

ASSURANCES

General

1. Programs, services and activities included in this application will be operated in accordance with the provisions of the Carl D. Perkins Career and Technical Education Improvement Act of 2006, as amended, and regulations pertaining thereto, the provisions of the Nevada State Five Year Plan for the Carl D. Perkins Act of 2006, effective July 1, 2008 to June 30, 2013, and any revisions approved thereafter, Department regulations, policies and procedures as promulgated by the State Board of Education/State Board for Career and Technical Education and its staff, including submission of such reports as may be required for effective administration of programs.
2. The local educational agency will assure that no funds received under this Act may be used to provide occupational education programs to students prior to the seventh grade, except that equipment and facilities purchased with funds under this Act may be used for such students.
3. The local educational agency will assure that no funds made available under this Act will be used to require any secondary school student to choose or pursue a specific career path or major.
4. The local educational agency will assure that no funds made available under this Act will be used to mandate that any individual participate in an occupational education program including an occupational education program that requires the attainment of a federally funded skill level, standard, or certificate of mastery.
5. The local educational agency will assure that all funds made available under this Act will be used in accordance with this Act.
6. The local educational agency will assure that all funds made available under this Act shall not be used to provide funding under the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6101 et seq.) or to carry out, through programs funded under this Act, activities that were funded under the School-to-Work Opportunities Act of 1994, unless the programs funded under this Act serve only those participants eligible to participate in the programs under this Act.

Grants Management and Accountability

7. The local educational agency will assure compliance with the requirements of Title I and the provisions of the transition plan, including the provisions of a financial audit of funds received under this title which may be included as part of an audit of other federal or local educational agency programs.
8. The local educational agency will assure that none of the funds expended under Title I will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity, the employees of the purchasing entity, or any affiliate of such an organization.
9. The local education agency will assure that maintenance of fiscal effort on either a per-student or aggregate expenditure basis is required.
10. Federal funds made available under the provisions of the Nevada State Five Year Plan will be used to supplement, and to the extent practicable, increase the amount of state and local funds that would, in the absence of such federal funds, be made available for the uses specified in PL 105-332, as amended, and in no case supplant such state or local funds.
11. The local education agency will assure that funds made available under this Act for career and technical education activities will supplement, and shall not supplant, non-federal funds expended to carry out occupational education activities and tech-prep activities.

12. Funds will be used as stipulated in the Nevada State Five Year Plan and supporting documents for expenditures will be maintained for audit. Funds will not be commingled with other state and local funds and will be accounted for in a manner which will prevent loss of their identity as funds supporting specific career and technical education goals.
13. Effective and separate accounting procedures of the recipient will be employed to assure that funds from federal sources will not be commingled with state or local funds, but will be separately identified as expenditures of federal funds.
14. Fiscal control and funds accounting procedures shall be established as deemed necessary to assure proper disbursement of and accounting for federal and state funds paid to a recipient for programs and projects.
15. The fiscal and statistical records are subject to and upon request will be made available for audit by the federal government and the State of Nevada to determine whether the recipient has properly accounted for funds expended for occupational education and services.
16. Records will be kept which fully disclose the amount and disposition of federal and state funds allocated, as well as the total expenditures of funds for occupational education programs and services supplied by funds from other sources.
17. The local education agency will assure that no funds provided under this Act shall be used for the purpose of directly providing incentives or inducements to an employer to relocate a business enterprise from one local educational agency to another local educational agency if such relocation will result in a reduction in the number of jobs available in the local educational agency where the business enterprise is located before such incentives or inducements are offered.

Personnel

18. School district occupational instructors, counselors, supervisors, and other professional personnel involved in occupational education who participate in projects funded under P.L. 105-332 will be licensed in accordance with current Rules and Regulations established by the Commission on Professional Standards in Education.

Data Management

19. All eligible recipients participating in federal and/or state funds available, will participate in, maintain, and utilize a performance accountability system in the reporting of all career and technical education programs in the Nevada Department of Education State Accountability Information Network (SAIN); provide data required for reporting the performance measures designated by the State's performance indicators; and assure that staff involved in the accountability system receive the training necessary to maintain a quality system.
20. All eligible recipients will provide sufficient information to the State to enable the State to comply with the requirements of allocating funds to area career and technical schools and intermediate educational agencies.

Evaluation

21. Participating agencies will cooperate with and implement the performance indicators and levels of performance developed by the State Accountability Task Force and accepted by the Department of Education.
22. An assurance that the applicant will comply with reporting procedures required by the Nevada Department of Education, which will assess the progress of its career and technical education programs and will include a review of outcomes related to the approved performance indicators.
23. An assurance that the evaluation and review of programs will include the full participation of representatives of individuals who are members of special populations. This review shall be used to identify and adopt strategies to overcome any barriers which are resulting in lower rates of access to career and technical education programs or success in such programs for individuals who are members of special populations and to evaluate the

progress of individuals who are members of special populations in career and technical education programs assisted under this Act.

24. An assurance that the eligible recipient will comply with the Department of Education's requirements for state monitoring.

Local Program Improvement Plan

25. An assurance that if the applicant determines they are not making substantial progress in meeting the performance indicators approved by the State Board, the recipient of funds will develop a plan, in consultation with teachers, parents, and students concerned, for program improvement for the succeeding school year. The plan will describe how the recipient will identify and modify programs and will include a description of career and technical education and career development strategies designed to achieve progress to improve the effectiveness of the programs conducted with assistance under this Act, and will, if necessary, develop a description of strategies designed to improve supplementary services provided to individuals who are members of special populations.

