

GRANT AWARD NOTIFICATION TERMS, CONDITIONS & ASSURANCES

By accepting and signing this subaward, the subrecipient agrees to comply with federal and state requirements. The subrecipient agrees to follow all federal and State laws and regulations related to the federal award. The subrecipient further agrees to comply with all future amendments, modifications, and regulations, as well as any new requirements lawfully imposed as a condition of receipt of federal and state funding.

I. FISCAL & GRANT MANAGEMENT REQUIREMENTS

1. The subrecipient will use its grant funds to fulfill the purposes and meet the requirements of the Workforce Innovation & Opportunity Act ([WIOA](#)), including Title II Adult Education & Family Literacy Act (AEFLA), and any other statutes and requirements pertaining to a federally-funded workforce education program. Requirements include, but are not limited to: a) aligning its activities to its Local Workforce Development Board's (LWDB) local and regional plans; b) collaborating with its LWDB to provide supportive services and promote concurrent enrollment with Title I programs; and c) providing adult education and literacy activities only to eligible individuals.
2. The subrecipient will comply with the regulations listed in [2 CFR Part 200](#), the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Grants Guidance).
3. The subrecipient will comply with the General Education Provisions Act ([GEPA](#)) and Section 427 regarding access and participation in the program's services.
4. The subrecipient agrees to comply with [2 CFR §200.216](#), which prohibits obligating or expending grant funds for procuring or obtaining, extending or renewing a contract to procure or obtain, or entering into a contract to procure or obtain certain telecommunications equipment.
5. The subrecipient agrees to disclose in writing, any potential conflict of interest to the Federal awarding agency or pass-through entity per [2 CFR §200.112](#). The subrecipient may make a determination of credible evidence before disclosing.
6. The subrecipient agrees to disclose in writing, within 72 hours, to the Federal awarding agency, the agency's Office of Inspector General, and the pass-through entity when it has credible evidence of the commission of a violation of Federal criminal law involving fraud, bribery, or gratuity violations in connection with the Federal award per [2 CFR §200.113](#).
7. The United States Department of Education has adopted the requirements outlined in [2 CFR Part 175](#). Under this condition, your subaward may be terminated if you or an employee: a) Engage in severe forms of trafficking in persons during the period that the award is in effect; b) Procure a commercial sex act during the period that the award is in effect; or c) Use forced labor in the performance of the award or subawards under the award.
8. The subrecipient agrees that it will comply with sections 8301 through 8303 of the Buy American Act ([5](#)).
9. The subrecipient agrees that it will provide the Technical College System of Georgia (TCSG) and auditors access to its financial statements and all other records pertaining to this contract as needed for the TCSG to meet its requirements under WIOA, the Uniform Grant Guidance, and any other applicable state or federal laws, policies, or regulations, in compliance with [2 CFR §200.337](#).
10. The subrecipient agrees to comply with all federal and state grant closeout requirements, including but not limited to: a) submitting all financial, performance, and other requested reports no later than 90 days after the end date of this contract's period of performance ([2 CFR §200.344](#)); b) liquidating all obligations incurred under this award within 90 days after the end date of this contract's period of performance; c) accounting for any real or personal property

acquired with Federal funds or received from the Federal Government in accordance with [2 CFR §200.310](#) (insurance coverage) through [2 CFR §200.316](#) (property trust relationship) and [2 CFR §200.330](#) (reporting on real property). All funds not liquidated within 90 days must be returned to the Technical College System of Georgia ([2 CFR §200.344](#))

