

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

**FY 2012 APPLICATION KIT FOR NEW GRANTS
UNDER
THE NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH**

SMALL BUSINESS INNOVATION RESEARCH PROGRAM

PHASE II

CFDA NUMBER: 84.133S-2



FORM APPROVED
OMB No. 1820-0685, EXP. DATE: 6/30/2012
ED FORM 424, OMB Approved: 1820-0685

DATED MATERIAL - OPEN IMMEDIATELY

CLOSING DATE: June 25, 2012

Estimated Public Reporting Burden

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 1820-0685. The time required to complete this information collection is estimated to average 50 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:** Lynn Medley, Management/Program Analyst, NIDRR, Planning, Budget and Evaluation, U.S. Department of Education, Room 6027 PCP, 400 Maryland Ave., Washington, D.C. 20202.

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CHECKLIST

Dear Phase I Grantee:

As a Fiscal Year (FY) 2011 Small Business Innovation Research (SBIR) Program Phase I grantee, you are invited to submit an application for an FY 2012 Department of Education SBIR Phase II grant. **Please note that only FY 2011 Department of Education SBIR Phase I grantees are eligible to apply for FY 2012 SBIR Phase II funding. Further note that FY 2011 Phase I grantees may apply for Phase II funding for their currently funded Phase I grants in FY 2012 but not in subsequent fiscal years.**

In preparing your application, please note the following requirements:

- The requested performance period for an SBIR Phase II grant should not exceed two years.
- The total maximum amount of requested Federal funding should not exceed \$500,000 for the performance period of two years.
- Separate budgets should be provided for year one and year two of the performance period.
- Your application should include a two-year detailed budget narrative description for each budget line item.
- The two-year maximum of \$500,000 for Phase II grants should include both direct and indirect costs and fees.
- Applicants are allowed the option to distribute the \$500,000 maximum award amount for the two-year performance period in equal amounts for each budget period or to request an alternative distribution of funds over a two-year performance period.

Applications will be evaluated to determine the extent to which the budget is adequate to support the proposed project. Your application will not be reviewed if it exceeds the total maximum funding of \$500,000 for a two-year performance period. The second year of the award will be approved for funding contingent upon submission of an annual performance report that demonstrates adequate progress in the first year of the award.

Please note the following:

- **ELIGIBLE APPLICANTS:** Phase II applicants must be current Phase I grantees, with Phase I findings that appear sufficiently promising.
- **PURPOSE:** Phase II must expand on the results of and further pursue the development of the Phase I project. Phase II is the principal research or research and development effort. It requires a more comprehensive application than the Phase I application and must describe the effort in detail including its commercial potential.
- **MAXIMUM AWARD:** \$500,000.
- **PROJECT PERIOD:** Should not exceed two years with a maximum two-year total of \$500,000.
- **CLOSING DATE (DEADLINE FOR APPLICATIONS):** June 25, 2012.

HOW TO ACCESS THE ELECTRONIC APPLICATION PACKAGE: Because SBIR Phase II applications are limited to a subset of the Phase I applicants, no Funding Opportunity synopsis will be posted on Grants.gov “FIND.” An application for an award must be submitted electronically using Grants.gov at: www.grants.gov (see Section A and Section H). Or you may request an exception to the electronic submission requirement (see Section A and Section H).

GRANTS.GOV APPLICATION SUBMISSION: Applications must be submitted electronically using Grants.gov, accessible through the Grants.gov Web site at: www.grants.gov. Your electronic submission must be uploaded on the closing date of June 25, 2012 by 4:30:00 pm, Washington DC time. We strongly suggest that you carefully check your submission to ensure that you have attached the correct files in the appropriate fields. For additional information on electronic submission procedures, see the Grants.gov Application Submission Procedures and Tips for Applicants - Section A. You may not mail your application directly to the Department.

- **EXCEPTION TO GRANTS.GOV APPLICATION SUBMISSION REQUIREMENT:** We will reject your application if you submit it in paper format unless you qualify for one of the exceptions to the electronic submission requirement. To apply for one of these exceptions, **you must** submit, no later than two weeks before the deadline date, a written statement to the Department that you qualify (see the Grants.gov Submission Procedures and Tips for Applicants – Section A). If you receive an exception to submitting your application electronically, your application must be postmarked by the closing date of **June 25, 2012**.

If you receive an exception, follow the Application Transmittal Instructions for submitting in paper which are found in section H. An electronic (disk) copy should be submitted with the paper application. The original of the application should be secured with a binder clip to facilitate any additional copying of the application that may be required.

- **FUNDING OPPORTUNITY NUMBER:** ED-GRANTS-042612-001.
- **COPIES OF THE APPLICATION:** If you qualify for an exception to the electronic submission requirement, and may submit your application in paper format, current Government-wide policy requires the submittal of an original and two copies of the application. In addition to the submittal of the required original and two copies, we ask that you voluntarily submit nine additional copies to facilitate the peer review process (**12 copies in all**). **If you are submitting your application electronically, you do not need to submit paper copies of the application.**
- **FORMAT FOR APPLICATIONS:** Please note that additional information regarding the formatting of applications has been included in Section E of this package: Grant Application Preparation Instructions and Requirements.
- **PROTECTION OF HUMAN SUBJECTS IN RESEARCH:** The discretionary grant Application Form 424 (ED Supplement to the SF 424) requires applicants to indicate whether they plan to conduct research involving human subjects at any time during the proposed project period. The Protection of Human Subjects in Research Attachment is an integral part of the ED 424 form (ED supplement to the SF 424). Additional information on completing the protection of human subjects item is also available and can be accessed on the Internet at:

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

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

NOTE: Please forward this entire application package to the individual or office responsible for preparing the application, as they will need the entire package to complete the grant application.

Thank you for your interest in the SBIR Program.

Sincerely,

K. Charlie Lakin,
Director,
National Institute on Disability and
Rehabilitation Research

SECTION A

Grants.gov Submission Procedures and Tips for
Applicants

IMPORTANT – PLEASE READ FIRST

U.S. Department of Education

Grants.gov Submission Procedures and Tips for Applicants

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

ATTENTION – Adobe Forms and PDF Files Required

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

- 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 access the Grants.gov Self-Service web portal at: <https://grants-portal.psc.gov/Welcome.aspx?pt=Grants>

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/contactus/contactus.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/applicants/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 under the heading of additional resources: http://www.grants.gov/applicants/app_help_reso.jsp
2. Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission. Therefore, each file uploaded to your application package should have a unique file name.
3. When attaching files, applicants should follow the guidelines established by Grants.gov on the size and content of file names. Uploaded files must be less than 50 characters, contain no spaces, no special characters (example: -, &, *, %, /, #, \) including periods (.), blank spaces and accent marks. Applications submitted that do not comply with the Grants.gov guidelines will be rejected at Grants.gov and not forwarded to the Department.

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

2/2012

SECTION B

Program Overview

**U.S. DEPARTMENT OF EDUCATION
SMALL BUSINESS INNOVATION RESEARCH (SBIR)
PROGRAM ANNOUNCEMENT for FY 2012
PHASE II**

PROGRAM OVERVIEW

A. Introduction

The purpose of the Small Business Innovation Research (SBIR) Program is to stimulate technological innovation in the private sector, strengthen the role of small business in meeting Federal research and research and development needs, increase the commercial application of Department of Education (ED) supported research results, and improve the return on investment from Federally-funded research for economic and social benefits to the Nation.

