



Kenton County School District | It's about ALL kids.

Issue Paper

DATE:

June 9, 2022

AGENDA ITEM (ACTION ITEM):

Consider/Approve the Award Binder with the Department of Juvenile Justice to secure the FY 2021-2022 Title I Part D Subpart 1 Formula Grant allocation of \$32,500.00 for the Northern Kentucky Youth Development Centre (NKYDC), retroactive to June 13, 2022 when it was signed to meet the grant acceptance deadline.

APPLICABLE BOARD POLICY:

01.1 Legal Status of the Board

HISTORY/BACKGROUND:

The Department of Juvenile Justice (DJJ) enters into an Inter-Agency Agreement with the KCS D. As part of the annual agreement, DJJ awards grant funds to KCS D on behalf of scholars at the NKYDC. This sub-award grant will be used to provide supplemental educational and transition services to students at NKYDC.

FISCAL/BUDGETARY IMPACT:

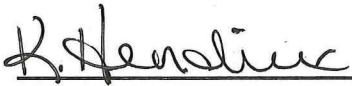
None


RECOMMENDATION:

Approval of the Award Binder with the Department of Juvenile Justice to secure the FY 2021-2022 Title I Part D Subpart 1 Formula Grant allocation of \$32,500.00 for the Northern Kentucky Youth Development Centre (NKYDC), retroactive to June 13, 2022 when it was signed to meet the grant acceptance deadline.

CONTACT PERSON:

Karen Hendrix


Principal/Administrator


District Administrator


Superintendent

Use this form to submit your request to the Superintendent for items to be added to the Board Meeting Agenda.
Principal—complete, print, sign and send to your Director. Director—if approved, sign and put in the Superintendent's mailbox.



June 6, 2022

Dr. Henry Webb, Superintendent
Kenton County School District
1055 Eaton Drive
Ft. Wright, Kentucky 41017

RE: Title I Part D Subpart 1 Grant No. S013A210017

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

Dear Superintendent Webb:

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 2021-2022 as a sub-award to the Kenton County School District. The purpose of these sub-award funds is to provide supplemental educational and transition services to students at the Northern Kentucky Youth Development Center.

The FY 2021-2022 Title I (Project # 313I) allocation for Northern Kentucky Youth Development Center is \$32,500.00.

If you accept the funding, the district must execute the enclosed Award Binder. Each page of this document requires initials indicating acceptance of the material contained therein. Additionally, the Signatory form and signature page require signatures and should be returned to the Kentucky Department of Juvenile Justice (attention: Lacheena Carothers, Title I Administrator) within ten (10) days of receipt.

- Signature Page (Pg. 28)
- Signatory Forms (Pg. 34)

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 Fayette 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 that reads "Vicki R. Reed". The signature is written in a cursive style with a large, stylized "V" and "R".

Vicki R. Reed
Commissioner

Enclosed: Attachments

C: File
 Anthony Wooldridge, Financial Officer

KENTUCKY DEPARTMENT OF JUVENILE JUSTICE

Title I Part D Subpart 1 Formula Grant

Education

Kenton County School District Award Binder

Project Staff Contacts:

Program Administrator Lacheena Carothers

Financial Officer Anthony Wooldridge

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 Administrating Agency: KY Department of Juvenile Justice

Sub-recipients: KY School Districts

The Elementary and Secondary Education Act of 1965, as amended (ESEA), 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: S013A210017

ACTION TYPE: Administrative

AWARD TYPE: Formula (Non-Research and Development)

PROJECT DESCRIPTION: 84.013A Neglected and Delinquent

SUB-AWARD PERIOD OF PERFORMANCE: 07/01/2021 - 09/30/2022

FEDERAL FUNDING PERIOD: 07/01/2021 - 09/30/2022

TOTAL AWARD AMOUNT: \$ 1,142,896.00

SUB-AWARD AMOUNT: \$ 32,500.00

ADMINISTRATIVE INFORMATION DUNS: 60915824

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: S013A210017

INDIRECT COST RATE: 12.14 (Non-Restricted) 1.23 (Restricted)

RISK RATING: Low

Sub-recipient Contact Information and Certification Authorization			
Sub-recipient: Kenton County School District		Program: Neglected/Delinquent Education	
Grant Cycle: July 1, 2021 – September 30, 2022 Grant Number: S013A210017			

Section I: Agency and Program Information:

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

AGENCY NAME:	Kenton County School District		
AGENCY DIRECTOR:	Dr. Henry Webb SUPERINTENDENT, Kenton County School District		
ADDRESS:		TELEPHONE NO.	
CITY/STATE:		ALTERNATIVE NO:	
ZIP CODE:		FAX NO:	
PROGRAM PROJECT NAME:	Northern Kentucky Youth Development Center		
PROGRAM COORDINATOR:	Ms. Karen Hendrix		
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 controls 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

