

U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION & REHABILITATIVE SERVICES
OFFICE OF SPECIAL EDUCATION PROGRAMS
WASHINGTON, D.C. 20202

FISCAL YEAR 2011

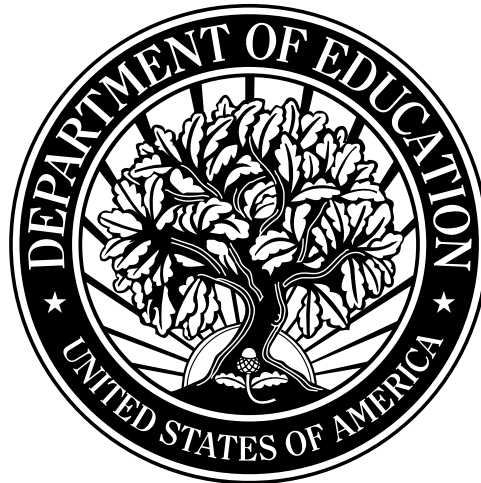
2011 APPLICATION KIT FOR NEW GRANTS

UNDER

**THE ASSISTIVE TECHNOLOGY ACT
NATIONAL ACTIVITIES PROGRAM**

**DATA-COLLECTION AND REPORTING ASSISTANCE
FOR ASSISTIVE TECHNOLOGY PROGRAM**

CFDA NUMBER: 84.224B



DATED MATERIAL: OPEN IMMEDIATELY

CLOSING DATE: JULY 1, 2011

FORM APPROVED — OMB No. 1820-0018, EXP. DATE: JUNE 30, 2013

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SECTION A
DEAR APPLICANT LETTER

REHABILITATION SERVICES ADMINISTRATION

Dear Applicant:

The Secretary invites new applications under the Assistive Technology Act National Activities Program. Please take a few moments to read this letter carefully as it includes important information related to the grant competition.

The purpose of the Assistive Technology Act National Activities program is to support and improve the administration of programs funded under the Assistive Technology Act of 1998, as amended, and to improve access to and acquisition of assistive technology for individuals with disabilities.

Please be sure your application addresses each of the following appropriately:

- The maximum funding levels contained in section D of this application kit are strictly enforced. Failure to adhere to them will result in rejection of your application.
 - Part III of the application narrative, is where you, the applicant, address the selection criteria used by reviewers in evaluating the application. The applicant must limit Part III to the equivalent of no more than 24 pages, using the following standards:
 - (1) A “page” is 8.5” x 11”, on one side only with 1” margins at the top, bottom, and both sides.
 - (2) You must double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

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

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

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

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

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

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

SECTION A: Proof of Eligibility

SECTION B: Project Design

SECTION C: Project Personnel

SECTION D: Resources

SECTION E: Management Plan

SECTION F: Project Evaluation

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

EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS (EDGAR)

Assistive Technology Act National Activities grants are subject to the requirements of the Education Department General Administrative Regulations at 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 85, and 86, 97, 98, and 99. These regulations set forth all general rules affecting application submittal, review, grant awarding, and post-award administration of Department of Education grant programs.

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

APPLICATION PROCEDURES

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

APPLICATION TRANSMITTAL INSTRUCTIONS

You must submit your application electronically unless you qualify for an exception to the electronic submission requirement in which case you may mail it through the postal service or another carrier. Please refer to the Notice Inviting New Applications in Section B of this application package for instructions on mailing your application. If you use the postal service or express mail service, I encourage you to overnight-mail or hand-deliver the original and two copies of the application on or before the closing date that is indicated on the cover of this application kit. Overnight mailing, hand delivery and regular mailing addresses are indicated in Section E (page E-1). It will expedite the review process if four additional copies (for a total of

seven – one original and six copies) are submitted to the Application Control Center in Washington, D.C.

Applicants may contact the Competition Manager to discuss any matters relating to this competition. The Competition Manager is Brian Bard, who may be reached at (202) 245-7345.

Sincerely,

/s/

Thomas Finch, Ph.D.
Director

IMPORTANT – PLEASE READ FIRST
U.S. Department of Education
GRANTS.GOV SUBMISSION PROCEDURES AND
TIPS FOR APPLICANTS

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

ATTENTION – ADOBE FORMS AND PDF FILES REQUIRED

Applications submitted to Grants.gov for the Department of Education will be posted using Adobe forms. Therefore, applicants will need to download the latest version of Adobe reader (at least Adobe Reader 8.1.2). Information on computer and operating system compatibility with Adobe and links to download the latest version is available on Grants.gov. We strongly recommend that you review these details on www.Grants.gov before completing and submitting your application. In addition, applicants should submit their application a day or two in advance of the closing date as detailed below. Also, applicants are required to upload their attachments in .pdf format only. (See details below under –Attaching Files – Additional Tips.”) If you have any questions regarding this matter please email the Grants.gov Contact Center at support@grants.gov or call 1-800-518-4726.

Also, applicants should be aware that on October 11, 2010, Grants.gov implemented a new security build which requires each organization’s e-Biz POC (Point of Contact) update their Grants.gov registration. To complete this step, the e-Biz POC must have their DUNS number and CCR MPIN. We recommend this step be completed several days before application submission unless the e-Biz POC has already responded to this requirement. For more information on this topic, please visit this Grants.gov information link: <http://www.grants.gov/securitycommebiz/>.

- 1) **REGISTER EARLY** – Grants.gov registration may take five or more business days to complete. You may begin working on your application while completing the registration process, but you cannot submit an application until all of the Registration steps are complete. For detailed information on the Registration Steps, please go to: http://www.grants.gov/applicants/get_registered.jsp. [Note: Your organization will need to update its Central Contractor Registry (CCR) registration annually.]

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

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

- 3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov and the Department of Education 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 Track My Application link. For a successful submission, the date/time received should be earlier than 4:30:00 p.m. Washington, DC time, on the deadline date, AND the application status should be: Validated, Received by Agency, or Agency Tracking Number Assigned.

If the date/time received is later than 4:30:00 p.m. Washington, D.C. time, on the deadline date, your application is late. If your application has a status of ~~Received~~ it is still awaiting validation by Grants.gov. Once validation is complete, the status will either change to ~~Validated~~ or ~~Rejected with Errors~~. If the status is ~~Rejected with Errors~~, your application has not been received successfully. Some of the reasons Grants.gov may reject an application can be found on the Grants.gov site:

http://www.grants.gov/applicants/applicant_faqs.jsp#54. For more detailed information on troubleshooting Adobe errors, you can review the Adobe Reader Error Messages document at <http://www.grants.gov/assets/AdobeReaderErrorMessages.pdf>. If you discover your application is late or has been rejected, please see the instructions below. Note: You will receive a series of confirmations both online and via e-mail about the status of your application. Please do not rely solely on e-mail to confirm whether your application has been received timely and validated successfully.

SUBMISSION PROBLEMS – WHAT SHOULD YOU DO?

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

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

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

HELPFUL HINTS WHEN WORKING WITH GRANTS.GOV

Please note, once you download an application from Grants.gov, you will be working offline and saving data on your computer. Please be sure to note where you are saving the Grants.gov file on your computer. You will need to logon to Grants.gov to upload and submit the application.

YOU must provide the DUNS number on your application that was used when you registered as an Authorized Organization Representative (AOR) on Grants.gov.

Please go to http://www.grants.gov/applicants/applicant_help.jsp for help with Grants.gov. For additional tips related to submitting grant applications, please refer to the Grants.gov Submit Application FAQs found on the Grants.gov http://www.grants.gov/help/submit_application_faqs.jsp.

DIAL-UP INTERNET CONNECTIONS

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

MAC USERS

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

ATTACHING FILES – ADDITIONAL TIPS

Please note the following tips related to attaching files to your application, especially the requirement that applicants **only include .pdf files** in their application:

1. Ensure that you attach **.PDF files only** for any attachments to your application. PDF files are the only Education approved file type accepted as detailed in the Federal Register application notice. Applicants must submit individual .PDF files only when attaching files to their application. Specifically, the Department will not accept any attachments that contain files within a file, such as PDF Portfolio files. Any attachments uploaded that are not .PDF files or are password protected files will not be read. If you need assistance converting your files to a .pdf format, please refer to this Grants.gov webpage with links to conversion programs: http://www.grants.gov/help/download_software.jsp#pdf_conversion_programs

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

2/2011

SECTION B
NOTICE INVITING APPLICATIONS FOR NEW AWARDS

4000-01-U

DEPARTMENT OF EDUCATION

Applications for New Awards; Assistive Technology Act of 1998,
as Amended (AT Act)--National Activities--Data Collection and
Reporting Assistance

AGENCY: Office of Special Education and Rehabilitative
Services, Department of Education.

ACTION: Notice.

Overview Information:

AT Act--National Activities--Data Collection and Reporting
Assistance

Notice inviting applications for new awards for fiscal year (FY)
2011.

Catalog of Federal Domestic Assistance (CFDA) Number: 84.224B

Dates:

Applications Available: May 17, 2011

Deadline for Transmittal of Applications: July 1, 2011

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: Under section 6 of the AT Act, the
Secretary is authorized to provide grants to support national
activities to improve the administration of the AT Act.

According to section 3(15) of the AT Act, the term "State AT

program” means a program authorized under section 4 of the AT Act. State AT programs are required to collect data and report on the activities they conduct to determine whether those activities are conducted appropriately and successfully and to assess the outcomes of those activities. Section 6(b)(5) of the AT Act authorizes support to assist State AT Programs with this data collection and reporting.

Statutory Requirements--Assistive Technology Act Data Collection and Reporting Assistance. Under section 6(b)(5) of the Act, the Secretary supports entities to assist the Assistive Technology State grant program grantees in their development and implementation of effective data-collection and reporting systems that--

(a) Focus on quantitative and qualitative data elements;

(b) Measure the outcomes of the required activities described in section 4 of the AT Act that are implemented by the States and the progress of the States toward achieving the measurable goals related to--

(1) Education, including goals involving the provision of assistive technology to individuals with disabilities who receive services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

(2) Employment, including goals involving the State vocational rehabilitation program carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);

(3) Telecommunication and information technology; and

(4) Community living; and

(c) Provide States with the necessary information required under the AT Act or by the Secretary for reports described in section 4(f)(2) of the AT Act. Such information must document the following activities carried out by the grantee under section 4 of the AT Act--

(1) The type of State financing activities described in section 4(e)(2)(A) of the AT Act used by the State;

(2) The amount and type of assistance given to consumers of the State financing activities described in section 4(e)(2)(A) of the AT Act (who shall be classified by type of assistive technology device or assistive technology service financed through the State financing activities, and geographic distribution within the State), including--

(i) The number of applications for assistance received;

(ii) The number of applications approved and rejected;

(iii) The default rate for the financing activities;

(iv) The range and average interest rate for the financing activities;

(v) The range and average income of approved applicants for the financing activities; and

(vi) The types and dollar amounts of assistive technology financed;

(3) The number, type, and length of time of loans of assistive technology devices provided to individuals with disabilities, employers, public agencies, or public accommodations through the device loan program described in section 4(e)(2)(C), and an analysis of the individuals with disabilities who have benefited from the device loan program;

(4) The number, type, estimated value, and scope of assistive technology devices exchanged, repaired, recycled, or reutilized (including redistributed through device sales, loans, rentals, or donations) through the device reutilization program described in section 4(e)(2)(B) of the AT Act, and an analysis of the individuals with disabilities that have benefited from the device reutilization program;

(5) The number and type of device demonstrations and referrals provided under section 4(e)(2)(D) of the AT Act, and an analysis of individuals with disabilities who have benefited from the demonstrations and referrals;

(6)(i) The number and general characteristics of individuals who participated in training under section 4(e)(3)(B)(i) of the AT Act (such as individuals with

disabilities, parents, educators, employers, providers of employment services, health care workers, counselors, other service providers, or vendors) and the topics of such training; and

(ii) To the extent practicable, the geographic distribution of individuals who participated in the training;

(7) The frequency of provision and nature of technical assistance provided to State and local agencies and other entities;

(8) The number of individuals assisted through the public-awareness activities and statewide information and referral system described in section 4(e)(3)(B)(ii) of the Act;

(9) The outcomes of any improvement initiatives carried out by the State as a result of activities funded under this section, including a description of any written policies, practices, and procedures that the State has developed and implemented regarding access to, provision of, and funding for, assistive technology devices, and assistive technology services, in the contexts of education, health care, employment, community living, and information technology and telecommunications, including e-government;

(10) The source of leveraged funding or other contributed resources, including resources provided through subcontracts or other collaborative resource-sharing agreements, from and with

public and private entities to carry out State activities described in section 4(e)(3)(B)(iii) of the AT Act, the number of individuals served with the contributed resources for which information is not reported under paragraphs (1) through (9) or paragraph (11) or paragraph (12), and other outcomes accomplished as a result of such activities carried out with the contributed resources; and

(11) The level of customer satisfaction with the services provided; and

(d) Help measure the accrued benefits of the activities to individuals who need assistive technology.

Program Authority: 29 U.S.C. 3001, et seq.

Applicable Regulations: The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 80, 81, 82, 84, 85, 86, 97, 98, and 99.

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

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

II. Award Information

Type of Award: Cooperative agreement.

Estimated Available Funds: \$250,000.

Estimated Number of Awards: 1.

Maximum Award: We will reject any application that proposes a budget exceeding \$250,000 for a single budget period of 12 months. The Assistant Secretary for Special Education and Rehabilitative Services may change the maximum amount through a notice published in the Federal Register.

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

Project Period: Up to 60 months.

III. Eligibility Information

1. Eligible Applicants: Public or private nonprofit or for-profit organizations, including institutions of higher education, that have personnel with--

(a) Documented experience and expertise in administering State AT programs;

(b) Experience in collecting and analyzing data associated with implementing required and discretionary activities;

(c) Expertise necessary to identify additional data elements needed to provide comprehensive reporting of State activities and outcomes; and

(d) Experience in utilizing data to provide annual reports to State policymakers.

Note: An eligible entity can demonstrate its experience and expertise with its own personnel or through proposed

subcontracts with other entities that have personnel with the relevant experience and expertise.

2. Cost Sharing or Matching: This program does not involve cost sharing or matching.

IV. Application and Submission Information

1. Address to Request Application Package: You can obtain an application package via the Internet or from the Education Publications Center (ED Pubs). To obtain a copy via the Internet, use the following address:
www.ed.gov/fund/grant/apply/grantapps/index.html. To obtain a copy from ED Pubs, write, fax, or call the following: ED Pubs, U.S. Department of Education, P.O. Box 22207, Alexandria, VA 22304. Telephone, toll free: 1-877-433-7827. FAX: (703) 605-6794. If you use a telecommunications device for the deaf (TDD), call, toll free: 1-877-576-7734.

You can contact ED Pubs at its Web site, also:
www.EDPubs.gov or at its e-mail address: edpubs@inet.ed.gov.

If you request an application from ED Pubs, be sure to identify this program as follows: CFDA Number 84.224B.

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

2. Content and Form of Application Submission:

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

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. You must limit the application narrative [Part III] to the equivalent of no more than 24 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).
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will not be accepted.

The page limit does not apply to Part I, the Application for Federal Assistance; Part IV, the assurances and

certifications; or the one-page abstract, the eligibility statement, the curriculum vitae, the bibliography, the letters of recommendation, or the information on the protection of human subjects. However, the page limit does apply to all of the application narrative section [Part III].

We will reject your application if you exceed the page limit or if you apply other standards and exceed the equivalent of the page limit.

3. Submission Dates and Times:

Applications Available: May 17, 2011

Deadline for Transmittal of Applications: July 1, 2011

Applications for grants under this program must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV. 7. Other Submission Requirements of this notice.

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

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under For Further Information Contact in section VII of this notice. If the Department provides an

accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

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. Data Universal Numbering System Number, Taxpayer Identification Number, and Central Contractor Registry: To do business with the Department of Education, you must--

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

You can obtain a DUNS number from Dun and Bradstreet. A DUNS number can be created within one business day.

If you are a corporate entity, agency, institution, or organization, you can obtain a TIN from the Internal Revenue Service. If you are an individual, you can obtain a TIN from the Internal Revenue Service or the Social Security Administration. If you need a new TIN, please allow 2-5 weeks for your TIN to become active.

The CCR registration process may take five or more business days to complete. If you are currently registered with the CCR, you may not need to make any changes. However, please make certain that the TIN associated with your DUNS number is correct. Also note that you will need to update your CCR registration on an annual basis. This may take three or more business days to complete.

In addition, if you are submitting your application via Grants.gov, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with Grants.gov as an AOR. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see www.grants.gov/section910/Grants.govRegistrationBrochure.pdf).

7. Other Submission Requirements:

Applications for grants under this program must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. Electronic Submission of Applications.

Applications for grants under the National Activities program, CFDA Number 84.224B, must be submitted electronically using the Governmentwide Grants.gov Apply site at 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.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under Exception to Electronic Submission Requirement.

You may access the electronic grant application for the National Activities program at www.Grants.gov. You must search

for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.224, not 84.224B).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received--that is, date and time stamped by the Grants.gov system--after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.
- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection.

Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission 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 program 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 under News and Events on the Department's G5 system home page at <http://www.G5.gov>.

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

- You must submit all documents electronically, including all information you typically provide on the following forms: the Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications.

- You must upload any narrative sections and all other attachments to your application as files in a .PDF (Portable

Document) format only. If you upload a file type other than a .PDF or submit a password-protected file, we will not review that material.

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

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

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

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

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

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

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

Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

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

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

and

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

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Brian Bard,
U.S. Department of Education, 400 Maryland Avenue, SW., room
5019, Potomac Center Plaza (PCP), Washington, DC 20202-2800.
FAX: (202) 245-7590.

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

b. Submission of Paper Applications by Mail.

If you qualify for an exception to the electronic
submission requirement, you may mail (through the U.S. Postal
Service or a commercial carrier) your application to the
Department. You must mail the original and two copies of your
application, on or before the application deadline date, to the
Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.224B)
LBJ Basement Level 1
400 Maryland Avenue, SW.
Washington, DC 20202-4260

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

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

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

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

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

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

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

c. Submission of Paper Applications by Hand Delivery.

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.224B)
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 4:30:00 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

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

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

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

V. Application Review Information

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

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

conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary also requires various assurances including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

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

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 notify you informally, also.

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

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

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

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

(b) 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 directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

4. Performance Measures: The Government Performance and Results Act of 1993 (GPRA) directs Federal departments and agencies to improve the effectiveness of their programs by engaging in strategic planning, setting outcome-related goals for programs, and measuring program results against those goals. The goals of Assistive Technology Act Data Collection and Reporting Assistance program are to provide States with technical assistance and guidance on how assistive technology programs can develop and implement effective data-collection and reporting systems and to provide the Department with data on the activities carried out under the AT Act.

