

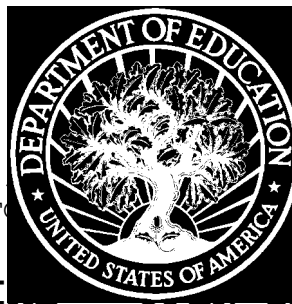
Archived Information

U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
WASHINGTON, D.C. 20202-2575

**2006 APPLICATION KIT FOR NEW GRANTS
UNDER
THE REHABILITATION SERVICES ADMINISTRATION
VOCATIONAL REHABILITATION SERVICE PROJECTS
FOR AMERICAN INDIANS WITH DISABILITIES**

CFDA NUMBER 84.250B

OMB No. 1820-0047 /28/2007
ED F



DATED MATERIALS MUST BE RETURNED IMMEDIATELY
CLOSING DATE: April 21, 2006

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CLOSING DATE: April 21, 2006

Dear Applicant :

The Secretary invites applications for new awards for fiscal year (FY) 2006 under the Vocational Rehabilitation Service Projects for American Indians with Disabilities (CFDA 84.250B). This program is authorized by Section 121 of the Rehabilitation Act of 1973, as amended (the Act), and implemented by the subsequent program regulation at 34 CFR Part 371.

The purpose of this program is to provide vocational rehabilitation services to American Indians with disabilities who reside on or near Federal or State reservations, consistent with their individual strengths, resources, priorities, concerns, abilities, capabilities, and informed choice, so that they may prepare for and engage in gainful employment, including self-employment, telecommuting and business ownership.

This application package contains information and the required forms for your use in applying and competing in the FY 2006 discretionary grant award competition for the Vocational Rehabilitation Service Projects for American Indians with Disabilities. Potential applicants are advised to read all materials carefully, especially the **Federal Register Notice (section A)**.

Please note the following:

- **APPLICATION SUBMISSION.** Based on the precautionary procedures the U.S. Postal Service is using to process mail, we are experiencing delays in the delivery of mail to the Department. Therefore, you may want to consider sending your application by overnight courier or submitting your application electronically. It will expedite the review process if three additional copies (for a total of six - one original and five copies) are submitted to the Application Control Center in Washington, D.C.
- **GRANTS.GOV APPLICATION SUBMISSION.** Applications for grants under this competition may be submitted electronically using the Grants.gov Apply site (www.Grants.gov). Please read carefully the document that is included immediately following this letter, which includes helpful tips about submitting electronically using the Grants.gov Apply site. Please note that you must follow the Application Procedures as described in the Federal Register notice announcing this grant competition. Information (including dates and times) about how to submit your application electronically, or by mail or hand delivery, can also be found in section E Application Transmittal Instructions of this application package.
- **ELIGIBLE APPLICANT.** Applications may be made only by the governing bodies of Indian Tribes (or consortia of those governing bodies) located on Federal or state reservations.

- **MAXIMUM AWARD.** There is no maximum award for the first project year. However, when preparing your submission, applicants should be aware that we anticipate an increase of about three percent in the award amounts for this program compared to FY 2005. (see section A)
- **ABSTRACT.** Each proposal MUST include a one page abstract. The abstract is a critical component of the proposal and it MUST highlight the purpose of the project, the proposed number of individuals to be served and the proposed number of individuals who will obtain employment outcomes during each year of the project, planned goals and objectives, innovative strategies utilized, and project outcomes.
- **SELECTION CRITERIA.** The program narrative MUST address the selection criteria shown following this letter (section B). To facilitate the peer review process, the narrative should address the selection criteria in the order that the criteria are listed. An explanation of the selection criteria follows the criteria. Please be certain to carefully review this material and call for technical assistance if needed.
- **SPECIAL REQUIREMENTS.** In addition to the selection criteria, applicants MUST address the special application requirements at 34 CFR 371.21 in a separate section of the application entitled "Special Application Requirements." If these special requirements are not addressed, the application WILL NOT be reviewed for funding. An explanation of the special requirements also follows this letter (section C). Please be certain to carefully review this material and call for technical assistance if needed.
- **MATCH.** The Federal share may not be more than 90% of the total cost of the project. The local match may be in cash or in-kind. Please document the local match on Section B of the Budget Summary (Form 524) and provide a budget narrative to describe the local match. **Please remember that the 10% match is on the total cost of the project—the simplest way to compute the required match is to divide the requested Federal funds by 9. The result is the minimum required match.
- **BUDGET FORMS.** As a result of changes in the Department of Education's grants management process, all applicants for multi-year projects are required to provide detailed budget information for the total grant period requested (up to 60 months). At the time of the initial award, the Department will address the funding levels for each year of the grant award.

- Applicants are reminded that the 1998 Amendments to the Rehabilitation Act require that all new applicants must describe how the needs of individuals with disabilities from minority backgrounds will be addressed. Applicants must also provide assurance that individuals provided services must be advised of the availability and purposes of the State's Client Assistance Program, including information on means of seeking assistance from that program.
- **BONUS POINTS**. Previously funded tribal programs are entitled to receive 10 bonus points. To receive the points, the applicant **MUST** indicate that the governing body of the Tribe or the consortia of governing bodies had previously received an award under this program and **MUST** provide the date of the previous project period. Please clearly indicate this information in your application and list it in the Table of Contents so it is easily located.

PROGRAM RULES AND REGULATIONS

The Federal regulations that apply to this competition can be found in 34 CFR Part 371. These grants are subject to the requirements of the Education Department General Administrative Regulations (EDGAR), 34 CFR 75, 77, 80, 81, 82, 84, 85 and 97, which set forth general rules affecting the submittal, review, grant awarding, and post-award administration for Department of Education grant programs.

TECHNICAL ASSISTANCE

If you have any questions about the information in this application kit, please contact the RSA Competition Manager for Vocational Rehabilitation Service Projects for American Indians with Disabilities, Alfreda Reeves at (202) 245-7485. Individuals who use a telecommunications device (TDD) may call the Federal Information Relay Services (FIRS) at 1-800-877-8330 between 8:00 am and 5:00 pm, Eastern time, Monday through Friday.

Thank you for your interest in these programs.

Sincerely,

Thomas E. Finch, Ph.D.
Unit Chief
Service Projects Unit

IMPORTANT – PLEASE READ FIRST

U.S. Department of Education *Grants.gov Submission Procedures and Tips for Applicants*

Please note that the Grants.gov site works differently than the U.S. Department of Education’s (Department) e-Application system. To facilitate your use of Grants.gov, this document includes important submission procedures you need to be aware of to ensure your application is received in a timely manner and accepted by the Department of Education.

- 1) **REGISTER EARLY** – Grants.gov registration is a one-time process that may take five or more days to complete. You may begin working on your application while completing the registration process, but you cannot submit an application until all of the Get Started steps are complete. For detailed information on the Get Started Steps, please go to: <http://www.grants.gov/GetStarted>.
- 2) **SUBMIT EARLY** – **We strongly recommend that you do not wait until the last day to submit your application. Grants.gov will put a date/time stamp on your application after it is fully uploaded.** The time it takes to upload an application will vary depending on a number of factors including the size of the application and the speed of your Internet connection. If you start uploading your application before 4:30 p.m. Washington, D.C. time on the application deadline date, and it does not finish uploading until after 4:30 p.m., your application will be marked late. If that happens, please see the section below on submission problems.
- 3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov and the Department receive your Grants.gov submission timely and that it was validated successfully. To see the date/time your application was received, login to Grants.gov and click on the Check Application Status link. For a successful submission, the date/time received should be earlier than 4:30 p.m. on the deadline date, AND the application status should be: Validated, Received by Agency, or Agency Tracking Number Assigned.

If the date/time received is later than 4:30 p.m. Washington, D.C. time, on the closing date, your application is late. If your application has a status of “Received” it is still awaiting validation by Grants.gov. Once validation is complete, the status will either change to “Validated” or “Rejected with Errors.” If the status is “Rejected with Errors,” your application has not been received successfully. Some of the reasons Grants.gov may reject an application can be found on the Grants.gov site: <http://www.grants.gov/assets/ApplicationErrorTips.doc>. If you discover your application is late or has been rejected, please see the instructions below. Note: You will receive a series of confirmations both online and via e-mail about the status of your application. Please do not rely solely on e-mail to confirm whether your application has been received timely and validated successfully.

Submission Problems – What should you do?

If you have problems submitting to Grants.gov before the closing date, please contact Grants.gov Customer Support at 1-800-518-4726 or use the customer support available on the Web site: <http://www.grants.gov/CustomerSupport>.

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

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

Helpful Hints When Working with Grants.gov

Please note, once you download an application from Grants.gov, you will be working offline and saving data on your computer. Please be sure to note where you are saving the Grants.gov file on your computer. You will need to logon to Grants.gov to upload and submit the application. (This is different from e-Application, where you are working online and saving data to the Department's database.) You must provide on your application the DUNS number that was used when your organization registered with the Central Contractor Registry (CCR).

Please go to <http://www.grants.gov/ForApplicants> for help with Grants.gov and click on the links in the lower right corner of the screen under Applicant Tips and Tools. For additional tips related to submitting grant applications, please refer to the Grants.gov Submit Application Tips found on the Grants.gov homepage <http://www.grants.gov>.

