June 13, 2005**

TABLE OF CONTENTS

	<u>SECTION</u>	<u>PAGE</u>
<u>Dear Applicant Letter</u>	A	A-1
<u>Important Application Information</u>	A	A-2 to A-5
<u>Division of Resource Development: Competition Manager</u>	B	B-1
<u>RSA Regional Office Training Representatives</u>	C	C-1
<u>Notice Inviting Applications for New Awards</u>	D	D-1 to D-21
<u>Title III of the Rehabilitation Act and Associated Regulations</u>	E	E-1 to E-16
o Section 302: Training		E-1
o Part 385: Rehabilitation Training		E-5
o Part 386: Rehabilitation Training-- Rehabilitation Long-Term Training		E-13
<u>Selection Criteria for Applications</u>	F	F-4
<u>Application Transmittal Instructions</u>	G	G-1
o Applications Submitted Electronically		G-1
a. "Applications Delivered by Mail"		G-1
b. " Applications Delivered by Hand/Courier Service"		G-2
o Please Note: New Electronic Submission Policy		G-2
a. " Electronic Submission is Required "		G-3
b. " Exception to Electronic Submission Requirement"		G-3
<u>Application Forms</u>	H	
Part I: Federal Assistance Face Page (ED 424)		
Part II: Budget Information		
Part III: Program Narrative and Schedule of Trainee Expense		
Part IV: Assurances, Certifications, Disclosures		
o Assurances - Non-Construction Programs		
o Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters, and Drug-Free Workplace Requirements		
o Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction		

o Disclosure of Lobbying Activities

	<u>SECTION</u>	<u>PAGE</u>
<u>Important Notices</u>	I	
o Submission of Training Materials to the National Clearinghouse (NCHRTM)		I-1
o New Provision in the Department of Education’s General Education Provisions Act (GEPA)		I-2
o Estimated Burden Statement for GEPA Requirement		I-2
o The Government Performance and Results Act (GPRA)		I-3
o Important Notice to Prospective Participants/USDE Grant and Contract Programs		I-4
o Superintendent of Documents U. S. Printing Office: Commerce Business Daily		I-5
o Executive Order 12372 - Intergovernmental Review: <u>State Single Point of Contact</u>		I-6
o Intergovernmental Review Of Federal Programs		I-7
o State Single Points Of Contact (SPOCs)		I-8 to I-11
o Survey on Ensuring Equal Opportunity for Applicants		I-12
o Survey Instructions on Ensuring Equal Opportunity for Applicants		I-13
 <u>Application Check List and Common Questions and Answers</u>	 J	
o Application Check List		J-1
o If you are unable to submit application electronically via the ED e-Application...		J-1 to J-2
o Common Questions and Answers		J-3 to J-4
o How does the invitational, competitive and absolute priorities differ?		J-4
√ Invitational Priority		J-4
√ Competitive Priority		J-4
√ Absolute Priority		J-4
o DUNS Number Instructions		J-5
o Grant Application Receipt Acknowledgment		J-6

Dear Applicant:

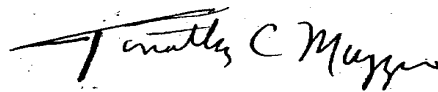
The Secretary invites new applications under the Rehabilitation Training: -- Special Programs: National Clearinghouse of Rehabilitation Materials. Please take a few moments to read this letter carefully as it includes important information related to the grant competition.

The Rehabilitation Services Administration (RSA) has funded a clearinghouse for rehabilitation training material since 1961. Over the years, the clearinghouse has facilitated the development and dissemination of material for use in the training of rehabilitation personnel. Regulations for the Rehabilitation Training program in 34 CFR 385.42 states that a set of any training materials developed under the Rehabilitation Training program must be submitted to any information clearinghouse designated by the Secretary. The project funded under this priority would be designated to receive training materials developed by other projects during the project's duration. Users of the clearinghouse cover the range of rehabilitation providers, but most frequently include State vocational rehabilitation agency personnel, rehabilitation counselors, rehabilitation educators, community rehabilitation program personnel, and advocates for individuals with disabilities.

The present competition includes a **Final Priority** that *must* be addressed by applicants. The Secretary has identified a maximum possible project period of 60 months. The Secretary believes that at least 36 months will be necessary to meet the requirements of the priority. The Secretary will assess during the third year of the project period, whether there is a need to provide funding beyond 36 months.

Applicants may contact their Regional Office Representative for Training or the Competition Manager to discuss any matters relating to this competition. Regional Office Representatives are indicated in Section C of this kit. The Competition Manager is Dr. Edward R. Smith. He may be reached by telephone at (202) 245-7602 or by E-mail at Edward.Smith@ed.gov.

Sincerely,



Timothy C. Muzzio, Ph.D.
Director
Division of Resource Development
Rehabilitation Services Administration

NOTICE OF FINAL PRIORITY

BACKGROUND:

The Rehabilitation Services Administration (RSA) has funded a clearinghouse for rehabilitation training material since 1961. Over the years, the clearinghouse has facilitated the development and dissemination of material for use in the training of rehabilitation personnel. Regulations for the Rehabilitation Training program in 34 CFR 385.42 states that a set of any training materials developed under the Rehabilitation Training program must be submitted to any information clearinghouse designated by the Secretary. The project funded under this priority would be designated to receive training materials developed by other projects during the project's duration. Users of the clearinghouse cover the range of rehabilitation providers, but most frequently include State vocational rehabilitation agency personnel, rehabilitation counselors, rehabilitation educators, community rehabilitation program personnel, and advocates for individuals with disabilities.

The Secretary has identified a maximum possible project period of 60 months. The Secretary believes that at least 36 months will be necessary to meet the requirements of the priority. The Secretary will be assessing, during the third year of the project period, whether there is a need to provide funding beyond 36 months. Under 34 CFR 75.105(c)(3) and section 302(a)(1) of the Rehabilitation Act of 1973, as amended (the Act), The Secretary gives an absolute preference to applications that meet this absolute priority:

PRIORITY:

Under 34 CFR 75.105(c)(3) and section 302(a)(1) of the Rehabilitation Act of 1973, as amended (the Act), The Secretary gives an absolute preference to applications that meet this absolute priority:

Projects must--

- Demonstrate experience and capacity to provide for a National Clearinghouse of Rehabilitation Training Materials;
- Identify and gather rehabilitation information and training materials for use in preparing pre-service and in-service education and training for rehabilitation personnel;
- Disseminate, in a cost-effective manner, rehabilitation information and state-of-the-art training materials and methods to rehabilitation personnel to assist them in achieving improved outcomes in vocational rehabilitation, supported employment, and independent living; and
- Provide linkages and policies for the exchange of information and referral to inquiries with other existing clearinghouses and information centers supported by the U.S. Department of Education, including the Education Resources Information Center and the National Rehabilitation Information Center.

Important Application Information

Several factors will result in automatic rejection of your application. Please be sure your application addresses each appropriately:

- The maximum funding levels contained in section "D" of this application kit are strictly enforced. Failure to adhere to them will result in rejection of your application.
- Part III of the application narrative, is where you, the applicant, address the selection criteria used by reviewers in evaluating the application. The applicant must limit Part III to the equivalent of no more than **50 pages**, using the following standards:
 - (1) A "page" is 8.5" x 11", on one side only with 1" margins at the top, bottom, and both sides.
 - (2) You must double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

If you use a proportional computer font, you may not use a font smaller than a 12-point font or an average character density greater than 18 characters per inch. If you use a nonproportional font or a typewriter, you may not use more than 12 characters per inch.

The page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, you must include all of the application narrative in Part III.

If, in order to meet the page limit, you use print size, spacing, or margins smaller than the standards specified in this notice, the Secretary will not consider your application for funding.

Please remember that appendix material is considered supplemental material to support or show evidence-supporting statements made in the narrative. They are neither requested nor expected to consider appendix material in rating applications.

You are required to allow your State Vocational Rehabilitation agency an opportunity to review and comment on your application. Please be sure that this requirement is documented in your application. **Failure to comply with this requirement will also result in rejection of your application.**

- Applicants must include a detailed description of strategies that will be utilized to recruit and train individuals so as to reflect the diverse populations of the United States as part of the effort to increase the number of individuals with disabilities, and individuals who are from linguistically and culturally diverse backgrounds, who are available to provide rehabilitation services. Applications lacking this information will not be reviewed.

All applicants in this competition should budget for a project director's orientation to be held in Washington, D.C., in October of each year (tentative). This meeting is usually held in conjunction with the National Rehabilitation Education Conference (jointly sponsored by RSA, the National Council on Rehabilitation Education and The Council of State Administrators of Vocational Rehabilitation). Grantees are encouraged to attend the National Rehabilitation Education Conference annually, and may use project funds for this purpose.

Applications for new projects in response to this announcement should become familiar with the

selection criteria contained in this application kit (see Section F). These criteria will be used by reviewers and Rehabilitation Services Administration (RSA) staff to evaluate all applications. Your application should respond to each identified criterion since failure to do so will put your application at a significant disadvantage.

Reviewers of applications report that an application written in a format that follows the peer review criteria and contains a separate budget section, greatly facilitates the review process.

Such a format would appear as follows:

SECTION A: Application face page

SECTION B: Budget pages/budget narrative

SECTION C: Abstract (one page)

SECTION D: Narrative (not to exceed **50** pages):

- Need for the Project
- Significance
- Quality of Project Design
- Quality of Project Service
- Quality of Project Personnel
- Adequacy of Resources
- Quality of Management Plan
- Quality of Project Evaluation

SECTION E: Appendices (assurances/certifications, one-page resumes, bibliography, letters of support, etc)

Cost sharing of at least ten percent of the total cost of the project is required of grantees under the Rehabilitation Training Program. Under 34 CFR 75.562, it is not possible for grantees to identify the difference between a negotiated indirect cost rate and the eight percent maximum indirect cost rate applicable to training grants as the non-Federal share of the cost of a project.

EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS (EDGAR)

Rehabilitation Training Program grants are subject to the requirements of the Education Department General Administrative Regulations at 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 85, 86, and 99. These regulations set forth all general rules affecting application submittal, review, grant awarding, and post-award administration of Department of Education grant programs.

Rehabilitation training projects are subject to the requirements for “Intergovernmental Review of Department of Education Programs and Activities,” found in 34 CFR Part 79 of EDGAR. If your State has established a process for intergovernmental review, you must use that process. Applicants should review the material in this kit for information on the intergovernmental review process.

APPLICATION PROCEDURES

Applicants for multi-year projects are required to provide detailed budget information for each of the five (5) project years. The Department will determine at the time of the initial award, the funding levels for each year of the grant award. RSA requires annual Performance and financial status reports, and uses those reports to determine progress and to make a decision as to whether or not to continue funding the project. These reports must be submitted to the designated RSA Project Officer.

APPLICATION TRANSMITTAL INSTRUCTIONS

Applications must be submitted electronically. You must submit your grant application through the Internet using the software provided on the e-Grants Web site (<http://e-grants.ed.gov>) by 4:30 p.m. (Washington, DC time) on the application deadline date. The regular hours of operation of the e-Grants website are 6:00 a.m. Monday until 7:00 p.m. Wednesday; and 6:00 a.m. Thursday until midnight Saturday (Washington, DC time). Please note that the system is unavailable on Sundays, and after 7:00 p.m. on Wednesday for maintenance (Washington, DC time). Any modifications to these hours are posted on the e-Grants Web site.

Applicants may contact their Regional Office Representative for Training or the Competition Manager to discuss any matters relating to this competition. Regional Office Representatives for Training are indicated in Section C of this kit. **The Competition Manager is Dr. Edward R. Smith. He can be reached by telephone at (202) 245-7602 or by e-mail at: Edward.Smith@ed.gov.**

SECTION B

DIVISION OF RESOURCE DEVELOPMENT
COMPETITION MANAGER

RSA Central Office Contact
Edward R. Smith, Rh. D.
Competition Manager
U. S. Department of Education,
Rehabilitation Services Administration
Potomac Center Plaza, 525 12th Street SW,
Washington D.C., 20202-2800.
Telephone (202) 245-7602
Fax: (202) 245-6591
E-mail: Edward.Smith@ed.gov

SECTION C

RSA Regional Representatives for Training

Region I

(CT, ME, MA, NH, RI, and VE)

Mr. John Nelson

Regional Representative for Training
U.S. Department of Education, OSERS
Rehabilitation Services Administration
J.W. McCormack Bldg, Room 502
Boston, MA 02109
Telephone: 617-223-4089
TTY: 617-223-4097
Fax : 617-223-4573
e-mail: john.nelson@ed.gov

Region II

(NJ, NY, Puerto Rico, and the Virgin Islands)

Ms. Janice Plumer

Regional Representative for Training
U.S. Department of Education, OSERS
Rehabilitation Services Administration
75 Park Place, Room 1208
New York, NY 10007
Telephone: 212-637-6446
TTY: 212-264-4028
Fax: 212-264-3029
e-mail: Janice.Plumer@ed.gov

Region III

(DE, MD, PA, VA, WV, and DC)

Dr. Ralph N. Pacinelli

Regional Commissioner
U.S. Department of Education, OSERS
Rehabilitation Services Administration
The Wanamaker Bldg, Suite 512
100 Penn Square East
Philadelphia, PA 19107
Telephone: 215-656-8531
TTY: 215-656-6186
Fax: 215-656-6188
e-mail: Ralph.Pacinelli@ed.gov

Region VII

(IA, KS, MO, and NE)

Region IV

(AL, FL, GA, KY, MS, KY, MS, NC, SC, and TN)

Ms. Mary Davis

Regional Representative for Training
U.S. Department of Education, OSERS
Rehabilitation Services Administration
61 Forsyth Street SW, Suite 18T91
Atlanta, GA 30303
Telephone: 404-562-6328
TTY: 404-562-6347
Fax: 404-562-0655
e-mail: Mary.S.Davis@ed.gov

Region V

(IL, IN, MI, OH, MN, and WI)

Ms. Jeanette Shell

Regional Representative for Training
U.S. Department of Education, OSERS
Rehabilitation Services Administration
111 North Canal Street, SU 1048
Chicago, IL 60606-7204
Telephone: 312-886-8631
Fax: 312-353-8621
e-mail: Jeanette.Shell@ed.gov

Region VI

(AR, LA, NM, OK, and TX)

Ms. Martha Garber

Regional Representative for Training
U.S. Department of Education, OSERS
Rehabilitation Services Administration
Harwood Center
1999 Bryan Street, Suite 2740
Dallas, TX 75201-6817
Telephone: 214-880-4927
TTY: 303-844-6079
Fax: 214-880-4931
e-mail: Martha.Garber@ed.gov

Region IX

(American Samoa, AZ, NV, CA,

Ms. Geraldine Harris
Regional Representative for Training
U.S. Department of Education, OSERS
Rehabilitation Services Administration
10220 North Executive Hills Blvd., 5th Fl
Kansas City, MO 64153
Telephone: 816/880-4102
TTY: 816/891-0985
Fax: 816/891-0807
e-mail: Geraldine.Harris@ed.gov

Region VIII

(CO, MT, ND, SD, UT, and WY)

Ms. Martha Garber
Regional Representative for Training
U.S. Department of Education, OSERS
Rehabilitation Services Administration
Harwood Center
1999 Bryan Street, Suite 2740
Dallas, TX 75201-6817
Telephone: 214/880-4927
TTY: 303/844-6079
Fax: 214/880-4931
e-mail: Martha.Garber@ed.gov

Commonwealth of the Northern Mariana
Islands, Guam, and HI)

Gayle E. Palumbo, Ph.D.
Regional Representative for Training
Rehabilitation Services Administration
U.S. Department of Education, OSERS
50 United Nations Plaza, Room 215
San Francisco, CA 94102
Telephone: 415-556-4071
TTY: 415-437-7845
Fax: 415-437-7848
e-mail: Gayle.Palumbo@ed.gov

Region X

(AK, ID, OR, and WA)

Ms. Kathleen West-Evans
Regional Representative for Training
U.S. Department of Education, OSERS
Rehabilitation Services Administration
915 Second Avenue, Room 2848
Seattle, WA 98174-1099
Telephone: 206/220-7848
TTY: 206/220-7849
Fax: 206/220-7842
e-mail: Kathleen.WestEvans@ed.gov

SECTION D

NOTICE INVITING APPLICATIONS FOR NEW AWARDS

4000-01-U

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services

Overview Information

Rehabilitation Training -- National Clearinghouse of

Rehabilitation Training Materials

Notice inviting applications for new awards for fiscal year

(FY) 2005.

