

2017-2018 ASSURANCE

THE MCKINNEY-VENTO EDUCATION FOR HOMELESS CHILDREN AND YOUTH ACT ASSURANCES:

The LEA, pursuant to the McKinney-Vento Education for Homeless Children and Youth Act, hereby agrees to the following assurances-

The applicant complies with, or will use requested funds to comply with, paragraphs (3) through (7) of section [11432 \(g\)](#) of this title.

The applicant has implemented policies and procedures, consistent with section [11432 \(e\)\(3\)](#) of this title to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and youths. The LEA Homeless education policy has been adopted by the governing board and reviewed annually to include all required components.

EVERY STUDENT SUCCEEDS ACT (ESSA)

GENERAL ASSURANCES ESSA, Sec. 8306 (a)

The LEA, pursuant to section 8306 (a) of every Student Succeeds Act, hereby agrees to the following assurances-

1. Each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;
2. The control of funds provided under each such program and title to property acquired with program funds will be in a public agency or in a eligible private agency, institution, organization, or Indian tribe, if the law authorizing the program provides for assistance to those entities; and (B) the public agency, eligible private agency, institution, or organization, or Indian tribe will administer the funds and property to the extent required by the authorizing statutes;
3. Each applicant will adopt and use proper methods of administering each such program, including (A) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program; and (B) the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation;

4. The applicant will cooperate in carrying out any evaluation of each such program conducted by or for the State educational agency, the Secretary, or other Federal officials;
5. The applicant will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the applicant under each such program;
6. The applicant will—
 - (A) submit such reports to the State Educational Agency (which shall make the reports available to the Governor) and the Secretary as the State educational agency and Secretary may require to enable the State educational agency and the Secretary to perform their duties under each such program; and
 - (B) maintain such records, provide such information, and afford such access to the records as the State educational agency (after consultation with the Governor) or the Secretary may reasonably require to carry out the State educational agency's or the Secretary's duties; and
7. Before the application was submitted, the applicant afforded a reasonable opportunity for public comment on the application and considered such comment.

CIVIL RIGHTS
SCHOOL PRAYER. ESSA. Sec. 8524 (b)

The LEA certifies that the LEA has no policy that would prevent, or otherwise denies participation in, constitutionally protected prayer in public elementary schools and secondary schools, as detailed in the guidance required under subsection (a) of Section 8524 of ESSA.

DISCRIMINATION

The applicant assures that it will comply with the nondiscrimination provisions relating to programs and activities receiving federal financial assistance as contained in Title VI of the Civil Rights Act of 1964, as amended, 42 USC §2000d et seq., prohibiting discrimination on the basis of race, color, or national origin; Section 504 of the Rehabilitation Act of 1973, as amended, 29 USC §794, prohibiting discrimination on the basis of handicap;

Title IX of the Education Amendments of 1972, as amended, 20 USC §1681 et seq., prohibiting discrimination on the basis of sex; and the Age Discrimination Act of 1975, as amended, 42 USC §6101 et seq., prohibiting discrimination on the basis of age; and all regulations, guidelines, and standards lawfully adopted under the above statutes by the U.S. Department of Education.

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 of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," 2 CFR Part 180 (OMB Guidelines to Agencies on Government Wide Debarment and Suspension (Non-procurement), as adopted at 2 CFR Part 3485", and C.F.R. 200-212 Subpart C Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions. 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 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 2 CFR Part 180, as adopted at 2 CFR Part 3485, for prospective participants in primary covered transactions.

- 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 (2)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transaction (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 84, Subpart F, for grantees, as defined at 34 CFR Part 84, Sections 84.605 and 84.610

- 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 his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(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 Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. 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).

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 84, Subpart F, for grantees, as defined at 34 CFR Part 84, 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 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant.

UNIFORM GRANT GUIDANCE

1. The LEA assures that Federal funds will be used in accordance with the Code of Federal Regulations 2 (C.F.R.) Part 200, Subpart D-Post Federal Award Requirements, and Subpart E-Cost Principles and Education Department General Administrative Regulations (EDGAR) as applicable
2. The LEA agrees and assures to be registered in the SAM.GOV and annually maintain an active SAM registration with current information per 2 CFR § 25.200(b).
3. Pursuant to EDGAR, some of the policies and procedures MUST be in writing: Procurement (2 C.F.R. § 200.318), Cash Management (2 C.F.R. § 200.302 (6) and Allowable Costs (2 C.F.R. § 200.302 (7)). The LEA will adopt policies and procedures that comply with the new EDGAR
4. The applicant will adopt and use proper methods of administering each program, including:
 - a. Keeping such records and provide such information to the Idaho State Department of Education and U.S. Department of Education as may reasonably be required for program monitoring and evaluation, program data under 2 C.F.R. Part 200 Subpart E Cost Principles, and fiscal audit Subpart F Audits.
 - b. The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation.

CERTIFICATION

As superintendent or other legally authorized school district official, I hereby certify that, to the best of my knowledge, the information contained in these Assurances and the Application is true and correct. I further certify that the district will comply with the Assurances required by the programs covered in the Application, that the governing body of the school district has duly authorized this document, and that I am legally authorized by the school district to sign and file this document.