Dial-Up Internet Connections

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

MAC Users

If you do not have a Windows operating System, you will need to use a Windows Emulation program to submit an application using Grants.gov. For additional information, review the [PureEdge Support for Macintosh](http://www.grants.gov/GrantsGov_UST_Grantee/!SSL!/WebHelp/MacSupportforPureEdge.pdf) white paper published by Pure Edge: http://www.grants.gov/GrantsGov_UST_Grantee/!SSL!/WebHelp/MacSupportforPureEdge.pdf, and/or contact Grants.gov Customer Support (<http://www.grants.gov/CustomerSupport>) for more

information. **If you do not have a Windows emulation program and electronic submission is required, please follow instructions in the Federal Register notice to obtain an exception to the electronic submission requirement no later than two weeks before the application deadline date.** (See the Federal Register notice for detailed instructions.)

SECTION A

NOTICE INVITING APPLICATIONS FOR NEW AWARDS

4000-01-U

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services

Overview Information

Vocational Rehabilitation Services Projects for American Indians
With Disabilities

Notice inviting applications for new awards for fiscal year (FY)
2006.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.250B

Dates:

Applications Available: December 27, 2005.

Deadline for Transmittal of Applications: April 21, 2006.

Eligible Applicants: The governing bodies of Indian tribes
(and consortia of those governing bodies) located on Federal and
State reservations.

Estimated Available Funds: The Administration has plans to
set aside \$33,024,000 for the Vocational Rehabilitation Services
Projects for American Indians With Disabilities program for FY
2006, of which we intend to use an estimated \$2,700,000 for this
competition. The actual level of funding, if any, depends on
final congressional action. However, we are inviting
applications to allow enough time to complete the grant process
if Congress appropriates funds for this program.

Estimated Median Amount of Awards: The estimated median
amount of an award is \$500,000, which means that one-half of the
awards will be over \$500,000 and one-half of the awards will be
under \$500,000, with the majority of awards in the range of

approximately \$350,000 to \$575,000.

Maximum Award: There is no maximum award amount for the first project year. However, when preparing your submission, applicants should be aware that we anticipate an increase of about three percent in the award amounts for this program compared to FY 2005.

In addition, the Secretary may limit any proposed increases in funding for project years two through five to the annual estimated percentage change in the consumer price index for all urban consumers (CPIU). The current estimated percentage increase in the CPIU over the prior year for project years two through five is as follows: FY 2007 - 2.9 percent, FY 2008 - 2.4 percent, FY 2009 - 2.4 percent, and FY 2010 - 2.4 percent.

Estimated Number of Awards: 5.

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 purpose of this program is to provide vocational rehabilitation services to American Indians with disabilities who reside on or near Federal or State reservations, consistent with their individual strengths, resources, priorities, concerns, abilities, capabilities, and informed choices, so that they may prepare for and engage in gainful employment, including self-employment, telecommuting, or business ownership.

Priority: In accordance with 34 CFR 75.105(b)(2)(iv), this priority is from section 121(b)(4) of the Rehabilitation Act of 1973, as amended (29 U.S.C. 741).

Competitive Preference Priority: For FY 2006 this priority is a competitive preference priority. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 10 points to an application, depending on how well the application meets this priority.

This priority is:

Continuation of Previously Funded Tribal Programs

In making new awards under this program, we give priority consideration to applications for the continuation of tribal programs that have been funded under this program.

Program Authority: 29 U.S.C. 741.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 77, 80, 81, 82, 84, 85, and 97. (b) The regulations in 34 CFR parts 369 and 371.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: The Administration has plans to set aside \$33,024,000 for the Vocational Rehabilitation Services Projects for American Indians With Disabilities program for FY 2006, of which we intend to use an estimated \$2,700,000 for this competition. The actual level of funding, if any, depends on final congressional action. However, we are inviting

applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

Estimated Median Amount of Awards: The estimated median amount of an award is \$500,000, which means that one-half of the awards will be over \$500,000 and one-half of the awards will be under \$500,000, with the majority of awards in the range of approximately \$350,000 to \$575,000.

Maximum Award: There is no maximum award amount for the first project year. However, when preparing your submission, applicants should be aware that we anticipate an increase of about three percent in the award amounts for this program compared to FY 2005.

In addition, the Secretary may limit any proposed increases in funding for project years two through five to the annual estimated percentage change in the consumer price index for all urban consumers (CPIU). The current estimated percentage increase in the CPIU over the prior year for project years two through five is as follows: FY 2007 - 2.9 percent, FY 2008 - 2.4 percent, FY 2009 - 2.4 percent, and FY 2010 - 2.4 percent.

Estimated Number of Awards: 5.

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

Project Period: Up to 60 months.

III. Eligibility Information

1. Eligible Applicants: The governing bodies of Indian tribes (and consortia of those governing bodies) located on Federal and State reservations.

2. Cost Sharing or Matching: See 34 CFR 371.40.

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 84.250B.

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: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. It is suggested that you limit Part III to the equivalent of no more than 35 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 suggested 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.

3. Submission Dates and Times:

Applications Available: December 27, 2005

Deadline for Transmittal of Applications: April 21, 2006.

Applications for grants under this competition may be submitted electronically using the Grants.gov Apply site (Grants.gov), or in paper format by mail or hand delivery. For

information (including dates and times) about how to submit your application electronically, or by mail or hand delivery, please refer to section IV. 6. Other Submission Requirements in this notice.

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

4. Intergovernmental Review: This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

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 may be submitted electronically or in paper format by mail or hand delivery.

a. Electronic Submission of Applications.

We have been accepting applications electronically through the Department's e-Application system since FY 2000. In order to expand on those efforts and comply with the President's Management Agenda, we are continuing to participate as a partner in the new government wide Grants.gov Apply site in FY 2006. Vocational Rehabilitation Services Projects for American Indians With Disabilities--CFDA Number 84.250B is one of the programs included in this project. We request your participation in Grants.gov.

If you choose to submit your application electronically, you must use the Grants.gov Apply site at <http://www.Grants.gov>. Through this site, you will be able to download a copy of the

application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us.

You may access the electronic grant application for Vocational Rehabilitation Services Projects for American Indians With Disabilities—CFDA Number 84.250B competition at: <http://www.grants.gov>. You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search.

Please note the following:

- Your participation in Grants.gov is voluntary.
- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are time and date stamped. Your application must be fully uploaded and submitted, and must be date/time stamped by the Grants.gov system no later than 4:30 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not consider your application if it is date/time stamped by the Grants.gov system later than 4:30 p.m., Washington, DC time, on the application deadline date. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date/time stamped by the Grants.gov system after 4:30 p.m., Washington, DC time, on the application deadline date.

- The amount of time it can take to upload an application will vary depending on a variety of factors including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application process through Grants.gov.

- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov at <http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf>

- To submit your application via Grants.gov, you must complete all of the steps in the Grants.gov registration process (see <http://www.Grants.gov/GetStarted>). These steps include (1) registering your organization, (2) registering yourself as an Authorized Organization Representative (AOR), and (3) getting authorized as an AOR by your organization. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see <http://www.grants.gov/assets/GrantsgovCoBrandBrochure8X11.pdf>). You also must provide on your application the same D-U-N-S Number used with this registration. Please note that the registration process may take five or more business days to

complete, and you must have completed all registration steps to allow you to successfully submit an application via Grants.gov.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you submit your application in paper format.

- You may submit all documents electronically, including all information typically included on the Application for Federal Education Assistance (ED 424), Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications. If you choose to submit your application electronically, you must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified above or submit a password protected file, we will not review that material.

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

- After you electronically submit your application, you will receive an automatic acknowledgment from Grants.gov that contains a Grants.gov tracking number. The Department will retrieve your application from Grants.gov and send you a second confirmation by e-mail that will include a PR/Award number (an ED-specified identifying number unique to your application).

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

Application Deadline Date Extension in Case of System

Unavailability: If you are prevented from electronically

submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically, or by hand delivery. You also may mail your application by following the mailing instructions as described elsewhere in this notice. If you submit an application after 4:30 p.m., Washington, DC time, on the deadline date, please contact the person listed elsewhere in this notice under For Further Information Contact, and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number (if available). We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

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

b. Submission of Paper Applications by Mail.

If you submit your application in paper format by mail (through the U.S. Postal Service or a commercial carrier), you

must mail the original and two copies of your application, on or before the application deadline date, to the Department at the applicable following address:

By mail through the U.S. Postal Service:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.250B)
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 84.250B)
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 submit your application in paper format by hand delivery, you (or a courier service) must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.250B)
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 Application for Federal Education Assistance (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

Selection Criteria: The selection criteria for this program are from 34 CFR 75.210 of EDGAR and are in the application package. The selection criteria may total 100 points, plus the 10 competitive preference priority points (see section I. Competitive Preference Priority).

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: Under the Government Performance and Results Act of 1993 (GPRA), the Department has established two performance measures for the Vocational Rehabilitation Services Projects for American Indians with Disabilities program. The measures are the percentage of individuals who leave the program with an employment outcome and the cost per employment outcome. Each grantee must annually report its performance on these measures through the Annual Progress Reporting Form for the American Indian Vocational Rehabilitation Services (AIVRS) Program.

In addition, this program is part of the Administration's job training and employment common measures initiative. The common measures for job training and employment programs targeting adults are: entered employment (percentage employed in the first quarter after program exit); retention in employment (percentage of those employed in the first quarter after exit that were still employed in the second and third quarter after program exit); earnings increase (percentage change in earnings pre-registration to post program and first quarter after exit to third quarter after exit); and efficiency (annual cost per participant). The Department is currently working toward implementation of these common measures. Each grantee will be

required to collect and report data for the common measures when implemented.

VII. Agency Contact

For Further Information Contact: Alfreda Reeves, U.S. Department of Education, 400 Maryland Avenue, SW., room 5051, Potomac Center Plaza, Washington, DC 20204-2800. Telephone: (202) 245-7485.

