

Applicant Name:

## Federal Fiscal Year 2010 - School Year 2010-2011

# Phase I Application for Part B of the Individuals with Disabilities Education Act (IDEA) as Amended in 2004

### Annual Award

CFDA No. 84.027A (Section 611 – Grants to States)  
CFDA No. 84.173A (Section 619 – Preschool Grants)

### FFY2010 Grant Cycle

July 1, 2010 – December 31, 2012

**Submission Deadline is Thursday, July 1, 2010**

Submit the signed PDF to [OSSE.DSE-PartBFinance@dc.gov](mailto:OSSE.DSE-PartBFinance@dc.gov)

The following FFY 2010 Phase I Grant Application for IDEA Part B (IDEA-B) is submitted to the Office of the State Superintendent of Education on behalf of:

\_\_\_\_\_ Full Legal Name of Submitting Local Education Agency (LEA) or State Agency

By: \_\_\_\_\_

Printed Name of: the Chairperson of Board (*all independent LEA charter schools*),  
the Chancellor (*DCPS only*), or State Agency Director

Point of Contact for Follow-up, if Necessary:	
Name	
E-mail	
Phone Number	

If you have questions regarding this application please contact Ethan Lin, DSE Financial Program Analyst, at [ethan.lin@dc.gov](mailto:ethan.lin@dc.gov) and copy Charity Hallman, DSE Financial Policy Manager at [charity.hallman@dc.gov](mailto:charity.hallman@dc.gov).

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The IDEA Part-B Phase I grant application is due July 1, 2010. Once this application is approved by the Division of Special Education (DSE) within the Office of the State Superintendent of Education (OSSE) subgrantees may begin obligating expenses against their IDEA-B grant funds. Reimbursement requests will not be accepted until the Phase II application is completed and approved.

**\*\*IMPORTANT NOTE FOR PUBLIC CHARTER SCHOOLS\*\***

This application should only be completed by public charter schools that have elected to be their own Local Education Agencies (LEAs) for the purposes of IDEA for the above referenced IDEA-B grant period in accordance with DC Code § 38-1802.02. As such, your public charter school will be responsible for the management and oversight of these IDEA grant funds throughout the FFY2010 grant cycle regardless of whether your school's IDEA LEA status changes during this time frame.

Your school's IDEA LEA election cannot be changed by the submission of this application to OSSE. OSSE will not review applications submitted by charter schools with a current election to use the District of Columbia Public Schools (DCPS) as their LEA for IDEA purposes. Please direct any questions about the special education LEA election process to the District of Columbia Public Charter School Board (PCSB).

**Grades and or Programs offered by the Applicant (Please check all that apply):**

- |   |                                  |   |
|---|----------------------------------|---|
| <input type="checkbox"/> Preschool        | <input type="checkbox"/> Fifth   | <input type="checkbox"/> Eleventh                         |
| <input type="checkbox"/> Pre-Kindergarten | <input type="checkbox"/> Sixth   | <input type="checkbox"/> Twelfth                          |
| <input type="checkbox"/> Kindergarten     | <input type="checkbox"/> Seventh | <input type="checkbox"/> GED                              |
| <input type="checkbox"/> First            | <input type="checkbox"/> Eighth  | <input type="checkbox"/> Other Adult Programs             |
| <input type="checkbox"/> Second           | <input type="checkbox"/> Ninth   | <input type="checkbox"/> Other Educational Programs _____ |
| <input type="checkbox"/> Third            | <input type="checkbox"/> Tenth   |   |
| <input type="checkbox"/> Fourth           |                                  |   |

**A. Submission Statement and Assurances for IDEA Part B**

The Applicant makes the following assurances that it meets each of the conditions required by Part B of the Individuals with Disabilities Education Act (IDEA or IDEA-B) 34 CFR §§ 300.200-213). As used herein, Applicant refers to a local educational agency (LEA), a state agency, or another agency designated by the Office of the State Superintendent of Education (OSSE) to ensure the provision of a free, appropriate education to a child with a disability under



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the IDEA. In order to receive any IDEA-B grant funding, assurances must be given in the affirmative for all of the following items (unless otherwise noted).

