U.S. Department of Education
Office of Elementary and Secondary Education
Academic Improvement and Teacher Quality Programs
Washington, D.C. 20202-6200

Fiscal Year 2012

Application for New Grants Under the Native Hawaiian Education Program

CFDA 84.362A

Dated Material - Open Immediately

Closing Date: April 24, 2012

Approved OMB Number: 1894-0006

Expiration Date: 11/30/2014

Paperwork Burden Statement

According to the Paperwork reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is: 1894-0006. The time required to complete this information collection is estimated to average 16 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection.

If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: 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: Joanne Osborne**,** Native Hawaiian Education program, U.S. Department of Education, 400 Maryland Avenue, SW, 3E214, Washington D.C. 20202-6200.

Table of Contents

Contents

Dear Colleague Letter **1**

Program Background Information **2**

Program Overview 2
Frequently Asked Questions 4
Applicant Guide 7
Technical Assistance Workshops for Prospective Applicants 11

Application Submission Procedures **12**

Application Transmittal Instructions 12
Submitting Applications with Adobe Reader Software 15
Grants.gov Submission Procedures and Tips for Applicants 16

Submission Problems – What should you do? **17**

Helpful Hints When Working with Grants.gov **17**

Dial-Up Internet Connections **17**

MAC Users **18**

Application Instructions **19**

Electronic Application Format 19
Electronic Application Submission Checklist 20
Part 1: Preliminary Documents 21
Part 2: Budget Information 28
Part 3: ED Abstract Form 31
Part 4: Project Narrative Attachment Form 32
Part 5: Budget Narrative 35
Part 6: Other Attachment Form 40
Part 7: Assurances and Certifications 41

Reporting and Accountability **45**

Legal and Regulatory Information **46**

Notice inviting applications ..... **Error! Bookmark not defined.**
Program Statute 65

United States Department of Education

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION
ACADEMIC IMPROVEMENT AND TEACHER QUALITY PROGRAMS

Dear Colleague:

Thank you for your interest in the Native Hawaiian Education program, administered by the Office of Elementary and Secondary Education of the U.S. Department of Education (Department). The purpose of the Native Hawaiian Education program is to support innovative projects that enhance the educational services provided to Native Hawaiian children and adults.

Please take the time to review the applicable priorities, selection criteria, and all of the application instructions thoroughly. An application will not be evaluated for funding if the applicant does not comply with all of the procedural rules that govern the submission of the application or the application does not contain the information required under the program (EDGAR §75.216 (b) and (c)).

For FY 2012, the Secretary has established six (6) competitive preference priorities. The competitive priorities are: 1) Needs of at-risk children and youth; 2) Native Hawaiian underemployment; 3) Hawaiian Language instruction; 4) Beginning Reading and Literacy; 5) Improving Early Learning Outcomes; and 6) Improving Achievement and High School Graduation Rates.

For this competition it is **mandatory** for applicants to use the government-wide website, Grants.gov (http://www.grants.gov), to apply. Please note that the Grants.gov site works differently than the U.S. Department of Education's e-Application System. We strongly encourage you to familiarize yourself with Grants.gov and strongly recommend that you register *and* submit early.

Also be aware that applications submitted to Grants.gov for the Department of Education will now be posted using Adobe forms. Therefore, applicants will need to download the latest version of Adobe reader (at least Adobe Reader 8.1.2). Please review the **Submitting Applications with Adobe Reader Software** and **Education Submission Procedures and Tips for Applicants** forms found within this package for further information and guidance related to this requirement.

Using FY 2012 funds, the Department expects to award $10,784,000 for new grants under this competition. We will award discretionary grants on a competitive basis for a project period of up to 36 months. Grants are expected to be awarded in August.

Please visit our program website at http://www2.ed.gov/programs/nathawaiian/applicant.html for further information. If you have any questions about the program after reviewing the application package, please contact Joanne Osborne by telephone at (202) 401-1265 or via e-mail at Joanne.Osborne@ed.gov.

Sylvia Lyles
Director

Program Background Information

Program Overview

The purposes of this part are to authorize and develop innovative educational programs to assist Native Hawaiians; provide direction and guidance to appropriate Federal, State, and local agencies to focus resources, including resources made available under this part, on Native Hawaiian education, and to provide periodic assessment and data collection supplement and expand programs and authorities in the area of education to further the purposes of this title; and encourage the maximum participation of Native Hawaiians in planning and management of Native Hawaiian education programs. The Native Hawaiian Education Program authorizes the following activities:

- The development and maintenance of a statewide Native Hawaiian early education and care system to provide a continuum of services for Native Hawaiian children from the prenatal period of the children through age 5;
- The operation of family-based education centers that provide such services as programs for Native Hawaiian parents and their infants from the prenatal period of the infants through age 3; preschool programs for Native Hawaiians; and research on, and development and assessment of, family-based, early childhood, and preschool programs for Native Hawaiians;
- Activities that enhance beginning reading and literacy in either the Hawaiian or the English language among Native Hawaiian students in kindergarten through third grade and assistance in addressing the distinct features of combined English and Hawaiian literacy for Hawaiian speakers in fifth and sixth grade;
- Activities to meet the special needs of Native Hawaiian students with disabilities, including the identification of such students and their needs; the provision of support services to the families of those students; and other activities consistent with the requirements of the Individuals with Disabilities Education Act;
- Activities that address the special needs of Native Hawaiian students who are gifted and talented, including educational, psychological, and developmental activities designed to assist in the educational progress of those students; and activities that involve the parents of those students in a manner designed to assist in the students' educational progress;
- The development of academic and vocational curricula to address the needs of Native Hawaiian children and adults, including curriculum materials in the Hawaiian language and mathematics and science curricula that incorporate Native Hawaiian tradition and culture;
- Professional development activities for educators, including the development of programs to prepare prospective teachers to address the unique needs of Native Hawaiian students within the context of Native Hawaiian culture, language, and traditions; in-service programs to improve the ability of teachers who teach in schools with concentrations of Native Hawaiian students to meet those students'

unique needs; and the recruitment and preparation of Native Hawaiians, and other individuals who live in communities with a high concentration of Native Hawaiians, to become teachers;

- The operation of community-based learning centers that address the needs of Native Hawaiian families and communities through the coordination of public and private programs and services, including preschool programs; after-school programs vocational and adult education programs; and programs that recognize and support the unique cultural and educational needs of Native Hawaiian children, and incorporate appropriately qualified Native Hawaiian elders and seniors;

- Activities, including program co-location, to enable Native Hawaiians to enter and complete programs of postsecondary education, including provision of full or partial scholarships for undergraduate or graduate study that are awarded to students based on their academic promise and financial need, with a priority, at the graduate level, given to students entering professions in which Native Hawaiians are underrepresented; family literacy services; counseling and support services for students receiving scholarship assistance; counseling and guidance for Native Hawaiian secondary students who have the potential to receive scholarships; and faculty development activities designed to promote the matriculation of Native Hawaiian students;

- Research and data collection activities to determine the educational status and needs of Native Hawaiian children and adults;
- Other research and evaluation activities related to programs carried out under this part;
- Other activities, consistent with the purposes of this part, to meet the educational needs of Native Hawaiian children and adults.

Frequently Asked Questions

1. Where can I go for help for electronically submitting my application?

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

Remember that using the Grants.gov requires registration, which could take several days to complete. You must also update your Central Contractor Registry (CCR) registration on an annual basis. This may take three or more business days to complete. You are encouraged to submit your application early to avoid any last minute registration or electronic issues.

2. The Federal Register Notice provides a range of estimated awards and a project period of 36 months. What does this mean? Is this the maximum amount of the grant for all three (3) years?

The estimates and ranges provided in the Federal Register Notice are per year awards. Grants may be awarded outside this range, either higher or lower for each year of funding requested. The minimum project period is twelve (12) months; the maximum project period is thirty-six (36) months. An application can request the minimum of twelve (12) months or the maximum of thirty-six (36) months.

Budgets should be delineated per year and be adequate to support the proposed project. The costs should be reasonable in relation to the objectives, design, and potential significance of the proposed project. The costs should be reasonable in relation to the numbers of persons serve and to the anticipated results. In addition, you may include a budget from contributing partners. The estimates listed are a guide to assist in developing an application and budget.

3. What are indirect costs?

Indirect costs are incurred by a grantee for common objectives that cannot be readily and specifically identified with a particular grant project or other institutional activity without effort disproportionate to the results achieved. Examples include:

- The costs of operating and maintaining facilities, equipment, and grounds (part of "facilities costs")
- Depreciation or use allowances (part of "facilities costs")
- Salaries of administrators and services, such as payroll and personnel (known as administrative costs)

These costs are usually charged to the grant as a percentage of direct costs. This percentage is called the indirect cost rate and is obtained by dividing indirect costs by the total direct costs of a grantee (or the modified total direct costs of the grantee).

ED will generally authorize grantees that do not have a federally recognized indirect cost rate on the date ED awards grant funding to use a temporary rate of 10% of budgeted direct salaries and wages. However, grantees must submit an indirect cost rate proposal to their cognizant agency within 90 days after ED issues the GAN.

Grantees using the temporary rate of 10% may only do so for 90 days after ED issues the GAN. Program staff must monitor a grantee's progress in submitting an indirect cost proposal to its cognizant agency. If after the 90-day period, program staff determine that a grantee has not submitted an indirect cost proposal to its cognizant agency, program staff must disallow the grantee from charging its grant for indirect costs at the temporary rate until it has negotiated an indirect cost rate agreement with its cognizant agency. However, under exceptional circumstances, a license holder may approve the grantee to continue using the temporary indirect cost after the end of the 90-day period even though the grantee did not submit an indirect cost proposal within the 90-day period. Before a license holder approves continued use of the temporary rate, program staff must obtain documentation from the grantee satisfactory to the license holder for determining that exceptional circumstances exist, and consult RMS/GPPT regarding the general interpretation of exceptional circumstances.

For more information, visit the Department's website at:
http://www.ed.gov/about/offices/list/ocfo/fipao/icgindex.html.

4. What are the eligibility requirements for the NHE program?

The following entities may apply for NHE funding:

- Native Hawaiian education organizations;
- Native Hawaiian community-based organizations;
- Public and private nonprofit organizations, agencies, and institutions (including State educational agencies (SEAs), local educational agencies (LEAs), and institutions of higher education (IHEs)) with experience in developing or operating Native Hawaiian programs or programs of instruction in the Native Hawaiian language; and
- A consortia of the entities listed above.

5. What are the reporting requirements for the NHE program?

Recipients of multi-year discretionary awards must submit an annual grant performance report in either hard copy or by utilizing the e-Reports software in www.G5.gov to receive continuation funding. The annual report provides data on the status of the funded project that corresponds to the scope and objectives established in the approved application and any approved amendments. The report must provide the most current performance and financial information. Final performance reports are due 90 days after the end of the project period. Grantees may use the ED standard annual Grant Performance Report (ED 524B) for continuation and final reporting. The report can be found at http://www2.ed.gov/fund/grant/apply/appforms/appforms.html.

6. What is GPRA?

The Government Performance and Results Act (GPRA) of 1993 requires all federal agencies to establish goals, measures, and targets. The purpose of GPRA is to enhance the effectiveness, efficiency, and accountability of federal programs. GPRA directs agencies to focus management efforts on results GPRA measures have been established for the Native Hawaiian Education program. For further information, please consult the notice inviting applicants.

Applicant Guide

The selection criteria are used to evaluate the applications submitted for new grants under a discretionary grant program. This competition includes six competitive preference priorities. The program narrative is the section of the application that directly responds to the selection criteria. The narrative should follow the order of the selection criteria listed in the Notice Inviting Application for new awards, published in the Federal Register for the FY 2012 competition, and the application package. Within the 25-page limit, applications should describe in detail activities planned for each funding period. (See application format procedures.)