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 by contacting the following office: The Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., Potomac Center Plaza, Washington, DC 20202-2550. Telephone: (202) 245-7363.

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:

<http://www.ed.gov/news/fedregister>.

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Regulations is available on GPO Access at:

www.gpoaccess.gov/nara/index.html

Dated:

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

SECTION B

APPLICATION REVIEW CRITERIA FOR VR SERVICE PROJECTS FOR AMERICAN INDIANS WITH DISABILITIES (Section 121--CFDA 84.250B)

The Peer Reviewers are asked to rate and award scores to the way an application describes each of the following criteria. Based on the quality of the responses, an application may receive up to 100 points from each Reviewer. (Those applications eligible for the competitive preference priority may receive up to 110 points per reviewer.)

(a) NEED FOR PROJECT--5 POINTS. The Secretary considers the need for the proposed project, based on the following factors:

1. The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project.
2. The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses.

(b) SIGNIFICANCE--10 POINTS. The Secretary considers the significance of the proposed project, based on the following factors:

1. The potential contribution of the proposed project to increased knowledge or understanding of rehabilitation problems, issues, or effective strategies.
2. 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.

(c) QUALITY OF THE PROJECT DESIGN--15 POINTS. The Secretary considers the quality of the design of the proposed project, based on the following factors:

1. The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.
2. 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.
3. The extent to which the proposed project will be coordinated with similar or related efforts, and with other appropriate community, State, and Federal resources.

4. The extent to which the proposed project encourages consumer involvement.

5. The quality of the methodology to be employed in the proposed project.

(d) QUALITY OF PROJECT SERVICES--25 POINTS. The Secretary considers the quality of the services to be provided by the proposed project. The application should include information on the following factors:

1. 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.

2. The extent to which the services to be provided by the proposed project are appropriate to the needs of the intended recipients or beneficiaries of those services.

3. The likely impact of the services to be provided by the proposed project on the intended recipients of those services.

4. The extent to which the services to be provided by the proposed project involve the collaboration of appropriate partners for maximizing the effectiveness of project services.

(e) QUALITY OF PROJECT PERSONNEL--15 POINTS. The Secretary considers the quality of the personnel who will carry out the proposed project. All of the following factors are considered:

1. 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.

2. The qualifications, including relevant training and experience, of key project personnel.

(f) ADEQUACY OF RESOURCES--10 POINTS. The Secretary considers the adequacy of resources for the proposed project, including the following factors:

1. The adequacy of support, including facilities, equipment, supplies, and other resources, from the applicant organization or the lead applicant organization.

2. The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.

3. 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.

(g) QUALITY OF THE MANAGEMENT PLAN--15 POINTS. The Secretary considers the quality of the management plan for the proposed project, including the following factors:

1. 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.

2. 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.

(h) QUALITY OF THE PROJECT EVALUATION--5 POINTS. The Secretary considers the quality of the evaluation to be conducted of the proposed project. The Secretary looks for information that shows:

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

2. 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.

3. The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.

(Approved by the Office of Management and Budget under control number 1875-0102)

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

EXPLANATION OF REVIEW CRITERIA

Listed below are the review criteria (a) through (h) that will be used by peer reviewers to rate and award scores to proposals for the American Indian Vocational Rehabilitation Services Grants. Each review criteria is accompanied by an explanation of terms and other information to assist the applicant in developing the various sections of the proposal. Proposals should address all of the factors listed under each criteria.

IMPORTANT: Traditionally, recipients of American Indian Vocational Rehabilitation Services Grants have provided services to American Indians with disabilities who reside on reservations. The 1998 Amendments to section 121 of the Rehabilitation Act allow tribal vocational rehabilitation programs to expand services to American Indians with disabilities living near the reservation, if they choose to do so. Applicants should state whether they are planning to provide services to individuals living on the reservation, or to individuals living on or near the reservation. Applicants who choose to provide service to individuals living on or near the reservation should describe the geographic area to be served by the grant.

(a) NEED FOR PROJECT -- 5 POINTS. The Secretary considers the need for the proposed project, based on the following factors:

1. The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project.
2. The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps and weaknesses.

EXPLANATION: Descriptions of need should focus on the purpose for which these projects are funded -- to provide vocational rehabilitation services that will enable American Indians with disabilities to achieve employment outcomes. Barriers to the provision of vocational rehabilitation services and achievement of employment outcomes can also be described. In describing gaps in services, applicants may provide information that shows the extent to which VR services are provided by State VR agencies to American Indians with disabilities in the geographic area to be served by the project. In addition to reservations, the geographic area to be served can include areas near the reservation, as described by the applicant.

(b) SIGNIFICANCE--10 POINTS. The Secretary considers the significance of the proposed project, based on the following factors:

1. The potential contribution of the proposed project to increased knowledge or understanding of rehabilitation problems, issues, or effective strategies.
2. 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.

EXPLANATION: Describe the extent to which the proposed project will expand or improve the practice of vocational rehabilitation for American Indians with disabilities. Describe how proposed services and strategies, including services traditionally used by Indian tribes, will improve employment outcomes for American Indians with disabilities to be served by the project.

(c) QUALITY OF THE PROJECT DESIGN--15 POINTS. The Secretary considers the quality of the design of the proposed project, based on the following factors:

1. The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.
2. 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.
3. The extent to which the proposed project will be coordinated with similar or related efforts, and with other appropriate community, State, and Federal resources.
4. The extent to which the proposed project encourages consumer involvement.
5. The quality of the methodology to be employed in the proposed project.

EXPLANATION: Describe the overall plan for the project and how the goals, objectives, outcomes, project design and methodology are directed toward the provision of vocational rehabilitation services for the achievement of employment outcomes. The overall project design should be compatible with the assurance statements made in response to the special application requirements at 34 CFR 371.21(a)-(j). Proposals should identify the measurable results expected to be achieved during each year of the project. In order to meet the needs of the target population, proposals need to describe collaborative arrangements with State vocational rehabilitation agencies (as required at 371.21(g)) and linkages with other appropriate community, State, and Federal resources. Commitments of other organizations should be clearly documented, preferably in writing, and submitted with the application. Methods of encouraging consumer involvement include providing opportunities for input from American Indians with disabilities residing on or near the reservation (as required at 371.21(f)),

establishment of an advisory committee as described at 34 CFR 369.45, or other approaches.

(d) QUALITY OF PROJECT SERVICES--25 POINTS. The Secretary considers the quality of the services to be provided by the proposed project. The application should include information on the following factors:

1. 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.
2. The extent to which the services to be provided by the proposed project are appropriate to the needs of the intended recipients or beneficiaries of those services.
3. The likely impact of the services to be provided by the proposed project on the intended recipients of those services.
4. The extent to which the services to be provided by the proposed project involve the collaboration of appropriate partners for maximizing the effectiveness of project services.

EXPLANATION: Proposals should describe how the program will, to the extent feasible, provide rehabilitation services that are comparable to those provided by State VR agencies, including providing a broad variety of vocational rehabilitation services as described in section 103 of the Act. (See also Special Requirement 371.21(a)) Proposals may also describe other aspects of service provision, including providing services traditionally used by Indian tribes and providing traditional VR services in a culturally appropriate manner. Proposals should demonstrate that persons with disabilities will be able to access services as required by the Americans with Disabilities Act. Descriptions of the appropriateness and impact of services must relate to the purpose of the program, which is the achievement of employment outcomes by American Indians with disabilities. Proposals may also describe other impacts of services to be provided by the project. Proposals should include a description of how collaboration and linkages described under "Quality of project design" contribute to the effectiveness of project services.

(e) QUALITY OF PROJECT PERSONNEL--15 POINTS. The Secretary considers the quality of the personnel who will carry out the proposed project. All of the following factors are considered:

1. 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.
2. The qualifications, including relevant training and experience, of key project personnel.

EXPLANATION: As stated at 34 CFR 371.43(b), preference in employment must be given to American Indians, with a special priority being given to American Indians with disabilities. Provide a resume for the project director and other key project personnel, such as vocational rehabilitation counselors. For each of the key personnel not identified at the time of application, provide a job description or the qualifications sought for the position. In addition to describing the qualifications of key personnel, the applicant can also propose use of training and other staff development activities to enhance these qualifications. Program regulations at 34 CFR 371.41(a)(1) allow for expenditures for staff development. Applicants may describe staff development efforts that are funded by the grant or that are provided through collaborative arrangements with any other appropriate resource, including, but not limited to, the State vocational rehabilitation agency and the Regional Rehabilitation Continuing Education Programs.

(f) ADEQUACY OF RESOURCES--10 POINTS. The Secretary considers the adequacy of resources for the proposed project, including the following factors:

1. The adequacy of support, including facilities, equipment, supplies, and other resources, from the applicant organization or the lead applicant organization.
2. The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.
3. 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.

EXPLANATION: Describe the facilities that will be used for the project. When describing the adequacy of support for facilities, equipment, etc. the proposal needs to consider how the applicant will meet the requirements for confidentiality of information at 34 CFR 369.46 and the extent to which facilities and other resources are fully accessible by individuals with disabilities. Identify specific contributions to the project by the applicant and by collaborating organizations, including in-kind contributions, cost sharing, donations, etc. When describing the relationship of costs to objectives, design, significance, and outcomes, the proposal can provide information about any special factors that influence the cost.

(g) QUALITY OF THE MANAGEMENT PLAN--15 POINTS. The Secretary considers the quality of the management plan for the proposed project, including the following factors:

1. 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.
2. 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.

EXPLANATION: The proposal should describe process by which the goals and objectives will be met, such as the roles and responsibilities of project staff, and when and how these will be achieved. Major tasks and activities should be broken down into action steps to be completed by specific dates. Applicants can use a timetable, GANT chart, or Pert Chart to graphically present the sequence and relationship of project activities to be included in the proposal.

