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DEPARTMENT OF EDUCATION

Application for New Awards; Indian Education Formula Grants to Local Educational Agencies; Part I of the Formula Grant Electronic Application System for Indian Education (EASIE) Applications

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education is issuing a notice inviting applications for new awards for fiscal year (FY) 2017) for Indian Education Formula Grants to Local Educational Agencies, Catalog of Federal Domestic Assistance (CFDA) Number: 84.060A.

DATES: Part I of EASIE Applications Available: March 31, 2017.

Deadline for Transmittal of Part I Applications: April 28, 2017.

FOR FURTHER INFORMATION CONTACT: For questions about the Formula Grants program, contact Bernard Garcia, U.S. Department of Education, 400 Maryland Avenue, SW., room 3W115, Washington, DC 20202-6335. Telephone: (202) 260-1454 or by email: Bernard.Garcia@ed.gov. For questions about the EASIE application and uploading documentation,

contact the EDFacts PSC, telephone: 877-457-3336 (877-HLP-EDEN) or by email at: eden_OIE@ed.gov.

If you use a telecommunications device for the deaf or a text telephone, call the EDFacts PSC, toll free, at 1-888-403-3336 (888-403-EDEN).

SUPPLEMENTARY INFORMATION:

Note: Applicants must meet the deadlines for Part I to be eligible to complete Part II of the application process. EASIE Part II application dates will be announced in a separate notice inviting applications. Applicants must meet the deadlines for both EASIE Part I and Part II to be eligible to receive a grant. Any application not meeting the Part I and Part II deadlines will not be considered for funding. Failure to submit the required supplemental documentation, described under Content and Form of Application Submission in section IV of this notice, by the EASIE Parts I and II deadlines will result in an incomplete application that will not be considered for funding. The Office of Indian Education recommends uploading the documentation at least two days prior to each deadline date to ensure that any potential submission issues are resolved prior to the deadlines.

I. Funding Opportunity Description

Purpose of Program: The Indian Education Formula Grants to Local Educational Agencies (Formula Grants) program provides grants to support local educational agencies (LEAs), Indian tribes and organizations, and other eligible entities in developing elementary and secondary school programs that serve Indian students. The U.S. Department of Education (Department) funds comprehensive programs that are designed to meet the unique cultural, language, and educational needs of American Indian and Alaska Native (AI/AN) students, and ensure that all students meet challenging State academic standards.

As authorized under section 6116 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA),¹ the Secretary will, upon receipt of an acceptable plan for the integration of education and related services, and in cooperation with other relevant Federal agencies, authorize the entity receiving the funds under this program to consolidate all Federal funds that are to be used exclusively for Indian students. Instructions for submitting an integration of education and related services plan are included in the

¹ All references to the ESEA refer to the ESEA, as amended by the ESSA.

EASIE, which is described under Application Process and Submission Information in section IV of this notice.

Note: Under the Formula Grants program, all applicants are required to develop the project for which an application is made in open consultation with parents of Indian children and teachers of Indian children, representatives of Indian tribes on Indian lands located within 50 miles of any school that the LEA will serve if such tribes have any children in such school, Indian organizations (IOs), and, if appropriate, Indian students from secondary schools, including through public hearings held to provide to the individuals described above a full opportunity to understand the program and to offer recommendations regarding the program (ESEA section 6114(c)(3)(C)). LEA applicants are required to develop the project for which an application is made with the participation and written approval of a parent committee whose membership includes parents and family members of Indian children in the LEA's schools; representatives of Indian tribes on Indian lands located within 50 miles of any school that the LEA will serve if such tribes have any children in such school; teachers in the schools; and if appropriate, Indian students attending secondary schools of the LEA (ESEA section 6114(c)(4)). The majority of the parent committee

members must be parents and family members of Indian children (ESEA section 6114(c)(4)).

Definitions: The following definition is from section 6112(d)(3) of the ESEA:

Indian community-based organization means any organization that (1) is composed primarily of Indian parents, family members and community members, tribal government educational officials, and tribal members, from a specific community; (2) assists in the social, cultural, and educational development of Indians in such community; (3) meets the unique cultural, language, and academic needs of Indian students; and (4) demonstrates organizational and administrative capacity to manage the grant.