Each application will be evaluated and scored by a minimum of three peer reviewers. The maximum score for all criteria is 100 points. Not responding to a specific criterion could negatively impact your score. Applicants may address each criterion and priority in any way that is reasonable. Each selection criterion and priority is presented below:

Selection Criteria

(a) <u>Need for project (20 points)</u>. The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers the following factors:

(i) The magnitude or severity of the problem to be addressed by the proposed project (10 points); and

(ii) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses (10 points).

(b) <u>Quality of the project design (30 points)</u>. The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(i) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs (10 points);

(ii) The extent to which the design of the proposed project reflects up-to-date knowledge from research and effective practice (10 points); and

(iii) The extent to which the proposed project will be coordinated with similar or related efforts, and with other appropriate community, State, and Federal resources (10 points);

(c) <u>Adequacy of resources (15 points)</u>. The Secretary considers the adequacy of the resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers the following factors:

(i) The extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits (5 points);

(ii) The relevance and demonstrated commitment of each partner in the proposed project to the implementation and success of the project (5 points); and

(iii) The extent to which the budget is adequate to support the proposed project (5 points).

(d) <u>Quality of the management plan (20 points)</u>. The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(i) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (10 points);
(ii) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project (5 points); and
(iii) The adequacy of mechanisms for ensuring high-quality products and services from the proposed project (5 points).

(e) <u>Quality of the project evaluation (15 points)</u>. The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the following factors:
(i) The extent to which the methods of evaluation are appropriate to the context within which the project operates (5 points);
(ii) The extent to which the methods of evaluation will provide timely guidance for quality assurance (5 points); and
(iii) The extent to which the methods of evaluations include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible (5 points).

<u>Competitive Preference Priority Points</u>

Under 34 CFR 75.105(c)(2)(i) we award up to an additional 12 points to an application, depending on how well the application meets one or more of these priorities.

- **Competitive Priority 1- <u>Needs of At-risk Children and Youth</u> (Up to 2 points)**
  Projects that are designed to meet the needs of at-risk children and youth.

- **Competitive Priority 2- <u>Native Hawaiian Underemployed (Up to 2 points)</u>**
  Projects that are designed to address the needs of fields or disciplines in which Native Hawaiians are underemployed.

- **Competitive Priority 3- <u>Hawaiian Language Instruction (Up to 2 points)</u>**
  Projects that are designed to address the use of the Hawaiian language in instruction.

- **Competitive Preference Priority 4--<u>Beginning Reading and Literacy (Up to 2 points)</u>**
  Projects that are designed to address beginning reading and literacy among students in kindergarten through third grade.

- **Competitive Priority 5- <u>Improving Early Learning Outcomes (Up to 2 points)</u>**
  Projects that are designed to improve school readiness and success for high-need children and high-need students (as defined below) from birth through third grade (or any age group of high-need children and high-need students within this range) through a focus on one or more of the following priority areas:
  (a) Physical well-being and motor development.
  (b) Social-emotional development.

(c) Language and literacy development.
(d) Cognition and general knowledge, including early numeracy and early scientific development.
(e) Approaches toward learning.

- **Competitive Priority 6 - <u>Improving Achievement and High School Graduation Rates (Up to 2 points)</u>**
  Projects that address one or more of the following priority areas:
  (a) Accelerating learning and helping to improve high school graduation rates (as defined below) and college enrollment rates for students in rural local education agencies (as defined below).
  (b) Accelerating learning and helping to improve high school graduation rates (as defined below) and college enrollment rates for students with disabilities.
  (c) Accelerating learning and helping to improve high school graduation rates (as defined below) and college enrollment rates for English learners.
  (d) Accelerating learning and helping to improve high school graduation rates (as defined below) and college enrollment rates for high-need students (as defined below).
  (e) Accelerating learning and helping to improve high school graduation rates (as defined below) and college enrollment rates in high-poverty schools (as defined below)
  (f) Accelerating learning and helping to improve high school graduation rates (as defined below) and college enrollment rates for all students in an inclusive manner that ensures that the specific needs of high-need students (as defined below) participating in the project are addressed.

Note: In order to receive additional points under a competitive preference priority, an application must provide adequate and sufficient information that clearly substantiates its claim that it meets the competitive priority.

Definitions: These definitions are from the notice of final supplemental priorities and definitions for discretionary grant programs, published in the <u>Federal Register</u> on December 15, 2010 (75 FR 78486), and corrected on May 12, 2011 (76 FR 27637). For purposes of this competition, the following definitions apply:

- **<u>Graduation rate</u>** means a four-year adjusted cohort graduation rate consistent with 34 CFR 200.19(b)(1) and may also include an extended-year adjusted cohort graduation rate consistent with 34 CFR 200.19(b)(1)(v) if the State in which the proposed project is implemented has been approved by the Secretary to use such a rate under Title I of the ESEA.

- **<u>High-need children and high-need students</u>** means children and students at risk of educational failure, such as children and students who are living in poverty, who are English learners, who are far below grade level or who are not on track to becoming college- or career-ready by graduation, who have left school or college before receiving, respectively, a regular high school diploma or a college degree or certificate, who are at risk of not graduating with a diploma on time, who are homeless, who are in foster care,

who are pregnant or parenting teenagers, who have been incarcerated, who are new immigrants, who are migrant, or who have disabilities.

- **High-poverty school** means a school in which at least 50 percent of students are eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act or in which at least 50 percent of students are from low-income families as determined using one of the criteria specified under section 1113(a)(5) of the ESEA. For middle and high schools, eligibility may be calculated on the basis of comparable data from feeder schools. Eligibility as a high-poverty school under this definition is determined on the basis of the most currently available data.

- **Rural education agency** means a local educational agency (LEA) that is eligible under the Small Rural School Achievement (SRSA) program or the Rural and Low-Income School (RLIS) program authorized under Title VI, Part B of the ESEA. Eligible applicants may determine whether a particular LEA is eligible for these programs by referring to information on the Department's Website at http://www2.ed.gov/nclb/freedom/local/reap.html

Technical Assistance Workshops for Prospective Applicants

To assist applicants in preparing the application and to respond to questions, the Department will host ***two*** technical assistance conference calls/webinars sessions. The first webinar is scheduled for **Wednesday, March 7, 2012 from 2pm – 3pm (Washington DC time)**. The second webinar is scheduled for **Tuesday, March 13, 2012 from 2pm – 3pm (Washington DC time)**. To participate, you must register by e-mail at NHEPWebinar@seiservices.com. Please include "Native Hawaiian Education Conference Call" in the subject line. Once registered, you will receive specific information and instructions on joining the call.

Application Submission Procedures

The deadline for submission of Native Hawaiian Education Program applications through Grants.gov isError! Reference source not found.Tuesday, April 24, 2012.

Application Transmittal Instructions

Attention Electronic Applicants: This program **requires** the electronic submission of applications--specific requirements and instructions can be found in the Federal Register notice. Please note that you **must** follow the Application Procedures as described in the Federal Register notice announcing the grant competition.

We will reject your application if you submit it in paper format unless, as described in the Federal Register notice for this competition, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions.

Applications Submitted Electronically

Applications for grants under this program must be submitted electronically using the Governmentwide 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.

Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system **no later than 4:30:00 p.m., Washington, DC time, on the application deadline date.** Except as otherwise noted in Federal Register notice for this competition, we will not consider your application if it is date and time stamped by the Grants.gov system later than 4:30:00 p.m., Washington, DC time, on the application deadline date.

You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in this application package to ensure that you submit your application in a timely manner to the Grants.gov system.

Please note the following:

- You must attach any narrative sections of your application as files in a **.pdf** (Portable Document) format. **If you upload a file type other than a .pdf file, or submit a password-protected file, we will not review that material**.

- Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission.

- When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters. The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.

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

- If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

According to the instructions found in the Federal Register notice, <u>only those requesting and qualifying</u> for an Exception to the electronic submission requirement may submit an application via mail, commercial carrier or by hand delivery.

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

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.362A)
LBJ Basement Level 1
400 Maryland Avenue, SW.
Washington, DC 20202-4260

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

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:
(1) A private metered postmark.
(2) A mail receipt that is not dated by the U.S. Postal Service.
If your application is postmarked after the application deadline date, we will not consider your application.

<u>Note</u>: 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.

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

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.362A)
550 12th Street, SW.
Washington, DC 20202-4260

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

Note for Mail or Hand Delivery of Paper Applications:
If you mail or hand deliver your application to the Department--
(1) You must indicate on the envelope and--if not provided by the Department--in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and
(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

Submitting Applications with Adobe Reader Software

The Department of Education, working with Grants.gov, is currently moving from using PureEdge software to using Adobe Reader software exclusively and applications submitted to Grants.gov for the Department of Education will be posted using Adobe forms. Applicants will no longer need to use the PureEdge software to create or submit an application.

Please note: The compatible version of Adobe Reader is **required** for viewing, editing and submitting a complete grant application package for the Department of Education through Grants.gov. Applicants should confirm the compatibility of their Adobe Reader version **before** downloading the application. To ensure applicants have a version of Adobe Reader on their computer that is compatible with Grants.gov, applicants are encouraged to use the test package provided by Grants.gov that can be accessed at http://www.grants.gov/applicants/AdobeVersioningTestOnly.jsp.

Important issues to consider:

- If the applicant opened or edited the application package with any software other than the compatible version of Adobe Reader, the application package may contain errors that will be transferred to the new package even if you later download the compatible Adobe Reader version.
- Applicants **cannot** copy and paste data from a package initially opened or edited with an incompatible version of Adobe Reader and will need to download an **entirely new package** using the compatible version of Adobe Reader.
- Some applicants using an incompatible version of Adobe Reader **may have trouble** opening and viewing the application package while others may find they can open, view and complete the application package but **may not be able to submit** the application package through Grants.gov.
- Grants.gov **does not** guarantee to support versions of Adobe Reader that are not compatible with Grants.gov.
- Any and all edits made to the Adobe Reader application package **must** be made with the compatible version of Adobe Reader.

For your convenience, the latest version of Adobe Reader is available for free download at http://grantsgov.tmp.com/static2007/help/download_software.jsp#adobe811.

We strongly recommend that you review the information on computer and operating system compatibility with Adobe available at http://www.grants.gov/applicants/applicant_faqs.jsp#software **before** downloading, completing or submitting your application.

Applicants are reminded that they should submit their application a day or two in advance of the closing date as detailed in the Federal Register Notice. If you have any questions regarding this matter please email the Grants.gov Contact Center at support@grants.gov or call 1-800-518-4726

Grants.gov Submission Procedures and Tips for Applicants

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

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

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

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

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

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

3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov received your application submission on time and that it was validated successfully. To see the date/time your application was received, login to Grants.gov and click on the Track My Application link. For a successful submission,

the date/time received should be earlier than 4:30:00 p.m. Washington, DC time, on the deadline date, AND the application status should be: Validated, Received by Agency, or Agency Tracking Number Assigned. Once the Department of Education receives your application from Grants.gov, an Agency Tracking Number (PR/award number) will be assigned to your application and will be available for viewing on Grants.gov's Track My Application link.

If the date/time received is later than 4:30:00 p.m. Washington, D.C. time, on the deadline date, your application is late. If your application has a status of "Received" it is still awaiting validation by Grants.gov. Once validation is complete, the status will either change to "Validated" or "Rejected with Errors." If the status is "Rejected with Errors," your application has not been received successfully. Some of the reasons Grants.gov may reject an application can be found on the Grants.gov site: http://www.grants.gov/applicants/applicant_faqs.jsp#54. For more detailed information on troubleshooting Adobe errors, you can review the Adobe Reader Error Messages document at http://www.grants.gov/assets/AdobeReaderErrorMessages.pdf. If you discover your application is late or has been rejected, please see the instructions below. Note: You will receive a series of confirmations both online and via e-mail about the status of your application. Please do not rely solely on e-mail to confirm whether your application has been received timely and validated successfully.

Submission Problems – What should you do?

