

Assurances

As the duly authorized representative of the applicant, I assure that the:

1. Applicant has the legal authority to apply for federal assistance, and the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project described in this application.
2. Programs/activities will foster safe and drug-free learning environments.
3. Programs/activities will help individuals choose to forego or quit the use of alcohol, tobacco, and other drugs.
4. Drug and violence prevention programs supported under this program will convey a clear and consistent message that acts of violence and the illegal use of alcohol, tobacco, and other drugs are wrong and harmful.
5. Programs/activities, as implemented, will meet Principles of Effectiveness.
Programs/activities are:
 - a) Based on an assessment of objective data regarding the incidence of violence and illegal drug use in the communities to be served, including an objective analysis of the current conditions and consequences regarding violence and illegal drug use that is based on ongoing local assessment or evaluation activities;
 - b) Based on an established set of performance measures aimed at ensuring that the communities to be served by the program have a safe, orderly, and drug-free environment;
 - c) Based on scientifically based research that provides evidence that the program to be used will reduce violence and illegal drug use;
 - d) Based on an analysis of the data reasonably available at the time, of the prevalence of risk factors, protective factors, buffers, assets, or other variables in communities in the state identified through scientifically based research; and
 - e) Include meaningful and ongoing consultation with and input from parents in the development of the application and administration of the program or activity.
6. Programs/activities will undergo periodic evaluations to assess their progress toward reducing violence and illegal drug use. The results will be used to refine, improve, and strengthen the program, and to refine the performance measures, and will also be made available to the public.

7. Control of funds provided under this program and title to property acquired with program funds will be in a public agency, a nonprofit private agency, institution, or organization, or an Indian tribe.
8. A public agency, nonprofit private agency, institution, organization, or Indian tribe will administer those funds and property to the extent required by authorizing law.
9. Applicant will adopt and use proper methods of administering the programs/activities including:
 - a) The enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program;
 - b) The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation; and
 - c) The adoption of written procedures for the receipt and resolution of complaints alleging violations of law in the administration of programs.
10. Funds received under this grant program will be used to supplement, not supplant, non-federal funds.
11. Funds will not duplicate the efforts of the California Department of Education and local educational agencies with regard to provision of school-based drug and violence prevention activities.
12. Applicant will comply with all requirements imposed by the Department of Alcohol and Drug Programs concerning special requirements of law, program requirements, and other administrative requirements.
13. The program will be administered in accordance with all applicable statutes, regulations, program plans, and applications (20 USC § 7846 (a)(4) and 34 CFR §76.700). The applicant will comply with all applicable requirements of all other federal laws, executive orders, regulations, and policies governing this program.
14. Applicant will cooperate in carrying out evaluations of the program by or for the Secretary of the Department of Education or other federal officials (20 USC §7846 (a)(4) and 34 CFR §76.591).
15. Applicant will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, funds paid to the applicant under the program (34 CFR 76.702).
16. Applicant will submit such reports and will maintain such records as the Department of Alcohol and Drug Programs may require, including the amount of funds under the agreement, how the funds are used, the total cost of the project, the share of that cost provided from other sources, and any other records that demonstrate compliance with the program requirements (34 CFR Section 76.730.)

17. Applicant afforded a reasonable opportunity for public comment on the application and considered such comments (20 USC Section 7846 (a)(7)).
18. Applicant will give the United States Department of Education, the Comptroller General of the United States, the Department of Alcohol and Drug Programs, and if appropriate, the State Auditor, through any authorized representative, access to and right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directive.
19. Applicant will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
20. Applicant will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
21. Applicant will comply with all state requirements relating to nondiscrimination: During the performance of this agreement, subrecipient and any subawardees shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave. Subrecipient and subawardees shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Subrecipient and subawardees shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12990 (a-f) et seq.) and the applicable regulations promulgated there under (California Code of Regulations, Title 1, Section 7285 et seq.). The applicable regulations of the Fair Employment Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof, as if set forth in full. Subrecipient and its subawardees shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

Applicant will comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title IV of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color or national origin; (b) Title (X of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age, (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to non-discrimination in the sale, rental, or financing of housing; (i) any other nondiscrimination provision in the specific statute(s) under which

application for federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to this application.

Applicant shall include the nondiscrimination and compliance provisions of this clause in all subawards to provide services or perform work under this Agreement.

Applicant will post, and further will require its subawardees to post, in conspicuous places, notices available to all employees and applicants for employment setting forth the provisions of the Equal Opportunity Act [42 USC 2000(e)] in conformance with Federal Executive Order No. 11246.

