# Part III: Program Assurances Form

The appropriate Authorized Representatives must sign below to indicate their approval of the contents of the application **Learning and Transparency Technical Assistance Program**, and the receipt of program funds.

On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), the Superintendent/President of School Board/Board President of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (nonprofit organization/district/BOCES/CSI) hereby agrees to the following assurances:

1. The grantee will ensure that technical assistance program funded by this grant will be administered in accordance with all applicable statutes, regulations, program plans, and requirements delineated in this application.
2. The grantee will ensure that the funds awarded for this technical assistance will only be used to meet the goals of the Learning and Transparency Technical Assistance Program, namely to provide transparency to students, families, and communities and ensure that those most impacted by the pandemic are aware of the programs being offered by districts to address the needs of students impacted by the pandemic.
3. 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.
4. 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.
5. 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 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.
6. 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/10KZFLf5z-MiRZMcygPAQ84RcLO4q-5pl/edit#heading=h.4d34og8)” section of this application including the End-of-Year Report (**Attachment A**) of the Request for Applications.
7. The grantee ensures that it will work with and provide requested data to CDE for the Learning and Transparency Technical Assistance Program within the time frames specified and containing such information as the Secretary may reasonably require.
8. The grantee ensures that it will participate in and comply with the CDE’s monitoring process and protocols.
9. The grantee will not discriminate against anyone regarding race, gender, national origin, color, disability or age.
10. 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).
11. 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.
12. If any findings of misuse of these funds are discovered, project funds will be returned to CDE.
13. The grantee will maintain sole responsibility for the project even though subcontractors may be used to perform certain services.
14. 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.

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 Steven Kaleda (303-866-6724 or Kaleda\_S@cde.state.co.us) and Scott Jones (Jones\_S@cde.state.co.us or 720-951-1924) for any modifications.

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

**Note:** Upload the Program Assurances Form within the [**online application**](https://app.smartsheet.com/b/form/58e00c3b68844a49986afdb6489cbb71). Funding will not be awarded until all signatures are in place. Applications may be submitted without signatures; however, please attempt to obtain all signatures before submitting the application.