S013A210017 – Kenton 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 S013A210017

Sub-recipient Federal ID No.: 61-6001301

Sub-recipient: Kenton County School District

Program Title: Title I Program for Neglected and Delinquent Children

Project Description: 84.013A Neglected and Delinquent

Grant Period: July 1, 2021 – September 30, 2022

Federal Funds Sub-awarded (FY2021): \$ 32,500.00

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

Vicki R. Reed
Commissioner, Department of Juvenile Justice

(signature of chief executive official)

(Name and Title – type or printed)

DATE: _____

DATE: _____

I. Title I Part D Subpart 1 Award Conditions:

TERMS AND CONDITIONS

A. **The term subaward means:**

Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract. See 2 CFR 200.92.

B. **Compliance with the ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA), *Grants Guidance***

Title I, Part D program regulations can be found in 34 CFR 200.90 and 200.91.

Additional information is available at:

https://oese.ed.gov/files/2021/04/nonregulatoryguidance_FINAL.pdf

THIS GRANT AWARD IS MADE SUBJECT TO THE PROVISIONS OF ALL APPLICABLE ACTS, REGULATIONS, AND ASSURANCES.

THIS GRANT IS SUBJECT TO THE PROVISIONS OF TITLE I, PART D, AND TITLE VIII, AS APPLICABLE, OF THE ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA), AS AMENDED BY THE EVERY STUDENT SUCCEEDS ACT, AND THE GENERAL EDUCATION PROVISIONS ACT. THIS GRANT IS ALSO SUBJECT TO THE TITLE I, PART D REGULATIONS IN 34 CFR PART 200 AND THE U. S. EDUCATION DEPARTMENT (ED) GENERAL ADMINISTRATIVE REGULATIONS (EDGAR) IN 34 CFR PARTS 76 (EXCEPT FOR 76.650 - 76.662 (PARTICIPATION OF STUDENTS ENROLLED IN PRIVATE SCHOOLS)), 77, 81, AND 82, 2 CFR 3485, AND THE UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS IN 2 CFR PARTS 200 AND 3474.

C. UNDER THE "TYDINGS AMENDMENT," SECTION 421(b) OF THE GENERAL EDUCATION PROVISIONS ACT, 20 U.S.C. 1225(b), ANY FUNDS "WHICH ARE NOT OBLIGATED AND EXPENDED BY EDUCATIONAL AGENCIES OR INSTITUTIONS PRIOR TO THE BEGINNING OF THE FISCAL YEAR SUCCEEDING THE FISCAL YEAR FOR WHICH SUCH FUNDS WERE APPROPRIATED SHALL REMAIN AVAILABLE FOR OBLIGATION AND EXPENDITURE BY SUCH AGENCIES AND INSTITUTIONS DURING SUCH SUCCEEDING FISCAL YEAR."

D. Requirements of the Award, remedies for non-compliance or for materially false statements

1. The Award conditions of this subaward are material requirements of the subaward. Compliance with any certified assurance submitted by the subrecipient that relates to conduct during the period of performance also is a material requirement of this subaward.

2. By signing and accepting this award on behalf of the subrecipient, the Agency Representative/CEO accepts all material requirements of the award, and specifically adopts, as if personally executed by the Agency Representative/CEO, all assurances or certifications submitted by or on behalf of the subrecipient that relate to conduct during the period of performance.
3. Failure to comply with any one or more of these subaward requirements (Award conditions) -- whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the subaward period -- may result in the Kentucky Department of Juvenile Justice (“DJJ”) taking appropriate action with respect to the subrecipient and the subaward. Among other things, the DJJ may withhold award funds, disallow costs, or suspend or terminate the subaward. The ED also may take other legal action as appropriate.
4. Any materially false, fictitious, or fraudulent statement to the federal government or the DJJ related to this subaward (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under [18 U.S.C. 1001](#) and/or [1621](#), and/or [34 U.S.C. 10272](#)), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under [31 U.S.C. 3729-3730](#) and [3801-3812](#)).
5. Any provision of this subaward held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be one of utter invalidity or unenforceability, in which event such provision shall be deemed severable from this subaward and shall not affect the remainder thereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.
6. There are requirements regarding data on performance and effectiveness under the subaward.

The subrecipient is required to collect and submit to the Grant Management Application and Planning system “GMAP” data that measures the performance and effectiveness of work under this Title I Part D Subpart 1 subaward. The data must be provided to GMAP in a manner (including within the timeframes) specified by DJJ. Data collection supports compliance with the Government Performance and Results Act (GPRA), the GPRA Modernization Act of 2010, and other applicable laws.

