

REQUEST FOR APPLICATION

Program-Specific Provisions
and Assurances

2021-2024 Texas COVID
Learning Acceleration Supports
(TCLAS)

Authorized by CARES Act, American Rescue Plan (ARP) Act of 2021, Section 2001, Elementary and Secondary School Emergency Relief (ESSER III) Fund; and General Appropriations Act (GAA), Article IX, Section 18.15 (TCLAS), 87th Texas Legislature

TEXAS EDUCATION AGENCY

**Division of District Systems and Strategies
1701 North Congress Avenue
Austin, Texas 78701**

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Relating to Programs Funded under 2021-2024 Texas COVID Learning Acceleration Supports (TCLAS)

The LEA assures the following:

- A. The applicant assures that the application does not contain any information that would be protected by the Family Educational Rights and Privacy Act (FERPA) from general release to the public.
- B. The applicant assures to adhere to all Statutory Requirements and TEA Program Requirements as noted in the TCLAS Guidance Document and the 2021-2024 Texas COVID Learning Acceleration Supports (TCLAS) Program Guidelines.
- C. The applicant assures to adhere to all Performance Measures, as noted in TCLAS Guidance Document and the 2021-2024 Texas COVID Learning Acceleration Supports (TCLAS) Program Guidelines, and shall provide the Texas Education Agency, upon request, any performance data necessary to assess the success of the program.
- D. The applicant assures that any Electronic Information Resources (EIR) produced as part of this agreement will comply with the State of Texas Accessibility requirements as specified in 1 TAC 206, 1 TAC Chapter 213, Federal Section 508 standards, and the WCAG 2.0 AA Accessibility Guidelines.
- E. The applicant assures that it will only use ESSER III funds for activities allowable under Section 2001 of the American Rescue Plan (ARP) of 2021.
- F. The applicant assures that it will, to the greatest extent practicable, continue to compensate its employees and contractors during the period of any disruptions or closures related to COVID-19 in compliance with Section 2001 of the American Rescue Plan (ARP). In addition, each entity that accepts funds will continue to pay employees and contractors to the greatest extent practicable based on the unique financial circumstances of the entity.
- G. The applicant assures that it will comply with all reporting requirements, including submitting required reports in the time and manner required by TEA.
- H. The applicant assures that it 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 (a) TEA, (b) the Department and/or its Inspector General; and/or (c) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.
- I. The applicant assures that it 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; the 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.

- J. The applicant assures 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.
- K. The applicant assures it has on file with TEA a set of assurances that meets the requirements of Section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).
- L. The applicant assures it will take necessary action, as applicable, 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.
- M. The applicant assures it will comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) requirements in Subpart D--Post Federal Award Requirements (2 CFR §§200.300-345) and Subpart E--Cost Principals (2 CFR §§200.400-475) to ensure it is using ESSER III funds for purposes that are reasonable, necessary, and allocable under the ARP Act of 2021.
- N. The applicant assures it 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 3474.
- O. The applicant assures it will not expend ESSER III funds for any of the following:
 - 1. Subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the LEA
 - 2. Expenditures related to state or local teacher or faculty unions or associations
 - 3. Bonuses, merit pay or similar expenditures unless related to disruptions or closures resulting from COVID-19
- P. The applicant assures that LEA understands that if the decision point commitments are not met by the LEA or the LEA disengages with the supports/initiatives provided, the TEA reserves the right to terminate the LEA's membership in the grant program.
- Q. The applicant assures that the LEA superintendent has approved participation in all supports that the LEA applies to in the application.
- R. The applicant assures that the LEA Chief Academic Officer (or equivalent leader) has approved participation.

PROGRAM-SPECIFIC PROVISIONS AND ASSURANCES

- S. The applicant assures that the LEA commits to the assurances outlined by decision point for which the LEA has accepted an award.
- T. The applicant assures they will adhere to the limit on Direct Administration (as applicable) outlined in the TCLAS Guidance Document and Program Guidelines.