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

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

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

Helpful Hints When Working with Grants.gov

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

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

Dial-Up Internet Connections

When using a dial up connection to upload and submit your application, it can take significantly longer than when you are connected to the Internet with a high-speed connection, e.g. cable modem/DSL/T1. While times will vary depending upon the size of your application, it can take a few minutes to a few hours to complete your

grant submission using a dial up connection. **If you do not have access to a high-speed connection and electronic submission is required, you may want to consider following the instructions in the Federal Register notice to obtain an exception to the electronic submission requirement no later than two weeks before the application deadline date.** (See the Federal Register notice for detailed instructions.)

MAC Users

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

Attaching Files – Additional Tips

Please note the following tips related to attaching files to your application, especially the requirement that applicants **only include read-only, non-modifiable .PDF files** in their application:

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

2. Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission. Therefore, each file uploaded to your application package should have a unique file name.

3. When attaching files, applicants should follow the guidelines established by Grants.gov on the size and content of file names. Uploaded files must be less than 50 characters, contain no spaces, no special characters (example: -, &, *, %, /, #, \) including periods (.), blank spaces and accent marks. Applications submitted that do not comply with the Grants.gov guidelines will be rejected at Grants.gov and not forwarded to the Department.

4. Applicants should limit the size of their file attachments. Documents submitted that contain graphics and/or scanned material often greatly increase the size of the file attachments and can result in difficulties opening the files. For reference, the average discretionary grant application package totals 1 to 2 MB. Therefore, you may want to check the total size of your package before submission.

Application Instructions

Electronic Application Format

Applications for grants under this competition must be submitted electronically, unless you qualify for an exception to the electronic submission requirement in accordance with the instructions in this application package.

In accordance with EDGAR §75.216 (b) and (c), an application will not be evaluated for funding if the applicant does not comply with all of the procedural rules that govern the submission of the application or the application does not contain the information required under the program.
It is recommended that your electronic application be organized in the following manner and include the following parts in order to expedite the review process. Instructions for all parts and forms of the application are found either on the following pages of the application package or individually for each form on Grants.gov.

*Important note***:** Applications submitted to Grants.gov for the Department of Education will be posted using Adobe forms. Therefore, applicants will need to download the latest version of Adobe reader (at least Adobe Reader 8.1.2).

Information on computer and operating system compatibility with Adobe and links to download the latest version is available on Grants.gov. Also, please review the **Submitting Applications with Adobe Reader Software** and **Education Submission Procedures and Tips for Applicants** forms found within this package for further information and guidance related to this requirement.

We strongly recommend that you review these details on www.Grants.gov before completing and submitting your application. In addition, applicants should submit their application a day or two in advance of the closing date as detailed below. Applicants will no longer need to use the PureEdge software to create or submit an application. If you have any questions regarding this matter please email the Grants.gov Contact Center at support@grants.gov or call 1-800-518-4726.

Instructions for all parts and forms of the application are found either on the following pages of the application package or individually for each form on Grants.gov.

Note: Please do not attach any narratives, supporting files, or application components to any forms unless it is specifically required by the instructions for the individual section of the application. Although several forms accept attachments, the Department of Education will only review materials/files attached in accordance with the instructions provided within this application package.

Electronic Application Submission Checklist

Review your electronic application to ensure you have completed the following forms and sections:

Part 1: Preliminary Documents

- ❑ Application for Federal Assistance (form SF 424)
- ❑ ED Supplemental Information for SF 424

Part 2: Budget Information

- ❑ ED Budget Information Non-Construction Programs (ED Form 524)

Part 3: ED Abstract Form

- ❑ Project Abstract

Part 4: Project Narrative Attachment Form

- ❑ Application Narrative

Part 5: Budget Narrative Attachment Form

- ❑ Budget Narrative

Part 6: Other Attachments Form

- ❑ Individual Resumes for Project Directors & Key Personnel
- ❑ Copy of Indirect Cost Rate Agreement
- ❑ Letters of Support
- ❑ Eligibility Documentation

Part 7: Assurances and Certifications

- ❑ Assurances for Non-Construction Programs (SF 424B Form)
- ❑ Disclosure of Lobbying Activities (Standard Form LLL)
- ❑ Grants.gov Lobbying Form
- ❑ General Education Provisions Act (GEPA) Requirements – Section 427 (ED GEPA427 form)
- ❑ Survey on Ensuring Equal Opportunity for Applicants (form 1890-0014)

Part 1: Preliminary Documents

- ❑ Application for Federal Assistance (Form SF 424)
- ❑ ED Supplemental Information for SF 424

These forms require basic identifying information about the applicant and the application. Please provide all requested applicant information (including name, address, e-mail address and DUNS number).

When applying electronically via Grants.gov, you will need to ensure that the DUNS number you enter on your application is the same as the DUNS number your organization used when it registered with the Central Contractor Registry.

Applicants are advised to complete the Application for Federal Assistance (Form SF 424) first. Grants.gov will automatically insert the correct CFDA and program name automatically wherever needed on other forms.

NOTE: Please do not attach any narratives, supporting files, or application components to the Standard Form (SF 424). Although this form accepts attachments, the Department of Education will only review materials/files attached in accordance with the instructions provided within this application.

Instructions for the SF-424

Public reporting burden for this collection of information is estimated to average 60 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 (0348-0043), Washington, DC 20503.

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

This is a standard form (including the continuation sheet) required for use as a cover sheet for submission of preapplications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the Federal agency (agency). Required items are identified with an asterisk on the form and are specified in the instructions below. In addition to the instructions provided below, applicants must consult agency instructions to determine specific requirements.

Item	Entry:
1.	**Type of Submission:** (Required): Select one type of submission in accordance with agency instructions. • Preapplication • Application • Changed/Corrected Application – If requested by the agency, check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this to submit changes after the closing date.
2.	**Type of Application**: (Required) Select one type of application in accordance with agency instructions. • New – An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration E. Other (specify)
3.	**Date Received:** Leave this field blank. This date will be assigned by the Federal agency.
4.	**Applicant Identifier**: Enter the entity identifier assigned by the Federal agency, if any, or applicant's control number, if applicable.
5a	**Federal Entity Identifier**: Enter the number assigned to your organization by the Federal Agency, if any.
5b.	**Federal Award Identifier**: For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned Federal award identifier number. If a changed/corrected application, enter the Federal Identifier in accordance with agency instructions.
6.	**Date Received by State:** Leave this field blank. This date will be assigned by the State, if applicable.
7.	**State Application Identifier:** Leave this field blank. This identifier will be assigned by the State, if applicable.
8.	**Applicant Information**: Enter the following in accordance with agency instructions: **a. Legal Name**: (Required): Enter the legal name of applicant that will undertake the assistance activity. This is the name that the organization has registered with the Central Contractor Registry. Information on registering with CCR may be obtained by visiting the Grants.gov website. **b. Employer/Taxpayer Number (EIN/TIN):** (Required): Enter the Employer or Taxpayer Identification Number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444. **c. Organizational DUNS**: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting the Grants.gov website.

Item	Entry:
10.	**Name Of Federal Agency**: (Required) Enter the name of the Federal agency from which assistance is being requested with this application.
11.	**Catalog Of Federal Domestic Assistance Number/Title:** Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
12.	**Funding Opportunity Number/Title:** (Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
13.	**Competition Identification Number/Title:** Enter the Competition Identification Number and title of the competition under which assistance is requested, if applicable.
14.	**Areas Affected By Project:** List the areas or entities using the categories (e.g., cities, counties, states, etc.) specified in agency instructions. Use the continuation sheet to enter additional areas, if needed.
15.	**Descriptive Title of Applicant's Project:** (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For preapplications, attach a summary description of the project.
16.	**Congressional Districts Of**: (Required) 16a. Enter the applicant's Congressional District, and 16b. Enter all District(s) affected by the program or project. Enter in the format: 2 characters State Abbreviation – 3 characters District Number, e.g., CA-005 for California 5thth district, CA-012 for California 12th district, NC-103 for North Carolina's 103rd district. • If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. • If nationwide, i.e. all districts within all states are affected, enter US-all. • If the program/project is outside the US, enter 00-000.
17.	**Proposed Project Start and End Dates**: (Required) Enter the proposed start date and end date of the project.
18.	**Estimated Funding:** (Required) Enter the amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in

	d. Address: Enter the complete address as follows: Street address (Line 1 required), City (Required), County, State (Required, if country is US), Province, Country (Required), Zip/Postal Code (Required, if country is US).		parentheses.
	e. Organizational Unit: Enter the name of the primary organizational unit (and department or division, if applicable**)** that will undertake the assistance activity, if applicable.	19.	**Is Application Subject to Review by State Under Executive Order 12372 Process?** Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State
	f. Name and contact information of person to be contacted on matters involving this application: Enter the name (First and last name required), organizational affiliation (if affiliated with an organization other than the applicant organization), telephone number (Required), fax number, and email address (Required) of the person to contact on matters related to this application.	20.	**Is the Applicant Delinquent on any Federal Debt?** (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. If yes, include an explanation on the continuation sheet.
9.	Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions. A. State Government B. County Government C. City or Township Government D. Special District Government E. Regional Organization F. U.S. Territory or Possession G. Independent School District H. Public/State Controlled Institution of Higher Education I. Indian/Native American Tribal Government (Federally Recognized) J. Indian/Native American Tribal Government (Other than Federally Recognized) K. Indian/Native American Tribally Designated Organization L. Public/Indian Housing Authority M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education) N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education) O. Private Institution of Higher Education P. Individual Q. For-Profit Organization (Other than Small Business) R. Small Business S. Hispanic-serving Institution T. Historically Black Colleges and Universities (HBCUs) U. Tribally Controlled Colleges and Universities (TCCUs) V. Alaska Native and Native Hawaiian Serving Institutions W. Non-domestic (non-US) Entity X. Other (specify)	21.	**Authorized Representative**: (Required) To be signed and dated by the authorized representative of the applicant organization. Enter the name (First and last name required) title (Required), telephone number (Required), fax number, and email address (Required) of the person authorized to sign for the applicant. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

[**U.S Department of Education note**: As of spring, 2010, the FON discussed in Block 12 of the instructions can be found via the following URL: http://www.grants.gov/applicants/find_grant_opportunities.jsp.]

Instructions for the ED Supplemental Information for SF 424

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

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

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

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

If Not Human Subjects Research. Check "**No**" if research activities involving human subjects are not planned at any time during the proposed project period. The remaining parts of Item 3 are then not applicable.

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

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."

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

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

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

Paperwork Burden Statement. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0017. The time required to complete this information collection is estimated to average between 15 and 45 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-4700. If you have comments or concerns regarding the status of your individual submission of this form write directly to: Joyce I. Mays, Application Control Center, U.S. Department of Education, Potomac Center Plaza, 550 12th Street, S.W. Room 7076, Washington, DC 20202-4260.

Definitions for ED Supplemental Information for SF 424

Definitions:

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

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

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

PROTECTION OF HUMAN SUBJECTS IN RESEARCH

I. Definitions and Exemptions

A. Definitions.

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

—Research

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

—Human Subject

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

B. Exemptions.

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

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

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (a) information obtained is recorded in such a manner that human subjects can be identified,

directly or through identifiers linked to the subjects; and (b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. *If the subjects are children, exemption 2 applies only to research involving educational tests and observations of public behavior when the investigator(s) do not participate in the activities being observed. Exemption 2 does not apply if children are surveyed or interviewed or if the research involves observation of public behavior and the investigator(s) participate in the activities being observed.* [Children are defined as persons who have not attained the legal age for consent to treatments or procedures involved in the research, under the applicable law or jurisdiction in which the research will be conducted.]

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

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

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

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

II. Instructions for Exempt and Nonexempt Human Subjects Research Narratives

If the applicant marked "Yes" for Item 3 of Department of Education Supplemental Information for SF 424, the applicant must provide a human subjects "exempt research" or "nonexempt research" narrative. Insert the narrative(s) in the space provided. If you have multiple projects and need to provide more than one narrative, be sure to label each set of responses as to the project they address.

