

Grants for School-Based Student Drug-Testing Programs

Information and Application Procedures for FY 2007

Application Due Date: May 8, 2007

CFDA #84.184D



Frequently Asked Questions
[Page 22-27]

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

ASSISTANT DEPUTY SECRETARY



March 2007

Dear Applicant:

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

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Deborah A. Price".

Deborah A. Price

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APPLICATION SUBMISSION PROCEDURES

Application Transmittal Instructions

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

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

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

Applications Submitted Electronically

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

For more information on using Grants.gov, please refer to the Notice Inviting Applications that was published in the Federal Register on March 09, 2007 the Grants.gov Submission Procedures and Tips document on pages 15-16 of the application package instructions, and the grants.gov Web site, <http://www.grants.gov>

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

Applications Sent by Mail

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

Please mail copies to:

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

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

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

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

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

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

Applications Delivered by Commercial Carrier:

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

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

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

Applications Delivered by Hand

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

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

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

Grants.gov Submission Procedures and Tips for Applicants

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

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

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

Note: To submit successfully, you must provide the DUNS number on your application that was used when your organization registered with the CCR (Central Contractor Registry).

- 3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov and the Department of Education 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 p.m. on the deadline date, AND the application status should be: Validated, Received by Agency, or Agency Tracking Number Assigned.

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

http://www.grants.gov/help/submit_application_faqs.jsp#10. For more detailed information on why an application may be rejected, you can review Application Error Tips <http://www.grants.gov/section910/ApplicationErrorTips.pdf>. If you discover your application is late or has been rejected, please see the instructions below. Note: You will receive a series of confirmations both online and via e-mail about the status of your application. Please do not rely solely on e-mail to confirm whether your application has been received timely and validated successfully.

Submission Problems – What should you do?

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

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

If electronic submission is required, you must submit an electronic application before 4:30 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 on your application the DUNS number that was used when your organization registered with the CCR.**

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

Dial-Up Internet Connections

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

MAC Users

If you do not have a Windows operating System, you will need to use the Citrix solution discussed on Grants.gov or a Windows Emulation program to submit an application using Grants.gov. For additional information, review the FAQs for non-windows users http://www.grants.gov/resources/download_software.jsp#non_window. Also, to view white paper for Macintosh users published by Pure Edge go to the following link: <http://www.grants.gov/section678/PureEdgeSupportforMacintosh.pdf>, and/or contact Grants.gov

Customer Support (<http://www.grants.gov/contactus/contactus.jsp>) for more information. If electronic submission is required and you are concerned about your ability to submit electronically as a non-windows user, please follow instructions in the Federal Register notice to obtain an exception to the electronic submission requirement no later than two weeks before the application deadline date. (See the Federal Register notice for detailed instructions.)

II. Program Background Information

General Information

Eligibility

We will award grants under this competition to local educational agencies (LEAs). The Secretary is limiting eligibility under the Grants for School-Based Student Drug-Testing Programs (84.184D) to applicants that **do not currently** have an active grant under this program. For the purpose of this eligibility requirement, a grant is considered active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds (71 FR 70369)

Authority

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

Official Documents Notice

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

The official document announcing this competition is the Notice Inviting Applications for New Awards published in the Federal Register on March 9, 2007. (See Section III [Legal and Regulatory Documents] of this application package). This notice also is available electronically at: www.ed.gov/legislation/FedRegister and <http://www.gpoaccess.gov/nara/index.html>.

Applicable Regulations

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

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

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

Project Period

The project period for this grant is 36 months, (3 budget periods of 12 months each). We intend the project and budget periods for projects funded under this grant competition to be no later than September 1, 2007 – August 31, 2010. Projects will be funded for one year with an option for 2 additional years, contingent on the grantee's demonstration of substantial progress each year toward meeting project goals and objectives and the availability of funds. **Note:** Applicants requesting 3-year projects must submit ED Form 524 and a detailed budget narrative for each of the 3 years in order to be eligible for funding each year. Failure to submit a budget request in one or more of the three years will result in no funding being awarded for those years.