In order to assist the Department in evaluating the success of this program in meeting these goals, it assesses the data provided on an annual performance report from this grantee. This report must include a description of--

(a) State-specific and national technical assistance provided to State AT programs to support their data collection and reporting infrastructure, and the outcomes of that technical assistance as evidenced by improvement in those infrastructures;

(b) State-specific and national data analyses performed and how, in collaboration with the National Assistive Technology Training and Technical Assistance Program, these analyses were used for planning, management, and improvement of State AT programs; and

(c) Technical assistance and guidance in the development, and continuous improvement of RSA's data collection system, the Management Information System (MIS), as well as assistance to States for the input of valid data into the system.

5. Continuation Awards: In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made "substantial progress toward meeting the objectives in its approved application." This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a continuation grant, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Agency Contact

For Further Information Contact: Brian Bard, U.S. Department of Education, 400 Maryland Avenue, SW., room 5019, PCP, Washington, DC 20202-2800. Telephone: (202) 245-7345 or by e-mail: brian.bard@ed.gov.

If you use a TDD, call the FRS, toll free, at 1-800-877-8339.

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or computer diskette) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., room 5075, PCP, Washington, DC 20202-2550.

Telephone: (202) 245-7363. If you use a TDD, call the FRS, toll free, at 1-800-877-8339.

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

You may also access documents of the Department published in the Federal Register by using the article search feature at: www.federalregister.gov. Specifically, through the advanced

search feature at this site, you can limit your search to documents published by the Department.

Dated:

Alexa Posny,
Assistant Secretary for
Special Education and Rehabilitative
Services.

SECTION C
SECTION 6 OF THE
ASSISTIVE TECHNOLOGY ACT OF 1998, AS AMENDED

(5) DATA-COLLECTION AND REPORTING ASSISTANCE.

(A) IN GENERAL.—The Secretary shall award grants, contracts, and cooperative agreements to entities to assist the entities in carrying out State assistive technology programs in developing and implementing effective data-collection and reporting systems that—

- (i) focus on quantitative and qualitative data elements;
- (ii) measure the outcomes of the required activities described in section 4 that are implemented by the States and the progress of the States toward achieving the measurable goals described in section 4(d)(3);
- (iii) provide States with the necessary information required under this Act or by the Secretary for reports described in section 4(f)(2); and
- (iv) help measure the accrued benefits of the activities to individuals who need assistive technology.

(B) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this paragraph, an entity shall have personnel with—

- (i) documented experience and expertise in administering State assistive technology programs;
- (ii) experience in collecting and analyzing data associated with implementing required and discretionary activities;
- (iii) expertise necessary to identify additional data elements needed to provide comprehensive reporting of State activities and outcomes; and
- (iv) experience in utilizing data to provide annual reports to State policymakers.

(c) APPLICATION.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) INPUT.—With respect to the activities described in subsection (b) to be funded under this section, including the national and regionally based training and technical assistance efforts carried out through the activities, in designing the activities the Secretary shall consider, and in providing the activities providers shall include, input of the directors of comprehensive statewide programs of technology-related assistance, directors of alternative financing programs, and other individuals the Secretary determines to be appropriate, especially—

- (1) individuals with disabilities who use assistive technology and understand the barriers to the acquisition of such technology and assistive technology services;
- (2) family members, guardians, advocates, and authorized representatives of such individuals;
- (3) individuals employed by protection and advocacy systems funded under section 5;
- (4) relevant employees from Federal departments and agencies, other than the Department of Education;
- (5) representatives of businesses; and
- (6) vendors and public and private researchers and developers.

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Public Law 108–364

108th Congress

An Act

To amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Assistive Technology Act of 2004”.

SEC. 2. AMENDMENT TO THE ASSISTIVE TECHNOLOGY ACT OF 1998.

The Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.)

is amended to read as follows:

“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

“(a) SHORT TITLE.—This Act may be cited as the ‘Assistive Technology Act of 1998’.

“(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Findings and purposes.

“Sec. 3. Definitions.

“Sec. 4. State grants for assistive technology.

“Sec. 5. State grants for protection and advocacy services related to assistive technology.

“Sec. 6. National activities.

“Sec. 7. Administrative provisions.

“Sec. 8. Authorization of appropriations.

“SEC. 2. FINDINGS AND PURPOSES.

“(a) FINDINGS.—Congress finds the following:

“(1) Over 54,000,000 individuals in the United States have disabilities, with almost half experiencing severe disabilities that affect their ability to see, hear, communicate, reason, walk, or perform other basic life functions.

“(2) Disability is a natural part of the human experience and in no way diminishes the right of individuals to—

“(A) live independently;

“(B) enjoy self-determination and make choices;

“(C) benefit from an education;

“(D) pursue meaningful careers; and

“(E) enjoy full inclusion and integration in the economic, political, social, cultural, and educational mainstream of society in the United States.

29 USC 3001.

29 USC 3001

note.

29 USC 3001

note.

Assistive

Technology Act of

2004.

Oct. 25, 2004

[H.R. 4278]

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“(3) Technology is one of the primary engines for economic activity, education, and innovation in the Nation, and throughout the world. The commitment of the United States to the development and utilization of technology is one of the main

factors underlying the strength and vibrancy of the economy of the United States.

“(4) As technology has come to play an increasingly important role in the lives of all persons in the United States, in the conduct of business, in the functioning of government, in the fostering of communication, in the conduct of commerce, and in the provision of education, its impact upon the lives of individuals with disabilities in the United States has been comparable to its impact upon the remainder of the citizens of the United States. Any development in mainstream technology will have profound implications for individuals with disabilities in the United States.

“(5) Substantial progress has been made in the development of assistive technology devices, including adaptations to existing devices that facilitate activities of daily living that significantly benefit individuals with disabilities of all ages. These devices, including adaptations, increase involvement in, and reduce expenditures associated with, programs and activities that facilitate communication, ensure independent functioning, enable early childhood development, support educational achievement, provide and enhance employment options, and enable full participation in community living for individuals with disabilities. Access to such devices can also reduce expenditures associated with early childhood intervention, education, rehabilitation and training, health care, employment, residential living, independent living, recreation opportunities, and other aspects of daily living.

“(6) Over the last 15 years, the Federal Government has invested in the development of comprehensive statewide programs of technology-related assistance, which have proven effective in assisting individuals with disabilities in accessing assistive technology devices and assistive technology services. This partnership between the Federal Government and the States provided an important service to individuals with disabilities by strengthening the capacity of each State to assist individuals with disabilities of all ages meet their assistive technology needs.

“(7) Despite the success of the Federal-State partnership in providing access to assistive technology devices and assistive technology services, there is a continued need to provide information about the availability of assistive technology, advances in improving accessibility and functionality of assistive technology, and appropriate methods to secure and utilize assistive technology in order to maximize the independence and participation of individuals with disabilities in society.

“(8) The combination of significant recent changes in Federal policy (including changes to section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), accessibility provisions of the Help America Vote Act of 2002 (42 U.S.C. 15301 et seq.), and the amendments made to the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) by the No Child Left Behind Act of 2001) and the rapid and unending evolution of technology require a Federal-State investment in

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State assistive technology systems to continue to ensure that individuals with disabilities reap the benefits of the technological revolution and participate fully in life in their communities.

“(b) PURPOSES.—The purposes of this Act are—

“(1) to support State efforts to improve the provision of assistive technology to individuals with disabilities through comprehensive statewide programs of technology-related assistance, for individuals with disabilities of all ages, that are designed to—

“(A) increase the availability of, funding for, access to, provision of, and training about assistive technology devices and assistive technology services;

“(B) increase the ability of individuals with disabilities of all ages to secure and maintain possession of assistive technology devices as such individuals make the transition between services offered by educational or human service agencies or between settings of daily living (for example, between home and work);

“(C) increase the capacity of public agencies and private entities to provide and pay for assistive technology devices and assistive technology services on a statewide basis for individuals with disabilities of all ages;

“(D) increase the involvement of individuals with disabilities and, if appropriate, their family members, guardians, advocates, and authorized representatives, in decisions related to the provision of assistive technology devices and assistive technology services;

“(E) increase and promote coordination among State agencies, between State and local agencies, among local agencies, and between State and local agencies and private entities (such as managed care providers), that are involved or are eligible to be involved in carrying out activities under this Act;

“(F) increase the awareness and facilitate the change of laws, regulations, policies, practices, procedures, and organizational structures, that facilitate the availability or provision of assistive technology devices and assistive technology services; and

“(G) increase awareness and knowledge of the benefits of assistive technology devices and assistive technology services among targeted individuals and entities and the general population; and

“(2) to provide States with financial assistance that supports programs designed to maximize the ability of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to obtain assistive technology devices and assistive technology services.

“SEC. 3. DEFINITIONS.

“In this Act:

“(1) ADULT SERVICE PROGRAM.—The term ‘adult service program’ means a program that provides services to, or is otherwise substantially involved with the major life functions of, individuals with disabilities. Such term includes—

29 USC 3002.

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“(A) a program providing residential, supportive, or employment services, or employment-related services, to individuals with disabilities;

“(B) a program carried out by a center for independent living, such as a center described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.);

“(C) a program carried out by an employment support agency connected to adult vocational rehabilitation, such as a one-stop partner, as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801); and

“(D) a program carried out by another organization or vender licensed or registered by the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705).

“(2) AMERICAN INDIAN CONSORTIUM.—The term ‘American Indian consortium’ means an entity that is an American Indian Consortium (as defined in section 102 of Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)), and that is established to provide protection and advocacy services for purposes of receiving funding under subtitle C of title I of such Act (42 U.S.C. 15041 et seq.).

“(3) ASSISTIVE TECHNOLOGY.—The term ‘assistive technology’ means technology designed to be utilized in an assistive technology device or assistive technology service.

“(4) ASSISTIVE TECHNOLOGY DEVICE.—The term ‘assistive technology device’ means any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

“(5) ASSISTIVE TECHNOLOGY SERVICE.—The term ‘assistive technology service’ means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. Such term includes—

“(A) the evaluation of the assistive technology needs of an individual with a disability, including a functional evaluation of the impact of the provision of appropriate assistive technology and appropriate services to the individual in the customary environment of the individual;

“(B) a service consisting of purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities;

“(C) a service consisting of selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, replacing, or donating assistive technology devices;

“(D) coordination and use of necessary therapies, interventions, or services with assistive technology devices, such as therapies, interventions, or services associated with education and rehabilitation plans and programs;

“(E) training or technical assistance for an individual with a disability or, where appropriate, the family members, guardians, advocates, or authorized representatives of such an individual;

“(F) training or technical assistance for professionals

(including individuals providing education and rehabilitation services and entities that manufacture or sell assistive technology devices), employers, providers of employment and training services, or other individuals who provide

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services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities;
and

“(G) a service consisting of expanding the availability of access to technology, including electronic and information technology, to individuals with disabilities.

“(6) CAPACITY BUILDING AND ADVOCACY ACTIVITIES.—The term ‘capacity building and advocacy activities’ means efforts that—

“(A) result in laws, regulations, policies, practices, procedures, or organizational structures that promote consumer-responsive programs or entities; and

“(B) facilitate and increase access to, provision of, and funding for, assistive technology devices and assistive technology services, in order to empower individuals with disabilities to achieve greater independence, productivity, and integration and inclusion within the community and the workforce.

“(7) COMPREHENSIVE STATEWIDE PROGRAM OF TECHNOLOGYRELATED ASSISTANCE.—The term ‘comprehensive statewide program of technology-related assistance’ means a consumerresponsive program of technology-related assistance for individuals with disabilities, implemented by a State, and equally available to all individuals with disabilities residing in the State, regardless of their type of disability, age, income level, or location of residence in the State, or the type of assistive technology device or assistive technology service required.

“(8) CONSUMER-RESPONSIVE.—The term ‘consumerresponsive’—

“(A) with regard to policies, means that the policies are consistent with the principles of—

“(i) respect for individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers, based on informed choice, of individuals with disabilities;

“(ii) respect for the privacy, rights, and equal access (including the use of accessible formats) of such individuals;

“(iii) inclusion, integration, and full participation of such individuals in society;

“(iv) support for the involvement in decisions of a family member, a guardian, an advocate, or an authorized representative, if an individual with a disability requests, desires, or needs such involvement;
and

“(v) support for individual and systems advocacy and community involvement; and

“(B) with respect to an entity, program, or activity, means that the entity, program, or activity—

“(i) is easily accessible to, and usable by, individuals

with disabilities and, when appropriate, their family members, guardians, advocates, or authorized representatives;

“(ii) responds to the needs of individuals with disabilities in a timely and appropriate manner; and
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“(iii) facilitates the full and meaningful participation of individuals with disabilities (including individuals from underrepresented populations and rural populations) and their family members, guardians, advocates, and authorized representatives, in—

“(I) decisions relating to the provision of assistive technology devices and assistive technology services to such individuals; and

“(II) decisions related to the maintenance, improvement, and evaluation of the comprehensive statewide program of technology-related assistance, including decisions that affect capacity building and advocacy activities.

“(9) DISABILITY.—The term ‘disability’ means a condition of an individual that is considered to be a disability or handicap for the purposes of any Federal law other than this Act or for the purposes of the law of the State in which the individual resides.

“(10) INDIVIDUAL WITH A DISABILITY; INDIVIDUALS WITH DISABILITIES.—

“(A) INDIVIDUAL WITH A DISABILITY.—The term ‘individual with a disability’ means any individual of any age, race, or ethnicity—

“(i) who has a disability; and

“(ii) who is or would be enabled by an assistive technology device or an assistive technology service to minimize deterioration in functioning, to maintain a level of functioning, or to achieve a greater level of functioning in any major life activity.

“(B) INDIVIDUALS WITH DISABILITIES.—The term ‘individuals with disabilities’ means more than 1 individual with a disability.

“(11) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), and includes a community college receiving funding under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.).

“(12) PROTECTION AND ADVOCACY SERVICES.—The term ‘protection and advocacy services’ means services that—
“(A) are described in subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.), the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10801 et seq.), or section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e); and

“(B) assist individuals with disabilities with respect to assistive technology devices and assistive technology services.

“(13) SECRETARY.—The term ‘Secretary’ means the Secretary of Education.

“(14) STATE.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘State’ means each of the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam,

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American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(B) OUTLYING AREAS.—In section 4(b):

“(i) OUTLYING AREA.—The term ‘outlying area’ means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(ii) STATE.—The term ‘State’ does not include the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(15) STATE ASSISTIVE TECHNOLOGY PROGRAM.—The term ‘State assistive technology program’ means a program authorized under section 4.

“(16) TARGETED INDIVIDUALS AND ENTITIES.—The term ‘targeted individuals and entities’ means—

“(A) individuals with disabilities of all ages and their family members, guardians, advocates, and authorized representatives;

“(B) underrepresented populations, including the aging workforce;

“(C) individuals who work for public or private entities (including centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), insurers, or managed care providers) that have contact, or provide services to, with individuals with disabilities;

“(D) educators at all levels (including providers of early intervention services, elementary schools, secondary schools, community colleges, and vocational and other institutions of higher education) and related services personnel;

“(E) technology experts (including web designers and procurement officials);

“(F) health, allied health, and rehabilitation professionals and hospital employees (including discharge planners);

“(G) employers, especially small business employers, and providers of employment and training services;

“(H) entities that manufacture or sell assistive technology devices;

“(I) entities that carry out community programs designed to develop essential community services in rural and urban areas; and

“(J) other appropriate individuals and entities, as determined for a State by the State.

“(17) TECHNOLOGY-RELATED ASSISTANCE.—The term ‘technology-related assistance’ means assistance provided through capacity building and advocacy activities that accomplish the purposes described in section 2(b).

“(18) UNDERREPRESENTED POPULATION.—The term ‘underrepresented

population' means a population that is typically underrepresented in service provision, and includes populations such as persons who have low-incidence disabilities, persons who are minorities, poor persons, persons with limited English proficiency, older individuals, or persons from rural areas.

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“(19) UNIVERSAL DESIGN.—The term ‘universal design’ means a concept or philosophy for designing and delivering products and services that are usable by people with the widest possible range of functional capabilities, which include products and services that are directly accessible (without requiring assistive technologies) and products and services that are interoperable with assistive technologies.

“SEC. 4. STATE GRANTS FOR ASSISTIVE TECHNOLOGY.

“(a) GRANTS TO STATES.—The Secretary shall award grants under subsection (b) to States to maintain comprehensive statewide programs of technology-related assistance to support programs that are designed to maximize the ability of individuals with disabilities across the human lifespan and across the wide array of disabilities, and their family members, guardians, advocates, and authorized representatives, to obtain assistive technology, and that are designed to increase access to assistive technology.

“(b) AMOUNT OF FINANCIAL ASSISTANCE.—

“(1) IN GENERAL.—From funds made available to carry out this section, the Secretary shall award a grant to each eligible State and eligible outlying area from an allotment determined in accordance with paragraph (2).

“(2) CALCULATION OF STATE GRANTS.—

“(A) BASE YEAR.—Except as provided in subparagraphs (B) and (C), the Secretary shall allot to each State and outlying area for a fiscal year an amount that is not less than the amount the State or outlying area received under the grants provided under section 101 of this Act (as in effect on the day before the date of enactment of the Assistive Technology Act of 2004) for fiscal year 2004.

“(B) RATABLE REDUCTION.—

“(i) IN GENERAL.—If funds made available to carry out this section for any fiscal year are insufficient to make the allotments required for each State and outlying area under subparagraph (A) for such fiscal year, the Secretary shall ratably reduce the allotments for such fiscal year.

“(ii) ADDITIONAL FUNDS.—If, after the Secretary makes the reductions described in clause (i), additional funds become available to carry out this section for the fiscal year, the Secretary shall ratably increase the allotments, until the Secretary has allotted the entire base year amount.

“(C) HIGHER APPROPRIATION YEARS.—Except as provided in subparagraph (D), for a fiscal year for which the amount of funds made available to carry out this section is greater than the base year amount, the Secretary shall—

“(i) make the allotments described in subparagraph (A);

“(ii) from a portion of the remainder of the funds after the Secretary makes the allotments described

in clause (i), the Secretary shall—

“(I) from 50 percent of the portion, allot to each State or outlying area an equal amount; and

“(II) from 50 percent of the portion, allot to each State or outlying area an amount that bears the same relationship to such 50 percent as the 29 USC 3003.

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population of the State or outlying area bears to the population of all States and outlying areas, until each State has received an allotment of not less than \$410,000 and each outlying area has received an allotment of \$125,000 under clause (i) and this clause;

“(iii) from the remainder of the funds after the Secretary makes the allotments described in clause (ii), the Secretary shall—

“(I) from 80 percent of the remainder allot to each State an amount that bears the same relationship to such 80 percent as the population of the State bears to the population of all States; and

“(II) from 20 percent of the remainder, allot to each State an equal amount.

“(D) SPECIAL RULE FOR FISCAL YEAR 2005.—Notwithstanding subparagraph (C), if the amount of funds made available to carry out this section for fiscal year 2005 is greater than the base year amount, the Secretary may award grants on a competitive basis for periods of 1 year to States or outlying areas in accordance with the requirements of title III of this Act (as in effect on the day before the date of enactment of the Assistive Technology Act of 2004) to develop, support, expand, or administer an alternative financing program.