Phase II of the SBIR Program is designed to expand on the results of and to further pursue the development of a Phase I project. Phase II of the program is the principal research or research and development effort. It requires a more comprehensive application, outlining the effort in detail including the commercial potential. Phase II applicants must be Phase I grantees with findings that appear sufficiently promising as a result of Phase I. Applications are evaluated based on published criteria by panels of experts. The Phase II funding vehicle is a grant.

*Phase II grants should not exceed a period of **two years**. **Their total, maximum, allowable Federal funding level must not exceed \$500,000 for the two-year performance period**. Phase II grants may include a reasonable profit/fee as part of the amount of funds awarded per year. The reasonable profit/fee must be included within the \$500,000 maximum funding level allowed. Applicants are allowed the option to distribute the \$500,000 maximum grant award amount for a two-year performance period in equal amounts for each budget period or to request an alternative distribution of funds.*

B. Authorization

P.L. 106-554, the "Small Business Reauthorization Act of 2000, H.R. 5667" (the "Act") was enacted on December 21, 2000. The Act requires certain agencies, including the Department of Education, to establish SBIR programs by reserving a statutory percentage of their extramural research and development budgets to be awarded to small business concerns for research or research and development through a uniform, highly competitive, three-phase process. The Act further requires the Small Business Administration (SBA) to issue policy directives for the general conduct of the SBIR programs within the Federal Government.

Note. -- The Small Business Innovation Research Policy Directive Notice was published in the "Federal Register"/ Vol. 67, No. 185 / Tuesday, September 24, 2002 / pages 60072 – 60098. It is also available from the Small Business Administration's SBIR website at:

<http://www.sba.gov/sbir/sbirpolicydirective.html>

The SBIR policy directive guides the information and requirements set forth in this application package.

Funding for those awards issued as a result of this solicitation come from:

- Title II of the Rehabilitation Act of 1973, as amended, Pub. L. 105-220 (29 U.S.C. 760-764).

C. Applicant Eligibility

Each organization submitting an application **must** qualify as a **small business concern** as defined by the Small Business Administration. The complete definition is included in "Definitions."

Consultative or other arrangements between such firms and universities or other non-profit organizations are permitted, but the small business must serve as the grantee.

In addition, the **primary employment of the principal investigator must** be with the small business firm at the time of award and during the conduct of the proposed research. That is, **more than one-half of the principal investigator's working time must be spent with the small business firm during the period of performance.** Also, the research or research and development work **must** be performed in the United States. "United States" means the 50 states, the territories and possessions of the Federal Government, the Commonwealth of Puerto Rico, the District of Columbia, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

Joint ventures are permitted, provided that the business entity created qualifies as a small business in accordance with the Small Business Act, 15 U.S.C. 631. For **Phase II**, the proposing firm must perform at least one-half of the research and/or analytic effort. Furthermore, the total of all consultant fees, facility leases or usage fees, and other subcontracts or purchase agreements may not exceed one-half of the total funding agreement price.

All Phase I work **must** be completed by the closing date of this Program Announcement before a Phase II application is evaluated.

SBIR Eligibility Checklist	
<input checked="" type="checkbox"/>	For-profit small business concern.
<input checked="" type="checkbox"/>	At least 51% U.S.-owned and independently operated.
<input checked="" type="checkbox"/>	Small business located in the U.S.
<input checked="" type="checkbox"/>	Principal investigator's primary employment with small business during the project.
<input checked="" type="checkbox"/>	500 or fewer employees.

Department of Education staff will examine all SBIR grant applications with the above considerations in mind. If it appears that an applicant organization does not meet the eligibility requirements, we will request an evaluation by the SBA. Under circumstances in which eligibility is unclear, we will not make an SBIR award until the SBA provides a determination.

D. Key Dates and Award Information

The Department of Education is required under P.L. 106-554 to participate in the Small Business Innovation Research (SBIR) program. The Government's obligation under this award is contingent upon the availability of appropriated funds from which payments are made. The Department is not bound by the estimates given below.

The Department of Education expects to make approximately five (5) Phase II grant awards ranging from \$250,000 to \$500,000 for a two (2)-year project period beginning in 2011 for CFDA number 84.133S-2. The Department expects to announce awards no later than September 30. The project start date should be October 1, 2011. Successful applicants have up to 24 months to carry out the proposed Phase II effort.

OSERS is under no obligation to fund any specific application and is not responsible for any monies expended by the applicant before an award.

E. Recent Changes in Legislation

Recent Changes in Legislation. The authorizing legislation (P.L. 106-554, the "Small Business Reauthorization Act of 2000, H.R. 5667" of the Consolidated Appropriations Act of 2001) was enacted on December 21, 2000. The law requires two (2) significant programmatic changes especially pertinent to Phase II applicants:

1. **Commercialization Plan** -- A succinct commercialization plan must be included with each proposal for an SBIR Phase II award moving toward commercialization. More specific information is included in this Phase II program announcement.
2. **Data Collection Requirement** – Each Phase II applicant will be required to provide information for the Small Business Administration's (SBA) Tech-Net Database System. Phase II awardees are required to update the appropriate information on the award in the Tech-Net database upon completion of the last deliverable under the funding agreement. The firm is also requested to update voluntarily the information in the Tech-Net database annually thereafter for a minimum period of five (5)-years. (<http://technet.sba.gov>)

SECTION C

Agency Contacts

III. AGENCY CONTACTS

The following table includes points of contact information for each of the ED awarding components:

AWARDING COMPONENT CONTACT INFORMATION		
AWARDING COMPONENT	PROGRAM OFFICE CONTACT	GRANTS MANAGEMENT CONTACT
Office of Special Education and Rehabilitative Services (OSERS) National Institute on Disability and Rehabilitation Research (NIDRR) http://www2.ed.gov/programs/nidrr/index.html	Vanessa Tesoriero Phone/VCO/VP: (202) 715-1464 <u>Email:</u> Vanessa.Tesoriero@ed.gov	Lynn Medley Phone: (202) 245-7338 <u>Email:</u> Lynn.Medley@ed.gov

Address questions pertaining to **human subjects research issues** to:

Jeffery Rodamar

Protection of Human Subjects Coordinator

Office of the Chief Financial Officer

400 Maryland Avenue, SW

Room 6144, PCP

Washington, DC 20202

Telephone: (202) 245-8090

Email: Jeffery.Rodamar@ed.gov

SECTION D

Definitions

DEFINITIONS

The Small Business Administration (SBA) developed the following definitions relevant to the Small Business Innovation Research (SBIR) Program:

Applicant

The organizational entity that, at the time of award, will qualify as a Small Business Concern (SBC) and that submits a contract proposal or a grant application for a funding agreement under the SBIR Program.

Affiliate

This term has the same meaning as set forth in 13 CFR Part 121 - Small Business Size Regulations, §121.103.

Awardee

The SBC receiving an SBIR funding agreement.

Commercialization

The process of developing marketable products and/or services and producing and delivering products or services for sale (whether by the originating party or by others) to Government and/or commercial markets.

Essentially Equivalent Work

The "scientific overlap," which occurs when (1) substantially the same research is proposed for funding in more than one contract proposal or grant application submitted to the same Federal agency; (2) substantially the same research is submitted to two or more different Federal agencies for review and funding consideration; or (3) a specific research objective and the research design for accomplishing an objective are the same or closely related in two or more proposals or awards, regardless of the funding source.

