

CONNECTICUT STATE DEPARTMENT OF EDUCATION  
ACADEMIC OFFICE

**Request for Proposal**

**Public Law: 107-110, Title III: Part A-English Language  
Acquisition, Language Enhancement and Academic  
Achievement Act**

**Immigrant Children and Youth Education Grant Application**

**2013-14**

**PURPOSE:**

“To assist eligible local educational agencies that experience unexpectedly large increases in their student population due to immigration.”

**Submission Due:** November 8, 2013

**Published:** May, 2013

**RFP# 136**



## CONNECTICUT STATE DEPARTMENT OF EDUCATION

Stefan Pryor  
Commissioner of Education

The State of Connecticut Department of Education is committed to a policy of equal opportunity/affirmative action for all qualified persons. The Department of Education does not discriminate in any employment practice, education program, or educational activity on the basis of **race, color, religious creed, sex, age, national origin, ancestry, marital status, sexual orientation, gender identity or expression, disability (including, but not limited to, intellectual disability, past or present history of mental disorder, physical disability or learning disability), genetic information, or any other basis prohibited by Connecticut state and/or federal nondiscrimination laws. The Department of Education does not unlawfully discriminate in employment and licensing against qualified persons with a prior criminal conviction.** Inquiries regarding the Department of Education's nondiscrimination policies should be directed to:

Levy Gillespie  
Equal Employment Opportunity Director/American with Disabilities Act Coordinator  
State of Connecticut Department of Education  
25 Industrial Park Road  
Middletown, CT 06457  
860-807-2101  
[Levy.Gillespie@ct.gov](mailto:Levy.Gillespie@ct.gov)

An Equal Opportunity/Affirmative Action Employer

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## I. OVERVIEW OF STATE AND FEDERAL REQUIREMENTS

The Connecticut State Department of Education (CSDE) manages the Immigrant Children and Youth Education Grant (ICYE) from the U.S. Department of Education. The purpose of this grant is to assist eligible local educational agencies (LEAs) that experience unexpectedly large increases in their student population due to immigration to:

- (1) provide high-quality instruction to immigrant children and youth; and
- (2) help such children and youth —
  - (a) with their transition into American society; and
  - (b) meet the same challenging state academic content and student academic achievement standards that all children are expected to meet.

The ICYE program continues to operate as an entitlement grant.

Fifteen percent of the CSDE's allotment under section 3114(d) of the Elementary and Secondary Schools Act will be reserved for those school districts that have experienced a significant increase of at least 2 percent as compared to the average of the two preceding fiscal years in the percentage or number of immigrant children and youth enrolled in public and non-public elementary and secondary schools in the geographic areas under the jurisdiction of, or served by, such school districts.

### ELIGIBLE APPLICANTS

ICYE funds are awarded based upon a significant increase of at least 2 percent in immigrant student population. Eligible entities are those LEAs with a *significant increase* in their immigrant student population based on the previous two-year period.

### DEFINITIONS

**Immigrant children and youth:** Individuals who (1) are ages 3 to 21; (2) were not born in any state; and (3) have not been attending one or more schools in any one or more states for more than a total of three full academic years.

**Significant increase:** Will be defined based on the enrollment data of the last two years, the percent of growth of at least 2 percent, and the need for hiring staff to provide direct services to immigrant students.

**States:** Under No Child Left Behind (NCLB) legislation, the term "State" encompasses the 50 states, the District of Columbia, Puerto Rico, The Virgin Islands and the outlying areas of American Samoa, Guam and the Commonwealth of Northern Mariana Islands.

Note: For additional definitions, see 20 U.S.C. Section 7011.

## PROPOSAL REVIEW

Applications will go through a review process. Districts will be notified in writing as to the approval and final funding status of their applications.

## GRANT NEGOTIATIONS

The content and cost of proposals are subject to negotiation prior to the final contract. All grant awards are subject to the availability of federal funds. No program activity may commence without an approved award letter from the CSDE.

## ADMINISTRATIVE AND INDIRECT COSTS

Only school districts and regional educational service centers (RESCs) that have submitted indirect cost proposals for fiscal year 2013-14 may apply for indirect costs.

