

**Survey Navigation**

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- Assurances

**American Rescue Plan (ARP) Act - Assurances**

- The LEA assures that ESSER funds are used for activities allowable under section 2001(e) of the ARP Act, 18003(d) of the CARES Act and 313(d) of the CRRSA Act.

☒ YES, the LEA provides the above assurance.
- The LEA assures that it will comply with all reporting requirements at such time and in such manner and containing such information as the Commissioner may reasonably require, including on matters such as but not limited to:

  1. data on each school's mode of instruction (remote, hybrid, in-person), including student attendance data (disaggregated by student subgroup) for each modality;
  2. LEA uses of funds to meet students' social, emotional, and academic needs, including through summer enrichment programming and other evidence-based interventions, and how they advance equity for underserved students;
  3. LEA uses of funds to sustain and support access to early childhood education programs;
  4. impacts and outcomes (disaggregated by student subgroup) through use of ARP ESSER funding (e.g., quantitative and qualitative results of ARP ESSER funding, including on personnel, student learning, and budgeting at the school and district level);
  5. student data (disaggregated by student subgroup) related to how the COVID-19 pandemic has affected instruction and learning;
  6. requirements under the Federal Financial Accountability Transparency Act (FFATA); and
  7. additional reporting requirements as may be necessary to ensure accountability and transparency of ARP ESSER funds.

☒ YES, the LEA provides the above assurance.
- The LEA assures that records pertaining to the ARP ESSER award under 2 C.F.R. § 200.334 and 34 C.F.R. §76.730, including financial records related to use of grant funds, will be retained separately from other grant funds, including but not limited to funds that an LEA receives under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act).

☒ YES, the LEA provides the above assurance.
- The LEA assures that the LEA 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 Department and/or its Inspector General; or (ii) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.

☒ YES, the LEA provides the above assurance.

- 5 The LEA assures that the LEA will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood hazards; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders and regulations.
- ☒ YES, the LEA provides the above assurance.
- 6 The LEA assures that the LEA will have on file with the SEA a set of assurances that meets the requirements of section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).
- ☒ YES, the LEA provides the above assurance.
- 7 The LEA assures that the LEA will comply with the requirements of section 427 of GEPA (20 U.S.C. 1228a). The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede equal access to, or participation in, the program.
- ☒ YES, the LEA provides the above assurance.
- 8 The LEA assures that the LEA is using ARP ESSER funds for purposes that are reasonable, necessary, and allocable under the ARP.
- ☒ YES, the LEA provides the above assurance.
- 9 The LEA assures that 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 (Nonprocurement) 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 34.
- ☒ YES, the LEA provides the above assurance.
- 10 The LEA assures that federal grant recipients, sub recipients 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 email when driving as per Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," October 1, 2009.
- ☒ YES, the LEA provides the above assurance.
- 11 The LEA assures that no 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 the making or renewal of Federal grants under this program.
- ☒ YES, the LEA provides the above assurance.

## 12 The LEA assures that:

1. the LEA will administer each program covered by the application in accordance with all applicable statutes ([https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def\\_id=20-USC-1099321169-1113929723&term\\_occur=999&term\\_src=title:20:chapter:31:subchapter:III:part:3:section:1232e](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=20-USC-1099321169-1113929723&term_occur=999&term_src=title:20:chapter:31:subchapter:III:part:3:section:1232e)), regulations, program plans, and applications;
2. control of funds provided to the LEA under each program, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;
3. the LEA will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to that agency under each program;
4. the LEA will make reports to the State agency or board and to the Secretary ([https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def\\_id=20-USC-1264422296-1113929725&term\\_occur=999&term\\_src=title:20:chapter:31:subchapter:III:part:3:section:1232e](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=20-USC-1264422296-1113929725&term_occur=999&term_src=title:20:chapter:31:subchapter:III:part:3:section:1232e)) as may reasonably be necessary to enable the State agency or board and the Secretary ([https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def\\_id=20-USC-1264422296-1113929725&term\\_occur=999&term\\_src=title:20:chapter:31:subchapter:III:part:3:section:1232e](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=20-USC-1264422296-1113929725&term_occur=999&term_src=title:20:chapter:31:subchapter:III:part:3:section:1232e)) to perform their duties and that the local educational agency will maintain such records, including the records required under section 1232f of this title (<https://www.law.cornell.edu/uscode/text/20/1232f>), and provide access to those records, as the State agency or board or the Secretary ([https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def\\_id=20-USC-1264422296-1113929725&term\\_occur=999&term\\_src=title:20:chapter:31:subchapter:III:part:3:section:1232e](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=20-USC-1264422296-1113929725&term_occur=999&term_src=title:20:chapter:31:subchapter:III:part:3:section:1232e)) deem necessary to perform their duties; and
5. the LEA will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program.

☐ YES, the LEA provides the above assurance.