Extramural Budget

The sum of the total obligations for research or research and development minus amounts obligated for research or research and development activities by employees of a Federal agency in or through Government-owned, Government-operated facilities.

Feasibility

The practical extent to which a project is capable of being successfully performed.

Historically Underutilized Business Zone (HUBZone)

An SBC meeting the following criteria:

1. Located in a "historically underutilized business zone" or HUBZone area located in one or more of the following:
 - a) A qualified census tract (as defined in section 42(d)(5)(C)(i)(I) of the Internal Revenue Code of 1986;
 - b) A qualified "non-metropolitan county" (as defined in section 143(k)(2)(B) of the Internal Revenue Code of 1986) with a median household income of less than 80 percent of the State median household income or with an unemployment rate of not less than 140 percent of the Statewide average, based on US Department of Labor recent data; or,
 - c) Lands within the boundaries of federally recognized Indian reservations.
2. Owned and controlled by one or more US Citizens; and,
3. At least 35% of its employees must reside in a HUBZone.

Innovation

Something new or improved, having marketable potential, including (1) development of new technologies, (2) refinement of existing technologies, or (3) development of new applications for existing technologies.

Intellectual Property

The separate and distinct types of intangible property that are referred to collectively as "intellectual property," including but not limited to: patents, trademarks, copyrights, trade secrets, SBIR technical data (as defined in this section), ideas, designs, know-how, business, technical and research methods, and other types of intangible business assets, and including all types of intangible assets either proposed or generated by an SBC as a result of its participation in the SBIR Program.

Joint Venture

An association of persons or concerns with interests in any degree or proportion by way of contract, express or implied, consorting to engage in and carry out a single specific business venture for joint profit, for which purpose they combine their efforts, property, money, skill, or knowledge, but not on a continuing or permanent basis for conducting business generally. A joint venture is viewed as a business entity in determining power to control its management, has its own Employer Identification Number as assigned by the Internal Revenue Service, and is eligible under the SBIR Program provided that the entity created qualifies as a "SBC" as defined in this section.

Manufacturing-Related

Relating to manufacturing processes, equipment and systems; or manufacturing workforce skills and protection (as defined in Executive Order 13329).

Principal Investigator/Project Manager

The one individual designated by the applicant to provide the scientific and technical direction to the project that will be supported by the funding agreement.

Prototype

A model of something to be further developed, which includes designs, protocols, questionnaires, software, and devices.

Research or Research and Development

Any activity that is:

1. A systematic, intensive study directed toward greater knowledge or understanding of the subject studied;
2. A systematic study directed specifically toward applying new knowledge to meet a recognized need; or
3. A systematic application of knowledge toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements.

SBIR Technical Data

Means all data generated in the performance of any SBIR funding agreement.

SBIR Technical Data Rights

The rights an SBC obtains in data generated in the performance of any SBIR funding agreement that an awardee delivers to the Government during or upon completion of a Federally funded project, and to which the Government receives a license.

Small Business Concern

A concern that, on the date of award for both Phase I and Phase II funding agreements:

1. is organized for profit, with a place of business located in the United States, which operates primarily within the United States or which makes a significant contribution to the United States economy through payment of taxes or use of American products, materials or labor;
2. is in the legal form of an individual proprietorship, partnership, limited liability company, corporation, joint venture, association, trust or cooperative, except that where the form is a joint venture (as defined in this section) there can be no more than 49 percent participation by foreign business entities in the joint venture;
3. is at least 51 percent owned and controlled by one or more individuals who are citizens of, or permanent resident aliens in, the United States; and,
4. has, including its affiliates, not more than 500 employees.

Socially and Economically Disadvantaged Individual

A member of any of the following groups:

1. Black Americans;
2. Hispanic Americans;
3. Native Americans;
4. Asian Pacific Americans
5. Subcontinent Asian Americans;

6. Other groups designated from time to time by SBA to be socially disadvantaged; or any other individual found to be socially and economically disadvantaged by SBA pursuant to Section 8(a) of the Small Business Act, 15 U.S. C. 637(a).

Subcontract

Any agreement, other than one involving an employer/employee relationship, entered into by an awardee of a funding agreement calling for supplies or services required solely for the performance of the original funding agreement.

United States

Means the 50 states, the territories and possessions of the Federal Government, the Commonwealth of Puerto Rico, the District of Columbia, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

Woman-Owned Small Business Concern

A small business concern that is at least 51 percent owned and operated by a woman or women who also control and operate it. "Control" in this context means exercising the power to make policy decisions. "Operate" in this context means being actively involved in the day-to-day management.

SECTION E

Grant Application Preparation Instructions and Requirements

GRANT APPLICATION PREPARATION INSTRUCTIONS AND REQUIREMENTS

Application Requirements

An application to OSERS/NIDRR under the SBIR program should present a sound approach to the investigation of an important disability, rehabilitation, education, technological, engineering or scientific question that is worthy of support under the stated criteria of this program announcement.

An application should be self-contained and written with the care and thoroughness accorded to papers for publication. The applicant should review the program announcement carefully to ensure that information and data essential for evaluation are included. The scientific and technical merit of the proposed research is the primary concern for all research supported by ED. [NOTE: The number of points weighted to this area is contained in the "Evaluation Criteria."]

The application's research or research and development must be responsive to the OSERS' program objectives, but it should also serve as the base for technological innovation, new commercial products, processes or services, and manufacturing that may benefit the public. Applications must be confined principally to advanced concepts in disability, rehabilitation, educational and assistive technologies, scientific or engineering research or research and development; or manufacturing-related research and development encompassing improvements in existing methods or processes, or wholly new processes, machines or systems.

A firm must not propose market research, patent applications, or litigation. The research may be carried out through construction and evaluation of a laboratory prototype, where necessary.

Applications primarily for the development of proven concepts toward commercialization or for market research should not be submitted because such efforts are considered the responsibility of the private sector.

A. Protection of Information in Applications

It is ED policy to use information included in applications for evaluation purposes only, and to protect such information from unauthorized use or disclosure. While this policy does not require that the application bear a notice, protection can be assured only to the extent that the "Legend" specified in "Considerations" instructions for "Rights in Data Developed under SBIR Funding Agreements" is applied to those data that constitute trade secrets or to other commercial or financial information that is confidential or privileged. Other information may be afforded protection to the extent permitted by law, but ED assumes no liability for use and disclosure of information to which the "Legend" has not been appropriately applied.

B. Limitations on Length of Application

This program announcement is designed to reduce the investment of time and money to small firms in preparing a formal application. Those who wish to respond must submit a SBIR Phase II application narrative of **no more than 50 pages**, *excluding* any supporting documentation regarding funding commitments (see "**Project Narrative – DOCUMENTATION OF FUNDING/RESOURCE COMMITMENTS.**"); and required forms.

The application must be clear, readily legible, and conform to the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Single space 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). Standard black type should be used to permit photocopying.

- Draw all graphs, diagrams, tables, and charts in black ink. Do not include glossy photographs, or materials that cannot be photocopied, in the body of the application.

The Department will reject your application if--

- You apply these standards and exceed the page limit; or
- You apply other standards and exceed the equivalent of the page limit.

In the interest of equity to all applicants, **all information must be in the 50 pages.** No appendices or attachments (e.g., computer discs, videotapes, etc.), other than the exclusion cited above, may be submitted and, if submitted, they will not be considered in the review of the proposal for scientific and technical merit.