11. Per [2 CFR §200.334](#) and [34 CFR §81.31\(c\)](#), subrecipients must retain all grant-related documentation, including financial records and supporting documentation, student records, and other programmatic records, for a period of five years from the date of the final annual fiscal report, with the following exceptions: a) If any litigation, claim, or audit is started before the end of the record retention period, then the subrecipient must retain the records until any litigation, claims, or audit findings have been resolved and the final action has been taken; b) A program must retain records for real property or equipment acquired with grant funds for a period of five years after the final disposition. Per [2 CFR §200.336](#), programs may maintain electronic records if they remain readable and cannot be altered.
12. Per [2 CFR §200.332](#) and [34 CFR §76.564\(c\)](#), TCSG, as a pass-through entity of federal funds, must provide subrecipients the opportunity to use a restricted indirect cost rate for their Title II AEFLA funds. If the subrecipient does not already have a restricted indirect cost rate negotiated with its cognizant federal agency, TCSG must determine the appropriate rate in collaboration with the subrecipient in accordance with federal regulations.
13. The funds provided in this award must be used to supplement, not supplant, state or local public funds expended for adult education and literacy activities ([29 U.S.C. 3331](#), [WIOA Section 241](#)).
14. All items purchased with AEFLA federal or state matching funds must be allowable, allocable, reasonable, and necessary. The Office of Adult Education (OAE) reserves the right to disallow or require repayment of costs that do not meet these criteria. ([2 CFR §200.403 - 405](#), [2 CFR §200.339](#)).
15. The subrecipient must use no more than 5% of its AEFLA funds for administrative costs as outlined in [WIOA Section 233](#). Administrative costs include planning, administration (including carrying out the requirements of [WIOA Section 116](#)), professional development, and the activities described in paragraphs (3) and (5) of [WIOA Section 232](#). Please note that subrecipients are required to offer professional development. If a subrecipient requires a higher administrative cost percentage, it must request a waiver from TCSG.
16. The subrecipient agrees to meet the single audit requirements set forth in [2 CFR §200.501](#).
17. Subrecipients are responsible for following the financial management regulations and maintaining internal controls over their federal award ([2 CFR §200.302](#) and [2 CFR §200.303](#)).
18. Per state requirement, the subrecipient agrees that funding provided by TCSG pursuant to this contract is provided on a 30-day reimbursement basis via ACH (electronic fund transfer) payment only. The subrecipient agrees that it will only request funds for reimbursement for items that have been liquidated, are within the subrecipient's approved budget or subsequent approved budget amendments, and are an allowable, allocable, reasonable, and necessary use of state and federal funds. The funds requisition request is due on or before the 15th of the month for the prior month's expenses. Technical Colleges must request their funds through TCSG's cash draw procedures in accordance with the cash draw schedule. Programs that repeatedly miss the deadline are subject to specific conditions or sanctions per [2 CFR §200.208](#) and [2 CFR §200.339 - 343](#).
19. Per state requirement, the subrecipient agrees that it will follow TCSG's fiscal management procedures, including but not limited to submitting budget and project amendments, cash draws and/or requisition requests, and mid and end of year financial reports.
20. Costs associated with High School Equivalency (HSE) (HiSET, GED, etc.) tests, test administration, proctoring, travel, or any other activity relating to the actual HSE test process are not allowable and cannot be reimbursed with federal or state matching grant funds. The only allowable costs are those associated with test preparation (e.g., instruction, materials for instruction).

21. Alcoholic beverages, certain entertainment costs, and costs incurred for HSE and HSD commencement and any other commencement or convocation are not allowable uses of federal or state dollars ([2 CFR §200.423](#), [2 CFR §200.438](#), and [2 CFR §200.429](#)).
22. The subrecipient agrees that it will follow its organization's written local travel policy and that its policy complies with the regulations listed in [2 CFR §200.475](#). Subrecipients may choose to adopt the State of Georgia travel policy. If a subrecipient adopts the State of Georgia travel policy, it must be noted in its agency travel policy.
23. The subrecipient agrees it will follow its organization's written local procurement procedures and that those procedures meet the requirements outlined in [2 CFR §200.318 - 326](#).
24. Per state requirement, under this subaward, the subrecipient may not subcontract any direct program or instructional services to a third party.
25. The subrecipient agrees to maintain written policies and procedures regarding inventory management, as well as an inventory management system that tracks equipment and pilferable items, in accordance with [2 CFR §200.313](#). These records must include the information noted in [2 CFR §200.313\(d\)\(1\)](#).
26. The subrecipient agrees to maintain written policies and procedures regarding Time and Effort Certification forms for all employees paid in full or in part with federal or state matching adult education grant funds. The Time and Effort Certification forms must comply with [2 CFR §200.430](#) and TCSG's [Time and Effort policies and procedures](#).
27. Per [2 CFR §200.208](#) and [2 CFR §200.339 - 343](#), if TCSG determines that a subrecipient is out of compliance with any federal or state statutes, regulations, or the terms and conditions of the grant award, it may impose additional conditions to remedy the area(s) of noncompliance. If OAE determines that noncompliance cannot be remedied by imposing additional conditions, it may take one or more of the following actions as appropriate for the circumstances: a) Temporarily withhold cash payments until the subrecipient corrects the area of noncompliance; b) Disallow the use of funds for all or part of the cost of the activity or action not in compliance; c) Wholly or partly suspend or terminate the Federal award; d) Withhold further awards for the project or program; e) Take other remedies that may be legally available.
28. If OAE takes any of the actions noted in the above assurance to remedy noncompliance, the subrecipient has the opportunity to appeal the decision ([2 CFR §200.342](#)).
29. Any cancellation, termination, or suspension of this contract, if imposed, shall become effective on the date listed in the written notification cancelling, terminating, or suspending the contract.
30. Subrecipients are prohibited from text messaging while driving a government-owned vehicle or while driving their privately-owned vehicle during official grant business ([Executive Order 13513](#)).