“(E) BASE YEAR AMOUNT.—In this paragraph, the term ‘base year amount’ means the total amount received by all States and outlying areas under the grants described in subparagraph (A) for fiscal year 2004.

“(C) LEAD AGENCY, IMPLEMENTING ENTITY, AND ADVISORY COUNCIL.—

“(1) LEAD AGENCY AND IMPLEMENTING ENTITY.—

“(A) LEAD AGENCY.—

“(i) IN GENERAL.—The Governor of a State shall designate a public agency as a lead agency—

“(I) to control and administer the funds made available through the grant awarded to the State under this section; and

“(II) to submit the application described in subsection (d) on behalf of the State, to ensure conformance with Federal and State accounting requirements.

“(ii) DUTIES.—The duties of the lead agency shall include—

“(I) preparing the application described in subsection (d) and carrying out State activities

described in that application, including making programmatic and resource allocation decisions necessary to implement the comprehensive statewide

program of technology-related assistance;
“(II) coordinating the activities of the comprehensive statewide program of technology-related assistance among public and private entities, including coordinating efforts related to entering into interagency agreements, and maintaining and evaluating the program; and

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“(III) coordinating efforts related to the active, timely, and meaningful participation by individuals with disabilities and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals, with respect to activities carried out through the grant.

“(B) IMPLEMENTING ENTITY.—The Governor may designate an agency, office, or other entity to carry out State activities under this section (referred to in this section as the ‘implementing entity’), if such implementing entity is different from the lead agency. The implementing agency shall carry out responsibilities under this Act through a subcontract or another administrative agreement with the lead agency.

“(C) CHANGE IN AGENCY OR ENTITY.—

“(i) IN GENERAL.—On obtaining the approval of the Secretary, the Governor may redesignate the lead agency, or the implementing entity, if the Governor shows to the Secretary good cause why the entity designated as the lead agency, or the implementing entity, respectively, should not serve as that agency or entity, respectively. The Governor shall make the showing in the application described in subsection (d).

“(ii) CONSTRUCTION.—Nothing in this paragraph shall be construed to require the Governor of a State to change the lead agency or implementing entity of the State to an agency other than the lead agency or implementing entity of such State as of the date of enactment of the Assistive Technology Act of 2004.

“(2) ADVISORY COUNCIL.—

“(A) IN GENERAL.—There shall be established an advisory council to provide consumer-responsive, consumer-driven advice to the State for, planning of, implementation of, and evaluation of the activities carried out through the grant, including setting the measurable goals described in subsection (d)(3).

“(B) COMPOSITION AND REPRESENTATION.—

“(i) COMPOSITION.—The advisory council shall be composed of—

“(I) individuals with disabilities that use assistive technology or the family members or guardians of the individuals;

“(II) a representative of the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) and the State agency for individuals who are blind (within the meaning of section 101 of that Act (29 U.S.C. 721)), if such agency is separate;

“(III) a representative of a State center for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.);
“(IV) a representative of the State workforce investment board established under section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821);
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“(V) a representative of the State educational agency, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); and

“(VI) representatives of other State agencies, public agencies, or private organizations, as determined by the State.

“(ii) MAJORITY.—

“(I) IN GENERAL.—A majority, not less than 51 percent, of the members of the advisory council, shall be members appointed under clause (i)(I).

“(II) REPRESENTATIVES OF AGENCIES.—Members appointed under subclauses (II) through (VI) of clause (i) shall not count toward the majority membership requirement established in subclause (I).

“(iii) REPRESENTATION.—The advisory council shall be geographically representative of the State and reflect the diversity of the State with respect to race, ethnicity, types of disabilities across the age span, and users of types of services that an individual with a disability may receive.

“(C) EXPENSES.—The members of the advisory council shall receive no compensation for their service on the advisory council, but shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of official duties for the advisory council.

“(D) PERIOD.—The members of the State advisory council shall be appointed not later than 120 days after the date of enactment of the Assistive Technology Act of 2004.

“(E) IMPACT ON EXISTING STATUTES, RULES, OR POLICIES.—Nothing in this paragraph shall be construed to affect State statutes, rules, or official policies relating to advisory bodies for State assistive technology programs or require changes to governing bodies of incorporated agencies who carry out State assistive technology programs.

“(d) APPLICATION.—

“(1) IN GENERAL.—Any State that desires to receive a grant under this section shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require.

“(2) LEAD AGENCY AND IMPLEMENTING ENTITY.—The application shall contain information identifying and describing the lead agency referred to in subsection (c)(1)(A). The application shall contain information identifying and describing the implementing entity referred to in subsection (c)(1)(B), if the Governor of the State designates such an entity.

“(3) MEASURABLE GOALS.—The application shall include—

“(A) measurable goals, and a timeline for meeting the goals, that the State has set for addressing the assistive technology needs of individuals with disabilities in the State related to—

“(i) education, including goals involving the provision of assistive technology to individuals with disabilities who receive services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);
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“(ii) employment, including goals involving the State vocational rehabilitation program carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);

“(iii) telecommunication and information technology;
and

“(iv) community living; and

“(B) information describing how the State will quantifiably measure the goals to determine whether the goals have been achieved.

“(4) INVOLVEMENT OF PUBLIC AND PRIVATE ENTITIES.—The application shall describe how various public and private entities were involved in the development of the application and will be involved in the implementation of the activities to be carried out through the grant, including—

“(A) in cases determined to be appropriate by the State, a description of the nature and extent of resources that will be committed by public and private collaborators to assist in accomplishing identified goals; and

“(B) a description of the mechanisms established to ensure coordination of activities and collaboration between the implementing entity, if any, and the State.

“(5) IMPLEMENTATION.—The application shall include a description of—

“(A) how the State will implement each of the required activities described in subsection (e), except as provided in subsection (e)(6)(A); and

“(B) how the State will allocate and utilize grant funds to implement the activities, including describing proposed budget allocations and planned procedures for tracking expenditures for activities described in paragraphs (2) and (3) of subsection (e).

“(6) ASSURANCES.—The application shall include assurances that—

“(A) the State will annually collect data related to the required activities implemented by the State under this section in order to prepare the progress reports required under subsection (f);

“(B) funds received through the grant—

“(i) will be expended in accordance with this section;
and

“(ii) will be used to supplement, and not supplant, funds available from other sources for technology-related assistance, including the provision of assistive technology devices and assistive technology services;

“(C) the lead agency will control and administer the funds received through the grant;
“(D) the State will adopt such fiscal control and accounting procedures as may be necessary to ensure proper disbursement of and accounting for the funds received through the grant;
“(E) the physical facility of the lead agency and implementing entity, if any, meets the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding accessibility for individuals with disabilities;

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“(F) a public agency or an individual with a disability holds title to any property purchased with funds received under the grant and administers that property;
“(G) activities carried out in the State that are authorized under this Act, and supported by Federal funds received under this Act, will comply with the standards established by the Architectural and Transportation Barriers Compliance Board under section 508 of the Rehabilitation Act of 1973 (20 U.S.C. 794d); and
“(H) the State will—
“(i) prepare reports to the Secretary in such form and containing such information as the Secretary may require to carry out the Secretary’s functions under this Act; and
“(ii) keep such records and allow access to such records as the Secretary may require to ensure the correctness and verification of information provided to the Secretary under this subparagraph.

“(7) STATE SUPPORT.—The application shall include a description of the activities described in paragraphs (2) and (3) of subsection (e) that the State will support with State funds.

“(e) USE OF FUNDS.—

“(1) IN GENERAL.—

“(A) REQUIRED ACTIVITIES.—Except as provided in subparagraph (B) and paragraph (6), any State that receives a grant under this section shall use a portion of the funds made available through the grant to carry out activities described in paragraphs (2) and (3).

“(B) STATE OR NON-FEDERAL FINANCIAL SUPPORT.—A State shall not be required to use a portion of the funds made available through the grant to carry out the category of activities described in subparagraph (A), (B), (C), or (D) of paragraph (2) if, in that State—

“(i) financial support is provided from State or other non-Federal resources or entities for that category of activities; and

“(ii) the amount of the financial support is comparable to, or greater than, the amount of the portion of the funds made available through the grant that the State would have expended for that category of activities, in the absence of this subparagraph.

“(2) STATE-LEVEL ACTIVITIES.—

“(A) STATE FINANCING ACTIVITIES.—The State shall support State financing activities to increase access to, and funding for, assistive technology devices and assistive

technology services (which shall not include direct payment for such a device or service for an individual with a disability but may include support and administration of a program to provide such payment), including development of systems to provide and pay for such devices and services, for targeted individuals and entities described in section 3(16)(A), including—

“(i) support for the development of systems for the purchase, lease, or other acquisition of, or payment for, assistive technology devices and assistive technology services; or
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“(ii) support for the development of State-financed or privately financed alternative financing systems of subsidies (which may include conducting an initial 1-year feasibility study of, improving, administering, operating, providing capital for, or collaborating with an entity with respect to, such a system) for the provision of assistive technology devices, such as—

“(I) a low-interest loan fund;

“(II) an interest buy-down program;

“(III) a revolving loan fund;

“(IV) a loan guarantee or insurance program;

“(V) a program providing for the purchase, lease, or other acquisition of assistive technology devices or assistive technology services; or

“(VI) another mechanism that is approved by the Secretary.

“(B) DEVICE REUTILIZATION PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out assistive technology device reutilization programs that provide for the exchange, repair, recycling, or other reutilization of assistive technology devices, which may include redistribution through device sales, loans, rentals, or donations.

“(C) DEVICE LOAN PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out device loan programs that provide short-term loans of assistive technology devices to individuals, employers, public agencies, or others seeking to meet the needs of targeted individuals and entities, including others seeking to comply with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

“(D) DEVICE DEMONSTRATIONS.—

“(i) IN GENERAL.—The State shall directly, or in collaboration with public and private entities, such as one-stop partners, as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801), demonstrate a variety of assistive technology devices and assistive technology services (including assisting individuals in making informed choices regarding, and providing experiences with, the devices and services),

using personnel who are familiar with such devices and services and their applications.

“(ii) COMPREHENSIVE INFORMATION.—The State shall directly, or through referrals, provide to individuals, to the extent practicable, comprehensive information about State and local assistive technology vendors, providers, and repair services.

“(3) STATE LEADERSHIP ACTIVITIES.—

“(A) IN GENERAL.—A State that receives a grant under this section shall use a portion of not more than 40 percent of the funds made available through the grant to carry out the activities described in subparagraph (B). From that portion, the State shall use at least 5 percent of the portion for activities described in subparagraph (B)(i)(III).

“(B) REQUIRED ACTIVITIES.—

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“(i) TRAINING AND TECHNICAL ASSISTANCE.—

“(I) IN GENERAL.—The State shall directly, or provide support to public or private entities with demonstrated expertise in collaborating with public or private agencies that serve individuals with disabilities, to develop and disseminate training materials, conduct training, and provide technical assistance, for individuals from local settings statewide, including representatives of State and local educational agencies, other State and local agencies, early intervention programs, adult service programs, hospitals and other health care facilities, institutions of higher education, and businesses.

“(II) AUTHORIZED ACTIVITIES.—In carrying out activities under subclause (I), the State shall carry out activities that enhance the knowledge, skills, and competencies of individuals from local settings described in subclause (I), which may include—

“(aa) general awareness training on the benefits of assistive technology and the Federal, State, and private funding sources available to assist targeted individuals and entities in acquiring assistive technology;

“(bb) skills-development training in assessing the need for assistive technology devices and assistive technology services;

“(cc) training to ensure the appropriate application and use of assistive technology devices, assistive technology services, and accessible technology for e-government functions;

“(dd) training in the importance of multiple approaches to assessment and implementation necessary to meet the individualized needs of individuals with disabilities; and

“(ee) technical training on integrating assistive technology into the development and implementation of service plans, including any education, health, discharge, Olmstead, employment, or other plan required under Federal or State law.

“(III) TRANSITION ASSISTANCE TO INDIVIDUALS WITH DISABILITIES.—The State shall directly, or provide support to public or private entities to, develop and disseminate training materials, conduct training, facilitate access to assistive technology, and provide technical assistance, to assist—

“(aa) students with disabilities, within the meaning of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), that receive transition services; and

“(bb) adults who are individuals with disabilities maintaining or transitioning to community living.

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“(ii) PUBLIC-AWARENESS ACTIVITIES.—

“(I) IN GENERAL.—The State shall conduct public-awareness activities designed to provide information to targeted individuals and entities relating to the availability, benefits, appropriateness, and costs of assistive technology devices and assistive technology services, including—

“(aa) the development of procedures for providing direct communication between providers of assistive technology and targeted individuals and entities, which may include partnerships with entities in the statewide and local workforce investment systems established under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), State vocational rehabilitation centers, public and private employers, or elementary and secondary public schools;

“(bb) the development and dissemination, to targeted individuals and entities, of information about State efforts related to assistive technology; and

“(cc) the distribution of materials to appropriate public and private agencies that provide social, medical, educational, employment, and transportation services to individuals with disabilities.

“(II) COLLABORATION.—The State shall collaborate with entities that receive awards under paragraphs (1) and (3) of section 6(b) to carry out public-awareness activities focusing on infants, toddlers, children, transition-age youth, employment-age adults, seniors, and employers.

“(III) STATEWIDE INFORMATION AND REFERRAL SYSTEM.—

“(aa) IN GENERAL.—The State shall directly, or in collaboration with public or private (such as nonprofit) entities, provide for the continuation and enhancement of a statewide information and referral system designed to meet the needs of targeted individuals and entities.

“(bb) CONTENT.—The system shall deliver information on assistive technology devices, assistive technology services (with specific data regarding provider availability within the State), and the availability of resources, including funding through public and private sources, to obtain assistive technology devices and assistive technology services. The system shall also deliver information on the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living.

“(iii) COORDINATION AND COLLABORATION.—The State shall coordinate activities described in paragraph

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(2) and this paragraph, among public and private entities that are responsible for policies, procedures, or funding for the provision of assistive technology devices and assistive technology services to individuals with disabilities, service providers, and others to improve access to assistive technology devices and assistive technology services for individuals with disabilities of all ages in the State.

“(4) INDIRECT COSTS.—Not more than 10 percent of the funds made available through a grant to a State under this section may be used for indirect costs.

“(5) PROHIBITION.—Funds made available through a grant to a State under this section shall not be used for direct payment for an assistive technology device for an individual with a disability.

“(6) STATE FLEXIBILITY.—

“(A) IN GENERAL.—Notwithstanding paragraph (1)(A) and subject to subparagraph (B), a State may use funds that the State receives under a grant awarded under this section to carry out any 2 or more of the activities described in paragraph (2).

“(B) SPECIAL RULE.—Notwithstanding paragraph (3)(A), any State that exercises its authority under subparagraph (A)—

“(i) shall carry out each of the required activities described in paragraph (3)(B); and

“(ii) shall use not more than 30 percent of the funds made available through the grant to carry out the activities described in paragraph (3)(B).

“(f) ANNUAL PROGRESS REPORTS.—

“(1) DATA COLLECTION.—States shall participate in data collection as required by law, including data collection required for preparation of the reports described in paragraph (2).

“(2) REPORTS.—

“(A) IN GENERAL.—Each State shall prepare and submit to the Secretary an annual progress report on the activities funded under this Act, at such time, and in such manner, as the Secretary may require.

“(B) CONTENTS.—The report shall include data collected pursuant to this section. The report shall document, with respect to activities carried out under this section in the State—

“(i) the type of State financing activities described in subsection (e)(2)(A) used by the State;

“(ii) the amount and type of assistance given to consumers of the State financing activities described in subsection (e)(2)(A) (who shall be classified by type of assistive technology device or assistive technology service financed through the State financing activities, and geographic distribution within the State), including—

“(I) the number of applications for assistance received;

“(II) the number of applications approved and rejected;

“(III) the default rate for the financing activities;

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“(IV) the range and average interest rate for the financing activities;

“(V) the range and average income of approved applicants for the financing activities; and

“(VI) the types and dollar amounts of assistive technology financed;

“(iii) the number, type, and length of time of loans of assistive technology devices provided to individuals with disabilities, employers, public agencies, or public accommodations through the device loan program described in subsection (e)(2)(C), and an analysis of the individuals with disabilities who have benefited from the device loan program;

“(iv) the number, type, estimated value, and scope of assistive technology devices exchanged, repaired, recycled, or reutilized (including redistributed through device sales, loans, rentals, or donations) through the device reutilization program described in subsection (e)(2)(B), and an analysis of the individuals with disabilities that have benefited from the device reutilization program;

“(v) the number and type of device demonstrations and referrals provided under subsection (e)(2)(D), and an analysis of individuals with disabilities who have benefited from the demonstrations and referrals;

“(vi)(I) the number and general characteristics of individuals who participated in training under subsection (e)(3)(B)(i) (such as individuals with disabilities, parents, educators, employers, providers of employment services, health care workers, counselors, other service providers, or vendors) and the topics of such training; and

“(II) to the extent practicable, the geographic distribution of individuals who participated in the training;

“(vii) the frequency of provision and nature of technical assistance provided to State and local agencies and other entities;

“(viii) the number of individuals assisted through

the public-awareness activities and statewide information and referral system described in subsection (e)(3)(B)(ii);

“(ix) the outcomes of any improvement initiatives carried out by the State as a result of activities funded under this section, including a description of any written policies, practices, and procedures that the State has developed and implemented regarding access to, provision of, and funding for, assistive technology devices, and assistive technology services, in the contexts of education, health care, employment, community living, and information technology and telecommunications, including e-government;

“(x) the source of leveraged funding or other contributed resources, including resources provided through subcontracts or other collaborative resource-sharing agreements, from and with public and private

PUBLIC LAW 108–364—OCT. 25, 2004 118 STAT. 1725 entities to carry out State activities described in subsection (e)(3)(B)(iii), the number of individuals served with the contributed resources for which information is not reported under clauses (i) through (ix) or clause (xi) or (xii), and other outcomes accomplished as a result of such activities carried out with the contributed resources; and

“(xi) the level of customer satisfaction with the services provided.

“SEC. 5. STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES RELATED TO ASSISTIVE TECHNOLOGY.

“(a) GRANTS.—

“(1) IN GENERAL.—The Secretary shall make grants under subsection (b) to protection and advocacy systems in each State for the purpose of enabling such systems to assist in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services for individuals with disabilities.

“(2) GENERAL AUTHORITIES.—In providing such assistance, protection and advocacy systems shall have the same general authorities as the systems are afforded under subtitle C of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15041 et seq.), as determined by the Secretary.

“(b) GRANTS.—

“(1) RESERVATION.—For each fiscal year, the Secretary shall reserve such sums as may be necessary to carry out paragraph (4).

“(2) POPULATION BASIS.—From the funds appropriated under section 8(b) for a fiscal year and remaining after the reservation required by paragraph (1) has been made, the Secretary shall make a grant to a protection and advocacy system within each State in an amount bearing the same ratio to the remaining funds as the population of the State bears to the population of all States.

