

ILLINOIS STATE BOARD OF EDUCATION APPLICATION FOR USE OF IDEA PART B FUNDS FOR CONSTRUCTION OR ALTERATION OF FACILITIES		Send the original and one copy to: Illinois State Board of Education Special Education Department, N-243 100 North First Street Springfield, IL 62777-0001	
<i>Required by the Individuals with Disabilities Education Act</i>			
<p>Section 605 of the Individuals with Disabilities Education Act (IDEA) authorizes the U.S. secretary of education to allow the use of IDEA funds for construction or alteration of facilities if the secretary determines the program would be improved by allowing funds to be used for such purposes. States must obtain prior approval from the U.S. Department of Education (ED) to use IDEA funds for facility construction or remodeling; and Local Education Agencies (LEAs) must obtain prior approval from the Illinois State Board of Education (ISBE). [ED Office of Special Education Programs Guidance, revised July 1, 2009]</p> <p>LEAs must obtain prior approval from ISBE 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 ISBE for construction or alteration of facilities projects and receive project approval from ISBE <u>prior</u> to beginning construction or alterations in order to use IDEA Part B 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. Following submission of the application, construction/alteration of facilities project proposals are reviewed by ISBE, including the signed assurances. The LEA will be notified in writing whether the request has been approved. Questions about the approval process should be directed by email to Elroy Reed (ereed@isbe.net), Kristy Deckard (kdeckard@isbe.net), Katanja Cowsen (kcowsen@isbe.net), or Raúl Lemus (rlemus@isbe.net).</p>			
GENERAL INFORMATION			
Applicant District		Mailing Address <i>Street, City, State, ZIP</i>	
District RCDT			
Special Education Cooperative (if applicable)		Mailing Address <i>Street, City, State, ZIP</i>	
Cooperative RCDT			
Contact Person	Title	Telephone	
Construction Project Name	Estimated Total Cost of Construction Project \$	Date of Application	
Amount of Costs to be Paid Using IDEA Flow-Through Funds \$	Fiscal Year Project Will Occur		
Amount of Costs to be Paid Using IDEA Preschool Funds \$			
Provide a narrative description of the scope of the proposed construction/facilities alteration project, including the location.			

Describe the need for the construction/facilities alteration project.

Describe how the proposed construction/alteration of facilities project will improve the special education program for children with disabilities. If students are removed from the regular education setting, describe the plan to return the students to the regular education environment.

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Autism | <input type="checkbox"/> Hearing Impairment | <input type="checkbox"/> Specific Learning Disability |
| <input type="checkbox"/> Cognitive Disability | <input type="checkbox"/> Other Health Impairment | <input 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.

- ☐ Ages 3-5 ☐ Ages 6-21

Identify the number of children with disabilities currently in your district who will benefit from this construction project.

- | | | |
|--------------------------------|--------------------------------|---------------------------------|
| <input type="checkbox"/> 1-10 | <input type="checkbox"/> 31-40 | <input 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/alteration of facilities 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 implementation of Individualized Education Programs (IEPs).

Describe how the proposed construction/alteration of facilities project is consistent with the requirements of IDEA Part B, including requirements related to the [Build America, Buy America Act \(Pub. L. No. 117-58\)](#).

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](#)

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).

[OMB Circular A-87 \(2 CFR Part 225, Appendix B\)](#)

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](#)

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

TERMS AND CONDITIONS

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

Build America, Buy America Sourcing Requirements Grant Condition

Required Domestic Sourcing Under the Build America Buy, America Act (BABAA):

Requirement: As a condition of this award, a grantee using grant funds for infrastructure projects or activities (e.g., construction, remodeling, and broadband infrastructure) must comply with the following requirements:

(1) All iron and steel used in the infrastructure project or activity are produced in the United States. Accordingly, all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) All manufactured products used in the infrastructure project or activity are produced in the United States. Accordingly, the manufactured product was manufactured in the United States and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.

(3) All construction materials are manufactured in the United States. Accordingly, all manufacturing processes for the construction material occurred in the United States.

Scope: The Buy America domestic sourcing requirement only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. The requirement does not apply to:

(1) tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project.

(2) equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

Waivers: Grantees may request waivers to the Buy America domestic sourcing requirements by submitting a Build America, Buy America Act Waiver Request Form. Pass-through entities may not approve waivers of the BABAA domestic sourcing requirements.

Records: As required under 2 CFR 200.334, a grantee must maintain financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to their infrastructure project for a period of three years from the date of submission of the final expenditure report, including all records related to the domestic sourcing of materials used in the infrastructure project(s) supported by this grant or the applicability of any agency level waivers of the BABAA domestic sourcing requirements the grantee chooses to implement.

Contact: If you have questions about this grant condition, please contact your IDEA grant coordinator. For more information, see the [Infrastructure and Jobs Act](#).

☐ The district is **not** using materials that are prohibited under BABAA.

☐ The district is using materials that are prohibited under BABAA. We will contact our IDEA grant coordinator to begin the waiver process.

SIGNATURES

Signature of LEA Administrator

➤

Date Signed

Signature of LEA Business Manager

➤

Date Signed

Signature of LEA Director of Special Education

➤

Date Signed