(h) QUALITY OF THE PROJECT EVALUATION--5 POINTS. The Secretary considers the quality of the evaluation to be conducted of the proposed project. The Secretary looks for information that shows:

1. The extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.
2. 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.
3. The extent to which the methods of evaluation will provide performance feedback and permit periodic assessment of progress toward achieving intended outcomes.

EXPLANATION: Describe how appropriate and reliable data will be obtained and evaluated. Proposals can consider use of external evaluation methods. The evaluation plan should include a description of how evaluation activities will be phased in with other project tasks to ensure that periodic assessment provides performance feedback to project staff in time to influence the conduct of the project. Evaluation methods can include methods of gathering consumer input.

SECTION C

SPECIAL APPLICATION REQUIREMENTS FOR VOCATIONAL REHABILITATION SERVICE PROJECTS FOR AMERICAN INDIANS WITH DISABILITIES

Applicants for the Vocational Rehabilitation Service Projects for American Indians with Disabilities must provide assurances that they will meet the special application requirements stated at 34 CFR 371.21(a)-(j). Each application will be reviewed by the Department of Education to determine whether the applicant has provided the required assurances. Applications that do not include these assurances will be returned and will not be submitted for the peer review process.

INSTRUCTIONS

Listed below are the special application requirements at 34 CFR 371.21(a)-(j), explanatory notes, and instructions for the content of the required assurance statements. Provide the assurance statements in a separate section of the application entitled "Special Application Requirements."

371.21(a): Effort will be made to provide a broad scope of vocational rehabilitation services in a manner and at a level of quality at least comparable to those services provided by the designated State unit under 34 CFR part 361.

NOTE: "Vocational rehabilitation services" are defined in section 103 of the Rehabilitation Act Amendments of 1998. (A copy of section 103 is enclosed.) Applicants should plan to provide those vocational rehabilitation services needed by the individuals identified in the proposal as part of the evidence of need for the project. Applicants are not required to provide every service listed. While efforts should be made to provide services that are comparable to those provided by the state vocational rehabilitation agency, services provided by tribal programs are not required to be identical to those provided by a state vocational rehabilitation agency.

ASSURANCE STATEMENT: A description of each of the vocational rehabilitation services planned by the applicant.

371.21(b): Decisions affecting eligibility for and the nature and scope of vocational rehabilitation services to be provided, and the provision of these services, will be made by the tribal vocational rehabilitation program through its vocational rehabilitation unit and will not be delegated to another agency or individual.

NOTE: Decisions about the eligibility of American Indians with disabilities and the services that eligible individuals receive can be made only by the staff of the tribal

vocational rehabilitation program. Staff of other tribal agencies and the project's advisory committee, if it has one, are not authorized to make these decisions.

ASSURANCE STATEMENT: An assurance statement that decisions about eligibility, the nature and scope of services, and the provision of services will be made only by the tribal vocational rehabilitation unit and not by any other entity.

371.21(c) and (d): An order of selection of individuals with disabilities to be served under the program will be specified if services cannot be provided to all eligible American Indians with disabilities who apply. Priority in the delivery of vocational rehabilitation services will be given to those American Indians with disabilities who are the most severely disabled.

ASSURANCE STATEMENT: Depending on the applicant's situation, the application must include one of the following:

1. An assurance statement that the applicant expects to have enough resources to be able to serve all eligible American Indians with disabilities who are expected to apply.

OR

2. A description of the order of selection, prioritized on the basis of severity of disability, and giving the highest priority to those who are most severely disabled.

371.21(e): All vocational rehabilitation services will be provided according to an individualized plan of employment which has been developed jointly by the representative of the service providing organization and each American Indian with disabilities being served.

NOTE: "Service providing organization" means the tribal vocational rehabilitation program. An individualized plan for employment is a written agreement between the tribal vocational rehabilitation program unit and the eligible American Indian with a disability. The individualized plan for employment specifies the individual's employment goal, the vocational rehabilitation services that will be provided to address the individual's disability and to achieve a vocational outcome, and how those services will be provided, including the entity providing the services and timelines for the provision of services.

In addition, applicants for grants may choose to incorporate other requirements of section 102(b) of the Act that apply to State vocational rehabilitation agencies in the development of an individualized plan for employment. (A copy of section 102(b) is included in the application kit.)

ASSURANCE STATEMENT: An assurance statement that individualized plans for employment will be jointly developed for all eligible American Indians with disabilities.

371.21(f): American Indians with disabilities living on Federal or State reservations where service programs are being carried out under this part will have an opportunity to participate in matters of general policy development and implementation affecting vocational rehabilitation service delivery on the reservation.

NOTE: In addition to providing services on the reservation, the Rehabilitation Act Amendments of 1998 allow applicants to determine whether they will also provide vocational rehabilitation services to American Indians with disabilities living near the reservation. Applicants who decide to provide services to American Indians with disabilities living near the reservation will describe the geographic area in which the services will be provided. Opportunities for participation of American Indians with disabilities living on or near the reservation can be provided by establishment of an advisory committee as described at 34 CFR 369.45, or other approaches.

ASSURANCE STATEMENT: An assurance statement that the applicant will provide an opportunity for American Indians with disabilities living on or near the reservation, as described by the applicant, to participate in matters related to the development and implementation of general policies affecting the provision of vocational rehabilitation services under this grant.

371.21(g): Cooperative working arrangements will be developed with the designated State unit, or designated State units, as appropriate, which are providing vocational rehabilitation services to other individuals with disabilities who reside in the State or States being served.

NOTE: The 1998 Amendments to the Rehabilitation Act strengthened the requirement for collaboration between tribal and State vocational rehabilitation programs. Section 101(a)(11)(F) of the Act requires State vocational rehabilitation agencies to enter into formal cooperative agreements with each recipient of an American Indian vocational rehabilitation service project in the State. The agreement must describe strategies for collaboration and coordination in providing vocational rehabilitation services to American Indians who are individuals with disabilities, including --

- strategies for interagency referral and information sharing that will assist in eligibility determinations and the development of individualized plans for employment;
- procedures for ensuring that American Indians who are individuals with disabilities and are living near a reservation or tribal service area are provided vocational rehabilitation services; and
- provisions for sharing resources in cooperative studies and assessments, joint training activities, and other collaborative activities designed to improve the provision of services to American Indians who are individuals with disabilities.

ASSURANCE STATEMENT: An assurance statement that the applicant has established or will establish a formal cooperative agreement, or agreements if appropriate, that include the required strategies for collaboration and coordination of service provision.

371.21(h): Any comparable services and benefits available to American Indians with disabilities under any other program which might meet in whole or in part the cost of any vocational rehabilitation service will be fully considered in the provision of vocational rehabilitation services in accordance with 34 CFR part 361.

NOTE: As defined in 34 CFR 361, "comparable services and benefits" means services and benefits that are: 1) provided or paid for, in whole or in part, by other Federal, State, or local public agencies, by health insurance, or by employee benefits; 2) available to the individual at the time needed to achieve the goals of the individualized plan for employment; and 3) commensurate to the services the individual would otherwise receive from the vocational rehabilitation program.

ASSURANCE STATEMENT: An assurance statement that the applicant will assist individuals with disabilities to fully consider the appropriate use of all comparable services and benefits available through other sources.

371.21(I): Any American Indian with disabilities who is an applicant or recipient of services, and who is dissatisfied with a determination made by a counselor or coordinator under this program and files a request for a review, will be afforded a review under procedures developed by the grantee comparable to those under the provisions of section 102(c)(5)(A)-(I) of the Act.

NOTE: Applicants for grants must develop due process procedures by which an American Indian with a disability is provided an opportunity to have his/her grievance reviewed at levels above that at which the original decision was made. Applicants may model their due process procedures on those described in section 102(c)(5)(A)-(I) of the Act. Applicants may use tribal courts, impartial hearing officers from the list developed by the State vocational rehabilitation agency, or other methods. (A copy of section 102(c)(5)(A)-(I) is enclosed.)

ASSURANCE STATEMENT: An assurance that due process procedures have been developed or will be developed, with an early time line for that development.

371.21(j): Minimum standards will be established for community rehabilitation programs and providers of services which will be comparable to the standards set by the designated State unit and designated State units in the State or States in which the program is to be provided.

NOTE: "Community rehabilitation programs" are defined at 34 CFR 369.4. Applicants may choose to adopt State agency standards or they may modify State agency standards.

At a minimum, community rehabilitation programs and other service providers should be accessible to individuals with disabilities. Other standards to consider include the qualifications of the personnel providing the requested service, the extent to which an individual's special communication needs can be met, and the existence of procedures to prevent fraud, waste and abuse.

ASSURANCE STATEMENT: A description of how the applicant will assure use of qualified service providers.

For more information, please contact:

Alfreda Reeves	RSA, Wash. DC	202-245-7485
Dr. Thomas E. Finch	RSA, Wash. DC	202-245-7343

ELIGIBLE APPLICANT FOR SUBMITTING A PROPOSAL FOR A SECTION 121 GRANT

American Indian tribes may submit applications for American Indian Vocational Rehabilitation (VR) Services Projects funded under section 121 of the Rehabilitation Act of 1973, as amended, using one of the following options.

- 1) An Indian tribe may submit a 121 proposal to provide VR services only to American Indians with disabilities living on its own reservation.