## REPORTING

A final report – ED 238 IMMIGRANT CHILDREN AND YOUTH PROGRAM ANNUAL PROGRESS REPORT FOR FISCAL YEAR 2013-14 will be due November 14, 2014. This report will be sent to all successful grantees. Grantees shall submit an original and two copies. Please retain one copy for your files and submit the original and one copy by November 14, 2014, to:

William Howe  
Program Manager  
Connecticut State Department of Education  
Academic Office  
P.O. Box 2219, Room 215  
Hartford, CT 06145-2219

## AVAILABLE FUNDS

The CSDE will set aside 15 percent of the Title III, Part A, grant for subgrants for ICYE. The total available Title III funds for the state is \$5,675,600. Of this amount, an estimated \$851,340 will be available for this grant program.

## **II. PROPOSAL OBJECTIVES**

- (a) **USE OF FUNDS** - Funds awarded under this subpart shall be used to pay for enhanced instructional opportunities for immigrant children and youth, which may include:
- family literacy services, parent outreach and training activities designed to assist parents to become active participants in the education of their children;
  - support for personnel, including teachers' aides who have been specifically trained, or are being trained to provide services to immigrant children and youth;
  - provision of tutorials, mentoring and academic or career counseling for immigrant children and youth;
  - identification and acquisition of curricular educational software and technologies to be used in the program award;
  - basic instructional services that are directly attributable to the presence in the school district of immigrant children and youth, including the payment of cost of providing additional classroom supplies, cost of transportation or such other costs as are directly attributable to such additional basic instructional services;
  - other instructional services that are designed to assist immigrant children and youth to achieve in the elementary and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and
  - activities coordinated with community-based organizations, institutions of higher education, private sector entities or other entities with expertise in working with immigrants to assist parents of immigrant children and youth by offering comprehensive community services.
- (b) **CONSORTIA** - An LEA that receives a grant under this subpart may collaborate or form a consortium with one or more LEAs, institutions of higher education and nonprofit organizations to carry out a program described in an application approved under this subpart.
- (c) **SUBGRANTS** - An LEA that receives a grant under this subpart may, with the approval of the Secretary of the U.S. Department of Education, make a subgrant to, or enter into a contract with, an institution of higher education, a nonprofit organization or a consortium of such institutions or organizations to carry out a program described in an application approved under this subpart, including a program to serve out-of-school youth.
- (d) **CONSTRUCTION** - Nothing in this subpart shall be construed to prohibit an LEA from serving immigrant children and youth simultaneously with children and youth with similar educational needs, in the same educational settings where appropriate.

### III. APPLICANT INFORMATION

#### AFFIRMATIVE ACTION

All fiscal agents must complete the affirmative action packet, or attest that one is on file, to be considered for a contract award.

#### OBLIGATIONS OF GRANTEES

All bidders are hereby notified that the grant to be awarded is subject to contract compliance requirements as set forth in Sections 4a-60 and 4a-60a of the Connecticut General Statutes (C.G.S.) and Sections 4a-68j-1 et seq. of the Regulations of Connecticut State Agencies.

Furthermore, the grantee must submit periodic reports of its employment and subcontracting practices in such form, in such manner and in such time, as may be prescribed by the Commission on Human Rights and Opportunities.

#### UTILIZATION OF MINORITY BUSINESS ENTERPRISE

All grantees shall make “good faith efforts” to employ minority business enterprises as subcontractors and suppliers of materials on all projects subject to contract requirements.

Grantees shall certify under oath to the Commission on Human Rights and Opportunities and the state agency that the minority businesses selected as subcontractors and suppliers of materials comply with the criteria of Section 4a-60 of the C.G.S., if such businesses are not currently registered with the Department of Economic and Community Development.

#### FREEDOM OF INFORMATION ACT (FOIA)

All of the information contained in a proposal submitted in response to this RFP is subject to the provisions of the FOIA, Sections 1-200 et seq. The FOIA declares that, except as provided by federal law or state statute, records maintained or kept on file by any public agency (as defined in the statute) are public records and every person has the right to inspect such records and receive a copy of such records.