The application should be direct, concise, and informative. Promotional and other discussion not related to the project is discouraged. The application must be primarily directed at research or research and development on the specific proposed project.

C. Phase II Application Guidance

To avoid any misunderstanding, applicants should be aware that applications not satisfying all the required instructions will be returned to the proposing organization without review. Those applications may not be resubmitted with or without revision under this program announcement. All copies of the applications not accepted for evaluation will be returned.

1. **APPLICATION SUBMISSION PROCEDURES.** Applications for grants under this competition must be submitted electronically using Grants.gov (www.grants.gov). You can receive an exception to the electronic submission requirement.

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 Grants.gov because—

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

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 prevents 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: Lynn Medley, U.S. Department of Education, 400 Maryland Avenue, SW., room 6027, Potomac Center Plaza (PC), Washington, DC 20202-2700. Fax: (202) 245-7338.

See Section VIII – Application Transmittal Instructions and Section XI Notice Inviting Applications.

2. **ONLY THE PRIMARY INSTITUTION FILLS OUT THE REQUIRED FORMS.** Any partner or collaborating groups will be a subcontractor to the primary. The only paperwork the subcontractor should complete is that required by the primary institution. You should include a letter of intent in the application from any collaborating group saying that if awarded what goals/duties they will be responsible for and the dollar amount associated with their involvement.

- **SF 424 and ED Supplemental**

1. **DUNS #:** You must enter the DUNS number for your organization used when it registered with the Central Contractor Registry. Further information on the DUNS# is provided at the end of this section.

2. Applicant and Federal Identifier: Please leave #4 Applicant Identifier and #5 (A & B) Federal Identifier: blank.
3. Legal Name: Block #8a is for the name of institution or entity. **Please note** the CFDA. 84.133S, will automatically populate on Block #11 of the SF 424.
4. Project Director: Project director information is on the ED supplemental form in Block #1. You are the person to contact, the project director and the authorized representative.
5. EO 12372: Mark Block #19, the EO 12372 as no and not covered.
6. Human Subjects: Block #3 on the ED Supplemental. You must include a separate narrative for each site where the research is being conducted. If you check “no”, please include a paragraph of why it is not required.
 - **ED Budget Form 524**
 - Include any profit/fee in Line 10 (Indirect Costs). Only columns “(a)” and “(f)” should be completed since the period of performance is for up to 6 months. The fee is not a “cost” and may be used by the small business concern for any purpose, including additional effort under the SBIR award. Therefore, the applicant should enter the request for profit/fee as a separate item in the narrative justification.
 - **SF 424B**: Assurances – Non-Construction Programs
 - **SF LLL**: Disclosure of Lobbying Activities
Survey on Ensuring Equal Opportunity for Applicants

2. **Project Narrative – ABSTRACT, CERTIFICATIONS, STATEMENTS, and LEGEND**

a) **ABSTRACT**. The applicant should provide an abstract with the following two components. Nothing in this section should be proprietary or confidential. Please up load under the “Abstract”.

- (1) **Technical Abstract** of no more than 200 words.
- (2) **Summary of Anticipated Results and Potential Commercial Applications** of the research.

b) **CERTIFICATIONS**. The applicant should respond to the following certifications required by the Small Business Administration.

Small Business Certification --

Does the applicant certify that it is a SBC and meets the definition as stated in the program announcement?

Yes No

[NOTE: The next three (3) items are for statistical purposes only.]

Socially and Economically Disadvantaged SBC Certification --

Do you qualify as a socially and economically disadvantaged SBC and meet the definition as stated in this program announcement?

Yes No

Woman-owned SBC Certification --

Do you qualify as a woman-owned SBC and meet the definition as stated in this program announcement?

Yes No

HUBZone-owned SBC Certification --

Do you qualify as a HUBZone-owned SBC and meet the definition as stated in this program announcement?

Yes No

The website listed below contains information about the SBA's HUBZone program:
<http://www.sba.gov/hubzone/>

- c) **STATEMENTS.** The applicant should respond to the following statements required by the Small Business Administration.

Duplicate Research Statement --

Has the applicant and/or Principal Investigator submitted applications/proposals for essentially equivalent work under other Federal program announcements or received other Federal awards for essentially equivalent work?

Yes No

If yes, identify applications/proposals and/or awards in "Project Narrative – RELATED APPLICATION(S) or AWARD(S)."

Disclosure Permission Statement –

Will you permit the Government to disclose the title and technical abstract page of your proposed project, plus the name, address, and telephone number of the corporate official of your firm, if your application does not result in an award, to concerns that may be interested in contacting you for further information?

Yes No

- d) **LEGEND for PROPRIETARY INFORMATION.** Information contained in unsuccessful applications will remain the property of the applicant. The Government may, however, retain copies of all applications. Public release of information in any application submitted will be subject to existing statutory and regulatory requirements.

If proprietary information provided by an applicant in an application, which constitutes a trade secret, proprietary commercial or financial information, confidential personal information, or data affecting the national security, it will be treated in confidence, to the extent permitted by law. This information **must** be clearly marked by the applicant with the term "**confidential proprietary information**" and the following **legend must** appear in this section of the application:

"These data shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed in whole or in part for any purpose other than evaluation of this application. If a funding agreement is awarded to this applicant as a result of or in connection with the submission of these data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the funding agreement and pursuant to applicable law. This restriction does not limit the Government's right to use information contained in the data if it is obtained from another source without restriction. The data subject to this restriction are contained in pages _____ of this application."

Any other legend may be unacceptable to the Government and may constitute grounds for removing the application from further consideration, without assuming any liability for inadvertent disclosure. The Government will limit dissemination of such information to/within official channels.

3. **Project Narrative – TECHNICAL CONTENT**

The subcategories of this section directly correspond to the "Evaluation Criteria" listed in this Program Announcement. Please up-load under the "Project Narrative" in grants.gov.

a) **Significance:**

- i) Identification and Significance of the Problem or Opportunity. Make a clear statement of the specific research problem or opportunity addressed and why it is important.
- ii) Related Research or Research and Development. Describe significant research or research and development that is directly related to the application, including any conducted by the principal investigator or by the applicant's firm. Describe how it relates to the proposed effort, and describe any

planned coordination with outside sources. The purpose of this section is to persuade reviewers of the applicant's awareness of key recent developments in the specific priority area. It should also demonstrate that the proposed research differs significantly from existing technologies and does not substantially duplicate any ongoing or previous research by the small business or other researchers.

b) **Quality of the Project Design:**

- i) Phase II Technical Objectives. State the specific objectives of the Phase II research or research and development effort. The purpose is to demonstrate that the objectives are appropriate for a two-year research and development period.
- ii) Phase I Results. Present a synopsis of the Phase I results. This should constitute a discussion of the overall background and technical approach, indicating how work accomplished in Phase I promises to lead to success in Phase II. The applicant should provide sufficient detail to demonstrate the level of accomplishment and the extent to which it shows that the Phase II effort is based on a feasible idea. *Do **not** assume that the reviewers have read the Phase I final report.*
- iii) Phase II Work Plan. Include a detailed description of the Phase II research and development plan. The plan should indicate not only what will be done, but also how the research and development will be carried out. The adequacy of the work plan (and schedule) will be considered. Phase II research and development should address the technical objectives cited above. The methods planned to achieve each objective or task should be discussed in detail. The applicant should provide sufficient detail to indicate how the research objectives will be investigated.

