



EXHIBIT "H"

STANDARD TERMS AND CONDITIONS OF AWARD FEDERAL CLAUSES

1. This award is subject to the requirement of the HHS Grants Policy Statement (HHS GPS) that are applicable based on your recipient type and purpose of the award. This includes requirement in Parts I and II (available at <http://www.hhs.gov/sites/default/files/grants/policies-regulations/hhsgps107.pgd>) of all HHS GPS. Although consistent with the HHS GPS, any applicable statutory regulatory requirements, including 45 CFR Part 74 or 92, directly apply to this award apart from coverage in the HHS GPS.
2. For institutions of higher education, hospitals, other non-profit organizations, AND COMMERCIAL (for profit) organizations, Title 45 of the Code of Federal Regulations (45 CFR) Part 74. "Uniform Administrative Requirements for Awards and Sub-awards to institutes of Higher Education, Hospitals, Other Non-Profit Organizations: and Certain Grants and Agreements with States, Local Governments and Indian Tribal Governments." <http://www.hhs.gov/opa/grants-and-funding/grant-forms-and-references/45-CFR-74.pdf>
3. For States, local governments and Federally recognized Indian Tribes, 45 CFR Part 92 "Uniform Administrative Requirements for Grants and Cooperative Agreements to the State and Local Governments." <http://hhs.gov/opa/pdf/45-cfr-9.pdf>
4. Other HHS regulations codified in Title 45 of the Code of Federal Regulations <http://www.hhs.gov/humansubjects/guidance/45cfr46.html>

Part 2 - Cost Principles

Part 16 – Procedures of the Departmental Grant Appeals Board

Part 30 – Claims Collection

Part 46 – Protection of Human Subjects

Part 76 - Government-wide Debarment and Suspension (Non-Procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)

Part 80 – Nondiscrimination Under Programs Receiving Federal Assistance through the DHI-IS Effectuation of Title IV of the Civil Rights Act of 1964

Part 81 – Practice and Procedure for Hearing Under Part 80 of this Title

Part 84 – Nondiscrimination on the basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance

Part 91 – Nondiscrimination of the Basis of Age in HI-IS Programs or Activities Receiving Federal Financial Assistance

Part 93 – New Restrictions on Lobbying

Part 100 – Intergovernmental Review of DHSS Programs and Activities

For Head Start Programs <https://eclkc.ohs.acf.hhs.gov/hsc/standards/hspps/45-cfr-chapter-xiii/45-cfr-chap-xiii-cng.pdf>

Part 1301 – Head Start Grants Administration

Part 1302 – Policies and Procedures for Selection, initial Funding, and Refunding of Head Start Grantees, and for Selection of Replacement Grantees

Part 1303 – Appeal Procedures for Head Start Grantees and Current or Prospective DELEGATE Agencies

Part 1305 – Eligibility, Recruitment, Selection, Enrollment and Attendance in Head Start

Part 1306 – Head Start Staffing Requirements, and Programs Options

Part 1307 – Policies and Procedures for Designation Renewal of Head Start and Early Head Start Grantees



- Part 1308 – Head Start Program Performance Standards on Services for Children with Disabilities
- Part 1309 – Head Start Facilities Purchase, Major Renovation and Construction
- Part 1310 – Head Start Transportation
- Part 1351 – Runaway and Homeless Youth Program
5. 37CFR Parts 401 – Rights to inventions Made by Nonprofit Organizations and Small Business Firms under Government Grants, Agreements, and Cooperative Agreements. <https://www.gpo.gov/fdsys/pkg/CFR-2010-title37-voll-part401.pdf>.
 6. The recipient agency must address the Secretary of the Interior’s Standards for the Treatment of Historical Properties 36 CFR Part 68. <https://www.gpo.gov/fdsys/granule/CFR-2012-title36-voll/CFR-2011-part68>.
 7. The recipient organization must carry out the project according to the application as approved by the Administration for Children and Families (ACF), including the proposed work program and any amendments, all of which are incorporated by reference in these terms and conditions.
 8. If this is a multi-year project and it is not the final budget period, the recipient organization is advised that future awards for continuation of this project will be dependent upon the availability of Federal funds, satisfactory progress by the grantee, and ACF’s determination that continued funding is in the best interest of the Federal Government.
 9. Recipient organizations shall liquidate all obligations incurred under the award not later than 90 days after the end of the project period. The only exceptions to this rule are the basic Head Start grants with an indefinite project period. For these grants, liquidation of obligations should occur not later than 90 days after each budget period. In either case, an unobligated balance from a prior budget period does not authorize a recipient organization to obligate funds in excess of the total federally approved budget reflected on the FAA for the current budget period. Head Start grantees must use the Financial Status Report (SF-425) to report expenditures for the program. The report is due on a semi-annual basis. Each SF-425 report is due within 30 days after the end of the reporting period. A final SF-425 report for Head Start grants is due in the regional office not later than 90 days after the end of the budget period for the grant. That report must be marked as final report and must show no un-liquidated obligations remaining for the grant. The remarks box in that report must indicate any other federal funds received for the program, the amount of administration and program development costs (federal and nonfederal) incurred for the program and (for grants that administer both a Head Start and Early Head Start program under the same grant number) the amount of any unobligated balance of federal funds for CANs 0024122 and GO24125 that is included in the total unobligated balance of federal funds on line 10.0. of the report.
 10. The DHHS Inspector General maintains a toll-free number, 800-HHS-TIPS (800-447-8477), for receiving information concerning fraud, waste, or abuse under grants and cooperative agreements. Such reports are kept confidential, and callers may decline to give their name if they choose to remain anonymous. <https://forms.oig.hhs.gov/hotlineoperations>.
 11. The recipient organization will take all necessary affirmative steps to ensure that small, minority, and woman-owned business firms are utilized when possible as sources of supplies, services, equipment and construction. To the extent practicable, all equipment and projects purchased with funds made available through this award should be American-made.
 12. Failure to submit reports (i.e., financial, progress, or other required reports) on time may be basis for withholding financial assistance payments, suspension, termination, or denial of refunding. A history of such performance may result in designation of “high risks” status for the recipient organization and may jeopardize potential future funding from HHS.