Estimated Range of Awards

An estimated 11 new awards will be made. Projects will be funded for approximately \$150,000 per year depending on the scope of work. These figures are only estimates and do not bind the Department of Education to a specific number of grants or amount of any grant.

E-Mail Addresses

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

We will also make peer review comments available to you at the conclusion of the review.

D-U-N-S Number Instructions

All applicants must provide a valid D-U-N-S Number on the SF 424 Form. If you do not have a number, you may obtain one without charge by calling 1-800-333-0505 or by completing a D-U-N-S number Request Form. The form can be obtained via the Internet at the following address: at: http://www.dnb.com/US/duns_update/index.html. Dun & Bradstreet, a global information services provider, has assigned D-U-N-S numbers to over 43 million companies worldwide.

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

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.

Human Subjects Research – Institutional Review Board (IRB) Requirements and Federal Wide Assurances

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

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

Annual Report

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

Participation of Faith-based Organizations

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

Travel Budget

All applicants must budget for one person to attend the annual project director's meeting (two days) in year one and in each year of the grant budget for two persons to attend the OSDFS National Conference (three days). 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, and per diem.

Additional Awards

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

Definition

“Drug” is defined to include controlled substances; the illegal use of alcohol, tobacco, and prescription drugs; and the harmful, abusive, or addictive use of substances, including inhalants, and anabolic steroids.

Summary Information

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

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

Contracting for Services

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

Because grantees must use appropriate procurement procedures to select contractors, applicants should not include information in their grant applications about specific contractors that will be used to provide services for the proposed project.

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

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 deliver, and customer satisfaction.

The Secretary has established the following key performance measures for assessing the effectiveness of the Grants for School-Based Student Drug-Testing Programs:

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

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

This performance measure constitutes the Department's indicator of success for this program. Consequently, applicants for a grant under this program are advised to give careful consideration to this outcome in conceptualizing the design, implementation, and evaluation of their proposed project. If funded, grantees will be expected to collect data on the performance measures above and report the data to the Department in their annual performance report and final performance report (www.ed.gov/fund/grant/apply/appforms/ed524b_coverfill.pdf and www.ed.gov/fund/grant/apply/appforms/ed524b_statusfill.pdf).

Tips for Preparing and Submitting an Application

A. Before you Begin

- Read this application package carefully and make sure you follow all of the instructions
- Use the tools we have provided to help you including:
 - Frequently Asked Questions in this application package
- To view technical assistance resources designed to provide basic grant application information, helpful tips, and suggestions in a clear, user-friendly manner, visit the our Web site at:
www.ed.gov/admins/grants/apply/techassist/index.html
- Consult the Department's Web site for information on meeting your responsibilities for the protection of human subjects in research:

<http://www.ed.gov/about/offices/list/ocfo/humansub.html>

B. Preparing your Application

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

C. Submitting your Application

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

D. What Happens Next?

- If you submit a hard copy, in approximately two weeks (depending on the volume of applications) you should receive a postcard from ED's Application Control Center acknowledging receipt of your application and giving you its assigned number. If you submit your application electronically through Grants.gov you will receive an e-mail acknowledgement. Please refer to this number if you need to contact the Application Control Center about your application.
- OSDFS staff members screen 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 expert reviewers (peer review panel) who will evaluate and score your proposal according to the selection criteria in this package. Your application will receive a score from 0 to 100 depending upon how well it addresses the selection criteria.
- A Grant Award Notification document will be sent to applicants whose proposals score within the funding range. Both successful and unsuccessful applicants will receive information on how to access peer reviewers' comments. Please be sure your application includes valid e-mail addresses.

Drug Use and School-Based Student Drug Testing

Although drug use among America's youth has declined in recent years, far too many young people continue to use these harmful substances. Results of the 2004 Monitoring the Future survey show that the proportions of 8th, 10th, and 12th grade students indicating any use of an illicit drug in the 12 months prior to the survey were 15 percent, 31 percent, and 39 percent, respectively. According to the 2005 National Survey on Drug Use and Health, an estimated 19.7 million Americans (8.1 percent of the population) aged 12 or older were current, within the past month, illicit drug users.