II. PROGRAM REQUIREMENTS

1. Per state requirement, subrecipients agree to comply with all [Technical College System of Georgia State Board policies](#) pertaining to adult education and HSE tests or diplomas, as established by OCGA 20-4-15 which stipulates that “subject to the availability of funding, all levels of literacy programs defined by this articulate shall be provided in each service delivery area to any eligible individual who requests them. With the ultimate goal of the elimination of illiteracy in the state, priority shall be given to providing all eligible adults with the opportunity to attain a general level of literacy.”
2. Per state requirement, the subrecipient will have an Emergency Operations and Safety Plan for all locations where classes are held and employees are located.
3. The subrecipient agrees to comply with all local, state, and federal statutes and regulations pertaining to nondiscrimination including, but not limited to, GEPA, [Titles VI and VII of the Civil Rights Act](#), [Title IX of the Education Amendments of 1972](#), [Section 504 of the Rehabilitation Act of 1973](#), [Age Discrimination in Employment Act of 1967](#), the [Americans with Disabilities Act](#),

[The Boy Scouts of America Equal Access Act of 2001](#), and Section 117 of the Higher Education Act.

4. Per [28 CFR Part 38](#), a faith-based organization may not use direct Federal financial assistance from the this award to support or engage in any explicitly religious activities except when consistent with the Establishment Clause of the First Amendment and any other applicable requirements. Such an organization also may not, in providing services funded by the this grant or in outreach activities related to such services, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.
5. In accordance with 34 CFR 76.712, all subrecipients must give written notice to students or prospective students of protections against religious discrimination. Programs must provide the Notice of Protections Against Religious Discrimination handout to all students at intake or prior to enrollment. Programs must ensure that the notice is accessible to individuals with disabilities and limited English proficient individuals as required by law.
6. Per state requirement, the subrecipient agrees to follow all relevant safety and health policies and procedures as listed by the Georgia Department of Health, Occupational Safety and Health Administration, and the Centers for Disease Control.
7. Per state requirement, the subrecipient should establish a literacy advisory committee (LAC) for its service delivery area (SDA) with the goal of delivering the most effective and efficient adult literacy programs. The LAC should meet, at a minimum, four times per year, and include local civic leaders and representatives of adult literacy providers, business, and industry. The subrecipient may choose to use its Local Workforce Development Board or college board to fulfill this requirement ([OCGA 20-4-11\(7\)](#)).
8. Per state requirement, the subrecipient agrees that it will: (a) negotiate federal performance and state initiative targets, or (b) request that OAE set its federal performance or state initiative targets. The subrecipient understands that programs that do not meet their negotiated targets may be subject to additional conditions, including but not limited to: increased technical assistance, adjustments to their funding allocations, or financial sanctions.
9. Per state requirement, the subrecipient agrees to turn in and respond to all programmatic and fiscal reports required by OAE, including but not limited to: a mid-year budget and performance analysis and a grant renewal application ([2 CFR §200.329](#)).
10. Per state requirement, the subrecipient agrees to comply with the following staffing requirements as listed in the Competitive Request for Applications and the TCSG OAE Policies and Procedures Manual:
 - a. The subrecipient will appoint a full-time (minimum 40 hours per week) program administrator. To receive an exemption from this requirement, a subrecipient must request a waiver from the Office of Adult Education. At a minimum, the program administrator must have a degree from a four-year college or university.
 - b. The subrecipient will ensure Career Services are readily available to students via a Career Services Specialist (PT or FT). A Community Based Organization (CBO) can either employ a Career Services Specialist or partner with another organization that can provide career services. The Career Services Specialist must have sufficient education and experience to perform job duties consistent with the hiring policies of the local organization.
 - c. The subrecipient will ensure someone on staff serves as an IET/Workplace (WPL) Coordinator (FT or PT). The IET Coordinator must have sufficient education and experience to perform the job duties consistent with the hiring policies of the local organization.
 - d. At a minimum, instructors must have a degree from a four-year college or university.
 - e. The subrecipient will ensure that someone on staff serves as an instructional lead focused on ensuring instructors are implementing high-quality, evidence-based, standards-based

instructional strategies that lead to positive student outcomes. At a minimum, the instructional lead must have a degree from a four-year college or university.