**Programmatic Assurances**

Yes (Assurance is given).	No (Assurance cannot be given.)	Assurance
<input type="checkbox"/> Yes	<input type="checkbox"/> No  <input type="text"/> (Date to be provided)	<p>1. The Applicant, in providing for the education of children with disabilities within its jurisdiction, has in effect policies, procedures, and programs that are consistent with the State policies and procedures established under the IDEA Part B regulations at 34 CFR §§300.101 through 300.163, and §§300.165 through 300.174. (20 U.S.C. 1413(a)(1); 34 CFR § 300.201)</p> <p><i>Please note: A full set of these policies and procedures should be readily available upon request by the OSSE. If assurance cannot be given for this item, please provide the date by which the applicant will complete policies and procedures in order to provide assurance.</i></p>
<input type="checkbox"/> Yes	<input type="checkbox"/> No  <input type="text"/> (Date to be provided)	<p>2. The Applicant has adopted effective procedures for acquiring and disseminating to teachers and administrators, significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects. (20 U.S.C. § 1232e(b)(8))</p>
<input type="checkbox"/> Yes		<p>3. The Applicant will ensure that all personnel necessary to carry out Part B of the Act are appropriately and adequately prepared, subject to the requirements of 34 CFR § 300.156 (related to personnel qualifications) and section 2122 of the ESEA. (20 U.S.C. 1413(a)(3); 34 CFR § 300.207).</p>
<input type="checkbox"/> Yes		<p>4. <b>DCPS Only:</b> In carrying out IDEA-B and the IDEA-B regulations with respect to <i>charter schools that are public schools of the LEA</i>, DCPS will –</p>



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		<p>(i) Serve children with disabilities attending those charter schools in the same manner as DCPS serves children with disabilities in its other schools, including providing supplementary and related services on site at the charter school to the same extent to which DCPS has a policy or practice of providing such services on site to its other public schools; and</p> <p>(ii) Provide funds under IDEA-B to those charter schools –</p> <p>(A) On the same basis as DCPS provides funds to other public schools within DCPS, including proportional distribution based on relative enrollment of children with disabilities; and</p> <p>(B) At the same time as DCPS distributes Federal funds to other public schools within DCPS, consistent with the State’s charter school law.</p> <p>DCPS will be responsible for ensuring that IDEA-B requirements are met in each public charter school that is a school of the LEA, unless State law has assigned that responsibility to some other entity. (20 U.S.C. 1413(a)(5); 34 CFR § 300.209)</p>
<p>_____ Yes</p>		<p>5. <b>Independent LEA Charters Only:</b> If a public charter school is an LEA applying for IDEA-B funding under 34 CFR § 300.705, the LEA that is a public charter school will be responsible for ensuring that the IDEA-B requirements are met, unless State law has assigned that responsibility to some other entity. (20 U.S.C. 1413(a)(5); 34 CFR § 300.209)</p>
<p>_____ Yes</p>		<p>6. <b>DCPS Only:</b> DCPS provides parentally-placed private school children with disabilities an opportunity for equitable participation in programs assisted or carried out under IDEA-B. (20 U.S.C. 1412(a)(10)(A); 34 CFR §§300.130-144)</p>
<p>_____ Yes</p>		<p><b>NOTE: Please provide an assurance for 7a or 7b, as applicable.</b></p> <p>7a. The Applicant has chosen to coordinate with the National</p>