THE "WORK PLAN" SHOULD BE AT LEAST ONE-THIRD OF THE APPLICATION.

- iv) Human Subjects in Research. *If applicable*, include a narrative of human subject involvement. Projects involving research on human subjects will require grantee compliance with the Department of Education's Protection of Human Subjects Regulations, 34 CFR Part 97. Copies of the Department of Education's regulations for the Protection of Human Subjects are available from:

Grants Policy and Oversight Staff (GPOS)
Office of the Chief Financial Officer
400 Maryland Avenue SW
Washington, DC 20202-4248
(202) 401-0085

This information is also available on the ED website at:

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

For a quick overview, see in particular "Information about the Protection of Human Subjects in Research Supported by the Department -- Overview."

Please give thorough consideration for the need of any human subject involvement in the Phase II research and development work. All human subjects in research issues **MUST** be resolved prior to a grant award.

Unless all the proposed human subjects research meets one or more of the regulation's exemptions, awardees involving human subjects will be requested to file an "Assurance of Compliance with the Regulations" and have the project's research protocol reviewed and approved by an Institutional Review Board (IRB). The costs related to obtaining required Institutional Review Board reviews can be included as a direct cost, provided the costs are necessary and reasonable.

YOU DO NOT NEED AN ASSURANCE OR IRB APPROVAL AS A CONDITION OF APPLYING FOR THIS AWARD.

- v) Protection of Pupil Rights Amendment (PPRA). This grant is subject to the Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. 1232h, 34 CFR Part 98. PPRA is a law that governs the administration of certain Department-funded surveys. The law provides that a school district must obtain the prior written consent of a parent if the district "requires" a student to take a survey, i.e., the survey is not voluntary. In addition, the PPRA only applies to a survey if the survey asks certain types

of questions (e.g., questions that reveal information about illegal behavior, psychological problems potentially embarrassing to the student, or sex behavior and attitudes). Grantees should be aware of the requirements of PPRA if they plan to use Departmental funds to develop surveys for elementary or secondary school students.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339. Or you may contact us at the following address:

Family Policy Compliance Office -- U.S. Department of Education
400 Maryland Avenue, SW -- Washington, D.C. 20202-4605

Information is also available on the ED website at:

<http://www.ed.gov/policy/gen/guid/fpco/index.html>

- vi) Commercialization Plan. All Phase II applications must include a succinct Commercialization Plan. The Commercialization Plan is limited to 10 pages. There is no requirement for applicants to use the maximum allowable pages allotted to the Commercialization Plan. Provide a description in each of the following areas:
- 1) Project Value, Expected Outcomes, and Impact. Describe, in layperson's terms, the proposed project and its key technology objectives. Clarify the need addressed, specifying weaknesses in the current approaches to meet this need. In addition, describe the commercial applications of the research and the innovation inherent in this application. Be sure to also specify the potential societal, educational, and/or scientific benefits of this work. Explain the non-commercial impacts to the overall significance of the project. Explain how the SBIR project integrates with the overall business plan of the company.
 - 2) Company. Give a brief description of your company including corporate objectives, core competencies, present size (annual sales level and number and types of employees), history of previous Federal and non-Federal funding, regulatory experience, and subsequent commercialization, and any current products/services that have significant sales. Include a short description of the origins of the company. Indicate your vision for the future, how you will grow/maintain a sustainable business entity, and how you will meet critical management functions as your company evolves from a small technology research and development business to a successful commercial entity.
 - 3) Market, Customer, and Competition. Describe the market and/or market segments you are targeting and provide a brief profile of the potential customer. Tell what significant advantages your innovation will bring to the market, e.g., better performance, lower cost, faster, more efficient or effective, new capability. Explain the hurdles you will have to overcome in order to gain market/customer acceptance of your innovation. Describe any strategic alliances, partnerships, or licensing agreements you have in place and to market and sell your product. Briefly describe your marketing and sales strategy. Give an overview of the current competitive landscape and any potential competitors over the next several years. (It is very important that you understand and know the competition.)
 - 4) Intellectual Property (IP) Protection. Describe how you are going to protect the IP that results from your innovation. Also note other actions you may consider taking that will constitute at least a temporal barrier to others aiming to provide a solution similar to yours.
 - 5) Finance Plan. Describe the necessary financing you will require, and when it will be required, as well as your plans to raise the requisite financing to launch your innovation into Phase III and begin the revenue stream. Plans for this financing stage may be demonstrated in one or more of the following ways:
 - Letter of commitment of funding.

- Letter of intent or evidence of negotiations to provide funding, should the Phase II project be successful and the market need still exist.
 - Letter of support for the project and/or some in-kind commitment, e.g., to test or evaluate the innovation.
 - Specific steps you are going to take to secure Phase III funding.
- 6) Production and Marketing Plan. Describe how the production of your product/ service will occur (e.g., in-house manufacturing, contract manufacturing). Describe the steps you will take to market and sell your product/service. For example, explain plans for licensing, Internet sales, etc.
- 7) Revenue Stream. Explain how you plan to generate a revenue stream for your company should this project be a success. Examples of revenue stream generation include, but are not limited to, manufacture and direct sales, sales through value added resellers or other distributors, joint venture, licensing, service. Describe how your staffing will change to meet your revenue expectations.

Applicants are encouraged to seek commitment(s) of funds and/or resources from an investor or partner organization for commercialization of the product(s) or service(s) resulting from the SBIR award.

Your Phase III funding may be from any of a number of different sources including, but not limited to: SBIR firm itself; private investors or "angels"; venture capital firms; investment companies; joint ventures; RESEARCH AND DEVELOPMENT limited partnerships; strategic alliances; research contracts; sales of prototypes (built as part of this project); public offering; state finance programs; non SBIR-funded RESEARCH AND DEVELOPMENT or production commitments from a Federal agency with the intention that the results will be used by the United States government; or other industrial firms.

Documentation of such commitments should be included in the component "Project Narrative – DOCUMENTATION OF FUNDING/RESOURCE COMMITMENTS."

c) Quality of Project Personnel:

- i) Key Personnel and Bibliography of Directly Related Work. Identify key personnel involved in Phase II, including their education and directly related experience, or writings. Where vitae are extensive, summaries that focus on the most relevant experience or publications are desired. Such summaries may be necessary to meet the application size limitation. Also list all other commitments that senior personnel have during the proposed period of performance. It must be clear that the principal investigator will work more than half-time for the small business concern and that the firm will conduct a minimum of one-half of the research effort.
- ii) Consultants. Involvement of consultants in the planning and research stages of the project is permitted. If such involvement is intended, it should be described in detail. [NOTE: See "Considerations" section for "Subcontracting Limits."]

d) Adequacy of Resources:

- i. Facilities and Equipment:
The conduct of advanced research may require the use of sophisticated instrumentation or computer facilities. The applicant should provide a detailed description of the availability and location of the facilities and equipment necessary to carry out Phase II.
- ii. Budget:
Use Budget Summary form (ED Form 524), to present a complete budget summary for the proposed project dates. Questions pertaining to this area can be discussed with the Grants Management Contacts listed in the "Contacts" section.

Please provide a justification for this budget by including a detailed narrative description for each budget line item for each budget year.