The consequences of drug use by this vulnerable population are clear. According to the Substance Abuse and Mental Health Services Administration (SAMHSA), Department of Health and Human Services, students using illegal drugs are more likely to have negative attitudes about school (2003 National Survey on Drug Use and Health) and to have engaged in the following delinquent behaviors during the past year: gotten into a serious fight at school or work, attacked someone with the intent to inflict serious injury, carried a handgun, sold illegal drugs, or had stolen or tried to steal something worth \$50 or more (2005 National Survey on Drug Use and Health).

In addition, an analysis of data from the National Household Survey on Drug Abuse over a three year period (1994-96) found that frequent marijuana users were more likely than less frequent users to report delinquent behaviors such as running away from home, stealing, and cutting classes or skipping school. Clearly, drug abuse both interferes with a student's ability to learn and disrupts the orderly environment necessary for academic achievement.

Steroid abuse is also a problem for young people. The 2005 Monitoring the Future Study shows that 1.7 percent of eighth graders, 2.0 percent of tenth graders, and 2.6 percent of twelfth graders reported using steroids at least once in their lifetime. The Youth Risk Behavior Surveillance System (YRBSS) sponsored by the Centers for Disease Control and Prevention (CDC) reported that 4.0 percent of all high school students surveyed by CDC in 2005 reported lifetime use of steroid pills/shots without a doctor's prescription. This figure includes 4.8 percent of ninth graders, 3.9 percent of tenth graders, 3.7 percent of eleventh graders, and 3.3 percent of twelfth graders. According to research carried out by the National Institute on Drug Abuse, the consequences for teens of both sexes who use steroids can include severe acne, hormone imbalances, stunted growth, strokes, heart attacks, liver cancer, and increased irritability and aggression. (National Institute on Drug Abuse. NIDA Research Report—Anabolic Steroid Abuse. Printed in 2001. Revised August, 2006),

President Bush, in his January 20, 2004, State of the Union Address, noted: "One of the worst decisions our children can make is to gamble their lives and futures on drugs." He proposed to "continue our aggressive, community-based strategy to reduce demand for illegal drugs" and stated: "Drug testing in our schools has proven to be an effective part of this effort."

Further, in its 2005 National Drug Control Strategy the Office of National Drug Control Policy (ONDCP) states "Screening for drug use gives young people an 'out' to say no to drugs. If they want to play on the volleyball team and know that they will be tested as members of the team, they can cite their desire to play as a reason not to use drugs when pressured by a peer. In addition to creating a culture of disapproval toward drugs, drug testing also achieves three public health goals: it deters young people from initiating drug use; it identifies those who have initiated drug use so that parents and counselors can intervene early; and it helps identify those who have a dependency on drugs so that they can be referred for treatment."

PRIORITIES

Absolute Priority: Mandatory Random and Voluntary Student Drug-Testing Programs

For FY 2007 and any subsequent year in which we make awards based on the list of nonfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

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

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

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

Selection Criteria

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

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

(1) Need for Project (15 points)

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

- (a) the documented magnitude of student drug use in schools to be served by the drug-testing program, including the nature, type, and frequency, if known, of drugs used by students in the target population. (10 points)

- (b) other evidence of student drug use, such as reports from parents, students, school staff, or law enforcement officials. (5 points)

(2) Significance (20 points)

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

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

(3) Quality of Project Design (30 points)

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

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

(4) Management Plan (20 points)

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

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

(5) Quality of Project Evaluation (15 points)

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

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

Note: The Department of Education has established the following Government Performance and Results Act (GPRA) performance measures to assess the effectiveness of the School-Based Student Drug-Testing Program:

The reduction of the incidence of drug use in the past month and the reduction of the incidence of drug use in the past year. The Secretary has set an overall performance target that calls for the prevalence of drug use by students in the target population to decline by five percent annually.

Frequently Asked Questions

What is the goal of this grant competition?

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

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.
- 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 from the drug abuse and violence prevention fields 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 the deadline date May 8, 2007.

Who is eligible to apply?

- Eligible applicants for these grants are local educational agencies (LEAs) and public and private entities.

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

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

May private schools or non-profit organizations apply?

- Yes.