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<p>_____ Yes</p>		<p>Instructional Materials Access Center (NIMAC), when purchasing print instructional materials, and will acquire those instructional materials in the same manner, and subject to the same conditions as the SEA under §300.172. (20 U.S.C. 1413(a)(6); 34 CFR § 300.210)</p> <p>- OR -</p> <p>7b. The Applicant has chosen not to coordinate with the NIMAC but assures that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner. Nothing in 34 CFR § 300.210 shall be construed to require an LEA to coordinate with the NIMAC. (20 U.S.C. 1413(a)(6); 34 CFR § 300.210)</p> <p><i>If 7b. is checked, please provide a short narrative describing the applicant's plan of action to accomplish this assurance:</i></p>
<p>_____ Yes</p>		<p>8. The Applicant will ensure that children with disabilities who need instructional materials in accessible formats but are <u>not</u> included under the definition of blind or other persons with print disabilities in 34 CFR §300.172(e)(1)(i) or who need materials that cannot be produced from National Instructional Materials Accessibility Standards (NIMAS) files, receive those instructional materials in a timely manner. (20 U.S.C. 1413(a)(6); 34 CFR § 300.210; <i>see also</i> Appendix C to 34 CFR Part 300 )</p>
<p>_____ Yes</p>		<p>9. The Applicant will administer its IDEA program in accordance with all applicable statutes, regulations, program plans, and applications, including but not limited to the General Education Provisions Act (20 U.S.C. §§ 1221 et seq.) and the Family Education Rights and Privacy Act (20 U.S.C. § 1232g, 34 C.F.R. Part 99). 20 U.S.C. § 1232e(b)(1).</p>



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**Fiscal Assurances**

<b>Yes</b> (Assurance is given).	<b>No</b> (Assurance cannot be given.)	<b>Assurance</b>
<p>_____ Yes</p>		<p>10. Amounts provided to the Applicant under IDEA-B –</p> <ul style="list-style-type: none"> <li>(1) Will be expended in accordance with the applicable provisions of IDEA-B;</li> <li>(2) Will be used only to pay the excess costs of providing special education and related services to children with disabilities, consistent with 34 CFR § 300.202(b); and</li> <li>(3) Will be used to supplement State, local, and other Federal funds and not to supplant those funds.</li> </ul> <p>(20 U.S.C. 1413(a)(2)(A); 34 CFR § 300.202) This requirement is commonly referred to as the “Supplement, not Supplant” requirement.</p> <p><i>For information regarding the Excess Cost Calculation for your LEA or State agency, please see Appendix A to 34 CFR Part 300.</i></p> <p><i>An IDEA Budget/Spending Plan form for both the FFY 2009 annual IDEA Part B grants and funds related to the American Recovery and Reinvestment Act (ARRA) of 2009, will be provided to you electronically and will be due during Phase II.</i></p>
<p>_____ Yes</p>		<p>11. Except as provided in 34 CFR §§ 300.204 and 300.205, funds provided to the Applicant under IDEA-B will not be used to reduce the level of expenditures for the education of children with disabilities made by the Applicant from local funds below the level of those expenditures for the preceding fiscal year. (20 U.S.C. 1413(a)(2)(A); 34 CFR § 300.203) This requirement is commonly referred to as the “Maintenance of Effort” or “MOE” requirement.</p> <p><i>For information regarding how LEAs and State agencies are to calculate MOE, please see 34 CFR §§ 300.203-205. Please note that all LEAs and State agencies will need to report to the SEA the total or per capita amount the LEA spent in the prior two years during Phase II.</i></p>
<p>_____ Yes</p>		<p>12. The Applicant ensures that all personnel who are compensated, in full or in part, with federal funds for services</p>



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		rendered during the period of performance under this IDEA-B award will keep appropriate documents on file. Documentation and costs must satisfy the specific requirements outlined in the Office of Management and Budget (OMB) Curricular A-87, Attachment B, Section 8. This requirement is commonly referred to as the "Time and Effort" requirement.
<input type="checkbox"/> Yes		13. To the extent the Applicant elects or is required to use up to 15 percent of its IDEA-B allocation for coordinated early intervening services, the Applicant will use those funds consistent with 34 CFR § 300.226.
<input type="checkbox"/> Yes		14. Notwithstanding 34 CFR §§ 300.202, 300.203(a) and 300.162(b), if the Applicant elects to use IDEA-B funds to carry out any of the specified permissive uses listed in 34 CFR § 300.208, the Applicant shall be these funds in accordance with 34 CFR § 300.208. (20 U.S.C. § 1413(a)(4); 34 CFR § 300.208)
<input type="checkbox"/> Yes		15. The Applicant assures that the control of funds provided to the Applicant, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property. (20 U.S.C. § 1232e (b)(2)).
<input type="checkbox"/> Yes		16. The Applicant shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds. (20 U.S.C. § 1232e(b)(3))
<input type="checkbox"/> Yes		17. The Applicant assures that none of the funds expended will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization. (20 U.S.C. § 1232e(b)(9))
<input type="checkbox"/> Yes		18. Entities expending \$500,000 or more of federal funds annually, from all sources, will receive an annual financial and compliance audit within 9 months from the end of its fiscal year in accordance with OMB Circular A-133. The Applicant will submit copies of the opinion letter, the management