- 2) An Indian tribe may submit a 121 proposal to provide VR services to American Indians with disabilities living on its own reservation and to American Indians with disabilities living on the reservations of other Indian tribes, under an inter-tribal arrangement as referenced in 34 CFR 371.42(b). **Such a proposal must include a written authorization from the governing bodies of the other Indian tribes that allows VR services to be provided by the Indian tribe receiving the 121 grant.** An example of a suitable written authorization is provided in Sample #1.

- 3) A consortium of Indian tribes may submit a 121 proposal. As defined in 34 CFR 371.4, a consortium means "two or more eligible governing bodies of Indian tribes that make application as a single applicant under an agreement whereby each governing body is legally responsible for carrying out all of the activities in the application." **Such a proposal must include written authorizations from the governing bodies of all the tribes who are members of the consortium, acknowledging this legal responsibility.** An example of a suitable written authorization is provided in Sample #2.

SAMPLE #1
Inter-tribal Arrangement

Section 34 CFR 371.42(b) provides that a section 121 grantee may enter into an inter-tribal arrangement with governing bodies of other Indian tribes for carrying out a project that serves more than one tribe. An American Indian Tribe may submit a proposal for a section 121 project to provide services to American Indians with disabilities living on its reservation and on the reservations of other Indian tribes, so long as the governing bodies of the other Indian tribes provide written authorization allowing for the provision of such services. The written Dear (**official name of the governing body of the Indian Tribe submitting the application**):

(Whatever opening statements the writer deems appropriate.)

Pursuant to 34 CFR § 371.42(b), the (*official name of the governing body of the Indian Tribe supporting the application*) agrees to enter into an arrangement whereby the (**Indian Tribe submitting the application**) will carry out a vocational rehabilitation (VR) project authorized under section 121 of the Rehabilitation Act of 1973. This arrangement authorizes the (**Indian Tribe submitting the application**) to submit an application for a grant pursuant to 34 CFR § 371.42(b) to fund a VR project that will include the provision of VR services to American Indians with disabilities residing on the reservation of the (*Indian tribe supporting the application*).

(Whatever justification of the need for the project the writer deems appropriate.)

(Whatever closing statements the writer deems appropriate.)

Sincerely,

(Name of official
authorized to sign this
letter)
(Name of Indian Tribe)

SAMPLE #2
Consortium

A consortium of Indian tribes may submit a proposal for a section 121 project. As defined under 34 CFR 371.4, a consortium means "two or more eligible governing bodies of Indian tribes that make application as a single applicant under an agreement whereby each governing body is legally responsible for carrying out all of the activities in the application." A single application from a consortium of Indian Tribes must include the following statement (or something similar that has the same legal effect) from each of the tribes that is included in the consortium.

The (**the official name of each governing body of the Indian Tribe that is included in the consortium**) submits this application as a member of the consortium that is submitting an application for a grant under section 121 of the Rehabilitation Act of 1973 (the Act) to carry out an American Indian vocational rehabilitation (VR) project. The VR project will be carried out by the (*the official name of the governing*

body of the Indian Tribe or Tribes that will be actually carrying out the project). However, the (**Tribe included in the consortium**) understands and agrees that, in the event that the (*Tribe or Tribes carrying out the project*) or any other Indian Tribe that is a member of this consortium is unable to carry out this project, the (**Tribe included in the consortium**) alone will be held legally responsible to ensure that the VR project to be funded under section 121 of the Act is carried out. The VR project to be carried out under this grant will provide services to American Indians with disabilities who reside on the reservation of each of the Indian Tribes included in this consortium.

This statement from each of the Indian Tribes included in the consortium must be signed by a Tribal official authorized to sign such a statement and submit an application for funds under section 121 of the Act.

SECTION D

GENERAL INFORMATION ON COMPLETING AN APPLICATION

1. The purpose and goal of the project is to provide vocational rehabilitation services to enable consumers to prepare for and obtain gainful employment.
2. Applicants **MUST** address the Special Requirements--applications will be returned if they are not addressed! In your application, include these assurances in a separate section titled "Special Requirements".
3. The 121 projects MUST deliver a wide variety of vocational rehabilitation services to meet the needs of consumers with disabilities.
4. Make it easy for the reviewers to appropriately rate your application. The application narrative (Part III of this application form) should be organized to follow the exact sequence of the components in the selection criteria used to evaluate applications.
Please number ALL pages--including the Appendices.
Remember to cross-reference the narrative sections of your application ,if you are including further information in the appendix.
Include a Table of Contents.
Include a one-page single-spaced abstract.
Do not bound applications.
Try to keep the narrative to 35 pages, double-spaced.
5. Definitions/Information for preparing the Budget:

Equipment-Tangible, nonexpendable property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. However, consistent with YOUR institutional policy, lower limits may be established.

Supplies-Direct materials and supplies that are consumable, expendable or of a relatively low unit cost.

Personnel-All project staff who are paid for by the grant or whose time is used to meet the match requirement.

Match-The match is computed on the TOTAL cost of the project (both Federal and applicant contributions). The easiest way to compute the correct local match is to divide the requested Federal funds by 9. Example: \$100,000 requested Federal funds per year/9 = \$11,111 required match per year.

Other-This is the place for all direct costs that are not clearly covered by the other direct cost categories. It is a catch-all category that could include a wide variety of

costs that do not seem to "fit" elsewhere in the budget. For instance, postage and copying; as well as all Client services including training and stipends, etc. listed in this category.

Staff training costs ARE allowable expenses.

6. There is a maximum award amount specified for the competition included in the Federal Register Notice.
7. Include a multi-year budget breakdown.
8. KEY PERSONNEL are defined as the Project Director, Principle Investigator and/or the Project Coordinator. Please provide a resume or a job description for all key personnel and other staff members.
9. If you are eligible for the 10 bonus points as a continuation of a previously funded 121 project, provide the name of the Tribe or Consortia and the dates of the project period.

NOTIFICATION OF FUNDING

The time to complete the evaluation of applications is variable. Once applications have been received staff must appropriately evaluate the applications, identify and contact potential reviewers, convene peer review panels, and summarize and review the recommendations of the review panels. The recommendation package then enters a departmental review. You may receive notification within 3 months of the application closing date, depending on the number of applications received.

MAKING SURE APPLICATION IS ASSIGNED TO THE CORRECT COMPETITION

Applicants should clearly indicate in Item 3 on the application (ED Form 424) the CFDA number of the program priority (e.g., 84.250B) representing the competition in which the application should be considered. If this information is not provided, your application may inadvertently be assigned and reviewed under a different competition from the one you intended.

DELIVERING/SENDING APPLICATIONS

Applications can be hand delivered, submitted electronically (www.Grants.gov), or mailed but in either case must go to the Application Control Center at the address listed in the Application Transmittal Instructions. Delivering or sending the application to the competition manager in the program office may prevent it from being logged in on time to the appropriate competition and may result in the application not being reviewed.

SECTION E

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. To help expedite our review process, we would appreciate your voluntarily including an additional 3 copies of your applications.

Applications Submitted Electronically

You must submit your grant application through the Internet using the software provided on the Grants.gov Web site (<http://www.grants.gov>) by 4:30 p.m. (Washington, DC time) on the application deadline date.

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

For more information on using Grants.gov, please refer to the Notice Inviting Applications that was published in the Federal Register, the Grants.gov Submission Procedures and Tips document found in the application package instructions, and visit <http://www.grants.gov>.

Applications Delivered by Mail

Applications sent by mail must be addressed to:

U.S. Department of Education
Application Control Center
Attention: (84.250B CFDA Number)
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 deliver 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. 04/30/08)) 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 Commercial Carrier/Hand

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

Applications that are delivered by commercial carrier, such as Federal Express, United Parcel Service, etc. should be mailed to the:

**U. S. Department of Education
Application Control Center – Stop 4260
Attention: CFDA #84.250B
7100 Old Landover Road
Landover, MD 20785-1506**

Applications Delivered by Hand

You or your courier must hand deliver the original and number of copies requested of the application by 4:30 p.m. (Washington, DC time) on or before the deadline date. Please hand deliver copies to:

**U.S. Department of Education
Application Control Center
Attention: CFDA #84.250B
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.

SECTION F

RULES AND REGULATIONS

SECTION 121: AMERICAN INDIAN VOCATIONAL
REHABILITATION SERVICES

SECTION 102(b) - (c): INDIVIDUALIZED PLAN OF
EMPLOYMENT

SECTION 103: VOCATIONAL REHABILITATION
SERVICES

34 CFR PART 371

Section 121 American Indian Vocational Rehabilitation Services

Sec. 121(a): The Commissioner, in accordance with the provisions of this part, may make grants to the governing bodies of Indian tribes located on Federal and State reservations (and consortia of such governing bodies) to pay 90 percent of the costs of vocational rehabilitation services for American Indians who are individuals with disabilities residing on or near such reservations. The non-Federal share of such costs may be in cash or in kind, fairly valued, and the Commissioner may waive such non-Federal share requirement in order to carry out the purposes of this Act.

(b) (1) No grant may be made under this part for any fiscal year unless an application therefor has been submitted to and approved by the Commissioner. The Commissioner may not approve an application unless the application--

(A) is made at such time, in such manner, and contains such information as the Commissioner may require;

(B) contains assurances that the rehabilitation services provided under this part to American Indians who are individuals with disabilities residing on or near a reservation in a State shall be, to the maximum extent feasible, comparable to rehabilitation services provided under this title to other individuals with disabilities residing in the State and that, where appropriate, may include services traditionally used by Indian tribes; and

(C) contains assurances that the application was developed in consultation with the designated State unit of the State.

(2) The provisions of sections 5, 6, 7, and 102(a) of the Indian Self-Determination and Education Assistance Act shall be applicable to any application submitted under this part. For purposes of this paragraph, any reference in any such provision to the Secretary of Education or to the Secretary of the Interior shall be considered to be a reference to the Commissioner.