Under the laws of the State of California that Applicant and its subawardees shall not unlawfully discriminate in the provision of services because of race, color, creed, national origin, sex, age, or physical or mental disability as provided by state and federal law and in accordance with Title VI of the Civil Rights Act of 1964 [42 USC 2000(d)]; Age Discrimination Act of 1975 (42 USC 6101); Rehabilitation Act of 1973 (29 USC 794); Education Amendments of 1972 (20 USC 1681); Americans with Disabilities Act of 1990 (42 USC 12132); Title 45, CFR, Part 84; provisions of the Fair Employment and Housing Act (Government Code Section 12900 et seq.); and regulations promulgated there under (Title 2, CCR, Section 7285.0 et seq.); Title 2, Division 3, Article 9.5 of the Government Code, commencing with Section 11135; and Title 9, Division 4, Chapter 6 of the CCR, commencing with Section 10800.

Applicant shall include nondiscrimination and compliance provisions in all subawards. Applicant shall establish written procedures under which service participants are informed of their rights including their right to file a complaint alleging discrimination or a violation of their civil rights. Participants in programs funded hereunder shall be provided a copy of their rights that shall include the right of appeal and the right to be free from sexual harassment and sexual contact by members of the treatment, recovery, advisory, or consultant staff.

22. Applicant will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.
23. Applicant will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO11738; (c) protection to wetland pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.) (f) conformity of Federal action to State (Clean Air) Implementation Plans under Section 176 (c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

24. Applicant will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
25. Applicant will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

Certifications

Certification —Debarment, Suspension, and Other Responsibility Matters

The applicant and subrecipients must not make any award or permit any award (subgrant or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in federal assistance programs (34 CFR §85, App. B).

- A. As the duly authorized representative of the applicant, I certify, to the best of my knowledge and belief, that neither the applicant nor its principals:
- is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency.
 - has, within a three-year period preceding this application, been convicted of, or had an adverse civil judgment entered in connection with, fraud or other 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.
 - is 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 above, and
 - has, within a three-year period preceding this application, had one or more public transactions (federal, state or local) terminated for cause or default;
- B. If you are unable to certify to any of the statements in this certification, you must attach an explanation to this application.

- C. The applicant agrees by submitting this proposal that it will include, without modification, the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions” in all lower tier covered transaction (i.e., subcontracts for financial assistance and subcontracts for goods and services) in accordance with 34 CFR §85 App. B. That clause reads: “(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.”

Certification –Drug-Free Workplace

This certification is required under the laws of the State of California implementing the Drug-Free Workplace Act of 1990 (California Government Code Section 8350 et seq.). The regulations require certification by subrecipients, prior to award, that they will maintain a drug-free workplace.

As the duly authorized representative of the applicant, I certify, to the best of my knowledge and belief, that the applicant will 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 subrecipient's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- B. Establishing a drug-free awareness program to inform employees about—
- the dangers of drug abuse in the workplace,
 - the subrecipient's policy of maintaining a drug-free workplace,
 - any available drug counseling, rehabilitation, and employee assistance programs, and
 - 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 agreement will—
- receive a copy of the agency's drug-free workplace policy statement; and
 - agree to abide by the terms of the statement as a condition of employment under the agreement.

Failure to comply with these requirements may result in the suspension of payments under the agreement or termination of the agreement, or both, and subrecipient, subcontractor, or subcontractor may be ineligible for award of any future state agreements if the Department of Alcohol and Drug Programs determines that the subrecipient or subawardee has made a false certification, or violated the certification by failing to carry out the requirements as noted above.

Certification –Lobbying Activities

As required by 34 CFR Part 83, as the duly authorized representative of the applicant, I certify, to the best of my knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid, by or on behalf of the applicant, 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 in connection with the awarding of any federal contract, the making of any federal loan, the entering into of any cooperative agreement, or modification of any federal contract, grant, loan, or cooperative agreement;
- B. If any funds other than federally 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 contract, grant, loan, or cooperative agreement, the applicant will submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- C. The applicant will require that the language of this certification be included in the award documents for all subcontracts at all tiers (including subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients will certify and disclose accordingly.

Certification –General Terms and Conditions

It is understood and agreed by the Project Director and the Authorizing Official that any agreement received as a result of this application is subject to the Safe and Drug Free Schools and Communities County Grant Program General Terms and Conditions, incorporated here by reference, and available on-line at <http://www.adp.ca.gov/Prevention/sdfsc.shtml>.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