Catalog of Federal Domestic Assistance (CFDA) Number:

84.275A

Dates:

Applications Available: April 28, 2005.

Deadline for Transmittal of Applications: June 13, 2005.

Deadline for Intergovernmental Review: August 11, 2005.

Eligible Applicants: States and public or nonprofit agencies and organizations, including Indian tribes and institutions of higher education.

Estimated Available Funds: \$300,000.

Estimated Number of Awards: 1.

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

Project Period: Up to 60 months.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The Rehabilitation Training program supports projects to ensure skilled personnel are available to provide rehabilitation services to individuals with disabilities through vocational, medical, social, and psychological rehabilitation programs, through supported employment programs, through independent living services programs, and through client assistance programs. The program supports projects to maintain and upgrade basic skills and knowledge of personnel employed to provide state-of-the-art service delivery systems and rehabilitation technology services.

Priority: This priority is from the notice of final priorities for this program, published in the Federal Register on December 5, 1994 (59 FR 62502).

Absolute Priority: For FY 2005, this priority is an absolute priority. Under 34.105(c)(3), we consider only applications that meet this priority.

This priority is:

National Clearinghouse of Rehabilitation Training Materials

The project must--

- Demonstrate experience and capacity to provide for a national clearinghouse of rehabilitation training materials;

- Identify and gather rehabilitation information and training materials for use in preparing pre-service and in-service education and training for rehabilitation personnel;

- Disseminate, in a cost-effective manner, rehabilitation information and state-of-the-art training materials and methods to rehabilitation personnel to assist them in achieving improved outcomes in vocational rehabilitation, supported employment, and independent living; and

- Provide linkages and policies for the exchange of information and referral of inquiries with other existing clearinghouses and information centers supported by the U.S. Department of Education, including the Educational Resources Information Center and the National Rehabilitation Information Center.

Program Authority: 29 U.S.C. 772.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, and 86. (b) The regulations for this program in 34 CFR part 385, except §385.31.

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: \$300,000.

Estimated Number of Awards: 1.

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

Project Period: Up to 60 months.

III. Eligibility Information

1. Eligible Applicants: States and public or nonprofit agencies and organizations, including Indian tribes and institutions of higher education.

2. Cost Sharing or Matching: A grantee must provide a match of at least 10 percent of the total cost of the project under the Rehabilitation Training -- National Clearinghouse of Rehabilitation Training Materials program (Section 302(a)(1) of the Rehabilitation Act of 1973, as amended).

Note: Under 34 CFR 75.562(c), an indirect cost reimbursement on a training grant is limited to the recipient's actual indirect costs, as determined by its negotiated indirect cost rate agreement, or eight percent of a modified total direct cost base, whichever amount is

less. Indirect costs in excess of the eight percent limit may not be charged directly, used to satisfy matching or cost-sharing requirements, or charged to another Federal award.

IV. Application and Submission Information

1. Address to Request Application Package: Education Publications Center (ED Pubs), P.O. Box 1398, Jessup, MD 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 may also contact ED Pubs at its Web site: www.ed.gov/pubs/edpubs.html or you may contact ED Pubs at its e-mail address: edpubs@inet.ed.gov

If you request an application from ED Pubs, be sure to identify this competition as follows: CFDA number 84.275A.

Individuals with disabilities may obtain a copy of the application package in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., room 5075, Potomac Center Plaza, Washington, DC 20202-2550. Telephone: (202) 245-7363. If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339.

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.

Page Limit: Part III of the application, the application narrative, is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit Part III to the equivalent of no more than 50 pages, using the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- The page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, you must include all of the application narrative in Part III.

We will reject your application if--

- You apply these standards and exceed the page limit;

or

- You apply other standards and exceed the equivalent of the page limit.

3. Submission Dates and Times:

Applications Available: April 28, 2005.

Deadline for Transmittal of Applications: June 13, 2005.

Applications for grants under this competition must be submitted electronically using the Electronic Grant Application System (e-Application) available through the Department's e-Grants system. For information (including dates and times) about how to submit your application electronically or by mail or hand delivery if you qualify for an exception to the electronic submission requirement, 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.

Deadline for Intergovernmental Review: August 11, 2005.

4. Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal

Programs under Executive Order 12372 is in the application package for this competition.

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

6. Other Submission Requirements: Applications for grants under this competition must be submitted electronically, unless you qualify for an exception to this requirement in accordance with the instructions in this section.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you 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. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under Exception to Electronic Submission Requirement.

a. Electronic Submission of Applications.

Applications for grants under Rehabilitation Training -- National Clearinghouse of Rehabilitation Training Materials--CFDA Number 84.275A must be submitted

electronically using e-Application available through the Department's e-Grants system, accessible through the e-Grants portal page at: <http://e-grants.ed.gov>

While completing your electronic application, you will be entering data online that will be saved into a database. You may not e-mail an electronic copy of a grant application to us.

Please note the following:

- You must complete the electronic submission of your grant application by 4:30 p.m., Washington, DC time, on the application deadline date. The e-Application system will not accept an application for this competition after 4:30 p.m., Washington, DC time, on the application deadline date. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application process.

- The regular hours of operation of the e-Grants Web site are 6:00 a.m. Monday until 7:00 p.m. Wednesday; and 6:00 a.m. Thursday until midnight Saturday, Washington, DC time. Please note that the system is unavailable on Sundays, and between 7:00 p.m. on Wednesdays and 6:00 a.m. on Thursdays, Washington, DC time, for maintenance. Any modifications to these hours are posted on the e-Grants Web site.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

- You must submit all documents electronically, including the Application for Federal Education Assistance (ED 424), Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications.

- Any narrative sections of your application should be attached as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format.

- Your electronic application must comply with any page limit requirements described in this notice.

- Prior to submitting your electronic application, you may wish to print a copy of it for your records.

- After you electronically submit your application, you will receive an automatic acknowledgment that will include a PR/Award number (an identifying number unique to your application).

- Within three working days after submitting your electronic application, fax a signed copy of the ED 424 to the Application Control Center after following these steps:

- (1) Print ED 424 from e-Application.

- (2) The applicant's Authorizing Representative must sign this form.

- (3) Place the PR/Award number in the upper right hand corner of the hard-copy signature page of the ED 424.

- (4) Fax the signed ED 424 to the Application Control Center at (202) 245-6272.

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

Application Deadline Date Extension in Case of e-

Application System Unavailability: If you are prevented from electronically submitting your application on the application deadline date because the e-Application system is unavailable, we will grant you an extension of one business day in order to transmit your application electronically, by mail, or by hand delivery. We will grant this extension if--

- (1) You are a registered user of e-Application and you have initiated an electronic application for this competition; and

- (2) (a) The e-Application system is unavailable for 60 minutes or more between the hours of 8:30 a.m. and 3:30

p.m., Washington, DC time, on the application deadline date;
or

(b) The e-Application system is unavailable for any period of time between 3:30 p.m. and 4:30 p.m., Washington, DC time, on the application deadline date.

We must acknowledge and confirm these periods of unavailability before granting you an extension. To request this extension or to confirm our acknowledgment of any system unavailability, you may contact either (1) the person listed elsewhere in this notice under For Further Information Contact (see VII. Agency Contact) or (2) the e-Grants help desk at 1-888-336-8930. If the system is down and therefore the application deadline is extended, an e-mail will be sent to all registered users who have initiated an e-Application. Extensions referred to in this section apply only to the unavailability of the Department's e-Application system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the e-Application system because--

- You do not have access to the Internet; or

- You do not have the capacity to upload large documents to the Department's e-Application system;

and

- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Edward Smith, U.S. Department of Education, 400 Maryland Avenue, SW., room 5027, Potomac Center Plaza, Washington, DC 20202-2800. FAX: (202) 245-7591.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. Submission of Paper Applications by Mail.

If you qualify for any exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. 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 84.275A)
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 84.275A)
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, or
- (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, or
- (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 qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You 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 84.275A)
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 4 of the ED 424 the CFDA number – and suffix letter, if any – of the competition under which you are submitting your application.

(2) The Application Control Center will mail a grant application receipt acknowledgment to you. If you do not receive the grant application receipt acknowledgment within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

V. Application Review Information

1. Selection Criteria: The selection criteria for this competition are from 34 CFR 75.210 and are in the application package.

2. Review and Selection Process: Additional factors we consider in selecting an application for an award are the geographical distribution of projects in each Rehabilitation Training Program category in the country (34 CFR 385.33(a)) and the past performance of the applicant in carrying out similar training activities under previously awarded grants, as indicated by factors such as compliance with grant conditions, soundness of programmatic and

financial management practices, and attainment of established project objectives (34 CFR 385.33(b)).

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.

4. Performance Measures: The Government Performance and Results Act (GPRA) of 1993 directs Federal departments and agencies to improve the effectiveness of their programs by engaging in strategic planning, setting outcome-related goals for programs, and measuring program results against those goals. The goals of this project are to--

- Identify and gather rehabilitation information and training materials for use in preparing pre-service and in-service education and training for rehabilitation personnel;

- Disseminate, in a cost-effective manner, rehabilitation information and state-of-the-art training materials and methods to rehabilitation personnel to assist them in achieving improved outcomes in vocational rehabilitation, supported employment, and independent living; and

- Provide linkages and policies for the exchange of information and referral of inquiries with other existing clearinghouses and information centers supported by the U.S. Department of Education, including the Education Resources

Information Center and the National Rehabilitation Information Center.

The grantee must, in their annual progress report, present the results of analysis of their performance in achieving the goals and objectives it sets forth in its application. The report must include, at a minimum, the number of requests received and filled; average time to respond to a request; and an analysis any customer satisfaction survey findings, including findings from questions about the product quality, relevance, and utility.

VII. Agency Contact

For Further Information Contact: Edward Smith, U.S.

Department of Education, 400 Maryland Avenue, SW., room 5027, Potomac Center Plaza, Washington, DC 20202-2800.

Telephone: (202) 245-7602.

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

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the program contact person listed in this section.

VIII. Other Information

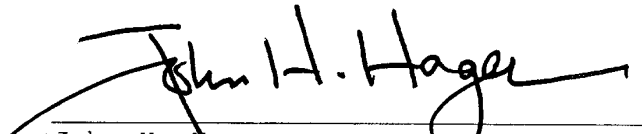
Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe

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.

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: www.gpoaccess.gov/nara/index.html

Dated:

A handwritten signature in black ink that reads "John H. Hager". The signature is written in a cursive style with a long horizontal stroke extending to the right.

John H. Hager,
Assistant Secretary
for Special Education and
Rehabilitative Services.

SECTION E

Title III of the Rehabilitation Act and Associated Regulations

TITLE III - TRAINING AND DEMONSTRATION PROJECTS

Part A - Training Programs and Community Rehabilitation Programs

Declaration of Purpose

Sec. 301. The purpose of this title is to -

- (1) authorize grants and contracts to -
 - (A) ensure that skilled personnel are available to provide rehabilitation services to individuals with disabilities through vocational, medical, social, and psychological rehabilitation programs, through supported employment programs, through independent living services programs, and through client assistance programs;
 - (B) maintain and upgrade basic skills and knowledge of personnel employed to provide state-of-the-art service delivery systems and rehabilitation technology services; and
 - (C) provide training and information to individuals with disabilities, the parents, families, guardians, advocates, and authorized representatives of the individuals, and other appropriate parties to develop the skills necessary for individuals with disabilities to access the rehabilitation system and to become active decision makers in the rehabilitation process;
- (2) authorize grants for special projects and demonstrations which hold promise of expanding or otherwise improving rehabilitation services to individuals with disabilities, including individuals with spinal cord injuries, older individuals who are blind, and individuals who are deaf whose maximum vocational potential has not been reached, which experiment with new types of patterns of services or devices for the rehabilitation of individuals with disabilities (including opportunities for new careers for individuals with disabilities, and for other individuals in programs serving individuals with disabilities) and which provide vocational rehabilitation services to migratory agricultural workers who are individuals with disabilities or seasonal farm workers who are individuals with disabilities;
- (3) authorize grants and contracts to assist in the provision of vocational rehabilitation services to individuals with disabilities;
- (4) authorize grants and contracts to assist in the development and improvement of community rehabilitation programs; and
- (5) establish uniform grant and contract requirements for programs assisted under this title and certain other provisions of this Act.

Training

Sec. 302. (a)(1) The Commissioner may make grants to and contracts with States and public or nonprofit agencies and organizations, including institutions of higher education, to pay part of the costs of projects for training, traineeships, and related activities, including the provision of technical assistance, designed to assist in increasing the numbers of qualified personnel trained in providing vocational, medical, social, and psychological rehabilitation services, and other services provided under this Act, to individuals with disabilities, including (A) personnel specifically trained in providing employment assistance to individuals with disabilities through job development and job placement services, (B) personnel specifically trained to identify, assess, and meet the individual rehabilitation needs of individuals with severe disabilities, including needs for rehabilitation technology services, (c) personnel specifically trained to deliver services to individuals who may benefit from receiving independent living services, personnel specifically trained to deliver services in the client assistance programs, (D) personnel specifically trained to deliver services, through supported employment programs, to individuals with the most severe disabilities, and (E) personnel trained in performing other functions necessary to the development of such services.

(2) Grants and contracts under paragraph (1) may be expended for scholarships, with necessary stipends and allowances.

(3) In carrying out this subsection, the Commissioner shall furnish training regarding the services provided under this Act, and, in particular, services provided in accordance with amendments made by the Rehabilitation Act Amendments of 1992, to rehabilitation counselors and other rehabilitation personnel. In carrying out this subsection, the Commissioner shall also furnish training to such counselors and personnel regarding the applicability of section 504 of this Act, title I of the Americans with Disabilities Act of 1990, and the provisions of titles II and XVI of the Social Security Act that are related to work incentives for individuals with disabilities.

(4) The Commissioner, in carrying out this subsection, shall make grants to Historically Black Colleges and Universities and other institutions of higher education whose minority student enrollment is at least 50 percent. (5) No grant shall be awarded under this section unless the applicant has submitted an application to the Commissioner in such form, and in accordance with such procedures, as the Commissioner may require. Any such application shall include a detailed description of strategies that will be utilized to recruit and train persons so as to reflect the diverse populations of the United States, as part of the effort to increase the number of individuals with disabilities, and individuals who are members of minority groups, who are available to provide rehabilitation services.

