

JUSTICE AND PUBLIC SAFETY CABINET

Andy Beshear
Governor

Department of Juvenile Justice
1025 Capital Center Drive, 3rd Floor
Frankfort, Kentucky 40601-8205
Phone (502) 573-2738
Fax (502) 573-4308
www.kentucky.gov

Justice Mary C. Noble, Ret.
Secretary

LaShana M. Harris
Commissioner

September 1, 2020

Dr. Martin Pollio, Superintendent
Jefferson County School District
3332 Newburg Road
Louisville, Kentucky 40232

RE: Title I Part D Subpart 1 Grant No. S013A200017

Project Title: Title I Part D Subpart 1 Neglected-Delinquent

Dear Dr. Pollio:

This is notification that the Kentucky Department of Juvenile Justice (DJJ) has awarded Title I Part D Subpart 1 federal supplemental education grant funding for 2020-2022 as a sub-award to the Jefferson County School District. The purpose of these sub-award funds is to provide supplemental educational and transition services to students at the Louisville Day.

The FY 2020-2021 Title I (Project # 313G) allocation for Louisville Day is \$25,000.00.

If you accept the funding, the district must execute the enclosed Award Binder. The following items require signature(s) and should be returned to the Kentucky Department of Juvenile Justice (attention: Lacheena Carothers, Title I Administrator) within ten (10) days of receipt.

- Sub-recipient Contact Information and Certification Authorization (Pg. 5)
- Statement of Action (Pg. 7)
- Certification Regarding Lobbying et al (Pg. 19-22)
- Special Conditions for Sub-award Programs (Pg. 22-23)
- Signatory Forms (Pg. 29)

Send one signed copy of each to the Title I Administrator and keep a signed copy for your records, along with any additional pertinent information regarding this grant sub-award. Send copies of appropriate fiscal documents to the school district fiscal manager for this grant to keep on file. The Department of Juvenile Justice (DJJ) recommends that you forward grant documents and correspondences to your attorney for review, as well.

You are not required to submit any documentation to the Kentucky State Clearinghouse, as it is not applicable to this sub-award.

The Kentucky Department of Juvenile Justice values the ongoing relationship with the Jefferson County School District. If you have questions or need assistance please contact the Title I Program Administrator, Lacheena Carothers at 502-892-3584 or by email at Lacheenal.carothers@ky.gov.

Respectfully,

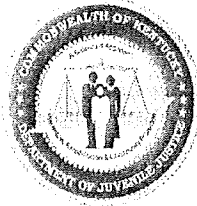
A handwritten signature in black ink, appearing to read "Lacheena Carothers". The signature is fluid and cursive, with the first name being more prominent.

Lacheena Carothers
Title I Program Administrator

Enclosed Attachments

CC: File: Financial Officer, Hillary Truesdell

KENTUCKY DEPARTMENT OF JUVENILE JUSTICE



Title I Part D Subpart 1 Formula Grant

Education

Jefferson County School District

Award Binder

Project Staff Contacts:

Program Administrator Lacheena Carothers

Financial Officer Hillary Truesdell

Kentucky Department of Juvenile Justice
1025 Capital Center Drive
Frankfort, KY 40601

Grant award Information:

Federal Awarding Agency: US Department of Education

Pass-Through Agency- KY Department of Education

Grant Administering Agency: KY Department of Juvenile Justice

Sub-recipients: KY School Districts

The Title I Part D Subpart 1 (Neglected-Delinquent) grant is awarded by the United States Department of Education to the Kentucky Department of Education. The Kentucky Department of Juvenile Justice (DJJ) administers the grant. The grant administrator determines if, and/or how much, funding is allocated to Kentucky School Districts that contract with the DJJ to provide educational and transition services in DJJ Youth Development Centers, DJJ Day Treatment Centers, and School District operated Day Treatment Centers.

AWARD INFORMATION PR/AWARD NUMBER: S013A200017

ACTION TYPE: Administrative

AWARD TYPE: Formula (Non Research and Development)

PROJECT DESCRIPTION: 84.013A Neglected and Delinquent

SUB-AWARD PERIOD OF PERFORMANCE: 07/01/2020 - 09/30/2022

FEDERAL FUNDING PERIOD: 07/01/2020 - 09/30/2022

TOTAL AWARD AMOUNT: \$1,131,392

SUB-AWARD AMOUNT: \$25,000.00

ADMINISTRATIVE INFORMATION DUNS: 062984430

AUTHORITY: PL 114-95, Section 1401 ELEMENTARY AND SECONDARY EDUCATION ACT, 2015

PROGRAM TITLE: TITLE I PROGRAM FOR NEGLECTED AND DELINQUENT CHILDREN

CFDA/SUBPROGRAM NO: 84.013A

PR/AWARD NUMBER: S013A200017

INDIRECT COST RATE: 14.45 (Non-Restricted) 3.18 (Restricted)

RISK RATING: Low

Sub-recipient Contact Information and Certification Authorization	
Sub-recipient: Jefferson County School District Education	Program: Neglected/Delinquent
Grant Cycle: July 1, 2020 – September 30, 2022 Grant Number: S013A200017	

Section I: Agency and Program Information:

(SIGN AND FORWARD TO: KENTUCKY DEPARTMENT OF JUVENILE JUSTICE)