7. Subrecipient authorization to examine records:
The subrecipient at any tier agrees to comply with DJJ and ED grant monitoring guidelines, protocols, and procedures, and to cooperate with DJJ, Kentucky Department of Education “KDE”, and ED on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The subrecipient agrees to provide to DJJ, to KDE, and to ED all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the subrecipient at any tier agrees to abide by reasonable deadlines set by DJJ, KDE, and ED for providing the requested documents. Failure to cooperate with the grant monitoring activities may result in sanctions affecting the subrecipient's ED awards, including, but not limited to: withholdings and/or other restrictions on the subrecipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the subrecipient as a DJJ High Risk grantee; or termination of award(s).

8. Requirement to report actual or imminent breach of personally identifiable information (PII):

The subrecipient at any tier must have written procedures in place to respond in the event of an actual or imminent "breach" ([OMB M-17-12](#)) if the subrecipient creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" within the scope of an ED grant-funded program or activity, or 2) uses or operates a "Federal information system" ([OMB Circular A-130](#)). The subrecipient's breach procedures must include a requirement to report actual or imminent breach of PII to DJJ no later than 12 hours after an occurrence of an actual breach, or the detection of an imminent breach.
9. Required Training and Technical Assistance:

The subrecipient must receive and engage in any training and technical assistance activities requested by the DJJ, as well as DJJ-sponsored training events, technical assistance events, or conferences held by DJJ or its designees, upon DJJ's request.
10. Requirements related to "de minimis" indirect cost rate:

Indirect costs are not allowable.
11. Requirement to report potentially duplicative funding:

If the subrecipient at any tier currently has other active awards of federal funds, or if the subrecipient receives any other award of federal funds during the period of performance for this subaward, the subrecipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this subaward. If so, the subrecipient must promptly notify DJJ in writing of the potential duplication, and, if so requested by DJJ, must seek a grant adjustment or change in project objectives to eliminate any inappropriate duplication of funding.
12. Purchasing and Specifications:

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.
13. Non-supplanting requirement:

Federal Title I Part D Subpart 1 funds will not be used to supplant State and local funds that would otherwise be available for materials and services requested under this application.
14. Inventory and identification of non-consumable materials:

The subrecipient agrees to submit to DJJ annually and upon request, a running inventory of all items and materials, curricula, training materials, publications, reports, software, hardware, furniture or other items purchased through funds from this subaward date. All inventoried items shall be identified in permanent fashion with the following statements: "Purchased by Subaward Number [INSERT CORRECT SUBAWARD NUMBER] Title I Part D Subpart 1.
15. Summary of Single Audit Requirements for States, Local Governments and Nonprofit Organizations:
 - a. Single Audit. A non-Federal entity (a State, local government, Indian tribe, Institution of Higher Education (IHE)¹, or nonprofit organization) that expends

\$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with 2 CFR 200.514, "Scope of Audit," and 2 CFR 200.501, "Audit Requirements," except when it elects to have a program specific audit conducted.

- b. Program-specific audit election. When an auditee expends Federal awards under only one Federal program (excluding research and development (R&D)), and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the auditee, the auditee may elect to have a program-specific audit conducted. A program-specific audit may not be elected for R&D unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and the same passthrough entity, and that Federal agency, or pass-through entity in the case of a subrecipient, approves in advance a program-specific audit.
- c. Exemption when Federal awards expended are less than \$750,000. A non-Federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in 2 CFR 200.503, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO). Generally, grant records must be maintained for a period of three years after the date of the final expenditure report (2 CFR § 200.334)
- d. Federally Funded Research and Development Centers (FFRDC). Management of an auditee that owns or operates a FFRDC may elect to treat the FFRDC as a separate entity.
- e. Report Submission. To meet audit requirements of U.S. Office of Management and Budget (OMB) Uniform Guidance: Cost Principles, Audit, and Administrative Requirements for Federal Awards (Uniform Guidance), grantees must submit all audit documents required by Uniform Guidance 2 CFR 200.512, including Form SFSAC: Data Collection Form electronically to the Federal Audit Clearinghouse at: <https://facides.census.gov/Account/Login.aspx>.
 - i. The audit must be completed, and the data collection form and reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's report(s), or nine months after the end of the audit period. If the due date falls on a Saturday, Sunday, or Federal holiday, the reporting package is due the next business day. Unless restricted by Federal statutes or regulations, the auditee must make copies available for public inspection. Auditees and auditors must ensure that their respective parts of the reporting package do not include protected personally identifiable information. (2 CFR 200.512).
 - ii. Grantees are strongly urged to obtain the "OMB Compliance Supplement" and to contact their cognizant agency for single audit technical assistance.
 - iii. The designated cognizant agency for single audit purposes is "the Federal awarding agency that provides the predominant amount of direct funding to the recipient." Grantees should obtain a copy of the

OMB Compliance supplement. This supplement will be instructive to both grantees and their auditors.