Statutory Hiring Preference:

(a) Awards that are primarily for the benefit of Indians are subject to the provisions of section 7(b) of the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638). That section requires that, to the greatest extent feasible, a grantee--

(1) Give to Indians preferences and opportunities for training and employment in connection with the administration of the grant; and

(2) Give to IOs and to Indian-owned economic enterprises, as defined in section 3 of the Indian

Financing Act of 1974 (25 U.S.C. 1452(e)), preference in the award of contracts in connection with the administration of the grant.

(b) For purposes of this section, an Indian is a member of any federally recognized Indian tribe.

Program Authority: 20 U.S.C. 7421 et seq.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 77, 79, 81, 82, 84, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

II. Award Information

Type of Award: Formula grants.

Estimated Available Funds: The Further Continuing and Security Assistance Appropriations Act, 2017, would provide, on an annualized basis, \$100,190,176 for Indian

Education Formula Grants to LEAs. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

Estimated Range of Awards: \$3,000 to \$3,058,055.

Estimated Average Size of Awards: \$77,069.

Estimated Number of Awards: 1,300.

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

Project Period: 12 months.

III. Eligibility Information

1. Eligible Applicants: The following entities are eligible under this program: certain LEAs, including charter schools authorized as LEAs under State law, as prescribed by section 6112(b) of the ESEA; certain schools funded by the Bureau of Indian Education of the U.S. Department of the Interior (BIE), as prescribed by section 6113(d) of the ESEA; Indian tribes and IOs under certain conditions, as prescribed by section 6112(c) of the ESEA; and Indian community-based organizations (ICBOs), as prescribed by section 6112(d) of the ESEA. Consortia of two or more LEAs, Indian tribes, IOs, and ICBOs are also

eligible under certain circumstances, as prescribed by section 6112(a)(4) of the ESEA.

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

b. Supplement-Not-Supplant: This program involves supplement-not-supplant funding requirements. Section 6114(c)(1) of the ESEA requires an LEA to use these grant funds only to supplement the funds that, in the absence of these Federal funds, such agency would make available for services described in this application, and not to supplant such funds.

IV. Application and Submission Information

1. How to Request an Application Package: You can obtain a login and password for the electronic application for grants under this program by contacting the EdFacts Partner Support Center (EDFacts PSC) listed under Agency Contacts in section VI of this notice.

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) by contacting the EDFacts PSC listed under Agency Contacts in section VI of this notice.

2. Content and Form of Application Submission:

Requirements concerning the content of an application, together with the forms you must submit, are in EASIE.

a. Changes to Part I for EASIE FY 2017 due to the ESEA reauthorization include the following:

(i) Application types. IOs and ICBOs have been added as eligible applicants (ESEA section 6112(a)).

(ii) Application time span. All applicants must indicate whether they are submitting an application for a single year or a multiyear period. All applicants are required to start a new application cycle regardless of what the applicant selected the previous year.

b. Supplementary Documentation: The EASIE application requires submission of the following supplementary documentation in electronic Portable Document Format (PDF):

(i) Applicants that are tribes, IOs, or ICBOs must upload verification of their eligibility no later than April 28, 2017. The details of the verification process, which are necessary to meet the statutory eligibility requirements for tribes, IOs, and ICBOs, are in the application package. Applicants are required to use the correct applicant type eligibility verification document,

all of which are available in EASIE as downloadable documents.

(ii) An applicant that is the lead applicant for a consortium must upload a consortium agreement that meets the requirements of 34 CFR 75.128(b) no later than April 28, 2017. Applicants must use the consortium agreement that is available in EASIE as a downloadable document.

3. Submission Dates and Times:

Part I of the Formula Grant EASIE Applications Available: March 31, 2017.

Deadline for Transmittal of Part I Applications: April 28, 2017, 8:00:00 p.m., Washington, DC time.

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

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

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under

For Further Information Contact in section of this notice.

If the Department provides an accommodation or auxiliary aid to an individual with a disability in connection with the application process, the individual's application remains subject to all other requirements and limitations in this notice.