#### MANAGEMENT CONTROL OF THE PROGRAM AND GRANT CONSULTATION ROLE OF THE STATE DEPARTMENT OF EDUCATION PERSONNEL

The grantee has overall management control of the grant. While CSDE staff may be consulted for their expertise, they will not be directly responsible for the selection of subgrantees or vendors, nor will they be directly involved in the expenditure and payment of funds obligated by the grantee or subgrantee.

#### ANNIE E. CASEY FOUNDATION GRANTS

Applicants that are a part of a collaborative effort funded in whole or in part by the Annie E. Casey Foundation must submit documentation that:

- the collaborative oversight entity has been provided the opportunity to review and comment on the Request for Proposal (RFP) prior to submission to the CSDE; and
- the proposal or application submitted provides information detailing the activities which assures priority access to services to children, youth and families referred by the collaborative oversight entity, and the applicant shall designate someone to act as liaison for the referral process.



## IV. APPLICATION DIRECTIONS

1. The following grant application sections must be submitted:
  - i. Appendix A – Grant Application – RFP 136\*
  - ii. Appendix B – Form ED 114
  - iii. Appendix C – Budget and Budget Justifications
  - iv. Appendix D – Statement of Assurances\*
  - v. Appendix E – Certification that an Affirmative Action Plan is on File\*
  - vi. Appendix F – Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements\*
  - vii. Appendix G – Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions\*

\*signatures required

2. To be considered for funding, all applications submitted must adhere to the following requirements:
  - The selection of specific services by the grantee must be the result of an open and competitive process.
  - Applications must follow the format described in this document.
  - Applications must be typewritten, double-spaced on one side of standard (8-1/2 x 11), unruled white paper. Applications may be stapled but should not be bound or placed in a binder.
  - **One** (1) original set of documents, bearing the signatures of the legally authorized agent for the applicant and other signatures are requested, and **two** (2) copies of the proposal must be submitted.
3. The applications, [one original and two copies], must be received at the Division of Standards, Curriculum and Instruction by 4:30 p.m. on November 8, 2013. Facsimile (“faxed”) copies of proposals/applications will not be accepted. Only proposals/applications with original signatures will be accepted as filed timely.

The delivery and mailing address is:

### Delivery

Carla Ghostlaw  
Connecticut State Department of Education  
Division of Standards, Curriculum and  
Instruction  
165 Capitol Ave., Room 215  
Hartford, CT 06106

### Mailing

Carla Ghostlaw  
Connecticut State Department of Education  
Division of Standards, Curriculum and  
Instruction  
P.O. Box 2219, Room 215  
Hartford, CT 06145-2219

If you have questions regarding this application, you may contact William Howe at 860-713-6752 or [william.howe@ct.gov](mailto:william.howe@ct.gov).

APPENDIX A

RFP 136  
 Rev. 4/2013  
 20 USC 6961 et  
seq., as  
 amended by  
 P.L. 107-110

**CONNECTICUT STATE DEPARTMENT OF EDUCATION**  
**Academic Office**  
**Hartford**

**Immigrant Children and Youth Program (ICYG)**  
**Grant Application for 2013-14**

<p><b><u>INSTRUCTIONS</u></b></p> <p>Submit original and three copies by              November 8, 2013</p>	<p><b><u>MAIL TO:</u></b>              Carla Ghostlaw              Division of Standards, Curriculum and Instruction              P.O. Box 2219, Room 215              Hartford, CT 06145-2219</p>
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Name of School District: \_\_\_\_\_ Town/District Code: \_\_\_\_\_

Contact Person's Name & Title: \_\_\_\_\_

Address: \_\_\_\_\_  
 \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Date of Local Board Acceptance: \_\_\_\_\_

I hereby certify that the information contained in this application is true and accurate to the best of my knowledge and belief.

\_\_\_\_\_  
 Signature of Superintendent of Schools

\_\_\_\_\_  
 Date

**PART I: STATISTICAL DATA:**

TOTAL PUBLIC AND NONPUBLIC PK-12 SCHOOL ENROLLMENT	TOTAL PUBLIC AND NONPUBLIC SCHOOL ENROLLMENT OF ELIGIBLE IMMIGRANT STUDENTS *	AMOUNT OF GRANT FUNDS REQUESTED FOR PUBLIC AND NONPUBLIC SCHOOLS
PUBLIC _____ NONPUBLIC _____	PUBLIC _____ NONPUBLIC _____	\$ _____
TOTAL:	TOTAL:	

\* Please refer to your copy of the Immigrant Children and Youth Survey Form–ED 236 for 2012-13.