- f. The subrecipient will ensure that someone on staff serves as a data manager. The data manager must have sufficient education and experience to perform the job duties consistent with the hiring policies of the local organization.
11. Per state requirement, the subrecipient must pay part-time instructors a minimum of \$22 per hour, unless it requests and receives a waiver from the Office of Adult Education. Full time instructors must receive a salary that is equivalent to \$22 per hour, excluding benefits.
 12. Per state requirement, the subrecipient will ensure that instructors spend 70% of their time engaged in synchronous and/or asynchronous instructional delivery.
 13. Per state agreement, the subrecipient agrees to comply with the established professional development (PD) hour requirements for all program personnel as outlined in the document, which includes:
 - g. A minimum of 24 professional development hours for all full-time faculty and staff, including: Program Administrator, Instructors, Career Services Specialist, CPH Coordinators, and IET Coordinators
 - h. A minimum of 12 professional development hours for part-time faculty and staff, including: Instructors, Career Services Specialist, and IET Coordinators
 - i. A minimum of 6 professional development hours for Data Managers and VolunteersThe state expects that no less than 80% of staff will meet these PD requirements during each fiscal year. Programs are expected to plan and ensure faculty and staff are obtaining a minimum of 25% of their required PD hours each quarter. OAE-sponsored and local PD opportunities must be entered into GALIS within 30 days of the PD opportunity.
 14. Per state requirement, the subrecipient will not charge, or collect money from, adult enrolled or wishing to enroll in adult education programs, tuition, fees, books, or any other charges, or require adults to purchase books or any other materials needed to participate in the program. Please note that this provision does not apply to IET and Career Plus High School Diploma credit courses. If the program receives program income by charging reasonable and necessary tuition or fees for IET courses or CPH credit courses, or earns any additional program income, it must use that income to provide additional adult education and literacy services that it would otherwise be unable to provide. Program income from tuition and fees must be: (a) accounted for in program records, and (b) used only for costs allowable under AEFLA. ([2 CFR §200.307](#)).
 15. Per state requirement, the subrecipient agrees that it will not close classes for more than two consecutive weeks without written approval from TCGS's OAE. Any request to close classes for more than two consecutive weeks must be made at least 45 days in advance.
 16. Per state requirement, the subrecipient will schedule all students for a minimum of six instructional hours per week. Available instructional hours must include both in-person and distance learning, counted using proxy contact-hour models (clock time, teacher verification, learning mastery, as consistent with the National Reporting System (NRS) guidelines and OAE's Assessment Policy).
 17. Per state requirement, grant funds may not be utilized to teach classes in any language other than English, except as authorized by [OCGA 50-3-100\(d\)](#). Subrecipients wishing to utilize the exemptions to this state law must consult with OAE to ensure alignment with the requirements.
 18. Per state requirement, the subrecipient must use the OAE-approved lesson plan template or obtain written OAE approval to use a locally developed lesson plan template.
 19. Per state requirement, the subrecipient agrees to utilize Blackboard to provide asynchronous and synchronous standards-based instruction to all student populations. Online instruction must be high-quality and provide equivalent materials and resources as face-to-face instruction.
 20. Per state requirement, the subrecipient agrees to operate approved IET opportunities for students that meet the following requirements:

