

Fiscal Operations Report and Application to Participate (FISAP)

Report: Award Year July 1, 2005 through June 30, 2006; Application: Award Year July 1, 2007 through June 30, 2008

Part I. Identifying Information, Certifications and Warning

Debarment Form and Signature Page

Section A. Identifying Information

1a. Name and address of school

Western New Mexico University
College Avenue
Silver City NM 88061-5417

1b. Mailing address (if different from 1a)

2. OPEID Number 00266400

3. Type of school (select one)

- 3.1 public
 3.2 private/non-profit
 3.3 proprietary

(Select one if proprietary)

- a) art
 b) business
 c) cosmetology
 d) trade and technical
 e) other

4. Length/type of longest program (select one)

- 4.1 less than 1 year
 4.2 1 year but less than 2 years
 4.3 2 years but less than 3 years
 4.4 3 years but less than 4 years
 4.5 4 years (no higher than a baccalaureate degree)
 4.6 5 years or more
 4.7 postbaccalaureate only

5. Additional locations

Schools with separately eligible additional locations that will be funded under this application must list these locations and their addresses and OPEID Numbers on the screen. You may not file a separate application for any separately eligible school listed herein.

We have entered a list of separately eligible additional locations included in this application. yes no

6. Financial Aid Administrator

Name CHARLES P KELLY
E-mail address KELLYC@WNMU.EDU

Telephone No. (505) 538-6173
Fax No. (505) 538-6189

7. Name and address of private financial aid consultant firm, if any

Name _____
Address 1 _____
Address 2 _____
City _____ State _____ Zip _____

Section B. Certifications and Warning

Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants should review the regulations and the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) 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.

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Name of school Western New Mexico University
OPEID Number 00266400 State NM

1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, 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, an officer or employee of Congress, or an employee of 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 paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an 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 its instructions;
- 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 implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110—

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 judgement 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 (2)(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 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610—

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 dangers 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 the 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 the employee's conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

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- 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 such a notice, including position title, to:
Director, Grants Policy and Oversight Staff, U.S. Department of Education
400 Maryland Avenue, S.W. (Room 7065, Potomac Center Plaza)
Washington, DC 20202-4250
The 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).

B. The applicant may 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)

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

4. Drug-Free Workplace (Grantees Who Are Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610—

- 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 Policy and Oversight Staff, Department of Education, 400 Maryland Avenue, S.W. (Room 7065, Potomac Center Plaza), Washington, DC 20202-4250. Notice shall include the identification number(s) of each affected grant.

I CERTIFY THAT MY SCHOOL WILL COMPLY WITH THE ABOVE CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS ELECTRONIC FISAP IS IN COMPLIANCE WITH GOVERNING LEGISLATION AND REGULATIONS AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT ALL INFORMATION ASSOCIATED WITH THIS FISAP IS SUBJECT TO AUDIT AND PROGRAM REVIEW BY REPRESENTATIVES OF THE SECRETARY OF EDUCATION.

WARNING: ANY PERSON WHO KNOWINGLY PROVIDES FALSE OR MISLEADING INFORMATION ON THIS FISAP WILL BE SUBJECT TO A FINE OF UP TO \$10,000 OR IMPRISONMENT OF UP TO 5 YEARS OR BOTH UNDER PROVISIONS OF THE UNITED STATES CRIMINAL CODE TITLE 18 SECTION 1001.

8. Chief Executive Officer (President, Chancellor, CEO, Director)

Signature _____ Date signed 9/21/2006
Name DR JOHN COUNTS Telephone No. (505) 538-6238
Title President Fax No. (505) 538-6155
E-mail address COUNTSJ@WNMU.EDU

**Mail form to
FISAP Administrator
1951 Kidwell Drive, Eighth Floor
Vienna, Virginia 22182**

Application to Participate, Part II

Name of school Western New Mexico University
OPEID Number 00266400 State NM

Part II. Application to Participate for Award Year July 1, 2007 through June 30, 2008

Section A. Request for Funds for the 2007-2008 Award Year

- | | |
|------------------------------------------------------|------------------|
| 1. Federal Perkins Loan Level of Expenditures | \$ <u>100000</u> |
| 2. Federal Perkins Loan Federal Capital Contribution | \$ <u>25000</u> |
| 3. FSEOG federal funds | \$ <u>175000</u> |
| 4. FWS federal funds | \$ <u>300000</u> |

Section B. Federal Perkins Loan Program Liquidation Request

(Applies only to certain schools; see instructions)

5. My school wishes to discontinue participation in the Federal Perkins Loan Program. yes no

Section C. Waiver Request for the Underuse of Funds

My school has returned more than 10 percent of its Federal Perkins Loan, FSEOG, or FWS allocation for the 2005-2006 award year.

6. My school wishes to apply for a waiver of the penalty for the underuse of funds and will provide, on the additional information screen, a written explanation of the circumstances. yes no