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

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

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

What is the project and budget period for these grants?

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

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

- May 8, 2007.

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.

What is an indirect cost rate?

- An indirect cost is an expense that you incur that is necessary to implementing the grant, but may be difficult to identify with your grant. For example, indirect costs may include money spent for heat, light, rent, telephone, security, accounting, and Internet use.
- If your organization prefers to use all of its grant funds for direct project costs, you are not required to charge the grant for indirect costs. If you wish to charge indirect costs, however, *you must use a **negotiated restricted indirect cost rate** for this competition*. If you do not have a negotiated rate, you may request a provisional rate. You will then have 90 days to submit the necessary paperwork to the Department to receive a negotiated indirect cost. For more information, please see: <http://www.ed.gov/about/offices/list/ocfo/fipao/icqindex.html>.

How do I obtain a negotiated, restricted indirect cost rate?

- Your organization may already have a negotiated, restricted 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.

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

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

Is there a matching requirement?

- No.

How does the Freedom of Information Act affect my application?

- The Freedom of Information Act (FOIA) provides that any person has the right to request access to federal agency records or information. All agencies of the U.S. Government are required to disclose records upon receiving a written request for them, except for those records that are protected from disclosure by the nine exemptions listed in the FOIA. All applications submitted for funding consideration under this grant competition are subject to the FOIA. To read the text of the Freedom of Information Act, visit www.usdoj.gov/04foia/foiastat.htm.

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

- Sigrid Melus or Kandice Kostic, U.S. Department of Education, 400 Maryland Avenue, SW, Washington DC 20202-6450. Telephone: (202) 260-3954. E-mail: OSDFSdrugtesting@ed.gov.

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

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

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

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

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

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

How much money is available under this grant competition?

- Approximately \$1.6 million is available to fund new grants under this competition in fiscal year 2007. This figure is only an estimate and does not bind the Department to any specific level of funding.

How many new awards will be made?

- It is estimated that 11 new awards will be made.

Can we hire an external evaluator?

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

What is the role of a medical review officer?

- A medical review officer (MRO) is a licensed physician who is also an expert in drug and alcohol testing and the Federal regulations governing such testing. It is the job of the MRO to ensure the integrity of the drug test. If a test is positive, the medical review officer consults with the student and/or the student's family and gives them an opportunity to supply evidence that there was a justifiable reason for the positive test, such as a properly prescribed legal medication. If the MRO determines that the positive test was not the result of illegal drug use, the test is reported as negative. Having an MRO on board helps protect the rights of students and can have the added benefit of strengthening the school's position if the test results are ever challenged.
- Most laboratories can provide a list of available MROs. To verify the certification status of MROs, see the American Society of Addiction Medicine (ASAM) Web site at <http://www.asam.org/search/search4.html>. For more information about certified labs, visit the Web site for SAMHSA's Division of Workplace Programs at http://dwp.samhsa.gov/drugtesting/level_1_pages/certified%20labs.aspx

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

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

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

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

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

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

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

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

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

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

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

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

- Grant funds may be used to pay for staff to implement and carry out the drug-testing program. When a student tests positive for alcohol or other drug use, staff may be paid for time spent counseling the student, conducting an alcohol/drug abuse assessment, and for referring a student to alcohol or other drug treatment services.

Generally, however, the number of students who test positive does not warrant the addition of a full time staff person devoted exclusively to counseling. Funds may not be used for alcohol or other drug abuse treatment services.

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

- No, 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.

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

- No. Funds may not be used for the following purposes:
 - Student drug tests administered under suspicion of drug use;
 - Incentives for students to participate in programs;
 - Drug treatment;
 - Drug prevention curricula or other prevention programs.

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

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

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

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

III. LEGAL AND REGULATORY DOCUMENTS

Notice Inviting Applications Federal Register Publication Date- March 9, 2007

4000-01-U
DEPARTMENT OF EDUCATION
Office of Safe and Drug-Free Schools

Overview Information
School-Based Student Drug-Testing Programs

Notice inviting applications for new awards for fiscal year (FY) 2007

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

Dates:

Applications Available: March 9, 2007

Deadline for Transmittal of Applications: May 8, 2007

Deadline for Intergovernmental Review: July 9, 2007

Eligible Applicants: Local educational agencies (LEAs) and public and private entities.