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

5. Funding Restrictions: Not more than 5 percent of the funds provided to a grantee may be used for administrative costs (ESEA section 6115(d)). We reference regulations outlining other funding restrictions in the Applicable Regulations section of this notice.

6. Data Universal Numbering System Number, Taxpayer Identification Number, and System for Award Management: To do business with the Department of Education, you must--

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

b. Register both your DUNS number and TIN with the System for Award Management (SAM), the Government's primary registrant database;

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

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

You can obtain a DUNS number from Dun and Bradstreet at the following Web site: <http://fedgov.dnb.com/webform>. A DUNS number can be created within one to two business days.

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

The SAM registration process can take approximately seven business days, but may take upwards of several weeks, depending on the completeness and accuracy of the data you enter into the SAM database. Thus, if you think you might want to apply for Federal financial assistance under a program administered by the Department, please allow sufficient time to obtain and register your DUNS number and TIN. We strongly recommend that you register early.

If you are currently registered with SAM, you may not need to make any changes. However, please make certain

that the TIN associated with your DUNS number is correct. Also note that you will need to update your registration annually. This may take three or more business days.

Information about SAM is available at www.SAM.gov. To further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account, we have prepared a SAM.gov Tip Sheet, which you can find at: <http://www2.ed.gov/fund/grant/apply/sam-faqs.html>.

7. Other Submission Requirements: Applications for grants under this program must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. Electronic Submission of Applications.

Applications for grants under the Formula Grants program, CFDA number 84.060A, must be submitted electronically using the EASIE application located in the ED Facts System Portal at <https://eden.ed.gov>.

Applications submitted in paper format will be rejected unless you qualify for one of the exceptions to the electronic submission requirement described later in this section under Exception to Electronic Submission Requirement, and follow the submission rules outlined therein.

Electronic Application System for Indian Education

(EASIE): EASIE is an easy-to-use, electronic application found in the EdFacts System Portal at <https://eden.ed.gov>. The EASIE application is divided into two parts.

Part I, student count, provides the appropriate data-entry screens to submit your verified Indian student count totals. All applicants must submit a current Indian student count for FY 2017. Applicants must use the Indian Student Eligibility Certification Form (ED 506 Form) to document eligible Indian students; however, BIE schools may use either the Indian School Equalization Program (ISEP) count or the ED 506 Form count to verify their Indian student counts. All individual data collected shall be protected and only aggregated data shall be reported to the Secretary.

Applicants that verify their Indian student counts with the ED 506 form must document their Indian student counts by completing the following procedures: (1) each year, the LEA must verify there is a valid ED 506 Form for each Indian child included in the count; (2) all ED 506 Forms included in the count must be completed, signed, and dated by the parent, and be on file; (3) the LEA must maintain a copy of the student enrollment roster(s) covering the same period of time indicated in the

application as the "count period"; and (4) each Indian child included in the count must be listed on the LEA's enrollment roster(s) for at least one day during the count period. BIE schools that enter an ISEP count must use the most current Indian student count certified by the BIE.

Once an Indian child is determined to be eligible to be counted for such grant award, the applicant shall maintain a record of such determination and shall not require a new or duplicate determination or form to be made for such child for a subsequent application for a grant under this subpart.

Applicants will also indicate the time span for the project objectives and corresponding activities and services for AI/AN students. Applicants can choose to set objectives that remain the same for up to four years in order to facilitate data collection and enhance long-term planning.

Registration for Formula Grant EASIE: Current, former, and new applicants interested in submitting an Indian Education Formula Grant EASIE application must register for Formula Grant EASIE. Prospective applicants will no longer register through the Registration Web site. In lieu of the Web site, the EDFacts PSC will send a broadcast to prior year grantees and new prospective

applicants that have contacted ED Facts PSC and registered for EASIE. All recipients who receive ED Facts PSC's broadcast will be asked to respond to ED Facts PSC directly to confirm their intent to register and make updates to the registration information. Entities are strongly encouraged to respond to the email to ensure that any potential registration issues are resolved prior to the deadline for the submission of an application. Entities that do not have an active registration or are new applicants should contact ED Facts PSC to register any time before the Part I application deadline date. Registration does not serve as the entity's grant application. For assistance registering, contact the ED Facts PSC listed under Agency Contacts in section VI of this notice.

