

Grants for School-Based Student Drug-Testing Programs

Information and Application Procedures for FY 2006

Application Due Date: September 5, 2006

CFDA #84.184D



Frequently Asked Questions
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U.S. Department of Education

Office of Safe and Drug-Free Schools

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

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



UNITED STATES DEPARTMENT OF EDUCATION

Office of Safe and Drug-Free Schools

July 2006

Dear Applicant:

Thank you for your interest in applying to the Grants for School-Based Student Drug Testing Programs. This program is authorized by Title IV of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001. NCLB represents the President's education reform plan and contains four basic principles: stronger accountability for results, increased flexibility and local control, expanded options for parents, and an emphasis on teaching methods and other strategies that have been proven to work.

Grantees will participate in a national evaluation of drug testing in order to assess the effectiveness of this strategy among our grantees. We have designed the program to make it simple for local educational agencies to implement and we have lengthened the amount of time projects will be supported in order to give districts an opportunity to engage all of their eligible students in testing after the evaluation phase ends.

President Bush has called drug use one of the worst decisions our children can make. Drug testing in our schools can be part of an aggressive, community-based strategy to reduce demand for illegal drugs. We hope you will join us in supporting this important project not only to encourage students in your district to be drug free but also to add to our knowledge about how drug testing can be successfully integrated into a comprehensive prevention program.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah A. Price".

Deborah A. Price
Assistant Deputy Secretary

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I. OVERVIEW AND GENERAL INFORMATION

We will award grants under this competition to local educational agencies (LEAs) to support school-based student drug-testing programs and participation in a national evaluation.

Authority

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

Note to Applicants

This is a complete application package for the Grants for School-Based Student Drug-Testing Programs. Together with the statute authorizing the program, the Notice of Final Priority, Eligibility and Application Requirements, and Selection Criteria, and the Education Department General Administrative Regulations (EDGAR) governing the program, this package contains all of the information, application forms, and instructions needed to apply for this grant.

The official document announcing this competition is the Notice Inviting Applications for New Awards published in the Federal Register on July 25, 2006. This notice also is available electronically at: www.ed.gov/legislation/FedRegister and www.gpoaccess.gov/nara.

Applicants should clearly indicate in Block #4 of the Standard Form 424 the CFDA number and alpha suffix of this competition, CFDA 84.184D.

Applicable Regulations

The following regulations apply to the competition described in this application package:

- 34 CFR Part 75 (Direct Grant Programs)
- 34 CFR Part 77 (Definitions that Apply to Department Regulations)
- 34 CFR Part 79 (Intergovernmental Review of Department of Education Programs and Activities) (this regulation applies to all applicants except federally recognized Indian tribes)
- 34 CFR Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments)
- 34 CFR Part 81 (General Education Provisions Act—Enforcement)
- 34 CFR Part 82 (New Restrictions on Lobbying)
- 34 CFR 84 [(Government-wide Requirement for Drug-Free Workplace) (Financial Assistance)]
- 34 CFR Part 85 [Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace Grants]
- 34 CFR Part 86 (Drug and Alcohol Abuse Prevention) (applies only to institutions of higher education)
- 34 CFR Part 97 (Protection of Human Subjects)
- 34 CFR Part 98 (Student Rights in Research, Experimental Programs, and Testing)
- 34 CFR Part 99 (Family Educational Rights and Privacy)
- 34 CFR Part 299 (General Provisions)

Eligibility

Eligible applicants are local educational agencies (LEAs). Applicants may not have been the recipient of, or a participant in, a grant in 2005 under ED's School-Based Grants for Student Drug-Testing Programs.

Project Period

Projects will be funded for up to 48 months, contingent upon demonstration of substantial progress each year toward meeting project goals and objectives and the availability of appropriations. **Note:** Applicants requesting 4-year projects must submit ED Form 524 and a detailed budget narrative for each of the 4 years in order to be eligible for funding each year. Failure to submit a budget request in one or more of the four years will result in no funding being awarded for those years.

Estimated Range of Awards

An estimated 12 new awards will be made. Projects will be funded for approximately \$140,000 per year depending on the scope of work. These figures are only estimates and do not bind the Department of Education to a specific number of grants or amount of any grant.

Application Due Date

All applications must be submitted electronically through the Department's e-Application system unless you qualify for and request a waiver (see page 24 for further information). The deadline for submitting your application is September 5, 2006. If a waiver request has been approved, applications delivered by hand must be received by the U.S. Department of Education Application Control Center no later than 4:30 PM Washington, DC time on September 5, 2006. Applications may not be e-mailed or faxed.

Under very extraordinary circumstances, the Department may change the closing date for a competition. When this occurs, we announce such a change in a notice published in the Federal Register. Waivers for individual applications failing to meet the deadline will not be granted, except in the circumstances described in the section under e-Applications.

E-Mail Address

Please be sure to provide your e-mail address on ED Form 424 clearly (if printing) and accurately. During our review of the budget portion of your application, we may need to contact you with clarifying questions. These contacts will occur shortly after the closing date and will usually happen via e-mail. Please be sure that the e-mail address you provide is accessible by an authorized representative of your organization until the projected date for new awards. If we are unable to reach you, we may make significant cuts to your proposed budget or your application may be dropped from further consideration for funding.

Equitable Participation

Entities receiving a grant under the School-Based Student Drug-Testing program are required to provide for the equitable participation of private school children and their teachers or other educational personnel. In order to ensure that grant program activities address the needs of private school children, timely and meaningful consultation with appropriate private school officials must occur during the design and development of the

program. This consultation must take place before any decision is made that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate. Administrative direction and control over grant funds must remain with the grantee. See Section 9501, Participation by Private School Children and Teachers, of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001.

Maintenance of Effort

LEAs may receive a grant only if the state educational agency finds that the combined fiscal effort per student or the aggregate expenditures of the agency and the state with respect to the provision of free public education by the agency for the preceding fiscal year was not less than 90 percent of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year. See Section 9521, Maintenance of Effort, of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001.

Technical Assistance in Preparing Applications

Information about applying for grants from the Office of Safe and Drug-Free Schools is available on-line at <http://www.ed.gov/admins/grants/apply/techassist/index.html>.

Annual Report

All grantees are required to submit an annual report detailing their progress and expenditures for the year.

Grantee Meetings

All applicants must budget for one person to attend the annual project director's meeting (two days) in year one and for two persons to attend the OSDFS National Conference (three days) in each year of the project. These meetings will usually be held in Washington, DC. Grant funds may be used to pay for all costs associated with attendance at these meetings including transportation, hotel, per diem and conference registration.

Additional Awards

Contingent upon the availability of funds, the Secretary may make additional awards in fiscal year (FY) 2007 from the rank-ordered list of non-funded applications from this competition.

Summary Information

Applicants should ensure that they include in their application clear information about the program they will implement. This information should include:

- Name of each school;
- Grades covered in each school;
- Total enrollment in each school;
- Number of students within each school that are in the testing pool;
- Student population that will be tested—athletes and/or participants in competitive, extra-curricular activities;
- Drugs that will be tested for; and
- Frequency of tests.

D-U-N-S Number Instructions

All applicants must provide a valid D-U-N-S Number on the ED 424 Form. If you do not have a number, you may obtain one without charge by calling 1-866-705-5711 or by completing a D-U-N-S number Request Form. The form can be obtained via the Internet at the following address: <https://eupdate.dnb.com/requestoptions/government/ccrreg> Dun & Bradstreet, a global information services provider, has assigned D-U-N-S numbers to over 43 million companies worldwide.

Please note: You must have a D-U-N-S number in order to receive a grant award.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB No.1865-0014. The time required to complete this information collection is estimated to average 28 hours per response, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Office of Safe and Drug-Free Schools, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-6450.

II. GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA)

The Government Performance and Results Act of 1993 (GPRA) 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 their progress to the Congress. In so doing, it is expected that the 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.

As required by GPRA, the Department of Education 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 U.S. The Department's goals, as listed in the plan, are:

GOAL 1: Create a culture of achievement.

GOAL 2: Improve student achievement.

GOAL 3: Develop safe schools and strong character.

GOAL 4: Transform education into an evidence-based field.

GOAL 5: Enhance the quality and access to postsecondary and adult education.

GOAL 6: Establish management excellence.

The Secretary has established the following key performance measure for assessing the effectiveness of the Grants for School-Based Student Drug-Testing Programs: the reduction of the incidence of drug use in the past month and past year. The Secretary has set an overall performance target that calls for the incidence of drug use by students in the target population to decline by 5 percent annually.

The national evaluator will collect all data required to report on GPRA in each year that grants are funded. Grantees will not be required to collect and report this information.

III. TIPS FOR APPLICANTS

A. Before you Begin

- Read this application package carefully and make sure you follow all of the instructions
- Use the tools we have provided to help you including
 - Frequently Asked Questions in this application package
 - Resources related to this specific grant competition on our Web site at www.ed.gov/programs/drugtesting/index.html
 - General grant technical assistance resources on our Web site at <http://www.ed.gov/admins/grants/apply/techassist/index.htm>
- If you need additional information, contact the competition manager for this grant competition.

B. Preparing your Application

- Be thorough in your program description. Write so that someone who knows nothing about your district or your program plan can understand what you are proposing.
- Organize your application according to the selection criteria and respond comprehensively.
- Make sure your budget narrative provides enough detail about planned expenditures so ED staff can easily determine how the funds will be spent.
- Link your planned expenditures to the goals and objectives of your program. Do not request funds for miscellaneous purposes and make sure you demonstrate that your proposed expenditures are necessary to carry out your program.
- Student drug-testing program publications about procedures and methods can be found on the Office of National Drug Control Policy's Web site:
http://www.whitehousedrugpolicy.gov/publications/drug_testing - and -
http://www.whitehousedrugpolicy.gov/publications/student_drug_testing/index.html

C. Submitting your Application

- Applications for grants under the Grants for School-Based Student Drug-Testing Programs must be submitted electronically using e-Application available through ED's e-Grants system.
- Applicants are strongly advised to submit their applications well before the deadline to ensure ample time to complete the submission.
- The electronic submission must be **complete** (not initiated) by 4:30 p.m. on September 5, 2006.
- After you electronically submit your application, you will receive an automatic acknowledgement that will include a PR/Award number (an identifying number unique to your application).
- Note that if you qualify for an exception to the requirement for electronic submission, you must request a waiver in writing no later than 14 calendar days before the application deadline.

D. What Happens Next?

- OSDFS staff screens each application to ensure that all program eligibility requirements are met and all forms are included.
- Your application will be assigned to a three-person panel of independent reviewers and will receive a score from 0 to 100 depending upon how well it responds to the selection criteria.
- A Grant Award Notification will be sent to applicants whose proposals score within the funding range. All applicants will receive a copy of their reviewers' scores and comments.

IV. PROGRAM-SPECIFIC INFORMATION

Background

Although drug use among America's youth has declined in recent years, far too many young people continue to use these harmful substances. Results of the 2005 Monitoring the Future survey, for example, show that in the 12 months prior to the survey, 15.2 percent of 8th grade students, 31.1 percent of 10th grade students, and 38.8 percent of 12th grade students indicated that they had used illicit drugs. (Johnston, L. D., O'Malley, P. M., Bachman, J. G., & Schulenberg, J. E. (2005). *Monitoring the Future National Survey Results on Drug Use, 1975-2004. Volume I: Secondary school students* (NIH Publication No. 05-5727). Bethesda, MD: National Institute on Drug Abuse, p. 201).

The consequences of drug use by this vulnerable population are clear. According to the U.S. Department of Health and Human Services' Substance Abuse and Mental Health Services Administration (SAMHSA), students who use illegal drugs are more likely than students who do not use illegal drugs to have negative attitudes about school and to have demonstrated the following delinquent behaviors: engaged in a serious fight at school or work, attacked someone with the intent to inflict serious injury, carried a handgun, sold illegal drugs, or stole or tried to steal something worth \$50 or more. (Results from the 2002 National Survey on Drug Use and Health: National Findings [DHHS Publication No. SMA 03-3836 NSDUH Series H-22] Rockville, MD: Substance Abuse and Mental Health Services Administration).

The National Drug Control Strategy, issued by the Office of National Drug Control Policy (ONDCP) in February 2006, notes: "The greatest pressure on young people to start using drugs does not come from drug pushers but from their peers. It is, therefore, important to continue to educate young people about the dangers of drug use and build a cultural norm that views illicit drug use as unacceptable." An important part of promoting a culture that supports healthy, drug-free choices by young people requires providing disincentives to using drugs. According to the Strategy: "Screening for drugs is an important way to send the message that drug use is unacceptable" (<http://www.whitehousedrugpolicy.gov/publications/policy/ndcs06/ndcs06.pdf>)

National Evaluation

All grantees will participate in a national evaluation of student drug testing. The purpose of the evaluation is to build a more robust body of evidence on mandatory random student drug testing (MRSDT) using a randomized control design, the "gold standard" method for determining whether an intervention is effective. ED will use this rigorous design to determine if drug testing is effective among the group of districts that receive grants under this competition. The study will also gather information on the impact of MRSDT on rates of participation in extra-curricular activities.

Description of the Evaluation

All schools proposed by applicants funded under this priority will participate in the national evaluation. These schools will be randomly assigned by the national evaluation contractor to one of two conditions: (1) implement mandatory random student drug testing immediately after the baseline student survey to be conducted by the national evaluator in early 2007; or (2) not promote or implement mandatory random student drug testing at any time until the conclusion of the data collection for the national evaluation in spring 2008.

In all participating schools, for each round of data collection, a minimum of 200 students will participate in confidential and anonymous surveys about substance use conducted by the national evaluator. These student surveys, which will support the national evaluation, will be conducted in spring 2007 (before drug testing begins in any school), in fall 2007, and in spring 2008. During this period, the national evaluator will also collect other evaluation information through staff interviews.

In addition, the national evaluator will administer student surveys in school years 2008-2009 and 2009-2010 in order to collect data to fulfill ED's requirement for annual reporting on the GPRA performance measures established for this program. Grantees will have no responsibility for evaluating their program or for collecting data and reporting on GPRA. For that reason, and because the work of the national evaluator is subject to the IES confidentiality statutes (20 U.S.C. 9573), which provide for an exemption of Protection of Human Subjects regulations (34 CFR 97.101(b)(3)(ii)), ED does not believe grantees need to seek approval from an Institutional Review Board (IRB).

Approximately one month after the early 2007 student survey is completed, the evaluator will notify grantees of the random assignment status of each school to either begin testing in the spring of 2007 or withhold testing until the spring of 2008. After completion of the spring 2008 student survey, districts may begin testing in other schools and may include volunteers in their testing program. Testing in the new schools must be limited to students participating in athletics or competitive, school-sponsored extra curricular activities or students, who along with their parents, consent to be tested.

V. PRIORITY AND APPLICATION REQUIREMENTS

Absolute Priority

For FY 2006 and any subsequent year in which we make awards based on the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

Participation in Evaluation of Mandatory Random Student Drug-Testing Programs.

Under this priority, we will support local educational agencies (LEAs) that agree to participate in a national evaluation of the impact of mandatory random student drug testing on high school students' reported substance use. In order to meet this priority an applicant must:

(1) Agree to carry out its drug-testing program in a manner consistent with the randomized control trial evaluation design developed by ED and its national evaluator;

(2) Propose at least two schools with three or more grades 9 through 12 to participate in the national evaluation;

(3) Not have an existing drug-testing program in operation in any of the schools proposed by the applicant for participation in the national evaluation;

(4) Consent to the evaluator's random assignment of one-half of the schools proposed by the applicant for participation in the national evaluation to begin mandatory random student drug-testing implementation in year one of the grant (following the spring 2007 survey of students), and one-half to begin mandatory random student drug testing approximately one year later (after the spring 2008 survey of students has been completed);

(5) Agree that the schools proposed by the applicant for participation in the national evaluation will limit their mandatory random student drug-testing program to students in grades 9 through 12 and, within that group of students, to one or both of the following:

(a) All students who participate in the school's athletic program; and

(b) All students who are engaged in competitive, extra-curricular, school-sponsored activities;

Note: Competitive, extra-curricular, school-sponsored activities mean any activity under the direct control of the school in which students compete against students in another school. If the State maintains a list of sanctioned, competitive, extra-curricular, school-sponsored activities, the applicant may consider those activities to be competitive, extra-curricular, school-sponsored activities for the purposes of this program.

(6) Not promote or begin the implementation of its mandatory random student drug-testing program in any participating schools until it receives notification from the

national evaluator about the random assignment of its schools to participate in the first or second wave of implementation, except that an applicant may conduct outreach and generate community support for its drug-testing policy;

(7) Delay the promotion, announcement, and start of the mandatory random student drug-testing program in schools assigned to the second wave of implementation until the spring 2008 student survey has been completed;

(8) Implement its mandatory random student drug-testing program consistently across participating schools and according to uniform LEA policies and procedures during the evaluation period; and

(9) Provide contact information to the national evaluator in order for the evaluator to obtain a) the prior written consent of either the parent or the student if the student is 18 years of age or older or is an emancipated minor under State law and b) student assent for student participation in the surveys (if the student does not have the right to consent as stated in this paragraph) and make available space for the administration of the surveys in the schools.

Once a participating school has begun implementing its mandatory random student drug-testing program in accordance with the requirements of this priority, and following the completion of the spring 2008 student survey, the LEA, at its discretion, may announce, promote, implement, and use grant funds for testing--

(a) In schools assigned to the second wave of implementation;

(b) Students in any grade 6 through 12 who, along with their parent or guardian, volunteer to be tested; and

(c) Students in grades 6 through 8 who participate in the school's athletic programs or competitive, extra-curricular, school-sponsored activities.

Application Requirements

The following requirements also apply to all applications submitted under this program:

(1) An applicant may not submit more than one application for a grant under the competition.

(2) In its application, an applicant must:

(a) Clearly identify the student population that will be in the drug-testing pool including, to the extent feasible, the number of students in the pool by grade, and demonstrate a significant need for drug testing within the target population;

(b) Propose to test a minimum of 50 percent of the testing pool annually, and use at least a five-panel test (marijuana, amphetamine, cocaine, methamphetamine, and opiates);

(c) Explain how the proposed drug-testing program will be part of an existing, comprehensive drug prevention program in the schools to be served;

(d) Provide a comprehensive plan for referring

students who are identified through the testing program as users of illegal drugs or legal medications taken without a prescription to a student assistance program, counseling, or drug treatment if necessary;

(e) Provide a plan to ensure the confidentiality of drug-testing results, including a provision that prohibits the party conducting drug tests from disclosing to school officials any information about a student's use of legal medications for which the student has a prescription;

(f) Provide written assurances of the following:

(i) That results of student drug tests will not be disclosed to law enforcement officials;

(ii) That results of student drug tests will be destroyed when the student graduates or otherwise leaves the LEA or private school involved;

(iii) That all positive drug tests will be subject to confirmation by a method appropriate for the type of test administered and that positive results will be reviewed and verified by a certified medical review officer, a licensed physician who is also an expert in drug and alcohol testing and the Federal regulations governing such testing;

(iv) That legal counsel has reviewed the proposed drug-testing program and advised that the program activities do not appear to violate established constitutional principles or State and Federal requirements related to implementing a mandatory random student drug-testing program;

(v) That all proposed activities will be carried out in accordance with the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA);

(vi) That the mandatory random student drug-testing program is ready to begin no later than 9 months after receipt of the grant award. We will consider a grantee's failure to achieve readiness to begin its program within 9 months of the grant award as failure to make substantial progress consistent with the requirements of the Education Department General Administrative Regulations (EDGAR) in §75.253(a)(2)(i). This failure could result in loss of funding for year two of the project period or termination of the grant;

(vii) That mandatory random student drug testing will be conducted for the entire academic year in the schools selected to implement drug testing; and

(viii) That schools randomly assigned to begin drug testing in year one of the grant will not be required to consider students to be in the testing pool at any specific point in time unless they are participating in a covered activity (for example, all students participating at that time in athletics and/or all students participating at that time in competitive, extra-curricular, school-sponsored activities).

(3) Funds awarded under this program may not be used for any of the following purposes:

(a) Student drug tests administered under suspicion of drug use;

(b) Incentives for students to participate in the drug-testing program;

(c) Drug treatment;

(d) Drug prevention curricula or other prevention programs;

(e) Drug tests for students in non-competitive, extra-curricular activities who do not otherwise meet the eligibility criteria;

(f) Drug tests for students in co-curricular activities who do not otherwise meet the eligibility criteria; or

(g) Drug tests for student drivers who park on campus who do not otherwise meet the eligibility criteria.

Selection Criteria

The Secretary will use the following criteria to evaluate applications under this competition.

(1) Need for Project (20 points)

In determining the need for the proposed project, the following factors are considered:

(a) The documented magnitude of student drug use in schools to be served by the mandatory random student drug-testing program, including the nature, type, and frequency, if known, of drug use by students in the target population; and,

(b) Other evidence, if any, of student drug use in schools to be served by the mandatory random student drug-testing program, which may include, but is not limited to, reports from parents, students, school staff, or law enforcement officials.

(2) Significance (20 points)

In determining the significance of the proposed project, the following factors are considered:

(a) The extent to which the proposed project includes a thorough, high-quality review of federal and state laws and relevant Supreme Court decisions related to the proposed student drug-testing program.

(b) The extent to which the applicant demonstrates school and community support for the student drug-testing program and has obtained the input of groups representing a diversity of perspectives, for example, private schools, parents, counselors, teachers, and school board members, in the development of the mandatory random student drug-testing program; and

(c) The importance or magnitude of the results or outcomes likely to be attained by the mandatory random student drug-testing program in the grantee's schools.

(3) Quality of Project Design (30 points)

In determining the quality of the project design, the following factors are considered:

(a) The extent to which the project will be based on up-to-date knowledge from research and effective practice, including the methodology for the random selection of students to be tested and procedures outlining the collection, screening, confirmation, and review of student drug tests by a certified medical review officer.

(b) The quality of the applicant's plan to develop and implement a mandatory random student drug-testing program that includes--

(i) evidence of the applicant's readiness to begin mandatory random student drug testing in the first year of the grant; and

(ii) detailed procedures outlining how the school will respond to a student's positive drug test, including parental notification and referral to student assistance programs, drug education, or formal drug treatment, if necessary.

Management Plan (20 Points)

In determining the quality of the management plan, the following factors are considered:

(a) The extent to which the applicant describes appropriate chain-of-custody procedures for test samples and demonstrates a commitment to using a federally or nationally accredited lab.

(b) The quality of the applicant's plan to ensure confidentiality of drug test results, including limiting the number of school officials who will have access to student drug-testing records.

(5) Adequacy of Resources (10 points)

In determining the adequacy of resources, the following factor is considered:

The adequacy of support from the applicant, including project staff, facilities, equipment, supplies, and other resources necessary to implement a high-quality mandatory random student drug-testing program.

VI. APPLICATION CONTENTS

Preparing the Application

A completed application for assistance under this competition consists of two parts:

- (1) a detailed narrative description of the proposed project and budget, and
- (2) all forms and assurances that must be submitted in order to receive a grant.

A panel of non-Federal readers with experience in school-based prevention programs or other youth development specialty will review each eligible application submitted by the deadline.

The panel will award points ranging from 0 to 100 to each application depending on how well the selection criteria are addressed. Be sure you provide a comprehensive response to each factor under each selection criterion. Applications that fail to do so will be read, but our experience suggests they may not score well enough to be funded.

Organizing the Application

An application under this program should address the specific needs of the applicant and propose activities specifically designed to meet those needs. The Department strongly discourages applicants from using “form” applications or proposals that address general rather than specific local needs.

We recommend that applicants organize the information in their application in the following order. All pages should be numbered consecutively to make review and evaluation easier. **Applications should be double-spaced and printed on one side of the paper.**

1. Application for Federal Assistance (ED Form 424)

Use the Application for Federal Education Assistance (ED Form 424) to cover the original and each copy of the application. In item 4, clearly identify the CFDA Number and title of the competition under which funds are being requested. Please include the following CDFFA number: 84.184D.

2. Table of Contents

Include a Table of Contents with page references.

3. Abstract

Include a concise abstract following the Table of Contents. Clearly mark this page with the applicant/organizational name as shown in Item 1 of ED 424. The abstract should not exceed one double-spaced page and should provide a concise and accurate

description of the proposed project including: (1) a summary of the project's goals and objectives; (2) approaches to be used, and (3) the intended outcomes of the project.

4. Program Narrative

Narratives should be no more than 25 double-spaced pages in 12-point type. Narratives must contain evidence that the applicant meets the absolute priority and should be organized according to the selection criteria found on pages 16 and 17.

5. Budget Form

Use the Budget Information Form (ED Form 524, Sections A, B, and C, as appropriate) provided in the Appendix of this application package to prepare a budget for the funded project period. Do not substitute local budget categories or accounting codes for the categories on ED Form 524. This information must be entered into the Department's Grants Administration and Payment System exactly as given on the 524. **Note:** A budget must be submitted for each year in which funds are requested. Failure to supply a budget for each year of the project will result in no funding for those years.

6. Budget Narrative

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

The Budget Information Form and accompanying narrative should provide enough detail for reviewers to easily understand how costs were determined and if the budget is commensurate with the scope of the project. Applicants must submit separate detailed budgets for each year as shown on the Budget Information Form. Failure to submit a detailed budget narrative may result in significant cuts to your request.

7. Forms and Appendices

Information provided in this section includes forms and other material required by ED in order for an application to be eligible for funding as well as any other information that applicants may choose to submit in support of their capacity and preparation to undertake the proposed project. The ED forms required to submit the application package are available electronically at the following web site: www.ed.gov/fund/grant/apply/appforms/appforms.html and are included in this application package.

This section **must** include the following:

1. Assurances/Certifications
 - Assurances, Non-Construction Programs (Standard Form, 424B)
 - Disclosure of Lobbying Activities (Standard Form LLL)

- Certification Regarding Lobbying (ED Form 80-0013)
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
- Lower Tier Covered Transactions (Ed Form 80-0014)

2. GEPA 427, Equitable Access to and Participation in Federally assisted programs
3. Letter of transmittal to State Single Point of Contact (if your State participates)
4. Proof of negotiated indirect cost rate (if you are claiming indirect costs)
5. Other program specific requirements
 - Program Specific Assurances required under Section IV of this application.

This section **may** include the following:

1. Other information the applicant wishes to include in support of its capacity, experience, and readiness to undertake the proposed project, including:
 - Resumes
 - Letters of support
 - Relevant prior grant experience

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

- budget or program narrative information that the applicant wishes to have reviewed as part of its response to one or more scoring criteria--all such information must be included in the narrative portion of the application;
- video tapes, CD-ROMs, photographs or floppy disks--they will not be reviewed and we will not return them.; and
- surveys, curricula, newspaper articles, or other documents unrelated to the scoring criteria.

8. Assurances and Certifications:

Standard Form 424B, ED Form 80-0013, and ED Form 80-0014 must be signed with the original signatures of the person authorized to sign for the district and must be included in the application package. **Note:** If 1(b) of Form ED 80-0013 applies because of lobbying activities related to a previous grant, or are anticipated to occur with this project if it is funded, you must submit Standard Form LLL. If your district does not engage in lobbying, please submit Standard Form LLL and indicate as "Not Applicable."

General Education Provisions Act (GEPA) Section 427

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

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to

ensure equitable access to, and participation in, its federally-assisted program for students, teachers, and other program beneficiaries with special needs.

This section allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation that you may address: *gender, race, national origin, color, disability, or age*. Based on local circumstances, you can determine whether these or other barriers may prevent your students, teachers, or others, from equitable access or participation. Your description need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

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

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

Examples

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

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

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

Paperwork Burden Statement for GEPA 427

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for the GEPA 427 is OMB No. 1890-0007. The time required to complete GEPA 427 is estimated to average 1.5 hours per response, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Office of Safe and Drug-Free Schools, U.S. Department of Education, 400 Maryland Avenue, SW, Room 2E259, Washington, DC 20202-6450.

VII. APPLICATION TRANSMITTAL PROCEDURES

Applications under the Grants for School-Based Student Drug-Testing Programs competition 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 Grants for School-Based Drug-Testing Programs—CFDA Number 84.184D-- must be submitted electronically using e-Application available through the Department's e-Grants system, accessible through the e-Grants portal page at: <http://e-grants.ed.gov>

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.

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

- You must complete the electronic submission of your grant application by 4:30 p.m., Washington, DC time, on September 5, 2006. The e-Application system will not accept an application for this program after 4:30 p.m., Washington, DC time, on September 5, 2006. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application process.

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

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

- You must submit all documents electronically, including the Application for Federal Education Assistance (ED 424), Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications. You must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three

file types specified above or submit a password protected file, we will not review that material.

- Your electronic application must comply with any page limit requirements described in this notice.
- Prior to submitting your electronic application, you may wish to print a copy of it for your records.
- After you electronically submit your application, you will receive an automatic acknowledgement that will include a PR/Award number (an identifying number unique to your application).
- Within three working days after submitting your electronic application, fax a signed copy of the ED 424 to the Application Control Center after following these steps:
 - (1) Print ED 424 from e-Application.
 - (2) The applicant's Authorizing Representative must sign this form
 - (3) Place the PR/Award number in the upper right hand corner of the hard-copy signature page of the ED 424
 - (4) Fax the signed ED 424 to the Application Control Center at (202) 245-6272.
- We may request that you provide us original signatures on other forms at a later date.

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

- (1) You are a registered user of e-Application and you have initiated an electronic application for this competition; and
- (2) (a) The e-Application system is unavailable for 60 minutes or more between the hours of 8:30 a.m. and 3:30 p.m., Washington, DC time, on the application deadline date; or
(b) The e-Application system is unavailable for any period of time between 3:30 p.m. and 4:30 p.m., Washington, DC time, on the application deadline date.

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

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

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Department's e-Application system; and
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Charlotte Gillespie, U.S. Department of Education, 400 Maryland Avenue, SW., room 3E328, Washington, DC 20202-6450. FAX: (202) 260-7767.

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

b. Submission of Paper Applications by Mail.

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

By mail through the U.S. Postal Service:

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

or

By mail through a commercial carrier:

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

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

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

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

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

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

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

c. Submission of Paper Applications by Hand Delivery.

If you qualify for an exception to 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 84.184D
550 12th Street, SW.
Room 7041, Potomac Center Plaza
Washington, DC 20202-4260

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

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

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

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

VIII. INTERGOVERNMENTAL REVIEW

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

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

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

Any state process recommendation and other comments submitted by a State Single Point of Contact and any comments from state, area-wide, regional, and local entities must be received by October 4, 2006, at the following address: The Secretary, EO 12372—CFDA #84.184D, U.S. Department of Education, 400 Maryland Avenue, SW, Room 7W300, Washington, DC 20202-0124. Recommendations or comments may be hand-delivered until 4:30 p.m. (Eastern Time) on October 4, 2006. Please do not send applications to this address.