AGENCY NAME:	Jefferson County School District		
AGENCY DIRECTOR:	Dr. Martin Pollio martin.pollio@jefferson.kyschools.us SUPERINTENDENT, Jefferson County School District		
ADDRESS:		TELEPHONE NO.	
CITY/STATE:		ALTERNATIVE NO:	
ZIP CODE:		FAX NO:	
PROGRAM PROJECT NAME:	Louisville Day		
PROGRAM COORDINATOR:	Heather Moss		
PHYSICAL ADDRESS:		MAILING ADDRESS:	
CITY/STATE:		CITY/STATE:	
ZIP CODE:		ZIP CODE:	
TELEPHONE NO:		TELEPHONE NO:	
FAX NO:			
FISCAL AGENT:		EMAIL:	
MAILING ADDRESS:		TELEPHONE NO:	
CITY/STATE:		FAX NO:	
ZIP CODE:			

CERTIFICATION

I do hereby certify that all facts, figures and representations made in this sub-award are true and correct. Furthermore, all applicable federal and state statutes, regulations, assurances, procedures for program compliance, documentation requirements, administration of surveys and other data collection requirements and fiscal control will be implemented to ensure proper accountability of grant funds. I certify that the funds requested in this sub-award will not supplant funds that would otherwise be used for the purposes set forth in this program. The filing of this sub-award has been authorized by the sub-recipient and I have been duly authorized to act as the representative of the sub-recipient in connection with this sub-award. This completed sub-award, if accepted, becomes a part of the approved contract for these sub-award funds.

Print or typed authorized name and title

Authorized signature (Blue or Red Ink)/Date

KENTUCKY DEPARTMENT OF JUVENILE JUSTICE

Award Binder

S013A200017 - Jefferson County School District

SECTION I

Statement of Action &
Special Conditions

KENTUCKY DEPARTMENT OF JUVENILE JUSTICE

STATEMENT OF ACTION CONTINUATION SUB-AWARD

Grant No.: Title I Formula Grant S013A200017

Sub-recipient Federal ID No.: 062984430

Sub-recipient: Jefferson County School District

Program Title: Title I Program for Neglected and Delinquent Children

Project Description: 84.013A Neglected and Delinquent

Grant Period: July 1, 2020 – September 30, 2022

Federal Funds Sub-awarded (FY2020): \$ 25,000.00

Special Conditions: This grant project is approved subject to 1.) conditions or limitations set forth on the attached pages and 2.) program plan and budget approval from the KY Department of Education.

In accordance with the provisions of the PL 114-95, Section 1401 ELEMENTARY AND SECONDARY EDUCATION ACT, 2015, the Kentucky Department of Juvenile Justice (DJJ) does hereby offer this sub-award contract and sub-award in the amount and for the time specified above.

This grant contract is subject to the liabilities and obligations specified in the Special Conditions and Sub-award Purpose Statement incorporated herein.

In order to legally accept this sub-award and action sub-award contract, the authorized official of the sub-recipient must execute this acceptance of sub-award and immediately return one signed copy to the Kentucky Department of Juvenile Justice.

KENTUCKY DEPARTMENT OF JUVENILE JUSTICE

LaShana Harris
Commissioner, Department of Juvenile Justice

(signature of chief executive official)

_____,
(Name and Title – type or printed)

DATE: _____

DATE: _____

Sub-award Conditions

I. FINANCIAL AND GRANTS MANAGEMENT

A. The sub-recipient must adhere to all applicable state and federal laws and procedures and is responsible for establishing and maintaining an adequate system of accounting and internal controls. The following government-wide common rules are applicable:

1. “Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-free Workplace (Grants)” codified at 2 CFR Part 180, Subpart F, G, and H.
2. As required by the Drug-Free Workplace Act of 1988, and implemented at 41 U.S.C. § 8103, for sub-recipients, as defined at 2 CFR Part 182.
 - a. The sub-recipient certifies that it will make a good faith effort to provide and maintain a drug free workplace by prohibiting the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the work place.
 - b. The sub-recipient shall not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the sub-award.
 - c. The sub-recipient will continue to improve drug-free awareness programs through employee assistance and, in cooperation with state agencies, to eradicate the dangers that drugs in the workplace create for employees. State supported health insurance provides coverage for employees referred to or seeking treatment for drug and alcohol-related problems.
 - d. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any sub-award activity, the sub-recipient will report the conviction, in writing, within 5 calendar days of the conviction, to Department of Juvenile Justice, Title I Administrator.
3. “New Restrictions on Lobbying” codified at 2 CFR Part 200.450.

The sub-recipient certifies that to the best of his or her knowledge no federal funds will be used for purposes of lobbying. If funds have been used for lobbying, a Disclosure of Lobbying Activities form will be submitted pursuant to 31 U.S.C. 1352. (Form# 4040-0013 (7-97) can be accessed at https://www.gsa.gov/cdnstatic/SFLLL_1_2_P-V1.2.pdf?forceDownload=1).