(3) Any application approved under this part shall be effective for not more than 60 months, except as determined otherwise by the Commissioner pursuant to prescribed regulations. The State shall continue to provide vocational rehabilitation services under its State plan to American Indians residing on or near a reservation whenever such State includes any such American Indians in its State population under section 110(a)(1).

(4) In making grants under this part, the Secretary shall give priority consideration to applications for the

continuation of programs which have been funded under this part.

(5) Nothing in this section may be construed to authorize a separate service delivery system for Indian residents of a State who reside in non-reservation areas.

(c) The term "*reservation*" includes Indian reservations, public domain Indian allotments, former Indian reservations in Oklahoma, and land held by incorporated Native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement Act.

Sec. 102(b) Individualized Plan for Employment

(1) Options for developing an individualized plan for employment

If an individual is determined to be eligible for vocational rehabilitation services as described in subsection (a), the designated State unit shall complete the assessment for determining eligibility and vocational rehabilitation needs, as appropriate, and shall provide the eligible individual or the individual's representative, in writing and in an appropriate mode of communication, with information on the individual's options for developing an individualized plan for employment, including--

(A) information on the availability of assistance, to the extent determined to be appropriate by the eligible individual, from a qualified vocational rehabilitation counselor in developing all or part of the individualized plan for employment for the individual, and the availability of technical assistance in developing all or part of the individualized plan for employment for the individual;

(B) a description of the full range of components that shall be included in an individualized plan for employment;

(C) as appropriate--

(i) an explanation of agency guidelines and criteria associated with financial commitments concerning an individualized plan for employment;

(ii) additional information the eligible individual requests or the designated State unit determines to be necessary; and

(iii) information on the availability of assistance in completing designated State agency forms required in developing an individualized plan for employment; and

(D) (i) a description of the rights and remedies available to such an individual including, if appropriate, recourse to the processes set forth in subsection (c); and

(ii) a description of the availability of a client assistance program established pursuant to section 112 and information about how to contact the client assistance program.

(2) Mandatory procedures

(A) Written document

An individualized plan for employment shall be a written document.

(B) Informed choice

An individualized plan for employment shall be developed and implemented in a manner that affords eligible individuals the opportunity to exercise informed choice in selecting an employment outcome, the specific vocational rehabilitation services to be provided under the plan, the entity that will provide the vocational rehabilitation services, and the methods used to procure the services, consistent with subsection (d).

(C) Signatories

An individualized plan for employment shall be--

(i) agreed to, and signed by, such eligible individual or, as appropriate, the individual's representative; and

(ii) approved and signed by a qualified vocational rehabilitation counselor employed by the designated State unit.

(D) Copy

A copy of the individualized plan for employment for an eligible individual shall be provided to the individual or, as appropriate, to the individual's representative, in writing and, if appropriate, in the native language or mode of communication of the individual or, as appropriate, of the individual's representative.

(E) Review and amendment

The individualized plan for employment shall be--

(i) reviewed at least annually by--

(I) a qualified vocational rehabilitation counselor; and

(II) the eligible individual or, as appropriate, the individual's representative; and

(ii) amended, as necessary, by the individual or, as appropriate, the individual's representative, in collaboration with a representative of the designated State agency or a qualified vocational rehabilitation counselor (to the extent determined to be appropriate by the individual), if there are substantive changes in the employment outcome, the vocational rehabilitation services to be provided, or the service providers of the services (which amendments shall not take effect until agreed to and signed by the eligible individual or, as appropriate, the individual's representative, and by a qualified vocational rehabilitation counselor employed by the designated State unit).

(3) Mandatory components of an individualized plan for employment

Regardless of the approach selected by an eligible individual to develop an individualized plan for employment, an individualized plan for employment shall, at a minimum, contain mandatory components consisting of--

(A) a description of the specific employment outcome that is chosen by the eligible individual, consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the eligible individual, and, to the maximum extent appropriate, results in employment in an integrated setting;

(B) (i) a description of the specific vocational rehabilitation services that are--

(I) needed to achieve the employment outcome, including, as appropriate, the provision of assistive technology devices and assistive technology services, and personal assistance services, including training in the management of such services; and

(II) provided in the most integrated setting that is appropriate for the service involved and is consistent with the informed choice of the eligible individual; and

(ii) timelines for the achievement of the employment outcome and for the initiation of the services;

(C) a description of the entity chosen by the eligible individual or, as appropriate, the individual's representative, that will provide the vocational rehabilitation services, and the methods used to procure such services;

(D) a description of criteria to evaluate progress toward achievement of the employment outcome;

(E) the terms and conditions of the individualized plan for employment, including, as appropriate, information describing--

(i) the responsibilities of the designated State unit;

(ii) the responsibilities of the eligible individual, including--

(I) the responsibilities the eligible individual will assume in relation to the employment outcome of the individual;

(II) if applicable, the participation of the eligible individual in paying for the costs of the plan; and

(III) the responsibility of the eligible individual with regard to applying for and securing comparable benefits as described in section 101(a)(8); and

(iii) the responsibilities of other entities as the result of arrangements made pursuant to comparable services or benefits requirements as described in section 101(a)(8);

(F) for an eligible individual with the most significant disabilities for whom an employment outcome in a supported employment setting has been determined to be appropriate, information identifying--

(i) the extended services needed by the eligible individual; and

(ii) the source of extended services or, to the extent that the source of the extended services cannot be identified at the time of the development of the individualized plan for employment, a description of the basis for concluding that there is a reasonable expectation that such source will become available; and

(G) as determined to be necessary, a statement of projected need for post-employment services.

Sec. 103. Vocational Rehabilitation Services

(a) Vocational Rehabilitation Services for Individuals

Vocational rehabilitation services provided under this title are any services described in an individualized plan for employment necessary to assist an individual with a disability in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual, including--

(1) an assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;

(2) counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of section 102(d);

(3) referral and other services to secure needed services from other agencies through agreements developed under section 101(a)(11), if such services are not available under this title;

(4) job-related services, including job search and placement assistance, job retention services, followup services, and follow-along services;

(5) vocational and other training services, including the provision of personal and vocational adjustment services, books, tools, and other training materials, except that no training services provided at an institution of higher education shall be paid for with funds under this title unless maximum efforts have been made by the designated State unit and the individual to secure grant assistance, in whole or in part, from other sources to pay for such training;

(6) to the extent that financial support is not readily available from a source (such as through health insurance of the individual or through comparable services and benefits consistent with section 101(a)(8)(A)), other than the designated State unit, diagnosis and treatment of physical and mental impairments, including--

(A) corrective surgery orthorapeutic treatment necessary to correct or substantially modify a physical or mental condition that constitutes a substantial impediment to employment, but is of such a nature that such correction or modification may reasonably be expected to eliminate or reduce such impediment to employment within a reasonable length of time;

(B) necessary hospitalization in connection with surgery or treatment;

(C) prosthetic and orthotic devices;

(D) eyeglasses and visual services as prescribed by qualified personnel who meet State licensure laws and who are selected by the individual;

(E) special services (including transplantation and dialysis), artificial kidneys, and supplies necessary for the treatment of individuals with end-stage renal disease; and

(F) diagnosis and treatment for mental and emotional disorders by qualified personnel who meet State licensure laws;

(7) maintenance for additional costs incurred while participating in an assessment for determining eligibility and vocational rehabilitation needs or while receiving services under an individualized plan for employment;

(8) transportation, including adequate training in the use of public transportation vehicles and systems, that is provided in connection with the provision of any other service described in this section and needed by the individual to achieve an employment outcome;

(9) on-the-job or other related personal assistance services provided while an individual is receiving other services described in this section;

(10) interpreter services provided by qualified personnel for individuals who are deaf or hard of hearing, and reader services for individuals who are determined to be blind, after an examination by qualified personnel who meet State licensure laws;

(11) rehabilitation teaching services, and orientation and mobility services, for individuals who are blind;

(12) occupational licenses, tools, equipment, and initial stocks and supplies;

(13) technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources, to the extent such resources are authorized to be provided through the statewide workforce investment system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome;

(14) rehabilitation technology, including telecommunications, sensory, and other technological aids and devices;

(15) transition services for students with disabilities, that facilitate the achievement of the employment outcome identified in the individualized plan for employment;

(16) supported employment services;

(17) services to the family of an individual with a disability necessary to assist the individual to achieve an employment outcome; and

(18) specific post-employment services necessary to assist an individual with a disability to, retain, regain, or advance in employment.

(b) Vocational Rehabilitation Services for Groups of Individuals

Vocational rehabilitation services provided for the benefit of groups of individuals with disabilities may also include the following:

(1) In the case of any type of small business operated by individuals with significant disabilities the operation of which can be improved by management services and supervision provided by the designated State agency, the provision of such services and supervision, along or together with the acquisition by the designated State agency of vending facilities or other equipment and initial stocks and supplies.

(2) (A) The establishment, development, or improvement of community rehabilitation programs, including, under special circumstances, the construction of a facility. Such programs shall be used to provide services that promote integration and competitive employment.

(B) The provision of other services, that promise to contribute substantially to the rehabilitation of a group of individuals but that are not related directly to the individualized plan for employment of any one individual with a disability.

(3) The use of telecommunications systems (including telephone, television, satellite, radio, and other similar systems) that have the potential for substantially improving delivery methods of activities described in this section and developing appropriate programming to meet the particular needs of individuals with disabilities.

(4) (A) Special services to provide nonvisual access to information for individuals who are blind, including the use of telecommunications, Braille, sound recordings, or other appropriate media.