(b)(1)(A) In making such grants or contracts, the Commissioner shall target funds made available for any year to areas of personnel shortage.

(B) Projects described in subsection (a) may include -

(I) projects to train personnel in the areas of vocational rehabilitation counseling, rehabilitation technology, rehabilitation medicine, rehabilitation nursing, rehabilitation social work, rehabilitation psychiatry, rehabilitation psychology, rehabilitation dentistry, physical therapy, occupational therapy, speech pathology and audiology, physical education, therapeutic recreation, community rehabilitation programs, or prosthetics and orthotics;

(ii) projects to train personnel to provide -

(I) services to individuals with specific disabilities or specific impediments to rehabilitation, including individuals who are members of populations that are unserved or underserved by programs under this Act;

(II) job development and job placement services to individuals with disabilities;

(III) supported employment services, including services of employment specialists for individuals with disabilities;

(IV) specialized services for individuals with severe disabilities; or

(V) recreation for individuals with disabilities;

(iii) projects to train personnel in other fields contributing to the rehabilitation of individuals with disabilities;

and

(iv) projects to train personnel in the use, applications, and benefits of assistive technology devices and assistive technology services (as defined in paragraphs (2) and (3) of section 3 of the Technology-Related Assistance for Individuals With Disabilities Act of 1988 (U.S.C. 2202(2) and (3)).

(2)(A) Except as provided in subparagraph (B), no grant under this section may be used to provide any one course of study to an individual for a period of more than 4 years.

(B) If the grant recipient determines that an individual has a disability, which seriously affects the completion of training under this section, the grant recipient may modify the limitation under subparagraph (A).

(3)(A) A recipient of a grant or contract under this section shall provide assurances that each individual who receives a scholarship, for any academic year beginning after June 1, 1992, utilizing funds provided under such grant or contract shall enter into an agreement with the recipient under which the individual shall (I) maintain employment -

(I) in a nonprofit rehabilitation agency or related agency or in a State rehabilitation agency or related agency, including a professional corporation or professional practice group through which the individual has a service arrangement with the designated State agency;

(II) on a full- or part-time basis; and

(III) for a period of not less than the full-time equivalent of 2 years for each year for which assistance under this section was received, within a period, beginning after the recipient completes the training for which the scholarship was awarded, of not more than the sum of the number of years in the period described in subclause (III) and 2 additional years; and

(ii) repay all or part of any scholarship received, plus interest, if the individual does not fulfill the requirements of clause (I), except as the Commissioner by regulation may provide for repayment exceptions and deferrals.

(B) The Commissioner shall be responsible for the enforcement of each agreement entered into under subparagraph (A) upon completion of training under such subparagraph.

(c) The Commissioner shall evaluate the impact of the training programs conducted under this section, shall determine training needs for qualified personnel necessary to provide services to individuals with disabilities, and shall develop a long-term rehabilitation manpower plan designed to target resources on areas of personnel shortage. The Commissioner shall prepare and submit to the Congress by September 30 of each fiscal year a report setting forth and justifying in detail how the training funds for the fiscal year prior to such submission are allocated by professional discipline and other program areas. The report shall also contain findings on personnel shortages, how funds proposed for the succeeding fiscal year will be allocated under the President's budget proposal, and how the findings of personnel shortages justify the allocations.

(d) In carrying out subsection (a), the Commissioner shall award two grants to States, public or nonprofit private agencies and organizations, and institutions of higher education to support the development of rehabilitation technician programs. Such programs shall be designed to train local residents, who are recruited from a community historically unserved or underserved by programs providing vocational rehabilitation services under this Act, to be liaisons between the community and vocational rehabilitation counselors. Entities receiving grants to carry out projects under this subsection shall coordinate the activities carried out through the projects with the activities of State vocational rehabilitation agencies to promote the employment of the individuals trained to be rehabilitation technicians. The rehabilitation technician program shall provide a mechanism through which individuals with disabilities residing in remote, isolated settings can successfully access vocational rehabilitation services.

(e)(1) In carrying out subsection (a), the Commissioner shall award two grants to States, public or nonprofit private agencies and organizations, and institutions of higher education to support the formation of consortia or partnerships of public or nonprofit private entities for the purpose of providing opportunities for career advancement or

competency-based training to current employees of public or nonprofit private agencies that provide services to individuals with disabilities. Such opportunities shall include certificate or degree granting programs in vocational rehabilitation services and related services.

(2) An entity that receives a grant under paragraph (1) may use the grant for purposes including -

(A) establishing a program with an institution of higher education to develop creative new programs and coursework options, or to expand existing programs, concerning the fields of vocational rehabilitation services and related services, including -

(i) providing release time for faculty and staff for curriculum development;

(ii) paying for instructional costs and start-up and other program development costs;

(B) establishing a career development mentoring program using faculty and professional staff members of participating agencies as role models, career sponsors, and academic advisors for experienced State, city, and county employees, and volunteers who -

(i) have demonstrated a commitment to working in the fields described in clause (I); and

(ii) are enrolled in a program relating to such a field at an institution of higher education;

(C) supporting a wide range of programmatic and research activities aimed at increasing opportunities for career advancement and competency-based training in such fields; and

(D) identifying existing public or private agency and labor union personnel policies and benefit programs that may facilitate the ability of employees to take advantage of higher education opportunities, such as leave time and tuition reimbursement.

(3) In making grants for projects under paragraph (1), the Commissioner shall ensure that the projects shall be geographically distributed throughout the United States in urban and rural areas.

(4) The Commissioner shall, for the purpose of providing technical assistance to States or entities receiving grants under paragraph (1), enter into a cooperative agreement through a separate competition with an entity that has successfully demonstrated the capacity and expertise in the education, training, and retention of employees to serve individuals with disabilities through the use of consortia or partnerships established for the purpose of retraining the existing work force and providing opportunities for career enhancement.

(5) The Commissioner may conduct an evaluation of projects funded under this subsection.

(6) During the period in which an entity is receiving financial assistance under paragraph (1), the entity may not receive financial assistance under paragraph (4).

(f)(1) For the purpose of training a sufficient number of interpreters to meet the communications needs of individuals who are deaf and individuals who are deaf-blind, the Secretary, through the Office of Deafness and Communicative Disorders may award grants to any public or private nonprofit agency or organization to establish interpreter training programs or to provide financial assistance for ongoing interpreter training programs. The Secretary shall award grants for programs in such geographic areas throughout the United States as the Secretary considers appropriate to best carry out the purpose of this section. Priority shall be given to public or private nonprofit agencies or organizations with existing programs that have demonstrated their capacity for providing interpreter-training services.

(2) No grant shall be awarded under paragraph (1) unless the applicant has submitted an application to the Secretary in such form, and in accordance with such procedures, as the Secretary may require. Any such application shall -

(A) describe the manner in which an interpreter-training program would be developed and operated during the five-year period following the award of any grant under this section;

(B) demonstrate the applicant's capacity or potential for providing training for interpreters for individuals who are deaf and individuals who are deaf-blind;

(C) provide assurances that any interpreter trained or retrained under such program shall meet such minimum standards of competency as the Secretary may establish for purposes of this section; and

(D) contain such other information as the Secretary may require.

(g)(1) The Commissioner is authorized to provide technical assistance to State rehabilitation agencies and community rehabilitation programs, directly or through contracts with State vocational rehabilitation agencies or non-profit organizations.

(2) An expert or consultant appointed or serving under contract pursuant to this section shall be compensated at a rate subject to approval of the Commissioner, which shall not exceed the daily equivalent of the rate of pay for level 4 of the Senior Executive Service Schedule under section 5382 of title 5, United States Code. Such an expert or consultant may be allowed travel and transportation expenses in accordance with section 5703 of Title 5, the United States Code.

(3)(A) Subject to subparagraph (B), at least 15 percent of the sums appropriated to carry out this section shall be allocated to designated State agencies to be used, directly or indirectly, for projects for in-service training of rehabilitation personnel, including projects designed (i) to address recruitment and retention of qualified rehabilitation professionals; (ii) to provide for succession planning; (iii) to provide for leadership development and capacity building; and (iv) for fiscal years 1993 and 1994, to provide training on the amendments to this Act made by the Rehabilitation Act Amendments of 1992.

(B) If the allocation to designated State agencies required by subparagraph (A) would result in a lower level of funding for projects being carried out on the date of enactment of the Rehabilitation Act Amendments of 1992 by

other recipients of funds under this section, the Commissioner may allocate less than 15 percent of the sums described in subparagraph (A) to designated State agencies for such in-service training.

(h) There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 1993 through 1997.

(I)(1) Consistent with paragraph (2), and consistent with the general authority set forth in this section to fund training activities, nothing in this Act shall be construed to prohibit the Commissioner from exercising authority under this title, or making available funds appropriated to carry out this title, to fund the training activities.

The Rehabilitation Act and Associated Regulations

Sec. 302. Training

(a) Grants and Contracts for Personnel Training

(1) Authority

The Commissioner shall make grants to, and enter into contracts with, States and public or nonprofit agencies and organizations (including institutions of higher education) to pay part of the cost of projects to provide training, traineeships, and related activities, including the provision of technical assistance, that are designed to assist in increasing the numbers of, and upgrading the skills of, qualified personnel (especially rehabilitation counselors) who are trained in providing vocational, medical, social, and psychological rehabilitation services, who are trained to assist individuals with communication and related disorders, who are trained to provide other services provided under this Act, to individuals with disabilities, and who may include--

(A) personnel specifically trained in providing employment assistance to individuals with disabilities through job development and job placement services;

(B) personnel specifically trained to identify, assess, and meet the individual rehabilitation needs of individuals with disabilities, including needs for rehabilitation technology;

(C) personnel specifically trained to deliver services to individuals who may benefit from receiving independent living services;

(D) personnel specifically trained to deliver services in the client assistance programs;

(E) personnel specifically trained to deliver services, through supported employment programs, to individuals with a most significant disability; and

(F) personnel specifically trained to deliver services to individuals with disabilities pursuing self-employment, business ownership, and telecommuting; and

(G) personnel trained in performing other functions necessary to the provision of vocational, medical, social, and psychological rehabilitation services, and other services provided under this Act.

(2) Authority to provide scholarships

Grants and contracts under paragraph (1) may be expended for scholarships and may include necessary stipends and allowances.

(3) Related federal statutes

In carrying out this subsection, the Commissioner may make grants to and enter into contracts with States and public or nonprofit agencies and organizations, including institutions of higher education, to furnish training regarding provisions of Federal statutes, including section 504, title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.), and the provisions of titles II and XVI of the Social Security Act (42 U.S.C. 401 et seq. and 1381 et seq.), that are related to work incentives for individuals with disabilities.

(4) Training for statewide workforce systems personnel

The Commissioner may make grants to and enter into contracts under this subsection with States and public or nonprofit agencies and organizations, including institutions of higher education, to furnish training to personnel providing services to individuals with disabilities under title I of the Workforce Investment Act of 1998. Under this paragraph, personnel may be trained--

(A) in evaluative skills to determine whether an individual with a disability may be served by the State vocational rehabilitation program or another component of a statewide workforce investment system; or

(B) to assist individuals with disabilities seeking assistance through one-stop delivery systems described in section 134(c) of the Workforce Investment Act of 1998.

(5) Joint funding

Training and other activities provided under paragraph (4) for personnel may be jointly funded with the Department of Labor, using funds made available under title I of the Workforce Investment Act of 1998.

(b) Grants and Contracts for Academic Degrees and Academic Certificate Granting Training Projects

(1) Authority

(A) In general

The Commissioner may make grants to, and enter into contracts with, States and public or nonprofit agencies and organizations (including institutions of higher education) to pay part of the costs of academic training projects to provide training that leads to an academic degree or academic certificate. In making such grants or entering into such contracts, the Commissioner shall target funds to areas determined under subsection (e) to have shortages of qualified personnel.

(B) Types of projects

Academic training projects described in this subsection may include--

(i) projects to train personnel in the areas of assisting and supporting individuals with disabilities pursuing self-employment, business ownership, and telecommuting, and of vocational rehabilitation counseling, rehabilitation technology, rehabilitation medicine, rehabilitation nursing, rehabilitation social work, rehabilitation psychiatry, rehabilitation psychology, rehabilitation dentistry, physical therapy, occupational therapy, speech pathology and audiology, physical education, therapeutic recreation, community rehabilitation programs, or prosthetics and orthotics;

(ii) projects to train personnel to provide--

(I) services to individuals with specific disabilities or individuals with disabilities who have specific impediments to rehabilitation, including individuals who are members of populations that are unserved or underserved by programs under this Act;

(II) job development and job placement services to individuals with disabilities;

(III) supported employment services, including services of employment specialists for individuals with disabilities;

(IV) specialized services for individuals with significant disabilities; or

(V) recreation for individuals with disabilities;

(iii) projects to train personnel in other fields contributing to the rehabilitation of individuals with disabilities; and

(iv) projects to train personnel in the use, applications, and benefits of rehabilitation technology.

(2) Application

No grant shall be awarded or contract entered into under this subsection unless the applicant has submitted to the Commissioner an application at such time, in such form, in accordance with such procedures, and including such information as the Secretary may require, including--

(A) a description of how the designated State unit or units will participate in the project to be funded under the grant or contract, including, as appropriate, participation on advisory committees, as practicum sites, in curriculum development, and in other ways so as to build

closer relationships between the applicant and the designated State unit and to encourage students to pursue careers in public vocational rehabilitation programs;

(B) the identification of potential employers that provide employment that meets the requirements of paragraph (5)(A)(i); and

(C) an assurance that data on the employment of graduates or trainees who participate in the project is accurate.

(3) Limitation

(A) In general

Except as provided in subparagraph (B), no grant or contract under this subsection may be used to provide any one course of study to an individual for a period of more than 4 years.

(B) Exception

If a grant or contract recipient under this subsection determines that an individual has a disability which seriously affects the completion of training under this subsection, the grant or contract recipient may extend the period referred to in subparagraph (A).

(4) Authority to provide scholarships

Grants and contracts under paragraph (1) may be expanded to provide services that include the provision of scholarships and necessary stipends and allowances.

(5) Agreements

(A) Contents

A recipient of a grant or contract under this subsection shall provide assurances to the Commissioner that each individual who receives a scholarship, for any academic year beginning after June 1, 1992, utilizing funds provided under such grant or contract shall enter into an agreement with the recipient under which the individual shall--

(i) maintain employment--

(I) in a nonprofit rehabilitation agency or related agency or in a State rehabilitation agency or related agency, including a professional corporation or professional practice group through which the individual has a service arrangement with the designated State agency;

(II) on a full- or part-time basis; and

(III) for a period of not less than the full-time equivalent of 2 years for each year for which assistance under this section was received by the individual, within a period, beginning after the recipient completes the training for which the scholarship was awarded, of not more than the sum of the number of years in the period described in sub clause (III) and 2 additional years; and

(ii) repay all or part of any scholarship received, plus interest, if the individual does not fulfill the requirements of clause (i), except as the Commissioner by regulation may provide for repayment exceptions and deferrals.

(B) Enforcement

The Commissioner shall be responsible for the enforcement of each agreement entered into under subparagraph (A) upon completion of the training involved under such subparagraph.