B. The following Federal Regulations are applicable to the administration of this sub-award:

1. Title I, Part D, statute:
 - a. Section 1415: Use of Funds
 - b. Section 1416: Institution-wide Projects
 - c. Section 1418: Transition Services
2. Non-regulatory Guidance:
 - a. Section H: Use of Funds
 - b. Section J: Institution-wide Projects

- c. Section K: Transition Services
 - 3. 2 CFR 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
 - 4. 34 CFR 200.90: Subpart D- Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk of Dropping Out.
 - 5. 34 CFR 200.91: SEA counts of Eligible Children
 - 6. EDGAR: Part 80, Subpart C (Post Award Requirements)
 - a. 80.22: Allowable Costs
 - b. 80.31: Real Property
 - c. 80.32: Equipment
 - d. 80.33: Supplies
- C. The National Technical Assistance Center for the Education of Neglected or Delinquent Children and Youth's Non-Regulatory Guidance for State Agency Programs (Part D, Subpart 1) serves as the primary reference for fiscal management and sub-award administration of Title I Part D federal funds. A copy of this guide can be downloaded from the internet at <https://neglected-delinquent.ed.gov/title-i-part-d-nonregulatory-guidance-state-agency-programs-part-d-subpart-1>.
- 1. The sub-recipient assures that it will comply, and all its sub-awardees and contractors will comply, with the provisions of the National Technical Assistance Center for the Education of Neglected or Delinquent Children and Youth's Non-regulatory Guidance for State Agency Programs (Part D, Subpart 1); and all other applicable federal laws, orders, circulars, or regulations.
 - 2. The sub-recipient agrees to comply with the financial and administrative requirements as set forth in the Non-Regulatory Guidance and the implementing regulations for the Title I Part D Formula Grants Program as set forth in 2 CFR 200.
- D. Financial management of this sub-award, including Financial Status Reports, must be approved by the Sub-recipient's financial director; one of the two authorized signatory personnel.
- E. Audit Requirements. The sub-recipient must comply with the organizational audit requirements of 2 CFR. The audit report and accompanying management letter is to be included in the audit report package. The sub-recipient shall submit two copies of the audit report package no later than 12 months after the close of each fiscal year during the term of the sub-award. If the audit disclosed findings or recommendations, the sub-recipient must also include a corrective action plan, in the audit report package, that contains the following:
- a. The name and number of the contact person responsible for the corrective action plan.
 - b. Specific steps taken to comply with the recommendations.
 - c. Timetable for performance and/or implementation dates for each recommendation.
 - d. Descriptions of monitoring to be conducted to ensure implementation.
 - e. Sub-recipient is liable for any disallowed cost as a result of audit exceptions.

- F. The sub-recipient understands that all funds must be accounted for, including all interest or other income earned by the sub-recipient with respect to sub-award funds or as a result of conduct of the project (sale of publications, registration fees, service charges on fees, asset forfeitures, etc.). Interest on sub-award funds must not accrue to the sub-recipient as the sub-recipient is not authorized to have an excess of a one-month supply of federal and state monies in their possession at the end of any calendar month.
- G. The sub-recipient agrees to prepare and submit any reports of income and expenses used to support any rates established under this sub-award as requested by the Kentucky Department of Juvenile Justice. Reports of income and expenses shall be prepared in accordance with 2 CFR 200.
- H. Sub-recipient shall maintain records and financial statements to document income and expenses, records of referrals, case records, statistical records, and all other records and reports pertinent to this sub-award. Said records are to be made available for audit by the Kentucky Department of Juvenile Justice, the Kentucky Department of Education and auditors as required by 2 CFR 200.300 through 200.309, and Subpart F- Audit Requirements.
- I. The sub-recipient understands that any individual that embezzles, willfully misapplies, steals or obtains by fraud any funds, assets or property which are the subject of a sub-award or contract or other form of assistance, whether received directly or indirectly from the Kentucky Department of Juvenile Justice, may be fined not more than \$10,000.00 or imprisoned for not more than five (5) years, or both. Whoever knowingly falsifies, conceals or covers up by trick, scheme or device, any material fact in any sub-award for assistance or in any record required to be maintained, will be subject to prosecution under the provisions of Section 1001 of Title 18, United States Code.
- J. The sub-recipient must comply with applicable requirements to report sub-awards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the sub-recipient of award funds. The details of sub-recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, including its reporting requirement, does not apply to—
1. an sub-award of less than \$25,000, or
 2. an sub-award made to an individual who received the sub-award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
- K. The sub-recipient certifies that when issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, all sub-recipients receiving federal funds, including but not limited to state and local governments, shall clearly state: (1) the percentage of the total cost of the program or project which will be financed by federal money, and (2) the dollar amount of federal funds for the project or program.

II. EXPENDITURE and COMPENSATION OF FUNDS

Requests for reimbursement for expenditures not included in the Sub-recipient's approved budget or not receiving prior approval from the Kentucky Department of Juvenile Justice (DJJ) and the Kentucky Department of Education (KDE) will be disallowed. Allowable expenses are described in the Title I Part D Subpart 1 statute, section 1415: Use of Funds. The Kentucky Department of Juvenile Justice retains the right to withhold payments if the sub-recipient fails to comply with any of the terms of this contract.