(B) Captioned television, films, or video cassettes for individuals who are deaf or hard of hearing.

(C) Tactile materials for individuals who are deaf-blind.

(D) Other special services that provide information through tactile, vibratory, auditory, and visual media.

(5) Technical assistance and support services to businesses that are not subject to title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) and that are seeking to employ individuals with disabilities.

(6) Consultative and technical assistance services to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment. [Code of Federal Regulations][Title 34, Volume 2, Parts 300 to 399][Revised as of July 1, 1998]From the U.S. Government Printing Office via GPO Access[CITE: 34CFR369.1] [Page 394-395]

PLEASE NOTE:

American Indian Vocational Rehabilitation Services Program

The American Indian Vocational Rehabilitation Services (AIVRS) program (part 371) is authorized by sections 110(c) and 121 of the Act. Under this program, grants are awarded to governing bodies of Indian tribes located on Federal and State reservations to provide vocational rehabilitation services for American Indians with disabilities residing on or near those reservations.

The 1998 Amendments changed the AIVRS Program in three significant ways: 1) the geographic area that can be served by these programs was expanded to include American Indians with disabilities who live near the reservation, in addition to providing services to those who live on the reservation; 2) the project period for which these programs can be approved was extended from three to five years; 3) section 101(a)(11)(F) of the Act requires State vocational rehabilitation services agencies to enter into formal cooperative agreements with AIVRS program grantees within the State that describe strategies for collaboration and coordination in providing vocational rehabilitation services to American Indians with disabilities.

In addition, please note the longstanding statutory provision in section 121(b)(4) of the Act that directs the Secretary to give priority consideration to applications for the continuation of programs that have been funded previously under this program.

TITLE 34--EDUCATION

CHAPTER III--OFFICE OF SPECIAL EDUCATION AND
REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION

PART 371--VOCATIONAL REHABILITATION SERVICE PROJECTS FOR AMERICAN INDIANS WITH
DISABILITIES

Subpart A--General

Sec.

- 371.1 What is the Vocational Rehabilitation Services Program for American Indians with Disabilities?
- 371.2 Who is eligible for assistance under this program?
- 371.3 What regulations apply to this program?
- 371.4 What definitions apply to this program?
- 371.5 What is the length of the project period under this program?

Subpart B--What Kinds of Activities Does the Department of Education Assist Under This Program?

- 371.10 What types of projects are authorized under this program?

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

- 371.20 What are the application procedures under this program?
- 371.21 What are the special application requirements related to the State plan Program?

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

- 371.31 How are grants awarded?

Subpart E--What Conditions Apply to a Grantee Under This Program?

- 371.40 What are the matching requirements?
- 371.41 What are allowable costs?
- 371.42 How are services to be administered under this program?
- 371.43 What other special conditions apply to this program?

Authority: 29 U.S.C. 711(c) and 750, unless otherwise noted.

Source: 46 FR 5423, Jan. 19, 1981, unless otherwise noted.

Subpart A--General

Sec. 371.1 What is the Vocational Rehabilitation Services Program for American Indians with Disabilities?

This program is designed to provide vocational rehabilitation services to American Indians with disabilities who reside on Federal or State reservations, consistent with their individual strengths, resources, priorities, concerns, abilities, capabilities, and informed choice so that they may prepare for and engage in gainful employment.

(Authority: Secs. 100(a)(2) and 130(a) of the Act; 29 U.S.C. 720(a)(2) and 750(a))
[60 FR 58137, Nov. 24, 1995]

Sec. 371.2 Who is eligible for assistance under this program?

Applications may be made only by the governing bodies of Indian tribes and consortia of those governing bodies located on Federal and State reservations.

(Authority: Sec. 130(a) of the Act; 29 U.S.C. 750(a))
[46 FR 5423, Jan. 19, 1981, as amended at 52 FR 30555, Aug. 14, 1987]

Sec. 371.3 What regulations apply to this program?

The following regulations apply to this program--

- (a) 34 CFR part 369;
- (b) The regulations in this part 371.

(Authority: Sec. 130 of the Act; 29 U.S.C. 750)

Sec. 371.4 What definitions apply to this program?

- (a) The definitions in 34 CFR part 369 apply to this program;
- (b) The following definitions also apply specifically to this

program--

American Indian means a person who is a member of an Indian tribe.

(Authority: Secs. 12(c) and 130 of the Act; 29 U.S.C. 711(c) and 750)

Consortium means two or more eligible governing bodies of Indian tribes that make application as a single applicant under an agreement whereby each governing body is legally responsible for carrying out all of the activities in the application.

(Authority: Secs. 12(c) and 130 of the Act; 29 U.S.C. 711(c) and 750)

Governing bodies of Indian tribes means those duly elected or appointed representatives of an Indian tribe or of an Alaskan native village. These representatives must have the authority to enter into contracts, agreements, and grants on behalf of their constituency.

(Authority: Secs. 12(c) and 130 of the Act; 29 U.S.C. 711(c) and 750)

Indian tribe means any Federal or State Indian band, rancheria, pueblo, colony, and community, including any Alaskan native village or regional village corporation (as defined in or established pursuant to the Alaska Native Claims Settlement Act).

(Authority: Secs. 12(c) and 130 of the Act; 29 U.S.C. 711(c) and 750)

Reservation means a Federal or State Indian reservation, public domain Indian allotment, former Indian reservation in Oklahoma, and land held by incorporated Native groups, regional corporations and village corporations under the provisions of the Alaska Native Claims Settlement Act.

(Authority: Secs. 12(c) and 130(c) of the Act; 29 U.S.C. 711(c) and 750(c))
[46 FR 5423, Jan. 19, 1981, as amended at 52 FR 30555, Aug. 14, 1987; 59 FR 8338, Feb. 18, 1994]

Sec. 371.5 What is the length of the project period under this program?

- (a) The Secretary approves a project period of up to three years.
- (b) The Secretary may extend a grant for up to two additional years if the grantee includes in its extension

request--

- (1) An assurance that the project is in compliance with all applicable program requirements; and

(2) Satisfactory evidence that--

- (i) The project has made substantial and measurable progress in meeting the needs of American Indians with disabilities on the reservation or reservations it serves;
- (ii) American Indians with disabilities who have received project services have achieved employment outcomes consistent with their strengths, resources, priorities, concerns, abilities, capabilities, and informed choice; and
- (iii) There is a continuing need for the project.

(Approved by the Office of Management and Budget under control number 1820-0018)

(Authority: Section 130(b)(3) of the Act; 29 U.S.C. 750(b)(3))

[60 FR 58137, Nov. 24, 1995]

Subpart B--What Kinds of Activities Does the Department of Education Assist Under This Program?

Sec. 371.10 What types of projects are authorized under this program?

The Vocational Rehabilitation Service Program for American Indians with Disabilities provides financial assistance for the establishment and operation of tribal vocational rehabilitation service programs for American Indians with disabilities who reside on Federal or State reservations.

(Authority: Sec. 130(a) of the Act; 29 U.S.C. 750(a))

[59 FR 8338, Feb. 18, 1994]

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

Sec. 371.20 What are the application procedures for this program?

In the development of an application, a governing body or consortium is required to consult with the designated State unit or the designated State units of the State or States in which vocational rehabilitation services are to be provided.

(Authority: Sec. 130(b) of the Act; 29 U.S.C. 750(b))

[46 FR 5423, Jan. 19, 1981, as amended at 52 FR 30555, Aug. 14, 1987]

Sec. 371.21 What are the special application requirements related to the State plan program?

Each applicant under this program must provide evidence that--

(a) Effort will be made to provide a broad scope of vocational rehabilitation services in a manner and at a level of quality at least comparable to those services provided by the designated State unit under 34 CFR part 361.

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

(b) All decisions affecting eligibility for and the nature and scope of vocational rehabilitation services to be provided, and the provision of these services, will be made by the tribal vocational rehabilitation program through its vocational rehabilitation unit and will not be delegated to another agency or individual.

(Authority: Secs. 12(c) and 101(a) of the Act; 29 U.S.C. 711(c) and 721(a))

(c) Priority in the delivery of vocational rehabilitation service will be given to those American Indians with disabilities who are the most severely disabled.

(Authority: Secs. 12(c) and 101(a)(5) of the Act; 29 U.S.C. 711(c) and 721(a)(5))

(d) An order of selection of individuals with disabilities to be served under the program will be specified if services cannot be provided to all eligible American Indians with disabilities who apply.

(Authority: Secs. 12(c) and 101(a)(5) of the Act; 29 U.S.C. 711(c) and 721(a)(5))

(e) All vocational rehabilitation services will be provided according to an individualized written rehabilitation program which has been developed jointly by the representative of the service providing organization and each American Indian with disabilities being served.

(Authority: Secs. 12(c) and 101(a)(9) of the Act; 29 U.S.C. 711(c) and 721(a)(9))

(f) American Indians with disabilities living on Federal or State reservations where service programs are being carried out under this part will have an opportunity to participate in matters of general policy development and implementation affecting vocational rehabilitation service delivery on the reservation.

(Authority: Secs. 12(c) and 101(a)(18) of the Act; 29 U.S.C. 711(c) and 721(a)(18))

(g) Cooperative working arrangements will be developed with the designated State unit, or designated State units, as appropriate, which are providing vocational rehabilitation services to other individuals with disabilities who reside in the State or States being served.

(Authority: Secs. 12(c) and 101(a)(11) of the Act; 29 U.S.C. 711(c) and 721(a)(11))

(h) Any similar benefits available to American Indians with disabilities under any other program which might meet in whole or in part the cost of any vocational rehabilitation service will be fully considered in the provision of vocational rehabilitation services in accordance with 34 CFR part 361.

