By receiving funds under this grant award, we 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 Education Rights and Privacy Act at all times ([20 U.S.C. §123g](https://uscode.house.gov/view.xhtml?req=(title:20%20section:1232%20edition:prelim))).
2. The 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 a 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 complies with ADA. The grantee shall bear sole responsibility for assuring that its programs conform to section 501c. of the ADA (42 USC 12201) as a bona fide benefit plan. The grantee shall indemnify and hold the State harmless in any administrative proceeding or action brought according to the ADA for all damages, attorneys' fees, litigation expenses, and costs if such action or proceeding arises from the acts of the grantee, grantee's employees, agents or subgrantees.
3. By accepting federal funds, the grantees certifies that they have complied with Federal Executive Order 12549, Debarment and Suspension outlined in [2 CFR §180](https://www.ecfr.gov/current/title-2/subtitle-A/chapter-I/part-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. The grantee shall establish and maintain fiscal control, fund accounting procedures by the fund, as outlined in [2 CFR §200](https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200), and 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. The grantee shall retain all records of its financial transactions and accounts relating to this grant for 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 per [2 CFR Subpart F 200.500 et. seq](https://www.ecfr.gov/current/title-2/subtitle-A/chapter-I/part-180/subpart-F).
6. The MSDE may, as it deems necessary, supervise, evaluate, and provide guidance and direction to a 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 the grantee of any liability for failure to comply with the terms of the grant award.
7. The 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 the reports are filed.
8. The grantee must receive prior written approval from the MSDE Program Monitor before implementing any programmatic changes for the purposes for which the grant was awarded. Unless a division implements a stricter policy, the 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. A grantee must support the request with the reason for the requested change. Budget realignments must be submitted at least 45 days before the end of the grant period.
9. Requests for grant extension, when allowed, must be submitted at least 45 days before the end of the grant period.
10. The grantee shall insure that programs and projects that offer web-based or technology band instructional products or programs which are funded in total or in part through this grant will operate in compliance with [Section 508 of the Federal Rehabilitation Act of 1973](https://www.dol.gov/agencies/oasam/regulatory/statutes/section-508-rehabilitation-act-of-1973#:~:text=%20Section%20508%2C%20Rehabilitation%20Act%20of%201973%20,7%20%28f%29%20Enforcement%208%20%281%29%20General%20More%20) as amended and [Section 7-910 of the Education Article, Annotated Code of Maryland](https://mgaleg.maryland.gov/2022rs/bills_noln/hb/fhb0547.pdfrl=https%3A%2F%2Fmgaleg.maryland.gov%2F2022rs%2Fbills_noln%2Fhb%2Ffhb0547.pdf&clen=125455&chunk=true).
11. The 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 to the grantee.

## Certification

I further certify that all 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.

Click or tap here to enter text. Click or tap to enter a date.

Head of Grantee Agency Signature Date