

RECIPIENT ASSURANCES

By receiving funds under this grant award, I hereby agree, as grantee, to comply with the following terms and conditions:

1. Programs and projects funded in total or in part through this grant shall operate in compliance with State and federal statutes and regulations, including but not limited to the 1964 Civil Rights Act and amendments, the Code of Federal Regulations (CFR) 34, the Elementary and Secondary Education Act, Education Department General Administrative Regulations (EDGAR), the General Education Provisions Act (GEPA) and the Americans with Disabilities Act (ADA). Vendors, subgrantees, and/or consultants; including officers and employees shall comply with the Family Educational Rights and Privacy Act at all times (20 U.S.C. §1232g).
2. Grantee shall assure that its facilities are accessible to individuals with disabilities as required by the ADA and applicable regulations. The grantee shall not discriminate against individuals with disabilities in the provision of its services and programs unless to do so would be an undue burden or result in fundamental alteration in the program as those terms are used in the ADA and its implementing regulation. The State reserves the right to inspect the grantee's facilities at any time to determine if the grantee is in compliance with ADA. The grantee shall bear sole responsibility for assuring that its programs conform for the section 501c. of the ADA (42 USC 12201) as a bona fide benefit plan. To the extent allowed by laws of the State of Maryland and the opinions of the State Attorney General, and subject to an appropriation of funds by the Maryland General Assembly for the purpose contemplated in the paragraph, the grantee shall indemnify and hold the State harmless in any administrative proceeding or action brought pursuant to the ADA for all damages, attorneys' fees, litigation expenses and costs, if such action or proceeding arises from the acts of grantee, grantee's employees, agents or subgrantees relating thereto and rising out of or in connection with the negligent acts or omissions of the grantee under this agreement.
3. By accepting federal funds, the recipients certify that they have complied with Federal Executive Order 12549, Debarment and Suspension set forth in 2 CFR §180, and that, a signed Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion form has been filed with Maryland State Department of Education Project Monitor.
4. Grantee shall establish and maintain fiscal control, fund accounting procedures by fund, as set forth in 2 CFR §200 and in applicable statute and regulation. By accepting federal funds, the recipient agrees that the amount of the grant award is contingent upon the receipt of federal funds. Grantee shall retain all records of its financial transactions and accounts relating to this grant for a period of five years, or longer if required by federal regulation. Such records shall be made available for inspection and audit by authorized representatives of MSDE.
5. Entities expending federal funds of \$750,000 or more in a single fiscal year, must have an annual financial and compliance audit in accordance with 2 CFR Subpart F 200.500 et. seq.
6. The Maryland State Department of Education (MSDE) may, as it deems necessary, supervise, evaluate and provide guidance and direction to grantee in the conduct of activities performed under this grant. However, MSDE's failure to supervise, evaluate or provide guidance and direction shall not relieve grantee of any liability for failure to comply with the terms of the grant award.
7. Grantee shall adhere to MSDE reporting requirements, including the submission of all required reports. Failure to submit complete, accurate, and timely progress and final reports may result in the withholding of subsequent grant payments until such time as the reports are filed.
8. Grantee must receive prior written approval from the MSDE Program Monitor before implementing any programmatic changes with respect to the purposes for which the grant was awarded. Unless a division implements a stricter policy, grantee must receive prior written approval from the MSDE Program Monitor for any budgetary realignment of \$1,000 or 15% of total object, program or category of expenditure, whichever is greater. Grantee must support the request with the reason for the requested change. Budget realignments must be submitted at least 45 days prior to the end of the grant period.
9. Requests for grant extension, when allowed, must be submitted at least 45 days prior to the end of the grant period.
10. Grantee shall ensure that programs and projects that offer digital tools, web-based or technology based instructional products or programs which are funded in total or in part through this grant will meet all accessibility requirements and standards set forth in applicable federal and State laws and regulations, including, without limitation, Education Article § 7-910 of the Annotated Code of Maryland, COMAR 13a.06.05, Title II of the Americans with Disabilities Act, the Federal Rehabilitation Act of 1973, 28 C.F.R. 35 (including the Final Rule on "Accessibility of Web Content and Mobile Apps Provided by State and Local Governments" the (Final Rule)), and the technical standard set forth in the Web Content Accessibility Guidelines (WCAG) 2.1, Level AA and/or the requirements as adopted under COMAR 13a.06.05.
11. Grantee shall repay any funds that have been determined through the federal or State audit process to have been misspent, misapplied, or otherwise not properly accounted for, and further agrees to pay any collection fees that may subsequently be imposed by the federal and/or State government. The repayment may be made by an offset to funds that are otherwise due the grantee.

I further certify that all of the facts, figures and representations made with respect to the grant application and grant award, including exhibits and attachments, are true and correct to the best of my knowledge, information, and belief.

Superintendent of Schools/Head of Grantee Agency

Date