A. Exempt Research Narrative.
If you marked "Yes" for item 3 a. and designated exemption numbers(s), provide the "exempt research" narrative. The narrative must contain sufficient information about the involvement of human subjects in the proposed research to
allow a determination by ED that the designated exemption(s) are appropriate. The narrative must be succinct.

B. Nonexempt Research Narrative.

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

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

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

(3) **Recruitment and Informed Consent**: Describe plans for the recruitment of subjects and the consent

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

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

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

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

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

Copies of the Department of Education's Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Grants Policy and Oversight Staff, Office of the Chief Financial Officer, U.S. Department of Education, Washington, DC 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).

Part 2: Budget Information

❑ ED Budget Information Non-Construction Programs (ED Form 524)

This part of your application contains information about the Federal funding you are requesting. Remember that you must provide all requested budget information for each year of the project (up to 36 months) and the total column in order to be considered for Federal funding. Specific instructions for completing the budget forms are provided within this application package.

Instructions for completing ED Form 524 Section A:

Name of Institution/Organization: Enter the name of the applicant in the space provided.

Personnel (line 1): Enter project personnel salaries and wages only. Include fees and expenses for consultants on line 6.

Fringe Benefits (line 2): The institution's normal fringe benefits contribution may be charged to the program. Leave this line blank if fringe benefits applicable to direct salaries and wages are treated as part of the indirect cost.

Travel (line 3): Indicate the travel costs of employees and participants only. Include travel of persons such as consultants on line 6. Applicants must set aside adequate funds within their proposed budget to send a project director and at least one individual from each program included in the application to a two-day technical assistance meeting in Washington, DC, in each year of the project period.

Equipment (line 4): Indicate the cost of tangible, non-expendable personal property that has a usefulness greater than one year and acquisition costs that are the lesser of the capitalization level established by the applicant entity for financial statement purposes or $5,000 per article. Lower limits may be established to maintain consistency with the applicant's policy.

Supplies (line 5): Show all tangible, expendable personal property. Direct supplies and materials differ from equipment in that they are consumable, expendable, and of a relatively low unit cost. *Supplies purchased with grant funds should directly benefit the grant project and be necessary for achieving the goals of the project.*

Contractual (line 6): The contractual category should include all costs specifically incurred with actions that the applicant takes in conjunction with an established internal procurement system. Include consultant fees, expenses, and travel costs in this category if the consultant's services are obtained through a written binding agreement or contract.

Construction (line 7): Congress has expressly authorized that (FY) 2012 program funds may be used to support the construction, renovation, or modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that served a predominately Native Hawaiian student body.

Other (line 8): Indicate all direct costs not covered on lines 1-6. For example, include costs such as space rental, required fees, honoraria and travel (where a contract is not in place for services), training, and communication and printing costs. *Do not include costs that are included in the indirect cost rate.*

Total Direct Costs (line 9): The sum of lines 1-8.

Indirect Costs (line 10): Indicate the applicant's approved indirect cost rate, per sections 75.560 – 75.564 of EDGAR. If an applicant does not have an approved indirect cost rate agreement with a cognizant Federal agency, the applicant must apply to the Department for a temporary indirect cost rate if it wishes to charge indirect costs to the grant. For more information, go to the Department's website at: http://www.ed.gov/about/offices/list/ocfo/fipao/icgindex.html.

Training Stipends (line 11): This line item is not applicable to this program. The training stipend line item only pertains to costs associated with long term training programs and college or university coursework, not workshops or short-term training supported by this program. *Salary stipends paid to teachers and other school personnel for participating in short-term professional development should be reported in Personnel (line 1).*

Total Cost (line 12): This should equal to sum of lines 9-11 (total direct costs + indirect + stipends). The sum for column one, labeled *Project Year 1* (a), should also be equal to item 15a on the application cover sheet (SF Form 424).

Instructions for ED 524

General Instructions

This form is used to apply to individual U.S. Department of Education (ED) discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable program specific instructions, if attached. You may access the Education Department General Administrative Regulations, 34 CFR 74 – 86 and 97-99, on ED's website at: http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html

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

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

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

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

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

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

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

Indirect Cost Information: If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. (1): Indicate whether or not your organization has an Indirect Cost Rate Agreement that was approved by the Federal government.
If you checked "no," ED generally will authorize grantees to use a temporary rate of 10 percent of budgeted salaries and wages subject to the following limitations:

(a) The grantee must submit an indirect cost proposal to its cognizant agency within 90 days after ED issues a grant award notification; and

(b) If after the 90-day period, the grantee has not submitted an indirect cost proposal to its cognizant agency, the grantee may not charge its grant for indirect costs until it has negotiated an indirect cost rate agreement with its cognizant agency.

(2): If you checked "yes" in (1), indicate in (2) the beginning and ending dates covered by the Indirect Cost Rate Agreement. In addition, indicate whether ED, another Federal agency (Other) or State agency issued the approved agreement. If you check "Other," specify the name of the Federal or other agency that issued the approved agreement.

(3): If you are applying for a grant under a Restricted Rate Program (34 CFR 75.563 or 76.563), indicate whether you are using a restricted indirect cost rate that is included on your approved Indirect Cost Rate Agreement or whether you are using a restricted indirect cost rate that complies with 34 CFR 76.564(c)(2). Note: State or Local government agencies may not use the provision for a restricted indirect cost rate specified in 34 CFR 76.564(c)(2). Check only one response. Leave blank, if this item is not applicable.

Section B - Budget Summary
Non-Federal Funds

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

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

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

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

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

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

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B. For grant projects that will be divided into two or more separately budgeted major activities or sub-projects, show for each budget category of a project year the breakdown of the specific expenses attributable to each sub-project or activity.

2. For non-Federal funds or resources listed in Section B that are used to meet a cost-sharing or matching requirement or provided as a voluntary cost-sharing or matching commitment, you must include:

   a. The specific costs or contributions by budget category;
   b. The source of the costs or contributions; and
   c. In the case of third-party in-kind contributions, a description of how the value was determined for the donated or contributed goods or services.

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

3. If applicable to this program, provide the rate and base on which fringe benefits are calculated.

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

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

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

5. Provide other explanations or comments you deem necessary.

Paperwork Burden Statement

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

Part 3: ED Abstract Form

This section should be attached as a single document to the ED Abstract Form in accordance with the instructions found on Grants.gov and should be organized in the following manner and include the following parts in order to expedite the review process.

Ensure that you only attach the Education approved file types detailed in the Federal Register application notice (read-only, non-modifiable .pdf files). Also, do not upload any password-protected files to your application.

Please note that Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission.

When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters.

❑ **Project Abstract**

The project abstract should not exceed **one** page and should include a concise description of the following information:

- Project objectives and activities,
- Applicable priorities
- Proposed project outcomes
- Number of participants to be served
- Number and location of proposed sites

Note: Grants.gov may include a note that indicates that the project abstract may not exceed one page; however, an abstract of more than one page may be uploaded.

Part 4: Project Narrative Attachment Form

*This section should be attached as a **single** document to the Project Narrative Attachment Form in accordance with the instructions found on Grants.gov and should be organized in the following manner and include the following parts in order to expedite the review process.*

Ensure that you only attach the Education approved file types detailed in the Federal Register application notice (read-only, non-modifiable .pdf files). Also, do not upload any password-protected files to your application.

When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters.

❑ Table of Contents
The Table of Contents shows where and how the important sections of your proposal are organized and should not exceed **one** double spaced page.

❑ Application Narrative
The application narrative responds to the selection criteria found in this application package and should follow the order of the selection criteria.

You must limit the application narrative to no more than 25 pages, using the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- • Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will be accepted.

The page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; the one-page abstract, the resumes, the bibliography, or the letters of support. However, the page limit does apply to all of the application narrative section. Our reviewers will not read any pages of your application that exceed the page limit.

Selection Criteria for Program Narrative

The maximum score for all selection criteria is 100 points. The points or weights assigned to each criterion are indicated in parentheses. Non-Federal peer reviewers will review each application. They will be asked to evaluate and score each program narrative against the following selection criteria:

a) <u>Need for project (20 points)</u>. The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers the following factors:

(i) The magnitude or severity of the problem to be addressed by the proposed project (10 points); and

(ii) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses (10 points).

(b) <u>Quality of the project design (30 points)</u>. The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(i) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs (10 points);

(ii) The extent to which the design of the proposed project reflects up-to-date knowledge from research and effective practice (10 points); and

(iii) The extent to which the proposed project will be coordinated with similar or related efforts, and with other appropriate community, State, and Federal resources (10 points);

(c) <u>Adequacy of resources (15 points)</u>. The Secretary considers the adequacy of the resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers the following factors:

(i) The extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits (5 points);

(ii) The relevance and demonstrated commitment of each partner in the proposed project to the implementation and success of the project (5 points); and

(iii) The extent to which the budget is adequate to support the proposed project (5 points).

(d) <u>Quality of the management plan (20 points)</u>. The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(i) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (10 points);

(ii) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project (5 points); and

(iii) The adequacy of mechanisms for ensuring high-quality products and services from the proposed project (5 points).

(e) <u>Quality of the project evaluation (15 points)</u>. The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the following factors:

(i) The extent to which the methods of evaluation are appropriate to the context within which the project operates (5 points);

(ii) The extent to which the methods of evaluation will provide timely guidance for quality assurance (5 points); and

(iii) The extent to which the methods of evaluations include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible (5 points).

Important note about the project evaluation: A strong evaluation plan should be included in the application narrative and should be used, as appropriate, to shape the development of the project from the beginning of the grant period. The plan should include benchmarks to monitor progress toward specific project objectives and also outcome measures to assess the impact on teaching and learning or other important outcomes for project participants. More specifically, the plan should identify the individual and/or organization that have agreed to serve as evaluator for the project and describe the qualifications of that evaluator.

The plan should describe the evaluation design, indicating: (1) what types of data will be collected; (2) when various types of data will be collected; (3) what methods will be used; (4) what instruments will be developed and when; (5) how the data will be analyzed; (6) when reports of results and outcomes will be available; and (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings. Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Part 5: Budget Narrative

*This section should be attached as a **single** document to the Budget Narrative Attachment Form in accordance with the instructions found on Grants.gov. It should be organized in the following manner and include the following parts in order to expedite the review process.*

Ensure that you only attach the Education approved file types detailed in the Federal Register application notice (read-only, non-modifiable .pdf files). Also, do not upload any password-protected files to your application.

When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters.

Each application must also provide a Budget Narrative (which serves to meet the requirements of ED Form 524, Section C) for requested Federal funds. The Budget Narrative for requested Federal funds should provide a justification of how the money requested for each budget item will be spent.

This section requires an **itemized budget breakdown** for each project year and the **basis for estimating the costs** of personnel salaries, benefits, project staff travel, materials and supplies, consultants and subcontracts, indirect costs and any other projected expenditures. Be sure to complete an itemized budget breakdown and narrative for each year of the proposed project (up to 36 months).

The Budget Narrative provides an opportunity for the applicant to identify the nature and amount of the proposed expenditures. The applicant should provide sufficient detail to enable reviewers and project staff to understand how requested funds will be used, how much will be expended, and the relationship between the requested funds and project activities and outcomes.

Important Notes

- Applicants are encouraged to review OMB Circular A-21, *Cost Principles for Educational Institutions* [OMB Circular A-87, *Cost Principles for State, Local, and Indian Tribal Governments* or OMB Circular A-122, *Cost Principles for Nonprofit Organizations*] in preparing their budget and budget narrative.
- OMB Circular A-21 may be found at the following link:
  http://www.whitehouse.gov/omb/circulars/a021/a21_2004.html
- OMB Circular A-87 may be found at the following link:
  http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html
- OMB Circular A-122 may be found at the following link:
  http://www.whitehouse.gov/omb/circulars/a122/a122_2004.html

Suggested Guidelines for the Budget Narrative

In accordance with 34 CFR 75.232, Department of Education staff perform a cost analysis of the each recommended project to ensure that costs relate to the activities and objectives of the project, are reasonable, allowable and allocable. We may delete or reduce costs from the budget during this review.