- A. The sub-recipient understands that sub-award funds may not be obligated prior to the effective date of the sub-award or subsequent to the termination date of the sub-award period. The Tydings Amendment allows an additional twelve months to spend the funds. However, the funds are intended to be used in the year sub-awarded. Refer to Section II, C. of this award binder for details about the spending of sub-award funds.
- B. The sub-recipient is liable for any disallowed cost.
- C. Title I Part D funds are intended to be spent during the award period. If funds are not spent during that period, a district may submit a carryover request.
 - 1. The district Title I Part D program coordinator must submit a request in writing. The request must:
 - a. Explain why there is a need to carryover funds beyond September 30, and how the funds will positively affect students.
 - b. Focus on outcomes, and include a proposed budget and plan for use of carryover funds and,
 - c. The request must be submitted on district letterhead.
 - 2. The district will submit the request via email to the DJJ Title I Program Administrator no later than August 31.
 - 3. DJJ Title I Program Administrator will discuss the request with KDE and approve or deny it.
 - 4. Districts will receive final notification of the request.
 - 5. If approved, the district must spend carryover funds first to ensure they are spent within period of availability, September 30 of the following school year. The funds must be obligated within 26 months of the fiscal year in which the funds are awarded.
- D. The payment request must be in accordance with the Sub-recipients' approved budget contained in Grant Management Application and Planning System (GMAP).
- E. The negotiated indirect cost rate is predetermined between the Kentucky Department of Education and the Local Education Agency. The individual rate is provided in the Grant Award Information.
- F. All supporting documentation for expenditures must be sent to DJJ when requesting reimbursements and kept on file and organized in a manner that is conducive for auditors and management of the sub-award; readily available for audits of sub-award funding.

- G. The sub-recipient must adhere to all due dates for program reports. If program reports are not submitted by due dates, payment reimbursement may not be dispersed. Performance reports shall be submitted by October 15th as described in Section II, B. Quarterly expense reports shall be submitted by the due dates listed in Section III, D.
- H. The sub-recipient agrees that fund accounting, auditing, monitoring, and evaluation procedures, that may be necessary to keep records as the Kentucky Justice and Public Safety Cabinet shall prescribe, will be provided to assure fiscal control, proper management, and efficient distribution of funds received.
- I. The sub-recipient agrees that it will maintain data and information and submit reports in a designated format, in a timely manner and containing information as the Department of Juvenile Justice and the Department of Education may require. Such data must be maintained at the sub-recipient's office, regardless of whether the administration of that office has changed.
- J. The sub-recipient understands that if the requested project is funded, continuation is not guaranteed.
- K. The sub-recipient understands that a sub-award may be terminated or fund payments discontinued by the Kentucky Department of Juvenile Justice where it finds a substantial failure to comply with the provisions under which the sub-award was made or regulations promulgated, including these sub-award conditions or sub-award obligations, but only after notice and hearing and pursuant to all procedures set forth in Sections 510 and 511 of Public Law 90-351, as amended.
- L. The sub-recipient shall notify DJJ in the case that any of its principles are or become debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
- M. The sub-recipient agrees to establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
- N. The sub-recipient will give the grantor agency, auditor or the Comptroller General, through any authorized representative, the access to and the right to examine all records, books, papers, or documents related to the sub-award.
- O. The sub-recipient agrees that should the Kentucky Department of Juvenile Justice determine that it needs to take legal action against the sub-recipient for actions arising out of the sub-award, the sub-recipient will waive jurisdiction and have the case heard in either state or federal court in Franklin County, Kentucky.

III. PURCHASING AND SPECIFICATIONS

The sub-recipient or any person with an interest therein will not attempt in any manner to influence any specifications to be restrictive in any way or respect, nor will the sub-

recipient attempt in any way to influence any purchasing of services or commodities by the Commonwealth of Kentucky.

The sub-recipient shall follow the district's written procurement procedure as required per 2 CFR 200.318. The district's procurement procedure at a minimum must comply with 2 CFR 200.320.

IV. CIVIL RIGHTS REQUIREMENTS

A. DISCRIMINATION PROHIBITED.

The sub-recipient assures that no person shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any activity receiving funds from the Title I Part D program on the basis of race, color, religion, national origin, sex, disability, or age. The sub-recipient shall also assure the designation of an employee who will have lead responsibility for insuring sub-recipients compliance with civil rights regulations. In accordance with federal civil rights laws, sub-recipient assures it shall not retaliate against an individual for taking action or participating in action to secure rights protected by these laws.

1. The sub-recipient assures that it will comply, and all its contractors will comply, with the nondiscrimination requirements of the Victims of Crime Act (42 U.S.C. Â§ 10604), as appropriate; Title VI of the Civil Rights Act of 1964 (42 U.S.C. Â§ 2000d); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Â§ 794); subtitle A, Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. Â§ 12132); Title IX of the Education Amendments of 1972 (20 U.S.C. Â§ 1681); the Age Discrimination Act of 1975 (42 U.S.C. Â§ 6102); and Department of Justice regulations at 28 C.F.R. pt. 42, subparts. C, D, E, and G, 28 C.F.R. pt. 35, and 28 C.F.R. pt. 54.
2. The sub-recipient assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights (OCR) of the Office of Justice Programs and the DJJ Title I Administrator.
3. The sub-recipient assures that it is in compliance with Title VI of the Civil Rights Act by providing services that are accessible to persons with limited English proficiency (LEP). Sub-recipients will prepare and maintain a written policy on language assistance for LEP persons.
4. The sub-recipient assures that the agency possesses legal authority to apply for the sub-award; that resolution, motion, or similar action has been duly adopted or passes as an official act of the sub-recipients governing body, authorizing the filing of the sub-award including all understandings and assurances contained therein, and directing the authorizing person identified as the official representative of the sub-recipient to act in connection with the sub-award and to provide such additional information as may be required.

- B. The sub-recipient is required to comply with all applicable state and Federal nondiscrimination laws and regulations.
- C. The sub-recipient must comply with the Federal Civil Rights Act of 1964 as amended, and the Kentucky Civil Rights Act of 1996 as amended, and the Establishment Clause of the United States Constitution.

