



Applicant Agency *LEA/CESA*

II. FEDERAL GRANT ASSURANCES

The Applicant understands and agrees that the following Certifications and Assurances are pre-award requirements generally imposed by federal and state law or regulation, and do not include all federal and state regulations that may apply to the Applicant or its project. Most requirements are posted to: Uniform Administrative Requirements. <https://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf> or Educational Department of General Administrative Regulations (EDGAR): <http://www.ecfr.gov/cgi-bin/text-idx?node=34:1.1.1.1.23&rgn=div5> or the Wisconsin Uniform Financial Accounting Requirements (WUFAR): <http://dpi.wi.gov/sites/default/files/imce/sfs/pdf/Revision%20%2327%20revised%20.pdf>

Each Applicant is ultimately responsible for compliance with the certifications and assurances selected on its behalf that apply to its project or award.

Instructions

- Step 1—Read each assurance that follows.
- Step 2—Sign and date the certification statement.
- Step 3—Include signed certifications and assurances with your application materials.
- Step 4—Keep a copy for your records.

Assurance is hereby provided that:

1. **Applicant agrees** to comply with all terms and conditions set forth in the grant program's Application Guidelines document provided with this application. Services provided under this grant will be used to address the needs set forth in the guidelines document. Applicant agrees to implement the activities within the prescribed timeline as outlined in their work plan section of their proposal. Applicant will provide fiscal information within the fiscal year timeline established for new and reapplying programs.
2. **Statutes and Regulations:** The Applicant shall comply with all applicable statutory and regulatory requirements. These requirements include, but are not limited to, applicable provisions of—
 - a. Title VI of the Civil Rights Act of 1964 [45 U.S.C. 2000d through 2000d-4]
 - b. Title IX of the Education Amendments of 1972 [20 U.S.C. 1681-1683]
 - c. Section 504 of the Rehabilitation Act of 1973 [29 U.S.C.794]
 - d. The Age Discrimination Act [42 U.S.C. 6101 et seq.]
3. **Allowable Costs:** Costs incurred shall be allowable under the principles established in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule [2 CFR Subpart E-Cost Principles].
4. **Budget Modifications:** The Applicant will obtain an approved budget amendment when it is anticipated that claimed expenditures will vary significantly from the amount in the current approved budget. A significant variance is an increase of 10 percent (summary of all line items) of the current total approved budget [2 CFR § 200.308(e)]. This applies to all grants unless there are more restrictive or specific requirements of the grant award which may be the case with discretionary grants.
5. **Confidentiality:** The Applicant shall comply with provisions regarding confidentiality of student information [WI Statute § 118.125, pupil records].
6. **Conflict of Interest:** No board or staff member of an LEA or CESA may use his or her position to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated, such as a royalty, commission, contingent fee, brokerage fee, consultant fee, or other benefit [Wis. Stat. 19.59 (1) (a)] [2 CFR § 200.112].
7. **Contracts and Procurement:** The Applicant will use its own procurement procedures that reflect applicable state and local laws and regulations, provided the procurements conform to applicable federal law and the standards in [2 CFR §§ 200.318-200.326] Procurement Standards.
8. **Debarred and Suspended Parties:** A contract (see 2 CFR §180.220) must not be made to parties listed on the government wide Excluded Parties List System in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
9. **Cooperation with Evaluation:** The Applicant shall cooperate with the performance of any evaluation of the program by the WDPI or USDE of by their contractors [2 CFR §200.328(1)].
10. **Copyright, Acknowledgement, and Publications:** The Applicant/Recipient will comply with all copyright and materials acknowledgement requirements as addressed in the projects' grant guidelines. The U.S. Department of Education and the WDPI reserve royalty-free, nonexclusive, and irrevocable licenses to reproduce, publish or otherwise use, and to authorize others to use, for their purposes. The copyright in any work developed under this subgrant or contract under this subgrant; and any rights of copyright to which the Applicant or a contractor purchases ownership with grant support.
The content of any grant-funded publication or product may be reprinted in whole or in part, with credit to the USDE and WDPI acknowledged. However, reproduction of this product in whole or in part for resale must be authorized by the WDPI. When issuing statements, press releases, and other documents describing projects or programs funded in whole or in part with federal grant funds, the grant award recipient shall clearly acknowledge the receipt of federal funds in a statement.
11. **Fiscal Control:** The Applicant will use fiscal control and fund accounting procedures and will ensure proper disbursement of, and accounting for, federal funds received and distributed under this program [2 CFR §328(1)].
12. **Indirect Costs:** If the fiscal agent intends to claim indirect costs, the total amount budgeted for indirect costs is limited to and cannot exceed the negotiated indirect rate established with the WDPI. Indirect costs cannot be charged against capital objects.
13. **Legal and Regulatory Compliance:** Administration of the program, activities, and services covered by this application will be in accordance with all applicable state and federal statutes, regulations and the approved application [34 CFR §76.700].
14. **OMB Standard Form 424B:** The Applicant will comply with all applicable assurances in OMB standard Form 424B (Assurances for Non-Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of

II. FEDERAL ASSURANCES (cont'd)

interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood insurance; environmental standards wild and scenic river systems; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and general agreement to comply with all applicable federal laws, executive orders and regulations.