To facilitate the review of your Budget Narrative, we encourage each applicant to include the following information for each year of the project:

1. Personnel

- Provide the title and duties of each position to be compensated under this project.
- Provide the salary for each position under this project.
- Provide the amounts of time, such as hours or percentage of time to be expended by each position under this project.
- Explain the importance of each position to the success of the project.
- Provide the basis for cost estimates or computations.

2. Fringe Benefits

- Give the fringe benefit percentages of all personnel included under Personnel.
- Provide the rate and base on which fringe benefits are calculated.

3. Travel

- Explain the purpose of the travel, how it relates to project success, how it aligns with the project goals and objectives and which program participants or staff will participate.
- Submit an estimate for the number of trips, points of origin and destination, and purpose of travel.
- Submit an itemized estimate of transportation and/or subsistence costs for each trip.
- Provide the basis for cost estimates or computations.

4. Equipment

- Indicate the estimated unit cost for each item to be purchased.
- Identify each type of equipment.
- Provide adequate justification of the need for items of equipment to be purchased.
- Explain the purpose of the equipment, and how it relates to project success.
- Provide the basis for cost estimates or computations.

5. Supplies

- Provide an itemized estimate of materials and supplies by nature of expense or general category (e.g., instructional materials, office supplies, etc.).
- Explain the purpose of the supplies and how they relate to project success.
- Provide the basis for cost estimates or computations.

6. Contractual

- Provide the purpose and relation to project success.
- Describe the products to be acquired, and/or the professional services to be provided.
- Provide a brief justification for the use of the contractors selected.
- Identify the name(s) of the contracting party, including consultants, if available.
- Provide the cost per contractor.

- Provide the amount of time that the project will be working with the contractor(s).
- For professional services contracts, provide the amounts of time to be devoted to the project, including the costs to be charged to this proposed grant award.
- Provide a brief statement that you have followed the procedures for procurement under 34 CFR Parts 74.40 - 74.48 and Part 80.36.
- Provide the basis for cost estimates or computations.

7. Construction

Special Instructions for Applications Including Construction Costs

If Congress specifically authorizes the use of such funds for this purpose for the FY 2012 competition, construction, renovation, or modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body will be a permissible activity and construction, renovation or modernization may be an allowable cost. Section 75.600 through 75.617 of EDGAR outlines specific requirements for grants including construction. Please review these provisions when applying for funds. Among other Federal requirements, applicants are required to adhere to the following:

- The applicant has or will have title or other interest in the project site, including right of access, and that the site will continue to be used for educational purposes after the completion of the project.
- Sufficient funds are available to meet any share of the costs of the repair, renovation, or construction of projects that are not part of this grant.
- Competent architectural engineering supervision and inspection will be maintained at the project's site to ensure that the work conforms to the drawings and specifications for the approved project. Actual construction of the project should begin and end within a reasonable amount of time and in accordance with the approved specifications.
- Grant projects will be functional, economical and not elaborate in design or extravagant in the use of materials, compared with the facilities of similar type constructed by the State or other applicable geographical area. An applicant may make reasonable provisions, consistent with the other uses of the structure, for areas within the facility to be adaptable for artistic and other cultural activities. However, no more than one percent (1%) of the cost of the project may be used for the inclusion of works of art.
- Standards under the Occupational Safety and Health Act of 1970 (Pub.L. 91-576), or State and local codes, if they are more stringent, will be observed in the design and completion of the projects.
- Proposed projects shall comply with any applicable requirements under the ADA and Section 504 of the Rehabilitation Act of 1973 regarding accessibility for the disabled.
- As applicable and to the extent feasible, the design and completion of the grant project should maximize the efficient use of energy. Standard 90.1-1989 and 90.2-1993 of the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. (ASHRAE) shall be applied in the design and completion of the grant project.
- It will follow the "Earthquake Hazards Reduction Act of 1977" (Pub.L. 95-125) and Executive Order 12699, "Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction."
- The facilities will be operated and maintained in accordance with applicable Federal, State, and local requirements.

- For construction projects over $2,000, all laborers employed by contractors or subcontractors shall be paid wages at rates not less than those prevailing on similar work projects in your locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act.
- If applicable, the application will comply with the following Indian Preference and Opportunities requirements: Section 7(b) or the Indian Self-Determination and Education Assistance Act of 1975 (Pub.L. 93-638), that requires, to the extent feasible, the recipient of any grant or contract awarded for the benefit of Indians give to: 1) Indians, preferences and opportunities for training and employment in connection with the administration of the grant or contract; and 2) Indian organizations and Indian-owned economic enterprises, as defined in Section 3 of the Indian Financing Act of 1974 (Pub.L. 93-262, preference in the award of contracts and subcontracts at any level of the administration of the grant project.

At the time of award, program staff may apply conditions to the grant to ensure compliance with Federal and any ED-specific regulations. Please keep in mind that grants solely intended for construction cannot include indirect costs.

- Additionally, if you apply for construction costs, you will be required to complete OMB Standard Form 424D, Assurances - Constructions Programs. If your application is selected for funding, the form and instructions for completing the form will be attached to the grant award notification. Not applicable.

8. Other

- List and identify items by major type or category (e.g., communications, printing, postage, equipment rental, etc.).
- Provide the cost per item (printing = $500, postage = $750).
- Provide the purpose for the expenditures and relation to project success.
- Provide the basis for cost estimates or computations.

9. Total Direct Costs

- The amount that is the sum of expenditures, per budget category, of lines 1-8.

10. Indirect Costs

- Identify indirect cost rate (if the applicant will charge indirect costs to the grant)
- *Note*: remember to provide a copy of the most recent approved indirect cost agreement in the Other Attachments form section of the application.

11. Training Stipends

- Not applicable.

12. Total Costs

- Sum total of direct costs, indirect costs, and stipends.
- Please provide total costs for each year of the project as well as grand total cost for the entire project period (up to 36 months)

Important Information Regarding Indirect Cost Rates

The Department of Education (ED) reimburses grantees for its portion of indirect costs that a grantee incurs on projects funded by the Native Hawaiian Education program (CFDA 84.362). In order to charge indirect costs to this program, a grantee must have a currently approved Indirect Cost Rate (ICR) agreement. The ICR must be negotiated with and approved by the grantee's cognizant agency, i.e., either (1) the federal agency from which it has received the most direct funding, subject to indirect cost support; (2) the federal agency specifically assigned cognizance by the Office of Management and Budget; or (3) the State agency that provides the most subgrant funds to the grantee (if no direct federal awards are received). Note: Applicants should pay special attention to specific questions on the application budget form (ED 524) about their cognizant agency and the ICR being used in the budget. Applicants should be aware that ED is very often not the cognizant agency for its grantees. Rather, ED accepts the currently approved ICR established by the appropriate cognizant agency. Applicants are encouraged to have an accountant calculate a proposed ICR using current information in the audited financial statements, actual cost data or the Internal Revenue Service Form 990.

Applicants should use this proposed rate in the application materials and indicate the documentation used to calculate the rate. Guidance related to calculating an ICR can be found on ED's website at http://www.ed.gov/about/offices/list/ocfo/fipao/icgindex.html
An applicant selected for funding, that does not have a currently approved ICR, must review and follow the final regulations published at 34 CFR 75.560 in the Federal Register on December 7, 2007 (72 FR 69145). The rules allow for a temporary ICR of 10% of budgeted salaries and wages and require the grantee to submit an ICR proposal within 90 days after issuance of the grant award notification. Applicants with questions about charging indirect costs on this program should contact the program contact person noted elsewhere in this application package.

Note: Due to statutory requirements, the administrative component of the indirect cost rate is capped at 5%. When determining the indirect cost rate, this cap should be taken into account. Applicants are encouraged to use their accountant (or CPA) to calculate an indirect cost rate using information in the IRS Form 990, audited financial statements, actual cost data or a cost policy statement that such applicants are urged to prepare (but NOT submit to ED) during the application process.

Some of the grants awarded under the Native Hawaiian Education program, CFDA 84.362A, have been designated as training grants. The Education Department General Administrative Regulations (EDGAR) limit reimbursement of indirect costs under training grants to nongovernmental grantees (subject to 34 CFR part 74). These grantees may recover indirect costs under training grants up to the grantee's actual indirect costs, as determined by the grantee's negotiated indirect cost agreement, or a maximum of 8% of a modified total direct costs, whichever is less.

Part 6: Other Attachment Form

Attach one or more documents to the Other Attachments Form in accordance with the instructions found on Grants.gov. You may provide all of the required information in a single document, or in multiple documents.

Ensure that you only attach the Education approved file types detailed in the Federal Register application notice (read-only, non-modifiable .pdf files). Also, do not upload any password-protected files to your application.

Please note that Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission.

When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters.

- ❑ **Individual Resumes for Project Directors and Key Personnel**: Provide brief resumes or job descriptions that describe their qualifications for the responsibilities they will carry out under the project.
- ❑ **Copy of Indirect Cost Rate Agreement:** If an application decides to charge indirect costs to this program and there is an indirect cost rate in place, the applicant shall provide a copy of the most recent approved Indirect Cost Agreement in the Other Attachments form section of the application.
- ❑ **Letters of support:** Documentation submitted with the application by individuals or organizations that approve, support, or partner with the applicant.
- ❑ **Eligibility Documentation**

Part 7: Assurances and Certifications

Be certain to complete all required assurances and certifications in Grants.gov, and include all required information in the appropriate place on each form. The assurances and certifications required for this application are:

- ❑ Assurances for Non-Construction Programs (SF 424B Form)
- ❑ Disclosure of Lobbying Activities (SF LLL Form)
- ❑ Certification Regarding Lobbying (ED 80-0013 Form)
- ❑ General Education Provisions Act (GEPA) Requirements – Section 427
- ❑ Survey on Ensuring Equal Opportunity for Applicants (form 1890-0014)

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 Meeting the General Education Provisions Act (GEPA) Section 427 Requirements

All applicants for new awards **must** include information in their applications to address this new provision 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 provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age.

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.

Please review the Notice to all Applicants (included in the electronic application package in Grants.gov) for further information on meeting the provisions in the Department of Education's General Education Provisions Act (GEPA).

Applicants are **required** to address this provision by attaching a statement (not to exceed three pages) to the **ED GEPA427 form** that is included in the electronic application package in Grants.gov.

Survey Instructions on Ensuring Equal Opportunity for Applicants

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

1. Self-explanatory.

2. Self-identify.

3. Self-identify.

4. 501(c)(3) status is a legal designation provided on application to the Internal Revenue Service by eligible organizations. Some grant programs may require nonprofit applicants to have 501(c)(3) status. Other grant programs do not.

5. Self-explanatory.

6. For example, two part-time employees who each work half-time equal one full-time equivalent employee. If the applicant is a local affiliate of a national organization, the responses to survey questions 2 and 3 should reflect the staff and budget size of the local affiliate.

7. Annual budget means the amount of money your organization spends each year on all of its activities.

Paperwork Burden Statement

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

OMB No. 1894-0010 Exp. 05/31/2012

Reporting and Accountability

Successful applicants with multi-year grants must submit an **annual performance report** demonstrating their progress in meeting approved project objectives. Grantees must also provide the most current financial and performance measure data for each year of the project.

At the end of the project period, applicants will also be required to submit a **final performance report**.