## 13 The LEA assures that:

1. any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public;
2. in the case of any project involving construction—(A) the project is not inconsistent with overall State plans for the construction of school facilities, and (B) in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary ([https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def\\_id=20-USC-1264422296-1113929725&term\\_occur=999&term\\_src=title:20:chapter:31:subchapter:III:part:3:section:1232e](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=20-USC-1264422296-1113929725&term_occur=999&term_src=title:20:chapter:31:subchapter:III:part:3:section:1232e)) under section 794 of title 29 (<https://www.law.cornell.edu/uscode/text/29/794>) in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities;
3. the local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and
4. none of the funds expended under any applicable program ([https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def\\_id=20-USC-1607909629-1113929722&term\\_occur=999&term\\_src=title:20:chapter:31:subchapter:III:part:3:section:1232e](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=20-USC-1607909629-1113929722&term_occur=999&term_src=title:20:chapter:31:subchapter:III:part:3:section:1232e)) 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 or its employees or any affiliate of such an organization.

☐ YES, the LEA provides the above assurance.

## 14 The LEA assures that the LEA will comply with the maintenance of equity provision in section 2004(c) of the ARP.

☐ YES, the LEA provides the above assurance.

- 15 The LEA assures the LEA will reserve not less than 20 percent of its total ARP ESSER allocation to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, extended school year programs, or other evidence-based interventions, and ensure that such interventions respond to students' academic, social, and emotional needs and address the disproportionate impact of COVID-19 on student subgroups (each major racial and ethnic group, children from low-income families, children with disabilities, English learners, gender, migrant students, students experiencing homelessness, and children and youth in foster care).
- ☒ YES, the LEA provides the above assurance.
- 16 The LEA assures that the LEA will develop and make publicly available on the LEA's website, not later than 30 days after receiving ARP ESSER funds, a plan for the safe return to in-person instruction and continuity of services for all schools, including those that have already returned to in-person instruction. As part of this process, consistent with Section 2001(i)(2) of the ARP Act, the LEA seek public comment on the plan and take those comments into account in the development of the plan. Per section 2001(i)(3) of the ARP Act, an LEA that developed a plan for the safe return to in-person instruction and continuity of services prior to the date of enactment of the ARP Act will be deemed to have met the requirement to develop a plan under section 2001(i)(1) as long as the plan meets the statutory requirements (i.e., is publicly available on the LEA's website and was developed after the LEA sought and took into account public comment).
- ☒ YES, the LEA provides the above assurance.
- 17 The LEA assures that the LEA will include in its application to the Department for ARP-ESSER funds a plan, in a format prescribed by the Commissioner, that describes the extent to which and how the funds will be used to implement prevention and mitigation strategies that are, to the greatest extent practicable, consistent with the most recent CDC guidance on reopening schools, in order to continuously and safely open and operate schools for in-person learning.
- ☒ YES, the LEA provides the above assurance.
- 18 The LEA assures that the LEA will include in its application to the Department for ARP-ESSER funds a plan, in a format prescribed by the Commissioner, that describes how the LEA will use the funds it reserves under section 2001(e)(1) of the ARP Act to address the academic impact of lost instructional time through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year.
- ☒ YES, the LEA provides the above assurance.
- 19 The LEA assures that the LEA will include in its application to the Department for ARP-ESSER funds a plan, in a format prescribed by the Commissioner, that describes how the LEA will spend its remaining ARP ESSER funds consistent with section 2001(e)(2) of the ARP Act.
- ☒ YES, the LEA provides the above assurance.
- 20 The LEA assures that the LEA will include in its application to the Department for ARP-ESSER funds a plan, in a format prescribed by the Commissioner, that describes how the LEA will ensure that the interventions it implements, including but not limited to the interventions implemented under section 2001(e)(1) of the ARP Act to address the academic impact of lost instructional time, will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students disproportionately impacted by the COVID-19 pandemic, including students from low-income families, students of color, English learners, children with disabilities, students experiencing homelessness, children in foster care, and migratory students.
- ☒ YES, the LEA provides the above assurance.
- 21 The LEA assures that the LEA will engage in meaningful consultation with stakeholders and give the public an opportunity to provide input in the development of the plan referenced above in Assurances #17-20. Specifically, an LEA will engage in meaningful consultation with students; families; school and district administrators (including special education administrators); and teachers, principals, school leaders, other educators, school staff, and their unions. Additionally, an LEA must engage in meaningful consultation with each of the following, to the extent present in or served by the LEA: Tribes; civil rights organizations (including disability rights organizations); and stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children in foster care, migratory students, children who are incarcerated, and other underserved students.
- ☒ YES, the LEA provides the above assurance.

- 22 The LEA assures that its LEA ARP ESSER plan will be: in an understandable and uniform format; to the extent practicable, written in a language that parents can understand or, if not practicable, orally translated; and, upon request by a parent who is an individual with a disability, provided in an alternative format accessible to that parent.

☐ YES, the LEA provides the above assurance.

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