- iv. Appendix III of the supplement provides a list of Federal Agency Contacts for Single Audits, including addresses, phone numbers, fax numbers, and e-mail addresses for technical assistance.
- v. For single audit-related questions, if the U.S. Department of Education is the cognizant agency, grantees should contact the Non-Federal Audit Team in the Department's Office of Inspector General at oignonfederalaudit@ed.gov. Additional resources for single audits are also available on the Non-Federal Audit Team's website at <https://www2.ed.gov/about/offices/list/oig/nonfed/index.html>.
- vi. For programmatic questions, grantees should contact the education program contact shown on the Department's GAN.
- vii. Grantees can obtain information on single audits from:
 - a) The OMB website at www.omb.gov. Look under Office of Management and Budget (in right column) then click Office of Federal Financial Management (to obtain OMB Compliance Supplement).
 - b) The SFSAC: Data Collection Form can be found at the Federal Audit Clearinghouse 1-800-253-0696 (to obtain Form SF-SAC: Data Collection Form), at: <https://facides.census.gov/Files/2019-2021%20Checklist%20Instructions%20and%20Form.pdf>.
- viii. The American Institute of Certified Public Accountants (AICPA) has illustrative OMB Single Audit report examples that might be of interest to accountants, auditors, or financial staff at www.aicpa.org.

16. Trafficking in Persons

The Department of Education adopts the requirements in the Code of Federal Regulations at 2 CFR 175 and incorporates those requirements into this grant through this condition. The grant condition specified in 2 CFR 175.15(b) is incorporated into this grant with the following changes. Paragraphs a.2.ii.B and b.2. ii. are revised to read as follows:

- “a.2.ii.B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 34 CFR part 85.”
- “b.2. ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 34 CFR part 85.”

Under this condition, this grant may be terminated without penalty for any violation of these provisions by the grantee, its employees, or its subrecipients.

17. Federal Funding Accountability Transparency Act Reporting Subawards:

The Federal Funding Accountability and Transparency Act (FFATA) is designed to increase transparency and improve the public's access to Federal government information. To this end, subawards are reported as required by FFATA.

- a. *Definitions:* For purposes of this award term:

- b. Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract. See 2 CFR 200.92.
18. Specific Conditions for Disclosing Federal Funding in Public Announcements
- 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, U.S. Department of Education grantees shall clearly state:
- a. the percentage of the total costs of the program or project which will be financed with Federal money;
 - b. the dollar amount of Federal funds for the project or program; and
 - c. the percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.
- Recipients must comply with these conditions under Division H, Title V, Section 505 of Public Law 116- 260, Consolidated Appropriations Act, 2021.
19. Prohibition of Text Messaging and Emailing While Driving During Official Federal Grant Business:
- Federal grant recipients, sub recipients, and their grant personnel are prohibited from text messaging while driving a government owned vehicle, or while driving their own privately-owned vehicle during official grant business, or from using government supplied electronic equipment to text message or email when driving.
- Recipients must comply with these conditions under Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," October 1, 2009.
20. Registration of Unique Entity Identifier (UEI) Number and Taxpayer Identification Number in the System for Award Management (SAM):
- The U.S. Department of Education (Department) Grants Management System (G5) disburses payments via the U.S. Department of Treasury (Treasury). The U.S. Treasury requires that we include your Taxpayer Identification Number (TIN) with each payment. Therefore, in order to do business with the Department you must have a registered Unique Entity Identifier (UEI) and TIN number with the SAM, the U.S. Federal Government's primary registrant database. If the payee UEI number is different than your grantee UEI number, both numbers must be registered in the SAM. Failure to do so will delay the receipt of payments from the Department.

A TIN is an identification number used by the Internal Revenue Service (IRS) in the administration of tax laws. School Districts shall use an Employer Identification Number "EIN" for this purpose.

21. System for Award Management and Universal Identifies Requirements:
- a. Requirement for System for Award Management (SAM):
Unless you are exempted from this requirement under 2 CFR 25.110, you are, in accordance with your grant program's Notice Inviting Applications, required to maintain an active SAM registration with current information about your organization, including information on your immediate and highest level owner and subsidiaries, as well as on all predecessors that have been awarded a Federal

contract or grant within the last three years, if applicable, at all times during which you have an active Federal award or an application or plan under consideration by a Federal awarding agency. To remain registered in the SAM database after your initial registration, you are required to review and update your information in the SAM database on an annual basis from the date of initial registration or subsequent updates to ensure it is current, accurate and complete.

b. Requirement for Unique Entity Identifier (UEI) Numbers

If you are authorized to make subawards under this award, you:

- i. Must notify potential subrecipients that they may not receive a subaward from you unless they provided their UEI number to you.
- ii. May not make a subaward to a subrecipient when the subrecipient fails to provide its UEI number to you.

c. Definitions

For purposes of this award term:

- i. System for Award Management (SAM) means the Federal repository into which a recipient must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM internet site (currently at <https://www.sam.gov>).
- ii. Unique Entity Identifier (UEI) means the identifier assigned by SAM registration to uniquely identify business entities.
- iii. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
 - a) A Governmental organization, which is a State, local government, or Indian Tribe;
 - b) A foreign public entity;
 - c) A domestic or foreign nonprofit organization;
 - d) A domestic or foreign for-profit organization; and
 - e) A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
- iv. Subaward means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract. See 2 CFR 200.92.
- v. Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency. See 2 CFR 200.93. DJJ is not a subrecipient for the purposes of this document. The School District is a subrecipient for the purposes of this document.

22. The Use of Grant Funds for Conferences and Meetings:

- a. Before deciding to use grant funds to attend a meeting or conference, a grantee should:
 - i. Ensure that attending a conference or meeting is consistent with its approved application and is reasonable and necessary to achieve the goals and objectives of the grant;
 - ii. Ensure that the primary purpose of the meeting or conference is to disseminate technical information, (e.g., provide information on specific programmatic requirements, best practices in a particular field, or theoretical, empirical, or methodological advances made in a particular field; conduct training or professional development; plan/coordinate the work being done under the grant); and
 - iii. Consider whether there are more effective or efficient alternatives that can accomplish the desired results at a lower cost. For example, using webinars or video conferencing should be considered.
 - b. Grantees must follow all applicable statutory and regulatory requirements in determining whether costs are reasonable and necessary, especially the Cost Principles for Federal grants set out at 2 CFR Part 200 Subpart E of the, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.” In particular, remember that:
 - i. Federal grant funds cannot be used to pay for alcoholic beverages; and
 - ii. Federal grant funds cannot be used to pay for entertainment, which includes costs for amusement, diversion, and social activities.
 - c. Grant funds may be used to pay for the costs of attending a conference. Specifically, Federal grant funds may be used to pay for conference fees and travel expenses (transportation, per diem, and lodging) of grantee employees, consultants, or experts to attend a conference or meeting if those expenses are reasonable and necessary to achieve the purposes of the grant.
 - i. When planning to use grant funds for attending a meeting or conference, grantees should consider how many people should attend the meeting or conference on their behalf. The number of attendees should be reasonable and necessary to accomplish the goals and objectives of the grant.
 - d. Grantees are strongly encouraged to contact their project officer with any questions or concerns about whether using grant funds for a meeting or conference is allowable prior to committing grant funds for such purposes.
 - e. Grantees are responsible for the proper use of their grant awards and may have to repay funds if they violate the rules on the use of grant funds, including the rules for meeting and conference-related expenses.
23. Cash Management Requirements Concerning Payments:

The Department of Education (Department) requires that its grantees ensure that their subgrantees are aware of existing cash management requirements concerning payments policies by providing them relevant information. Failure to comply with cash management requirements may result in an improper payment determination by the Department in accordance with the Payment Integrity Information Act (PIIA) of 2019.

Grantees, including grantees that act as pass-through entities and subgrantees, have other responsibilities regarding the use of Federal funds. For example, all grantees and

subgrantees must have procedures for determining the allowability of costs for their awards. The financial management requirements in the Uniform Guidance that will assist State grantees (pass-through entities) in meeting their monitoring responsibilities are included under 2 CFR § 200.332. Pass-through entities may –

- a. Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring.
- b. Monitor the performance and fiscal activities of the subrecipient to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved.

24. Employment Eligibility Verification for Hiring Under the Award:

The subrecipient at any tier must:

- a. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the subrecipient properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of [8 U.S.C. 1324a\(a\)\(1\) and \(2\)](#).
- b. Notify all persons associated with the subrecipient who are or will be involved in activities under this award of both—
 - i. this award requirement for verification of employment eligibility, and
 - ii. the associated provisions in [8 U.S.C. 1324a\(a\)\(1\) and \(2\)](#) that, generally speaking, make it unlawful in the United States to hire (or recruit for employment) certain aliens.
- c. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of [8 U.S.C. 1324a\(a\)\(1\) and \(2\)](#).
- d. As part of the recordkeeping for the award (including pursuant to the [Part 200 Uniform Requirements](#)), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.
- e. Monitoring:
DJJ's monitoring responsibilities include monitoring of subrecipient compliance with this Employment Eligibility Verification for Hiring condition.
- f. Allowable costs:
To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this Employment Eligibility Verification for Hiring condition.