**Immigrant Children and Youth Grant  
FY 2013-14**

**PART II. PROJECT DESCRIPTION**

Complete one page for each public and nonpublic project with a unique set of objectives.

Public       Nonpublic

\_\_\_\_\_   
District Name and Code Number

A. PROJECT TITLE:

B. AMOUNT REQUESTED:

C. LIST SCHOOL(S) AND GRADE LEVEL(S) TO BE SERVED BY THIS PROJECT:

<u>Schools</u>	<u>Grade Levels</u>	<u>No. of Students</u>
----------------	---------------------	------------------------

D. Are staff to be paid (salaries only) with ICYG funds?     Yes       No

If yes, list the number of full time equivalent (FTE) positions by job classification, together with the amounts to be paid from ICYG funds.

<u>Job Classification</u>	<u>Number of FTE</u>	<u>Amount</u>
Administrators (non-clerical)	_____	\$ _____
Teachers	_____	\$ _____
Teacher Aides	_____	\$ _____
Staff Providing Support Services (non-clerical)	_____	\$ _____
Clerical Staff	_____	\$ _____
Other (specify)	_____	\$ _____

E. PROJECT OBJECTIVES (What are the desired outcomes?)

F. ACTIVITIES

- a) How will objectives be accomplished?
- b) Put a checkmark by the activity or activities that best describe how the LEA plans to use the funds. In general, an eligible entity receiving funds under Section 3114(d)(1) of the ESEA Reauthorization NCLB 2002 shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include:

	(A) family literacy, parent outreach and training activities designed to assist parents to become active participants in the education of their children;
	(B) support for personnel, including teachers' aides who have been specifically trained, or are being trained to provide services to immigrant children and youth;
	(C) provision of tutorials, mentoring and academic or career counseling for immigrant children and youth;
	(D) identification and acquisition of curricular educational software material and technologies to be used in the program award;
	(E) basic instructional services that are directly attributable to the presence in the school district involved of immigrant children and youth, including the payment of costs of providing additional classroom supplies, cost of transportation or such other costs as are directly attributable to such additional basic instructional services;
	(F) other instructional services that are designed to assist immigrant children and youth to achieve in the elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and
	(G) activities coordinated with community-based organizations, institutions of higher education, private sector entities or other entities with expertise in working with immigrants to assist parents of immigrant children and youth by offering comprehensive community services.

G. EVALUATION (How will you know that the objectives have been accomplished?)

**APPENDIX B**

ED114 Fiscal Year 2014

BUDGET FORM

VENDOR NAME:		VENDOR CODE:		
GRANT TITLE: Immigrant and Youth Education Grant				
PROJECT TITLE:				
CORE-CT CLASSIFICATION: FUND: 12060 SPID: 20868 PROGRAM: 82076				
BUDGET REFERENCE: 2014 CHARTFIELD1: 170002 CHARTFIELD2:				
GRANT PERIOD: 7/01/2013 - 6/30/2015 AUTHORIZED AMOUNT: \$				
AUTHORIZED AMOUNT by SOURCE:				
LOCAL BALANCE: \$		CARRY-OVER DUE: \$		CURRENT DUE: \$
CODES	DESCRIPTIONS	PUBLIC	NON-PUBLIC	TOTAL
111A	ADMINISTRATOR/SUPERVISOR SALARIES			
111B	TEACHERS			
112A	EDUCATION AIDES			
112B	CLERICAL			
119	OTHER			
200	PERSONAL SERVICES-EMPLOYEE BENEFITS			
321	TUTORS			
322	IN SERVICE			
323	PUPIL SERVICES			
324	FIELD TRIPS			
325	PARENT ACTIVITIES			
330	OTHER PROFESSIONAL TECHNICAL SERVICES			
400	PURCHASED PROPERTY SERVICES			
510	PUPIL TRANSPORTATION			
530	COMMUNICATIONS			
560	TUITION			
580	TRAVEL			
590	OTHER PURCHASED SERVICES			
611	INSTRUCTIONAL SUPPLIES			
641	TEXTBOOKS			
642	LIBRARY BOOKS			
690	OTHER SUPPLIES			
700	PROPERTY			
940	INDIRECT COSTS			
	TOTAL			