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		<p>representation letter, (and findings if applicable) to the OSSE within 30 days from the conclusion of the A-133. (OMB Circular A-133 Subpart B 200 (a))</p> <p><i>Please note: Entities covered by the Single Audit Act Amendments of 1996 and OMB Circular A-133 must agree to separately identify expenditures of American Recovery and Reinvestment Act of 2009 (ARRA) funds on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by OMB Circular A-133.</i></p>
<p>_____ Yes</p>		<p>19. <b>DCPS Only:</b> DCPS will expend a proportionate share of its subgrants under section 611(f) and 619(g), as proscribed in Appendix B to 34 CFR Part 300, on the provision of special education and related services for parentally-placed private school children with disabilities enrolled in private elementary schools and secondary schools location in the LEA.</p>
<p>_____ Yes</p>		<p>20. The Applicant shall obtain prior approval from the OSSE, before using any IDEA-B funds for equipment purchases that exceed \$5,000. For purposes of this prior approval requirement, “equipment” is defined to mean an article of nonexpendable, tangible personal property having a useful life of more than one year and acquisition cost which equals or exceeds the lesser of the capitalization level established by the governmental unit for financial state purposes or \$5,000. (See 2 CFR Part 225, Appendix B, 15a.)</p>
<p>_____ Yes</p>		<p>21. The Applicant shall obtain prior approval from the OSSE, before using any IDEA-B funds for construction or alteration of facilities.</p> <p>Please note: If approved, any construction or alternation of facilities must comply with Appendix A to part 36 of title 28, Code of Federal Regulations, the “Americans with Disabilities Accessibility Guidelines for Buildings and Facilities” or Appendix A of subpart 101-19.6, of title 41 Code of Federal Regulations the “Uniform Federal Accessibility Standards”. Applicants must also comply with requirements in 34 CFR Part 76 regarding construction, including requirements in 34 CFR</p>



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		§§ 75.600-75.617 that are incorporated by reference in 34 CFR § 76.600.
<input type="checkbox"/> Yes		<p>22. The Applicant assures that in the case of any project involving construction or the alteration of facilities –</p> <p>(1) <b>DCPS Only:</b> the project is not inconsistent with overall District of Columbia plans for the construction of school facilities; and</p> <p>(2) in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed in 29 U.S.C. § 794 in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities.</p> <p>(20 U.S.C. § 1232e(b)(7))</p>
<input type="checkbox"/> Yes		<p>23. The Applicant shall promptly refer to the District of Columbia’s Office of Inspector General (OIG) any credible evidence that a principal officer, employee, agent, contractor, sub-recipient, subcontractor or any other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity or similar misconduct involving IDEA-B funds. Information about the DC OIG and its Hotline is available at:</p> <p><a href="http://oig.dc.gov/services/suggest.shtm">http://oig.dc.gov/services/suggest.shtm</a></p>

**Assurances Regarding the Submission of Data and Other Information to the OSSE and Other Assurances**

<b>Yes</b> (Assurance is given).	<b>No</b> (Assurance cannot be given.)	<b>Assurance</b>
<input type="checkbox"/> Yes		<p>24. The Applicant will provide the SEA with information necessary to enable the SEA to carry out its duties under IDEA-B, including, with respect to 34 CFR §§ 300.157 (Performance Goals and Indicators) and 300.160 (Participation in Assessments), information relating to the performance of children with disabilities participating in programs carried out</p>