“(3) MINIMUMS.—Subject to the availability of appropriations, the amount of a grant to a protection and advocacy system under paragraph (2) for a fiscal year shall—

“(A) in the case of a protection and advocacy system located in American Samoa, Guam, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands, not be less than \$30,000; and

“(B) in the case of a protection and advocacy system located in a State not described in subparagraph (A), not be less than \$50,000.

“(4) PAYMENT TO THE SYSTEM SERVING THE AMERICAN INDIAN CONSORTIUM.—

“(A) IN GENERAL.—The Secretary shall make grants to the protection and advocacy system serving the American Indian Consortium to provide services in accordance with this section.

“(B) AMOUNT OF GRANTS.—The amount of such grants shall be the same as the amount provided under paragraph (3)(A).

“(c) DIRECT PAYMENT.—Notwithstanding any other provision of law, the Secretary shall pay directly to any protection and advocacy system that complies with this section, the total amount 29 USC 3004.

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of the grant made for such system under this section, unless the system provides otherwise for payment of the grant amount.

“(d) CERTAIN STATES.—

“(1) GRANT TO LEAD AGENCY.—Notwithstanding any other provision of this section, with respect to a State that, on November 12, 1998, was described in section 102(f)(1) of the Technology-Related Assistance for Individuals With Disabilities Act of 1988, the Secretary shall pay the amount of the grant described in subsection (a), and made under subsection (b), to the lead agency designated under section 4(c)(1) for the State.

“(2) DISTRIBUTION OF FUNDS.—A lead agency to which a grant amount is paid under paragraph (1) shall determine the manner in which funds made available through the grant will be allocated among the entities that were providing protection and advocacy services in that State on the date described in such paragraph, and shall distribute funds to such entities. In distributing such funds, the lead agency shall not establish any additional eligibility or procedural requirements for an entity in the State that supports protection and advocacy services through a protection and advocacy system. Such an entity shall comply with the same requirements (including reporting and enforcement requirements) as any other entity that receives funding under this section.

“(3) APPLICATION OF PROVISIONS.—Except as provided in this subsection, the provisions of this section shall apply to the grant in the same manner, and to the same extent, as the provisions apply to a grant to a system.

“(e) CARRYOVER.—Any amount paid to an eligible system for a fiscal year under this section that remains unobligated at the end of such fiscal year shall remain available to such system for obligation during the subsequent fiscal year. Program income generated from such amount shall remain available for 2 additional fiscal years after the year in which such amount was paid to an eligible system and may only be used to improve the awareness

of individuals with disabilities about the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

“(f) REPORT TO SECRETARY.—An entity that receives a grant under this section shall annually prepare and submit to the Secretary a report that contains such information as the Secretary may require, including documentation of the progress of the entity in—

“(1) conducting consumer-responsive activities, including activities that will lead to increased access, for individuals with disabilities, to funding for assistive technology devices and assistive technology services;

“(2) engaging in informal advocacy to assist in securing assistive technology devices and assistive technology services for individuals with disabilities;

“(3) engaging in formal representation for individuals with disabilities to secure systems change, and in advocacy activities to secure assistive technology devices and assistive technology services for individuals with disabilities;

“(4) developing and implementing strategies to enhance the long-term abilities of individuals with disabilities and their

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family members, guardians, advocates, and authorized representatives to advocate the provision of assistive technology devices and assistive technology services to which the individuals with disabilities are entitled under law other than this Act;

“(5) coordinating activities with protection and advocacy services funded through sources other than this Act, and coordinating activities with the capacity building and advocacy activities carried out by the lead agency; and

“(6) effectively allocating funds made available under this section to improve the awareness of individuals with disabilities about the accessibility of assistive technology and assist such individuals in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services.

“(g) REPORTS AND UPDATES TO STATE AGENCIES.—An entity that receives a grant under this section shall prepare and submit to the lead agency of the State designated under section 4(c)(1) the report described in subsection (f) and quarterly updates concerning the activities described in subsection (f).

“(h) COORDINATION.—On making a grant under this section to an entity in a State, the Secretary shall solicit and consider the opinions of the lead agency of the State with respect to efforts at coordination of activities, collaboration, and promoting outcomes between the lead agency and the entity that receives the grant under this section.

“SEC. 6. NATIONAL ACTIVITIES.

“(a) IN GENERAL.—In order to support activities designed to improve the administration of this Act, the Secretary, under subsection (b)—

“(1) may award, on a competitive basis, grants, contracts, and cooperative agreements to entities to support activities described in paragraphs (1) and (2) of subsection (b); and

“(2) shall award, on a competitive basis, grants, contracts, and cooperative agreements to entities to support activities described in paragraphs (3), (4), and (5) of subsection (b).

“(b) AUTHORIZED ACTIVITIES.—

“(1) NATIONAL PUBLIC-AWARENESS TOOLKIT.—

“(A) NATIONAL PUBLIC-AWARENESS TOOLKIT.—The Secretary may award a 1-time grant, contract, or cooperative agreement to an eligible entity to support a training and technical assistance program that—

“(i) expands public-awareness efforts to reach targeted individuals and entities;

“(ii) contains appropriate accessible multimedia materials to reach targeted individuals and entities, for dissemination to State assistive technology programs; and

“(iii) in coordination with State assistive technology programs, provides meaningful and up-to-date information to targeted individuals and entities about the availability of assistive technology devices and assistive technology services.

“(B) ELIGIBLE ENTITY.—To be eligible to receive the grant, contract, or cooperative agreement, an entity shall develop a partnership that—

“(i) shall consist of—

29 USC 3005.

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“(I) a lead agency or implementing entity for a State assistive technology program or an organization or association that represents implementing entities for State assistive technology programs;

“(II) a private or public entity from the media industry;

“(III) a private entity from the assistive technology industry; and

“(IV) a private employer or an organization or association that represents private employers;

“(i) may include other entities determined by the Secretary to be necessary; and

“(ii) may include other entities determined by the applicant to be appropriate.

“(2) RESEARCH AND DEVELOPMENT.—

“(A) IN GENERAL.—The Secretary may award grants, contracts, or cooperative agreements to eligible entities to carry out research and development of assistive technology that consists of—

“(i) developing standards for reliability and accessibility of assistive technology, and standards for interoperability (including open standards) of assistive technology with information technology, telecommunications products, and other assistive technology; or

“(ii) developing assistive technology that benefits individuals with disabilities or developing technologies or practices that result in the adaptation, maintenance, servicing, or improvement of assistive technology devices.

“(B) ELIGIBLE ENTITIES.—Entities eligible to receive a grant, contract, or cooperative agreement under this paragraph shall include—

“(i) providers of assistive technology services and assistive technology devices;
“(ii) institutions of higher education, including University Centers for Excellence in Developmental Disabilities Education, Research, and Service authorized under subtitle D of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15061 et seq.), or such institutions offering rehabilitation engineering programs, computer science programs, or information technology programs;
“(iii) manufacturers of assistive technology devices; and
“(iv) professionals, individuals, organizations, and agencies providing services or employment to individuals with disabilities.

“(C) COLLABORATION.—An entity that receives a grant, contract, or cooperative agreement under this paragraph shall, in developing and implementing the project carried out through the grant, contract, or cooperative agreement coordinate activities with the lead agency for the State assistive technology program (or a national organization that represents such programs) and the State advisory council described in section 4(c)(2) (or a national organization that represents such councils).

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“(3) STATE TRAINING AND TECHNICAL ASSISTANCE.—

“(A) TRAINING AND TECHNICAL ASSISTANCE EFFORTS.—

The Secretary shall award a grant, contract, or cooperative agreement to an entity to support a training and technical assistance program that—

“(i) addresses State-specific information requests concerning assistive technology from entities funded under this Act and public entities not funded under this Act, including—

“(I) requests for information on effective approaches to Federal-State coordination of programs for individuals with disabilities, related to improving funding for or access to assistive technology devices and assistive technology services for individuals with disabilities of all ages;

“(II) requests for state-of-the-art, or model, Federal, State, and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services;

“(III) requests for information on effective approaches to developing, implementing, evaluating, and sustaining activities described in sections 4 and 5 and related to improving funding for or access to assistive technology devices and assistive technology services for individuals with disabilities of all ages, and requests for assistance in developing corrective action plans;

“(IV) requests for examples of policies, practices,

procedures, regulations, or judicial decisions that have enhanced or may enhance access to funding for assistive technology devices and assistive technology services for individuals with disabilities;

“(V) requests for information on effective approaches to the development of consumer-controlled systems that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services; and

“(VI) other requests for training and technical assistance from entities funded under this Act and public and private entities not funded under this Act;

“(ii) assists targeted individuals and entities by disseminating information about—

“(I) Federal, State, and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services, to promote fuller independence, productivity, and inclusion in society for individuals with disabilities of all ages; and

“(II) technical assistance activities undertaken under clause (i); Grant.

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“(iii) provides State-specific, regional, and national training and technical assistance concerning assistive technology to entities funded under this Act, other entities funded under this Act, and public and private entities not funded under this Act, including—

“(I) annually providing a forum for exchanging information concerning, and promoting program and policy improvements in, required activities of the State assistive technology programs;

“(II) facilitating onsite and electronic information sharing using state-of-the-art Internet technologies such as real-time online discussions, multipoint video conferencing, and web-based audio/video broadcasts, on emerging topics that affect State assistive technology programs;

“(III) convening experts from State assistive technology programs to discuss and make recommendations with regard to national emerging issues of importance to individuals with assistive technology needs;

“(IV) sharing best practice and evidence-based practices among State assistive technology programs;

“(V) maintaining an accessible website that includes a link to State assistive technology programs, appropriate Federal departments and agencies, and private associations and developing a national toll-free number that links callers from a State with the State assistive technology program in their State;

“(VI) developing or utilizing existing (as of the date of the award involved) model cooperative volume-purchasing mechanisms designed to reduce the financial costs of purchasing assistive technology for required and discretionary activities identified in section 4, and reducing duplication of activities among State assistive technology programs; and
“(VII) providing access to experts in the areas of banking, microlending, and finance, for entities funded under this Act, through site visits, teleconferences, and other means, to ensure access to information for entities that are carrying out new programs or programs that are not making progress in achieving the objectives of the programs; and
“(iv) includes such other activities as the Secretary may require.

“(B) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this paragraph, an entity shall have (directly or through grant or contract)—

“(i) experience and expertise in administering programs, including developing, implementing, and administering the required and discretionary activities described in sections 4 and 5, and providing technical assistance; and

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“(ii) documented experience in and knowledge about banking, finance, and microlending.

“(C) COLLABORATION.—In developing and providing training and technical assistance under this paragraph, including activities identified as priorities, a recipient of a grant, contract, or cooperative agreement under this paragraph shall collaborate with other organizations, in particular—

“(i) organizations representing individuals with disabilities;
“(ii) national organizations representing State assistive technology programs;
“(iii) organizations representing State officials and agencies engaged in the delivery of assistive technology;
“(iv) the data-collection and reporting providers described in paragraph (5); and
“(v) other providers of national programs or programs of national significance funded under this Act.

“(4) NATIONAL INFORMATION INTERNET SYSTEM.—

“(A) IN GENERAL.—The Secretary shall award a grant, contract, or cooperative agreement to an entity to renovate, update, and maintain the National Public Internet Site established under this Act (as in effect on the day before the date of enactment of the Assistive Technology Act of 2004).

“(B) FEATURES OF INTERNET SITE.—The National Public Internet Site shall contain the following features:

“(i) AVAILABILITY OF INFORMATION AT ANY TIME.—The site shall be designed so that any member of the public may obtain information posted on the site at any time.

“(ii) INNOVATIVE AUTOMATED INTELLIGENT AGENT.—The site shall be constructed with an innovative

automated intelligent agent that is a diagnostic tool for assisting users in problem definition and the selection of appropriate assistive technology devices and assistive technology services resources.

“(iii) RESOURCES.—

“(I) LIBRARY ON ASSISTIVE TECHNOLOGY.—The site shall include access to a comprehensive working library on assistive technology for all environments, including home, workplace, transportation, and other environments.

“(II) INFORMATION ON ACCOMMODATING INDIVIDUALS WITH DISABILITIES.—The site shall include access to evidence-based research and best practices concerning how assistive technology can be used to accommodate individuals with disabilities in the areas of education, employment, health care, community living, and telecommunications and information technology.

“(III) RESOURCES FOR A NUMBER OF DISABILITIES.—The site shall include resources relating to the largest possible number of disabilities, including resources relating to low-level reading skills.
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“(iv) LINKS TO PRIVATE-SECTOR RESOURCES AND INFORMATION.—To the extent feasible, the site shall be linked to relevant private-sector resources and information, under agreements developed between the recipient of the grant, contract, or cooperative agreement and cooperating private-sector entities.

“(v) LINKS TO PUBLIC-SECTOR RESOURCES AND INFORMATION.—To the extent feasible, the site shall be linked to relevant public-sector resources and information, such as the Internet sites of the Office of Special Education and Rehabilitation Services of the Department of Education, the Office of Disability Employment Policy of the Department of Labor, the Small Business Administration, the Architectural and Transportation Barriers Compliance Board, the Technology Administration of the Department of Commerce, the Jobs Accommodation Network funded by the Office of Disability Employment Policy of the Department of Labor, and other relevant sites.

“(vi) MINIMUM LIBRARY COMPONENTS.—At a minimum, the site shall maintain updated information on—

“(I) State assistive technology program demonstration sites where individuals may try out assistive technology devices;

“(II) State assistive technology program device loan program sites where individuals may borrow assistive technology devices;

“(III) State assistive technology program device reutilization program sites;
“(IV) alternative financing programs or State financing systems operated through, or independently of, State assistive technology programs, and other sources of funding for assistive technology devices; and
“(V) various programs, including programs with tax credits, available to employers for hiring or accommodating employees who are individuals with disabilities.
“(C) ELIGIBLE ENTITY.—To be eligible to receive a grant, contract, or cooperative agreement under this paragraph, an entity shall be a nonprofit organization, for-profit organization, or institution of higher education, that—
“(i) emphasizes research and engineering;
“(ii) has a multidisciplinary research center; and
“(iii) has demonstrated expertise in—
“(I) working with assistive technology and intelligent agent interactive information dissemination systems;
“(II) managing libraries of assistive technology and disability-related resources;
“(III) delivering to individuals with disabilities education, information, and referral services, including technology-based curriculum-development services for adults with low-level reading skills;

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“(IV) developing cooperative partnerships with the private sector, particularly with private-sector computer software, hardware, and Internet services entities; and
“(V) developing and designing advanced Internet sites.
“(5) DATA-COLLECTION AND REPORTING ASSISTANCE.—
“(A) IN GENERAL.—The Secretary shall award grants, contracts, and cooperative agreements to entities to assist the entities in carrying out State assistive technology programs in developing and implementing effective data-collection and reporting systems that—
“(i) focus on quantitative and qualitative data elements;
“(ii) measure the outcomes of the required activities described in section 4 that are implemented by the States and the progress of the States toward achieving the measurable goals described in section 4(d)(3);
“(iii) provide States with the necessary information required under this Act or by the Secretary for reports described in section 4(f)(2); and
“(iv) help measure the accrued benefits of the activities to individuals who need assistive technology.
“(B) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this paragraph, an entity shall have personnel with—
“(i) documented experience and expertise in administering State assistive technology programs;
“(ii) experience in collecting and analyzing data

associated with implementing required and discretionary activities;

“(iii) expertise necessary to identify additional data elements needed to provide comprehensive reporting of State activities and outcomes; and

“(iv) experience in utilizing data to provide annual reports to State policymakers.

“(c) APPLICATION.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(d) INPUT.—With respect to the activities described in subsection (b) to be funded under this section, including the national and regionally based training and technical assistance efforts carried out through the activities, in designing the activities the Secretary shall consider, and in providing the activities providers shall include, input of the directors of comprehensive statewide programs of technology-related assistance, directors of alternative financing programs, and other individuals the Secretary determines to be appropriate, especially—

“(1) individuals with disabilities who use assistive technology and understand the barriers to the acquisition of such technology and assistive technology services;

“(2) family members, guardians, advocates, and authorized representatives of such individuals;

“(3) individuals employed by protection and advocacy systems funded under section 5;

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“(4) relevant employees from Federal departments and agencies, other than the Department of Education;

“(5) representatives of businesses; and

“(6) vendors and public and private researchers and developers.

“SEC. 7. ADMINISTRATIVE PROVISIONS.

“(a) GENERAL ADMINISTRATION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Assistant Secretary for Special Education and Rehabilitative Services of the Department of Education, acting through the Rehabilitation Services Administration, shall be responsible for the administration of this Act.

“(2) COLLABORATION.—The Assistant Secretary for Special Education and Rehabilitative Services shall consult with the Office of Special Education Programs, the Rehabilitation Services Administration, and the National Institute on Disability and Rehabilitation Research in the Office of Special Education and Rehabilitative Services, and appropriate Federal entities in the administration of this Act.

“(3) ADMINISTRATION.—In administering this Act, the Rehabilitation Services Administration shall ensure that programs funded under this Act will address the needs of individuals with disabilities of all ages, whether the individuals will use the assistive technology to obtain or maintain employment, to obtain education, or for other reasons.

“(4) ORDERLY TRANSITION.—

“(A) IN GENERAL.—The Secretary shall take such steps as the Secretary determines to be appropriate to provide

for the orderly transition to, and implementation of, programs authorized by this Act, from programs authorized by the Assistive Technology Act of 1998, as in effect on the day before the date of enactment of the Assistive Technology Act of 2004.

“(B) CESSATION OF EFFECTIVENESS.—Subparagraph (A) ceases to be effective on the date that is 6 months after the date of enactment of the Assistive Technology Act of 2004.

“(b) REVIEW OF PARTICIPATING ENTITIES.—

“(1) IN GENERAL.—The Secretary shall assess the extent to which entities that receive grants under this Act are complying with the applicable requirements of this Act and achieving measurable goals that are consistent with the requirements of the grant programs under which the entities received the grants.

“(2) PROVISION OF INFORMATION.—To assist the Secretary in carrying out the responsibilities of the Secretary under this section, the Secretary may require States to provide relevant information, including the information required under subsection (d).

“(c) CORRECTIVE ACTION AND SANCTIONS.—

“(1) CORRECTIVE ACTION.—If the Secretary determines that an entity that receives a grant under this Act fails to substantially comply with the applicable requirements of this Act, or to make substantial progress toward achieving the measurable goals described in subsection (b)(1) with respect to the grant program, the Secretary shall assist the entity, through

Termination
date.
29 USC 3006.

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technical assistance funded under section 6 or other means, within 90 days after such determination, to develop a corrective action plan.

“(2) SANCTIONS.—If the entity fails to develop and comply with a corrective action plan described in paragraph (1) during a fiscal year, the entity shall be subject to 1 of the following corrective actions selected by the Secretary:

“(A) Partial or complete termination of funding under the grant program, until the entity develops and complies with such a plan.

