In consideration of the receipt of these grant funds, the applicant and all organizations involved in this application—including local education agencies and community-based organizations— (subsequently referred to as “the applicant(s)”) agree to comply with the certifications, assurances and provisions included here and in the Grant Award Letter (GAL).  The applicant(s) also certifies that they will meet all program and pertinent administrative requirements, including the Education Department General Administrative Regulations (EDGAR), 2 CFR Part 200 (Uniform Grants Guidance) Accounting Circulars, and the U.S. Department of Education’s General Education Provisions Act (GEPA) requirements.

**The appropriate Authorized Representatives must read and check the boxes to indicate that the applicant understands and intends to comply with the corresponding program requirements.** The applicant must agree to all assurances understanding that if certain requirements don't apply to the applicant's current context, that the applicant would meet the requirements if the situation were to become applicable.

**Assurances**

☐ The grantee will ensure that the program(s) funded by this grant will be administered in accordance with all applicable statutes, regulations, program plans, and requirements delineated in this application.

☐ The grantee will ensure that the funds awarded for this/these program(s) will only be used to meet the goals of the ESSER Transportation Assistance Grant Program, namely to provide transportation assistance to eligible students so that those students may access high-quality instruction at a higher performing school and accelerate learning as the students recover from the pandemic.

☐ The grantee will ensure that the following data is, at a minimum, collected and maintained:

* Appropriate records demonstrating that only students eligible for this program receive transportation supports through these funds;
* Appropriate records demonstrating that the funds used to provide transportation supports are used only for that purpose and only for eligible students.

☐ The grantee will ensure that any transportation providers with which they enter into a contract meet applicable CDE regulations and Public Utilities Commission (PUC) regulations, as well as all local, state, and federal laws. [SB22-144](https://leg.colorado.gov/bills/sb22-144) allows transportation network companies (TNCs) to contract with school districts, subject to PUC regulation. Further, the bill requires operational safety provisions for student transportation if the services are paid by a school or school district. For the purposes of this grant funding, transportation provided by TNCs through contract with a nonprofit grantee must meet the requirements of SB22-144 and related PUC regulations.

☐ The grantee will ensure that all necessary district and school leadership (including the superintendent and principal(s)) are aware of the application and willing to support the implementation of the program(s).

☐ The grantee will ensure that the ARP - ESSER III funds will only be used for activities allowable under section 2001(d)(2)(e) of the American Rescue Plan Act of 2021.

☐ The grantee will ensure that the ARP - ESSER III funds will not be used for 1) subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the SEA or LEAs or 2) expenditures related to state or local teacher or faculty unions or associations.

☐ The grantee will ensure that ARP - ESSER III funds will be used for purposes that are reasonable, necessary, and allocable under the ARP Act.

☐ The grantee will, to the greatest extent practicable, continue to compensate its employees and contractors during the period of any disruptions or closures related to COVID-19 in compliance with section 2001(d)(2)(e) of the American Rescue Plan Act of 2021. In addition, each entity that accepts funds will continue to pay employees and contractors to the greatest extent practicable based on the unique financial circumstances of the entity. Similarly, to the CARES Act and CRRSA, ARP funds generally will not be used for bonuses, merit pay, or similar expenditures, unless related to disruptions or closures resulting from COVID-19.

☐ The grantee will cooperate with any examination of records with respect to such funds by making records available for inspection, production, and examination, and authorized individuals available for interview and examination, upon the request of (i) the U.S. Department of Education and/or its Inspector General; or (ii) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.

☐ The grantee will meet the requirements of section 442 and section 427 of the General Education Provisions Act (GEPA, 20 U.S.C. 1232(e) & 1228(a)) meaning that during the entire duration of time that the entity is receiving funding under ARP - ESSER III, the LEA will, where applicable:

* Ensure that it has taken steps to ensure equitable access to, and participation in, its federally-assisted programs for students, teachers, and other program beneficiaries with special needs;
* Ensure that each program will be administered in accordance with applicable statutes, regulations, program plans, and applications;
* Ensure that control of funds and property acquired using ARP ESSER III program funds will be maintained and administered by the appropriate public agency;
* Ensure that fiscal control and fund accounting procedures will be used to ensure proper disbursement of, and accounting for, federal funds;
* Report to the state agency or board and to the Secretary as may be needed for the state agency or board and the Secretary to perform their duties under each program, and each grantee will maintain records (as required in Section 443 of the General Education Provisions Act (GEPA)) and provide access to those records as the state board, state agency, or Secretary deems necessary to carry out their responsibilities;
* Provide opportunities for the participation in, planning for, and operation of each program by teachers, parents, and other interested agencies, organizations, and individuals;
* Ensure that applications, evaluations, plans, or reports related to each program will be made available to parents and the public;
* The grantee has adopted effective procedures for acquiring and disseminating information and research regarding the programs and for adopting, where appropriate, promising educational practices to teachers and administrators participating in each program; and
* Ensure that none of the funds expended under any applicable program will be used to acquire equipment if such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees.