Estimated Available Funds: \$1,600,000. Contingent upon the availability of funds, the Secretary may make additional awards later in FY 2007 and in subsequent years from the list of unfunded applicants from this competition.

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

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

Estimated Number of Awards: 11.

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

Project Period: Up to 36 months.

Full Text of Announcement

I. Funding Opportunity Description

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

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

Absolute Priority:

For FY 2007 and any subsequent year in which we make awards based on the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

Mandatory Random and Voluntary Student Drug-Testing Programs.

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

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

APPLICATION REQUIREMENTS: The following requirements apply to all applications submitted under this program. Requirements (1) and (3) through (5) are from the notice of final eligibility and application requirements, priorities, and selection criteria for this program, published in the Federal Register on July 7, 2005 (70 FR 39254). Requirement (2) is from the notice of final eligibility requirement for the Office of Safe and Drug-Free Schools discretionary grant programs published in the Federal Register on December 4, 2006 (71 FR 70369).

- (1) Applicants may not submit more than one application for an award under this program.
- (2) Eligibility under this grant competition is limited to applicants that do not currently have an active grant under the Department of Education's School-Based Student Drug-Testing Program (CFDA 84.184D). For the purpose of this requirement, a grant is considered active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds.
- (3) Non-LEA applicants must submit a letter of agreement to participate from an LEA. The letter must be signed by the applicant and an authorized representative of the LEA. Letters of support are not acceptable as evidence of the required agreement.
- (4) Funds may not be used for the following purposes:
 - (a) Student drug tests administered under suspicion of drug use;

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

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

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

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

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

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: \$1,600,000. Contingent upon the availability of funds, the Secretary may make additional awards later in FY 2007 and in subsequent years from the list of unfunded applicants from this competition.

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

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

Estimated Number of Awards: 11.

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

Project Period: Up to 36 months.

III. Eligibility Information

1. Eligible Applicants: LEAs and public and private entities.

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

3. Other:

(a) Participation by Private School Children and Teachers.

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.

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

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

I. Application and Submission Information

a. Address to Request Application Package: Education Publications Center (ED Pubs), PO Box 1398, Jessup, Maryland 20794-1398. Telephone

(toll free): 1-877-433-7827. Fax: 301-470-1244. If you use a telecommunications device for the deaf (TDD), you may call (toll free): 1-877-576-7734.

You may also contact ED Pubs at its Web site: www.ed.gov/pubs/edpubs.html or you may contact ED Pubs at its e-mail address: edpubs@inet.ed.gov.

You may also access the electronic version of the application at the following Web sites: www.grants.gov or <http://www.ed.gov/fund/grant/apply/grantapps/index/html>.

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

Individuals with disabilities may obtain a copy of the application in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) by contacting the program contact persons listed under For Further Information Contact in section VII 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 program.

3. Submission Dates and Times:

Applications Available: March 9, 2007

Deadline for Transmittal of Applications: May 8, 2007

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

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

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

Deadline for Intergovernmental Review: July 9, 2007

4. Intergovernmental Review: This competition is subject to Executive Order 12372 and the regulations in 34 CFR Part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

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

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

a. Electronic Submission of Applications.

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

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

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

Please note the following:

- Your participation in Grants.gov is voluntary.
- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not consider your application if it is date and time stamped by the Grants.gov system later than 4:30 p.m., Washington, DC time, on the application deadline date. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30 p.m., Washington, DC time, on the application deadline date.
- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application submission process through [Grants.gov](http://www.Grants.gov).
- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this 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 at <http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf>

- To submit your application via Grants.gov, you must complete all steps in the Grants.gov registration process (see http://www.grants.gov/applicants/get_registered.jsp). These steps include (1) registering your organization, a multi-part process that includes registration with the Central Contractor Registry (CCR); (2) registering yourself as an Authorized Organization Representative (AOR); and (3) getting authorized as an AOR by your organization. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see <http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf>). You also must provide on your application the same D-U-N-S Number used with this registration. Please note that the registration process may take five or more business days to complete, and you must have completed all registration steps to allow you to submit successfully an application via Grants.gov. In addition you will need to update your CCR registration on an annual basis. This may take three or more business days to complete.

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

- If you submit your application electronically, you must submit all documents electronically, including all information you typically provide on the following forms: Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications. Please note that two of these forms--the SF 424 and the Department of Education Supplemental Information for SF 424--have replaced the ED 424 (Application for Federal Education Assistance).

- If you submit your application electronically, you must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified in this paragraph or submit a password-protected file, we will not review that material.

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

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

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

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

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

b. Submission of Paper Applications by Mail.

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

By mail through the U.S. Postal Service:

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

or

By mail through a commercial carrier:

U.S. Department of Education

Application Control Center, Stop 4260
Attention: (CFDA Number 84.184D)
7100 Old Landover Road
Landover, MD 20785-1506

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

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

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

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

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

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

c. Submission of Paper Applications by Hand Delivery.

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

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

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

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

- (1) You must indicate on the envelope and--if not provided by the Department--in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and
- (2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive the

notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

V. Application Review Information

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

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may also notify you informally.

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

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

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

3. Reporting: At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118. We also may require more frequent performance reports in accordance with 34 CFR 75.720(c).

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

These measures constitute the Department's indicator of success for this program. Consequently, applicants for a grant under this program are advised to give careful consideration to these measures in

conceptualizing the approach and evaluation for their proposed project. If funded, applicants will be asked to collect and report data in their annual performance and final reports about progress toward these measures.

VII. Agency Contacts

For Further Information Contact: Sigrid Melus or Kandice Kostic, U.S. Department of Education, 400 Maryland Avenue, SW., room 3E259, Washington, DC 20202-6450. Telephone: (202) 260-3954. E-mail address: OSDFSdrugtesting@ed.gov.

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

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

VIII. Other Information

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

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

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

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

Dated:

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

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

SEC. 4121. FEDERAL ACTIVITIES.

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

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

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

IV: General Application Instructions and Information

Preparing the Application

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

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

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

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

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

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

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

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

All applicants should adhere to the following formatting guidelines:

- Use 1-inch margins. If you submit your application in paper format by mail or hand delivery, your application must be printed on 8 1/2” by 11” paper.
- Use consistent font no smaller than 12-point type throughout your document. You may use boldface type, underlining, and italics; however, do not use colored text.
- For the project narrative, your application should consist of the number and text of each selection criterion followed by the narrative. The text of the selection criterion, if included, does not count against any page limitation.

- Place a page number at the bottom right of each page beginning with 1, and number your pages consecutively throughout your document, beginning with the Abstract and ending with the Appendices. **Note:** Do not paginate any of the forms.

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

D-U-N-S NUMBER INSTRUCTIONS

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

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

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

Organizing the Application

Supplemental Instructions for Standard Form 424

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

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

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

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

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

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

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

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

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

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

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

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

5. Appendices: If you submit your application via Grants.gov, the **Other Narrative Attachment Form** is where you will attach proposal appendices that applicants may choose to submit in support of their capacity and preparation to undertake the proposed project, such as curriculum

vitae of key personnel or letters of commitment. The Grants.gov system will allow applicants to attach as many as 10 separate appendices in this section.

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

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

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

This section **must** include the following:

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

This section **may** include the following:

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

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

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

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

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

Forms and Instructions

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

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:

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

Signature of Authorized Certifying Official

Title

Date

Instructions for Form ED 424

1. Legal Name and Address. Enter the legal name of applicant and the name of the primary organizational unit which will undertake the assistance activity.

2. D-U-N-S Number. Enter the applicant's D-U-N-S Number. If your organization does not have a D-U-N-S Number, you can obtain the number by calling 1-800-333-0505 or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL: <http://www.dnb.com>.

3. Tax Identification Number. Enter the taxpayer's identification number as assigned by the Internal Revenue Service.

4. Catalog of Federal Domestic Assistance (CFDA) Number. Enter the CFDA number and title of the program under which assistance is requested. The CFDA number can be found in the federal register notice and the application package.

