

File ID Number	16-2173
Introduction Date	10-26-16
Enactment Number	16-1711
Enactment Date	10/26/16
By	EW



**OAKLAND UNIFIED
SCHOOL DISTRICT**

Community Schools, Thriving Students

**OAKLAND UNIFIED SCHOOL DISTRICT
Office of the Board of Education**

October 24, 2016

To: Board of Education
 From: Antwan Wilson, Superintendent
 Subject: District Submitting Grant Contract, Amendment No.1 for CCTR-6008 Contract FY 2016-17

ACTION REQUESTED:

Adoption by the Board of Education of Resolution No. 1617-0065 Amendment No.1, Grant Contract No. CCTR- 6008 from California Department of Education to provide funding for General Child Care and Development Programs for the Early Childhood Education Department, decreasing minimum days of operation from 244 to 240 of the contract maximum reimbursement amount (MRA), encumbered amount for \$ 2,596,136 for the period July 1, 2016 to June 30, 2017 pursuant to terms and conditions thereof, if any. All other terms and conditions of the Agreement remain in full force and effect.

BACKGROUND:

Grant amendment agreement for OUSD schools for the 2016-2017 fiscal year that benefit the Early Childhood Education Department are submitted for Board acceptance and approval as indicated in the chart below. Grant agreement packets are available for review through the Board Secretary's Office and will be electronically available within one week of the board meeting through Board of Education Legislative Information Center under the file I.D. number stated at the top of this page.

File I.D #	Backup Document Included	Type	Recipient	Grant's Purpose	Time Period	Funding Source	Original Amount	Increase Amount	Grant Amount
16-2173	Yes	CCTR Grant Amendment No. 1	Oakland Unified School District for Early Childhood Education Department	This amendment reflects days of operation Change from 244 to 240 for general childcare & development programs	7/1/2015-6/30/2016	California Department of Education	\$2,596,136	\$0	\$2,596,136

DISCUSSION:

The District received a Grant amendment agreement for the CCTR- 6008 Contract FY 16-17 decrease minimum days of operation from 244 to 240

- Review scopes of work outlined by each grant agreement and assess their contribution to sustained student achievement.
- Identify OUSD resources required for program success.

OUSD received a completed grant agreement for each program listed in the chart by department.

FISCAL IMPACT:

The total amount of the grant amendment will be provided to OUSD ECE program based on the adjustment to the Special Fund account.

- Grants valued \$2,596,136.00

RECOMMENDATION:

Acceptance by the Board of Education of District grant amendment agreements for Early Childhood Education programming for fiscal years 2016 - 2017, pursuant to the terms and conditions thereof, if any.

ATTACHMENTS:

Grant Face Sheet – CCTR-6008 Amendment 01, FY 2016-17

Amendment 01 - CCTR-6008 FY 16-17

Resolution No. **1617-0065**

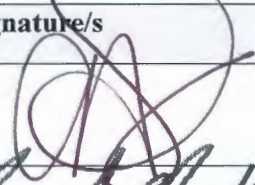
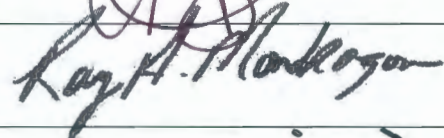

Original Grant Agreement, CCTR-6008, FY 2016-17

OUSD Grants Management Face Sheet

Title of Grant: CCTR-6008 Amendment 01 California State Preschool Program	Funding Cycle Dates: July 1, 2016 – June 30, 2017
Grant's Fiscal Agent: Oakland Unified School District Early Childhood Education 746 Grand Avenue Oakland CA, 94610 510- 273-1616	Grant Amount for Full Funding Cycle: \$2,596,136.00 (Decrease minimum days of operation from 244 to 240)
Funding Agency: California Department of Education	Grant Focus: General Child Care and Child Development programs
List all School(s) or Department(s) to be Served: All child development school age programs.	

Information Needed	School or Department Response
How will this grant contribute to sustained student achievement or academic standards?	The grant contract will support implementation of the California Child Development School Age Program.
How will this grant be evaluated for impact upon student achievement? (Customized data design and technical support are provided at 1% of the grant award or at a negotiated fee for a community-based fiscal agent who is not including OUSD's indirect rate of 5.94% in the budget. The 1% or negotiated data fee will be charged according to an Agreement for Grant Administration Related Services payment schedule. This fee should be included in the grant's budget for evaluation.)	The Annual Agency plan will determine the effectiveness of the program.
Does the grant require any resources from the school(s) or district? If so, describe.	No
Are services being supported by an OUSD funded grant or by a contractor paid through an OUSD contract or MOU? (If yes, include the district's indirect rate of 5.94% for all OUSD site services in the grant's budget for administrative support, evaluation data, or indirect services.)	Indirect costs are a part of the budget for this grant.
Will the proposed program take students out of the classroom for any portion of the school day? (OUSD reserves the right to limit service access to students during the school day to ensure academic attendance continuity.)	No
Who is the contact managing and assuring grant compliance? (Include contact's name, address, phone number, email address.)	Christie Anderson Director, Early Childhood Education 1025 4 th ave Oakland, CA 94610 (510) 273-8277 Christie.Anderson@ousd.org

Applicant Obtained Approval Signatures:

Entity	Name/s	Signature/s	Date
Early Childhood Education Director	Christine Anderson		
Department Head (e.g. for school day programs or for extended day and student support activities)	Ray Mondragon		
Chief Academic Officer	Devin Dillon		

Grant Office Obtained Approval Signatures:

Entity	Name/s	Signature/s	Date
Superintendent	Antwan Wilson		

RESOLUTION
No. 1617-0065

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for Fiscal Year 2016-2017.

RESOLUTION

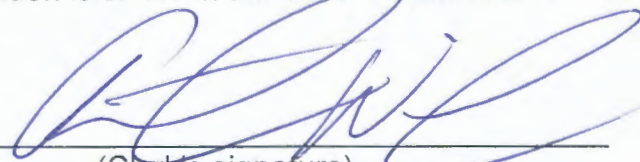
BE IT RESOLVED that the Governing Board of Oakland Unified School District

authorizes entering into local agreement number/s CCTR – 6008 Amendment 01 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>James Harris</u>	<u>President, Board of Education</u>	
<u>Antwan Wilson</u>	<u>Secretary, Board of Education</u>	

PASSED AND ADOPTED THIS 26th day of October, 2016, by the
Governing Board of Oakland Unified School District
of Alameda County, California.

I, Antwan Wilson, Clerk of the Governing Board of
Oakland Unified School District, of Alameda, County, California, certify that
the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a
regular Board meeting thereof held at a regular public place of meeting and the
resolution is on file in the office of said Board.


(Clerk's signature)

11/8/16
(Date)



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F.Y. 16 - 17

Amendment 01

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES
MDO Change

DATE: July 01, 2016

CONTRACT NUMBER: CCTR-6008

PROGRAM TYPE: GENERAL CHILD CARE & DEV PROGRAMS

PROJECT NUMBER: 01-6125-00-6

CONTRACTOR'S NAME: OAKLAND UNIFIED SCHOOL DISTRICT

This agreement with the State of California dated July 01, 2016 designated as number CCTR-6008 shall be amended in the following particulars but no others:

The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of this agreement shall be \$2,596,136.00. (No change)

The Maximim Rate per child day of enrollment payable pursuant to the provisions of the agreement shall be \$43.31. (No change)

SERVICE REQUIREMENTS

The minimum Child Days of Enrollment (CDE) Requirement shall be 59,943.0. (No change)

Minimum Days of Operation (MDO) Requirement shall be amended by deleting reference to 244 and inserting 240 in place thereof.

EXCEPT AS AMENDED HEREIN all terms and conditions of the original agreement shall remain unchanged and in full force and effect.

[Handwritten signature of James Harris]

James Harris
President, Board of Education

[Handwritten signature of Antwan Wilson]

Antwan Wilson
Secretary, Board of Education

STATE OF CALIFORNIA

BY (AUTHORIZED SIGNATURE)

PRINTED NAME OF PERSON SIGNING
Sueshil Chandra, Manager

TITLE
Contracts, Purchasing and Conference Services

CONTRACTOR

BY (AUTHORIZED SIGNATURE)

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

AMOUNT ENCUMBERED BY THIS DOCUMENT
\$ 0

PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT
\$ 2,596,136

TOTAL AMOUNT ENCUMBERED TO DATE
\$ 2,596,136

PROGRAM/CATEGORY (CODE AND TITLE)
Child Development Programs

(OPTIONAL USE)

See Attached

ITEM
See Attached

CHAPTER

STATUTE

FISCAL YEAR

OBJECT OF EXPENDITURE (CODE AND TITLE)
702

FUND TITLE

Department of General Services
use only

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.

T.B.A. NO.

B.R. NO.

SIGNATURE OF ACCOUNTING OFFICER
See Attached

DATE

CONTRACTOR'S NAME: OAKLAND UNIFIED SCHOOL DISTRICT

CONTRACT NUMBER: CCTR-6008

Amendment 01

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 776,021	(OPTIONAL USE)0656 13609-6125	FC# 93.596	PC# 000321	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 776,021	ITEM 30.10.020.001 6100-194-0890	CHAPTER 23	STATUTE 2016	FISCAL YEAR 2016-2017
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290				

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 356,447	(OPTIONAL USE)0656 15136-6125	FC# 93.575	PC# 000324	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 356,447	ITEM 30.10.020.001 6100-194-0890	CHAPTER 23	STATUTE 2016	FISCAL YEAR 2016-2017
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290				

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE General		
PRIOR AMOUNT ENCUMBERED \$ 1,463,668	(OPTIONAL USE)0656 23254-6125			
TOTAL AMOUNT ENCUMBERED TO DATE \$ 1,463,668	ITEM 30.10.020.001 6100-194-0001	CHAPTER 23	STATUTE 2016	FISCAL YEAR 2016-2017
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590				

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above. SIGNATURE OF ACCOUNTING OFFICER	T.B.A. NO.	B.R. NO.
	DATE	

Board Office Use:	
File ID Number	16-1449
Introduction Date	6-22-16
Enactment Number	16-1199
Enactment Date	6/21/16 <i>AW</i>



Memo

To: Board of Education

From: Antwan Wilson, Superintendent

Board Meeting Date:

Subject: Grant

District Grant Award- CCTR-6008, General Child Care and Development Program Contract FY 2016-17

ACTION REQUESTED:

Adoption by the Board of Education of Resolution No. 1516-0263 Approving Grant Contract No. CCTR-6008 from California Department of Education to provide funding for General Child Care and Development Programs for the Early Childhood Education Department, by funding \$2,596,136, pursuant to terms and conditions thereof, if any. All other terms and conditions of the Agreement remain in full force and effect.

BACKGROUND:

Grant amendment agreement for OUSD schools for the 2016-2017 fiscal year that benefit the Early Childhood Education Department are submitted for Board acceptance and approval as indicated in the chart below. Grant agreement packets are available for review through the Board Secretary's Office and will be electronically available within one week of the board meeting through Board of Education Legislative Information Center under the file I.D. number stated at the top of this page. Funding of this contract is contingent upon appropriation and availability of funds. This Contract may be terminated immediately by the State if funds are not appropriated or available in amount sufficient to fund that State's obligations under this contract.

File I.D. #	Backup Document Included	Type	Recipient	Grant's Purpose	Time Period	Funding Source	Grant Amount
15-0554	Yes	CCTR Grant Amendment	Oakland Unified School District for Early Childhood Education Department	This contract will provide funding for the General Child Care and Development Programs.	7/1/2016-6/30/2017	California Department of Education	\$2,596,136.00

DISCUSSION:

The District received a contract agreement for the CCTR-6008 Contract FY 16-17 for continued funding to the Early Child Care and Development Program.

- Review scopes of work outlined by each grant agreement and assess their contribution to sustained student achievement.
- Identify OUSD resources required for program success.

OUSD received a completed grant agreement for each program listed in the chart by department.

FISCAL IMPACT:

The total amount of the grant will be provided to OUSD Early Childhood Education programs based on earnings from student enrollment and attendance to fulfill the states obligation under the contract.

- Grants valued at \$2,596,136.00

RECOMMENDATION:

Acceptance by the Board of Education of District grant agreement for Early Childhood Education programming for fiscal years 2016-2017, pursuant to the terms and conditions thereof, if any.

ATTACHMENTS:

Grant Face Sheet – CCTR-6008

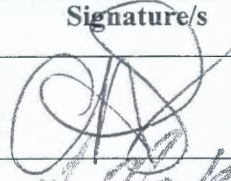
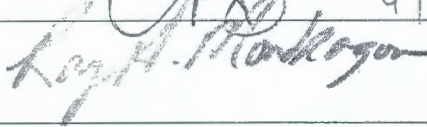

Resolution No. 1516-0263

Original Grant Agreement, CCTR-6008

OUSD Grants Management Face Sheet

Title of Grant: CCTR-6008 General Child Care & Child Development Programs	Funding Cycle Dates: July 1, 2016-June 30, 2017
Grant's Fiscal Agent: Oakland Unified School District Early Childhood Education Department 1025 4 th Ave. Oakland, CA 94606 510- 273-8277	Grant Amount for Full Funding Cycle: \$2,596,136
Funding Agency: California Department of Education	Grant Focus: General Child Care and Child Development Programs
List all School(s) or Department(s) to be Served: All child care and Development programs.	

Information Needed	School or Department Response
How will this grant contribute to sustained student achievement or academic standards?	The grant will support the School Age program under the General Child Care Grant.
How will this grant be evaluated for impact upon student achievement? <small>(Customized data design and technical support are provided at 1% of the grant award or at a negotiated fee for a community-based fiscal agent who is not including OUSD's indirect rate of 5.94% in the budget. The 1% or negotiated data fee will be charged according to an Agreement for Grant Administration Related Services payment schedule. This fee should be included in the grant's budget for evaluation.)</small>	The Annual Agency plan will determine the effectiveness of the program.
Does the grant require any resources from the school(s) or district? If so, describe.	No
Are services being supported by an OUSD funded grant or by a contractor paid through an OUSD contract or MOU? <small>(If yes, include the district's indirect rate of 5.94% for all OUSD site services in the grant's budget for administrative support, evaluation data, or indirect services.)</small>	Indirect costs are a part of the budget for this grant.
Will the proposed program take students out of the classroom for any portion of the school day? <small>(OUSD reserves the right to limit service access to students during the school day to ensure academic attendance continuity.)</small>	No
Who is the contact managing and assuring grant compliance? <small>(Include contact's name, address, phone number, email address.)</small>	Christie Anderson 1025 4th Ave. Oakland, CA 94606 christie.anderson@ousd.org 510- 273-8277

Entity	Name/s	Signature/s	Date
Early Childhood Education Director	Christie Anderson		4/7/14
Department Head (e.g. for school day programs or for extended day and student support activities)	Ray Mondragon		6/7/16
Chief Academic Officer	Devin Dillon		6/7/16

Grant Office Obtained Approval Signatures:

Entity	Name/s	Signature/s	Date
Fiscal Officer	Vernon Hal		
Superintendent	Antwan Wilson		



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F.Y. 16 - 17

DATE: July 01, 2016

CONTRACT NUMBER: CCTR-6008

PROGRAM TYPE: GENERAL CHILD CARE & DEV PROGRAMS

PROJECT NUMBER: 01-6125-00-6

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES

CONTRACTOR'S NAME: OAKLAND UNIFIED SCHOOL DISTRICT

This Agreement is entered into between the State Agency and the Contractor named above. The Contractor agrees to comply with the terms and conditions of the CURRENT APPLICATION; the GENERAL TERMS AND CONDITIONS (GTC-610)*; the GENERAL CHILD CARE AND DEVELOPMENT PROGRAM REQUIREMENTS*; the FUNDING TERMS AND CONDITIONS (FT&C)* and any subsequent changes to the FT&C*, which are by this reference made a part of this Agreement. Where the GTC-610 conflicts with either the Program Requirements or the FT&C, the Program Requirements or the FT&C will prevail.

Funding of this Agreement is contingent upon appropriation and availability of sufficient funds. This Agreement may be terminated immediately by the State if funds are not appropriated or available in amounts sufficient to fund the State's obligations under this Agreement.

The period of performance for this Agreement is July 01, 2016 through June 30, 2017. For satisfactory performance of the required services, the Contractor shall be reimbursed in accordance with the Determination of Reimbursable Amount Section of the FT&C, at a rate not to exceed \$43.31 per child per day of full-time enrollment and a Maximum Reimbursable Amount (MRA) of \$2,596,136.00.

SERVICE REQUIREMENTS

Minimum Child Days of Enrollment (CDE) Requirement	59,943.0
Minimum Days of Operation (MDO) Requirement	244

Any provision of this Agreement found to be in violation of Federal and State statute or regulation shall be invalid, but such a finding shall not affect the remaining provisions of this Agreement.

Items shown with an Asterisk (*), are hereby incorporated by this reference and made part of this Agreement as if attached hereto. These documents can be viewed at <http://www.cde.ca.gov/fg/aa/cd/ftc2016.asp>

James Harris

President, Board of Education

STATE OF CALIFORNIA

CONTRACTOR

BY (AUTHORIZED SIGNATURE)

BY (AUTHORIZED SIGNATURE)

PRINTED NAME OF PERSON SIGNING

Sueshil Chandra, Manager

PRINTED NAME AND TITLE OF PERSON SIGNING

Antwan Wilson

TITLE Contracts, Purchasing and Conference Services

Secretary, Board of Education

AMOUNT ENCUMBERED BY THIS DOCUMENT

\$ 2,596,136

PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs

FUND TITLE

Department of General Services use only

PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT

\$ 0

(OPTIONAL USE)

See Attached

ITEM

See Attached

CHAPTER

STATUTE

FISCAL YEAR

TOTAL AMOUNT ENCUMBERED TO DATE

\$ 2,596,136

OBJECT OF EXPENDITURE (CODE AND TITLE)

702

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.

T.B.A. NO.

B.R. NO.

SIGNATURE OF ACCOUNTING OFFICER

See Attached

DATE

CONTRACTOR'S NAME: OAKLAND UNIFIED SCHOOL DISTRICT

CONTRACT NUMBER: CCTR-6008

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 776,021	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 0	(OPTIONAL USE)0656 13609-6125	FC# 93.596	PC# 000321		
TOTAL AMOUNT ENCUMBERED TO DATE \$ 776,021	ITEM 30.10.020.001 6100-194-0890	CHAPTER B/A	STATUTE 2016	FISCAL YEAR 2016-2017	
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290				

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 356,447	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 0	(OPTIONAL USE)0656 15136-6125	FC# 93.575	PC# 000324		
TOTAL AMOUNT ENCUMBERED TO DATE \$ 356,447	ITEM 30.10.020.001 6100-194-0890	CHAPTER B/A	STATUTE 2016	FISCAL YEAR 2016-2017	
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290				

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 1,463,668	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs		FUND TITLE General		
PRIOR AMOUNT ENCUMBERED \$ 0	(OPTIONAL USE)0656 23254-6125				
TOTAL AMOUNT ENCUMBERED TO DATE \$ 1,463,668	ITEM 30.10.020.001 6100-194-0001	CHAPTER B/A	STATUTE 2016	FISCAL YEAR 2016-2017	
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590				

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above. SIGNATURE OF ACCOUNTING OFFICER	T.B.A. NO.	B.R. NO.
	DATE	

RESOLUTION
No. 1516-0263

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel to sign contract documents for Fiscal Year 2016-2017.