“(B) Ineligibility to participate in the grant program in the following year.

“(C) Reduction in the amount of funding that may be used for indirect costs under section 4 for the following year.

“(D) Required redesignation of the lead agency designated under section 4(c)(1) or an entity responsible for administering the grant program.

“(3) APPEALS PROCEDURES.—The Secretary shall establish appeals procedures for entities that are determined to be in noncompliance with the applicable requirements of this Act, or have not made substantial progress toward achieving the measurable goals described in subsection (b)(1).

“(4) SECRETARIAL ACTION.—As part of the annual report required under subsection (d), the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of each such action.

“(5) PUBLIC NOTIFICATION.—The Secretary shall notify the public, by posting on the Internet website of the Department

of Education, of each action taken by the Secretary under paragraph (1) or (2). As a part of such notification, the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of each such action.

“(d) ANNUAL REPORT TO CONGRESS.—

“(1) IN GENERAL.—Not later than December 31 of each year, the Secretary shall prepare, and submit to the President and to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a report on the activities funded under this Act to improve the access of individuals with disabilities to assistive technology devices and assistive technology services.

“(2) CONTENTS.—Such report shall include—

“(A) a compilation and summary of the information provided by the States in annual progress reports submitted under section 4(f); and

“(B) a summary of the State applications described in section 4(d) and an analysis of the progress of the States in meeting the measurable goals established in State applications under section 4(d)(3).

“(e) CONSTRUCTION.—Nothing in this section shall be construed to affect the enforcement authority of the Secretary, another Federal officer, or a court under part D of the General Education Provisions Act (20 U.S.C. 1234 et seq.) or other applicable law.

“(f) EFFECT ON OTHER ASSISTANCE.—This Act may not be construed as authorizing a Federal or State agency to reduce medical

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or other assistance available, or to alter eligibility for a benefit or service, under any other Federal law.

“(g) RULE.—The Assistive Technology Act of 1998 (as in effect on the day before the date of enactment of the Assistive Technology Act of 2004) shall apply to funds appropriated under the Assistive Technology Act of 1998 for fiscal year 2004.

“SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

“(a) STATE GRANTS FOR ASSISTIVE TECHNOLOGY AND NATIONAL ACTIVITIES.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out sections 4 and 6 such sums as may be necessary for each of fiscal years 2005 through 2010.

“(2) RESERVATION.—

“(A) DEFINITION.—In this paragraph, the term ‘higher appropriation year’ means a fiscal year for which the amount appropriated under paragraph (1) and made available to carry out section 4 is at least \$665,000 greater than the amount that—

“(i) was appropriated under section 105 of this Act (as in effect on October 1, 2003) for fiscal year 2004; and

“(ii) was not reserved for grants under section 102 or 104 of this Act (as in effect on such date) for fiscal year 2004.

“(B) AMOUNT RESERVED FOR NATIONAL ACTIVITIES.—

Of the amount appropriated under paragraph (1) for a fiscal year—

“(i) not more than \$1,235,000 may be reserved

to carry out section 6, except as provided in clause (ii); and

“(ii) for a higher appropriation year—

“(I) not more than \$1,900,000 may be reserved to carry out section 6; and

“(II) of the amount so reserved, the portion exceeding \$1,235,000 shall be used to carry out paragraphs (1) and (2) of section 6(b).

“(b) STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES RELATED TO ASSISTIVE TECHNOLOGY.—There are authorized to be appropriated to carry out section 5 \$4,419,000 for fiscal year 2005 and such sums as may be necessary for each of fiscal years 2006 through 2010.”.

SEC. 3. CONFORMING AMENDMENTS.

(a) DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000.—The Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.) is amended—

(1) in section 124(c)(3)(B), by striking “section 101 or 102 of the Assistive Technology Act of 1998 (29 U.S.C. 3011, 3012)” and inserting “section 4 or 5 of the Assistive Technology Act of 1998”;

(2) in section 125(c)(5)(G)(i), by striking “section 101 or 102 of the Assistive Technology Act of 1998 (29 U.S.C. 3011, 3012)” and inserting “section 4 or 5 of the Assistive Technology Act of 1998”;

(3) in section 143(a)(2)(D)(ii), by striking “section 101 or 102 of the Assistive Technology Act of 1998 (29 U.S.C. 3011, 42 USC 15043.

42 USC 15025.

42 USC 15024.

29 USC 3007.

Applicability.

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LEGISLATIVE HISTORY—H.R. 4278:

HOUSE REPORTS: No. 108-514 (Comm. on Education and the Workforce).

CONGRESSIONAL RECORD, Vol. 150 (2004):

June 14, considered and passed House.

Sept. 30, considered and passed Senate, amended.

Oct. 8, House concurred in Senate amendment.

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3012)” and inserting “section 4 or 5 of the Assistive Technology Act of 1998”; and

(4) in section 154(a)(3)(E)(ii)(VI), by striking “section 101 or 102 of the Assistive Technology Act of 1998 (29 U.S.C. 3011, 3012)” and inserting “section 4 or 5 of the Assistive Technology Act of 1998”.

(b) REHABILITATION ACT OF 1973.—The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended—

(1) in section 203, by striking subsection (e) and inserting the following:

“(e) In this section—

“(1) the terms ‘assistive technology’ and ‘universal design’ have the meanings given the terms in section 3 of the Assistive Technology Act of 1998; and

“(2) the term ‘targeted individuals’ has the meaning given

the term ‘targeted individuals and entities’ in section 3 of the Assistive Technology Act of 1998.”;
(2) in section 401(c)(2), by striking “targeted individuals” and inserting “targeted individuals and entities”; and
(3) in section 502(d), by striking “targeted individuals” and inserting “targeted individuals and entities”.

Approved October 25, 2004.

29 USC 792.

29 USC 781.

29 USC 763.

42 USC 15064.

SECTION D
SELECTION CRITERIA

V. APPLICATION REVIEW INFORMATION

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

(f) Program Performance Measures

Performance Measures: The Government Performance and Results Act of 1993 directs Federal departments and agencies to improve the effectiveness of their programs by engaging in strategic planning, setting outcome-related goals for programs, and measuring program results against those goals. The goal of Data Collection and Reporting Assistance for Assistive Technology Programs is to provide assistance and guidance to states funded under the AT Act regarding the input of valid and reliable data into the Rehabilitation Services Administration's (RSA's) data collection system, the Management Information System (MIS). In order to assess the success of the grantee in meeting these goals, in addition to other information, the grantee's annual performance report must include a description of—

1. State-specific and national technical assistance provided to State AT programs to support their data collection and reporting infrastructure, and the outcomes of that technical assistance as evidenced by improvement in those infrastructures;
2. State-specific and national data analyses performed and how, in collaboration with the National Assistive Technology Training and Technical Assistance Program, these analyses were used for planning, management, and improvement of State AT programs;
3. Technical assistance and guidance provided to assist in the development, and continuous improvement of RSA's data collection system, the Management Information System (MIS), as well as assistance to States with the input of valid data into the system;
4. A description of collaboration between the grantee and other entities involved in AT, and the result of that collaboration as evidenced by changes in the operation of the grantee's data collection and reporting;
5. Statistics on the number of states who report data to RSA (via the MIS) on time;
6. Statistics on the number of states that report accurate data to RSA; and
7. Common errors made by states entering data into the MIS.

SECTION E
APPLICATION TRANSMITTAL INSTRUCTIONS

IMPORTANT – PLEASE READ FIRST
U.S. Department of Education
GRANTS.GOV SUBMISSION PROCEDURES AND
TIPS FOR APPLICANTS

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

ATTENTION – ADOBE FORMS AND PDF FILES REQUIRED

Applications submitted to Grants.gov for the Department of Education will be posted using Adobe forms. Therefore, applicants will need to download the latest version of Adobe reader (at least Adobe Reader 8.1.2). Information on computer and operating system compatibility with Adobe and links to download the latest version is available on Grants.gov. We strongly recommend that you review these details on www.Grants.gov before completing and submitting your application. In addition, applicants should submit their application a day or two in advance of the closing date as detailed below. Also, applicants are required to upload their attachments in .pdf format only. (See details below under –Attaching Files – Additional Tips.”) If you have any questions regarding this matter please email the Grants.gov Contact Center at support@grants.gov or call 1-800-518-4726.

Also, applicants should be aware that on October 11, 2010, Grants.gov implemented a new security build which requires each organization’s e-Biz POC (Point of Contact) update their Grants.gov registration. To complete this step, the e-Biz POC must have their DUNS number and CCR MPIN. We recommend this step be completed several days before application submission unless the e-Biz POC has already responded to this requirement. For more information on this topic, please visit this Grants.gov information link: <http://www.grants.gov/securitycommebiz/>.

- 1) **REGISTER EARLY** – Grants.gov registration may take five or more business days to complete. You may begin working on your application while completing the registration process, but you cannot submit an application until all of the Registration steps are complete. For detailed information on the Registration Steps, please go to: http://www.grants.gov/applicants/get_registered.jsp. [Note: Your organization will need to update its Central Contractor Registry (CCR) registration annually.]

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

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

- 3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov and the Department of Education 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 Track My Application link. For a successful submission, the date/time received should be earlier than 4:30:00 p.m. Washington, DC time, on the deadline date, AND the application status should be: Validated, Received by Agency, or Agency Tracking Number Assigned.

If the date/time received is later than 4:30:00 p.m. Washington, D.C. time, on the deadline date, your application is late. If your application has a status of “Received” it is still awaiting validation by Grants.gov. Once validation is complete, the status will either change to “Validated” or “Rejected with Errors.” If the status is “Rejected with Errors,” your application has not been received successfully. Some of the reasons Grants.gov may reject an application can be found on the Grants.gov site:

http://www.grants.gov/applicants/applicant_faqs.jsp#54. For more detailed information on troubleshooting Adobe errors, you can review the Adobe Reader Error Messages document at <http://www.grants.gov/assets/AdobeReaderErrorMessages.pdf>. If you discover your application is late or has been rejected, please see the instructions below. Note: You will receive a series of confirmations both online and via e-mail about the status of your application. Please do not rely solely on e-mail to confirm whether your application has been received timely and validated successfully.

SUBMISSION PROBLEMS – WHAT SHOULD YOU DO?

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

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

If electronic submission is required, you must submit an electronic application before 4:30:00 p.m., unless you follow the procedures in the Federal Register notice and qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before

the application deadline date, a written statement to the Department that you qualify for one of these exceptions. (See the Federal Register notice for detailed instructions.)

HELPFUL HINTS WHEN WORKING WITH GRANTS.GOV

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

Please go to http://www.grants.gov/applicants/applicant_help.jsp for help with Grants.gov. For additional tips related to submitting grant applications, please refer to the Grants.gov Submit Application FAQs found on the Grants.gov http://www.grants.gov/help/submit_application_faqs.jsp.

DIAL-UP INTERNET CONNECTIONS

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

MAC USERS

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

Attaching Files – Additional Tips

Please note the following tips related to attaching files to your application, especially the requirement that applicants **only include .pdf files** in their application:

1. Ensure that you attach **.PDF files only** for any attachments to your application. PDF files are the only Education approved file type accepted as detailed in the Federal Register application notice. Applicants must submit individual .PDF files only when attaching files to their application. Specifically, the Department will not accept any attachments that contain files

within a file, such as PDF Portfolio files. Any attachments uploaded that are not .PDF files or are password protected files will not be read. If you need assistance converting your files to a .pdf format, please refer to this Grants.gov webpage with links to conversion programs: http://www.grants.gov/help/download_software.jsp#pdf_conversion_programs

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

2/2011

SECTION F
APPLICATION FORMS

Application for Federal Assistance SF-424

***1. Type of Submission:**

- Preapplication
- Application
- Changed/Corrected Application

***2. Type of Application:**

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s):

*Other (Specify):

*** 3. Date Received:**

Completed by Grants.gov upon submission

4. Applicant Identifier:

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name:

*b. Employer/Taxpayer Identification Number (EIN/TIN):

*c. Organizational DUNS:

d. Address:

*Street 1:

Street 2:

*City:

County/Parish:

*State:

Province:

*Country:

*Zip / Postal Code:

e. Organizational Unit:

Department Name:

Division Name:

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

Prefix: _____

*First Name:

Middle Name: _____

*Last Name:

Suffix: _____

Title:

Organizational Affiliation:

*Telephone Number:

Fax Number:

*Email:

Application for Federal Assistance SF-424

9. Type of Applicant 1: Select Applicant Type:

[Redacted]

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

[Redacted]

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

***12 Funding Opportunity Number:**

[Redacted]

*Title:

[Redacted]

13. Competition Identification Number:

Title:

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

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

[Redacted]

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

16. Congressional Districts Of:

*a. Applicant: [Redacted]

*b. Program/Project: [Redacted]

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

17. Proposed Project:

*a. Start Date: [Redacted]

*b. End Date: [Redacted]

18. Estimated Funding (\$):

*a. Federal	[Redacted]
*b. Applicant	[Redacted]
*c. State	[Redacted]
*d. Local	[Redacted]
*e. Other	[Redacted]
*f. Program Income	[Redacted]
*g. TOTAL	[Redacted]

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

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

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

- Yes
- No

If "Yes", provide explanation and attach.

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

**** I AGREE**

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

Authorized Representative:

Prefix: _____ *First Name: [Redacted]

Middle Name: _____

*Last Name: [Redacted]

Suffix: _____

*Title: [Redacted]

*Telephone Number: [Redacted]

Fax Number: _____

* Email: [Redacted]

*Signature of Authorized Representative: Completed by Grants.gov upon submission

*Date Signed: Completed by Grants.gov upon submission

INSTRUCTIONS FOR THE SF-424

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

Item	Entry:	Item:	Entry:
1.	Type of Submission: (Required) Select one type of submission in accordance with agency instructions. <ul style="list-style-type: none"> • Pre-application • Application • Changed/Corrected Application – Check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this form to submit changes after the closing date. 	10.	Name Of Federal Agency: (Required) Enter the name of the federal agency from which assistance is being requested with this application.
		11.	Catalog Of Federal Domestic Assistance Number/Title: Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
2.	Type of Application: (Required) Select one type of application in accordance with agency instructions. <ul style="list-style-type: none"> • New – An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the federal government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. <p>A. Increase Award D. Decrease Duration B. Decrease Award E. Other (specify) C. Increase Duration</p>	12.	Funding Opportunity Number/Title: (Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
		13.	Competition Identification Number/Title: Enter the competition identification number and title of the competition under which assistance is requested, if applicable.
		14.	Areas Affected By Project: This data element is intended for use only by programs for which the area(s) affected are likely to be different than the place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Add attachment to enter additional areas, if needed.
3.	Date Received: Leave this field blank. This date will be assigned by the Federal agency.	15.	Descriptive Title of Applicant's Project: (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For pre-applications, attach a summary description of the project.
4.	Applicant Identifier: Enter the entity identifier assigned by the Federal agency, if any, or the applicant's control number if applicable.		
5.	a. Federal Entity Identifier: Enter the number assigned to your organization by the federal agency, if any. b. Federal Award Identifier: For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned federal award identifier number. If a changed/corrected application, enter the federal identifier in accordance with agency instructions.	16.	Congressional Districts Of: 15a. (Required) Enter the applicant's congressional district. 15b. Enter all district(s) affected by the program or project. Enter in the format: 2 characters state abbreviation – 3 characters district number, e.g., CA-005 for California 5th district, CA-012 for California 12 district, NC-103 for North Carolina's 103 district. If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. If nationwide, i.e. all districts within all states are affected, enter US-all. If the program/project is outside the US, enter 00-000. This optional data element is intended for use only by programs for which the area(s) affected are likely to be different than place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Attach an additional list of program/project congressional districts, if needed.
6.	Date Received by State: Leave this field blank. This date will be assigned by the state, if applicable.		
7.	State Application Identifier: Leave this field blank. This identifier will be assigned by the state, if applicable.		
8.	Applicant Information: Enter the following in accordance with agency instructions: a. Legal Name: (Required) Enter the legal name of applicant that will undertake the assistance activity. This is the organization that has registered with the Central Contractor Registry (CCR). Information on registering with CCR may be obtained by visiting www.Grants.gov . b. Employer/Taxpayer Number (EIN/TIN): (Required) Enter the employer or taxpayer identification number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444. c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting www.Grants.gov . d. Address: Enter address: Street 1 (Required); city (Required); County/Parish, State (Required if country is US), Province, Country (Required), 9-digit zip/postal	17.	Proposed Project Start and End Dates: (Required) Enter the proposed start date and end date of the project.
		18.	Estimated Funding: (Required) Enter the amount requested, or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
		19.	Is Application Subject to Review by State Under Executive Order 12372 Process? (Required) Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State.

Item	Entry:	Item:	Entry:
	code (Required if country US). e. Organizational Unit: Enter the name of the primary organizational unit, department or division that will undertake the assistance activity. f. Name and contact information of person to be contacted on matters involving this application: Enter the first and last name (Required); prefix, middle name, suffix, title. Enter organizational affiliation if affiliated with an organization other than that in 7.a. Telephone number and email (Required); fax number.	20.	Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of federal debt include; but, may not be limited to: delinquent audit disallowances, loans and taxes. If yes, include an explanation in an attachment.
		21.	Authorized Representative: To be signed and dated by the authorized representative of the applicant organization. Enter the first and last name (Required); prefix, middle name, suffix. Enter title, telephone number, email (Required); and fax number. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain federal agencies may require that this authorization be submitted as part of the application.)
9.	Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions. A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority M. Nonprofit N. Private Institution of Higher Education O. Individual P. For-Profit Organization (Other than Small Business) Q. Small Business R. Hispanic-serving Institution S. Historically Black Colleges and Universities (HBCUs) T. Tribally Controlled Colleges and Universities (TCCUs) U. Alaska Native and Native Hawaiian Serving Institutions V. Non-US Entity W. Other (specify)		

SUPPLEMENTAL INFORMATION REQUIRED FOR THE DEPARTMENT OF EDUCATION

1. Project Director:

Name: _____

Prefix: _____

*First Name: _____

Middle Name: _____

*Last Name: _____

Suffix: _____

Address

*Street1: _____

Street2: _____

*City: _____

County: _____

*State: _____ *Zip Code: _____ *Country: _____

*Phone Number (give area code): _____

Fax Number (give area code): _____

E-mail Address: _____

2. Applicant Experience:

Novice Applicant?: Yes No Not applicable to this program

3. Human Subjects Research:

Are any research activities involving human subjects planned at any time during the proposed project Period? Yes No

Are ALL the research activities proposed designated to be exempt from the regulations? Yes No Provide Exemption(s) #: _____
Provide Assurance #, if available: _____

Please attach an explanation narrative:

INSTRUCTIONS FOR DEPARTMENT OF EDUCATION SUPPLEMENTAL INFORMATION FOR SF 424

1. **Project Director.** Name, address, telephone and fax numbers, and e-mail address of the person to be contacted on matters involving this application.

2. **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 Department of Education Supplemental Information for SF 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.

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

3a. **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 Department of Education Supplemental Information Form SF 424.”