- j. The IET must: (a) meet the federal definition of IET as outlined in [34 CFR §463.35 - 38](#); (b) be aligned with regionally in-demand industry; and (c) support participants eligible to receive AEFLA services ([WIOA Section 203\(4\)](#)), which includes an eligibility requirement of "basic skills deficient."
 - k. IETs must be operational each quarter and must begin no later than two weeks prior to the end of the quarter. Minimally, there must be four unique opportunities each year. To receive an exemption from this requirement, a subrecipient must request a waiver from the OAE.
21. Per state requirement, subrecipients may use a portion of their adult education grant funds to cover training and certification costs associated with IET provided that: (a) the IET meets items the conditions listed in [34 CFR §463.35 - 38](#); (b) the IET costs are allowable, allocable, reasonable, and necessary; (c) the program is not supplanting other state or local funds; and (d) if applicable, the program follows their conflict of interest and procurement policies when selecting a training provider. Programs may use up to 2% of their grant, capped at \$15,000 out of their General Adult Education grant (231/225/state), if applicable, and up to 4%, capped at \$17,000, of their Integrated English Literacy & Civics Education (IELCE) grant, if applicable. If a program wishes to exceed the limit, it must submit a written request to the OAE.
 22. The subrecipient will collaborate with other adult education subrecipients within a given Local Workforce Development Area to meet required one-stop partner responsibilities, including providing representation on the LWDB and negotiating and paying one-stop infrastructure costs ([34 CFR §463.400](#), [§463.415](#), [§463.420](#).)
 23. Programs designated to pay one-stop infrastructure costs must use a portion of their federal administrative funds to pay these costs ([34 CFR §463.720](#)).
 24. The subrecipient will ensure that its services have a "direct linkage" to the one-stop centers in its assigned area. Per [20 CFR §678.305\(d\)\(3\)\(i\)](#), a "direct linkage" means providing direct connection at the one-stop center, within a reasonable time, by phone or through a real-time Web-based communication to a program staff member who can provide program information or services to the customer. Please note that exclusively providing a phone number, website, information, pamphlet, or materials does not constitute a "direct linkage."
 25. Programs receiving funds for Family Literacy agree to the following requirements:
 - l. Adults participating in the Family Literacy program must be eligible individuals as defined in [WIOA Section 203\(4\)](#) and go through the program's standard intake procedures, including taking the relevant NRS-approved assessment(s).
 - m. Per state requirement, children through 18 (and up to 21 if the child is receiving services under the Individuals with Disabilities Act [IDEA]) can participate in the Family Literacy program if they are the children of family members or caregivers receiving adult education services.
 - n. Per state requirement, subrecipients may not exceed the federal 231 awarded amount to provide Family Literacy activities.
 - o. When providing Family Literacy programming, subrecipients must attempt to coordinate with other programs and services prior to using AEFLA grant funds to support children or individuals not eligible for AEFLA services as defined in [WIOA Section 203\(4\)](#).

III. DATA REPORTING & INTAKE REQUIREMENTS

1. Per state requirement, the subrecipient agrees to comply with all policies and procedures in the OAE's Assessment Policy, including the use of the Georgia Adult Learners Information System (GALIS) to report all assessment and attendance information in the required time periods.
2. The subrecipient agrees that it will meet the NRS Adult Education data quality standards, including but not limited to the standards for academic performance, HSE, and transition goals.
3. To ensure accurate and detailed reporting and meet the performance accountability reporting requirements of WIOA and NRS, subrecipients must make every effort to collect social security

numbers for all Adult Education participants (including English Language Learners) without coercion.

4. Per [34 CFR Part 99](#) and [2 CFR §200.303](#), subrecipients must take reasonable cybersecurity and other measures to safeguard personally identifiable information.
5. Per state requirement, subrecipients must use Target X to collect student information, except in special circumstances where Target X cannot be used, such as corrections.
6. Per state requirement, subrecipients must maintain accurate and updated student, staff, and course schedule information in GALIS.
7. Per state requirement, subrecipients offering IELCE or Family Literacy programs must make every effort to record and track the completion of goals related to those areas in GALIS.
8. State agencies or political subdivisions must ensure that all individuals 18 years of age or older receiving adult education services submit a Verification of Eligibility for Public Benefit Form in accordance with Per O.C.G.A-36-1-50-36-1 and that they follow TCSG's Verification of Eligibility for Public Benefit (VOEPB) procedures.

GOVERNMENTWIDE ADMINISTRATIVE STATUTORY AND NATIONAL POLICY REQUIREMENTS FOR U.S. DEPARTMENT OF EDUCATION AWARDS

OVERVIEW

This portion of the Grant Award Notification (GAN) Attachment describes Federal government-wide sources of laws and policies that apply to grantees and subgrantees of Federal awards issued by the U.S. Department of Education (Department).¹ The sources of Federal government-wide laws and policy include the U.S. Constitution, statutes, regulations, executive orders, and statements of policy.