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

6. Novice Applicant. Check "Yes" or "No" only if assistance is being requested under a program that gives special consideration to novice applicants. Otherwise, leave blank.

Check "Yes" if you meet the requirements for novice applicants specified in the regulations in 34 CFR 75.225 and included on the attached page entitled "Definitions for Form ED 424." By checking "Yes" the applicant certifies that it meets these novice applicant requirements. Check "No" if you do not meet the requirements for novice applicants.

7. Federal Debt Delinquency. Check "Yes" if the applicant's organization is delinquent on any Federal debt. (This question refers to the applicant's organization and not to the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.) Otherwise, check "No."

8. Type of Applicant. Enter the appropriate letter in the box provided.

9. State Application Identifier. State use only (if applicable).

10. Type of Submission. See "Definitions for Form ED 424" attached.

11. Executive Order 12372. See "Definitions for Form ED 424" attached. Check "Yes" if the application is subject to review by E.O. 12372. Also, please enter the month, day, and four (4) digit year (mm/dd/yyyy). Otherwise, check "No."

12. Proposed Project Dates. Please enter the month, day, and four (4) digit year (mm/dd/yyyy).

13. Human Subjects Research. (See I.A. "Definitions" in attached page entitled "Definitions for Form ED 424.")

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

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

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

13a. If Human Subjects Research is Not Exempt from Human Subjects Regulations. Check "No" if some or all of the planned research activities are covered (not exempt). In addition, follow the instructions in II.B. "Nonexempt Research Narrative"

in the page entitled "Definitions for Form ED 424." Insert this narrative immediately following the ED 424 face page.

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

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

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

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

16. Certification. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. Be sure to enter the telephone and fax number and e-mail address of the

authorized representative. Also, in item 16e, please enter the month, day, and four (4) digit year (mm/dd/yyyy) in the date signed field.

Paperwork Burden Statement. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 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, D.C. 20202-4700. **If you have comments or concerns regarding the status of your individual submission of this form write directly to:** Joyce I. Mays, Application Control Center, U.S. Department of Education, Potomac Center Plaza, 550 12th Street SW, Room 7076, Washington, DC 20202-4260.

Definitions for Form ED 424

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

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

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

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

Executive Order 12372. The purpose of Executive Order 12372 is to foster an intergovernmental

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

PROTECTION OF HUMAN SUBJECTS IN RESEARCH

I. Definitions and Exemptions

A. Definitions.

A research activity involves human subjects if the activity is research, as defined in the Department's regulations, and the research activity will involve use of human subjects, as defined in the regulations.

—Research

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

—Human Subject

The regulations define human subject as "a living individual about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information."

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

B. Exemptions.

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

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

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (a) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. ***If the subjects are children, exemption 2 applies only to research involving educational tests and observations of public behavior when the investigator(s) do not participate in the activities being observed. Exemption 2 does not apply if children are surveyed or interviewed or if the research involves observation of public behavior and the investigator(s) participate in the activities being observed.*** [Children are defined as persons

who have not attained the legal age for consent to treatments or procedures involved in the research, under the applicable law or jurisdiction in which the research will be conducted.]

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

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

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

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

II. Instructions for Exempt and Nonexempt Human Subjects Research Narratives

If the applicant marked "Yes" for Item 13 on the ED 424, the applicant must provide a human subjects "exempt research" or "nonexempt research" narrative and insert it immediately following the ED 424 face page.

A. Exempt Research Narrative.

If you marked “Yes” for item 13 a. and designated exemption numbers(s), provide the “exempt research” narrative. The narrative must contain sufficient information about the involvement of human subjects in the proposed research to allow a determination by ED that the designated exemption(s) are appropriate. The narrative must be succinct.

B. Nonexempt Research Narrative.

If you marked “No” for item 13 a. you must provide the “nonexempt research” narrative. The narrative must address the following seven points. Although no specific page limitation applies to this section of the application, be succinct.

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

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

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

(4) Potential Risks: Describe potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness. Where appropriate, describe alternative treatments and

procedures that might be advantageous to the subjects.