Questions about the meaning or scope of this condition should be directed to DJJ, before award acceptance.

II. Additional Justice and Public Safety Cabinet Subaward Conditions:

A. 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 may make the information available to active sub-recipients.

B. Youth Rights:

1. 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 1:020 for:
 - a. Actions arising from service rendered under this agreement,
 - b. A belief their civil rights have been violated, or
 - c. A belief that they have been discriminated against on the basis of disability.
2. 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 youth 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 youth'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.

C. 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.

D. Ethics Code:

1. 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.
2. If a violation occurs, disciplinary issues relating to school district personnel shall be governed by the local school district's policy and procedures.
3. 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.
4. 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.

E. Prison Rape Elimination Act (PREA):

PREA standards and monitoring are 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.

1. The sub-recipient shall comply with the Prison Rape Elimination Act (PREA) 34 U.S.C.A. § 30301, et seq., (formerly cited as 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>
2. 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.
3. 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.
4. 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.

5. 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.
6. All costs associated with the PREA audit shall be borne by the sub-recipient.
7. 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.

F. Financial Requirements:

1. Effect of failure to address audit issues:
The subrecipient understands and agrees that DJJ and/or the ED awarding agency (DJJ or KDE, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by DJJ or the ED awarding agency) the subrecipient does not satisfactorily and promptly address outstanding issues from audits required by the 2 C.F.R. [Part 200 Uniform Requirements](#) (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DJJ awards.
2. Accounting System Standards and Requirements:
Comingling of funds is prohibited, and the subrecipient and all its contractors agree to ensure each award will be accounted for separately. Funds specifically budgeted and/or received for one project may not be used to support another. The subrecipient is required to maintain an adequate accounting system that allows the agency to maintain documentation to support all receipts and expenditures of awarded funds. Furthermore, all financial statements and accounting transactions must be prepared in accordance with Generally Accepted Accounting Principles.

G. Final Approved Award and GMAP budget approvals:

Changes in the overall scope of the project are unallowable without express written prior approval from DJJ. However, minor changes to the project and budget adjustments may be requested in GMAP. Approval of a GMAP budget must be obtained prior to any obligation of grant funds not approved in the most current version of the application. DJJ will be notified in writing of all employee changes pertaining to this grant within thirty days of occurrence or prior. A GMAP budget amendment is required for changes in the funded positions and the subrecipient should note that its Financial Officer cannot be the same person that functions as the Agency Executive Director or Project Director.

The process goes as follows:

1. Subgrantee will submit the changes within the GMAP system of all budget changes that are requested.

2. Once school district financial staff approve the subgrantee requested budget amendment in the GMAP system, DJJ staff will approve or deny the submitted GMAP Request, allowing subgrantee to submit necessary changes to receive approval.
3. KDE financial staff will approve or deny GMAP once the final review has been conducted.

H. Personnel Time and Attendance Reporting:

The subrecipient agrees that it must maintain and submit a Personnel Activity Report “PAR” as evidence of time and attendance records reflecting all funding sources for all personnel assigned to this award. PAR records must be signed by the individual and his/her immediate supervisor, and records retention requirements must be followed. PARs must include activity, dates of activity, assigned codes, number of hours worked, name, and signature. Signature stamps will not be accepted.

I. Financial and Program Report Submission Requirements:

The subrecipient agrees to submit financial and program reports at least quarterly, as required. The subrecipient must collect and maintain data that measures the performance and effectiveness of work under this award. The data must be provided to ED and DJJ in the manner (including timeframes) specified by DJJ in the applicable written guidance. Data collection shall comply with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

J. The school district’s Financial Director or designee must approve financial reports. Subrecipients shall submit to DJJ financial reports which include itemized expenses requested for reimbursement. Invoices and other documentation of award shall be submitted with each quarterly financial report, as required, and documentation, such as time and attendance records, should be submitted simultaneously. Subrecipients are required to submit performance reports to both DJJ and KDE within the identified timeframe above.

K. Hiring Requirements:

Subrecipients must follow best practices in hiring for grant-funded positions to ensure competitiveness and to avoid conflicts of interest. DJJ program staff must be notified in a timely manner of any changes in grant-funded staff. Best practices include, but are not limited to:

1. Publicly advertised job posting, ideally in an online posting that is separate from or in addition to subrecipient’s organization website or social media accounts. If subrecipient chooses to advertise in a newspaper, it must be a major publication.
2. Job description and requirements must be clearly conveyed in the posting. Where applicable, requirements must follow those outlined in KRS.

3. Competitive interviews must be conducted with at least three candidates interviewed (two of which would ideally be external candidates).
4. The intended hire's resume should indicate that they meet the minimum requirements of the position.