\_\_\_\_\_ ORIGINAL REQUEST DATE \_\_\_\_\_  
 STATE DEPARTMENT OF EDUCATION      DATE OF  
 PROGRAM MANAGER AUTHORIZATION      APPROVAL  
 \_\_\_\_\_ REVISED REQUEST DATE \_\_\_\_\_

APPENDIX C

**BUDGET AND BUDGET JUSTIFICATIONS**

CODES	DESCRIPTIONS	NARRATIVE/JUSTIFICATION	TOTAL
111A	ADMINISTRATOR/ SUPERVISOR SALARIES		
111B	TEACHERS		
112A	EDUCATION AIDES		
112B	CLERICAL		
119	OTHER		
200	PERSONAL SERVICES- EMPLOYEE BENEFITS		
321	TUTORS		
322	IN SERVICE		
323	PUPIL SERVICES		
324	FIELD TRIPS		
325	PARENT ACTIVITIES		
330	OTHER PROFESSIONAL TECHNICAL SERVICES		
400	PURCHASED PROPERTY SERVICES		

510	PUPIL TRANSPORTATION		
530	COMMUNICATIONS		
560	TUITION		
580	TRAVEL		
590	OTHER PURCHASED SERVICES		
611	INSTRUCTIONAL SUPPLIES		
641	TEXTBOOKS		
642	LIBRARY BOOKS		
690	OTHER SUPPLIES		
700	PROPERTY		
940	INDIRECT COSTS		
	<b>TOTAL</b>		

APPENDIX C(1)

**Budget Form Object Code Definitions**

- 111A **Administrator/Supervisor Salaries:** Amounts paid to administrative employees of the grantee not involved in providing direct services to pupils/clients. Include all gross salary payments for these individuals while they are on the grantee payroll, including overtime salaries or salaries paid to employees of a temporary nature.
- 111B **Teachers:** Salaries for employees providing direct instruction/counseling to pupils/clients. A general rule of thumb is that a person for whom the grantee is paying employee benefits and who is on grantee payroll is included; a person who is paid a fee with no grantee obligation for benefits is not.
- 112A **Education Aides:** Salaries for grantee employees who assist staff in providing classroom instruction.
- 112B **Clerical:** Salaries for grantee employees performing clerical/secretarial services.
- 119 **Other:** Salaries for any other grantee employee not fitting into objects 111A, 111B, 112A or 112B.
- 200 **Personal Services-Employee Benefits:** Amounts paid by the grantee on behalf of the employee whose salaries are reported in objects 111A, 111B, 112A, 112B or 119.
- 321 **Tutors:** Payments for services performed by persons qualified to assist students. Include the services of teachers and teachers' aides who are not on the payroll of the grantee.
- 322 **Inservice:** Payments for services performed by persons qualified to assist teachers and supervisors to enhance the quality of the teaching process.
- 323 **Pupil Services:** Expense for certified or licensed individuals who are not on the grantee payroll and who assist in solving pupil's mental and physical problems.
- 324 **Field Trips:** Costs incurred for conducting educational activities off site. Includes admission costs to educational centers, fees for tour guides, etc.
- 325 **Parental Activities:** Expenditures related to services for parenting including workshop presenters, counseling services, baby-sitting services and overall seminar/workshop costs.
- 330 **Other Professional Technical Services:** Payments for professional or technical services that are not directly related to instructional activities.