RESOLUTION

BE IT RESOLVED that the Governing Board of Oakland Unified School District

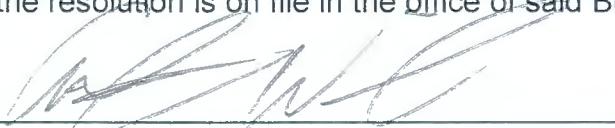
authorizes entering into local agreement number/s CCTR-6008 and that the person/s who is/are listed below, is/are authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
<u>James Harris</u>	<u>President, Board of Education</u>	
<u>Antwan Wilson</u>	<u>Secretary, Board of Education</u>	

PASSED AND ADOPTED THIS 22nd day of June, 2016, by the
Governing Board of Oakland Unified School District
of Alameda County, California.

I, Antwan Wilson, Clerk of the Governing Board of
Oakland Unified School District, of Alameda, County,

California, certify that the foregoing is a full, true and correct copy of a resolution adopted by the said Board at a regular meeting thereof held at a regular public place of meeting and the resolution is on file in the office of said Board.


(Clerk's signature)

6/23/16
(Date)

GO.8 (REV. 5/07)

FEDERAL CERTIFICATIONS

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

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 45 CFR Part 93, "New restrictions on Lobbying," and 45 CFR Part 76, "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 Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 45 CFR Part 93, for persons entering into a grant or cooperative agreement over \$100,000 as defined at 45 CFR Part 93, Sections 93.105 and 93.110, the applicant 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 in connection with the making of any federal grant, the entering into of 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 or will be paid to any person for influencing or attempting to influence an employee of Congress, or any 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 Form to Report Lobbying," in accordance with this instruction;

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

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by executive Order 12549, Debarment and Suspension, and other responsibilities implemented at 45 CFR Part 76, for prospective participants in primary or a lower tier covered transactions, as defined at 45 CFR Part 76, Sections 76.105 and 76.110.

A. The applicant certifies that it and its principals:

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

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

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

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

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

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 45 CFR Part 76, Subpart F, for grantees, as defined at 45 CFR Part 76, Sections 76.605 and 76.610-

A. The applicant certifies that it will or 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 grantee'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-

(1) The danger of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) 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 performance of the grant 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 grant, the employee will -

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation;

(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: Director, Grants, and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571.

Notice shall include the identification number(s) of each affected grant;

(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:

(1) 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

(2) 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).

3. The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

see attachment A

Check [] if there are workplaces on file that are not identified here.

**DRUG-FREE WORKPLACE
 (GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 45 CFR Part 78, Subpart F, for grantees, as defined at 45 CFR Part 78, Sections 78.605 and 78.610-

a. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant, and

b. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3) Washington, DC 20202-4571. Notice shall include the identification numbers(s) of each affected grant.

ENVIRONMENTAL TOBACCO SMOKE ACT

As required by the Pro-Children Act of 1994, (also known as Environmental Tobacco Smoke), and implemented at Public Law 103-277, Part C requires that:

The applicant certifies that smoking is not permitted in any portion of any indoor facility owned or leased or contracted and used routinely or regularly for the provision of health care services, day care, and education to children under the age of 18. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to \$1,000 per day. (The law does not apply to children's services provided in private residence, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for in-patient drug and alcohol treatment.)

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT (CONTRACTOR)	CONTRACT #
<u>Oakland Unified School District</u>	<u>CTR-6008</u>
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE
<u>James Harris</u> President, Board of Education	

Antwan Wilson
 Secretary, Board of Education