(c) Grants to Historically Black Colleges and Universities

The Commissioner, in carrying out this section, shall make grants to historically Black colleges and universities and other institutions of higher education whose minority student enrollment is at least 50 percent of the total enrollment of the institution.

(d) Application

A grant may not be awarded to a State or other organization under this section unless the State or organization has submitted an application to the Commissioner at such time, in such form, in accordance with such procedures, and containing such information as the Commissioner may

require. Any such application shall include a detailed description of strategies that will be utilized to recruit and train individuals so as to reflect the diverse populations of the United States as part of the effort to increase the number of individuals with disabilities, and individuals who are from linguistically and culturally diverse backgrounds, which are available to provide rehabilitation services.

(e) Evaluation and Collection of Data

The Commissioner shall evaluate the impact of the training programs conducted under this section, and collect information on the training needs of, and data on shortages of qualified personnel necessary to provide services to individuals with disabilities. The Commissioner shall prepare and submit to Congress, by September 30 of each fiscal year, a report setting forth and justifying in detail how the funds made available for training under this section for the fiscal year prior to such submission are allocated by professional discipline and other program areas. The report shall also contain findings on such personnel shortages, how funds proposed for the succeeding fiscal year will be allocated under the President's budget proposal, and how the findings on personnel shortages justify the allocations.

PROGRAM REGULATIONS

PART 385--REHABILITATION TRAINING

Subpart A--General

Sec.

- 385.1 What is the Rehabilitation Training program?
- 385.2 Who is eligible for assistance under these programs?
- 385.3 What regulations apply to these programs?
- 385.4 What definitions apply to these programs?

Subpart B--[Reserved]

Subpart C--How Does One Apply For a Grant

Sec.

- 385.20 What are the application procedures for these programs?

Subpart D--How Does the Secretary Make a Grant?

Sec.

- 385.30 [Reserved]
- 385.31 How does the Secretary evaluate an application?
- 385.33 What other factors does the Secretary consider in reviewing an application?

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

Sec.

- 385.40 What are the requirements pertaining to the membership of a project advisory committee?
- 385.41 What are the requirements affecting the collection of data from designated State agencies?
- 385.42 What are the requirements affecting the dissemination of training materials?
- 385.43 What requirements apply to the training of rehabilitation counselors and other rehabilitation personnel?
- 385.44 What requirement applies to the training of individuals with disabilities?
- 385.45 What additional application requirements apply to the training of individuals for rehabilitation careers?
- 385.46 What limitations apply to the rate of pay for experts or consultants appointed or serving under contract under the Rehabilitation Training program?
Authority: 29 U.S.C. 711(c), 772, and 774, unless otherwise noted.
Source: 45 FR 86379, Dec. 30, 1980, unless otherwise noted.

Subpart A--General

Sec.

- 385.1 What is the Rehabilitation Training program?
 - (a) The Rehabilitation Training program is designed to--
 - (1) Ensure that skilled personnel are available to provide rehabilitation services to individuals with disabilities through vocational, medical, social, and psychological rehabilitation programs, through supported employment programs, through independent living services programs, and through client assistance programs;
 - (2) Maintain and upgrade basic skills and knowledge of personnel employed to provide state-of-the-art service delivery systems and rehabilitation technology services; and
 - (3) Provide training and information to individuals with disabilities, the parents, families, guardians, advocates, and authorized representatives of the individuals, and other appropriate

parties to develop the skills necessary for individuals with disabilities to access the rehabilitation system and to become active decision makers in the rehabilitation process.

(b) The Secretary awards grants and contracts to pay part of the costs of projects for training, trainee ships, and related activities, including the provision of technical assistance, to assist in increasing the numbers of qualified personnel trained in providing rehabilitation services and other services provided under the Act, to individuals with disabilities. Financial assistance is provided through six categories of training programs:

- (1) Rehabilitation Long-Term Training (34 CFR Part 386).
- (2) Experimental and Innovative Training (34 CFR Part 387).
- (3) State Vocational Rehabilitation Unit In-Service Training (34 CFR Part 388).
- (4) Rehabilitation Continuing Education Programs (34 CFR Part 389).
- (5) Rehabilitation Short-Term Training (34 CFR Part 390).
- (6) Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind (34 CFR Part 396).

(Authority: Secs. 301 and 302 of the Act; 29 U.S.C. 770 and 774)
[59 FR 8344, Feb. 18, 1994]

Sec. 385.2 Who is eligible for assistance under these programs?

States and public or nonprofit agencies and organizations, including Indian tribes and institutions of higher education, are eligible for assistance under the Rehabilitation Training program.

(Authority: Secs. 7(19) and 302 of the Act; 29 U.S.C. 706(19) and 774)
[59 FR 8345, Feb. 18, 1994]

Sec. 385.3 What regulations apply to these programs?

The following regulations apply to the Rehabilitation Training program:

- (a) The Education Department General Administrative Regulations (EDGAR) as follows:
- (1) 34 CFR Part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).
 - (2) 34 CFR Part 75 (Direct Grant Programs).
 - (3) 34 CFR Part 77 (Definitions That Apply to Department Regulations).
 - (4) 34 CFR Part 79 (Intergovernmental Review of Department of Education Programs and Activities).
 - (5) 34 CFR Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).
 - (6) 34 CFR Part 81 (General Education Provisions Act - Enforcement).
 - (7) 34 CFR Part 82 (New Restrictions on Lobbying).
 - (8) 34 CFR Part 85 (Government wide Debarment and Suspension (Nonprocurement) and Government wide Requirements for Drug-Free Workplace (Grants)).
 - (9) 34 CFR Part 86 (Drug-Free Schools and Campuses).
- (b) The regulations in this Part 385.
- (c) The regulations in 34 CFR Parts 386, 387, 388, 389, 390, and 396, as appropriate.

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)
[59 FR 8345, Feb. 18, 1994]

Sec. 385.4 What definitions apply to these programs?

(a) The following definitions in 34 CFR Part 77 apply to the programs under the Rehabilitation Training Program--

- "Applicant"
- "Application"
- "Award"
- "Budget Period"
- "Department"
- "EDGAR"

"Nonprofit"
"Private"
"Project"
"Project Period"
"Public"
"Secretary"

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

(b) The following definitions also apply to programs under the Rehabilitation Training program:

Act means the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as amended.

Assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

Assistive technology service means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. The term includes--

- (1) The evaluation of the needs of an individual with a disability, including a functional evaluation of the individual in the individual's customary environment;
- (2) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities;
- (3) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices;
- (4) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- (5) Training or technical assistance for an individual with disabilities, or, if appropriate, the family of an individual with disabilities; and
- (6) Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities.

Community rehabilitation program means a program that provides directly or facilitates the provision of vocational rehabilitation services to individuals with disabilities, and that provides, singly or in combination, for an individual with a disability to enable the individual to maximize opportunities for employment, including career advancement--

- (1) Medical, psychiatric, psychological, social, and vocational services that are provided under one management;
 - (2) Testing, fitting, or training in the use of prosthetic and orthotic devices;
 - (3) Recreational therapy;
 - (4) Physical and occupational therapy;
 - (5) Speech, language, and hearing therapy;
 - (6) Psychiatric, psychological, and social services, including positive behavior management;
 - (7) Assessment for determining eligibility and vocational rehabilitation needs;
 - (8) Rehabilitation technology;
 - (9) Job development, placement, and retention services;
 - (10) Evaluation or control of specific disabilities;
 - (11) Orientation and mobility services for individuals who are blind;
 - (12) Extended employment;
 - (13) Psychosocial rehabilitation services;
 - (14) Supported employment services and extended services;
 - (15) Services to family members when necessary to the vocational rehabilitation of the individual;
 - (16) Personal assistance services; or
 - (17) Services similar to the services described in paragraphs (1) through (16) of this definition.
- Designated State agency means an agency designated under section 101(a)(1)(A) of the Act.

Designated State unit means (1) Any State agency unit required under section 101(a)(2)(A) of the Act, or (2) In cases in which no State agency unit is required, the State agency described in section 101(a)(2)(B)(I) of the Act.

Independent living core services means--

- (1) Information and referral services;
- (2) Independent living skills training;
- (3) Peer counseling, including cross-disability peer counseling; and
- (4) Individual and systems advocacy.

Independent living services includes--

- (1) Independent living core services; and
- (2)(i) Counseling services, including psychological, psychotherapeutic, and related services;
- (ii) Services related to securing housing or shelter, including services related to community group living, and supportive of the purposes of this Act and of the titles of this Act, and adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with disabilities);
- (iii) Rehabilitation technology;
- (iv) Mobility training;
- (v) Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services;
- (vi) Personal assistance services, including attendant care and the training of personnel providing these services;
- (vii) Surveys, directories, and other activities to identify appropriate housing, recreation opportunities, and accessible transportation, and other support services;
- (viii) Consumer information programs on rehabilitation and independent living services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act;
- (ix) Education and training necessary for living in the community and participating in community activities;
- (x) Supported living;
- (xi) Transportation, including referral and assistance for transportation;
- (xii) Physical rehabilitation;
- (xiii) Therapeutic treatment;
- (xiv) Provision of needed prostheses and other appliances and devices;
- (xv) Individual and group social and recreational services;
- (xvi) Training to develop skills specifically designed for youths who are individuals with disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options;
- (xvii) Services for children;
- (xviii) Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with disabilities;
- (xvix) Appropriate preventive services to decrease the need of individuals assisted under this Act for similar services in the future;
- (xx) Community awareness programs to enhance the understanding and integration of individuals with disabilities; and
- (xxi) Such other services as may be necessary and not inconsistent with the provisions of this Act.

Individual with a disability means any individual who--

- (1) Has a physical or mental impairment, which for that individual constitutes or results in a substantial impediment to employment; and
- (2) Can benefit in terms of an employment outcome from vocational rehabilitation services provided pursuant to titles I, II, III, VI, or VIII of the Act.

Individual with a severe disability means an individual with a disability--

- (1) Who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;
- (2) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(3) Who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia and other spinal cord conditions, sickle-cell anemia, specific learning disabilities, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitation.

Institution of higher education has the meaning given the term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

Personal assistance services means a range of services provided by one or more persons designed to assist an individual with a disability to perform daily living activities on or off the job that the individual would typically perform if the individual did not have a disability. The services shall be designed to increase the individual's control in life and ability to perform everyday activities on or off the job.

Qualified personnel: (1) For designated State agencies or designated State units, means personnel who have met standards that are consistent with existing national or State approved or recognized certification, licensing, registration, or other comparable requirements that apply to the area in which such personnel are providing vocational rehabilitation services.

(2) For other than designated State agencies or designated State units, means personnel who have met existing State certification or licensure requirements, or in the absence of State requirements, have met professionally accepted requirements established by national certification boards.

Rehabilitation technology means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of and address the barriers confronted by individuals with disabilities in areas that include education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services.

State includes, in addition to each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands and the Republic of Palau (until the Compact of Free Association with Palau takes effect).

Stipend means financial assistance on behalf of individuals in support of their training, as opposed to salary payment for services provided within the project.

Supported employment means--

(1) Competitive work in integrated work settings for individuals with the most severe disabilities--

(I)(A) For whom competitive employment has not traditionally occurred; or

(B) For whom competitive employment has been interrupted or intermittent as a result of a severe disability; and

(ii) Who, because of the nature and severity of their disability, need intensive supported employment services from the designated State unit and extended services after transition in order to perform this work.

(2) Transitional employment for individuals with the most severe disabilities due to mental illness.

Supported employment services means ongoing support services and other appropriate services needed to support and maintain an individual with most severe disability in supported employment, that are--

(1) Provided singly or in combination and are organized and made available in such a way as to assist an eligible individual in entering or maintaining integrated, competitive employment;

(2) Based on a determination of the needs of an eligible individual, as specified in an individualized written rehabilitation program; and

(3) Provided by the designated State unit for a period of time not to extend beyond 18 months, unless under special circumstances the eligible individual and the rehabilitation counselor or coordinator jointly agree to extend the time in order to achieve the rehabilitation objectives identified in the individualized written rehabilitation program.

Vocational rehabilitation services means the same as the term is defined in 34 CFR 369.4(b). (Authority: Secs. 7, 12(c), and 101(a)(7) of the Act; 29 U.S.C. 706, 711(c), and 721(a)(7)) [45 FR 86379, Dec. 30, 1980, as amended at 50 FR 38631, Sept. 23, 1985; 53 FR 17146, May 13, 1988; 59 FR 8345, Feb. 18, 1994]

Subpart B--[Reserved]

Subpart C--How Does One Apply for a Grant?

Sec. 385.20 What are the application procedures for these programs?

The Secretary gives the designated State agency an opportunity to review and comment on applications submitted from within the State that it serves. The procedures to be followed by the applicant and the State are in EDGAR Secs. 75.155-75.159.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))
[45 FR 86379, Dec. 30, 1980, as amended at 59 FR 8347, Feb. 18, 1994]

Subpart D--How Does the Secretary Make a Grant?

Sec. 385.30 [Reserved]

Sec. 385.31 How does the Secretary evaluate an application?

(a) The Secretary evaluates each applications under the procedures in 34 CFR Part 75.

(b) The Secretary evaluates each application using selection criteria identified in Parts 386, 387, 388, 389 and 390, as appropriate.

(c) In addition to the selection criteria described in paragraph (b) of this section, the Secretary evaluates each application using--

(1) Selection criteria in 34 CFR 75.210;

(2) Selection criteria established under 34 CFR 75.209; or

(3) A combination of selection criteria established under 34 CFR 75.209 and selection criteria in 34 CFR 75.210

(Authority: 29 U.S.C. 711(c))

Sec. 385.33 What other factors does the Secretary consider in reviewing an application?

In addition to the selection criteria listed in Sec. 75.210 and Parts 386 through 390, the Secretary, in making awards under this program, considers such factors as--

(a) The geographical distribution of projects in each Rehabilitation Training Program category throughout the country; and

(b) The past performance of the applicant in carrying out similar training activities under previously awarded grants, as indicated by such factors as compliance with grant conditions, soundness of programmatic and financial management practices and attainment of established project objectives.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

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

Sec. 385.40 What are the requirements pertaining to the membership of a project advisory committee?

If a project funded under 34 CFR parts 386 through 390 or 396 establishes an advisory committee, its membership must include individuals with disabilities or parents, family members, guardians, advocates, or other authorized representatives of the individuals; members

of minority groups; trainees; and providers of vocational rehabilitation and independent living rehabilitation services.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))
[59 FR 8347, Feb. 18, 1994]

Sec. 385.41 What are the requirements affecting the collection of data from designated State agencies?

If the collection of data is necessary from individuals with disabilities being served by two or more designated State agencies or from employees of two or more of these agencies, the project director must submit requests for the data to appropriate representatives of the affected agencies, as determined by the Secretary. This requirement also applies to employed project staff and individuals enrolled in courses of study supported under these programs.

(Authority: Sec. 12(C) of the Act; 29 U.S.C. 711(c))
[45 FR 86379, Dec. 30, 1980, as amended at 53 FR 17147, May 13, 1988; 59 FR 8347, Feb. 18, 1994]

Sec. 385.42 What are the requirements affecting the dissemination of training materials?