Certification for Formula Grant EASIE: The applicant's authorized representative, who must be authorized by the applicant to legally bind the applicant, must certify Part I. Only users with the role type "managing user" or "certifying official user" in the EASIE system can certify an application. Each applicant should identify at least three system users, one for each of the following: project director, authorized representative, and another party designated to answer questions in the event the project director is unavailable. The

certification process ensures that the information in the application is true, reliable, and valid. An applicant that provides a false statement in the application is subject to penalties under the False Claims Act, 18 U.S.C. 1001.

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

- You do not have access to the Internet; or
- You do not have the capacity to upload documents to the EASIE system;

and

- No later than two weeks before the application deadline date for Part I (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:

Bernard Garcia, U.S. Department of Education, Office of Indian Education, 400 Maryland Avenue, SW., room 3W115, Washington, DC 20202-6335. FAX: (202) 205-0606.

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

b. Submission of Paper Applications by Mail.

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline dates for both Part I and Part II, to the Department at the following address:

U.S. Department of Education
Office of Indian Education
Attention: CFDA Number 84.060A
400 Maryland Avenue, SW., Room 3W115
Washington, DC 20202-6335

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

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

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

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

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.

We will not consider applications postmarked after the application deadline date for Part I or Part II.

c. Submission of Paper Applications by Hand Delivery.

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by

hand. You must deliver the original and two copies of your application by hand, on or before the application deadline dates for both Part I and Part II, to the Department at the following address:

U.S. Department of Education
Office of Indian Education
Attention: CFDA Number 84.060A
400 Maryland Avenue, SW., Room 3W115
Washington, DC 20202-6335

The program office 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 program under which you are submitting your application; and

(2) The program office will mail you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should contact the program office at (202) 260-3774.

V. Grant Administration Information

1. Risk Assessment and Special Conditions:

Consistent with 2 CFR 200.205, before awarding grants under this program the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose special conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

2. Administrative and National Policy Requirements:

We identify administrative and national policy requirements in the application package and reference these and other requirements in the Applicable Regulations section of this notice. We reference the regulations outlining the terms and conditions of a grant in the Applicable Regulations section of this notice.

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

(b) You must submit a performance report using the ED Facts System Portal at <https://eden.ed.gov>, including financial information, as directed by the Secretary, within 90 days after the close of the grant year. The performance report is located within the ED Facts System Portal as Part III.

(c) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

4. Performance Measures: The Secretary has established the following key performance measures for assessing the effectiveness and efficiency of the Formula Grants program: (1) the percentage of AI/AN students in grades four and eight who score at or above the basic level in reading on the National Assessment of Educational Progress (NAEP); (2) the percentage of AI/AN students in grades four and eight who score at or above the basic level in mathematics on the NAEP; (3) the percentage of AI/AN students in grades three through eight meeting State achievement standards by scoring at or above the proficient level in reading and mathematics on State assessments; (4) the difference between the percentage of AI/AN students in grades three through eight at or above the proficient level

in reading and mathematics on State assessments and the percentage of all students scoring at those levels; (5) the percentage of AI/AN students who graduate from high school as measured by the four-year adjusted cohort graduation rate; and (6) the percentage of funds used by grantees prior to award close-out.

5. Integrity and Performance System: If you receive an award under this grant program that over the course of the project period may exceed the simplified acquisition threshold (currently \$150,000), under 2 CFR 200.205(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards--that is, the risk posed by you as an applicant--before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through SAM. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII,

require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

VI. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) by contacting the ED Facts PSC listed under Agency Contacts in section VI of this notice.

Electronic Access to This Document: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available via the Federal Digital System at:

www.gpo.gov/fdsys. At this site you can view this document, as well as other documents of this Department published in the Federal Register in text or PDF. To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the Federal Register by using the article search feature at: www.federalregister.gov. Specifically,

through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: March 8, 2017

Monique M. Chism Ph.D,
Acting Assistant Secretary for
Elementary and Secondary
Education.

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