- 1) List all **key personnel** by name as well as by number of hours assigned to the project.
- 2) **Equipment** may be included in the Phase II budget. The inclusion of equipment will be carefully reviewed relative to need and appropriateness for the research proposed. Equipment is defined as an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost of \$1,000 or more per unit. *[NOTE: Title to equipment will be vested with ED unless it is determined that transfer of title to the applicant would be more cost effective than recovery of the equipment by ED.]*
- 3) Budgets for **travel funds** must be justified and related to the needs of the project.
- 4) **Cost sharing** is permitted for proposals under this solicitation. Phase II budgets should **not exceed \$500,000 for a two-year project**, including subcontracts, indirect costs and fees, but excluding any proposed cost sharing.
- 5) The SBA has stated that SBIR funding agencies are to provide for a **reasonable** fee or profit on SBIR funding agreements, including grants, **consistent with normal profit margins provided to profit-making firms for research or research and development work** (SBIR "Policy Directive").

4) **Project Narrative – RELATED APPLICATION(S) or AWARD(S).**

If an applicant elects to submit identical applications or applications containing a significant amount of essentially equivalent work under other Federal program announcements, **a statement must be included** in this application indicating (Please up-load this information under "Other Attachments" in grants.gov):

- a) The name and address of agencies to which application(s) was/were submitted or from which SBIR award(s) was/were received.
- b) The date(s) of application submission and date(s) of award.
- c) The title, number and date of SBIR program announcement under which application(s) was/were submitted or award(s) received.
- d) The applicable research priority in the program announcement for each SBIR application submitted or award received.
- e) The titles of research projects.
- f) The name and title of the principal investigator for each application submitted or award received.

WARNING

While it is permissible, with application notification, to submit identical or essentially equivalent applications for consideration under numerous Federal program announcements, it is unlawful to enter into funding agreements requiring essentially equivalent effort.

If there is any question concerning this it must be disclosed to the soliciting agency or agencies before award.

5) **Project Narrative – DOCUMENTATION OF FUNDING/RESOURCE COMMITMENTS.**

Include any documentation of funds and/or resources commitment(s) from an investor or partner organization for commercialization of the product(s) or service(s) resulting from the SBIR award referenced in the Commercialization Plan.

*[This required information **will not be** counted toward the application limitation of 50 pages.]*

DUNS NUMBER INSTRUCTIONS

NOTE: Check with your fiscal office to see if your institution has an assigned DUNS before contacting Dun & Bradstreet

D-U-N-S No.: Please provide the applicant's D-U-N-S Number. You can obtain your D-U-N-S Number at no charge by calling **1-800-333-0505** or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL:

http://www.dnb.com/US/duns_update/index.html

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

Dun & Bradstreet, a global information services provider, has assigned D-U-N-S numbers to over 43 million companies worldwide.

Note: Electronic submission via grants.gov must use DUNS number your organization used when it registered in the Central Contractor Registry.

SECTION F

Method of Selection and Evaluation Criteria

METHOD OF SELECTION AND EVALUATION CRITERIA

A. Introduction

Phase II applications will be judged on a competitive basis.

1. All applications will be **screened** to confirm that the required instructions were completed. Those applications not satisfying all the required instructions will be returned to the proposing organization without review.
2. Persons who are experts in the priority areas will evaluate applications meeting those requirements. At NIDRR all reviewers are from outside the Federal Government. Each application will be judged on its own merit, according to the review criteria described below.

The Department of Education will make awards based upon these evaluation criteria and the availability of funds. In the evaluation and handling of applications, the Department will make every effort to protect the confidentiality of the application and any evaluations.

B. Evaluation Criteria for Phase II

The Secretary selects the following selection criteria in 34 CFR 75.210 to evaluate applications for new grants under this competition. The criteria below will receive the following weights. The maximum score for all of these criteria is 100 points. The weight for each criterion is indicated in parentheses. The Department of Education will make awards based upon these evaluation criteria and the availability of funds.

1. **Significance (15 points)**

- (5 points) The significance of the problem or issue to be addressed by the proposed project.
- (5 points) The likely utility of the products that will result from the proposed project, including the potential for their being used effectively in a variety of other settings.
- (5 points) The importance or magnitude of the results or outcomes likely to be attained by the proposed project.

2. **Quality of the Project Design (60 points)**

- (10 points) The extent to which the goals, objectives and outcomes to be achieved by the proposed project are clearly specified and measurable.
- (10 points) 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) The extent to which there is a conceptual framework underlying the proposed research or demonstration activities and the quality of that framework.
- (10 points) The extent to which the design of the proposed project includes a thorough, high-quality review of the relevant literature, a high-quality plan for project implementation, and the use of appropriate methodological tools to ensure successful achievement of project objectives.
- (10 points) The quality of the methodology to be employed in the proposed project.
- (10 points) The extent to which the design of the proposed project reflects up-to-date knowledge from research and effective practice.

3. **Quality of Project Personnel(15 points)**

- (5 points) The qualifications, including relevant training and experience, of the project director or principal investigator.
- (5 points) The qualifications, including relevant training and experience, of key project personnel.
- (5 points) The qualifications, including relevant training and experience, of project consultants or subcontractors.

4. **Adequacy of Resources (10 points)**

- (4 points) The adequacy of support, including facilities, equipment, supplies, and other resources, from the applicant organization or the lead applicant organization.
- (2 points) The relevance and demonstrated commitment of each partner in the proposed project to the implementation and success of the project.

- (2 points) The extent to which the budget is adequate to support the proposed project.
- (2 points) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.

C. Release of Grant Application Review Information

After final award decisions are made the Principal Investigator will be sent the technical evaluations. No one other than the Principal Investigator (and appropriate ED staff) may receive the technical evaluations.

Applicants normally receive their evaluations within six to eight weeks following the announcement of the awards. The identity of the reviewers will not be disclosed.

SECTION G

Considerations

CONSIDERATIONS

A. Reports

Awardees are required to submit a final Phase II "Performance Report" to the NIDRR Contractor upon completion of the Phase II work. In the final performance report, grantees are required to include a comparison of actual accomplishments with the goals and objectives established for the period, the findings of the investigator, or both. Whenever appropriate and the output of programs or projects can be readily quantified, this quantitative data should be related to cost data for computation of unit costs. Grantees should provide reasons why established goals were not met, if appropriate.

This reporting mechanism is used to demonstrate that substantial progress has been made toward meeting the project objectives. Grantees are required to complete Project Objectives Information and Related Performance Measures Data (**ED 524B - Project Status Chart**), outlining specific project objectives identified and supported with project performance measures data and an explanation of progress. The information received in the final performance report will provide the Department of Education (ED) with documentation that will be used to determine whether recipients have made satisfactory progress.

Final reports must also include information about the budget and an explanation about budget expenditures. In addition, Phase II grantees must respond to the following: (1) describe how the progress made in Phase II will impact the manufacturing sector; (2) describe and provide evidence as to how the work accomplished in Phase II contributes to manufacturing or manufacturing related processes, equipment and systems; or workforce skills and protection; and (3) elaborate on the public benefits (e.g., social and economic) resulting from the progress made in Phase II.

B. Government Performance and Results Act

The Government Performance and Results Act (GPRA) of 1993 places new management expectations and requirements on Federal departments and agencies by creating a framework for more effective planning, budgeting, program evaluation, and fiscal accountability for Federal programs. The intent of the Act is to improve public confidence by holding departments and agencies accountable for achieving program results. Departments and agencies should clearly describe the goals and objectives of their programs, identify resources and actions needed to accomplish these goals and objectives, develop a means of measuring progress made, and regularly report on their achievement.