The sub-recipient shall not on the ground of race, color, religion, sex, age (40-70), or national origin:

- 1. Deny any individual aid, care, services, or other benefits provided under this program;
- 2. Provide any aid, care, services, or other benefits to an individual which is different, or is provided in a different manner, from that provided to others under the program;
- 3. Subject any individual to segregation or separate treatment in any matter related to receipt of any aid, care, services, or other benefits provided under the program;
- 4. Restrict any individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any aid, care, services, or other benefits provided under the program;
- 5. Treat an individual differently from others in determining whether he or she satisfied any eligibility or other requirement or condition which individuals must meet in order to receive any aid, care, services, or other benefits provided under the program; or
- 6. Deny any individual an opportunity to participate in the program through the provision of services or otherwise afford an opportunity to do so which is different from that afforded others under the program.

D. Equal Employment Opportunity

- 1. The sub-recipient agrees to comply with the Equal Employment Opportunity guidelines.
 - a. The Kentucky Commission on Human Rights is the state government authority that enforces the Kentucky Civil Rights Act (Kentucky Revised Statutes Chapter 344), and, through its affiliations with the U.S. Dept. of Housing and Urban Development and the U.S. Equal Employment Opportunity Commission, enforces federal civil rights laws.
 - b. The Kentucky Civil Rights Act makes it unlawful to discriminate against people in the areas of employment, financial transactions, housing and public accommodations. Discrimination is prohibited in the aforementioned areas based on race, color, religion, national origin, gender, and disability. In employment, discrimination is further prohibited on the basis of age (40-years and over) and on the basis of tobacco-smoking status. In housing, discrimination is further prohibited based on familial status, which protects people with children in the household under the age of 18-years old, and it protects women who are pregnant. It is a

violation of the law to retaliate against a person for complaining of discrimination to the commission.

2. The Sub-recipient, and any contractor at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.
3. The Sub-recipient, and any contractor at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."
4. The Sub-recipient, and any contractor at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.
5. 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to sub-recipient and contractor organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to sub-recipient and contractors that are faith-based or religious organizations.
6. The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse> by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

E. SECTION 504 (REHABILITATION ACT)

1. The sub-recipient must comply with the provision of Section 504 of the Rehabilitation Act of 1973, P.L.93-112, and applicable federal regulations relating thereto prohibiting discrimination against otherwise qualified individuals with disabilities under any program or activity receiving federal financial assistance.
2. The sub-recipient shall:
 - a. Conduct an annual self-evaluation for compliance with Section 504; and
 - b. If the sub-recipient has fifteen or more employees, it shall appoint an employee to coordinate efforts to comply with Section 504 and adopt procedures that provide for the resolution of complaints related to Section 504.

V. IMMIGRATION AND NATURALIZATION SERVICE

The sub-recipient must complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Form (I-9). The sub-recipient shall use this form to verify that persons employed by the sub-recipient are eligible to work in the United States.

VI. LIMITED ENGLISH PROFICIENCY

- A. The federal government and those receiving assistance from the federal government must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to the programs, services and information those entities provide. Persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be classified as LEP. These individuals are entitled to language assistance with respect to a particular type of service, benefit or encounter. All programs and operations of entities that receive assistance from the federal government must comply with providing services to LEP individuals. These services include providing oral language services and providing translation of written materials.
- B. The sub-recipient shall provide a copy of their agency LEP plan. If applicable, the sub-recipient will provide a copy of the mandatory signatory documents and/or upload the form with the sub-award on the Electronic Grants Management System.

VII. SCREENING REQUIREMENT

- A. In DJJ residential and DJJ day treatment programs, the sub-recipient will cooperate with the facility superintendent in obtaining the information and releases required for criminal and administrative background investigations to be conducted on any certified or classified staff who may have contact with youth and agrees to not assign any certified or classified staff to work at the program until background checks have been completed for the assigned staff.
- B. Contracted day treatment programs shall ensure that staff have undergone criminal background investigations and ensure that staff employed do not have criminal charges relating to abuse or sexual abuse.
- C. Evidence of compliance with this requirement shall be made available to the Title I Program Administrator, auditors, and/or DJJ Education Branch Manager.

VIII. PROVISION OF SERVICES – COMPLIANCE WITH LAWS AND REGULATIONS

The sub-recipient must comply with all applicable Federal and State laws and regulations for services provided under this sub-award, including KRS Chapters 600 through 645; 922 KAR 1:300 relating to standards for child-caring facilities; 707 KAR Chapter 1 relating to exceptional children's programs; 803 KAR 1:005 through 803 KAR 1:100 relating to labor standards and child labor laws; 815 KAR 4:010 through 815 KAR 35:010 relating to Life Safety Code requirements; and 902 KAR 2:020 through 902 KAR 4:100 relating to health and sanitation. As additional State and Federal requirements are made available, the Kentucky Department of Juvenile Justice will make the information available to active sub-recipients.