All conflicts of interest, including the appearance of a conflict, must be avoided when possible. If any exist, the conflict must be immediately disclosed to the DJJ Education Branch Manager in writing on school district letterhead. DJJ legal counsel may review and render a decision regarding the conflict.

L. Screening Requirements:

1. 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.
2. Contracted day treatment programs shall ensure that staff have undergone criminal background investigations and ensure that staff do not have criminal charges relating to abuse or sexual abuse.
3. Evidence of compliance with this requirement shall be made available to the Title I Program Administrator, auditors, and/or DJJ Education Branch Manager.

M. Confidentiality:

Subrecipients at any tier, to the extent permitted by law, will protect the confidentiality and privacy of persons receiving services under this subaward and shall not disclose, reveal, or release, except pursuant to paragraphs (b) and (c) of this section—

1. Any personally identifying information or individual information collected in connection with grant-funded services requested, utilized, or denied, regardless of whether such information has been encoded, encrypted, hashed, or otherwise protected; or
2. Individual client information, without the informed, written, reasonably time-limited consent of the person about whom information is sought, except that consent for release may not be given by the abuser of a minor, incapacitated person, or the abuser of the other parent of the minor. If a minor or a person with a legally appointed guardian is permitted by law to receive services without a parent's (or the guardian's) consent, the minor or person with a guardian may consent to release of information without additional consent from the parent or guardian.

N. Mandatory reporting:

Nothing in this section prohibits compliance with legally mandated reporting of abuse or neglect.

O. 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 and will be monitored:

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 subaward 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).

P. 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 Title I Part D Subpart 1 section 1415: Use of Funds. The Kentucky Department of Juvenile Justice retains the right to withhold payments if the subrecipient fails to comply with any of the terms of this contract or applicable law.

1. The subrecipient understands that subaward funds may be obligated during the grant award period of July 1, 2021 to September 30, 2022. Payments will be

approved retroactively following the approval of the DJJ Title I Part D Subpart 1 Award Binder.

2. 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.
3. 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.
 - a. The district Title I Part D program coordinator must submit a request in writing. The request must:
 - i. Explain why there is a need to carryover funds beyond September 30, and how the funds will positively affect students;
 - ii. Focus on outcomes, and include a proposed budget and plan for use of carryover funds; and
 - iii. Be submitted on district letterhead.
 - b. The district will submit the request via email to the DJJ Title I Program Administrator no later than August 31.
 - c. DJJ Title I Program Administrator will discuss the request with KDE, and the DJJ will approve or deny it. The decision to approve or deny will be within the sole discretion of the DJJ.
 - d. Districts will receive final notification of the request approval or denial.
4. 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.
5. The subrecipient understands that in order to receive funding reimbursement the subrecipient must become a vendor of the state. The following link may be used to access the Kentucky Vendor Self Service Website:
<https://finance.ky.gov/eProcurement/Pages/default.aspx>
6. The payment request must be in accordance with the Subrecipient's approved budget contained in the Grant Management Application and Planning System (GMAP).
7. The subrecipient is liable for any disallowed cost.
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.
8. 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 subaward and readily available for audits of subaward funding.
 - a. The subrecipient shall retain all financial records, supporting documents, statistical records, databases, and all other records pertinent to the subaward for a minimum of eight (8) years following the closure of the most recent audit report following the end of program activities.
 - b. Case/client records and/or databases shall be maintained indefinitely in accordance with applicable laws and regulations.
9. 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 subrecipient which are pertinent to the sub-award, in order to make audits, examinations, excerpts and transcripts and/or to utilize said books, documents, papers, or other records for continued and or expanded study.

10. The subrecipient must adhere to all due dates for program reports. 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.
11. The subrecipient 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.
12. The subrecipient agrees that it will maintain data and information and submit reports in a designated format and in a timely manner. The subrecipient agrees that it will provide containing information as the Department of Juvenile Justice and the Department of Education may require. Such data must be maintained at the subrecipient's office, regardless of whether the administration of that office has changed.
13. The subrecipient understands that if the requested project is funded, continuation is not guaranteed.
14. The subrecipient understands that a subaward may be terminated, or fund payments discontinued by the Kentucky Department of Juvenile Justice where it finds a failure to comply.
15. The subrecipient 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 subaward.
16. The subrecipient agrees that should the Kentucky Department of Juvenile Justice determine that it needs to take legal action against the subrecipient for actions arising out of the subaward, the subrecipient will waive any objections on the grounds of jurisdiction, venue, forum nonconveniens, or any similar grounds, and consent to have the case heard in either state or federal court in Franklin County, Kentucky.
17. The final Federal Cash Request must be submitted by December 6, 2022. All funds must be spent or encumbered by September 30, 2022. The quarterly report for the period ending September 30, 2022 MUST reflect encumbrances

III. CIVIL RIGHTS REQUIREMENTS

A. Discrimination Prohibited

The subrecipient 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

ensuring subrecipient's compliance with civil rights regulations. In accordance with federal civil rights laws, subrecipient assures it shall not retaliate against an individual for taking action or participating in action to secure rights protected by these laws.