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

State Single Points of Contact

ARKANSAS

Tracy L. Copeland
Office of Intergovernmental Services
Department of Finance and Administration
1515 West 7th Street, Room 412
Little Rock, AR 72203
Phone: 501/682-1074
Fax: 501/682-5206
E-mail: tracy.copeland@dfa.state.ar.us

CALIFORNIA

Grants Coordination
State Clearinghouse
Office of Planning and Research
P.O. Box 3044, Room 222
Sacramento, CA 95812-3044
Phone: 916/445-0613
Fax: 916/323-3018
E-mail: state.clearinghouse@opr.ca.gov

DELAWARE

Rebecca L. Lovin
Office Manager
Budget Development/Clearinghouse
Office of Management and Budget
Haslet Armory, Third Floor
122 William Penn Street
Dover, DE 19901
Phone: 302/739-4206
Fax: 302/739-5661
E-mail: rebecca.lovin@state.de.us

DISTRICT OF COLUMBIA

Marlene Jefferson
DC Government Office of Partnerships and
Grants Development
414 4th Street, NW
Washington, DC 20001
Phone: 202/727-6515
Fax: 202/727-1652
E-mail: marlene.jefferson@dc.gov

FLORIDA

Lauren P. Milligan
Florida State Clearinghouse
Florida Department of Environmental Protection
3900 Commonwealth Boulevard
Mail Station 47
Tallahassee, FL 32399-3000
Phone: 850/245-2161
Fax: 850/245-2190
E-mail: lauren.milligan@dep.state.fl.us

GEORGIA

Barbara Jackson
Georgia State Clearinghouse
270 Washington Street, SW, 8th Floor
Atlanta, GA 30334
Phone: 404/656-3855
Fax: 404/656-7916
E-mail: gach@mail.opb.state.ga.us

ILLINOIS

Roukaya McCaffrey
Department of Commerce and
Economic Opportunities
620 East Adams, 6th Floor
Springfield, IL 62701
Phone: 217/524-0188
Fax: 217/558-0473
E-mail: roukata_mccaffrey@illinoisbiz.biz

IOWA

Kathy Mabie
Iowa Department of Management
State Capitol Building, Room G12
1007 East Grand Avenue
Des Moines, IA 50319
Phone: 515/281-8834
Fax: 515/242-5897
E-mail: kathy.mabie@iowa.gov

KENTUCKY

Ron Cook
The Governor's Office for Local Development
1024 Capital Center Drive, Suite 340
Frankfort, KY 40601
Phone: 502/573-2382 or 800/346-5606
Fax: 502/573-2512
E-mail: ron.cook@ky.gov

MAINE

Joyce Benson
State Planning Office
184 State Street
38 State House Station
Augusta, ME 04333
Phone: 207/287-3261 or 207/287-1461 (direct)
Fax: 207/287-6489
E-mail: joyce.benson@state.me.us

MARYLAND

Linda C. Janey, JD
Director, Maryland State Clearinghouse for
Intergovernmental Assistance
301 West Preston Street, Room 1104
Baltimore, MD 21201-2305
Phone: 410/767-4490
Fax: 410/767-4480
E-mail: ljaney@mdp.state.md.us

MICHIGAN

William Parkus
Southeast Michigan Council of Governments
535 Griswold, Suite 300
Detroit, MI 48226
Phone: 313/961-4266
Fax: 313/961-4869
E-mail: parkus@semcog.org

MISSISSIPPI

Janet Riddell
Clearinghouse Officer
Department of Finance and Administration
1301 Woolfolk Building, Suite E
501 North West Street
Jackson, MS 39201
Phone: 601/359-6762
Fax: 601/359-6758
E-mail: jriddell@dfa.state.ms.us

MISSOURI

Sara VanderFeltz
Federal Assistance Clearinghouse
Office of Administration
Commissioner's Office
Capitol Building, Room 125
Jefferson City, MO 65102
Phone: 573/751-0337
Fax: 573/751-1212
E-mail: sara.vanderfeltz@oa.mo.gov

NEVADA

Zofia Targosz
Department of Administration
State Clearinghouse
209 East Musser Street, Room 200
Carson City, NV 89701
Phone: 775/684-0209
Fax: 775/684-0260
E-mail: clearinghouse@budget.state.nv.us

NEW HAMPSHIRE

Jack Ruderman
Acting Director, New Hampshire Office of
Energy and Planning
Attn: Intergovernmental Review Process
57 Regional Drive
Concord, NH 03301-8519
Phone: 603/271-2155
Fax: 603/271-2615
E-mail: irp@nh.gov

NEW YORK

Linda Shkreli
Office of Public Security
Homeland Security Grants Coordination
633 3rd Avenue
New York, NY 10017
Phone: 212/867-1289
Fax: 212/867-1725

NORTH DAKOTA

Jim Boyd
North Dakota Department of Commerce
1600 East Century Avenue, Suite 2
P.O. Box 2057
Bismarck, ND 58502-2057
Phone: 701/328-2676
Fax: 701/328-2308
E-mail: jboyd@state.nd.us

RHODE ISLAND

Joyce Karger
Department of Administration
One Capitol Hill
Providence, RI 02908-5870
Phone: 401/222-6181
Fax: 401/222-2083
E-mail: jkarger@doa.state.ri.us

SOUTH CAROLINA

Jean Ricard
Office of State Budget
1201 Main Street, Suite 870
Columbia, SC 29201
Phone: 803/734-1314
Fax: 803/734-0645
E-mail: jricard@budget.sc.gov

TEXAS

Denise S. Francis
Director, State Grants Team
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711
Phone: 512/305-9415
Fax: 512/936-2681
E-mail: grants@governor.state.tx.us

UTAH

Sophia DiCaro
Utah State Clearinghouse
Governor's Office of Planning and Budget
Utah State Capitol Complex, Suite E210
P.O. Box 142210
Salt Lake City, UT 84114-2210
Phone: 801/538-1027
Fax: 801/538-1547
E-mail: sdicaro@utah.gov

WEST VIRGINIA

Bobby Lewis
Director, Community Development Division
West Virginia Development Office
Building #6, Room 553
Charleston, WV 25305
Phone: 304/558-4010
Fax: 304/558-3248
E-mail: rlewis@wvdo.org

WISCONSIN

Division of Intergovernmental Relations
Wisconsin Department of Administration
101 East Wilson Street, 10th Floor
P.O. Box 8944
Madison, WI 53708
Phone: 608/266-7043
Fax: 608/267-6917
E-mail: spoc@doa.state.wi.us