<http://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>

15. **Programmatic Changes:** The Applicant will obtain the prior approval of the WDPI whenever any of the following actions is anticipated:
 - a. Any revision of the scope or objectives of the project;
 - b. Changes in key persons where specified in the application or grant award;
 - c. A disengagement from the project for more than three months, or a 25 percent reduction in time devoted to the project, by the approved project director;
 - d. Contracting out or otherwise obtaining services of a third party to perform activities central to the purpose of the award;
 - e. Changes in the amount of approved cost-sharing or matching provided by the subrecipient [2 CFR §200.308(e)(1,2,3,6,7)].
16. **Record Retention:** In accordance with 2 CFR §200.333(b), this is written notification to the subrecipient that WDPI requires an extension to the record retention period for grants addressed in the *Wisconsin Records Retention Schedule for School Districts*.
<https://publicrecordsboard.wi.gov/Documents/DPI%20GS-APPROVED%20June%202015%20v8.1.pdf>.
All applicants will ensure records are maintained for a period of at least three years after the end of the project year (2 CFR §200.333). If any litigation, claim, negotiation, audit, or other action involving the records starts before the end of the period, the records will be retained until completion of the action and resolution of all issues.
17. **Reporting:** The Applicant will ensure all required financial and program data is reported to the WDPI timely on a schedule established by the WDPI. The Applicant will report to WDPI using the accounts in the Wisconsin Uniform Financial Accounting Requirements (WUFAR) [2 CFR §200.302(b)(2)].

18. **Grant Evaluation:** The Applicant shall ensure that all grant evaluation reporting will be timely on a schedule established by the WDPI. Grant evaluation information provided to the WDPI staff shall accurately assess the completeness of grant goals, activities, benchmarks and target dates [2 CFR §300.328(b)(1)].
19. **Single Audit:** Any entity that expends in total (all sources) \$750,000 or more in federal funds during a fiscal year (July 1–June 30) is required to conduct a single audit. If a single audit is required, a copy of the audit is to be submitted to DPI School Financial Services auditor [2 CFR §200.501].
20. **Text Messaging and E-Mailing While Driving:** The Applicant/Recipient and their grant personnel are prohibited from text messaging while driving a government-owned vehicle, or while driving their own privately owned vehicle during official grant business, or from using government supplied electronic equipment to text message or e-mail when driving [Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving October 1, 2009].
<http://edocket.access.gpo.gov/2009/pdf/E9-24203.pdf>
21. **Time and Effort Supporting Documentation:** For costs to be allowable, compensation for personal services must adhere to the Standards for Documentation of Personnel Expenses as identified in 2 CFR §200.430(i)(1). The subrecipient must retain records that accurately reflect the work performed and be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated.
22. **Trafficking in Persons:** The grant condition specified in 2 CFR §175.10 includes the following language: "I. Trafficking in persons. 1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect; ii. Procure a commercial sex act during the period of time that the award is in effect; or iii. Use forced labor in the performance of the award or subawards under the award." A subrecipient is required to inform the federal agency immediately of any information received from any source alleging a violation of this condition. The federal agency may unilaterally terminate this award, without penalty, if a subrecipient is determined to have violated this condition.

III. PROGRAM SPECIFIC ASSURANCES

Assurance is further provided that:

1. **Maintenance of Combined Fiscal Effort:** The Applicant's/Recipient's combined fiscal effort per student, or the aggregate expenditures of that agency and the State with respect to the provision of free public education by such agency for the fiscal year preceding the fiscal year for which the determination is made, was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.
2. **Compliance with the McKinney-Vento Homeless Assistance Act:** The Applicant/Recipient will comply with Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) as amended by the Every Student Succeeds Act statutes, regulation, and guidance, in accordance with all applicable statutes, regulations, program plans, and applications.
3. **Use of Funds:** The Applicant/Recipient complies with, or will use requested funds to comply with, paragraphs (3) through (7) of section 722(g) of the McKinney-Vento Homeless Assistance Act.
4. **Prompt Reporting of Data:** The Applicant/Recipient will collect and promptly report data requested by the state coordinator pursuant to paragraphs (1) and (3) of section 722(f) of the McKinney-Vento Homeless Assistance Act.
5. **Local Education Agency Requirements:** The Applicant/Recipient will meet the requirements of section 722(g)(3) of the McKinney-Vento Homeless Assistance Act.
6. **Annual Meeting Attendance:** The Applicant/Recipient must send the homeless liaison or at least one authorized representative to a grant-funded districts/agencies meeting hosted by DPI Education for Homeless Children and Youth staff each fall of the grant cycle. Grant funds may be used to cover expenses.
7. **Authorized Activities:** The Applicant's/Recipient's grant activities will comply with the authorized activities under section 723(d) of the McKinney-Vento Homeless Assistance Act.

IV. CERTIFICATION/SIGNATURE

I, THE UNDERSIGNED, CERTIFY that the information contained in this application is complete and accurate to the best of my knowledge; that the necessary assurances of compliance with applicable state and federal statutes, rules, and regulations will be met; that I am authorized by the agency designated in this application to bind the agency to the certifications and assurances contained in this application; and, that the indicated agency designated in this application is authorized to administer this grant.

I FURTHER CERTIFY that the assurances listed above have been satisfied and that all facts, figures, and representation in this application are correct to the best of my knowledge.

Signature of Applicant Agency Authorizer

Date Signed *Mo./Day/Yr.*