3a. **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 Department of Education Supplemental Information Form SF 424

3a. **Human Subjects Assurance Number.** If the applicant has an approved Federal Wide (FWA) on file with the Office for Human Research Protections (OHRP), U.S. Department of Health and Human Services, that covers the specific activity, insert the number in the space provided. If the applicant does not have an approved assurance on file with OHRP, enter “None.” In this case, the applicant, by signature on the SF-424, is declaring that it will comply with 34 CFR 97 and proceed to obtain the human subjects assurance upon request by the designated ED official. If the application is recommended/selected for funding, the designated ED official will request that the applicant obtain the assurance within 30 days after the specific formal request.

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.

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 1890-0017. 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, DC 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
550 12th St. SW, Room PCP 7076
Washington, DC 20202-4260

DEFINITIONS FOR DEPARTMENT OF EDUCATION SUPPLEMENTAL INFORMATION FOR SF 424

(ATTACHMENT TO INSTRUCTIONS FOR SUPPLEMENTAL INFORMATION FOR SF 424)

DEFINITIONS:

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.

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 that is considered research for

other purposes. For example, some demonstration and service programs may include research activities.

—Human Subject

The regulations define human subject as ~~a~~ living individual about whom an investigator (whether professional or student) conducting research obtains (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 3 of Department of Education Supplemental Information for SF 424, the applicant must provide a human subjects “~~exempt~~ research” or “~~nonexempt~~ research” narrative. Insert the narrative(s) in the space provided. If you have multiple projects and need to provide more than one narrative, be sure to label each set of responses as to the project they address.

A. Exempt Research Narrative.

If you marked “Yes” for item 3 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 3 a. you must provide the “~~nonexempt~~ research” narrative. The narrative must address the following seven points. Although no specific page limitation applies to this section of the application, be succinct.

- (1) **Human Subjects Involvement and Characteristics:** Provide a detailed description of the proposed involvement of human subjects. Describe the characteristics of the subject

population, including their anticipated number, age range, and health status. Identify the criteria for inclusion or exclusion of any subpopulation. Explain the rationale for the involvement of special classes of subjects, such as children, children with disabilities, adults with disabilities, persons with mental disabilities, pregnant women, prisoners, institutionalized individuals, or others who are likely to be vulnerable

- (2) **Sources of Materials:** Identify the sources of research material obtained from individually identifiable living human subjects in the form of specimens, records, or data. Indicate whether the material or data will be obtained specifically for research purposes or whether use will be made of existing specimens, records, or data.
- (3) **Recruitment and Informed Consent:** Describe plans for the recruitment of subjects and the consent procedures to be followed. Include the circumstances under which consent will be sought and obtained, who will seek it, the nature of the information to be provided to prospective subjects, and the method of documenting consent. State if the Institutional Review Board (IRB) has authorized a modification or waiver of the elements of consent or the requirement for documentation of consent.
- (4) **Potential Risks:** Describe potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness. Where appropriate, describe alternative treatments and procedures that might be advantageous to the subjects.
- (5) **Protection Against Risk:** Describe the procedures for protecting against or minimizing potential risks, including risks to confidentiality, and assess their likely effectiveness. Where appropriate, discuss provisions for ensuring necessary medical or professional intervention in the event of adverse effects to the subjects. Also, where appropriate, describe the provisions for monitoring the data collected to ensure the safety of the subjects.
- (6) **Importance of the Knowledge to be Gained:** Discuss the importance of the knowledge gained or to be gained as a result of the proposed research. Discuss why the risks to subjects are reasonable in relation to the anticipated benefits to subjects and in relation to the importance of the knowledge that may reasonably be expected to result.
- (7) **Collaborating Site(s):** If research involving human subjects will take place at collaborating site(s) or other performance site(s), name the sites and briefly describe their involvement or role in the research.

Copies of the Department of Education's Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Grants Policy and Oversight Staff, Office of the Chief Financial Officer, U.S. Department of Education, Washington, D.C. 20202-4250, telephone: (202) 245-6120, and on the U.S. Department of Education's Protection of Human Subjects in Research Web Site: <http://www.ed.gov/about/offices/list/OCFO/humansub.html>

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



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

OMB Control Number: 1894-0008
Expiration Date: 04/30/2014

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): _____ The Indirect Cost Rate is _____%
- (3) For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:
 Is included in your approved Indirect Cost Rate Agreement? or Complies with 34 CFR 76.564(c)(2)? The Restricted Indirect Cost Rate is _____%

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. You may access the Education Department General Administrative Regulations, 34 CFR 74 – 86 and 97-99, on ED's website at:

<http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html>

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

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

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

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

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

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

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

Indirect Cost Information: If you are requesting reimbursement for indirect costs on line 10, 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.

If you checked "no," ED generally will authorize grantees to use a temporary rate of 10 percent of budgeted salaries and wages subject to the following limitations:

- (a) The grantee must submit an indirect cost proposal to its cognizant agency within 90 days after ED issues a grant award notification; and
- (b) If after the 90-day period, the grantee has not submitted an indirect cost proposal to its cognizant agency, the grantee may not charge its grant for indirect costs until it has negotiated an indirect cost rate agreement with its cognizant agency.
- (2): If you checked "yes" in (1), indicate in (2) the beginning and ending dates covered by the Indirect Cost Rate Agreement. In addition, indicate whether ED, another Federal agency (Other) or State agency issued the approved agreement. If you check "Other," specify the name of the Federal or other agency that issued the approved agreement.
- (3): If you 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 cost-sharing or matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

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

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

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

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

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

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B. For grant projects that will be divided into two or more separately budgeted major activities or sub-projects, show for each budget category of a project year the breakdown of the specific expenses attributable to each sub-project or activity.
2. For non-Federal funds or resources listed in Section B that are used to meet a cost-sharing or matching requirement or provided as a voluntary cost-sharing or matching commitment, you must include:
 - a. The specific costs or contributions by budget category;
 - b. The source of the costs or contributions; and
 - c. In the case of third-party in-kind contributions, a description of how the value was determined for the donated or contributed goods or services.

[Please review ED's general cost sharing and matching regulations, which include specific limitations, in 34 CFR 74.23, applicable to non-governmental entities, and 80.24, applicable to governments, and the applicable Office of Management and Budget (OMB) cost principles for your entity type regarding donations, capital assets, depreciation and use allowances. OMB cost principle circulars are available on OMB's website at: <http://www.whitehouse.gov/omb/circulars/index.html>]

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

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

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

5. Provide other explanations or comments you deem necessary.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1894-0008**. The time required to complete this information collection is estimated to vary from 13 to 22 hours per response, with an average of 17.5 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to (insert program office), U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.



GRANT PERFORMANCE REPORT COVER SHEET (ED 524B)

Check only one box per Program Office instructions.

Annual Performance Report Final Performance Report

General Information

1. PR/Award #: _____ 2. Grantee NCES ID#: _____

(Block 5 of the Grant Award Notification - 11 characters.) (See instructions. Up to 12 characters.)

3 Project Title: _____

(Enter the same title as on the approved application.)

4. Grantee Name (Block 1 of the Grant Award Notification.): _____

5. Grantee Address (See instructions.) _____

6. Project Director (See instructions.)

Name: _____ Title: _____

Ph #: () _____ - _____ Ext: () _____ Fax #: () _____ - _____

Email Address: _____

Reporting Period Information (See instructions.)

7. Reporting Period: _____ From: ____/____/____ To: ____/____/____
(mm/dd/yyyy)

Budget Expenditures (To be completed by your Business Office. See instructions. Also see Section B.)

8. Budget Expenditures

	Federal Grant Funds	Non-Federal Funds (Match/Cost Share)
a. Previous Budget Period		
b. Current Budget Period		
c. Entire Project Period (For Final Performance Reports only)		

Indirect Cost Information (To be completed by your Business Office. See instructions.)

9. Indirect Costs

a. Are you claiming indirect costs under this grant? ___Yes ___No

b. If yes, do you have an Indirect Cost Rate Agreement approved by the Federal Government? Yes No

c. If yes, provide the following information:

Period Covered by the Indirect Cost Rate Agreement: From: ____/____/_____
To: ____/____/____ (mm/dd/yyyy)
Approving Federal agency: ED Other (*Please specify*):

Type of Rate (*For Final Performance Reports Only*): Provisional Final
Other (*Please specify*): _____

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

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

Human Subjects (Annual Institutional Review Board (IRB) Certification) (*See instructions.*)

10. Is the annual certification of Institutional Review Board (IRB) approval attached? Yes
 No N/A

Performance Measures Status and Certification (*See instructions.*)

11. Performance Measures Status

a. Are complete data on performance measures for the current budget period included in the Project Status Chart? Yes No

b. If no, when will the data be available and submitted to the Department?
____/____/____ (mm/dd/yyyy)

12. To the best of my knowledge and belief, all data in this performance report are true and correct and the report fully discloses all known weaknesses concerning the accuracy, reliability, and completeness of the data.

Name of Authorized Representative: Title: _____

Signature Date: ____/____/____

U.S. Department of Education
Grant Performance Report (ED 524B)
Executive Summary

PR/Award # (11 characters): _____

(See Instructions)

INSTRUCTIONS FOR GRANT PERFORMANCE REPORT (ED 524B)

PURPOSE

Recipients of multi-year discretionary grants must submit an annual performance report for each year funding has been approved in order to receive a continuation award. The annual performance report should demonstrate whether substantial progress has been made toward meeting the project objectives and the program performance measures. The information described in these instructions will provide the U.S. Department of Education (ED) with the information needed to determine whether recipients have demonstrated substantial progress. ED program offices may also require recipients of “forward funded” grants that are awarded funds for their entire multi-year project up-front in a single grant award to submit the Grant Performance Report (ED 524B) on an annual basis. In addition, ED program offices may also require recipients to use the ED 524B to submit their final performance reports. Performance reporting requirements are found in 34 CFR 74.51, 75.118, 75.253, 75.590 and 80.40 of the Education Department General Administrative Regulations (EDGAR).

GENERAL INSTRUCTIONS

- Please read the attached “Dear Applicant Letter” from your program office carefully. It contains specific instructions for completing the ED 524B for your program.
- You must submit the ED 524B Cover Sheet, Executive Summary, and Project Status Chart. You may reference sections and page numbers of your approved application rather than repeating information.
- Please follow the appropriate instructions depending on whether you are submitting an annual performance report or a final performance report.
- If you are submitting a paper copy of the ED 524B, please submit one original and one copy. ED program offices will notify grant recipients of the due date for submission of annual performance reports; however, general guidelines are provided below in the instructions for ED 524B Cover Sheet, item 7. Reporting Period. Final performance reports are due 90 days after the expiration of the grant’s project period (performance period).

Note: For the purposes of this report, the term “project period” is used interchangeably with the term “performance period,” which is found on the Grant Award Notification (GAN).

- Many programs provide grantees with the option of completing and submitting the ED 524B online through e-Reports. Please follow instructions from your program office regarding the use of e-Reports for submitting your ED 524B.
- For those programs that operate under statutes or regulations that require additional or different reporting for performance or monitoring purposes, ED program offices will inform you when this additional or different reporting should be made.

INSTRUCTIONS FOR THE ED 524B COVER SHEET

Complete the ED 524B Cover Sheet with the appropriate information. Instructions for items 1, 3 and 4 are included on the ED 524B Cover Sheet. Instructions for items 2 and 5 and items 6 through 12 are included in this instruction sheet.

2. Grantee NCES ID Number

Annual and Final Performance Reports:

Please enter the current National Center for Education Statistics (NCES) ID number of the grantee. Grantees that are State Educational Agencies (SEA) should enter their state's FIPS (Federal Information Processing Standards) code in item 2. Item 2 only applies to grantees that are Institutions of Higher Education (IHE), SEAs, Local Educational Agencies (LEA), public libraries, and public, charter, and private elementary or secondary schools. Leave blank, if this item is not applicable.

Please go to the applicable website listed below to obtain the grantee's NCES ID number or FIPS code. Depending on your organization type, this number will range from 2 to 12 numeric digits.

- IHEs (IPEDS ID); Public Libraries (Library ID); and Public, Charter and Private Schools (NCES School ID): <http://nces.ed.gov/globallocator>
- LEAs (NCES District ID): <http://nces.ed.gov/ccd/districtsearch/>
- SEAs (FIPS code): To obtain your state's FIPS code, please search on any public school district in your state at: <http://nces.ed.gov/ccd/districtsearch/>. **The FIPS code is the first two digits of the NCES District ID number for any public school district in a state.**

Note: Newly established organizations that do not have an NCES ID number yet should leave item 2 blank. However, once the organization's NCES ID number has been established, it must be entered on all future submissions of the ED 524B.

5. Grantee Address

Instructions for Submitting Address Changes

Annual and Final Performance Reports:

If the address that is listed in Block 1 of your GAN has changed and you are submitting a paper copy of the ED 524B, either submit the new address in Section C (Additional Information) of the Project Status Chart or submit the change through e-Administration (annual performance reports only), the administrative action function of e-Grants. If you are submitting the ED 524B electronically through e-Reports, you may update your address in e-Reports.

6. Project Director

Annual and Final Performance Reports:

Please enter the name, title, phone number, fax number and email address of your approved Project Director listed in Block 3 of your GAN. These fields are pre-populated and updatable in the e-Reports system. Please note, however, that changing the approved Project Director requires prior approval from ED and may only be requested for a grant whose performance period has not ended. See instructions under Section C (Additional Information) of the Project Status Chart for requesting a change to the Project Director with the ED 524B. You may also submit a request for a change in your Project Director through e-Administration.

7. Reporting Period Information

Annual Performance Reports:

Due Date: Annual performance reports are typically due seven to ten months after the start of the grant's current budget period. Please follow instructions from your program office regarding the specific due date of the annual performance report for your grant.

The reporting period for the annual performance report is from the start of the current budget period through 30 days before the due date of the report. The start date for your current budget period may be found in Block 6 of the GAN. Please note, however, that complete data on performance measures for the current budget period must be submitted to ED, either with this report or as soon as they are available, but no later than the final due date specified by your ED program office. Please see instructions for items 11a. and 11b. of the ED 524B Cover Sheet and Section A (Project Objectives Information and Related Performance Measures Data) of the Project Status Chart for specific reporting requirements for performance measures data.

Final Performance Reports:

Due Date: Final performance reports are due 90 days after the expiration of the grant's project period. If you receive a no-cost time extension from ED for this grant, the final performance report is due 90 days after the revised project period end date. Program offices may also request an annual performance report that covers the original final budget period from grantees that receive no-cost time extensions.

Please enter the start and end date for the final budget period of your grant from Block 6 of the GAN. The reporting period for your final performance report covers the entire final budget period of the project, except for the information in the Executive Summary and Section C (Additional Information) of the Project Status Chart, which covers the entire project period (performance period) of the project.

8. Budget Expenditures

[Also see Section B (Budget Information) of the Project Status Chart]

The budget expenditure information requested in items 8a. – 8c. must be completed by your Business Office.

Note:

Budget Expenditures: For the purposes of this report, the term budget expenditures means allowable grant obligations incurred during the periods specified below. (See EDGAR, 34 CFR 74.2; 75.703; 75.707; and 80.3, as applicable.)

For budget expenditures made with Federal grant funds, you must provide an explanation in Section B (Budget Information) of the Project Status Chart, if you have not drawn down funds from ED's G5 System to pay for these budget expenditures.

Non-Federal Funds (Match/Cost Share): If you are required to provide non-Federal funds or resources for this grant because the funding program has a statutory (legislative) matching or cost sharing requirement or you voluntarily committed to providing non-Federal funds or resources in your approved grant application, you must complete the “Non-Federal Funds (Match/Cost Share)” column in items 8a. – 8c., as applicable. (You are encouraged to review the following information regarding allowable cost sharing/matching contributions: the funding program’s statute and regulations (if any); ED’s general cost sharing and matching regulations, which include specific limitations, in 34 CFR 74.23, applicable to non-governmental entities, and 80.24, applicable to governments; and the applicable Office of Management and Budget (OMB) cost principles for your entity type regarding donations, capital assets, depreciation and use allowances. OMB cost principle circulars are available on OMB’s website at: <http://www.whitehouse.gov/omb/circulars/index.html>.)

--Annual Performance Reports:

- Report your actual budget expenditures for the **entire previous budget period** in item 8a. Please separate expenditures into Federal grant funds and non-Federal funds (match/cost-share) expended for the project during the entire previous budget period.

Note: If you are reporting on the first budget period of the project, leave item 8a. blank.

- Report your actual budget expenditures for the **current budget period to date** (i.e., through 30 days before the due date of this report) in item 8b. Please separate expenditures into Federal grant funds and non-Federal funds (match/cost-share) expended for the project during the current budget period to date.

--Final Performance Reports:

- Report your actual budget expenditures for the **entire previous budget period** in item 8a. Please separate expenditures into Federal grant funds and non-Federal funds (match/cost-share) expended for the project during the entire previous budget period.
- Report your actual budget expenditures for the **entire final budget period** in item 8b. Please separate expenditures into Federal grant funds and non-Federal funds (match/cost-share) expended for the project during the entire final budget period.

- Report your actual budget expenditures for the **entire project period (performance period)** in item 8c. Please separate expenditures into Federal grant funds and non-Federal funds (match/cost-share) expended for the project during the entire project period. Your project period (performance period) start and end dates are found in Block 6 of the GAN.

9. Indirect Cost Information

The indirect cost information requested in Items 9a. – 9d. must be completed by your Business Office.

Annual and Final Performance Reports:

- **Item 9a -- Please check “yes” or “no” in item 9a. to indicate whether or not you are claiming indirect costs under this grant.**
- **Item 9b. -- If you checked “yes” in item 9a., please indicate in item 9b. whether or not your organization has an Indirect Cost Rate Agreement that was approved by the Federal government.**
- **Item 9c. -- If you checked “yes” in item 9b., please indicate in item 9c. the beginning and ending dates covered by the Indirect Cost Rate Agreement. In addition, please indicate whether ED or another Federal agency (Other) issued the approved agreement. If you check “Other,” please specify the name of the Federal agency that issued the approved agreement. For final performance reports only, check the appropriate box to indicate the type of indirect cost rate that you have – Provisional, Final, or Other. If you check “Other,” please specify the type of indirect cost rate.**
- **Item 9d. – For grants under Restricted Rate Programs (EDGAR, 34 CFR 75.563), please 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 EDGAR, 34 CFR 76.564(c)(2). Check only one response. Leave blank, if this item is not applicable.**

10. Human Subjects (Annual Institutional Review Board (IRB) Certification)

Annual Performance Reports Only:

Annual IRB certification is required if Attachment HS1, Continuing IRB Reviews, was attached to the GAN.

Check "yes" if annual IRB certification is required and attached to the ED 524B as instructed in Attachment HS1. Check "no" if annual IRB Certification is required by Attachment HS1, but is not attached to the ED 524B. Please indicate the reason why the IRB certification is not attached (e.g., the research has been completed) under Section C (Additional Information) of the Project Status Chart. Check "N/A" if annual IRB certification does not apply to your grant (i.e., no human subjects research is being conducted under this grant or Attachment HSI was not attached to the GAN.)