AMERICAN SAMOA

Pat M. Galea'i
Federal Grants/Programs Coordinator
Office of Federal Programs/
Office of the Governor
Department of Commerce
American Samoa Government
Pago Pago, AS 96799
Phone: 684/633-5155
Fax: 684/633-4195
E-mail: pmgaleai@samoatelco.com

GUAM

Director
Bureau of Budget and Management Research
Office of the Governor
P.O. Box 2950
Agana, GU 96910
Phone: 011-671-472-2285
Fax: 011-671-472-2825
E-mail: jer@ns.gov.gu

NORTHERN MARIANA ISLANDS

Jacoba T. Seman
Federal Programs Coordinator
Office of Management and Budget
Office of the Governor
Saipan, MP 96950
Phone: 670/664-2289
Fax: 670/664-2272
E-mail: omb.jseman@saipan.com

PUERTO RICO

Jose Caballero/Mayra Silva
Puerto Rico Planning Board
Federal Proposals Review Office
Minillas Government Center
P.O. Box 41119
San Juan, PR 00940-1119
Phone: 787/723-6190
Fax: 787/722-6783

VIRGIN ISLANDS

Ira Mills
Director, Office of Management and Budget
#41 Norre Gade Emancipation Garden
Station, 2nd Floor
St. Thomas, VI 00802
Phone: 340/774-0750
Fax: 340/776-0069
E-mail: irmills@usvi.org

Note: This list is based on the most current information provided by the states. Changes to this list can be made only after OMB is notified by a state's officially designated representative. E-mail messages can be sent to ephillips@omb.eop.gov. If you prefer, you may send correspondence to the following postal address: Attn: Grants Management, Office of Management and Budget, New Executive Office Building, Suite 6025, 725 17th Street, NW, Washington, DC 20503. Note: Inquiries about obtaining a federal grant should not be sent to the OMB e-mail or postal address shown above. The best source for this information is the Catalog of Federal Domestic Assistance (www.cfd.gov) and the Grants.gov Web site (www.grants.gov).

IX. FREQUENTLY ASKED QUESTIONS

General

How is this program different from the grants that were offered in 2005?

We've made several changes this year to make it easier for you to apply for a grant and to operate your program if you are successful.

- ED will provide funding to support drug-testing programs for four years.
- Grantees will not have to provide data to the Department to respond to requirements of the Government Performance and Results Act (GPRA).
- Grantees will not have to conduct their own program evaluation.
- Districts will be able to implement drug testing in all their eligible schools when the evaluation data collection is completed in the spring of 2008.
- ED will fund testing programs in schools that begin testing in year one for four years and for three years in schools that begin testing when the national evaluation data collection is complete.

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

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

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

Eligibility

May private schools or non-profit organizations apply?

No, the only eligible applicants for these grants are local educational agencies (LEAs).

If my district does not have two high schools, may we apply with one high school and one middle school?

No, the design of the national evaluation requires two high schools.

Grades 10 through 12 are considered high school in my state. Are we eligible to apply?

Yes, so long as you have three or more grades 9 through 12.

My district has a drug-testing program in operation in the middle schools. Are we eligible to apply for a grant if we do not have a testing program in our high schools?

Yes, all high schools in your district that do not have a testing program are eligible to participate.

Why might my application be found ineligible for funding?

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

- Failure to address the absolute priority.
- Failure to address the other application requirements for this competition.
- A preponderance of the activities proposed in the application is unallowable under the requirements of the competition.
- The applicant is not an LEA.
- The applicant has an existing drug-testing program in operation.

Allowable Activities

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

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

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

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

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

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

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

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

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

No, grant funds may not be used to provide incentives for students to participate in the drug-testing program. We encourage programs to partner with businesses and other community organizations to obtain donations for incentives.

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

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

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

Yes, activities that are directly related to implementing the drug-testing program, including parent and community outreach, may be charged to the grant.

Testing Pool

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

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

Evaluation

Are all of the high schools in our district required to take part in the national evaluation?

No, only those high schools in which a drug-testing program will be implemented are required to take part in the evaluation. The national evaluator will determine which of the proposed high schools will be assigned to the first wave of implementation and which will be assigned to the second wave.

Are we required to conduct our own project evaluation?

No. All evaluation activities will be conducted by the national evaluator on behalf of the grant.

Do we need to have IRB approval for our project?

No, the national evaluator will obtain Institutional Review Board (IRB) approval for the evaluation. If you receive an award, you will not need IRB approval unless you intend to carry out your own project evaluation.

May we request funds to conduct our own project evaluation?

No, all evaluation activities will be carried out by the national evaluator. Quality of the evaluation plan is not a selection criterion this year and we will not provide funds for a separate evaluation.

If a student refuses to participate in the surveys to be conducted by the evaluator, is the student ineligible to participate in athletics or extra-curricular activities?

Participation in student surveys to be conducted by the evaluator is completely voluntary and is not a condition of participation in athletics or extra-curricular activities. If a parent or a student who is 18 years of age or older or who is an emancipated minor under State law does not sign an evaluation consent form to participate in the

evaluation's student surveys, this will have no effect on that student's eligibility to participate in the school's athletic program or competitive extra-curricular activities. In fact, because participation by the student in the research requires the student's assent, even if the student refuses to complete the survey when a parent has consented, the student will remain fully eligible to participate in the school's athletic program or competitive extra-curricular activities.

Electronic Submission

Must I submit my application electronically?

Yes, unless you qualify for a waiver of this requirement. See page 25 of this application for waiver information. Note that waivers must be requested at least two weeks in advance of the closing date for application transmittal.

How do I request a waiver?

Waivers will be granted for one of two reasons: (1) you do not have access to the Internet; (2) you do not have the capacity to upload large documents to the Department's e-Application system. If you qualify for an exception to the requirement for electronic submission, you must submit a request in writing no later than two weeks before the application deadline explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your statement, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement, we must receive it no later than two weeks before the application deadline date. See page 26 of this application package for further instructions.

Deadline Extensions

May I get an extension of the deadline date?

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

If you are prevented from electronically submitting your application on the deadline date because the e-Application system is unavailable you may qualify for an extension. See requirements for an extension on page 25 of this application package.

Indirect Costs

May I claim indirect costs for my project?

Yes, however, you must have a negotiated indirect cost rate. If you do not have a negotiated rate at the time of application, you will have 90 days to submit the necessary paperwork to the Department to secure a rate. For more information, please see: <http://www.ed.gov/about/offices/list/ocfo/fipao/icgindex.html>.