- 400 **Purchased Property Services:** Expenditures for services to operate, repair, maintain and rent property owned and/or used by the grantee. These are payments for services performed by persons other than grantee employees.
- 510 **Pupil Transportation:** Expenditures for transporting pupils to and from school and other activities. Included are such items as bus rentals for field trips and payments to drivers for transporting handicapped children.
- 530 **Communication:** Payments for services provided by persons or businesses to assist in transmitting and receiving messages or information. This category includes telephone and telegraph services, as well as postage machine rental and postage.
- 560 **Tuition:** Expenditures to reimburse other educational agencies for instructional services to pupils.
- 580 **Travel:** Expenditures for transportation, meals, hotel and other expenses associated with staff travel.
- 590 **Other Purchased Services:** All other payments for services rendered by organizations or personnel not on the grantee payroll not detailed in 510, 530, 560 and 580.
- 611 **Instructional Supplies:** Expenditures for consumable items purchased for instructional use.
- 641 **Textbooks:** Expenditures for textbooks, workbooks.
- 642 **Library Books and Periodicals:** Expenditures for library books, reference books, periodicals and newspapers that are purchased for use by the school library.
- 690 **Other Supplies:** Allowable expenditures for any other supply which is not instructional or administrative in nature. This category would include maintenance supplies, heating supplies and transportation supplies.
- 700 **Property:** In accordance with the Connecticut State Comptroller's definition of equipment, included in this category are all items of equipment (machinery, tools, furniture, vehicles, apparatus, etc.) with a value of over \$1,000.00 and the useful life of more than one year and data processing equipment that has a unit price under \$1,000.00 and a useful life of not less than five years.
- 940 **Indirect Costs:** Costs incurred by the grantee, which are not directly related to the program but are a result thereof. Beginning fiscal year 1998, grantees must submit indirect cost proposals to the Connecticut State Department of Education to apply for a restricted and unrestricted rate. **Only grantees that have received rate approvals are eligible to claim indirect costs.**

APPENDIX D  
CONNECTICUT STATE DEPARTMENT OF EDUCATION  
STANDARD STATEMENT OF ASSURANCES  
GRANT PROGRAMS

**PROJECT TITLE:** \_\_\_\_\_  
\_\_\_\_\_

**THE APPLICANT:** \_\_\_\_\_ **HEREBY ASSURES THAT:**  
\_\_\_\_\_  
(insert Agency/School/CBO Name)

- A. The applicant has the necessary legal authority to apply for and receive the proposed grant;
- B. The filing of this application has been authorized by the applicant's governing body, and the undersigned official has been duly authorized to file this application for and on behalf of said applicant, and otherwise to act as the authorized representative of the applicant in connection with this application;
- C. The activities and services for which assistance is sought under this grant will be administered by or under the supervision and control of the applicant;
- D. The project will be operated in compliance with all applicable state and federal laws and in compliance with regulations and other policies and administrative directives of the State Board of Education and the Connecticut State Department of Education;
- E. Grant funds shall not be used to supplant funds normally budgeted by the agency;
- F. Fiscal control and accounting procedures will be used to ensure proper disbursement of all funds awarded;
- G. The applicant will submit a final project report (within 60 days of the project completion) and such other reports, as specified, to the Connecticut State Department of Education, including information relating to the project records and access thereto as the Connecticut State Department of Education may find necessary;
- H. The Connecticut State Department of Education reserves the exclusive right to use and grant the right to use and/or publish any part or parts of any summary, abstract, reports, publications, records and materials resulting from this project and this grant;
- I. If the project achieves the specified objectives, every reasonable effort will be made to continue the project and/or implement the results after the termination of state/federal funding;

- J.** The applicant will protect and save harmless the State Board of Education from financial loss and expense, including legal fees and costs, if any, arising out of any breach of the duties, in whole or part, described in the application for the grant;
- K.** At the conclusion of each grant period, the applicant will provide for an independent audit report acceptable to the grantor in accordance with Sections 7-394a and 7-396a of the Connecticut General Statutes, and the applicant shall return to the Connecticut State Department of Education any moneys not expended in accordance with the approved program/operation budget as determined by the audit;
- L. REQUIRED LANGUAGE (NON-DISCRIMINATION)**
  - 1) References in this section to “contract” shall mean this grant agreement and references to “contractor” shall mean the Grantee.

For the purposes of this section, “Commission” means the Commission on Human Rights and Opportunities.