A set of any training materials developed under the Rehabilitation Training Program must be submitted to any information clearinghouse designated by the Secretary.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

Sec. 385.43 What requirements apply to the training of rehabilitation counselors and other rehabilitation personnel?

Any grantee who provides training of rehabilitation counselors or other rehabilitation personnel under any of the programs in 34 CFR parts 386 through 390 shall train those counselors and personnel on the services provided under this Act, and, in particular, services provided in accordance with amendments made by the Rehabilitation Act Amendments of 1992. The grantee shall also furnish training to these counselors and personnel regarding the applicability of section 504 of this Act, title I of the Americans with Disabilities Act of 1990, and the provisions of titles II and XVI of the Social Security Act that are related to work incentives for individuals with disabilities.

(Authority: Sec. 302(a)(3) of the Act; 29 U.S.C. 774(a)(3))
[59 FR 8347, Feb. 18, 1994]

Sec. 385.44 What requirement applies to the training of individuals with disabilities?

Any grantee or contractor who provides training under any of the programs in 34 CFR parts 386 through 390 and 396 shall give due regard to the training of individuals with disabilities as part of its effort to increase the number of qualified personnel available to provide rehabilitation services.

(Authority: Sec. 302(a)(1) of the Act; 29 U.S.C. 774(a)(1))
[59 FR 8347, Feb. 18, 1994]

Sec. 385.45 What additional application requirements apply to the training of individuals for rehabilitation careers?

(a) All applicants for a grant or contract to provide training under any of the programs in 34 CFR parts 386 through 390 and 396 shall demonstrate how the training they plan to provide will prepare rehabilitation professionals to address the needs of individuals with disabilities from minority backgrounds.

(b) All applicants for a grant under any of the programs in 34 CFR parts 386 through 390 and 396 shall include a detailed description of strategies that will be utilized to recruit and train persons so as to reflect the diverse populations of the United States, as part of the effort to increase the number of individuals with disabilities, and individuals who are members of minority groups, who are available to provide rehabilitation services.

(Authority: Secs. 21(b)(5) and 302(a)(5) of the Act; 29 U.S.C. 718b(b)(6) and 774(a)(6))
(Approved by the Office of Management and Budget under control number 1820-0018)
[59 FR 8347, Feb. 18, 1994, as amended at 59 FR 33680, June 30, 1994]

Sec. 385.46 What limitations apply to the rate of pay for experts or consultants appointed or serving under contract under the Rehabilitation Training program?

An expert or consultant appointed or serving under contract pursuant to this section shall be compensated at a rate subject to approval of the Commissioner, which shall not exceed the daily equivalent of the rate of pay for level 4 of the Senior Executive Service Schedule under section 5382 of title 5, United States Code. Such an expert or consultant may be allowed travel and transportation expenses in accordance with section 5703 of title 5, United States Code.

(Authority: Sec. 302(g)(2) of the Act; 29 U.S.C. 774(g)(2))

[59 FR 8347, Feb. 18, 1994].

SECTION F

SELECTION CRITERIA for APPLICATION

Selection Criteria for Applications

The Secretary uses the following selection criteria to evaluate applications for new grants under this competition. The maximum score for all of these criteria is 100 points. The maximum score for each criterion is indicated in parentheses. Because no points are assigned to the selected factors, the Secretary evaluates each factor within each criterion equally.

The criteria are--

NEED FOR THE PROJECT (15 points)

- (1) The Secretary considers the need for the proposed project.
- (2) In determining the need for the proposed project, the Secretary considers one or more of the following factors:
 - (i) The magnitude or severity of the problem to be addressed by the proposed project.
 - (ii) The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project.
 - (iii) The extent to which the proposed project will focus on serving or otherwise addressing the needs of disadvantaged individuals.
 - (iv) The extent to which the proposed project will prepare personnel for fields in which shortages have been demonstrated.

SIGNIFICANCE (10 points)

- (1) The Secretary considers the significance of the proposed project.
- (2) In determining the significance of the proposed project, the Secretary considers one or more of the following factors:
 - (i) The national significance of the proposed project.
 - (ii) The significance of the problem or issue to be addressed by the proposed project.
 - (iii) The potential contribution of the proposed project to increased knowledge or understanding of rehabilitation problems, issues, or effective strategies.
 - (iv) The potential contribution of the proposed project to the development and advancement of theory, knowledge, and practices in the field of study.
 - (v) The extent to which the proposed project is likely to yield findings that may be utilized by other appropriate agencies and organizations.
 - (vi) The extent to which the proposed project is likely to build local capacity to provide, improve or expand services that address the needs of the target population.
 - (vii) The likely utility of the products (such as information, materials, processes, or techniques) that will result from the proposed project, including the potential for their being used effectively in a variety of other settings.
 - (viii) The extent to which the results of the proposed project are to be disseminated in ways that will enable others to use the information or strategies.
 - (ix) The importance or magnitude of the results or outcomes likely to be attained by the proposed project especially improvements in employment, independent living services, or both, as appropriate.

(x) The importance or magnitude of the results or outcomes likely to be attained by the proposed project.

QUALITY OF THE PROJECT DESIGN (10 points)

(1) The Secretary considers the quality of the design of the proposed project.

(2) In determining the quality of the design of the proposed project, the Secretary considers one or more of the following factors:

(i) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

(ii) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs.

(iii) The extent to which the design of the proposed project includes a thorough, high-quality review of the relevant literature, a high-quality plan for project implementation, and the use of appropriate methodological tools to ensure successful achievement of project objectives.

(iv) The extent to which the design for implementing and evaluating the proposed project will result in information to guide possible replication of project activities or strategies, including information about the effectiveness of the approach or strategies employed by the project.

(v) The extent to which the proposed project represents an exceptional approach for meeting statutory purposes and requirements.

(vi) The extent to which the proposed project represents an exceptional approach to the priority or priorities established for the competition.

(vii) The extent to which the proposed project will establish linkages with other appropriate agencies and organizations providing services to the target population.

QUALITY OF PROJECT SERVICES (15 points)

(1) The Secretary considers the quality of the services to be provided by the proposed project.

(2) In determining the quality of the services to be provided by the proposed project, the Secretary considers the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(3) In addition, the Secretary considers one or more of the following factors:

(i) The extent to which the training or professional development services to be provided by the proposed project are of sufficient quality, intensity, and duration to lead to improvements in practice among the recipients of those services.

(ii) The extent to which the training or professional development services to be provided by the proposed project are likely to alleviate the personnel shortages that have been identified or are the focus of the proposed project.

(iii) The likelihood that the services to be provided by the proposed project will lead to improvements in the skills necessary to gain employment or build capacity for independent living.

(iv) The extent to which the services to be provided by the proposed project are focused on those with greatest needs.

QUALITY OF PROJECT PERSONNEL (10 points)

(1) The Secretary considers the quality of the personnel who will carry out the proposed project.

(2) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or

disability.

(3) In addition, the Secretary considers one or more of the following factors:

- (i) The qualifications, including relevant training and experience, of the project director or principal investigator.
- (ii) The qualifications, including relevant training and experience, of key project personnel.
- (iii) The qualifications, including relevant training and experience, of project consultants or subcontractors.

ADEQUACY OF RESOURCES (10 points)

(1) The Secretary considers the adequacy of resources for the proposed project.

(2) In determining the adequacy of resources for the proposed project, the Secretary considers one or more of the following factors:

- (i) The adequacy of support, including facilities, equipment, supplies, and other resources, from the applicant organization or the lead applicant organization.
- (ii) The relevance and demonstrated commitment of each partner in the proposed project to the implementation and success of the project.
- (iii) The extent to which the budget is adequate to support the proposed project.
- (iv) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the propose project
- (v) The extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits.

QUALITY OF THE MANAGE PLAN (15 points)

(1) The Secretary considers the quality of the management plan for the proposed project.

(2) In determining the quality of the management plan for the proposed project, the Secretary considers one or more of the following factors:

- (i) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.
- (ii) The adequacy of procedures for ensuring feedback and continuous improvement in the operation of the proposed project.
- (iii) The adequacy of mechanisms for ensuring high quality products and services from the proposed project.
- (iv) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.
- (v) How the applicant will ensure that a diverse of perspectives are brought to bear in the operation of the proposed project, including those of parents, teachers, the business community, a variety of disciplinary and professional fields, recipients or beneficiaries of services, or other, as appropriate.

QUALITY OF THE PROJECT EVALUATION (15 points)

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

(2) In determining the quality of the evaluation, the Secretary considers one or more of the following factors:

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

(ii) The extent to which the methods of evaluation are appropriate to the context within which the project operates.

(iii) The extent to which the methods of evaluation provide for examining the effectiveness of project implementation strategies.

(iv) 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 and will produce quantitative and qualitative data to the extent possible.

(v) The extent to which the methods of evaluation will provide timely guidance for quality assurance.

(vii) The extent to which the methods of evaluation will provide guidance about effective strategies suitable for replication or testing in other settings.

SECTION G

APPLICATION TRANSMITTAL INSTRUCTIONS

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.

An original and two copies of an application for an award must be mailed or hand-delivered by the application deadline date unless it is submitted electronically.

Applications Submitted Electronically

You must submit your grant application through the Internet using the software provided on the e-Grants Web site (<http://e-grants.ed.gov>) by 4:30 p.m. (Washington, DC time) on the application deadline date. The regular hours of operation of the e-Grants website are 6:00 a.m. Monday until 7:00 p.m. Wednesday; and 6:00 a.m. Thursday until midnight Saturday (Washington, DC time). Please note that the system is unavailable on Sundays, and after 7:00 p.m. on Wednesday for maintenance (Washington, DC time). Any modifications to these hours are posted on the e-Grants Web site.

If you submit your application through the Internet via the e-Grants Web site, you will receive an automatic acknowledgment when we receive your application.

Applications Delivered by Mail

Applications sent by mail must be addressed to:

**U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.275A)
400 Maryland Avenue, SW.
Washington, D.C. 20202-4260**

Applicants 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 U.S. Secretary of Education

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

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

Applicants should note that 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.

If you send your application by mail or if you or your courier delivers it by hand, the Application Control Center will mail a Grant Application Receipt Acknowledgment to you. If you do not receive the notification of application receipt within 15 days from the mailing of the application, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

You must indicate on the envelope and—if not provided by the Department—in Item 4 of the Application for Federal Education Assistance (ED 424 (exp. OMB APPROVED) the CFDA number – and suffix letter, if any – of the competition under which you are submitting your application.

If your application is late, we will notify you that we will not consider the application.

Applications Delivered by Hand/Courier Service

An application that is hand-delivered must be taken to:

**U.S. Department of Education
Application Control Center (CFDA: 84.275A)
Room 7041
Potomac Center Plaza
550 12th Street, SW.
Washington, D.C. 20202**

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

PLEASE NOTE – NEW ELECTRONIC SUBMISSION POLICY

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

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

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, by mail or hand

delivery, if you are unable to submit an application through the electronic application system designated in the Federal Register notice because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the system;

and

- *No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date. (Please follow the fax instructions found in the Federal Register notice for this competition. Also, your paper application must be submitted in accordance with the mail or hand delivery instructions also described in the Federal Register notice for this grant competition.)*

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

SECTION H

APPLICATION FORMS

**U.S. Department of Education
Office of Special Education and Rehabilitative Services**

**REHABILITATION SERVICES ADMINISTRATION
INSTRUCTIONS FOR AN APPLICATION FOR FEDERAL ASSISTANCE
(Nonconstruction Programs)**

The enclosed forms shall be used by all applicants for Federal Assistance under all Rehabilitation Services Administration programs. A separate application must be submitted for each grant sought. No grant may be awarded unless the completed application forms have been received. If an item does not appear to be relevant to the assistance requested, write "NA" for not applicable.

This application consists of four parts. These parts are organized in the same manner that the submitted application should be organized. These parts are as follows:

- Part I** - Federal Assistance Application Face Page
- Part II** - Budget Information
- Part III** - Program Narrative
- Part IV** - Assurances, Certifications and Disclosures

Each submitted application must include an index or table of contents and a one-page project abstract. Pages should be consecutively numbered.

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 this information collection is 1820-0018. The time required to complete this information collection is estimated to average 40 hours per response, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Under terms of the Paperwork Reduction Act of 1980, as amended, and the regulations implementing that Act, the Department of Education invites comment on the public reporting burden in this collection of information. You may send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, Information Management and Compliance Division, Washington, D.C. 20202-4651; and to the Office of Management and Budget, Paperwork Reduction Project 1820-0018, Washington, D.C. 20503.

Application for Federal Education Assistance (ED 424)



U.S. Department of Education

Form Approved
OMB No. 1890-0017
OMB APPROVED

Applicant Information

1. Name and Address

Legal Name: _____

Address: _____

Organizational Unit

City _____ State _____ County _____ ZIP Code + 4 _____

2. Applicant's D-U-N-S Number | | | | | | | | | | | | | | | |

6. Novice Applicant Yes No

3. Applicant's T-I-N | | | | - | | | | | | | | | | | |

7. Is the applicant delinquent on any Federal debt? Yes No
(If "Yes," attach an explanation.)

4. Catalog of Federal Domestic Assistance #: 84. | | | | | | | | | |

Title: _____

8. Type of Applicant (Enter appropriate letter in the box.) | ____/

- A - State
- B - Local
- C - Special District
- D - Indian Tribe
- E - Individual
- F - Independent School District
- G - Public College or University
- H - Private, Non-profit College or University
- I - Non-profit Organization
- J - Private, Profit-Making Organization

K - Other (Specify): _____

5. Project Director: _____

Address: _____

City _____ State _____ Zip code + 4 _____

Tel. #: () _____ - _____ Fax #: () _____ - _____

9. State Application Identifier _____

E-Mail Address: _____

Application Information

10. Type of Submission:

- PreApplication Construction
- Application Construction
- Non-Construction
- Non-Construction

13. Are any research activities involving human subjects planned at any time during the proposed project period?
 Yes (Go to 13a.) No (Go to item 14.)

11. Is application subject to review by Executive Order 12372 process?

Yes (Date made available to the Executive Order 12372 process for review): ____/____/____

No (If "No," check appropriate box below.)
 Program is not covered by E.O. 12372.
 Program has not been selected by State for review.