How do I obtain a negotiated indirect cost rate?

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

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

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

Medical Review Officer

What is the role of a medical review officer?

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

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

What steps can I take to maximize my chances of receiving a grant?

- Before preparing your application, read the application package carefully and completely.
- Follow all of the instructions exactly.
- If you're uncertain about any aspects of this application package, contact the competition manager for clarification.
- The absolute priority and other application requirements establish the parameters for applications under a grant competition. If your application does not meet the absolute priority and other application requirements for this grant competition, it will not be considered for funding.
- A panel of three non-federal independent reviewers will review your application. Be sure to organize your application clearly, provide requested information in a comprehensive manner, and respond to each selection criterion thoroughly. Reviewers are not allowed to give you "the benefit of the doubt"; therefore, if information is not in your application, reviewers cannot award points for it.
- Be sure that your application includes a budget request (ED Form 524) and complete narrative justification for each project year.
- Be sure to transmit your application on or before September 5, 2006.

Contact Information

Who may I contact for more information about the Grants for School-Based Student Drug-Testing Programs?

You may contact either Robyn Disselkoen (OSDFSdrugtesting@ed.gov or 202/260-3954) or Charlotte Gillespie (charlotte.gillespie@ed.gov or 202/260-1862).

X. APPENDICES AND FORMS

- Program-Specific Assurance
- Application for Federal Education Assistance (ED Form 424)
- Budget Information – Non-Construction Programs (ED Form 524)
- Assurances - Non-Construction Programs (Standard Form 424B)
- Certification Regarding Lobbying (ED Form 80-0013)
- Disclosure of Lobbying Activities (Standard Form – LLL)
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions (ED Form 80-0014)
- Important Notice to Prospective Participants (ED Form 5348)
- Grant Application Receipt Acknowledgement
- Indirect Cost Reimbursement
- Application Package Preparation Checklist

Program Specific Assurances

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

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

- (i) results of student drug tests will not be disclosed to law enforcement officials;
- (ii) results of student drug tests will be destroyed when the student graduates or otherwise leaves the LEA or private school involved;
- (iii) all positive drug tests will be reviewed by a certified medical review officer;
- (iv) legal counsel has reviewed the proposed drug-testing program and advised that the program activities do not appear to violate established constitutional principles or State and Federal requirements related to implementing a mandatory random student drug-testing program;
- (v) all proposed activities will be carried out in accordance with the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA);
- (vi) the mandatory random student drug-testing program will be ready to begin no later than 9 months after receipt of the grant award.
- (vii) mandatory random student drug testing will be conducted for the entire academic year in the schools selected to implement drug testing; and
- (viii) schools randomly assigned to begin drug testing in year one of the grant will not be required to consider students to be in the testing pool at any specific point in time unless they are participating in a covered activity (for example, all students participating at that time in athletics and/or all students participating at that time in competitive, extra-curricular, school-sponsored activities).

Signature of Authorized Certifying Official Title Date

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

GRANTS

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

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

The rules, including the deadline, for applying for each grant are published, individually, in the Federal Register. Six-month or one-year subscriptions to the daily, official Federal Register may be ordered from the U.S. Government Printing Office at the following Web site: <http://bookstore.gpo.gov/collections/subscriptions/index.html>. The Federal Register Complete Service also is available in microfiche on the same Web page. In addition, the Federal Register is available on-line for free on Government Printing Office (GPO) Access: <http://www.gpoaccess.gov/fr/index.html>. Depository Library location and Federal Register services: http://www.archives.gov/federal_register/index.html.

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

U.S. Department of Education
Application Control Center
Washington, D.C. 20202-4260

CONTRACTS

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

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

Offerors are advised to be guided solely by the contents of the CBD synopsis and the instructions contained in the RFP. Questions regarding the submission of offers should be addressed to the Contracts Specialist identified on the face page of the RFP. Offers are judged in competition with others, and failure to conform with any substantive

requirements of the RFP will result in rejection of the offer without any consideration whatever.

Do not accept any advice you receive that is contrary to instructions contained in either the CBD synopsis or the RFP. No ED employee is authorized to consider a proposal, which is non-responsive to the RFP. Information included in the Federal Acquisition Regulation is contained in Title 48, Code of Federal Regulations, Chapter 1. The foregoing publication may be obtained by sending your check or money order only, no cash or stamps, to:

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

In addition, the Commerce Business Daily is available on-line for free at the following Web site: <http://cbdnet.access.gpo.gov>. The Federal Acquisition Regulations are available on-line at the following Web site: <http://www.arnet.gov/far>.

ED FORM 5348, 10/01

GRANT APPLICATION RECEIPT ACKNOWLEDGMENT

If you fail to receive the notification of application receipt within 15 days from the closing date, call the U.S. Department of Education's Application Control Center at (202) 245-6288.

GRANT AND CONTRACT FUNDING INFORMATION

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

Department of Education Web site - <http://www.ed.gov>

Office of the Chief Financial Officer Web Page –
<http://www.ed.gov/about/offices/list/OCFO/index.html>

INDIRECT COST REIMBURSEMENT

The Department of Education (ED) reimburses grantees for its portion of indirect costs that a grantee incurs in projects funded by the Grants for School-Based Student Drug-Testing Programs, 84.184D. 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 submitted 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 in the Federal Register application notice of 07/26/2006.

Application Package Preparation Checklist

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

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

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

Deadline Date: **September 5, 2006**. See pages 26-29 of this application package for complete application transmittal instructions.

EACH COPY OF THE APPLICATION MUST INCLUDE THE FOLLOWING:

- Application for Federal Education Assistance (ED Form 424) - Page 1
- Table of Contents - Page 2
- Project Abstract - Page 3 (one page maximum)
- Project Narrative (up to 25 pages double-spaced)
- All applications must include the required forms, assurances, and certifications, including:
 - Budget Information Form (ED Form 524) and detailed budget narrative
 - Assurances, Non-Construction Programs (ED Form 424B)
 - Certification Regarding Lobbying (ED Form 80-0013)
 - Disclosure of Lobbying Activities (Standard Form–LLL)
 - Certification Regarding Debarment (ED Form 80-0014)
- Narrative response to GEPA 427
- Copy of letter to State Single Point of Contact (see pages 30-33)
- Proof of federally negotiated indirect cost rate (if you are claiming indirect costs)
- Resumes of key personnel
- Letters of commitment