The purpose of the SBIR program is to stimulate technological innovation in the private sector, strengthen the role of small business in meeting Federal research or research and needs, increase the commercial application of Department of Education (ED) supported research results, and improve the return on investment from Federally-funded research for economic and social benefits to the Nation. Grantees are required to report on the progress of their work throughout the award period and submit final reports to the U.S. Department of Education.

C. Innovations, Inventions and Patents

1. **Rights in Data Developed Under SBIR Funding Agreements**

To preserve the SBIR data rights of the awardee, the Legend (or statements) used in the SBIR Data Rights clause included in the SBIR award must be affixed to any submissions of technical data developed under that SBIR award. If no Data Rights clause is included in the SBIR award, the following legend, at a minimum, should be affixed to any data submissions under that award.

LEGEND

These SBIR data are furnished with SBIR rights under Funding Agreement No. _____ (and subcontract No. _____ if appropriate), Awardee Name _____, Address, Expiration Period of SBIR Data Rights _____. The Government may not use, modify, reproduce, release, perform, display, or disclose technical data or computer software marked with this legend for (choose four (4) or five (5) years). After expiration of the (4- or 5-year period), the Government has a royalty-free license to use, and to authorize others to use on its behalf, these data for Government purposes, and is relieved of all disclosure prohibitions and assumes no liability for unauthorized use of these data by third parties,

except that any such data that is also protected and referenced under a subsequent SBIR award shall remain protected through the protection period of that subsequent SBIR award. Reproductions of these data or software must include this legend.

2. Copyrights

With prior written permission of the Education Program Contact, the awardee normally may copyright and publish (consistent with appropriate national security considerations, if any) material developed with ED support. The Department of Education receives a royalty-free license for the Federal Government and requires that each publication contain an appropriate acknowledgment and disclaimer statement.

3. Patents

Small business firms normally may retain the principal worldwide patent rights to any invention developed with Government support. The Government receives a royalty-free license for Federal Government use, reserves the right to require the patent holder to license others in certain circumstances, and requires that anyone exclusively licensed to sell the invention in the United States must normally manufacture it domestically. To the extent authorized by 35 U.S.C. 205, the Government will not make public any information disclosing a Government-supported invention for a 4-year period (that may be extended by subsequent SBIR funding agreements) to allow the awardee a reasonable time to pursue a patent.

D. Subcontracting Limits – Research and Analytical Work

For **Phase II**, at least **one-half** of the research and/or analytic effort must be performed by the proposing small business concern unless otherwise approved in writing by the funding agreement officer after consultation with the agency SBIR Program Manager/Coordinator.

E. Joint Ventures or Limited Partnerships

Joint ventures and limited partnerships are permitted provided that the entity created qualifies as a small business concern as defined in this program announcement.

F. Cost-Sharing

Cost sharing is permitted for applications under this program announcement; however, cost sharing is not required. Cost sharing will not be an evaluation factor in consideration of your Phase II application.

G. Profit/Fee

Phase II grants may include a reasonable fee or profit on SBIR funding agreements, consistent with normal profit margins provided to profit-making firms for research or research and development work.

H. American Made Equipment and Products

When purchasing equipment or a product under the SBIR funding agreement, purchase only American-made items whenever possible.

I. Standard Terms and Conditions

Upon acceptance of an award, the grantee must comply with the terms and conditions contained or referenced in the Notice of Award document. These terms and conditions, constituting legal requirements, are imposed on an awardee by statute, regulations, administrative policy, or the award document itself.

J. Additional Information

1. This program announcement is intended for informational purposes and reflects current planning. If there is an inconsistency between the information contained herein and the terms of any resulting SBIR funding agreement, then the terms of the funding agreement are controlling.
2. In the interests of those with special needs, the applicant is encouraged to develop products that include alternate formats (e.g., closed- or open-captioning for films and/or videotapes, Braille, large print, audiotape).
3. The SBIR program is not a substitute for existing unsolicited application mechanisms. The Government shall not accept unsolicited applications under the SBIR program in either Phase I or Phase II.
4. If an award is made pursuant to an application submitted under this program announcement, the grantee will be required to certify that he or she has not previously been, nor is currently being, paid for essentially equivalent work by any agency of the Federal Government.

SECTION H

Application Transmittal Instructions

APPLICATION TRANSMITTAL INSTRUCTIONS

PLEASE NOTE: Applications Under This Competition Must Be Submitted Electronically Using Grants.gov (www.grants.gov). Instructions for this process are found in Section A of this document.

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 84.133S-2)
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, or
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

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

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

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

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

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 84.133S-2)
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 grant 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.

SECTION I

Scientific And Technical Information Sources

SCIENTIFIC AND TECHNICAL INFORMATION SOURCES

Certain sources can provide information that can be useful in preparing SBIR applications. The Internet sites listed below can provide you with helpful material and links to other sites.

SBIR Program-Related

SBIR State Support Entities
(historical information) <http://www.ed.gov/programs/sbir/index.html>

Small Business Administration (SBA)
Office of Technology (SBIR) www.sba.gov/sbir/

Office of Special Education and Rehabilitative Services (OSERS)

OSERS Home Page www.ed.gov/offices/OSERS/

National Institute on Disability
and Rehabilitation Research www.ed.gov/about/offices/list/osers/nidrr/index.html

National Center for the Dissemination
of Disability Research www.ncddr.org/

National Rehabilitation Information
Center www.naric.com

General

U.S. Department of Education www.ed.gov/

Education Department General
Administrative Regulations (EDGAR) www.ed.gov/policy/fund/reg/edgarReg/edgar.html

U.S. Department of Education
Grant Application and Other Forms www.ed.gov/fund/grant/apply/appforms/appforms.html

U.S. Department of Education
Technology Initiatives www.ed.gov/about/offices/list/os/technology/index.html

Small Business Administration (SBA)
Technical Resources Network (TECH-Net) tech-net.sba.gov/

SECTION J

GRANT APPLICATION PACKAGE CHECKLIST

GRANT APPLICATION PACKAGE CHECKLIST
CLOSING DATE: JUNE 25, 2012

CHECK:

- Have you prepared the application according to the “**type size**” and “**format**” standards that must be observed throughout the application?
- Does the application contain **no more than 50 pages**, *excluding* any supporting documentation regarding funding commitments (see “**Project Narrative – DOCUMENTATION OF FUNDING/RESOURCE COMMITMENTS**”); and required forms? The project narrative should be up-loaded under the “Project Narrative” in e- grants.ed.gov
- Has the **SF Standard Form 424** been completed according to the instructions?
- Are issues (and, if applicable, exemptions) relating to **Research Activities Involving Human Subjects** adequately addressed in item 3 of the **ED Standard Form 424**?
- Has the **Budget Summary Form (ED Form 524)**, been completed according to the instructions? The budget narrative should be up-loaded under the “Budget Narrative” in grants.gov.
- Have you included IN THE ABSTRACT FORM SECTION all the required components of the “**ED ABSTRACT**” section? This section should be up-loaded under the “Abstract” in grants.gov.
- Abstracts;
 - Certifications;
 - Statements; and,
 - Legend
- Have you addressed each of the components of the “**Project Narrative – TECHNICAL CONTENT**” IN THE NARRATIVE? Including –
- Significance;
 - Quality of Project Design;
 - Quality of Project Personnel; and,
 - Adequacy of Resources
 -
- The project narrative should be up-loaded under “Project Narrative” in grants.gov.
- Is the Phase II “Work Plan” at least one-third of the application?
- Have you included a succinct “**Commercialization Plan**”?