For the purposes of this section “minority business enterprise” means any small contractor or supplier of materials fifty-one percent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) Who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise and (3) who are members of a minority, as such term is defined in subsection (a) of section 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. “Good faith efforts” shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

2) (a) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons [on the grounds] because of race, color, [religious creed] religion, age, [marital status, national origin, ancestry,] sex, gender identity or expression, [intellectual disability, mental disability] sexual orientation, marital status, national origin, ancestry, mental disability, intellectual disability, learning disability or physical disability, [including, but not limited to, blindness,] unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut; and the contractor further agrees to take affirmative action to [insure] ensure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, [religious creed] religion, age, [marital status, national origin, ancestry,] sex, gender identity or expression, [intellectual disability, mental disability] sexual orientation, marital status, national origin, ancestry, mental disability, intellectual disability, learning disability or physical disability, [including, but not limited to, blindness,] unless it is shown by such contractor that such disability prevents performance of the work involved; (b) the contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the contractor, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the Commission; (c) the contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining

agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (d) the contractor agrees to comply with each provision of this section and sections 46a-68e and 46a-68f and with each regulation or relevant order issued by said Commission pursuant to sections 46a-56, 46a-68e and 46a-68f; (e) the contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor as relate to the provisions of this section and section 46a-56.

3) Determination of the contractor's good faith efforts shall include but shall not be limited to the following factors: the contractor's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the Commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

4) The contractor shall develop and maintain adequate documentation, in a manner prescribed by the Commission, of its good faith efforts.

5) The contractor shall include the provisions of section (2) above in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the Commission. The contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

6) The contractor agrees to comply with the regulations referred to in this section as the term of this contract and any amendments thereto as they exist on the date of the contract and as they may be adopted or amended from time to time during the term of this contract and any amendments thereto.

7) (a) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation; (b) the contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (c) the contractor agrees to comply

with each provision of this section and with each regulation or relevant order issued by said Commission pursuant to section 46a-56; (d) the contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the contractor which relate to the provisions of this section and section 46a-56.

8) The contractor shall include the provisions of section (7) above in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the state and such provisions shall be binding on a subcontractor, vendor or manufacturer unless exempted by regulations or orders of the Commission. The contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission, the contractor may request the state of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the state and the state may so enter.

**M.** The grant award is subject to approval of the Connecticut State Department of Education and availability of state or federal funds.

**N.** The applicant agrees and warrants that Sections 4-190 to 4-197, inclusive, of the Connecticut General Statutes concerning the Personal Data Act and Sections 10-4-8 to 10-4-10, inclusive, of the Regulations of Connecticut State Agencies promulgated there under are hereby incorporated by reference.

I, the undersigned authorized official; hereby certify that these assurances shall be fully implemented.

Superintendent Signature: \_\_\_\_\_

Name: *(typed)* \_\_\_\_\_

Title: *(typed)* \_\_\_\_\_

Date: \_\_\_\_\_

APPENDIX E

**CERTIFICATION THAT A CURRENT AFFIRMATIVE ACTION PLAN IS ON FILE**

I, the undersigned authorized official, hereby certify that the current affirmative action packet for \_\_\_\_\_ is on file with the Connecticut State [local school district name]

Department of Education. The Affirmative Action Plan is, by reference, part of this application.

Name of Authorized Official \_\_\_\_\_ Title \_\_\_\_\_

Signature of Authorized Official \_\_\_\_\_ Date \_\_\_\_\_

APPENDIX F

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions**

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

**Instructions for Certification**

- 1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
- 2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
- 3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted, if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- 4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary takeover~ transaction,” “principal,” “proposal” and “voluntarily excluded” as used in this clause, have the meanings set out in the Definitions and Coverage sections of roles implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
- 5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- 6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- 7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the non-procurement list.
- 8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by *this* clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- 1. Except for transactions authorized under paragraph five of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency.  
Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

<b>Name of Applicant</b>	<b>PR/AWARD Number and/or Project Name</b>
<b>Printed Name and Title of Authorized Representative</b>	
<b>Signature</b>	<b>Date</b>

ED 80-0014 9/90 (replaces GCS-009 (REV 12/88) which is obsolete)