11. Performance Measures Status

Annual Performance Reports:

Please check “yes” or “no” in item 11a. to indicate whether *complete* data (i.e., all of the data that you anticipate will be collected) on performance measures for the current budget period are included in this report in Section A of the Project Status Chart. If no, please indicate in item 11b. the date when the information will be available and submitted to ED. Complete data must be submitted for any performance measures established by ED for the grant program (included in the attached “Dear Applicant Letter”) and for any project specific performance measures that were included in your approved application.

If *complete* data on performance measures for the entire current budget period have not been obtained when you submit the ED 524B, please submit *available* data for the budget period to date with this report, unless instructed otherwise by your program office. *Complete performance measures data for the current budget period should be submitted by the date you indicated in item 11b.*

Note: Your program office will inform you of the *final date* by which performance measures data must be submitted to the Department for this program.

Final Performance Reports:

You must check “yes” in item 11a. Complete data on performance measures for the final budget period *must* be submitted with the final performance report in Section A of the Project Status Chart. Leave item 11b. blank.

Complete data must be submitted for any performance measures established by ED for the grant program (included in the attached “Dear Applicant Letter”) and for any project-specific performance measures that were included in your approved grant application.

12. Certification

Annual and Final Performance Reports:

The grantee’s authorized representative must sign the certification for the ED 524B. If the grantee has any known internal control weaknesses concerning data quality (as disclosed through audits or other reviews), this information must be disclosed under Section C (Additional Information) of the Project Status Chart as well as the remedies taken to ensure the accuracy, reliability, and completeness of the data.

INSTRUCTIONS FOR THE EXECUTIVE SUMMARY

ANNUAL AND FINAL PERFORMANCE REPORTS:

Provide a one to two page Executive Summary for *annual performance reports* and a two to three page Executive Summary for *final performance reports*. Provide highlights of the project's goals, the extent to which the expected outcomes and performance measures were achieved, and what contributions the project has made to research, knowledge, practice, and/or policy. Include the population served, if appropriate.

Note: *The Executive Summary for final performance reports covers the* entire project period.

INSTRUCTIONS FOR THE PROJECT STATUS CHART

General Instructions for Section A -- Project Objectives Information and Related Performance Measures Data

Annual and Final Performance Reports:

In your approved grant application, you established project objectives stating what you hope to achieve with your funded grant project. Generally, one or more performance measures were also established for each project objective that serve to demonstrate whether you have met or are making progress towards meeting each project objective. In addition to project-specific performance measures that you may have established in your approved grant application, performance measures may have been established by ED for the grant program [included in the attached "Dear Applicant Letter"] that you are required to report on.

In Section A of the Project Status Chart, you will report on the results to date of your project evaluation as required under EDGAR, 34 CFR 75.590. According to the instructions below, for each project objective included in your approved grant application, provide quantitative and/or qualitative data for each associated performance measure and a description of preliminary findings or outcomes that demonstrate that you have met or are making progress towards meeting the performance measure. You will also explain how your data on your performance measures demonstrate that you have met or are making progress towards meeting each project objective.

Note: Complete data *must* be submitted for any performance measures established by ED for the grant program (included in the attached "Dear Applicant Letter") and for any project-specific performance measures that were included in your approved grant application

For Annual Performance Reports: If *complete* data on performance measures for the entire current budget period have not been obtained when you submit the ED 524B, please submit *available* data for the budget period to date with this report, unless instructed otherwise by your program office. *Complete performance measures data for the current budget period should be submitted by the date you indicated in item 11b on the ED 524B Cover Sheet.*

Your program office will inform you of the *final date* by which performance measures data must be submitted to the Department for this program.

For Final Performance Reports: Complete data on performance measures for the final budget period *must* be submitted with the final performance report.

For final performance reports, the information in Section A of the Project Status Chart covers the final budget period of the grant. Additional questions for final performance reports covering the entire project period are found in the instructions for Section C of the Project Status Chart.

Instructions for Section A

- **Project Objective:**

Enter each project objective that is included in your approved grant application. Only one project objective should be entered per row. Project objectives should be numbered sequentially, i.e., 1., 2., 3., etc.

Update Box

If instructed by your program office in the attached “Dear Applicant Letter,” please provide an update on the status of your project objectives for any period of time that you did not report on in your previous annual performance report.

Check the “Update Box” next to each project objective for which you are providing an update. Do not check the “Update Box” if you are reporting on a project objective for the current reporting period. If you are providing a status update on your project objectives for the previous budget period and reporting on those same objectives for the current reporting period, please use separate pages (Section A) to separate previous and current information.

Do not combine information for the previous budget period and for the current reporting period on the same page.

Example: Last year’s annual performance report covered 8 months of the previous budget period. The program office requests that you report on the status of your project objectives for the last 4 months of the previous budget period in this annual performance report.

- **Performance Measure:**

For each project objective, enter each associated performance measure. There may be multiple performance measures associated with each project objective. Enter only one performance measure per row. Each performance measure that is associated with a particular project objective should be labeled using an alpha indicator. Example: The first performance measure associated with project objective “1” should be labeled “1.a.,” the second performance measure for project objective “1” should be labeled “1.b.,” etc.

- **Measure Type:**

For each performance measure you are reporting on, enter the type of performance measure. Enter one (1) of the following measure types: **GPRA; PROGRAM; or PROJECT.**

The specific measures established by ED for the grant program that you are required to report on are included in the attached “Dear Applicant Letter.” The measure type is also specified.

There are two types of measures that ED may have established for the grant program:

1. **GPRA:** Measures established for reporting to Congress under the Government Performance and Results Act; and
2. **PROGRAM:** Measures established by the program office for the particular grant competition.

In addition, report on any project-specific performance measures (**PROJECT**) that you, the grantee, established in your approved grant application to meet your project objectives.

- **Quantitative Data:**

Target and Actual Performance Data

Provide the target you established for meeting each performance measure and provide actual performance data demonstrating progress towards meeting or exceeding this target. Only quantitative (numeric) data should be entered in the Target and Actual Performance Data boxes. If ED has approved revised targets for a performance measure, the revised target should be used when entering data.

The Target and Actual Performance Data boxes are each divided into three columns: **Raw Number; Ratio; and Percentage (%)**.

For performance measures that are stated in terms of a single number (e.g., the number of workshops that will be conducted or the number of students that will be served), the target and actual performance data should be reported as a single number under the **Raw Number column** (e.g., **10** workshops or **80** students). Please leave the **Ratio and Percentage (%) columns** blank.

For performance measures that are stated in terms of a percentage (e.g., percentage of students that attain proficiency), complete both the **Ratio column** and the **Percentage (%) column**. Please leave the **Raw Number column** blank.

In the **Ratio column** (e.g., **80/100**), the numerator represents the numerical target (e.g., the number of students that are expected to attain proficiency) or actual performance data (e.g., the number of students that attained proficiency), and the denominator represents the universe (e.g., all students served). Please enter the corresponding percentage (e.g., **80%**) in the **Percentage (%) column**.

If the collection of quantitative data is not appropriate for a particular performance measure, please leave the Target and Actual Performance Data boxes blank and provide an explanation and any relevant qualitative data for the performance measure in the block entitled, **Explanation of Progress**.

Note: If you are using weighted data, please indicate how the data are weighted in the block entitled, **Explanation of Progress**.

Special instructions for grants in their first budget period: If baseline data for a performance measure were not included in your approved application and targets were not set for the first budget period, then enter either the number **999** under the **Raw Number column** or the ratio **999/999** under the **Ratio column** of the **Target box**, depending on how your data will be reported in the future. The **999** or **999/999** indicates that baseline data are being collected on the measure during the first budget period and targets have not yet been set. Unless otherwise instructed by your program office in the attached "Dear Applicant Letter," report baseline data collected during the first budget period under either the **Raw Number column** or the **Ratio and Percentage (%) columns** of the **Actual Performance Data box**, as appropriate. After baseline data have been collected during the first budget period, grantees are expected to set targets for the second and any subsequent budget periods and report actual performance data in their annual performance reports.

- **Explanation of Progress (Includes Qualitative Data and Data Collection Information):**
 1. For each project objective and associated performance measures, indicate what data (quantitative and/or qualitative) were collected and when they were collected, the evaluation methods that were used, and how the data were analyzed. Clearly identify and explain any deviations from your approved evaluation plan, including changes in design or methodology, or the individual or organization conducting the evaluation.
 2. Based on your data, provide a description of preliminary findings or outcomes, including information to show whether you are making progress towards meeting each performance measure. Further, indicate how your performance measures data show that you have met or are making progress towards meeting the stated project objective. In your discussion, provide a brief description of your activities and accomplishments for the reporting period that are related to each project objective.

3. If expected data were not attained, expected progress was not made toward meeting a performance measure or project objective, or a planned activity was not conducted as scheduled, provide an explanation. Include a description of the steps and schedules for addressing the problem(s) or issue(s).
4. Indicate how you used your data and information from your evaluation to monitor the progress of your grant, and if needed, to make improvements to your original project plan (e.g., project activities and milestones) which are consistent with your approved objectives and scope of work.

Instructions for Section B – Budget Information

-- Annual and Final Performance Reports:

- Report budget expenditure data in items 8a. – 8c. of the ED 524B Cover Sheet, as applicable. Please follow the instructions for completing items 8a. – 8c. included in this instruction sheet.
- For budget expenditures made with Federal grant funds, you must provide an explanation if funds have not been drawn down from the G5 System to pay for the budget expenditure amounts reported in items 8a. – 8c of the ED 524B Cover Sheet.
- Provide an explanation if you **did not** expend funds at the expected rate during the reporting period.
- Describe any significant changes to your budget resulting from modification of project activities.
- Describe any changes to your budget that affected your ability to achieve your approved project activities and/or project objectives.

-- Annual Performance Reports Only:

- Do you expect to have any unexpended funds at the end of the current budget period? If you do, explain why, provide an estimate, and indicate how you plan to use the unexpended funds (carryover) in the next budget period.
- Describe any anticipated changes in your budget for the **next** budget period that require prior approval from the Department (see EDGAR, 34 CFR 74.25 and 80.30, as applicable).

Instructions for Section C – Additional Information

-- Annual Performance Reports Only:

- If applicable, please provide a list of current partners on your grant and indicate if any partners changed during the reporting period. Please indicate if you anticipate any change in partners during the next budget period. If any of your partners changed during the reporting period, please describe whether this impacted your ability to achieve your approved project objectives and/or project activities.
- *If instructed by your program office*, please report on any statutory reporting requirements for this grant program.
- Describe any changes that you wish to make in the grant's activities for the next budget period that are consistent with the scope and objectives of your approved application.
- If you are requesting changes to the approved Project Director listed in Block 3 of your GAN and/or to other approved key personnel listed in Block 4 with a proposed effective date during the remainder of

the current budget period or the next budget period, please indicate the name, title and percentage of time of the requested key personnel. Please indicate whether the proposed Project Director or other key personnel change would be effective during the current or next budget period. Additionally, please attach a resume or curriculum vitae for the proposed key personnel when you submit your performance report.

Note: Do not report on any key personnel changes that were already made during the current or previous budget period(s). Departmental approval must be requested and received prior to making key personnel changes.

- Provide any other appropriate information about the status of your project including any unanticipated outcomes or benefits from your project.

-- Final Performance Reports Only:

(This information covers the entire project period.)

Note: All grantees submitting a final performance report must answer question 1. The attached "Dear Applicant Letter" specifies any additional questions that you must answer from the list below, if any.

1. Utilizing your evaluation results, draw conclusions about the success of the project and its impact. Describe any unanticipated outcomes or benefits from your project and any barriers that you may have encountered.
2. What would you recommend as advice to other educators that are interested in your project? How did your original ideas change as a result of conducting the project?
3. If applicable, describe your plans for continuing the project (sustainability; capacity building) and/or disseminating the project results.
4. Report on any statutory reporting requirements for this grant program.

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 **average 22 hours per response for annual performance reports and 23 hours per response for final performance reports**, 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. 2020-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to (insert program office), U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

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

OMB Approval No. 0348-0040

**CERTIFICATION REGARDING LOBBYING
CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND
COOPERATIVE AGREEMENTS.**

THE UNDERSIGNED CERTIFIES, TO THE BEST OF HIS OR HER KNOWLEDGE AND BELIEF, THAT:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal Loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any funds other Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form—LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

STATEMENT FOR LOAN GUARANTEES AND LOAN INSURANCE.

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

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

Applicant's Organization

Printed Name of Authorized Representative	Printed Title of Authorized Representative
Signature	Date

ED80-0013

08/05
Approved by OMB 0348-0046

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

1. Type of Federal Action: a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: a. bid/offer/application b. initial award c. post-award	3. Report Type: a. initial filing b. material change For material change only: Year: _____ quarter: _____ Date of last report: _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier, if Known: _____ Congressional District, if known: _____	5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: _____ Congressional District, if known: _____	
6. Federal Department/Agency: _____	7. Federal Program Name/Description: _____ _____ CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i> _____	10. 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 follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

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

PAPERWORK REDUCTION ACT STATEMENT

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:

Office of Management and Budget
Paperwork Reduction Project (0348-0046)
Washington, DC 20503

SURVEY ON ENSURING EQUAL OPPORTUNITY FOR APPLICANTS

PURPOSE

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

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

INSTRUCTIONS FOR SUBMITTING THE SURVEY

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

Applicant's (Organization) Name: _____

Applicant's DUNS Number: _____

Federal Program: _____ **CFDA Number:** _____

-
- | | | | | | | | | | | | | | |
|--|--|-------------------------------------|--------------------------------|------------------------------|---------------------------------|-------------------------------|-----------------------------------|--|--|--|--|--|--|
| <p>1. Has the applicant ever received a grant or contract from the Federal government?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2. Is the applicant a faith-based organization?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3. Is the applicant a secular organization?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4. Does the applicant have 501(c)(3) status?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> | <p>5. Is the applicant a local affiliate of a national organization?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>6. How many full-time equivalent employees does the applicant have?
<i>(Check only one box).</i></p> <table border="0" style="width: 100%;"><tr><td><input type="checkbox"/> 3 or Fewer</td><td><input type="checkbox"/> 15-50</td></tr><tr><td><input type="checkbox"/> 4-5</td><td><input type="checkbox"/> 51-100</td></tr><tr><td><input type="checkbox"/> 6-14</td><td><input type="checkbox"/> over 100</td></tr></table> <p>7. What is the size of the applicant's annual budget? <i>(Check only one box.)</i></p> <table border="0" style="width: 100%;"><tr><td><input type="checkbox"/> Less Than \$150,000</td></tr><tr><td><input type="checkbox"/> \$150,000–\$299,999</td></tr><tr><td><input type="checkbox"/> \$300,000–\$499,999</td></tr><tr><td><input type="checkbox"/> \$500,000–\$999,999</td></tr><tr><td><input type="checkbox"/> \$1,000,000–\$4,999,999</td></tr><tr><td><input type="checkbox"/> \$5,000,000 or more</td></tr></table> | <input type="checkbox"/> 3 or Fewer | <input type="checkbox"/> 15-50 | <input type="checkbox"/> 4-5 | <input type="checkbox"/> 51-100 | <input type="checkbox"/> 6-14 | <input type="checkbox"/> over 100 | <input type="checkbox"/> Less Than \$150,000 | <input type="checkbox"/> \$150,000–\$299,999 | <input type="checkbox"/> \$300,000–\$499,999 | <input type="checkbox"/> \$500,000–\$999,999 | <input type="checkbox"/> \$1,000,000–\$4,999,999 | <input type="checkbox"/> \$5,000,000 or more |
| <input type="checkbox"/> 3 or Fewer | <input type="checkbox"/> 15-50 | | | | | | | | | | | | |
| <input type="checkbox"/> 4-5 | <input type="checkbox"/> 51-100 | | | | | | | | | | | | |
| <input type="checkbox"/> 6-14 | <input type="checkbox"/> over 100 | | | | | | | | | | | | |
| <input type="checkbox"/> Less Than \$150,000 | | | | | | | | | | | | | |
| <input type="checkbox"/> \$150,000–\$299,999 | | | | | | | | | | | | | |
| <input type="checkbox"/> \$300,000–\$499,999 | | | | | | | | | | | | | |
| <input type="checkbox"/> \$500,000–\$999,999 | | | | | | | | | | | | | |
| <input type="checkbox"/> \$1,000,000–\$4,999,999 | | | | | | | | | | | | | |
| <input type="checkbox"/> \$5,000,000 or more | | | | | | | | | | | | | |

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. Self-explanatory.
2. Self-identify.
3. Self-identify.
4. 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.
5. Self-explanatory.
6. 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.
7. Annual budget means the amount of money your organization spends each year on all of its activities.

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:** The Agency Contact listed in this grant application package.

CERTIFICATION OF ELIGIBILITY FOR FEDERAL ASSISTANCE IN CERTAIN PROGRAMS

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

I. I certify that:

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

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

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

OR

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

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

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

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

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

SECTION G
IMPORTANT NOTICES

PROJECT ABSTRACT REQUIREMENTS

Applicants are required to submit a **one page** project abstract with their application. The abstract must include the following information:

- 1) Name of Applicant (Institution applying for award, not the individual submitting the application)
- 2) City and State where the Institution is located
- 3) The Congressional District where the Institution is located (number)
- 4) The name of the principle Project Director and the percentage of time the Director will manage the project.
- 5) Per the Adarand decision (Adarand Constructors, Inc. V. Pena 515 U.S. 200), the Department of Education does not allow the selection of staff or program participants on the basis of race or national origin/ethnicity. For this reason, applicants must ensure that any discussion of hiring or program participation distinguishes between increasing the pool of applicants and actually selecting staff or participants, based on race or national origin/ethnicity, for the program. The abstract should include a clear assurance that demonstrates the applicant understands that while outreach activities may attempt to increase the pool of qualified, eligible minority candidates, they will not admit or provide funding to applicants solely on the basis of race, ethnicity, or disability. RSA will disqualify and not consider for funding any applicant that indicates that it will hire or train a certain number or percentage of minority candidates.

Questions regarding the project abstract or any other components of the application should be directed to the Competition manager before the closing date.

COMMON QUESTIONS AND ANSWERS

Below are some examples of questions and answers that programs may include in their application booklets. Programs may want to add others. Generally speaking, questions and answers should not repeat information that is given elsewhere in the application. However, there may be exceptions to this generality. Questions and answers should not be subregulatory and should not take the place of instructions.

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

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

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

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

Q. How does the Department review an application?

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

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

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

Q. Is a recommended application guaranteed funding?

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

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

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

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

✓ **Invitational Priority**

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

✓ **Competitive Priority**

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

✓ **Absolute Priority**

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

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

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

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

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

APPLICATION CHECKLIST

Does your application include each of the following?