The grantee agrees to review the GEPA statement submitted as part of their ESSER I, II, or III online application and confirm that the statement describes the steps the LEA will take to permit students, teachers, and other program beneficiaries to overcome barriers that impede equal access to, or participation in, programs funded in this application for federal funds. Should changes need to be made to the GEPA statement specific to this application, the grantee must describe the steps the grantee will take to permit students, teachers, and other program beneficiaries to overcome barriers that impede equal access to, or participation in, programs funded in this application with federal funds (add GEPA statement to the section provided).

GEPA Statement:

☐ The grantee will annually provide the Colorado Department of Education the evaluation information required in the “[Evaluation and Reporting](https://docs.google.com/document/d/1M1dQXSoTJJwZY_ZnG7ACW0srhxJQzaGN/edit#heading=h.17dp8vu)” section of this application including the End-of-Year Report in the RFA.

☐ The grantee ensures that it will work with and provide requested data to CDE for the program(s) funded by these funds within the time frames specified and containing such information as the Secretary may reasonably require.

☐ The grantee ensures that it will participate in and comply with the CDE’s monitoring process and protocols.

☐ The grantee will not discriminate against anyone regarding race, gender, national origin, color, disability, or age.

☐ The grantee will be in compliance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) requirements in 2 CFR, including Subpart D—Post Federal Award Requirements (2 CFR §§200.300-345) and Subpart E—Cost Principles (2 CFR§§200.400-475).

☐ The LEA will comply with the provisions of all applicable acts, regulations and assurances; the following provisions of Education Department General Administrative Regulations (EDGAR) 34 CFR parts 76, 77, 81, 82, 84, 97, 98, and 99; the OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non procurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and the Uniform Guidance in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

☐ If any findings of misuse of these funds are discovered, project funds will be returned to CDE.

☐ The grantee will maintain sole responsibility for the project even though subcontractors may be used to perform certain services.

☐ The grantee ensures that it will, if applicable, comply with the maintenance of equity provisions in section 2004(c) of the ARP.

☐ The grantee ensures that all agreements are in place with all applicable districts and other partner organizations to ensure the coordination necessary for effective implementation of the proposed program—including the data required for the reporting detailed in the RFA.

☐ All organizations and staff associated with this technical assistance program shall comply with all state and federal laws relating to health, safety and anti-discrimination, including but not limited to Titles VI and VII of the federal "Civil Rights Act of 1964", pub. l. 88-352, as amended; the federal "Americans with Disabilities Act of 1990", 42 U.S.C. sec. 1201 et seq., as amended; Section 504 0f the federal "Rehabilitation Act of 1973", 29 U.S.C. sec. 794, as amended; and Title IX of the federal "Education Amendments of 1972", 20 U.S.C. secs. 1681 to 1688, as amended.

In addition, the applicant(s) certify that:

* the Financial Management Risk Assessment has been accurately completed by the appropriate Finance/Budget/Business manager for the lead applicant;
* data shall be made available to the lead applicant in order to meet the requirements outlined in the request for applications (RFA) of this program, the GAL, and any other reporting required by the U.S. Department of Education;
* the applicant(s) are in compliance with the requirements of the federal Children's Internet Protection Act; and
* no policy of the applicant(s) prevents, or otherwise denies, participation in constitutionally protected prayer in public elementary and secondary schools.

Further, the applicant(s) and all relevant governance of the applicant organization(s) certify that they understand all the rules and regulations associated with the receipt of these ETAG funding, including those not specifically enumerated above, and will take action to ensure the applicant(s) comply with all such requirements.

The Colorado Department of Education may terminate a grant award upon thirty days’ notice if it is deemed by CDE that the applicant is not fulfilling the requirements of the funded program as specified in the approved project application, or if the program is generating less than satisfactory results.

Project modifications and changes in the approved budget must be requested in writing and be approved in writing by the CDE before modifications are made to the expenditures. Contact Robert Hawkins (Hawkins\_R@cde.state.co.us) and Scott D. Jones (jones\_s@cde.state.co.us| 720-951-1924) for any modifications.

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| Name of Applicant Organization Board President |  | Signature |  | Date |
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| Name of Applicant Organization Authorized Representative  (Superintendent, Charter School Institute, BOCES Executive Director, CEO) |  | Signature |  | Date |
|  |  |  |  |  |
| Name of Applicant Program Contact |  | Signature |  | Date |

**Below please include the signature of the authorized representative of each district/LEA with which the applicant intends to coordinate for this program.**

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| Name of Organization 1 |  |  |  |  |
| Authorized Representative  (Superintendent, Charter School Institute, BOCES Executive Director, CEO) |  | Signature |  | Date |

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| Name of Organization 2 |  |  |  |  |
| Authorized Representative  (Superintendent, Charter School Institute, BOCES Executive Director, CEO) |  | Signature |  | Date |

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| Name of Organization 3 |  |  |  |  |
| Authorized Representative  (Superintendent, Charter School Institute, BOCES Executive Director, CEO) |  | Signature |  | Date |

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| Name of Organization 4 |  |  |  |  |
| Authorized Representative  (Superintendent, Charter School Institute, BOCES Executive Director, CEO) |  | Signature |  | Date |

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| Name of Organization 5 |  |  |  |  |
| Authorized Representative  (Superintendent, Charter School Institute, BOCES Executive Director, CEO) |  | Signature |  | Date |

**\*Note:** If grant application is approved, funding will not be awarded until all signatures are in place. Please attempt to obtain all signatures before submitting the application.