SECTION K

REQUIRED FORMS

APPLICATION FORMS

Applicants using Grants.gov will need to register first to access an application package. Forms in an application package are completed on line and narratives are uploaded while logged into the system. Therefore, allow sufficient time to complete your application before the closing date.

The application format for the SBIR Phase I Program should include:

Mandatory Forms:

- Federal Assistance Application Face Page (SF 424)

 - ED Abstract

 - ED GEPA427

 - Budget Narrative

 - GG Lobbying Form (80-0013)

 - ED 524 Budget Form

 - Faith Based Survey on EEO

 - Project Narrative

 - SFLL (Disclosure of Lobbying)

 - ED SF 424 Supplemental

Optional Forms:

- Table of Contents

- Other – Resumes/Vitae

- Other – Letters of Commitment/Support

- Other

- Budget Information

Application pages should be consecutively numbered.

INSTRUCTIONS FOR THE SF-424

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

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

	<p>c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting www.Grants.gov.</p>	19.	<p>Is Application Subject to Review by State Under Executive Order 12372 Process? (Required) Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State.</p>		
	<p>d. Address: Enter address: Street 1 (Required); city (Required); County/Parish, State (Required if country is US), Province, Country (Required), 9-digit zip/postal code (Required if country US).</p>	20.	<p>Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of federal debt include; but, may not be limited to: delinquent audit disallowances, loans and taxes. If yes, include an explanation in an attachment.</p>		
	<p>e. Organizational Unit: Enter the name of the primary organizational unit, department or division that will undertake the assistance activity.</p> <p>f. Name and contact information of person to be contacted on matters involving this application: Enter the first and last name (Required); prefix, middle name, suffix, title. Enter organizational affiliation if affiliated with an organization other than that in 7.a. Telephone number and email (Required); fax number.</p>	21.	<p>Authorized Representative: To be signed and dated by the authorized representative of the applicant organization. Enter the first and last name (Required); prefix, middle name, suffix. Enter title, telephone number, email (Required); and fax number. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain federal agencies may require that this authorization be submitted as part of the application.)</p>		
9.	<p>Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> 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 </td> <td style="width: 50%; vertical-align: top;"> <ul style="list-style-type: none"> M. Nonprofit N. Private Institution of Higher Education O. Individual P. For-Profit Organization (Other than Small Business) Q. Small Business R. Hispanic-serving Institution S. Historically Black Colleges and Universities (HBCUs) T. Tribally Controlled Colleges and Universities (TCCUs) U. Alaska Native and Native Hawaiian Serving Institutions V. Non-US Entity W. Other (specify) </td> </tr> </table>	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> M. Nonprofit N. Private Institution of Higher Education O. Individual P. For-Profit Organization (Other than Small Business) Q. Small Business R. Hispanic-serving Institution S. Historically Black Colleges and Universities (HBCUs) T. Tribally Controlled Colleges and Universities (TCCUs) U. Alaska Native and Native Hawaiian Serving Institutions V. Non-US Entity W. Other (specify) 		
<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> M. Nonprofit N. Private Institution of Higher Education O. Individual P. For-Profit Organization (Other than Small Business) Q. Small Business R. Hispanic-serving Institution S. Historically Black Colleges and Universities (HBCUs) T. Tribally Controlled Colleges and Universities (TCCUs) U. Alaska Native and Native Hawaiian Serving Institutions V. Non-US Entity W. Other (specify) 				

[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 U.S. Department of Education Supplemental Information for the 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. Items marked with an asterisk (*) are mandatory.

2. Novice Applicant. Check “Yes” if you meet the definition for novice applicants specified in the regulations in 34 CFR 75.225 and included on the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424”). By checking “Yes” the applicant certifies that it meets these novice applicant requirements. Check “No” if you do not meet the definition for novice applicants.

This novice applicant information will be used by ED to: 1) determine the amount and type of technical assistance that a novice might need, if funded, and 2) determine novice applicant eligibility in discretionary grant competitions that give special consideration to novice applications. Certain ED discretionary grant programs give special consideration to novice applications, either by establishing a special competition for novice applicants or by giving competitive preference to novice applicants under the procedures in 34 CFR 75.105(c)(2). If special consideration is being given to novice applications under a particular discretionary grant competition, the application notice for the competition published in the Federal Register will specify this information

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

3a. 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.

3a. 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 U.S. Department of Education Supplemental Information for SF-424.”)

3b. 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. Check 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 U.S. Department of Education Supplemental Information for the SF-424.”

3b. 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 attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”

3b. Human Subjects Assurance Number. If the applicant has an approved Federal Wide Assurance (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. **(A list of current FWAs is available at: <http://ohrp.cit.nih.gov/search/asearch.asp#ASUR>)** 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.

3c. If applicable, please attach your “Exempt Research” or “Nonexempt Research” narrative to your submission of the U.S Department of Education Supplemental Information for the SF-424 form as instructed in item II, “Instructions for

Exempt and Nonexempt Human Subjects Research Narratives” in the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”

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.

No covered human subjects research can be conducted until the study has ED clearance for protection of human subjects in research.

***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 1894-0007. The time required to complete this information collection is estimated to average between 15 and 45 minutes per response, including the time to review instructions, search existing data resources, gather the data needed and complete and review the information collection. If you have any comments concerning the accuracy of the estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-0170. 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.*

**Definitions for U.S. Department of Education
Supplemental Information for the SF-424**

Definitions:

Novice Applicant (See 34 CFR 75.225)

For discretionary grant programs, 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. 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 **directly or indirectly** linked to that individual, 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. ***If an educational practice is being introduced to the site and is not widely used for similar populations, it is not covered by this exemption.***

(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. *[This exemption applies only to retrospective studies using data collected before the initiation of the research.]*

(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. *[The standards of this exemption are rarely met because it was designed to apply only to specific research conducted by HHS at the time the regulations were established. We will strictly construe this exemption because it was not intended to apply to ED research.]*

(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.b. of the U.S. Department of Education Supplemental Information for the SF 424, the applicant must attach a human subjects “exempt research” or “nonexempt research” narrative to the U.S. Department of Education Supplemental Information for the SF-424 form. 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.b. and designated exemption numbers(s), attach the “exempt research” narrative to the U.S. Department of Education Supplemental Information for the SF-424. 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.b. you must attach the “nonexempt research” narrative to the U.S. Department of Education Supplemental Information for the SF-424. 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 Office of the Chief Financial Officer, U.S. Department of Education, Washington, D.C. 20202-4331, telephone: (202) 245-8090, 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 SF-424 in the upper right corner of the form (if applicable).

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.

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

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

Note: Certain of these assurances may not be **applicable** to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

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

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, AAudits of States, Local Governments, and Non-Profit Organizations.≡
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

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

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

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that

can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

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

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

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

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

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

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

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

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (Public Law 103-382). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1894-0005.

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

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.

Public 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. Public reporting burden for this collection of information is estimated to average 5 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. The obligation to respond to this collection is voluntary (EO 13198 and 13199). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1894-0010.

GRANT APPLICATION RECEIPT ACKNOWLEDGEMENT

If you fail to receive the notification of application within fifteen (15) days from the closing date, call:

U.S. Department of Education
Application Control Center
(202) 245-6288

GRANT AND CONTRACT FUNDING INFORMATION

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

ED Internet Home Page <http://www.ed.gov/> (WWW address)