- Cover page (SF 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:

U.S. Department of Education
Application Control Center
Attention: 84.224B
LBJ Basement Level 1
400 Maryland Avenue, SW.
Washington, DC 20202-4260

OR

Hand-deliver* Application To:

U.S. Department of Education
Application Control Center
Attention: 84.224B
LBJ Basement Level 1
400 Maryland Avenue, SW.
Washington, DC 20202-4260

PROGRAM PERFORMANCE MEASURES UNDER 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 it intends to accomplish, identify the resources required, and periodically report its 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 2002-2007. 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:** Create a Culture of Achievement: Create a culture of achievement throughout the nation's education system by effectively implementing the new law, the No Child Left Behind Act of 2001, and by basing all federal education programs on its principles: accountability, flexibility, expanded parental options and doing what works.
- Goal 2:** Improve Student Achievement: Improve student achievement for all groups of students by putting reading first, expanding high-quality mathematics and science teaching, reforming high schools, and boosting teacher and principal quality, thereby closing the achievement gap.
- Goal 3:** Develop Safe Schools and Strong Character: Establish disciplined and drug-free education environments that foster the development of good character and citizenship.
- Goal 4:** Transform Education into an Evidence-based Field: Strengthen the quality of education research.
- Goal 5:** Enhance the Quality of and Access to Postsecondary and Adult Education: Increase opportunities for students and the effectiveness of institutions.
- Goal 6:** Establish Management Excellence: Create a culture of accountability throughout the Department of Education

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

GENERAL INFORMATION ON COMPLETING AN APPLICATION

Potential applicants frequently direct questions to officials of the Department regarding application notices and programmatic and administrative regulations governing various direct grant programs. To assist potential applicants, the Office of Special Education Programs staff have assembled the following most commonly raised issues. In general, this information applies to the grant competitions covered by this application package.

EXTENSION OF DEADLINES

Waivers for individual applications are not granted, regardless of the circumstances. Under very extraordinary circumstances a closing date may be changed. Such changes are announced in the *Federal Register*.

COPIES OF THE APPLICATION

Current Government-wide policy is that only an original and two copies need to be submitted. OSEP would appreciate receiving three additional copies to facilitate the peer review process. This would mean an original and two copies need to be submitted and we would appreciate your voluntarily submitting an additional three copies (six applications in all). Copies of the application may be bound, but it is not necessary or required. If bound, one copy should be left unbound to facilitate electronic scanning and any necessary reproduction. Applicants should not use colored paper, foldouts, photographs, or other materials that are hard to duplicate.

Please Note: If an application is recommended for funding and a grant award is issued, we will contact the applicant to request a copy of the application on a diskette or CD. The Department is moving toward an electronic grant filing system and an electronic copy of all applications that are being funded will facilitate this effort.

MAKING APPLICATIONS MORE ACCESSIBLE TO REVIEWERS WHO ARE BLIND OR HAVE LOW VISION

The Department will accept one copy of the application in an accessible format (i.e., IBM PC compatible WordPerfect or ASCII code diskette) along with the original and two print copies of the application. The accessible format copy can be used with available software to convert the text of the application into Braille, or with text to voice applications. If there are any differences in the print original provided on the disk and in print, the print original is assumed to be the correct version. Please note that it is not a requirement that one copy of the application be in an accessible format.

MISSED DEADLINES AND SUBMISSION UNDER OTHER COMPETITIONS

Should an application miss the deadline for a particular competition, it may be submitted to another competition. However, if an application is properly prepared to meet the specifications of one competition, it is extremely unlikely that it would be favorably evaluated under a different competition.

SUBMISSION TO MORE THAN ONE PROGRAM

Applications may be submitted to more than one Federal program if you are unsure of the most appropriate program. Each application should be prepared following the instructions for that particular program as closely as possible (which may require some reformulation). It is very helpful if each program is notified that an identical or similar application is being submitted to another program.

HELP PREPARING APPLICATIONS

We are happy to provide general program information. Clearly it would **not** be appropriate for staff to participate in the actual writing of an application, but we can respond to specific questions about our application requirements and evaluation criteria, or about the announced priorities. Applicants should understand that such previous contact is not required, nor does it guarantee the success of an application.

NOTIFICATION OF FUNDING

The time required to complete the evaluation of applications is variable. Once applications have been received staff must determine the areas of expertise needed to appropriately evaluate the applications, identify and contact potential reviewers, convene peer review panels, and summarize and review the recommendations of the review panels. You can expect to receive notification within 3 to 6 months of the application closing date, depending on the number of applications received and the number of competitions with closing dates at about the same time. The requested start date should therefore be a minimum of 6 months after the application closing date.

POSSIBILITY OF LEARNING THE OUTCOME OF REVIEW PANELS PRIOR TO OFFICIAL NOTIFICATION

Every year we are called by a number of applicants who have legitimate reasons for needing to know the outcome of the review prior to official notification. Some applicants need to make job decisions, some need to notify a local school district, etc. Regardless of the reason, we cannot share information about the review with **anyone** until the Assistant Secretary has approved a slate of projects recommended for funding. You will be notified as quickly as possible either by telephone (if your application is recommended for funding), or through a letter (if your application is not successful).

FORMAT FOR APPLICATIONS

The application narrative (Part III of the application form) should be organized to follow the exact sequence of the components in the selection criteria used to evaluate applications. (The selection criteria for the competitions covered by this packet are listed following the specific competition information in section “B” of this packet.) A table of contents, list of priority requirements, and an abstract (see page B-13) should precede the application narrative. If you prefer to use a different format, you may wish to cross-reference the sections of your application to the selection criteria to be sure that reviewers are able to find all relevant information.

To aid in screening and reviewing the application, applicants should list in Part II and prior to the abstract, all general, special, and other requirements for the priority and corresponding page number (s) where requirements are addressed within the application. Page limits do not apply to this list. (All requirements are found in each priority description included in this application package.) The format included below is an example of how you might provide this information in your application.

PAGE #	REQUIREMENTS
_____	(a) Projects funded under this notice must make positive efforts to employ and advance in employment qualified individuals with disabilities in project activities. (See Section 606 of IDEA)
_____	(b) Applicants and grant recipients funded under this notice must involve individuals with disabilities or parents of individuals with disabilities ages birth through 26 in planning, implementing, and evaluating the projects. (See Section 682(a)(1)(A) of IDEA)
_____	(c) Applicant must describe steps to ensure equitable access to, and participation in, its program for students, teachers, and other program beneficiaries with special needs. (See Section 427, GEPA)
_____	(d) Projects funded under these priorities must budget for a three-day Project’s Directors’ meeting in Washington, D.C. during each year of the project.

PAGE LIMITS

Please note that all applications submitted under the competition in this application package must adhere to the Part III—Application Narrative page limit requirements that are specified under each priority/competition description. Your application should provide enough information to allow the review panel to evaluate the importance and impact of the project as well as to make knowledgeable judgments about the methods

you propose to use (design, subjects, sampling procedures, measures, instruments, data analysis strategies, etc.). It is often helpful to have:

1. **Staff Vitae:** They should include each person's title and role in the proposed project and contain only information that is relevant to this proposed project's activities and/or publications. Vitae for consultants and Advisory Council members should be similarly brief.
2. **Instruments:** Except in the case of generally available and well known instruments.
3. **Agreements:** When the participation of an agency other than the applicant is critical to the project. This is particularly critical when an intervention will be implemented within an agency, or when subjects will be drawn from particular agencies. Letters of cooperation should be specific, indicating agreement to implement a particular intervention or to provide access to a particular group of students.

The items listed above are not included under page limits.

MAKING SURE APPLICATION IS ASSIGNED TO THE CORRECT COMPETITION

Applicants should clearly indicate in Item 11 on the application (SF Form 424) the CFDA number of the program priority (e.g., 84.327A, etc.) 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.

RETURN OF NON-FUNDED APPLICATIONS

We do not return original copies of applications. Thus, applicants should retain at least one copy of the application. Copies of reviewer comments will be mailed to all applicants.

PROPOSED STAFF AVAILABILITY TO PROJECT

For each staff person named in the application, please provide documentation of all internal and external time commitments. In instances where a staff person is committed on a federally supported project, please provide the project name, Federal office, program title, the project federal award number, and the amount of committed time by each project year. This information (e.g., Staff: Jane Doe; Project Name: Succeeding in the General Curriculum; Federal office: Office of Special Education Programs; Program title: Technology and Media Services for Individuals with Disabilities; Award number: H326A030002; Time commitments: Year 1—30%; Year 2—25% and Year 3—40%) can be provided as an Appendix to the application.

In general, we will not reduce time commitments on currently funded grants from the time proposed in the original application. Therefore, we will not consider for funding any application where key staff are bid above a time commitment level that staff have available to bid. Further, the time commitments stated in newly submitted applications will not be negotiated down to permit the applicant to receive a new grant award.

USE OF PERSON LOADING CHARTS

It is important for applicants to include proposed time commitments for all project personnel. Also, program officials and applicants often find person loading charts useful formats for showing project personnel and their time commitments to individual activities. A person loading chart is a tabular representation of major evaluation activities by number of days spent by each key person involved in each activity, as shown in the following example.

TABLE: PERSON LOADING CHART — TIME IN DAY(S) BY PERSON*

Activity	Time in Day(s) by Person			
	Person A	Person B	Person C	Person D
Library Research	0	0	0	0
Hire Staff	0	0	0	0
Prepare Materials	0	0	0	0
Train Raters	0	2	0	0
Data Collection	0	0	0	0
Data Analysis	0	0	0	0
Dissemination (manuscripts, etc.)	0	0	0	0

*Note: All figures represent FTE for the grant year.

DELIVERING/SENDING APPLICATIONS TO THE COMPETITION MANAGER

Applications can be mailed or hand delivered, or submitted electronically 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.

ALLOWED TRAVEL UNDER THESE PROJECTS

Travel is allowed if the travel specifically relates to the expressed goals of the project. Travel by students to further their education under the project's goals is also allowed. Travel to conferences is the travel item that is most likely to be questioned during negotiations. Such travel is sometimes allowed when it is for purposes of dissemination, when there will be results to be disseminated, and when it is clear that a conference presentation or workshop is an effective way of reaching a particular target group.

FUNDING OF APPROVED APPLICATIONS

It is often the case that the number of applications recommended for approval by the reviewers exceeds the dollars available for funding projects under a particular competition. When the panel reviews are completed for a particular competition, the individual reviewer scores and applications are ranked. The higher ranked, approved applications are funded first, and there are often lower ranked, approved applications that do not receive funding. Sometimes, one or two applications that are approved and fall next in rank order (after those projects selected for funding) are placed on hold. If dollars become available as a result of negotiations, or if a higher ranked applicant declines the award, the projects on hold may receive funding. If you receive a letter stating that you will not receive funding, then your project has neither been selected for funding nor placed on hold.

INDIRECT COST RATE

There is no maximum indirect cost for the competitions in this application package. An organization's current effective indirect cost rate is the rate that should be reflected in your proposed budget. The Department of Education (ED) reimburses grantees for its portion of indirect costs that a grantee incurs in projects funded by the Steppingstones of Technology Innovation for Children with Disabilities (CFDA 84.327A) competition. Any grantee charging indirect costs to a grant from this program must use the indirect cost rate (ICR), negotiated with its *cognizant agency*, i.e., either the Federal agency from which it has received the most direct funding, subject to indirect cost support, the particular agency specifically assigned cognizance by the Office of Management and Budget or the State agency that provides the most subgrant funds to the grantee.

Note: Applicants should pay special attention to specific questions on the application budget form (ED 524) about their cognizant agency and the ICR they are using in their budget.

If an applicant selected for funding under this program has not already established a current ICR with its cognizant agency as a result of current or previous funding, ED will require it to do so within 90 days after the date the grant was issued by ED. Applicants should be aware that ED is very often **not** the cognizant agency for its own grantees. Rather, ED accepts, for the purpose of funding its awards, the current ICR established by the appropriate cognizant agency.

An applicant that has not previously established an indirect cost rate with the Federal government or a State agency under a Federal program and that is selected for funding will not be allowed to charge its grant for indirect costs until it has negotiated a current indirect cost rate agreement with its cognizant agency.

Applicants are encouraged to use their accountant (or CPA) to calculate an indirect cost rate using information in the IRS Form 990, audited financial statements, actual cost

data or a *cost policy statement* that such applicants are urged to prepare (but NOT submit to ED) during the application process.

Applicants should use this proposed rate in their application materials and indicate which of the above methods was used to calculate the rate. Guidance for creating a cost policy statement can be obtained by sending an E-mail to:

katrina.mcdonald@ed.gov

Applicants with questions about using indirect cost rates under this program should contact the program contact person shown elsewhere in this application package.

ISSUES RAISED DURING DISCUSSIONS PRIOR TO AWARD

If your application is recommended for funding, discussions may be held prior to award to clarify technical or budget issues. These are issues that have been identified during panel and staff review. Generally technical issues are minor issues that require clarification. Alternative approaches may be presented for your consideration, or you may be asked to provide additional information or rationale for something you have proposed to do. Sometimes, concerns are stated as "conditions". These are concerns that have been identified as so critical that the award cannot be made unless those conditions are met. Questions are also raised about the proposed budget during the discussion phase. Generally, budget issues are raised because there is inadequate justification or explanation of the particular budget item, or because the budget item does not seem critical to the successful completion of the project. A Federal project officer will present the issues to you and ask you to respond. If you do not understand the question, you should ask for clarification. In responding to discussion items you should provide any additional information or clarification requested. You may feel that an issue was addressed in the application. It may not, however, have been explained in enough detail to make it understood by reviewers, and more information should be provided. If you are asked to make changes that you feel could seriously affect the project's success, you may provide reasons for not making the changes, or provide alternative suggestions. Similarly, if proposed budget reductions will, in your opinion, seriously affect the proposed activities, you may want to explain why and provide additional justification for the proposed expenses. Your changes, explanations and alternative suggestions will be carefully evaluated by staff. In some instances, an applicant may again be contacted for additional information. An award cannot be made until all issues have been resolved and conditions met.

SUCCESSFUL APPLICATIONS AND ESTIMATED/PROJECTED BUDGET AMOUNTS IN SUBSEQUENT YEARS

There is a maximum award amount specified for the priority/competitions included in this package. The Department rejects and does not consider an application that proposes a budget exceeding the maximum amount for any single budget period of 12 months for the priorities included in this package. Please refer to the priority description to determine the

maximum award for any one particular competition. Since the yearly budgets for multi-year projects will be negotiated at the time of the initial award, applicants must include detailed budgets for each year of their proposed project. Generally, out-year funding levels most likely will not exceed 1st year budgets. However, budget modifications during the negotiation process, the findings from the previous year, or needed changes in the study design can affect your budget requirements in subsequent years, but in no case will out-year budgets exceed the maximum award amount.

REQUIREMENT TO REPORT THE RESULTS OF GRANT ACTIVITIES

The Department shall, where appropriate, require recipients of all grants, contracts and cooperative agreements under Part D of the *Individuals with Disabilities Education Act* to prepare reports describing their procedures, findings, and other relevant information. The Department shall require their delivery to the Department of Education and other networks as The Department may determine appropriate. (20 U.S.C. 1482)

DIFFERENCE BETWEEN A COOPERATIVE AGREEMENT AND A GRANT

A cooperative agreement is similar to a grant in that its principal purpose is to accomplish a public purpose of support or stimulation as authorized by a Federal statute. It differs from a grant in the sense that in a cooperative agreement substantial involvement is anticipated between the executive agency (in this case the Department of Education) and the recipient during the performance of the contemplated activity.

DIFFERENCE BETWEEN AN ABSOLUTE PRIORITY, AN INVITATIONAL PRIORITY, AND A COMPETITIVE PRIORITY

An absolute priority is a priority that an applicant must address in order to receive an award. If an applicant does not address an absolute priority, their application will be returned as being non-responsive to the priority.

An invitational priority is a priority that reflects a particular interest of the Department, and an applicant is encouraged to address the invitational priority along with the required absolute priority. However, an applicant choosing to address an invitational priority will not receive any competitive preference over other applications.

A competitive priority is like an invitational priority in that it reflects a particular interest of the Department, and an applicant is encouraged to address the competitive priority along with the required absolute priority. A competitive priority may be handled in one of two ways:

1. an application may be awarded additional points depending on how effectively it addresses the competitive priority; or

2. an application that meets a competitive priority may be selected over an application of comparable merit that does not address the competitive priority. The type of competitive priority for a particular competition is always included in the *Federal Register* announcement.

OBTAINING COPIES OF THE FEDERAL REGISTER, PROGRAM REGULATIONS AND FEDERAL STATUTES

Copies of these materials can usually be found at your local library. If not, they can be obtained by writing to:

Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402

Telephone: 202-512-1800

Information about the Department's funding opportunities, including copies of application notices for discretionary grant competitions, can be viewed on the Department's grant information web page which can be accessed on the Internet at: www.ed.gov/about/offices/list/ocfo/gcsindex.html

However, the official application notice for a discretionary grant competition is the notice published in the *Federal Register*.

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However, the official application notice for a discretionary grant competition is the notice published in the *Federal Register*.

PROGRAM APPLICATION INDIRECT COST INSTRUCTIONS

The Department of Education (ED) reimburses grantees for its portion of indirect costs that a grantee incurs in projects funded by the Assistive Technology National Activities Program, 84.224B-1. Any grantee charging indirect costs to a grant from this program must use the indirect cost rate (ICR), negotiated with its *cognizant agency*, i.e., either the Federal agency from which it has received the most direct funding, subject to indirect cost support, the particular agency specifically assigned cognizance by the Office of Management and Budget or the State agency that provides the most subgrant funds to the grantee.

Note: Applicants should pay special attention to specific questions on the application budget form (ED 524) about their cognizant agency and the ICR they are using in their budget.

If an applicant selected for funding under this program has not already established a current ICR with its cognizant agency as a result of current or previous funding, ED will require it to do so within 90 days after the date the grant was issued by ED. Applicants should be aware that ED is very often *not* the cognizant agency for its own grantees. Rather, ED accepts, for the purpose of funding its awards, the current ICR established by the appropriate cognizant agency.

An applicant that has not previously established an indirect cost rate with the Federal government or a State agency under a Federal program and that is selected for funding will not be allowed to charge its grant for indirect costs until it has negotiated a current indirect cost rate agreement with its cognizant agency.

Applicants are encouraged to use their accountant (or CPA) to calculate an indirect cost rate using information in the IRS Form 990, audited financial statements, actual cost data or a *cost policy statement* that such applicants are urged to prepare (but NOT submit to ED) during the application process.

Applicants should use this proposed rate in their application materials and indicate which of the above methods was used to calculate the rate. Guidance for creating a cost policy statement can be obtained by sending an e-mail to katrina.mcdonald@ed.gov.

Applicants with questions about using indirect cost rates under this program should contact the program contact person shown elsewhere in this application package or in the *Federal Register* application notice of MM/DD/YYYY, (FILL IN FED REG CITE HERE).

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 no charge by calling 1-800-333-0505 or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL:

www.dnb.com

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

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

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.ed.gov