13a. Are all the research activities proposed designated to be exempt from the regulations?
 Yes (Provide Exemption(s) #): _____

No (Provide Assurance #): _____

12. Proposed Project Dates: ____/____/____

Start Date: _____ End Date: _____

14. Descriptive Title of Applicant's Project: _____

Estimated Funding

- 15a. Federal \$ _____ .00
- b. Applicant \$ _____ .00
- c. State \$ _____ .00
- d. Local \$ _____ .00
- e. Other \$ _____ .00
- f. Program Income \$ _____ .00
- g. TOTAL \$ _____ .00

Authorized Representative Information

16. To the best of my knowledge and belief, all data in this preapplication/application are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.

a. Authorized Representative (Please type or print name clearly.) _____

b. Title: _____

c. Tel. #: () _____ - _____ Fax #: () _____ - _____

d. E-Mail Address: _____

e. Signature of Authorized Representative _____

Date: ____/____/____

Instructions for Form ED 424

- 1. Legal Name and Address.** Enter the legal name of applicant and the name of the primary organizational unit, which will undertake the assistance activity.
- 2. D-U-N-S Number.** Enter the applicant's D-U-N-S Number. If your organization does not have a D-U-N-S Number, you can obtain the number by calling 1-800-333-0505 or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL: <http://www.dnb.com>.
- 3. Tax Identification Number.** Enter the taxpayer's identification number as assigned by the Internal Revenue Service.
- 4. Catalog of Federal Domestic Assistance (CFDA) Number.** Enter the CFDA number and title of the program under which assistance is requested. The CFDA number can be found in the federal register notice and the application package.
- 5. Project Director.** Name, address, telephone and fax numbers, and e-mail address of the person to be contacted on matters involving this application.
- 6. Novice Applicant.** Check "Yes" or "No" only if assistance is being requested under a program that gives special consideration to novice applicants. Otherwise, **leave blank.**

Check "Yes" if you meet the requirements for novice applicants specified in the regulations in 34 CFR 75.225 and included on the attached page entitled "Definitions for Form ED 424." By checking "Yes" the applicant certifies that it meets these novice applicant requirements. Check "No" if you do not meet the requirements for novice applicants.
- 7. Federal Debt Delinquency.** Check "Yes" if the applicant's organization is delinquent on any Federal debt. (This question refers to the applicant's organization and not to the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.) Otherwise, check "No."
- 8. Type of Applicant.** Enter the appropriate letter in the box provided.
- 9. State Application Identifier.** State use only (if applicable).
- 10. Type of Submission.** See "Definitions for Form ED 424" attached.
- 11. Executive Order 12372.** See "Definitions for Form ED 424" attached. Check "Yes" if the application is subject to review by E.O. 12372. Also, please enter the month, day, and four (4) digit year (mm/dd/yyyy). Otherwise, check "No."
- 12. Proposed Project Dates.** Please enter the month, day, and four (4) digit year (mm/dd/yyyy).
- 13. Human Subjects Research.** (See I.A. "Definitions" in attached page entitled "Definitions for Form ED 424.")

If Not Human Subjects Research. Check "No" if research activities involving human subjects are not planned at any time during the proposed project period. The remaining parts of Item 12 are then not applicable.

If Human Subjects Research. Check "Yes" if research activities involving human subjects are planned at any time during the proposed project period, either at the applicant organization or at any other performance site or collaborating institution. Check "Yes" even if the research is exempt from the regulations for the protection of human subjects. (See I.B. "Exemptions" in attached page entitled "Definitions for Form ED 424.")

13a. If Human Subjects Research is Exempt from the Human Subjects Regulations. Check "Yes" if all the research activities proposed are designated to be exempt from the regulations. Insert the exemption number(s) corresponding to one or more of the six exemption categories listed in I.B. "Exemptions." In addition, follow the instructions in II.A. "Exempt Research Narrative" in the attached page entitled "Definitions for Form ED 424." Insert this narrative immediately following the ED 424 face page.

13a. If Human Subjects Research is Not Exempt from Human Subjects Regulations. Check "No" if some or all of the planned research activities is covered (not exempt). In addition, follow the instructions in II.B. "Nonexempt Research Narrative" in the page entitled "Definitions for Form ED 424." Insert this narrative immediately following the ED 424 face page.

13a. Human Subjects Assurance Number. If the applicant has an approved Federal Wide (FWA) or Multiple Project Assurance (MPA) with the Office for Human Research Protections (OHRP), U.S. Department of Health and Human Services, that covers the specific activity, insert the number in the space provided. If the applicant does not have an approved assurance on file with OHRP, enter "None." In this case, the applicant, by signature on the face page, is declaring that it will comply with 34 CFR 97 and proceed to obtain the human subjects assurance upon request by the designated ED official. If the application is recommended/selected for funding, the designated ED official will request that the applicant obtain the assurance within 30 days after the specific formal request.

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

14. Project Title. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

15. Estimated Funding. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate **only** the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.

16. Certification. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. Be sure to enter the telephone and fax number and e-mail address of the authorized representative. Also, in item 15e, please enter the month, day, and four (4) digit year (mm/dd/yyyy) in the date signed field.

Paperwork Burden Statement. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1875-0106. The time required to complete this information collection is estimated to average between 15 and 45 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 20202-4700. **If you have comments or concerns regarding the status of your individual submission of this form write directly to:** Joyce I. Mays, Application Control Center, U.S. Department of Education, Potomac Center Plaza, 550 12th Street SW, Room 7076, Washington, DC 20202-4260.

Definitions for Form ED 424

Novice Applicant (See 34 CFR 75.225). For discretionary grant programs under which the Secretary gives special consideration to novice applications, a novice applicant means any applicant for a grant from ED that—

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

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

Type of Submission. "Construction" includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings, or any combination of such activities (including architects' fees and the cost of acquisition of land). "Construction" also includes remodeling to meet standards, remodeling designed to conserve energy, renovation or remodeling to accommodate new technologies, and the purchase of existing historic buildings for conversion to public libraries. For the purposes of this paragraph, the term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them; and such term includes all other items necessary for the functioning of a particular facility as a facility for the provision of library services.

Executive Order 12372. The purpose of Executive Order 12372 is to foster an intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The application notice, as published in the Federal Register, informs the applicant as to whether the program is subject to the requirements of E.O. 12372. In addition, the application package contains information on the State Single Point of Contact. An applicant is still eligible to apply for a grant or grants even if its respective State, Territory, Commonwealth, etc. does not have a State Single Point of Contact. For additional information on E.O. 12372 go to http://12.46.245.173/pls/portal30/catalog.REQ_FOR_12372.show

PROTECTION OF HUMAN SUBJECTS IN RESEARCH

I. Definitions and Exemptions

A. Definitions.

A research activity involves human subjects if the activity is research, as defined in the Department's regulations, and the

research activity will involve use of human subjects, as defined in the regulations.

—Research

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

—Human Subject

The regulations define human subject as "a living individual about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information." (1) *If an activity involves obtaining information about a living person by manipulating that person or that person's environment, as might occur when a new instructional technique is tested, or by communicating or interacting with the individual, as occurs with surveys and interviews, the definition of human subject is met.* (2) *If an activity involves obtaining private information about a living person in such a way that the information can be linked to that individual (the identity of the subject is or may be readily determined by the investigator or associated with the information), the definition of human subject is met.* [Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (for example, a school health record).]

B. Exemptions.

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

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (a) research on regular and special education instructional strategies, or (b) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (a) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. *If the subjects are children,*

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

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior that is not exempt under section (2) above, if the human subjects are elected or appointed public officials or candidates for public office; or federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

(5) Research and demonstration projects which are conducted by or subject to the approval of department or agency heads, and which are designed to study, evaluate, or otherwise examine: (a) public benefit or service programs; (b) procedures for obtaining benefits or services under those programs; (c) possible changes in or alternatives to those programs or procedures; or (d) possible changes in methods or levels of payment for benefits or services under those programs.

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

II. Instructions for Exempt and Nonexempt Human Subjects Research Narratives

If the applicant marked “Yes” for Item 12 on the ED 424, the applicant must provide a human subjects “exempt research” or “nonexempt research” narrative and insert it immediately following the ED 424 face page.

A. Exempt Research Narrative.

If you marked “Yes” for item 12 a. and designated exemption numbers(s), provide the “exempt research” narrative. The narrative must contain sufficient information about the involvement of human subjects in the proposed research to allow a determination by ED that the designated exemption(s) are appropriate. The narrative must be succinct.

B. Nonexempt Research Narrative.

If you marked “No” for item 12 a. you must provide the “nonexempt research” narrative. The narrative must address the following seven points. Although no specific page limitation applies to this section of the application, be succinct.

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

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

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

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

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

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

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

Copies of the Department of Education’s Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Grants Policy and Oversight Staff, Office of the Chief Financial Officer, U.S. Department of Education, Washington, D.C. 20202-4250, telephone: (202) 245-6120, and on the U.S. Department of Education’s Protection of Human Subjects

in Research Web Site at
<http://www.ed.gov/about/offices/list/ocfo/humansub.html>



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

OMB Control Number: 1890-0004
Expiration Date: 10-31-2007

Name of Institution/Organization

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

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

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

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

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

(1) Do you have an Indirect Cost Rate Agreement approved by the Federal government? Yes No

(2) If yes, please provide the following information:

Period Covered by the Indirect Cost Rate Agreement: From: ___/___/___ To: ___/___/___ (mm/dd/yyyy)

Approving Federal agency: ED Other (please specify): _____

(3) For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:

Is included in your approved Indirect Cost Rate Agreement? or Complies with 34 CFR 76.564(c)(2)?

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

**SECTION B - BUDGET SUMMARY
NON-FEDERAL FUNDS**

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

SECTION C – BUDGET NARRATIVE (see instructions)

Instructions for ED 524

General Instructions

This form is used to apply to individual U.S. Department of Education (ED) discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable program specific instructions, if attached. Please consult with your Business Office prior to submitting this form.

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

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

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

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

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

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

Indirect Cost Information:

If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. (1): Indicate whether or not your organization has an Indirect Cost Rate Agreement that was approved by the Federal government. (2): If you checked "yes" in (1), indicate in (2) the beginning and ending dates covered by the Indirect Cost Rate Agreement. In addition, indicate whether ED or another Federal agency (Other) issued the approved agreement. If you check "Other," specify the name of the Federal agency that issued the approved agreement. (3): If you are applying for a grant under a Restricted Rate Program (34 CFR 75.563 or 76.563), indicate whether you are using a restricted indirect cost rate that is included on your approved Indirect Cost Rate Agreement or whether you are using a restricted indirect cost rate that complies with

34 CFR 76.564(c)(2). Note: State or Local government agencies may not use the provision for a restricted indirect cost rate specified in 34 CFR 76.564(c)(2). Check only one response. Leave blank, if this item is not applicable.

Section B - Budget Summary Non-Federal Funds

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

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

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

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

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

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

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B. For grant projects that will be divided into two or more separately budgeted major activities or sub-projects, show for each budget category of a project year the breakdown of the specific expenses attributable to each sub-project or activity.
2. If applicable to this program, provide the rate and base on which fringe benefits are calculated.
3. If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. Specify the estimated amount of the

base to which the indirect cost rate is applied and the total indirect expense. Depending on the grant program to which you are applying and/or your approved Indirect Cost Rate Agreement, some direct cost budget categories in your grant application budget may not be included in the base and multiplied by your indirect cost rate. For example, you must multiply the indirect cost rates of "Training grants" (34 CFR 75.562) and grants under programs with "Supplement not Supplant" requirements ("Restricted Rate" programs) by a "modified total direct cost" (MTDC) base (34 CFR 75.563 or 76.563). Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied.

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

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

4. Provide other explanations or comments you deem necessary.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0004. The time required to complete this information collection is estimated to vary from 13 to 22 hours per response, with an average of 17.5 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to (insert program office), U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Additional Indirect Cost Information and Example for Training Grants

If you are applying for a discretionary grant that the U.S. Department of Education considers to be a “Training grant,” your indirect cost reimbursement is limited. See the Education Department General Administration Regulations (EDGAR), 34 CFR 75.562, Indirect cost rates for educational training projects at: <http://www.ed.gov/policy/fund/reg/edgarReg/edlite-part75e.html>

Indirect cost reimbursement on ED training grants is limited to the grantee’s actual indirect costs as determined by the grantee’s negotiated indirect cost rate agreement or 8% of a modified total direct cost base, **whichever is less**. Indirect costs in excess of the 8% limit may not be charged directly, used to satisfy matching or cost-sharing requirements, or charged to another Federal award.

For the purposes of calculating indirect costs for training grants, EDGAR, §75.562(c), defines a modified total direct cost base as:

“total direct costs less stipends, tuition and related fees, and capital expenditures of \$5,000 or more.”

Note: This limitation on indirect cost reimbursement for training grants does not apply to agencies of State or local governments, including federally recognized Indian tribal governments. However, the 8% limit applies to cost-type contracts under grants, if these contracts are for training as defined in EDGAR, §75.562(a).

Below is a simplified example for calculating indirect costs for a training grant using the budget categories from the ED 524 form, Budget Information – Non-construction Programs. The ED 524 and Instructions can be found at: <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>

For the purposes of this example, 8% of a modified total direct cost base is used to calculate indirect costs.

1. Personnel	174,000
2. Fringe Benefits	50,000
3. Travel	10,000
4. Equipment	8,200
5. Supplies	920
6. Contractual	4,900
7. Construction	-
8. Other (Tuition)	5,400
9. Total Direct Costs	<u>253,420</u>

Calculate Modified Total Direct Cost Base

Total Direct Costs 253,420

Less:

Equipment 8,200

Tuition 5,400

13,600

Modified Total Direct Cost Base:	239,820
----------------------------------	---------

Multiply \$239,820 by 8%: 19,186

10. Indirect Costs	19,186
11. Training Stipends	6,300
12. Total Costs	<u>278,906</u>

PART III - PROGRAM NARRATIVE AND SCHEDULE OF TRAINEE EXPENSE

Prepare the Program Narrative in accordance with the following instructions. Before preparing the Program Narrative, applicants should carefully review the program regulations contained in this application package, paying special attention to the selection criteria. The Program Narrative must respond to the special emphasis of the specific program for which grant support is being requested and the selection criteria identified in the program regulations.

In addition, applicants should read the applicable parts of the Education Department General Administrative Regulations (EDGAR), 34 CFR. These regulations set forth all general rules affecting application submittal, review, grant award, and post-award administration for Department of Education grant programs.

The recent reauthorize version of the Rehabilitation Act of 1973, as amended, includes three new requirements for all applicants under the Rehabilitation Long-Term Training program. Each of these must be addressed in your application. Applications that do not include the following information will not be funded:

- (A) a description of how the designed State unit or units will participate in the project to be funded under the grant or contract, including, as appropriate, participation on advisory committees, as practicum sites, in curriculum development, and in other ways so as to build closer relationships between the applicant and the designated State unit and to encourage students to pursue careers in public vocational rehabilitation programs;
- (B) the identification of potential employers that provide employment that meets the payback requirements of the Act (see next bullet); and
- (C) an assurance that data on the employment of graduates or trainees who participate in the project is accurate.

NOTE: Applicants should refer to the Dear Applicant Letter. It cites the appropriate sections of the program regulations and the applicable parts of EDGAR. The texts of all necessary program statutes and regulations are included in the Rules and Regulations Section of this application package.

Limit the Program Narrative to 50 pages, double-spaced, and number pages consecutively. See the Dear Applicant Letter (Section A) for the format. The narrative should be written concisely. Only the required information should be submitted. If appendices or other supplemental materials are included, they must be kept to a minimum and must substantiate what is proposed in the narrative, e.g., the results of a needs survey or letters of commitment from organizations that will have significant involvement with the project. Please remember that peer reviewers are instructed that appendix material is to be considered supplemental material to support or show evidence-supporting statements made in the narrative. They are neither requested nor expected to consider appendix material in rating applications. All vitae should be limited to one page in length showing the source and date of earned degrees, experience relevant to working with individuals who are disabled and the person's direct relationship to the project, e.g., how the person will function in the project. Also, use spring clips or rubber bands to hold the application together. Do not use binders, folders, and staples as they must be removed before duplicating applications.

NOTE: Funded projects will be required to report evaluation findings in the annual progress report (as part of the continuation application) and in the final report at the conclusion of the project.