13. Under Section 508 of Public Law 103-333, the following conditions is applicable to all Federal awards:

When issuing statements, press release, request for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds, including but not limited to State and local governments and recipients of Federal research grant shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of total costs of the project or program that will be financed by nongovernmental sources.”

14. Public Law 103-227 Part C – Environmental Tobacco Smoke, also known as the Pro-Children’s Act of 1994 requires that smoking not be permitted in any portion of any indoor facility owned or leased contracted for by an entity and used routinely or regularly for the provision of health, day care education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, Agreement, loan, or loan guarantee. The law does not apply to children services provided in private residence, facility, funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. <https://www.law.cornell.edu/cfr/text/48/352.237-70>
15. For purposes of this award each item of equipment with an acquisition cost of less than \$25,000 and a useful life of less than one year is included under supplies, is allowable as a useful life of less than one year is included under supplies, is allowable as a direct cost of this project and does not require prior approval of the Grants Officer.
16. The recipient organization shall comply with all provisions of OMB Circular A-133 “Audits of States, Local Governments and Non-Profits Organizations”. <https://www.whitehouse.gov/omb/circulars>. Recipient organizations that expend a total of \$500,000 or more in federal funds are required to submit an annual audit within nine months after the end of the audit period or within 30 days of completion of the audit report subject to the requirement in the OMB Circular cited above. The Reporting Package should include” 1) SF-SAC-Data Collection Form for Reporting on Audits of States, Local Governments and Non-Profit Organizations <https://www.whitehouse.gov/sites/default/files/omb/financials/forms/sf-sac-instructions.pdf>. 2) The audit report including all Financial Statements and Schedules of Expenditures, Notes to the Financial Statements. Schedule of findings and questioned costs, Summary Schedule of Prior Year Findings, Auditors Certifications required under the OMB Circular, and 3) Corrective action plans. Copies of this Reporting Package are to be sent to: Single Audit Clearinghouse, Bureau of the Censes, 1201 E. 10th Street Jeffersonville, Indiana 47132

The recipient organization is requested to send a courtesy cop of the Reporting Package with a copy of any management letters issued by the auditors to: ACF Grants Officer, Office of Grants Management, Administration for Children and Families 26 Federal Plaza Room 4114 New York New York 10278.

17. Recipient organizations shall comply with the particular set of federal cost principles that applies in determining allowable costs. Allow ability of costs shall be determined in accordance with the cost principles applicable to the entity incurring the costs:
- The allowability of costs incurred by State, local or Federal-recognized Indian Tribal governments is determined in accordance with the provisions contained in 2 CFR Part 225 (formally OIMB Circular A-37, “Cost Principles for State and Local Governments). <https://www.whitehouse.gov/omb/circulars/index.html>
 - The allowability of costs incurred by nonprofit organizations (except for those listed in Attachment C of Circular A-122) is determined in accordance with the provisions contained in 2 CFR part 230 (formally known as OMB Circular A-122, “Costs Principles for Nonprofit Organizations”) and paragraph (b) of 45 CFR 74.27 <https://www.whitehouse.gov/omb/circulars/index.html>



- The allowability costs incurred by institutions of higher education is determined in accordance with the provisions found in 2 CFR Part 220 (formally OMB Circular A-21, “Cost Principles for Educational Institutions”). <https://www.whitehouse.gov/omb/circulars/index.html>
- The allowability of costs incurred by hospitals is determined in accordance with the provisions of Appendix E of 45 CFR Part 74, Principles for Determining Costs Applicable to Research and Development under Grants and Contracts with Hospitals.
- The allowability of costs incurred by commercial organization and those non-profit organizations listed in attachment C to 2 CFR Part 230 is determined in accordance with the provision of the Federal Acquisition Regulations (FAR) in 48 CFR part 31, except that independent research and development costs are unallowable.

Disclaimer

- This Exhibit is for informational purposes only. If any of the hyperlinks are not functioning correctly, please go to The Head Start Early Childhood Learning & Knowledge Center (ECLKC) to find updated information.
<https://eclkc.ohs.acf.hhs.gov/>