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		<p>under IDEA-B. (20 U.S.C. 1413(a)(7); 34 CFR § 300.211).</p> <p><i>Specific information will be required to be submitted in the IDEA Data Needs spreadsheet during Phase II.</i></p>
<p>_____ Yes</p>		<p>25. The Applicant will provide data, in a timely manner, to the SEA on any information that may be required by the SEA or the U.S. Department of Education (20 U.S.C. 1412(a)(22), 1418(a); 34 CFR §§ 300.211; 300.640-300.646), including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• enrollment data</li> <li>• truancy data</li> <li>• graduation/dropout rates</li> <li>• suspension/expulsion data</li> <li>• staffing data</li> <li>• performance and AYP data</li> <li>• newly identified students</li> <li>• existing students whose placement changed (includes Part C to Part B transition)</li> <li>• dispute resolution data (includes complaints against, mediations, resolution sessions, due process hearings, state complaints against)</li> </ul>
<p>_____ Yes</p>		<p>26. The Applicant will make reports to the SEA as may reasonably be necessary to enable the SEA to perform its duties. The Applicant will maintain such records in accordance with 34 CFR 80.42 for a period of five years, including the records required under 34 CFR 300.641 (annual IDEA child count) and 20 U.S.C. § 1232f and will provide the SEA access to those records as the SEA deems necessary to perform its duties. (20 U.S.C. § 1232e(b)(4))</p>
<p>_____ Yes</p>		<p>27. The Applicant will make available to parents of children with disabilities and to the general public all documents relating to the eligibility of the agency under IDEA-B. (20 U.S.C. 1413(a)(8); 34 CFR § 300.212)</p>
<p>_____ Yes</p>		<p>28. The Applicant will provide reasonable opportunities for the participation of teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program. (20 U.S.C. § 1232e(b)(5))</p>

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____ Yes		29. The Applicant assures that any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public. (20 U.S.C. § 1232e(b)(6))
____ Yes		30. The Applicant will cooperate in the Secretary's efforts under section 1308 of the ESEA to ensure the linkage of records pertaining to migratory children with disabilities for the purpose of electronically exchanging, among the States, health and educational information regarding those children. (20 U.S.C. 1413(a)(9); 34 CFR § 300.213)

**B. Certifications**

I, the undersigned authorized official of the \_\_\_\_\_ (Name of the LEA or State agency (Applicant)), certify that said Applicant can make the assurances checked as "yes" in Section A of this application. The Applicant will operate its Part B program in accordance with all of the required assurances.

If any assurances have been checked "no", I certify that the Applicant will operate throughout the period of this grant award consistent with the requirements of IDEA, as found in Public Law No. 108-446 and any applicable regulations, and will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of IDEA, as amended, as soon as possible, and not later than June 30, 2011. (34 CFR § 76.104)

I also certify that, by submitting this application, the LEA or State agency (Applicant) provides the following certifications:

1. The Applicant certifies that no Federal appropriated funds have been 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 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. The applicant shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR Part 82, Appendix B).



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2. As required by Executive Orders 12549 and 12689, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110--

A. The Applicant certifies that it and its principles:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the Applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

Further, I understand the following (*please initial each of the following*):

3. \_\_\_\_\_ The Phase II application must be returned to the Office of the State Superintendent in accordance with the established deadlines. The State Superintendent will allow a minimum of 90 days for completion. By signing below, the Applicant certifies that it will submit an approvable Phase II application in accordance with the deadlines or risk the denial of funding under this Phase I application.
4. \_\_\_\_\_ Failure of the Applicant to deliver services related to FAPE that consequently requires the OSSE to assume the responsibility of meeting the student's IEP needs may result in the funding allocations being reduced by the cost of the services and costs



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related to the violation. Such funds shall be withheld by the OSSE, as described in 34 CFR 300.227.

5. \_\_\_\_\_ The Applicant and its principles understand that it must repay any funds that have been finally determined through the federal or State audit resolution process to have been misspent, misapplied, or otherwise not properly accounted for, and the Applicant must pay any collection fees that may subsequently be imposed by the Federal and/or State government.

*Note other certifications may be required in the Phase II Application.*

\_\_\_\_\_  
**Printed/Typed Name** of the Chairperson of Board (*all independent LEA charter schools*), the Chancellor (*DCPS only*), or State Agency Director.

\_\_\_\_\_  
**Signature** of the Chairperson of Board (*all independent LEA charter schools*), the Chancellor (*DCPS only*), or State Agency Director.

\_\_\_\_\_ **Date**