1. The subrecipient 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. § 10604), as appropriate; Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); subtitle A, Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681); the Age Discrimination Act of 1975 (42 U.S.C. § 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 subrecipient 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 subrecipient will forward a copy of the finding to the Office for Civil Rights (OCR) of the Office of Justice Programs and the DOJ Title I Administrator.
 3. The subrecipient 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). Subrecipients will prepare and maintain a written policy on language assistance for LEP persons.
 4. The subrecipient assures that the agency possesses legal authority to apply for the subaward; that resolution, motion, or similar action has been duly adopted or passed as an official act of the subrecipient's governing body, authorizing the filing of the subaward including all understandings and assurances contained therein, and directing the authorizing person identified as the official representative of the subrecipient to act in connection with the subaward and to provide such additional information as may be required.
- B. The subrecipient is required to comply with all applicable state and Federal nondiscrimination laws and regulations.
- C. The subrecipient 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 subrecipient 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). 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 Subrecipient, 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 Subrecipient, 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 Subrecipient, 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 subrecipient and contractor organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to subrecipient 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. Immigration and Naturalization Service

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

F. Limited English Proficiency

1. 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.
2. 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.
3. These individuals are entitled to language assistance with respect to a particular type of service, benefit, or encounter.
4. All programs and operations of entities that receive assistance from the federal government must comply with providing services to LEP individuals.
5. These services include providing oral language services and providing translation of written materials.
6. The subrecipient shall provide a copy of their agency LEP plan. If applicable, the subrecipient will provide a copy of the mandatory signatory documents and/or upload the form with the subaward on the Electronic Grants Management System.

COMMONWEALTH: Department of Juvenile Justice
Name of Agency

APPROVED: BY: _____
DJJ Commissioner Signature

DATE: _____

SUBRECIPIENT / CONTRACTOR: _____
Name of Agency

APPROVED: BY: _____
Signature

TITLE: _____

DATE: _____

KENTUCKY DEPARTMENT OF JUVENILE JUSTICE

Award Binder

S013A210017 – Kenton County School District

SECTION II

Budget & Performance Reports

A. Budget

The state agency FY2022 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.

B. Performance Reports

1. Title I, Part D requires State Education Agencies 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 September 15.

KENTUCKY DEPARTMENT OF JUVENILE JUSTICE

Award Binder

S013A210017 – Kenton County School District

SECTION III

Signatory Form & Payment Request Procedure

A. Signatory Form (2)

This form designates the person authorized by the subrecipient 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 using 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 correlated to the needs assessment.

D. Complete quarterly expense reports by the below deadlines:

- 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); and
 - 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); and
 - 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; and
 - 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. The decision to allow or deny an amendment is within the sole discretion of DJJ. More than three (3) budget amendments will affect the district's 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 Lacheena Carothers, Title I Program Administrator.

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: Northern Kentucky Youth Development Center	Federal ID Number: 61-6001301
Grant Number: S013A210017	Grant Amount: \$ 32,500.00

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.

Department of Juvenile Justice		PAYMENT REQUEST FORM		Grant Program	
				Title 1 Program	
SUBMIT TO: Lacheena Carothers Department of Juvenile Justice 1025 Capital Center Dr., 3rd Floor Frankfort, KY 40601		Sub-recipient/District Name and Address		Federal ID No.	
				Grant Number STATE ID 313I FEDERAL S013A21 ID 0017 CATALOG 84.013	
Amount Requested \$ -		Person Preparing Request:		Date of Request	Period/Quarter Covered by this Report From: To:
Request No.					
<p><u>Note:</u> Please list requests by quarter and denote the last request as "Final." Payment Requests will be processed quarterly. Original signature is required.</p> <p>Additional Notes/Information:</p> <p>I certify this request for funds has been prepared in accordance with the terms and conditions of the Sub-award. I further certify the information contained herein is true and accurate to the best of my knowledge.</p>					
Authorized Signature		Name and Title (type or print)		Area Code & Phone Number	
Fiscal Agent (if applicable)		Name and Title (type or print)		Area Code & Phone Number	

DO NOT WRITE IN THIS SPACE - FOR DJJ USE ONLY		
I certify that the expenditures provided meet the requirements for use of Title 1 Part D funds under subpart 1 SEC. 1415		
DJJ Approval	Amount	Date Approved
DJJ Grant Tracking	Payment Document Number	Date Processed