(Authority: Secs. 12(c) and 101(a)(8) of the Act; 29 U.S.C. 711(c) and 721(a)(8))

(i) Any American Indian with disabilities who is an applicant or recipient of services, and who is dissatisfied with a determination made by a counselor or coordinator under this program and files a request for a review, will be afforded a review under procedures developed by the grantee comparable to those under the provisions of section 102(d) (1)-(3) of the Act.

(Authority: Secs. 12(c) and 102(d) of the Act; 29 U.S.C. 711(c) and 722(d))

(j) Minimum standards will be established for community rehabilitation programs and providers of service which will be comparable to the standards set by the designated State unit or designated State units in the State or States in which the program is to be provided; and

(Authority: Secs. 12(c) and 101(a) (6) and (7) of the Act; 29 U.S.C. 711(c) and 721(a) (6) and (7))

(k) Maximum use will be made of public or other vocational or technical training facilities or other appropriate community resources.

(Authority: Secs. 12(c) and 101(a)(12) of the Act; 29 U.S.C. 711(c) and 721(a)(12))

[46 FR 5423, Jan. 19, 1981, as amended at 52 FR 30555, Aug. 14, 1987; 59 FR 8337, 8338, Feb. 18, 1994]

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

Sec. 371.31 How are grants awarded?

To the extent that funds have been appropriated under this program, the Secretary approves all applications which meet acceptable standards of program quality. If any application is not approved because of deficiencies in proposed program standards, the Secretary provides technical assistance to the applicant Indian tribe with respect to any areas of the proposal which were judged to be deficient.

(Authority: Secs. 12(c) and 130 of the Act; 29 U.S.C. 711(c) and 750)

Subpart E--What Conditions Apply to a Grantee Under This Program?

Sec. 371.40 What are the matching requirements?

(a) Federal share. Except as provided in paragraph (c) of this section, the Federal share may not be more than 90 percent of the total cost of the project.

(b) Non-Federal share. The non-Federal share of the cost of the project may be in cash or in kind, fairly valued.

(c) Waiver of non-Federal share. In order to carry out the purposes of the program, the Secretary may waive the non-Federal share requirement, in part or in whole, only if the applicant demonstrates that it does not have sufficient resources to contribute the non-Federal share of the cost of the project.

(Authority: Secs. 12(c) and 130(a) of the Act; 29 U.S.C. 711(c) and 750(a))

[52 FR 30556, Aug. 14, 1987]

Sec. 371.41 What are allowable costs?

(a) In addition to those allowable costs established in EDGAR Secs. 75.530-75.534, the following items are allowable costs under this program--

(1) Expenditures for the provision of vocational rehabilitation services and for the administration, including staff development, of a program of vocational rehabilitation services.

(2) Expenditures for services reflecting the cultural background of the American Indians being served, including treatment provided by native healing practitioners who are recognized as such by the tribal vocational rehabilitation program when the services are necessary to assist an individual with disabilities to achieve his or her vocational rehabilitation objective.

(b) Expenditures may not be made under this program to cover the costs of providing vocational rehabilitation services to individuals with disabilities not residing on Federal or State reservations.

(Authority: Secs. 12(c) and 130(a) of the Act; 29 U.S.C. 711(c) and 750(a))

[46 FR 5423, Jan. 19, 1981, as amended at 52 FR 30555, Aug. 14, 1987; 59 FR 8337, Feb. 18, 1994]

Sec. 371.42 How are services to be administered under this program?

(a) Directly or by contract. A grantee under this part may provide the vocational rehabilitation services directly or it may contract or otherwise enter into an agreement with a designated State unit, a community rehabilitation program, or another agency to assist in the implementation of the vocational rehabilitation service program for American Indians with disabilities.

(b) Inter-tribal agreement. A grantee under this part may enter into an inter-tribal arrangement with governing bodies of other Indian tribes for carrying out a project that serves more than one Indian tribe.

(c) Comparable service program. To the maximum extent feasible, services provided by a grantee under this part must be comparable to rehabilitation service provided under this title to other individuals with disabilities residing in the State.

(Authority: Secs. 12(c) and 130 of the Act; 29 U.S.C. 711(c) and 750)

[52 FR 30556, Aug. 14, 1987, as amended at 59 FR 8337, 8338, Feb. 18, 1994]

Sec. 371.43 What other special conditions apply to this program?

(a) Any American Indian with disabilities who is eligible for service under this program but who wishes to be provided service by the designated State unit must be referred to the State unit for such services.

(b) Preference in employment in connection with the provision of vocational rehabilitation services under this section must be given to American Indians, with a special priority being given to American Indians with disabilities.

(c) The provisions of sections 5, 6, 7, and 102(a) of the Indian Self-Determination and Education Assistance Act also apply under this program. These provisions relate to grant reporting and audit requirements, maintenance of records, access to records, availability of required reports and information to Indian people served or represented, repayment of unexpended Federal funds, criminal activities involving grants, penalties, wage and labor standards, preference requirements for American Indians in the conduct and administration of the grant, and requirements affecting requests of tribal organizations to enter into contracts. For purposes of applying these requirements to this program, the Secretary carries out those responsibilities assigned to the Secretary of Interior.

(Authority: Secs. 12(c) and 130(b)(2) of the Act; 29 U.S.C. 711(c) and 750(b)(2))

[46 FR 5423, Jan. 19, 1981, as amended at 52 FR 30555, Aug. 14, 1987; 59 FR 8337, Feb. 18, 1994]

SECTION G

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 Ex. 4/30/08
04/30/08

f. Program Income \$ _____ . 00 c. Tel. #: (_____) _____ -
_____ Fax #: (_____) _____ - _____
d. E-Mail Address: _____

g. TOTAL \$ _____ . 00 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 are 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 13 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 13 a. and designated exemption
If you marked "Yes" for item 13 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 13 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

Department of Education's Protection of Human Subjects in Research Web Site at:
<http://www.ed.gov/about/offices/list/ocfo/humanub.html>

(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.



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 Budgeted Rate Programs (budgeted indirect costs) you must submit indirect cost information that

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.

**Certification of Eligibility
Certain Programs**



for Federal Assistance in

I understand that 34 CFR 75.60, specific certifications of Education (ED) as a condition of programs and that these requirements requirements that ED imposes under program regulations.

75.61, and 75.62 require that I make eligibility to the U.S. Department of applying for Federal funds in certain 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:

ED 80-0016 (Revised 2/01)

OMB Approval No. 0348-0040

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

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

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Standard Form 424B (Rev. 7-97) Back

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 subawards at all tiers (including subgrants and contracts under grants and cooperative agreements) and that all subrecipients 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 which 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

ED 80-0014, 9/90 (Replaces GCS-009 (REV.12/88), which is obsolete)

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:</p> <p>a. contract _____</p> <p>b. grant _____</p> <p>c. cooperative agreement _____</p> <p>d. loan _____</p> <p>e. loan _____</p> <p>f. loan _____</p> <p>guarantee _____</p> <p>insurance _____</p>	<p>2. Status of Federal Action:</p> <p>a. bid/offer/application _____</p> <p>b. initial award _____</p> <p>c. post-award _____</p>	<p>3. Report Type:</p> <p>a. initial filing _____</p> <p>b. material change _____</p> <p>For material change only:</p> <p>Year _____ quarter _____</p> <p>Date of last report _____</p>
<p>4. Name and Address of Reporting Entity:</p> <p>_____ Prime _____</p> <p>Subawardee _____</p> <p>Tier _____, if known:</p> <p>_____</p> <p>Congressional District, if known: _____</p>	<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>_____</p> <p>Congressional District, if known: _____</p>	
<p>6. Federal Department/Agency:</p> <p>_____</p>	<p>7. Federal Program</p> <p>_____</p> <p>CFDA Number, if applicable: _____</p>	
<p>7. Federal Action Number, if</p>	<p>9. Award Amount, if known:</p>	

known:	\$
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>
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.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____
Federal Use Only	Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

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 followup 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

IMPORTANT NOTICES

OMB Control No. 1890-0007 (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 apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers,

etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

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

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

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

(1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

(2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the

course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

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.

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 (Room 3652, GSA Regional Office Building No. 3). Washington, DC 20202-4248.

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

What is GPRA

The Government Performance and Results Act 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.



Do not enter information below unless instructed to do so.

OMB No. 1890-0014

Exp. 1/31/2006

Survey on Ensuring Equal

Opportunity

FOR APPLICANTS

1. Does the applicant have 501(c)(3) status? 4. Is the applicant a faith-based/religious organization?

Purpose: This form is for applicants that are nonprofit private organizations (not including private universities). Please complete it to assist the Federal government in ensuring that all qualified applicants, small or large, non-religious or faith-based, have an equal opportunity to compete for Federal funding. Information provided on this form will not be considered in any way in making funding decisions and will not be included in the Federal grants database.

Instructions for Submitting Survey

If submitting hard copy, please place the completed survey in an envelope labeled "Applicant Survey." Seal the envelope and include it with your application package.

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

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

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?
- Mail* Application To: **OR** Hand-deliver* Application To:

**American Indian Vocational
Rehabilitation Services**
ATTN: 84.250B
U.S. Department of Education
Application Control Center
400 Maryland Avenue, SW
Washington, DC 20202-4260

**American Indian Vocational
Rehabilitation Services**
ATTN: 84.250B
U.S. Department of Education
Application Control Center
550 12th Street, SW, Room 7041
Washington, DC 20202-4260

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](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
ACKNOWLEDGEMENT _____**

If you fail to receive the notification of application 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
(WWW address)**

<http://www.ed.gov/>