IF APPLICABLE, PROVIDE THE FOLLOWING INFORMATION:

- (a) If a rehabilitation project is in its final year of support and refunding for a new project is being requested, provide a progress report that includes a discussion of all accomplishments to date in achieving project objectives and a schedule of accomplishments or milestones anticipated with the new funding request.
- (b) A listing showing the Federal Domestic Assistance Catalog number, status, and amount of each project where there is related previous, pending or anticipated assistance

Table One

Schedule of Trainee Expenses (84.129 , 84.246 and 84.263 only)

(Complete this form for the upcoming project year only. For example, if your application is for a new project, complete this form for year one projections only. If your application is for a second year continuation, complete this form for year two projections, etc.)

Applicant Name: _____

Scholar Information for Project Year (e.g., 93-94, 94-95 etc): _____

Level of Training	Total number of scholars to receive support under grant (see note 1)	Number of full-time equivalent scholars Supported under grant (see note 2)	Total amount of grant funds for tuition	Total amount of grant funds for stipends	Total amount of grant funds for other direct scholar costs (see note 3)
Bachelors					
Masters					
Doctoral					
Post-Doc fellowship					
Medical student					
Resident					
Post-residency fellowship					
Other (specify): _____					

Non-academic Post-Employment Education: Total number of trainees: _____

Note 1: Anticipated number of students to receive any (full or partial) support under the grant.

Note 2: If the grant includes partial support for some students, translate the support into full-time equivalents.

Note 3: Total amount of grant funds for other direct scholar expenses such as fees or travel.

Notes :

Certification of Eligibility for Federal Assistance in Certain Programs

I understand that 34 CFR 75.60, 75.61, and 75.62 require that I make specific certifications of eligibility to the U.S. Department of Education (ED) as a condition of applying for Federal funds in certain programs and that these requirements are in addition to any other eligibility requirements that ED imposes under program regulations. Under 34 CFR 75.60 – 75.62:

I. I certify that:

A. I do not owe a debt, or I am current in repaying a debt, or I am not in default (as that term is used at 34 CFR Part 668) on a debt:

1. To the Federal Government under a nonprocurement transaction (e.g., a previous loan, scholarship, grant, or cooperative agreement); or
2. For a fellowship, scholarship, stipend, discretionary grant, or loan in any program of ED that is subject to 34 CFR 75.60, 75.61, and 75.62, including:

- Federal Pell Grant Program (20 U.S.C. 1070a, et seq.);
- Federal Supplemental Educational Opportunity Grant (SEOG) Program (20 U.S.C. 1070(b), et seq.);
- State Student Incentive Grant Program (SSIG) 20 U.S.C. 1070c, et seq.);
- Federal Perkins Loan Program (20 U.S.C. 1087aa, et seq.);
- Income Contingent Direct Loan Demonstration Project (20 U.S.C. 1087a, note);
- Federal Stafford Loan Program, Federal Supplemental Loans for Students [SLS], Federal PLUS, or
- Federal Consolidation Loan Program (20 U.S.C. 1071, et seq.);
- William D. Ford Federal Direct Loan Program (20 U.S.C. 1087a, et seq.);
- Cuban Student Loan Program (20 U.S.C. 2601, et seq.);
- Robert C. Byrd Honors Scholarship Program (20 U.S.C. 1070d-31, et seq.);
- Jacob K. Javits Fellows Program (20 U.S.C. 1134h-1134l);
- Patricia Roberts Harris Fellowship Program (20 U.S.C. 1134d-1134g);
- Christa McAuliffe Fellowship Program (20 U.S.C. 1105-1105i);
- Bilingual Education Fellowship Program (20 U.S.C. 3221-3262);
- Rehabilitation Long-Term Training Program (29 U.S.C. 774(b));
- Paul Douglas Teacher Scholarship Program (20 U.S.C. 1104, et seq.);
- Law Enforcement Education Program (42 U.S.C. 3775);
- Indian Fellowship Program (29 U.S.C. 774(b));
- Teacher Quality Enhancement Grants Program (20 U.S.C. 1021, et seq.);

OR

B. I have made arrangements satisfactory to ED to repay a debt as described in A.1. or A.2. (above) on which I had not been current in repaying or on which I was in default (as that term is used in 34 CFR Part 668).

II. I certify also that I have not been declared by a judge, as a condition of sentencing under section 5301 of the Anti-Drug Abuse Act of 1988 (21 U.S.C. 862), ineligible to receive Federal assistance for the period of this requested funding.

I understand that providing a false certification to any of the statements above makes me liable for repayment to ED for funds received on the basis of this certification, for civil penalties, and for criminal prosecution under 18 U.S.C. 1001.

(Signature)

(Date)

(Typed or Printed Name)

Name or number of ED program under which this certification is being made:

ASSURANCES - NON-CONSTRUCTION PROGRAMS

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

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

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

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

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction sub agreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, AAudits of States, Local Governments, and Non-Profit Organizations.≡
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

CERTIFICATION REGARDING LOBBYING

Applicants must review the requirements for certification regarding lobbying included in the regulations cited below before completing this form. Applicants must sign this form to comply with the certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying." This certification is a material representation of fact upon which the Department of Education relies when it makes a grant or enters into a cooperative agreement.

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a Federal contract, grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- (c) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including sub grants and contracts under grants and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certification.

NAME OF APPLICANT	PR/AWARD NUMBER AND / OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF APPLICANT	PR/AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

Disclosure of Lobbying Activities

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

(See reverse for public burden disclosure)

<p>1. Type of Federal Action: a. contract _____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance</p>	<p>2. Status of Federal Action: a. bid/offer/application _____ b. initial award c. post-award</p>	<p>3. Report Type: a. initial filing _____ b. material change</p> <p>For material change only: Year _____ quarter _____ Date of last report _____</p>
<p>1. Name and Address of Reporting Entity: _____ Prime _____ Subawardee Tier _____, if Known:</p> <p>Congressional District, if known:</p>		<p>2. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>Congressional District, if known:</p>
<p>6. Federal Department/Agency:</p>	<p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable: _____</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known:</p> <p>\$ _____</p>	
<p>10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):</p>	<p>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):</p>	
<p>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____</p>	
<p>Federal Use Only</p>	<p>Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)</p>	

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, 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 this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

SECTION I

IMPORTANT INFORMATION AND NOTICES

NOTICE REGARDING SUBMISSION OF TRAINING MATERIALS TO THE NATIONAL CLEARINGHOUSE OF REHABILITATION TRAINING MATERIALS

For a number of years the Rehabilitation Services Administration (RSA) has provided funding for a National Clearinghouse Rehabilitation Training Materials (NCHRTM). The purpose of the NCHRTM is to provide training materials that would benefit rehabilitation personnel. NCHRTM promotes a computerized on-line catalog of RSA training materials by circulation of its materials collection through electronic catalogs and inventory systems.

The success of the NCHRTM depends largely upon training projects sharing their materials with the NCHRTM. To this end, RSA requires training grantees to submit any training materials developed for their projects to:

THE NATIONAL CLEARINGHOUSE ON REHABILITATION TRAINING MATERIALS

Charles E. Feasley, Ph. D.

Director

National Clearinghouse of Rehabilitation

Training Materials

Oklahoma State University

206 West Sixth Street

Stillwater, OK 74078-4080

(website: <http://www.nchrtm.okstate.edu>)

Our phone numbers are:

Toll Free: 800-223-5219

Main Line: 405-744-2000

TDD: 405-744-2002

Fax: 405-744-2001

(Exp. 11/30/2007)

NOTICE TO ALL APPLICANTS

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

To Whom Does This Provision Apply?

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

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

What Does This Provision Require?

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

description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

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

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

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

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

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

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1890-0007**. The time required to complete this information collection is estimated to average 1.5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** Director, Grants Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue, SW., Washington, DC 20202-4250.

**NOTICE TO ALL APPLICANTS:
The Government Performance and Results Act (GPRA)**

What is GPRA?

The Government Performance and Results Act (GPRA) of 1993 is a straightforward statute that requires all Federal agencies to manage their activities with attention to the consequences of those activities. Each agency is to clearly state what intends to accomplish, identify the resources required, and periodically report their progress to the Congress. In doing so, it is expected that GPRA will contribute to improvements in accountability for the expenditures of public funds, improve Congressional decision-making through more objective information on the effectiveness of Federal programs, and promote a new government focus on results, service delivery, and customer satisfaction.

How has the United States Department of Education Responded to the GPRA Requirements?

As required by GPRA, the United States Department of Education (the Department) has prepared a strategic plan for 1998-2002. This plan reflects the Department's priorities and integrates them with its mission and program authorities and describes how the Department will work to improve education for all children and adults in the United States. The Department's goals, as listed in the plan, are:

- Goal 1:** Help all students reach challenging academic standards so that they are prepared for responsible citizenship, further learning, and productive employment.
- Goal 2:** Build a solid foundation for learning for all children.
- Goal 3:** Ensure access to postsecondary education and lifelong learning.
- Goal 4:** Make the United States Department of Education a high performance organization by focusing on results, service quality, and customer satisfaction.

**IMPORTANT NOTICE TO PROSPECTIVE PARTICIPANTS
IN U.S. DEPARTMENT OF EDUCATION
GRANT AND CONTRACT PROGRAMS**

GRANTS

Applicants for grants from the U.S. Department of Education (ED) have to compete for limited funds. Deadlines assure all applicants that they will be treated fairly and equally, without last minute haste. For these reasons, ED must set strict deadlines for grant applications. Prospective applicants can avoid disappointment if they understand that:

Failure to meet a deadline will mean that an applicant will be rejected without any consideration.

The rules, including the deadline, for applying for each grant are published, individually, in the Federal Register. A one-year subscription to the Register may be obtained by sending \$555.00 to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402-9371. (Send check or money order only, no cash or stamps.) In addition, the Federal Register is available on-line for free on Government Printing Office (GPO) Access: <http://www.gpoaccess.gov/fr/index.html>. Depository Library location and Federal Register services: <http://www.archives.gov/>.

The instructions in the Federal Register must be followed exactly. Do not accept any other advice you may receive. No ED employee is authorized to extend any deadline published in the Register. No ED employees are authorized to extend any deadline published in the Federal Register. Questions regarding submission of applications may be addressed to:

**U.S. Department of Education
Application Control Center
Washington, D.C. 20202-4725**

CONTRACTS

Competitive procurement actions undertaken by the ED are governed by the Federal Acquisition Regulations and implementing Department of Education Acquisition Regulations.

Generally, prospective competitive procurement actions are synopsisized in the Commerce Business Daily (CBD). Prospective offerors are therein advised of the nature of the procurement and where to apply for copies of the Request for Proposals (RFP). All of ED's RFP's are now available on-line for downloading at the following url: www.ed.gov/offices/ocfo/contracts/currrfp.html.

Offerors are advised to be guided solely by the contents of the CBD synopsis and the instructions contained in the RFP. Questions regarding the submission of offers should be addressed to the Contracts Specialist identified on the face page of the RFP. Offers are judged in competition with others, and failure to conform with any substantive requirements of the RFP will result in rejection of the offer without any consideration whatever.

Do not accept any advice you receive that is contrary to instructions contained in either the CBD synopsis or the RFP. No ED employee is authorized to consider a proposal which is non-responsive to the RFP. A subscription to the CBD is available for \$208.00 per year via second class mailing or \$261.00 per year via first class mailing. Information included in the Federal Acquisition Regulation is contained in Title 48, Code of Federal Regulations, Chapter 1 (\$49.00). The foregoing publication may be obtained by sending your check or money order only, no cash or stamps, to:

**Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402-9371**

In addition, the Commerce Business Daily is available on-line for free at the following url: <http://cbdnet.access.gpo.gov/>. The Federal Acquisition Regulations are available on-line at the following url: <http://www.arnet.gov/far/> In an effort to be certain this important information is widely disseminated, this notice is being included in all ED mail to the public. You may therefore, receive more than one notice. If you do, we apologize for any annoyance it may cause you.

ED FORM 5348, ¾

Appendix

Intergovernmental Review of Federal Programs

This appendix applies to each program that is subject to the requirements of Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations in 34 CFR part 79.

The objective of the Executive order is to foster an intergovernmental partnership and to strengthen federalism by relying on State and local processes for State and local government 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 of those States under the Executive order. A listing containing the Single Point of Contact for each State is included in this appendix.

In States that have not established a process or chosen a program for review, State, areawide, 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, areawide, regional, and local entities must be mailed or hand-delivered by the date indicated in the actual application notice to the following address: The Secretary, EO 12372--CFDA# [commenter must insert number--including suffix letter, if any], U.S. Department of Education, room 7W301, 400 Maryland Avenue, SW., Washington, DC 20202.

Proof of mailing will be determined on the same basis as applications (see 34 CFR 75.102). Recommendations or comments may be hand-delivered until 4:30 p.m. (Washington, DC time) on the date indicated in the actual application notice.

PLEASE NOTE THAT THE ABOVE ADDRESS IS NOT THE SAME ADDRESS AS THE ONE TO WHICH THE APPLICANT SUBMITS ITS COMPLETED APPLICATION. DO NOT SEND APPLICATIONS TO THE ABOVE ADDRESS.

<p>ARKANSAS Tracy L. Copeland Manager, State Clearinghouse Office of Intergovernmental Services Department of Finance and Administration 1515 W. 7th Street, Room 412 Little Rock, Arkansas 72203 Telephone: (501) 682-1074 FAX: (501) 682-5206 tracy.copeland@dfa.state.ar.us</p>	<p>CALIFORNIA Grants Coordination State Clearinghouse Office of Planning and Research P.O. Box 3044, Room 222 Sacramento, California 95812-3044 Telephone: (916) 445-0613 FAX: (916) 323-3018 State.clearinghouse@opr.ca.gov</p>
<p>DELAWARE Sandra R. Stump Executive Department Office of the Budget 540 S. Dupont Highway , 3rd Floor Dover, Delaware 19901 Telephone: (302) 739-3323 FAX: (302) 739-5661 sandy.stump@state.de.us</p>	<p>DISTRICT OF COLUMBIA Marlene Jefferson DC Government Office of Partnerships and Grants Development 414 4th Street, NW Washington, DC 20001 Telephone: (202) 727-6518 FAX: (202) 727-1652 marlene.Jefferson@dc.gov</p>
<p>FLORIDA Lauren P. Milligan Florida State Clearinghouse Florida Dept. of Environmental Protection 3900 Commonwealth Boulevard Mall Station 47 Tallahassee, Florida 32399-3000 Telephone: (850) 245-2161 FAX: (850) 245-2190 Lauren.Milligan@dep.state.fl.us</p>	<p>GEORGIA Barbara Jackson Georgia State Clearinghouse 270 Washington Street, SW, 8th Floor Atlanta, Georgia 30334 Telephone: (404) 656-3855 FAX: (404) 656-7901 gach@mail.opb.state.ga.us</p>
<p>ILLINOIS Roukaya McCaffrey Department of Commerce and Economic Opportunities 620 East Adams, 6th Floor Springfield, Illinois, 62701 Telephone: (217) 524-0188 FAX: (217) 558-0473 roukaya_mccaffrey@illinoisbiz.biz</p>	<p>IOWA Kathy Mable Iowa Department of Management State Capitol Building Room G12 1007 E Grand Avenue Des Moines, Iowa 50319 Telephone: (515) 281-8834 FAX: (515) 242-5897 Kathy.Mable@iowa.gov</p>