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

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

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

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

Instructions for Department of Education Supplemental Information for Standard Form 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 for 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 for 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, D.C. 20202-4700. If you have comments or concerns regarding the status of your individual submission of this form write directly to: Joyce I. Mays, Application Control Center, U.S. Department of Education, Potomac Center Plaza, 550 12th Street, S.W. Room 7076, Washington, D.C. 20202-4260.

Definitions for Department of Education Supplemental Information for Standard Form 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).

Instructions for Department of Education Budget Information – Non-Construction Programs (ED Form 524)

General Instructions

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

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

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

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

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

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

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

Indirect Cost Information:

If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. (1): Indicate whether or not your organization has an Indirect Cost Rate Agreement that was approved by the Federal government. (2): If you checked “yes” in (1), indicate in (2) the beginning and ending dates covered by the Indirect Cost Rate Agreement. In addition, indicate whether ED or another Federal agency (Other) issued the approved agreement. If you check “Other,” specify the name of the Federal agency that issued the approved agreement. (3): If you are applying for a grant under a Restricted Rate Program (34 CFR 75.563 or 76.563), indicate whether you are using a restricted indirect cost rate that is included on your approved Indirect Cost Rate Agreement or whether you are using a restricted indirect cost rate that complies with 34 CFR 76.564(c)(2). Note: State or Local government agencies may not use the provision for a restricted indirect cost rate specified in 34 CFR 76.564(c)(2). Check only one response. Leave blank, if this item is not applicable.

Section B - Budget Summary Non-Federal Funds

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

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

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

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

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

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

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B. For grant projects that will be divided into two or more separately budgeted major activities or sub-projects, show for each budget category of a project year the breakdown of the specific expenses attributable to each sub-project or activity.
2. If applicable to this program, provide the rate and base on which fringe benefits are calculated.
3. If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. Specify the estimated amount of the base to which the indirect cost rate is applied and the total indirect expense. Depending on the grant program to which you are applying and/or your approved Indirect Cost Rate Agreement, some direct cost budget categories in your grant application budget may not be included in the base and multiplied by your indirect cost rate. For example, you must multiply the indirect cost rates of "Training grants" (34 CFR 75.562) and grants under programs with "Supplement not Supplant" requirements ("Restricted Rate" programs) by a "modified total direct cost" (MTDC) base (34 CFR 75.563 or 76.563). Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied.

When calculating indirect costs (line 10) for "Training grants" or grants under "Restricted Rate" programs, you must refer to the information and examples on ED's website at:

<http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

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

4. Provide other explanations or comments you deem necessary.

Paperwork Burden Statement

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

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

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

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

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a).

Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

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

INSTRUCTIONS FOR SURVEY ON ENSURING EQUAL OPPORTUNITY FOR APPLICANTS

Provide the applicant's (organization) name and D-U-N-S 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.

Intergovernmental Review of Federal Programs

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

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

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

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

Any state process recommendation and other comments submitted by a State Single Point of Contact and any comments from state, area-wide, regional, and local entities must be received by April 20, 2007, at the following address: The Secretary, EO 12372—CFDA #84.215H, 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 April 20, 2007. Please do not send applications to this address.

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

General Education Provisions Act (GEPA) Section 427

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

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its federally-assisted program for students, teachers, and other program beneficiaries with special needs.

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

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

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

Examples

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

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

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

Estimated Public Reporting Burden

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for the GEPA 427 is OMB No. 1890-0007. The time required to complete GEPA 427 is

estimated to average 1.5 hours per response, including the time to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: U.S. Department of Education, Office of Safe and Drug-Free Schools, 400 Maryland Avenue, SW, Washington, DC 20202-6450.

Application Preparation Checklist

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

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

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

Deadline Date: **May 8, 2007**. See Sections I and IV of this application package for complete application transmittal instructions and general application instructions and information.

EACH COPY OF THE APPLICATION MUST INCLUDE THE FOLLOWING:

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

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. 1890-0009, Expiration Date: 06/30/2008. The time required to complete this information collection is estimated to average 32 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 or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: U.S. Department of Education, Office of Safe and Drug-Free Schools, 400 Maryland Avenue, SW, Washington, DC 20202-6450.