Under the Government Performance and Results Act (GPRA), the following performance indicators have been established to evaluate the overall effectiveness of the Native Hawaiian Education Program:

(1) The percentage of Native Hawaiian students in schools served by the program who meet or exceed proficiency standards in reading, mathematics, and science on the State assessments;

(2) The percentage of Native Hawaiian children participating in early education programs who consistently demonstrate school readiness in literacy as measured by the Hawaii School Readiness Assessment;

(3) The percentage of students in schools served by the program who graduate from high school with a regular high school diploma, as defined in 34 CFR 200.19(b)(1)(iv), in four years; and

(4) The percentage of students participating in a Hawaiian language program conducted under the Native Hawaiian Education program who meet or exceed proficiency standards in reading on a test of the Hawaiian language.

All grantees will be expected to submit an annual performance report that includes data addressing these performance measures, to the extent that they apply to the grantee's project.

For specific requirements on grantee reporting, please go to the ED Performance Report Form 524B at http://www.ed.gov/fund/grant/apply/appforms/appforms.html.

Legal and Regulatory Information

4000-01-U

DEPARTMENT OF EDUCATION

Applications for New Awards; Native Hawaiian Education Program

Agency: Office of Elementary and Secondary Education, Department of Education

ACTION: Notice.

Overview Information:

Native Hawaiian Education Program

Notice inviting applications for new awards for fiscal year (FY) 2012.

Catalog of Federal Domestic Assistance (CFDA) Number:

84.362A.

Dates:

Applications Available: February 24, 2012.

Deadline for Transmittal of Applications: April 24.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purpose of the Native Hawaiian Education (NHE) program is to support innovative projects that enhance the educational services provided to Native Hawaiian children and adults. These projects may include those activities authorized under section 7205(a)(3) of the Elementary and Secondary Education Act of 1965, as amended (ESEA).

Congress expressly authorized that FY 2012 program funds may be used to support the construction, renovation, or modernization of any elementary school, secondary school, or structure related to an elementary

school or secondary school, that is run by the Department of Education of the State of Hawaii that serves a predominately Native Hawaiian student body.

Priorities: This competition includes six competitive preference priorities. In accordance with 34 CFR 75.105(b)(2)(iv), competitive preference priorities one through four are from section 7205(a)(2) of the ESEA (20 U.S.C. 7515(a)(2)). Competitive preference priorities five and six are from the notice of final supplemental priorities and definitions for discretionary grant programs, published in the Federal Register on December 15, 2010 (75 FR 78486), and corrected on May 12, 2011 (76 FR 27637).

Competitive Preference Priorities: For FY 2012 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 12 points to an application, depending on how well the application meets one or more of these priorities.

These priorities are:

Competitive Preference Priority 1--Needs of At-risk Children and Youth. (Up to 2 points)

Projects that are designed to address the needs of at-risk children and youth.

Competitive Preference Priority 2--Native Hawaiian Underemployment. (Up to 2 points)

Projects that are designed to address needs in fields or disciplines in which Native Hawaiians are underemployed.

Competitive Preference Priority 3--Hawaiian Language Instruction. (Up to 2 points)

Projects that are designed to address the use of the Hawaiian language in instruction.

Competitive Preference Priority 4--Beginning Reading and Literacy. (Up to 2 points)

Projects that are designed to address beginning reading and literacy among students in kindergarten through third grade.

Competitive Preference Priority 5--Improving Early Learning Outcomes. (Up to 2 points)

Projects that are designed to improve school readiness and success for high-need children (as defined in this notice) from birth through third grade (or for any age group of high-need children within this range) through a focus on one or more of the following priority areas:

(a) Physical well-being and motor development.

(b) Social-emotional development.

(c) Language and literacy development.

(d) Cognition and general knowledge, including early numeracy and early scientific development.

(e) Approaches toward learning.

Competitive Preference Priority 6--Improving Achievement and High School Graduation Rates. (Up to 2 points)

Projects that are designed to address one or more of the following priority areas:

(a) Accelerating learning and helping to improve high school graduation rates (as defined in this notice) and college enrollment rates for students in rural local educational agencies (as defined in this notice).

(b) Accelerating learning and helping to improve high school graduation rates (as defined in this notice) and college enrollment rates for students with disabilities.

(c) Accelerating learning and helping to improve high school graduation rates (as defined in this notice) and college enrollment rates for English learners.

(d) Accelerating learning and helping to improve high school graduation rates (as defined in this notice) and college enrollment rates for high-need students (as defined in this notice).

(e) Accelerating learning and helping to improve high school graduation rates (as defined in this notice) and college enrollment rates in high-poverty schools (as defined in this notice).

(f) Accelerating learning and helping to improve high school graduation rates (as defined in this notice) and college enrollment rates for all students in an inclusive manner that ensures that the specific needs of high-need students (as defined in this notice) participating in the project are addressed.

Note: In order to receive additional points under a competitive preference priority, an application must provide adequate and sufficient information that clearly substantiates its claim that it meets the competitive priority.

Definitions: These definitions are from the notice of final supplemental priorities and definitions for discretionary grant programs, published in the Federal Register on December 15, 2010 (75 FR 78486), and corrected on May 12, 2011 (76 FR 27637).

Graduation rate means a four-year adjusted cohort graduation rate consistent with 34 CFR 200.19(b)(1) and may also include an extended-year adjusted cohort graduation rate consistent with 34 CFR 200.19(b)(1)(v) if the State in which the proposed project is implemented has been approved by the Secretary to use such a rate under Title I of the ESEA.

High-need children and high-need students means children and students at risk of educational failure, such as children and students who are living in poverty, who are English learners, who are far below grade level or who are not on track to becoming college- or career-ready by graduation, who have left school or college before receiving, respectively, a regular high school diploma or a college degree or certificate, who are at risk of not graduating with a diploma on time, who are homeless, who are in foster care, who are pregnant or parenting teenagers, who have been incarcerated, who are new immigrants, who are migrant, or who have disabilities.

High-poverty school means a school in which at least 50 percent of students are eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act or in which at least 50 percent of students are from low-income families as determined using one of the criteria specified under section 1113(a)(5) of the ESEA, as amended. For middle and high schools, eligibility may be calculated on the basis of comparable data from feeder schools. Eligibility as a high-poverty school under this definition is determined on the basis of the most currently available data.

Rural local education agency means a local educational agency (LEA) that is eligible under the Small Rural School Achievement (SRSA) program or the Rural and Low-Income School (RLIS) program authorized under Title VI, Part B of the ESEA. Eligible applicants may determine whether a particular LEA is eligible for

these programs by referring to information on the Department's Web Site at

http://www2.ed.gov/nclb/freedom/local/reap.html

Program Authority: 20 U.S.C. 7515.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 80, 81, 82, 84, 85, 86, 97, 98, and 99. (b) The notice of final supplemental priorities and definitions for discretionary grant programs, published in the Federal Register on December 15, 2010 (75 FR 78486), and corrected on May 12, 2011 (76 FR 27637).

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

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: $10,784,000.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2013 from the list of unfunded applicants from this competition.

Estimated Range of Awards: $250,000 to $950,000.

Estimated Average Size of Awards: $425,000.

Estimated Number of Awards: 25.

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

Project Period: Up to 36 months.

III. Eligibility Information

1. Eligible Applicants: Native Hawaiian educational organizations; Native Hawaiian community-based organizations; public and private nonprofit organizations, agencies, and institutions with experience in developing or operating Native Hawaiian programs or programs of instruction in the Native Hawaiian language; and consortia of the previously mentioned organizations, agencies, and institutions.

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

IV. Application and Submission Information

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

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

If you request an application from ED Pubs, be sure to identify this program or competition as follows: CFDA number 84.362A.

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

2. Content and Form of Application Submission: Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition. Page Limit: The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit the application narrative to no more than 25 pages, using the following standards:

- A “page” is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

• Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will not be accepted.

The page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; the one-page abstract, the resumes, the bibliography, or the letters of support. However, the page limit does apply to all of the application narrative section.

Our reviewers will not read any pages of your application that exceed the page limit.

3. Submission Dates and Times:

Applications Available: [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Deadline for Transmittal of Applications: [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

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

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

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under For Further Information Contact in section VII of this notice. If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

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

5. Funding Restrictions: Under section 7205(b) of the ESEA, not more than five percent of funds provided to a grantee under this competition for any fiscal year may be used for administrative purposes. We

reference additional regulations outlining funding restrictions in the Applicable Regulations section of this notice.

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

a. Have a Data Universal Numbering System (DUNS) number and a Taxpayer Identification Number (TIN);

b. Register both your DUNS number and TIN with the Central Contractor Registry (CCR), the Government's primary registrant database;

c. Provide your DUNS number and TIN on your application; and

d. Maintain an active CCR registration with current information while your application is under review by the Department and, if you are awarded a grant, during the project period.

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

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

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

In addition, if you are submitting your application via Grants.gov, you must (1) be designated by your organization as an Authorized Organization Representative (AOR); and (2) register yourself with Grants.gov as an AOR. Details on these steps are outlined at the following Grants.gov Web page: www.grants.gov/applicants/get_registered.jsp.

7. Other Submission Requirements:

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

a. Electronic Submission of Applications.

Applications for grants under the NHE program, CFDA number 84.362A, must be submitted electronically using the Governmentwide Grants.gov Apply site at www.Grants.gov. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us.

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

You may access the electronic grant application for the NHE program at www.Grants.gov. You must search for the downloadable application package for this competition by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.362, not 84.362A).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.

- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30:00 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not accept your application if it is received--that is, date and time stamped by the Grants.gov system--after 4:30:00 p.m., Washington, DC time, on the application deadline date. We do not consider an application that

does not comply with the deadline requirements. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30:00 p.m., Washington, DC time, on the application deadline date.

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

- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that you submit your application in a timely manner to the Grants.gov system. You can also find the Education Submission Procedures pertaining to Grants.gov under News and Events on the Department's G5 system home page at http://www.G5.gov.

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

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

- You must upload any narrative sections and all other attachments to your application as files in a .PDF (Portable Document) read-only, non-modifiable format. Do not upload an interactive or fillable .PDF file. If you upload a file type other than a read-only, non-modifiable .PDF or submit a password-protected file, we will not review that material.

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

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

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

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

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

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

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

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

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

and

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

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

Address and mail or fax your statement to: Joanne Osborne, U.S. Department of Education, 400 Maryland Avenue, SW., room 3E214, Washington, DC 20202-6200. FAX: (202)260-8969.

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

b. Submission of Paper Applications by Mail.

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two

copies of your application, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.362A)
LBJ Basement Level 1
400 Maryland Avenue, SW.
Washington, DC 20202-4260

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

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

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

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

(1) A private metered postmark.

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

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

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

c. Submission of Paper Applications by Hand Delivery.

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

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.362A)

550 12th Street, SW.
Room 7041, Potomac Center Plaza
Washington, DC 20202-4260

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

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

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

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

V. Application Review Information

1. Selection Criteria: The selection criteria for this program are from 34 CFR 75.210 and are listed in the following paragraphs. The maximum score for all criteria is 100 points. The maximum possible score for each criterion is indicated in parentheses.

(a) Need for project (20 points). The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers the following factors:

(i) The magnitude or severity of the problem to be addressed by the proposed project (10 points).

(ii) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses (10 points).

(b) Quality of the project design (30 points). The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(i) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs (10 points).

(ii) The extent to which the design of the proposed project reflects up-to-date knowledge from research and effective practice (10 points).

(iii) The extent to which the proposed project will be coordinated with similar or related efforts, and with other appropriate community, State, and Federal resources (10 points).

(c) Adequacy of resources (15 points). The Secretary considers the adequacy of the resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers the following factors:

(i) The extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits (5 points).

(ii) The relevance and demonstrated commitment of each partner in the proposed project to the implementation and success of the project (5 points).

(iii) The extent to which the budget is adequate to support the proposed project (5 points).

(d) Quality of the management plan (20 points). The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(i) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (10 points).

(ii) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project (5 points).

(iii) The adequacy of mechanisms for ensuring high-quality products and services from the proposed project (5 points).

(e) Quality of the project evaluation (15 points). The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the following factors:

(i) The extent to which the methods of evaluation are appropriate to the context within which the project operates (5 points).