Coordination

26. An assurance that the requirements of this Act relating to individuals who are members of special populations will be carried out under the general supervision of individuals at the Department of Education who are responsible for students who are members of special populations and will meet education standards of the State Board. With respect to students with handicaps, the supervision carried out shall be consistent with, and in conjunction with, supervision described under section 612(6) of the Individuals with Disabilities Education Act (IDEA).
27. The local educational agency will assure that funds made available under this Act may be used to pay for the costs of career and technical education services required in an individualized education plan developed pursuant to Section 614(d) of the Individuals with Disabilities Education Act and services necessary to the requirements of Section 504 of the Rehabilitation Act of 1973 with respect to ensuring equal access to career and technical education.
28. The local educational agency will assure that the portion of any student financial assistance received under this Act that is made available for attendance costs described in subsection [Section 324(b)] shall not be considered as income or resources in determining eligibility for assistance under any other program funded in whole or in part with federal funds.

Special Needs--Equity--Civil Rights Provisions

29. Career and technical education programs/services covered by this application shall be in compliance with Title IX (Non-discrimination on the basis of sex) of the Education Amendments of 1972.
30. Career and technical education programs/services covered by this application shall be in compliance with Title VI and VII of the Civil Rights Act of 1964 as amended by the Equal Opportunity Act of 1972 and the Civil Rights Restoration Act of 1988, and the Methods of Administration for Civil Rights as required under 34 Code of Federal regulations regarding Part 100, Appendix B.
31. Program/services for disabled persons enrolled in career and technical education covered by this application shall be in compliance with the Individuals with Disabilities Education Act (IDEA) and Section 504, of the Rehabilitation Act of 1973.
32. Career and technical education programs and activities for individuals with disabilities will be provided in the least restrictive environment in accordance with section 612(5)(B) of the IDEA and will, whenever appropriate, be included as a component of the individualized education program developed under section 614(a)(5) of the same Act.

33. Students with disabilities who have individualized education programs developed under section 614(a)(5) of the IDEA shall, with respect to occupational education programs, be afforded the rights and protections guaranteed such students under section 612, 614, and 615 of the same Act.
34. Students with disabilities who do not have individualized education programs developed under section 614(a)(5) of the IDEA or who are not eligible to have such programs shall, with respect to occupational education programs, be afforded the rights and protections guaranteed such students under section 504 of the Rehabilitation Act of 1973 and, for the purpose of this Act, such rights and protections shall include making occupational education programs readily accessible to eligible individuals with disabilities through the provision of services described in number 13, above.
35. To the extent that occupational education is available to all students within a school district or postsecondary institution, training and occupational education activities will be provided to men and women who desire to enter occupations that are not traditionally associated with their sex.
36. An assurance to assist students who are members of special populations to enter occupational education programs, and with respect to students with disabilities, assist in fulfilling the transitional service requirements of section 620 of the IDEA.
37. An assurance to assess the special needs of students participating in projects receiving assistance under the Basic Grant with respect to their successful completion of the career and technical education program in the most integrated setting possible.
38. Provide guidance, counseling, and career development activities conducted by professionally trained counselors and teachers who are associated with the provision of special services.
39. Provide counseling and instructional services designed to facilitate the transition from school to post-school employment and career opportunities.
40. An assurance that career and technical programs will be provided that: encourage students through counseling to pursue coherent sequences of the course; assist special population students to succeed through supportive services such as counseling, English-language instruction, child care, and special aids; and are of a size, scope, and quality as to bring about improvement in the quality of education offered by the school.

Parent/Student Involvement and Appeal

41. An expedited appeals procedure is established by which parents, students, teachers, and area residents concerned will be able to directly participate in state and local decisions that influence the character of programs under this Act affecting their interests; and technical assistance will be designed and provided to ensure that such individuals are given access to the information needed to use these procedures and will be notified regarding the procedure regarding complaints/appeals upon request.

State Requirements

42. The provision for advisory committees, tech prep committees, program articulation, rural participation, and career guidance and counseling, as described in the State Five Year Plan will be fully implemented, as required.
43. The agency implements the requirements for advisory committees according to NRS 388.385 and NAC 389.810.
44. The secondary education agency implements the requirements for career guidance and counseling according to NRS 389.180 and NAC 389.187.
45. The secondary education agency implements career and technical education programs of study according to NAC 389.800, 389.803, 389.805, 389.810, and 389.815.

46. The agency provides program articulation, rural participation, and academic integration according to the State Plan for Career and Technical Education.

(Printed Name and Title of Authorized Representative)

(Signature)

(Date)

CERTIFICATIONS REGARDING 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," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Non procurement) 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.

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 transaction, 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 debarment 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 (1)(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) Notify 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 and Contracts Service, U. S. Department of Education, 400 Maryland Avenue, S. W. (Room 33124, GSA Regional Office Building No. 3), Washington, D. C. 20202-4571. 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 grantee 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.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT	PR/AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

ED 80-0013, 6/90 (Replaces ED80-008, 12/89; ED Form GCS-008, (REV. 12/88); ED 80-0010, 5/90; and ED 80-0011, 5/90, which are obsolete)

**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 conducting of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and Contracts Service, U. S. Department of Education, 400 Maryland Avenue, S. W. (Room 3124, GSA Regional Office Building No. 3), Washington, D. C. 20202-4571. Notice shall include the identification number(s) of each affected grant.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION -- LOWER TIER COVERED TRANSACTIONS

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Department, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non procurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

- (1) any Federal department or agency.
- (2)

NAME OF APPLICANT	PR/AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE