

ILLINOIS STATE BOARD OF EDUCATION APPLICATION FOR USE OF IDEA PART B FUNDS AND/OR IDEA PART B ARRA FUNDS FOR CONSTRUCTION OR ALTERATION OF FACILITIES		Send the original and one copy to: Illinois State Board of Education Division of Special Education, N-243 100 North 1st Street Springfield, IL 62777	
<i>Required by the Individuals with Disabilities Education Act</i>			
<p>Section 605 of the Individuals with Disabilities Education Act (IDEA) authorizes the Secretary to allow the use of IDEA funds, including IDEA Part B American Recovery and Reinvestment Act (ARRA) Funds, for construction or alteration of facilities if the Secretary determines the program would be improved by allowing funds to be used for these purposes. In general, to be able to use IDEA funds for these costs, states need to obtain prior approval from the U.S. Department of Education; and LEAs need to obtain prior approval from the Illinois State Board of Education (the Agency). [OSEP Guidance Revised July 1, 2009]</p> <p>LEAs must obtain prior approval from the Agency for all capital expenditures for improvements to land, buildings, or equipment which materially increases their value or useful life. LEAs must use this application form to seek approval from the Agency for construction projects and receive project approval from the Agency <u>prior</u> to beginning construction or alterations in order to use IDEA Part B or IDEA Part B ARRA funds for the project.</p> <p>All project requests must clearly address and meet criteria for appropriate use of federal funds. For approval of any costs under Part B of IDEA, the expenditures must relate to the provision of special education and related services in accordance with the requirements of Part B. Please note that if the construction project will not be used primarily for the benefit of children with disabilities who receive services under Part B of IDEA, Part B funds cannot be used to pay the <u>total</u> cost. Construction project proposals are reviewed by the Agency following submission of the application, including the signed assurance. The LEA will be notified in writing whether the request has been approved. Questions about the approval process should be directed by email to Bonnie Douglas (bdouglas@isbe.net) or Penny Kelly (gkelly@isbe.net).</p>			
GENERAL INFORMATION			
Applicant District: Oak Park Elementary School District 97		Mailing Address <i>Street, City, State, Zip</i> 970 West Madison Street Oak Park, Illinois, 60302	
District RCDT: 14-016-0970-02			
Special Education Cooperative (if applicable)		Mailing Address <i>Street, City, State, Zip</i>	
Cooperative RCDT			
Contact Person: Michael Padavic		Title: Director of Special Education	Telephone <i>Area/No</i> 708 -524-3030
Construction Project Name: Expansion of Existing Building and existing washrooms to handicap accessible washrooms.		Estimated Total Cost of Construction Project \$ 500,000.00 <u>\$ 200,000.00</u> \$ 700,000.00	Date of Application February 25, 2011
Amount of Costs to be paid using IDEA Flow Through funds \$ 0		Amount of Costs to be paid using IDEA ARRA Flow Through funds \$700,000.00	
Amount of Costs to be paid using IDEA Preschool funds \$ 0		Amount of Costs to be paid using IDEA ARRA Preschool funds \$ 0	

Provide a narrative description of the scope of the proposed construction project, including the location. **Currently, Lincoln School (K-5) is overcrowded. The District commissioned its architect to determine if any minor renovation to existing classroom spaces could occur to increase available classroom space. The recommendation was to add more classroom space for our special education students, instead of relocating them to other buildings in the district. The district is committed to servicing students in their neighborhood school. The building addition at Lincoln will eliminate the overcrowding of the school and allow our special education students to have their educational needs met in the least restrictive environment by allowing them to remain in their neighborhood school. Lincoln has an enrollment of 569 students of which 97 are special education students. The other proposed projects are making two washrooms handicapped accessible, one at Holmes School and the other at Brooks Middle School. The handicapped accessible washrooms will increase the capacity of students with disabilities having access to washrooms in the public school setting, insures compliance with the American with Disabilities Act Standards, and addresses a priority need of Oak Park District 97 in making our school buildings more accessible to all individuals.**

Describe the need for the construction project. **The construction project at Lincoln School will include the addition of two special education classrooms for the purpose of educating the neighborhood special education children in the least restrictive educational environment. The other projects, two bathrooms will need to be handicapped accessible for our students at Holmes School and Brooks Middle School.**

GENERAL INFORMATION (cont.)

Describe how the proposed construction project will improve the special education program for children with disabilities. **It will provide stability for the students remaining in their neighborhood school in the least restrictive environment. The construction work proposed also insures all special education students remain in a regular school setting with enhanced capacity to use more handicapped accessible washrooms.**

Identify the impairments of the children with disabilities intending to use the facility. *Check all that apply.*

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|--|--|--|
| <input checked="" type="checkbox"/> Autism | <input type="checkbox"/> Hearing Impairment | <input checked="" type="checkbox"/> Specific Learning Disability |
| <input checked="" type="checkbox"/> Cognitive Disability | <input type="checkbox"/> Other Health Impairment | <input checked="" type="checkbox"/> Speech and Language Impairment |
| <input type="checkbox"/> Deaf Blind | <input type="checkbox"/> Orthopedic Impairment | <input type="checkbox"/> Traumatic Brain Injury |
| <input type="checkbox"/> Emotional Behavioral Disability | <input type="checkbox"/> Significant Developmental Delay | <input type="checkbox"/> Visual Impairment |

- | | |
|--|---|
| Identify the age ranges of the children with disabilities who will use the facility. | Identify the number of children with disabilities <u>currently</u> in your district who will benefit from this construction project. |
| <input type="checkbox"/> Ages 3-5 <input checked="" type="checkbox"/> Ages 6-21 | <input type="checkbox"/> 1-10 <input type="checkbox"/> 31-40 <input checked="" type="checkbox"/> 76-100
<input type="checkbox"/> 11-20 <input type="checkbox"/> 41-50 <input type="checkbox"/> 100+
<input type="checkbox"/> 21-30 <input type="checkbox"/> 50-75 |

Describe how the proposed construction project is consistent with the requirements of IDEA Part B, including requirements related to least restrictive environment (34 CFR § 300.114), placement (34 CFR § 300.116), and IEP implementation.

- To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (34CFR, Part 300.114. * **District insures equal access and participation to all students regardless of race, color, ethnicity, religion, national origin, gender age, citizenship status or disability pursuant to NCLB. The District will enforce all federal and state laws and regulations designed to ensure equitable access and participation. The District will issue all required notices and investigate all complaints. The District will be proactive in monitoring compliance with this requirement.**
- Funds are used to supplement State, local, and other Federal funds and not to supplant such funds. (34 CFR, Part 300.162) ***Total cost of project is expected to be \$1,128,288,00 . \$500,000.00 is for the classrooms and \$200,000.00 is for accessible washrooms. District 97 would request \$700,000.00 from ARRA IDEA Flow-Through to supplement a portion of the cost of the space used for providing special education and accessible washrooms.**
- Funds are not used to reduce the level of expenditures for the education of children with disabilities made by the local educational agency from local funds below the level of those expenditures for the preceding fiscal year. (34 CFR, Part 300.203) * **The new addition will allow expansion of services and not supplant any current programs or services. The new addition will enhance the educational opportunities for all students including students with disabilities. The washrooms will allow access to persons with disabilities and to all students. Funds will not be used to reduce the level of expenditures for education of children with disabilities.**
- Any construction or new facilities or alternation of existing facilities must comply with the requirements of the "American with Disabilities Act Accessibility Standards for Building and Facilities" or the Uniform Federal Accessibility Standards." (34 CFR, Part 300.718) * **The construction of the new facility will fully comply and meet all the standards of the American with Disabilities Act.**

ASSURANCES

The LEA assures the Illinois State Board of Education that the LEA will implement the project described in this application consistent with the following requirements:

34 CFR, Part 300.114-117

http://idea.ed.gov/download/final_regulations.html

Least Restrictive Environment (LRE)

To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

34 CFR, Part 300.202**Excess Cost**

Funds must be used only to pay the **excess costs** of providing special education and related services to children with disabilities.

34 CFR, Part 300.718**Accessibility Standards for Facilities**

Any construction of new facilities, or alterations of existing facilities, complies with the requirements of the "Americans with Disabilities Accessibility Standards for Buildings and Facilities" (Appendix A, to Part 36 of Title 28, Code of Federal Regulations) or the "Uniform Federal Accessibility Standards" (Appendix A of subpart 101-19.6 of Title 41, Code of Federal Regulations).

ARRA, Section 1604

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h1enr.txt.pdf

Limit on Funds

None of the funds appropriated or otherwise made available in this Act may be used by any State, local government or any private entity, for any casino or gambling establishment, aquarium, zoo, golf course, or swimming pool.

ARRA, Section 1605**Buy American--Use of American Iron, Steel, and Manufactured Goods**

None of the funds appropriated or otherwise made available by this Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States. See Section 1605 for further detail and exceptions.

ASSURANCES (cont.)

ARRA, Section 1606**Wage Rate Requirements**

Notwithstanding any other provision of law and in a manner consistent with other provisions in this Act, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Federal Government pursuant to this Act, shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Number 14 of 1950 (64 Stat.1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

OMB Circular A-87 (2 CFR Part 225, Appendix B)

<http://www.whitehouse.gov/omb/circulars/a087/a087-all.html#attb>

Cost Principles for State, Local, and Indian Tribal Governments

OMB Circular A-87 establishes principles for determining allowable costs in determining costs incurred by governmental units under federal grants. For a particular cost to be allowed, it must be *necessary* and *reasonable* for proper and efficient performance and administration of the grant. A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. Consult OMB Circular A-87 for additional principles for determining costs for federal grants.

EDGAR 34 CFR 75.600-75.617

<http://www.ed.gov/policy/fund/reg/edgarReg/edgar.pdf>

Use of A Grant For Construction

A grantee must comply with requirements relating to applicant's assessment of environmental impact; preservation of historic sites; title to site; availability of cost-sharing funds; beginning construction; completing construction; general considerations in designing facilities and carrying out construction; areas in the facilities for cultural activities; complying with safety and health standards; access by the handicapped; avoidance of flood hazards; supervision and inspection by the grantee; relocation assistance by the grantee; sufficient funds for operation and maintenance; operation and maintenance by the grantee; energy conservation; and compliance with the Coastal Barrier Resources Act.

EDGAR 34 CFR 76.600**Where to Find Construction Regulations**

A subgrantee who requests program funds for construction, or whose grant or subgrant includes funds for construction must comply with the rules on construction that apply to applicants and grantees under 34 CFR 75.600–75.617.

EDGAR 34 CFR 80.31**Disposal of Property**

When the property is no longer needed to meet the IEP needs of a child with a disability, it must be managed or disposed of in accordance with 34 CFR 80.31, Education Department General Administrative Regulations (EDGAR).

23 Illinois Administrative Code 180.200 et seq.

Health/Life Safety Code For Public Schools - Subpart C: Construction And Like Activities

SIGNATURES	
Signature of LEA Administrator ➤	Date Signed
Signature of LEA Business Manager ➤	Date Signed
Signature of LEA Director of Special Education ➤	Date Signed