(ii) The extent to which the methods of evaluation will provide timely guidance for quality assurance (5 points).

(iii) The extent to which the methods of evaluations include the use of objective performance measures that are clearly related to the intended outcomes of the project and will produce quantitative and qualitative data to the extent possible (5 points).

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

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

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

VI. Award Administration Information

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

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

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

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

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

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

4. Performance Measures: The Department has established the following Government Performance and Results Act of 1993 (GPRA) performance measures for this program: (1) The percentage of Native Hawaiian students in schools served by the program who meet or exceed proficiency standards in reading, mathematics, and science on the State assessments; (2) The percentage of Native Hawaiian children participating in early education programs who consistently demonstrate school readiness in literacy as measured by the Hawaii School Readiness Assessment; (3) The percentage of Native Hawaiian students in schools served by the program who graduate from high school with a regular high school diploma, as defined in 34 CFR 200.19(b)(1)(iv), in four years; and (4) The percentage of students participating in a Hawaiian language program conducted under the Native Hawaiian Education program who meet or exceed proficiency standards in reading on a test of the Hawaiian language.

All grantees will be expected to submit an annual performance report that includes data addressing these performance measures, to the extent that they apply to the grantee's project.

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

VII. Agency Contact

For Further Information Contact: Joanne Osborne, U.S. Department of Education, 400 Maryland Avenue, SW., room 3E214, Washington, DC 20202-6200. Telephone: (202) 401-1265 or by e-mail: Joanne.Osborne@ed.gov.

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

VIII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disk) on request to the program contact person listed under For Further Information Contact in section VII of this notice.

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

You may also access documents of the Department published in the Federal Register by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated:

_____

Michael Yudin,
Acting Assistant Secretary for
Elementary and Secondary Education.

Program Statute

SEC. 7201. SHORT TITLE.

This part may be cited as the 'Native Hawaiian Education Act'.

SEC. 7202. FINDINGS.

Congress finds the following:

(1) Native Hawaiians are a distinct and unique indigenous people with a historical continuity to the original inhabitants of the Hawaiian archipelago, whose society was organized as a nation and internationally recognized as a nation by the United States, Britain, France, and Japan, as evidenced by treaties governing friendship, commerce, and navigation.

(2) At the time of the arrival of the first nonindigenous people in Hawaii in 1778, the Native Hawaiian people lived in a highly organized, self-sufficient subsistence social system based on a communal land tenure system with a sophisticated language, culture, and religion.

(3) A unified monarchal government of the Hawaiian Islands was established in 1810 under Kamehameha I, the first King of Hawaii.

(4) From 1826 until 1893, the United States recognized the sovereignty and independence of the Kingdom of Hawaii, which was established in 1810 under Kamehameha I, extended full and complete diplomatic recognition to the Kingdom of Hawaii, and entered into treaties and conventions with the Kingdom of Hawaii to govern friendship, commerce and navigation in 1826, 1842, 1849, 1875, and 1887.

(5) In 1893, the sovereign, independent, internationally recognized, and indigenous government of Hawaii, the Kingdom of Hawaii, was overthrown by a small group of non-Hawaiians, including United States citizens, who were assisted in their efforts by the United States Minister, a United States naval representative, and armed naval forces of the United States. Because of the participation of United States agents and citizens in the overthrow of the Kingdom of Hawaii, in 1993 the United States apologized to Native Hawaiians for the overthrow and the deprivation of the rights of Native Hawaiians to self-determination through Public Law 103-150 (107 Stat. 1510).

(6) In 1898, the joint resolution entitled Joint Resolution to provide for annexing the Hawaiian Islands to the United States', approved July 7, 1898 (30 Stat. 750), ceded absolute title of all lands held by the Republic of Hawaii, including the government and crown lands of the former Kingdom of Hawaii, to the United States, but mandated that revenue generated from the lands be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes'.

(7) By 1919, the Native Hawaiian population had declined from an estimated 1,000,000 in 1778 to an alarming 22,600, and in recognition of this severe decline, Congress enacted the Hawaiian Homes Commission Act, 1920 (42 Stat. 108), which designated

approximately 200,000 acres of ceded public lands for homesteading by Native Hawaiians.
(8) Through the enactment of the Hawaiian Homes Commission Act, 1920, Congress affirmed the special relationship between the United States and the Native Hawaiians, which was described by then Secretary of the Interior Franklin K. Lane, who said: One thing that impressed me . . . was the fact that the natives of the island who are our wards, I should say, and for whom in a sense we are trustees, are falling off rapidly in numbers and many of them are in poverty.'.
(9) In 1938, Congress again acknowledged the unique status of the Hawaiian people by including in the Act of June 20, 1938 (52 Stat. 781, chapter 530; 16 U.S.C. 391b, 391b-1, 392b, 392c, 396, 396a), a provision to lease lands within the National Parks extension to Native Hawaiians and to permit fishing in the area only by native Hawaiian residents of said area or of adjacent villages and by visitors under their guidance.'.
(10) Under the Act entitled An Act to provide for the admission of the State of Hawaii into the Union', approved March 18, 1959 (73 Stat. 4), the United States transferred responsibility for the administration of the Hawaiian Home Lands to the State of Hawaii but reaffirmed the trust relationship between the United States and the Hawaiian people by retaining the exclusive power to enforce the trust, including the power to approve land exchanges and amendments to such Act affecting the rights of beneficiaries under such Act.
(11) In 1959, under the Act entitled An Act to provide for the admission of the State of Hawaii into the Union', the United States also ceded to the State of Hawaii title to the public lands formerly held by the United States, but mandated that such lands be held by the State in public trust' and reaffirmed the special relationship that existed between the United States and the Hawaiian people by retaining the legal responsibility to enforce the public trust responsibility of the State of Hawaii for the betterment of the conditions of Native Hawaiians, as defined in section 201(a) of the Hawaiian Homes Commission Act, 1920.
(12) The United States has recognized and reaffirmed that —
(A) Native Hawaiians have a cultural, historic, and land-based link to the indigenous people who exercised sovereignty over the Hawaiian Islands, and that group has never relinquished its claims to sovereignty or its sovereign lands;
(B) Congress does not extend services to Native Hawaiians because of their race, but because of their unique status as the indigenous people of a once sovereign nation as to whom the United States has established a trust relationship;
(C) Congress has also delegated broad authority to administer a portion of the Federal trust responsibility to the State of Hawaii;
(D) the political status of Native Hawaiians is comparable to that of American Indians and Alaska Natives; and
(E) the aboriginal, indigenous people of the United States have —

(i) a continuing right to autonomy in their internal affairs; and
(ii) an ongoing right of self-determination and self-governance that has never been extinguished.
(13) The political relationship between the United States and the Native Hawaiian people has been recognized and reaffirmed by the United States, as evidenced by the inclusion of Native Hawaiians in —
(A) the Native American Programs Act of 1974 (42 U.S.C. 2991 et seq.);
(B) the American Indian Religious Freedom Act (42 U.S.C. 1996);
(C) the National Museum of the American Indian Act (20 U.S.C. 80q et seq.);
(D) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);
(E) the National Historic Preservation Act (16 U.S.C. 470 et seq.);
(F) the Native American Languages Act (25 U.S.C. 2901 et seq.);
(G) the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act (20 U.S.C. 4401 et seq.);
(H) the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.); and
(I) the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.).
(14) In 1981, Congress instructed the Office of Education to submit to Congress a comprehensive report on Native Hawaiian education. The report, entitled the Native Hawaiian Educational Assessment Project', was released in 1983 and documented that Native Hawaiians scored below parity with regard to national norms on standardized achievement tests, were disproportionately represented in many negative social and physical statistics indicative of special educational needs, and had educational needs that were related to their unique cultural situation, such as different learning styles and low self-image.
(15) In recognition of the educational needs of Native Hawaiians, in 1988, Congress enacted title IV of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988 (102 Stat. 130) to authorize and develop supplemental educational programs to address the unique conditions of Native Hawaiians.
(16) In 1993, the Kamehameha Schools Bishop Estate released a 10-year update of findings of the Native Hawaiian Educational Assessment Project, which found that despite the successes of the programs established under title IV of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988, many of the same educational needs still existed for Native Hawaiians. Subsequent reports by the Kamehameha Schools Bishop Estate and other organizations have generally confirmed those findings. For example —
(A) educational risk factors continue to start even before birth for many Native Hawaiian children, including —
(i) late or no prenatal care;

(ii) high rates of births by Native Hawaiian women who are unmarried; and
(iii) high rates of births to teenage parents;
(B) Native Hawaiian students continue to begin their school experience lagging behind other students in terms of readiness factors such as vocabulary test scores;
(C) Native Hawaiian students continue to score below national norms on standardized education achievement tests at all grade levels;
(D) both public and private schools continue to show a pattern of lower percentages of Native Hawaiian students in the uppermost achievement levels and in gifted and talented programs;
(E) Native Hawaiian students continue to be overrepresented among students qualifying for special education programs provided to students with learning disabilities, mild mental retardation, emotional impairment, and other such disabilities;
(F) Native Hawaiians continue to be underrepresented in institutions of higher education and among adults who have completed four or more years of college;
(G) Native Hawaiians continue to be disproportionately represented in many negative social and physical statistics indicative of special educational needs, as demonstrated by the fact that —
(i) Native Hawaiian students are more likely to be retained in grade level and to be excessively absent in secondary school;
(ii) Native Hawaiian students have the highest rates of drug and alcohol use in the State of Hawaii; and
(iii) Native Hawaiian children continue to be disproportionately victimized by child abuse and neglect; and
(H) Native Hawaiians now comprise over 23 percent of the students served by the State of Hawaii Department of Education, and there are and will continue to be geographically rural, isolated areas with a high Native Hawaiian population density.
(17) In the 1998 National Assessment of Educational Progress, Hawaiian fourth-graders ranked 39th among groups of students from 39 States in reading. Given that Hawaiian students rank among the lowest groups of students nationally in reading, and that Native Hawaiian students rank the lowest among Hawaiian students in reading, it is imperative that greater focus be placed on beginning reading and early education and literacy in Hawaii.
(18) The findings described in paragraphs (16) and (17) are inconsistent with the high rates of literacy and integration of traditional culture and Western education historically achieved by Native Hawaiians through a Hawaiian language-based public school system established in 1840 by Kamehameha III.
(19) Following the overthrow of the Kingdom of Hawaii in 1893, Hawaiian medium schools were banned. After annexation, throughout the territorial and statehood period of Hawaii, and until 1986, use of the Hawaiian language as an instructional medium in education in public schools was declared unlawful. The declaration caused incalculable

harm to a culture that placed a very high value on the power of language, as exemplified in the traditional saying: I ka o.AE8lelo noAE8 ke ola; I ka oAE8lelo noAE8 ka make. In the language rests life; In the language rests death.'.

(20) Despite the consequences of over 100 years of nonindigenous influence, the Native Hawaiian people are determined to preserve, develop, and transmit to future generations their ancestral territory and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions.

(21) The State of Hawaii, in the constitution and statutes of the State of Hawaii —

(A) reaffirms and protects the unique right of the Native Hawaiian people to practice and perpetuate their culture and religious customs, beliefs, practices, and language;

(B) recognizes the traditional language of the Native Hawaiian people as an official language of the State of Hawaii, which may be used as the language of instruction for all subjects and grades in the public school system; and

(C) promotes the study of the Hawaiian culture, language, and history by providing a Hawaiian education program and using community expertise as a suitable and essential means to further the program.

SEC. 7203. PURPOSES.

The purposes of this part are to —

(1) authorize and develop innovative educational programs to assist Native Hawaiians;

(2) provide direction and guidance to appropriate Federal, State, and local agencies to focus resources, including resources made available under this part, on Native Hawaiian education, and to provide periodic assessment and data collection;

(3) supplement and expand programs and authorities in the area of education to further the purposes of this title; and

(4) encourage the maximum participation of Native Hawaiians in planning and management of Native Hawaiian education programs.

SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL AND ISLAND COUNCILS.

(a) ESTABLISHMENT OF NATIVE HAWAIIAN EDUCATION COUNCIL- In order to better effectuate the purposes of this part through the coordination of educational and related services and programs available to Native Hawaiians, including those programs receiving funding under this part, the Secretary is authorized to establish a Native Hawaiian Education Council (hereafter in this part referred to as the Education Council').

(b) COMPOSITION OF EDUCATION COUNCIL- The Education Council shall consist of not more than 21 members, unless otherwise determined by a majority of the council.

(c) CONDITIONS AND TERMS-

(1) CONDITIONS- At least 10 members of the Education Council shall be Native Hawaiian education service providers and 10 members of the Education Council shall be Native Hawaiians or Native Hawaiian education consumers. In addition, a representative

of the State of Hawaii Office of Hawaiian Affairs shall serve as a member of the Education Council.
(2) APPOINTMENTS- The members of the Education Council shall be appointed by the Secretary based on recommendations received from the Native Hawaiian community.
(3) TERMS- Members of the Education Council shall serve for staggered terms of 3 years, except as provided in paragraph (4).
(4) COUNCIL DETERMINATIONS- Additional conditions and terms relating to membership on the Education Council, including term lengths and term renewals, shall be determined by a majority of the Education Council.
(d) NATIVE HAWAIIAN EDUCATION COUNCIL GRANT- The Secretary shall make a direct grant to the Education Council to carry out the following activities:
(1) Coordinate the educational and related services and programs available to Native Hawaiians, including the programs assisted under this part.
(2) Assess the extent to which such services and programs meet the needs of Native Hawaiians, and collect data on the status of Native Hawaiian education.
(3) Provide direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this part, relating to Native Hawaiian education, and serve, where appropriate, in an advisory capacity.
(4) Make direct grants, if such grants enable the Education Council to carry out the duties of the Education Council, as described in paragraphs (1) through (3).
(e) ADDITIONAL DUTIES OF THE EDUCATION COUNCIL-
(1) IN GENERAL- The Education Council shall provide copies of any reports and recommendations issued by the Education Council, including any information that the Education Council provides to the Secretary pursuant to subsection (i), to the Secretary, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Indian Affairs of the Senate.
(2) ANNUAL REPORT- The Education Council shall prepare and submit to the Secretary an annual report on the Education Council's activities.
(3) ISLAND COUNCIL SUPPORT AND ASSISTANCE- The Education Council shall provide such administrative support and financial assistance to the island councils established pursuant to subsection (f) as the Secretary determines to be appropriate, in a manner that supports the distinct needs of each island council.
(f) ESTABLISHMENT OF ISLAND COUNCILS-
(1) IN GENERAL- In order to better effectuate the purposes of this part and to ensure the adequate representation of island and community interests within the Education Council, the Secretary is authorized to facilitate the establishment of Native Hawaiian education island councils (hereafter in this part referred to as an island council') for the following islands:
(A) Hawaii.

(B) Maui.
(C) Molokai.
(D) Lanai.
(E) Oahu.
(F) Kauai.
(G) Niihau.
(2) COMPOSITION OF ISLAND COUNCILS- Each island council shall consist of parents, students, and other community members who have an interest in the education of Native Hawaiians, and shall be representative of individuals concerned with the educational needs of all age groups, from children in preschool through adults. At least three-fourths of the members of each island council shall be Native Hawaiians.
(g) ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL AND ISLAND COUNCILS- The Education Council and each island council shall meet at the call of the chairperson of the appropriate council, or upon the request of the majority of the members of the appropriate council, but in any event not less often than four times during each calendar year. The provisions of the Federal Advisory Committee Act shall not apply to the Education Council and each island council.
(h) COMPENSATION- Members of the Education Council and each island council shall not receive any compensation for service on the Education Council and each island council, respectively.
(i) REPORT- Not later than 4 years after the date of enactment of the No Child Left Behind Act of 2001, the Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Indian Affairs of the Senate a report that summarizes the annual reports of the Education Council, describes the allocation and use of funds under this part, and contains recommendations for changes in Federal, State, and local policy to advance the purposes of this part.

SEC. 7205. PROGRAM AUTHORIZED.

(a) GENERAL AUTHORITY-
(1) GRANTS AND CONTRACTS- The Secretary is authorized to make direct grants to, or enter into contracts with--
(A) Native Hawaiian educational organizations;
(B) Native Hawaiian community-based organizations;
(C) public and private nonprofit organizations, agencies, and institutions with experience in developing or operating Native Hawaiian programs or programs of instruction in the Native Hawaiian language; and
(D) consortia of the organizations, agencies, and institutions described in subparagraphs (A) through (C),
to carry out programs that meet the purposes of this part.

(2) PRIORITIES- In awarding grants or contracts to carry out activities described in paragraph (3), the Secretary shall give priority to entities proposing projects that are designed to address--
(A) beginning reading and literacy among students in kindergarten through third grade;
(B) the needs of at-risk children and youth;
(C) needs in fields or disciplines in which Native Hawaiians are underemployed; and
(D) the use of the Hawaiian language in instruction.
(3) AUTHORIZED ACTIVITIES- Activities provided through programs carried out under this part may include--
(A) the development and maintenance of a statewide Native Hawaiian early education and care system to provide a continuum of services for Native Hawaiian children from the prenatal period of the children through age 5;
(B) the operation of family-based education centers that provide such services as--
(i) programs for Native Hawaiian parents and their infants from the prenatal period of the infants through age 3;
(ii) preschool programs for Native Hawaiians; and
(iii) research on, and development and assessment of, family-based, early childhood, and preschool programs for Native Hawaiians;
(C) activities that enhance beginning reading and literacy in either the Hawaiian or the English language among Native Hawaiian students in kindergarten through third grade and assistance in addressing the distinct features of combined English and Hawaiian literacy for Hawaiian speakers in fifth and sixth grade;
(D) activities to meet the special needs of Native Hawaiian students with disabilities, including--
(i) the identification of such students and their needs;
(ii) the provision of support services to the families of those students; and
(iii) other activities consistent with the requirements of the Individuals with Disabilities Education Act;
(E) activities that address the special needs of Native Hawaiian students who are gifted and talented, including--
(i) educational, psychological, and developmental activities designed to assist in the educational progress of those students; and
(ii) activities that involve the parents of those students in a manner designed to assist in the students' educational progress;
(F) the development of academic and vocational curricula to address the needs of Native Hawaiian children and adults, including curriculum materials in the Hawaiian language and mathematics and science curricula that incorporate Native Hawaiian tradition and culture;
(G) professional development activities for educators, including--

(i) the development of programs to prepare prospective teachers to address the unique needs of Native Hawaiian students within the context of Native Hawaiian culture, language, and traditions;
(ii) in-service programs to improve the ability of teachers who teach in schools with concentrations of Native Hawaiian students to meet those students' unique needs; and
(iii) the recruitment and preparation of Native Hawaiians, and other individuals who live in communities with a high concentration of Native Hawaiians, to become teachers;
(H) the operation of community-based learning centers that address the needs of Native Hawaiian families and communities through the coordination of public and private programs and services, including--
(i) preschool programs;
(ii) after-school programs;
(iii) vocational and adult education programs; and
(iv) programs that recognize and support the unique cultural and educational needs of Native Hawaiian children, and incorporate appropriately qualified Native Hawaiian elders and seniors;
(I) activities, including program co-location, to enable Native Hawaiians to enter and complete programs of postsecondary education, including--
(i) provision of full or partial scholarships for undergraduate or graduate study that are awarded to students based on their academic promise and financial need, with a priority, at the graduate level, given to students entering professions in which Native Hawaiians are underrepresented;
(ii) family literacy services;
(iii) counseling and support services for students receiving scholarship assistance;
(iv) counseling and guidance for Native Hawaiian secondary students who have the potential to receive scholarships; and
(v) faculty development activities designed to promote the matriculation of Native Hawaiian students;
(J) research and data collection activities to determine the educational status and needs of Native Hawaiian children and adults;
(K) other research and evaluation activities related to programs carried out under this part; and
(L) other activities, consistent with the purposes of this part, to meet the educational needs of Native Hawaiian children and adults.
(4) SPECIAL RULE AND CONDITIONS-
(A) INSTITUTIONS OUTSIDE HAWAII- The Secretary shall not establish a policy under this section that prevents a Native Hawaiian student enrolled at a 2- or 4-year degree granting institution of higher education outside of the State of Hawaii from receiving a scholarship pursuant to paragraph (3)(I).

(B) SCHOLARSHIP CONDITIONS- The Secretary shall establish conditions for receipt of a scholarship awarded under paragraph (3)(I). The conditions shall require that an individual seeking such a scholarship enter into a contract to provide professional services, either during the scholarship period or upon completion of a program of postsecondary education, to the Native Hawaiian community.

(b) ADMINISTRATIVE COSTS- Not more than 5 percent of funds provided to a recipient of a grant or contract under subsection (a) for any fiscal year may be used for administrative purposes.

(c) AUTHORIZATION OF APPROPRIATIONS-

(1) IN GENERAL- There are authorized to be appropriated to carry out this section and section 7204 such sums as may be necessary for fiscal year 2002 and each of the 5 succeeding fiscal years.

(2) RESERVATION- Of the funds appropriated under this subsection, the Secretary shall reserve $500,000 for fiscal year 2002 and each of the 5 succeeding fiscal years to make a direct grant to the Education Council to carry out section 7204.

(3) AVAILABILITY- Funds appropriated under this subsection shall remain available until expended.

SEC. 7206. ADMINISTRATIVE PROVISIONS.

(a) APPLICATION REQUIRED- No grant may be made under this part, and no contract may be entered into under this part, unless the entity seeking the grant or contract submits an application to the Secretary at such time, in such manner, and containing such information as the Secretary may determine to be necessary to carry out the provisions of this part.

(b) SPECIAL RULE- Each applicant for a grant or contract under this part shall submit the application for comment to the local educational agency serving students who will participate in the program to be carried out under the grant or contract, and include those comments, if any, with the application to the Secretary.

SEC. 7207. DEFINITIONS.

In this part:

(1) NATIVE HAWAIIAN- The term Native Hawaiian' means any individual who is —

(A) a citizen of the United States; and

(B) a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawaii, as evidenced by —

(i) genealogical records;

(ii) Kupuna (elders) or Kamaaina (long-term community residents) verification; or

(iii) certified birth records.

(2) NATIVE HAWAIIAN COMMUNITY-BASED ORGANIZATION- The term Native Hawaiian community-based organization' means any organization that is composed

primarily of Native Hawaiians from a specific community and that assists in the social, cultural, and educational development of Native Hawaiians in that community.
(3) NATIVE HAWAIIAN EDUCATIONAL ORGANIZATION- The term Native Hawaiian educational organization' means a private nonprofit organization that —
(A) serves the interests of Native Hawaiians;
(B) has Native Hawaiians in substantive and policymaking positions within the organization;
(C) incorporates Native Hawaiian perspective, values, language, culture, and traditions into the core function of the organization;
(D) has demonstrated expertise in the education of Native Hawaiian youth; and
(E) has demonstrated expertise in research and program development.
(4) NATIVE HAWAIIAN LANGUAGE- The term Native Hawaiian language' means the single Native American language indigenous to the original inhabitants of the State of Hawaii.
(5) NATIVE HAWAIIAN ORGANIZATION- The term Native Hawaiian organization' means a private nonprofit organization that —
(A) serves the interests of Native Hawaiians;
(B) has Native Hawaiians in substantive and policymaking positions within the organization; and
(C) is recognized by the Governor of Hawaii for the purpose of planning, conducting, or administering programs (or portions of programs) for the benefit of Native Hawaiians.
(6) OFFICE OF HAWAIIAN AFFAIRS- The term Office of Hawaiian Affairs' means the Office of Hawaiian Affairs established by the Constitution of the State of Hawaii.