IX. YOUTH'S RIGHTS

- A. The sub-recipient shall assure that all youths are informed of their rights to file a grievance, in accordance with the Kentucky Department of Juvenile Justice Policy DJJPP 331 and 505 KAR 1:202 for:
 - 1. Actions arising from service rendered under this agreement,
 - 2. A belief their civil rights have been violated, or
 - 3. A belief that they have been discriminated against on the basis of disability.
- B. The sub-recipient shall assure that youths aggrieved by actions arising from service rendered under this agreement shall have the right to a hearing. Such assurance shall include an opportunity for an aggrieved client to request a hearing and to be heard, and shall include the right of appeal to the Kentucky Department of Juvenile Justice's Ombudsman Office if the grievance is not resolved to the client's satisfaction by the sub-recipient. Complete records shall be maintained of such complaints and any informal meetings, telephone calls, hearing, or appeals arising from them. Such records shall be made available to representatives of the Kentucky Department of Juvenile Justice upon request.

X. ETHICS CODE

- A. The sub-recipient agrees to adhere to the Department's Code of Conduct (<https://djj.ky.gov/Policy%20Manual1/DJJ%20104%20Code%20of%20Conduct.pdf>) and Code of Ethics (<https://djj.ky.gov/Policy%20Manual1/DJJ%20102%20Staff%20Code%20of%20Ethics.pdf>) Policies and Procedures and to cooperate with any investigation of misconduct.
- B. If a violation occurs, disciplinary issues relating to school district personnel shall be governed by the local school district's policy and procedures .
- C. If the Department of Juvenile justice provides written notice that it believes that any teacher and/or other educational staff has violated any Department of Juvenile Justice policy, then the individual that is believed to have violated Policy shall not be allowed to return to the Department of Juvenile Justice's property or contracted facility, and the sub-recipient will forthwith provide a different teacher and/or other educational staff to replace the individual that would not be allowed to return.
- D. Notice of any disciplinary investigation and disposition of said investigation shall be made in writing to the Department of Juvenile Justice Education Branch Manager and Title I Program Administrator within ten (10) business days of completion.

XI. PRISON RAPE ELIMINATION ACT (PREA)

PREA standards and monitoring is applicable in residential and DJJ Day Treatment programs. All contracted day treatment programs shall have policies and procedures incorporated into programming that promote a zero tolerance environment against sexual abuse, sexual harassment, sexual contact or any type of sexual offense.

- A. The sub-recipient shall comply with the Prison Rape Elimination Act (PREA) (42 U.S.C. §15601, et seq.) and with all applicable PREA National Standards (28 C.F.R. Part 115), which can also be found at <http://www.prearesourcecenter.org/sites/default/files/library/preafinalstandardstype-juveniles.pdf> The contractor shall also comply with all Kentucky Department of Juvenile Justice policies related to PREA which can be found at <https://djj.ky.gov/900%20Policy%20Manual/Chapter%209%20Table%20of%20Contents.pdf>

- B. The sub-recipient shall make itself familiar with and at all times shall observe and comply with all PREA regulations and the Kentucky Department of Juvenile Justice PREA policies which in any manner affect performance under this Contract.
- C. The sub-recipient agrees to self-monitor its activities and facilities for compliance with the PREA standards and the Kentucky Department of Juvenile Justice policies.
- D. The sub-recipient acknowledges that in addition to the self-monitoring requirement, the Kentucky Department of Juvenile Justice will conduct announced or unannounced compliance monitoring that may include on-site monitoring visits.
- E. If the sub-recipient provides residential services for youth, the sub-recipient will also be subject to a Department of Juvenile Justice PREA audit once every three (3) year period.
- F. All costs associated with the PREA audit shall be borne by the sub-recipient.
- G. The Kentucky Department of Juvenile Justice will conduct a mock-audit prior to the Department of Juvenile Justice PREA audit. Failure to comply with PREA standards and related Kentucky Department of Juvenile Justice policies may result in termination of the contract.

XII. NONSUPPLANTING REQUIREMENT

Sub-award funds cannot be used to supplant state or local funds. They must increase the amount of funds that would otherwise be available from state and local sources.

The sub-recipient understands that federal grant funds made available under the auspices of the U.S. Departments of Juvenile Justice or Education will not be used to supplant state or local funds, but will be used to initiate, enhance and/or expand the program according to individual program requirements.

XIII. RETENTION/ACCESS OF RECORDS

- A. The sub-recipient shall retain all financial records, supporting documents, statistical records, data bases, and all other records pertinent to the sub-award for a minimum of eight (8) years following the closure of the most recent audit report following the end of program activities.
- A. Case/client records and/or data-bases shall be maintained indefinitely in accordance with applicable laws and regulations.
- B. The Kentucky Department of Juvenile Justice, the Kentucky Department of Education, the DOJ Office of the Inspector General, the Comptroller General of the United States, auditor or any of their authorized representatives, shall have the right of access to any pertinent books, documents, papers, or other records of the sub-recipient which are pertinent to the sub-award, in order to make audits, examinations, excerpts and transcripts and/or to utilized for continued and or expanded study.

XIV. CERTIFICATION REQUIREMENTS

sub-recipient is required to execute certification forms which commit the sub-recipient to compliance with the certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "A Government-Wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)."

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT,
SUSPENSION AND OTHER
RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE
REQUIREMENTS

Sub-recipients should refer to the regulations cited below to determine the certification to which they are required to attest. Sub-recipients should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Juvenile Justice determines to award the covered transaction, sub-award, or cooperative agreement.

INITIAL BY EACH LINE ON ALL SECTIONS.

A. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 2 CFR 200.450, the sub-recipient certifies that:

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

___(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, "Disclosure of Lobbying Activities," in accordance with its instructions (form can be accessed in Section I. A. 3. above);

___(c) The undersigned shall require that the language of this certification be included in the sub-award documents for all contractors at all tiers (including sub-awards, contracts under grants and cooperative agreements, and subcontracts) and that all contractors shall certify and disclose accordingly.

B. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT SUB-RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR 180, for prospective participants in primary covered transactions--

1. The sub-recipient certifies that it and its principal:

___(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency,

___(b) Have not within a three-period preceding this sub-award 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 contact 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 indicated for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any offenses enumerated in paragraph (1)(b) of this certification; and

___(d) Have not within a three-year period preceding this sub-award had one or more public transactions (Federal, State, or Local) terminated for cause or default; and

2. Where the sub-recipient is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this sub-award.

C. DRUG-FREE WORKPLACE (SUB-GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 41 U.S.C § 8103:

1. The sub-recipient certifies that it will continue to provide a drug-free workplace by:

___(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the sub-recipient's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

___(b) Establishing an on-going drug-free awareness program to inform employees about:

- i. The dangers of drug abuse in the workplace;
- ii. The sub-recipient's policy of maintaining a drug-free workplace;
- iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
- iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

___(c) Making it a requirement that each employee to be engaged in the performance of the sub-award be given a copy of the statement required by paragraph (a);

___(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the sub-award, the employee will:

- i. Abide by the terms of the statement; and
- ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction;

___(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees' must provide notice, including position title, to the Department of Juvenile Justice, Title I Program Administrator.

___(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted

- i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or Local health, law enforcement, or other appropriate agency;

___(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

The site(s) for the performance of work done in connection with the specific sub-award is found in Grant Management Application and Planning System (GMAP) at <https://gmap.education.ky.gov>.

Special Conditions for Grant Programs

**Initial each line*

___The sub-recipient agrees to establish safeguards to prohibit employees from using their positions for a purpose that s or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.

___The sub-recipient agrees to implement this project according to the approved program plan found in Grant Management Application and Planning System (GMAP) <https://gmap.education.ky.gov>.

___If the project is not operational within 90 days after acceptance of the sub-award, a further statement explaining the sub-recipient to the Kentucky Department of Juvenile Justice will submit the implementation delay.

___The sub-recipient agrees that no contract or agreement may be entered into by the sub-recipient for execution of project activities or provision of services to a sub-sub-award project (other than the purchase of supplies or standard commercial or maintenance services) which is not incorporated in the approved sub-award. Any such arrangements will provide that the sub-recipient will retain ultimate control and responsibility for the project and that the contractor will be bound by these conditions as well as the sub-recipient.

___The sub-recipient agrees that fund accounting, auditing, monitoring, and evaluation procedures, that may be necessary to keep records as the Kentucky Department of Juvenile Justice, will be provided to assure fiscal control, proper management, and efficient distribution of funds received under the Title I Part D program.

___All sub-awards made by the Kentucky Department of Juvenile Justice are subject to requirements of: individual federal grant guidelines; Department of Juvenile Justice; Department of Education; Office of Management and Budget Circulars; relevant state and federal statutes; Department of Juvenile Justice Policies and Procedures Manual, forms, and general and special grant conditions; and other relevant documents.

___The sub-recipient agrees that, where federal funds are sub-awarded, audit requirements as specified in the National Technical Assistance Center for the Education of Neglected or Delinquent Children and Youth's Non-Regulatory Guidance for State Agency Programs (Part D, Subpart 1) (most current edition) or the 2 CFR 200, will be followed until the OMB establishes new audit guidelines.

___The sub-recipient assures that it will not release the individual names of clients served by the program to any person or entity other than the grant administrator. The sub-recipient further assures that all information collected on clients will remain confidential. If the sub-recipient is subject to the provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), it will adhere to all HIPAA requirements. Any research studies the sub-recipient conducts will conform to the confidentiality of 28 CFR Part 22.

___The sub-recipient understands that if funds are used in a manner inconsistent with the sub-award, the sub-award can be terminated.

___Sub-recipients are required to report progress on meeting goals in the approved Program Plan.

___The sub-recipient understands that in order to receive funding reimbursed, the sub-recipient must become a vendor of the state. The following link may be used to access the Kentucky Vendor Self Service Website:
<http://finance.ky.gov/services/eprocurement/pages/default.aspx>

___Funds may only be spent during the sub-award cycle 7/1/2020-9/30-2022. Funds cannot be spent on new activities after September 30, 2022. The funds will revert back to the U.S. Department of Education if not spent prior to the sub-award end date.

I have read and understand all Sub-recipient Conditions and assure that the project(s) proposed in this sub-award meet all the requirements of the Title I, Part D program, that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the sub-recipient will comply with the provisions of the Act and all other federal laws. By appropriate language incorporated in each sub-award, sub-recipient or other document under which funds are to be disbursed, and undersigned assures that the applicable conditions above apply to all Sub-recipients of funds from the Title I, Part D program.

Signature and Title

Date

KENTUCKY DEPARTMENT OF JUVENILE JUSTICE

Award Binder

S013A200017 - Jefferson County School District

SECTION II

Budget & Performance Reports

A. Budget

The state agency FY2021 Title I Part D funds for this district is made available in the Grant Management Application and Planning System (GMAP). It includes the total amount allocated from the Kentucky Department of Education, through the Department of Juvenile Justice. Once approved, these funds are to be expended within the budgeted guidelines. Any revisions to this budget can be made at any time throughout the grant cycle period upon request and approval from the Department of Juvenile and Justice and the Department of Education.