<p>KENTUCKY Ron Cook The Governor's Office for Local Development 1024 Capital Center Drive, Suite 340 Frankfort, Kentucky 40601 Telephone: (502) 573-2382 / (800) 346- 5606 FAX: (502) 573-2512 Ron.Cook@Ky.Gov</p>	<p>MAINE Joyce Benson State Planning Office 184 State Street 38 State House Station Augusta, Maine 04333 Telephone: (207) 287-3261 (direct): (207) 287-1461 FAX: (207) 287-6489 joyce.benson@state.me.us</p>
<p>MARYLAND Linda C. Janey, J.D. Director, Capital Planning and Development Review Maryland Department of Planning 301 West Preston Street, Room 1104 Baltimore, Maryland 21201-2305 Telephone: (410) 767-4490 FAX: (410) 767-4480 linda@mail.op.state.md.us</p>	<p>MICHIGAN Richard Pfaff Southeast Michigan Council of Governments 535 Griswold, Suite 300 Detroit, Michigan 48226 Telephone: (313) 961-4266 FAX: (313) 961-4869 pfaff@semcog.org</p>
<p>MISSISSIPPI Mildred Tharpe Clearinghouse Officer Department of Finance and Administration 1301 Woolfolk Building, Suite E 501 North West Street Jackson, Mississippi 39201 Telephone: (601) 359-6762 Fax: (601) 359-6758</p>	<p>MISSOURI Federal Assistance Clearinghouse Office of Administration P.O. Box 809 Truman Building, Room 840 Jefferson City, Missouri 65102 Telephone: (573) 751-4834 FAX: (573) 522-4395 igr@mail.oa.state.mo.us</p>

<p>NEVADA Michael Stafford Department of Administration State Clearinghouse 209 E. Musser Street, Room 200 Carson City, Nevada 89701 Telephone: (775) 684-0209 FAX: (775) 684-0260 mstafford@budget.state.nv.us</p>	<p>NEW HAMPSHIRE MaryAnn Manoogian Director, New Hampshire Office of Energy and Planning Attn: Intergovernmental Review Process Benjamin Frost 57 Regional Drive Concord, New Hampshire 03301-8519 Telephone: (603) 271-2155 FAX: (603) 271-2615 irp@nh.gov</p>
<p>NEW YORK Linda Shkrell Office of Public Security Homeland Security Grants Coordination 633 3rd Avenue New York, NY 10017 Telephone: (212) 867-1289 FAX: (212) 867-1725</p>	<p>NORTH DAKOTA Jim Boyd ND Department of Commerce 1600 East Century Avenue, Suite 2 P.O. Box 2057 Bismarck, North Dakota 58502-2057 Telephone: (701) 328-2676 FAX: (701) 328-2308 jboyd@state.nd.us</p>
<p>RHODE ISLAND Joyce Karger Department of Administration One Capitol Hill Providence Rhode Island 02908-5870 Telephone: (401) 222-6181 FAX: (401) 222-2083 jkarger@doa.state.ri.us</p>	<p>SOUTH CAROLINA SC Clearinghouse Budget and Control Board Office of State Budget 1201 Main Street, Suite 950 Columbia, South Carolina 29201 Telephone: (803) 734-0494 FAX: (803) 734-0645 clearinghouse@budget.state.sc.us</p>
<p>TEXAS Denise S. Francis Director, State Grants Team Governor's Office of Budget and Planning P.O. Box 12428 Austin, Texas 78711 Telephone: (512) 305-9415 FAX: (512) 936-2681 dfrancis@governor.state.tx.us</p>	<p>UTAH Sophia DiCaro Utah State Clearinghouse Governor's Office of Planning and Budget Utah Capitol Complex Suite E210, P.O. Box 142210 Salt Lake City, Utah 84114-2210 Telephone: (801) 538-1027 FAX: (801) 538-1547 ddicaro@utah.gov</p>

<p>WEST VIRGINIA Fred Cutlip, Director Community Development Division West Virginia Development Office Building #6, Room 553 Charleston, West Virginia 25305 Telephone: (304) 558-4010 FAX: (304) 558-3248 fcutlip@wvdo.org</p>	<p>WISCONSIN Jeff Smith Section Chief, Federal/State Relations Wisconsin Department of Administration 101 East Wilson Street, 6th Floor P.O. Box 7868 Madison, Wisconsin 53707 Telephone: (608) 266-0267 FAX: (608) 267-6931 jeffrey.smith@doa.state.wi.us</p>
<p>AMERICAN SAMOA Pat M. Galea'i Federal Grants/Programs Coordinator Office of Federal Programs/Office of the Governor Department of Commerce American Samoa Government Pago Pago, American Samoa 96799 Telephone: (684) 633-5155 Fax: (684) 633-4195 pmgaleai@samoatelco.com</p>	<p>GUAM Director Bureau of Budget and Mgmt. Research Office of the Governor P.O. Box 2950 Agana, Guam 96910 Telephone: 011-671-472-2285 FAX: 011-671-472-2825 jer@ns.gov.gu</p>
<p>NORTH MARIANA ISLANDS Ms. Jacoba T. Seman Federal Programs Coordinator Office of Management and Budget Office of the Governor Saipan, MP 96950 Telephone: (670) 664-2289 FAX: (670) 664-2272 omb.jseman@saipan.com</p>	<p>PUERTO RICO Jose Caballero / Mayra Silva Puerto Rico Planning Board Federal Proposals Review Office Minillas Government Center P.O. Box 41119 San Juan, Puerto Rico 00940-1119 Telephone: (787) 723-6190 FAX: (787) 722-6783</p>
<p>VIRGIN ISLANDS Ira Mills Director, Office of Management and Budget # 41 Norre Gade Emancipation Garden Station, Second Floor Saint Thomas, Virgin Islands 00802 Telephone: (340) 774-0750 FAX: (787) 776-0069 irmills@usvi.org</p>	

Changes to this list can be made only after OMB is notified by a State's officially designated representative. E-mail messages can be sent to ephillips@omb.eop.gov. If you prefer, you may send correspondence to the following postal address:

Attn: Grants Management

Office of Management and Budget
New Executive Office Building, Suite 6025
725 17th Street, NW
Washington, DC 20503

Please note: Inquiries about obtaining a Federal grant should not be sent to the OMB e-mail or postal address shown above. The best source for this information is the Catalog of Federal Domestic Assistance or CFDA <http://www.cfda.gov> and the Grants.gov website (<http://www.grants.gov>).

Survey on Ensuring Equal Opportunity for Applicants

OMB No. 1890-0014 Exp. 1/31/2006

Purpose: The Federal government is committed to ensuring that all qualified applicants, small or large, non-religious or faith-based, have an equal opportunity to compete for Federal funding. In order for us to better understand the population of applicants for Federal funds, we are asking nonprofit private organizations (not including private universities) to fill out this survey.

Upon receipt, the survey will be separated from the application. Information provided on the survey will not be considered in any way in making funding decisions and will not be included in the Federal grants database. While your help in this data collection process is greatly appreciated, completion of this survey is voluntary.

Instructions for Submitting the Survey: If you are applying using a hard copy application, please place the completed survey in an envelope labeled "Applicant Survey." Seal the envelope and include it along with your application package. If you are applying electronically, please submit this survey along with your application.

Applicant's (Organization) Name: _____

Applicant's DUNS Number: _____

Grant Name: _____ **CFDA Number:** _____

1. Does the applicant have 501(c)(3) status?
 Yes No
2. How many full-time equivalent employees does the applicant have? (*Check only one box.*)
 3 or Fewer 15-50
 4-5 51-100
 6-14 over 100
3. What is the size of the applicant's annual budget?
(*Check only one box.*)
 Less Than \$150,000
 \$150,000 - \$299,999
 \$300,000 - \$499,999
 \$500,000 - \$999,999
 \$1,000,000 - \$4,999,999
 \$5,000,000 or more
4. Is the applicant a faith-based/religious organization?
 Yes No
5. Is the applicant a non-religious community-based organization?
 Yes No
6. Is the applicant an intermediary that will manage the grant on behalf of other organizations?
 Yes No
7. Has the applicant ever received a government grant or contract (Federal, State, or local)?
 Yes No
8. Is the applicant a local affiliate of a national organization?
 Yes No

Survey Instructions on Ensuring Equal Opportunity for Applicants

Provide the applicant's (organization) name and DUNS number and the grant name and CFDA number.

1. 501(c)(3) status is a legal designation provided on application to the Internal Revenue Service by eligible organizations. Some grant programs may require nonprofit applicants to have 501(c)(3) status. Other grant programs do not.
2. For example, two part-time employees who each work half-time equal one full-time equivalent employee. If the applicant is a local affiliate of a national organization, the responses to survey questions 2 and 3 should reflect the staff and budget size of the local affiliate.
3. Annual budget means the amount of money your organization spends each year on all of its activities.
4. Self-identify.
5. An organization is considered a community-based organization if its headquarters/service location shares the same zip code as the clients you serve.
6. An "intermediary" is an organization that enables a group of small organizations to receive and manage government funds by administering the grant on their behalf.
7. Self-explanatory.
8. Self-explanatory.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0014. The time required to complete this information collection is estimated to average five (5) minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 2202-4651.

If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Joyce I. Mays, Application Control Center, U.S. Department of Education, 7th and D Streets, SW, ROB-3, Room 3671, Washington, D.C. 20202-4725

OMB No. 1890-0014 Exp. 1/31/2006

SECTION J

APPLICATION CHECKLIST AND COMMON QUESTIONS AND ANSWERS

Application Checklist

Does your application include each of the following?

- Cover page (ED 424)
- Budget form (ED Form 524)
- Program specific budget form [if applicable]
- Budget narrative [if applicable]
- Program narrative, including abstract and responses to the selection criteria
- Assurances and Certifications [list]

Did You --

- Provide one (1) original plus two (2) copies of the application (One original and six copies are requested)?
- Include all required forms with original signatures and dates?
- Submit a copy of the application to the State Single Point of Contact, if applicable?

If you are *unable* to submit an application through the e-Application system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Department's e-Application system;

You may *mail* or *fax* a written statement to the Department, explaining which of the two (2) grounds for an exception prevent you from using the Internet to submit your application. If you fax your written statement to the Department, we must receive the faxed statement no later than **two weeks** before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday).

If you mail your written statement to the Department, it must be mailed (and postmarked); and/or "hand-delivered" no later than two weeks before the application deadline date to the following address:

[] ***Mail Application To:**

OR

****Hand-deliver* Application To:**

Rehabilitation Training: Rehabilitation
Long-Term Training—Vocational

Rehabilitation Counseling

ATTN: 84.275A

U.S. Department of Education

Application Control Center

Room 7041

Potomac Center Plaza

550 12th Street, SW.

Washington, DC 20202

Rehabilitation Training: Rehabilitation
Long-Term Training-- Vocational

Rehabilitation Counseling

ATTN: 84.275A

U.S. Department of Education

Application Control Center

Room 7041

Potomac Center Plaza

550 12th Street, SW.

Washington, DC 20202

*The Application Control Center accepts deliveries daily between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time), except Saturdays, Sundays and Federal holidays. Application must be received by mail postmarked no later than the closing date.

**Hand-delivered applications must be received by 4:30 p.m. no later than the closing date. A person delivering an application must show identification to enter the building.

COMMON QUESTIONS AND ANSWERS

[Below are some examples of Q's & A's that programs may include in their application booklets. Programs may want to add others. Generally speaking, Q's & A's should not repeat information that is

given elsewhere in the application. However, there may be exceptions to this "rule of thumb." Q's & A's should not be subregulatory and should not take the place of instructions.]

Q. What happens to my application after it is received in the Department?

A. The Department's Application Control Center receives each application, assigns each an identifying number (PR/Award number), confirms receipt of applications, and sends the applications to the appropriate program office, which screens them for eligibility. The program conducts a peer review of all eligible applications sent to a program competition, ranks them and recommends the highest ranked applications for funding with exceptions as provided by law. The responsible official for the applicable program reviews the program office's recommendations, checks the adequacy of the documentation supporting the recommendations, and approves a final list, or slate, of recommended projects and funding amounts. RSA Training Division staff discusses the recommendations with the successful applicants and awards the grants.

Q. What happens to my application if the Department finds it to be ineligible?

A. The Department immediately returns an application that does not meet the eligibility criteria for the particular program. A letter from the Department explaining why it is not being reviewed in the competition accompanies the application.

Q. How does the Department review an application?

A. Each application is assessed by knowledgeable persons from outside and sometimes inside the Department who are asked for their judgments about the quality and significance of the proposed project. These persons represent a diversity of disciplines and institutional, regional, and cultural backgrounds. The advice of these experts is compiled by Departmental staff that comment on matters of fact or on significant issues that would otherwise be missing from the review. The results are then presented to the responsible official responsible for the program who approves the recommendations for funding.

Q. What Criteria do the reviewers use when scoring an application?

A. Reviewers score each application using the selection criteria published in the Federal Register as part of the program regulations, which are given in Section F of this application package. Reviewers are instructed to use only the published criteria.

Q. Is a recommended application guaranteed funding?

A. No. Funding is not final until discussions have been successfully concluded and a grant award notification has been signed by the grants office and mailed to the applicant.

Q. How long does it take the Department to complete the review process?

A. Most review processes take from four to six months.

Q. How does the *invitational*, *competitive* and *absolute* priorities differ?

✓ **Invitational Priority**

The Secretary may simply invite applicants to meet a priority. However, an application that addresses invitational priorities receives no competitive or absolute preference over applications that do not meet this priority.

✓ **Competitive Priority**

If a program uses weighted selection criteria, the Secretary may award selection points to an application that meets the priority. These points are in addition to any points the application earns under the selection criteria. The notice states the maximum number of additional points that the Secretary may award to applications that meet the priority in a particularly effective way. Or the Secretary may simply select applications that meet the competitive priority over applications of comparable merit that do not meet the priority.

✓ **Absolute Priority**

Under an absolute priority, the Secretary may select for funding only those Applications that meet the priority.

Q. Can changes in the size of subsequent year awards be made after the multi-year budget has been negotiated?

A. Yes, a grantee can renegotiate his or her multi-year budget and may be awarded additional funds if sufficient justification is presented to the Secretary and funds are available. Also, funds can be decreased if it is determined that the multi-year budget was overestimated.

Q. **How will funding continuation decisions be made if the Department is phasing out the use of non-competing continuation applications after fiscal year 1995?**

A. Grantees will be required to complete annual performance reports that describe the projects' accomplishments, evaluations, and finances. These performance reports, along with other information, will be used by the Department to decide whether to continue funding projects.

DUNS Number Instructions

D-U-N-S No.: Please provide the applicant's D-U--N-S Number. You can obtain your D-U-N-S Number at not charge by calling **1-800-333-0505** or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL:

<http://www.dnb.com/dbis/about/intlduns.htm>

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

DUN & Bradstreet, a global information services provider, has assigned D-U-N-S number to over 43 million companies worldwide.

GRANT APPLICATION RECEIPT ACKNOWLEDGMENT

If you fail to receive the notification of application receipt within fifteen (15) days from the closing date, call:

**U.S. Department of Education
Application Control Center
(202) 245-6288**

GRANT AND CONTRACT FUNDING INFORMATION

The Department of Education provides information about grant and contract opportunities electronically in several ways:

ED Internet Home Page <http://www.ed.gov/> (WWW address)