B. Performance Reports

1. Title I, Part D requires State Education Agencies (SEAs) to annually submit information regarding the educational progress of students served with Part D funds. The purpose of the Performance Report is to collect program data that the U.S. Department of Education (ED) can use to demonstrate the effectiveness of the Part D education programs in relation to the progress students are making regarding academic, vocational, and transition outcomes.
2. The Performance Report requests data for the previous school year, which is typically defined as, July 1 through June 30.
3. The process for completing the Performance Report can be completed by following the instructions located in the Performance Report GMAP Guide located at:
<https://education.ky.gov/federal/progs/tid/Documents/SA%20Institution%20Performance%20Report%20Grant%20Management%20Application%20Planning%20System%20Guide.pdf>
4. Once complete, you must select "Title I-D Performance Report Completed." The report is typically due by October 15 following the year it is initiated.

KENTUCKY DEPARTMENT OF JUVENILE JUSTICE

Award Binder

S013A200017 - Jefferson County School District

SECTION III

Signatory Form & Payment Request Procedure

A. Signatory Form (2)

This form designates the person authorized by the sub-recipient to request Payments from the Kentucky Department of Juvenile Justice.

1. *Submit the form with original signature to the Kentucky Department of Juvenile Justice according to the timeline below.*
2. *Retain a copy for your files. Retain a blank copy for future use.*

B. Payment Request Procedure

All payment requests must be submitted utilizing MUNIS.

1. Only request payments in the MUNIS codes authorized in the approved budget.
2. Send payment requests quarterly using the Payment Request Form included in this section of the Award Binder. Reports must be submitted even if no expenditures were made during the quarter. Do not wait until the last quarter to request reimbursement.
3. It is recommended to spend or encumber all allocated funds by the end of the school year.

C. Paperwork requirements include but are not limited to the following:

1. Complete the GMAP application and budget portion and upload several related documents such as the Needs Assessment, Interagency Agreement and budget.
2. The budget must be specific, detailed and directly correlate to the needs assessment.

D. Complete quarterly expense reports by the below deadline.

- i. 1st Quarter: July, August, September (Due: October 25th)
 - ii. 2nd Quarter: October, November, December (Due: January 25th)
 - iii. 3rd Quarter: January, February, March (Due: April 25th)
 - iv. 4th Quarter: April, May, June (Due: July 25th)
2. Quarterly expense reports shall include:
- i. Title I Payment Request Form (Due by deadline even if no expenditures were made)
 - ii. MUNIS Report indicating the expenditures broken down by MUNIS Code/line item which directly correlates to the approved budget.
3. Supporting Documentation shall include but is not limited to:
- i. Purchase Requests or other approval documents required by district procurement policy and procedure.
 - ii. Itemized invoices with individual item costs and total costs
 - iii. Proof of payment-Cancelled check or other item that serves as proof of payment of the invoice
 - iv. Other documentation as requested by the Department of Juvenile Justice

E. Requests of Payment for Personnel Expenditures:

1. Personnel Activity Report (PAR) or Semi-Annual Personnel Activity Report (SPAR) must be completed and submitted for each expenditure report.
2. The MUNIS report must include the employees name and indicate what dates and/or pay period the employee was paid. The MUNIS report must indicate to what funding source the employee's time was charged to, Example: 313F, 313G etc.
3. Requests for Payment for employee health and other benefits shall include supporting documentation in the MUNIS report and individualized health benefits report for the

particular quarter indicating the dates, amount of expenses and funding source such as 313F, 313G etc.

- F. All requests for payment must balance to the budgeted MUNIS Code/line item. No amount will be approved above the amount budgeted and approved for that particular MUNIS Code/line item in the budget.
- G. Only items listed and approved in the Narrative Details of the approved budget will be approved for reimbursement.
- H. Districts may request a budget amendment via GMAP at any time during the award period. More than three (3) budget amendments will affect the districts risk rating for current and future Title I Part D Subpart 1 sub-awards.
- I. Submit payment requests to Lacheena Carothers, Title I Program Administrator.
- J. If you have budget/financial questions, please contact Hillary Truesdell at Hillaryc.truesdell@ky.gov.

Submit all correspondence regarding this sub-award to:

Title I Program Administrator, Lacheena Carothers
Kentucky Department of Juvenile Justice
1025 Capital Center Drive
Frankfort, Kentucky 40601
Phone: 502-892-3584
Lacheenal.carothers@ky.gov

Kentucky Department of Juvenile Justice
SIGNATORY FORM

Sub-recipient: Jefferson County School District

Federal ID Number:
062984430

Grant Number:
S013A200017

Grant Amount:
\$25,000.00

Instructions: The persons listed below are authorized to request payments. Two authorized signatures are required to be filed. Only one signature is required on the quarterly MUNIS report.

Name (type or print)

Name (type or print)

Title (type or print)

Title (type or print)

Signature

Signature

Reimbursement Sub-recipient Information:

Legal Sub-recipient
(Name to be on check):

Alternate Sub-
recipient
(If Applicable)

Address (1):

Address (1):

Address (2):

Address (2):

City:

City:

Zip Code:

Zip Code:

Supporting Documentation is required for all expenditures. Submit supporting documentation with each quarterly MUNIS report.

Required Documentation: See section III for a complete list of required documentation

[illegible]

DJJ Approval	Amount	Date Approved
DJJ Grant Tracking	Payment Document Number	Date Processed