This Attachment compiles many of the laws and policies that apply to awards; however, it is not intended to be an exhaustive list or to reproduce the full text. Some laws and policies are only applicable to awards with certain types of activities or to certain types of recipients. Additionally, Department award terms and conditions may incorporate statutes, regulations, or policies specific to an award.

Please note that some sources use different terms for grantee such as recipient. Per [34 CFR Part 77–Definitions that Apply to Department Regulations](#), the Department uses grantee to mean the legal entity to which a grant is awarded and is accountable to the Federal Government for the use of the funds provided. Subgrantee means the government or other legal entity to which a subgrant is awarded and that is accountable to the grantee for the use of the funds provided.

APPLICABILITY OF LAWS AND POLICIES

The legal order of precedence determines the order in which laws and policies may apply to Federal awards. The following list includes examples of the types of laws and policies, and is not an exhaustive list:

- U.S. Constitution
- Program-Specific Authorizations and Appropriations
- [Single Audit Amendments Act of 1996](#)
- [Federal Funding Accountability and Transparency Act of 2006 \(FFATA\)](#)
- [Digital Accountability and Transparency Act of 2014 \(DATA Act\)](#)
- [Grant Reporting Efficiency and Agreements Transparency Act of 2019 \(GREAT Act\)](#)
- Uniform Administrative Requirements, Cost Principles, and Audit Requirements: [2 CFR Part 200](#) as adopted as regulations of the Department in [2 CFR 3474](#).
- Education Department General Administrative Regulations: 34 CFR Parts 75, 76, 77, 79, etc. (Department-specific)
 - [34 CFR Part 75–Direct Grant Programs](#)
 - [34 CFR Part 76–State-Administered Formula Grant Programs](#)
 - [34 CFR Part 77–Definitions that Apply to Department Regulations](#)

¹ The content in this portion of the GAN Attachment consolidates information previously included in GAN Attachments 8, 9, 11, 12, 14, 16, and Enclosure 4.

- [34 CFR Part 79—Intergovernmental Review of Department of Education Programs and Activities](#)
 - Executive Orders
 - Office of Management and Budget Memorandum (OMB Memos)
 - Department and Program-specific guidance such as Notices Inviting Applications (NIAs), Frequently Asked Questions (FAQs), and other program announcements

The following condition is applicable to all grantees:

Grantees must not use federal funds under this project in any manner that violates the United States Constitution, Title VI or Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq. or 42 U.S.C. § 2000e et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), section 504 of the Rehabilitation Act (29 U.S.C. § 794), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), the Boy Scouts of America Equal Access Act of 2001 (20 U.S.C. § 7905), section 117 of the Higher Education Act of 1965, as amended (20 U.S.C. § 1011f), or other applicable federal law. To the extent that a grantee uses grant funds for such unallowable activities, the Department intends to take appropriate enforcement action including under section 451 of the General Education Provisions Act (GEPA), which may include the recovery of funds under section 452 of GEPA.

FINANCIAL ASSISTANCE GENERAL CERTIFICATIONS AND REPRESENTATIONS

All applicants, grantees, and subgrantees of Federal financial assistance are required to register in the System for Award Management (SAM.gov) and obtain a Unique Entity Identifier (UEI) before receiving an award per [2 CFR Part 25, Unique Entity Identifier and System for Award Management](#).

Entities must be registered in SAM.gov before submitting applications, include their UEI in each application, maintain current and active registration in SAM.gov at all times during which it has an active Federal award, and review and update its information in annually as a recipient or an application under consideration by a Federal agency. The applicant or recipient must review and update its information in SAM.gov annually from the date of initial registration or subsequent updates to ensure it is current and accurate.

Grantee authorized organization representatives agree to the Financial Assistance General Certifications and Representations that are binding on every award as part of registration and annual certification in SAM.gov. However, grantees may be exempted by Federal statute or the exceptions listed in 2 CFR Part 25.110, Exemptions to this part.

When applicants register or annually recertify in SAM.gov, your authorized organization representative agreed to the Financial Assistance General Certifications and Representations (Certifications). These are binding on every award. Laws and policies identified in these Certifications are identified in this document with the statement, “See Certifications.” The Certifications in SAM.gov can be found in Appendix I of the SAM.gov [Entity Registration Checklist](#) and are incorporated by reference herein.

LAWS AND POLICIES

This section outlines various laws and policies that may apply to Department awards (including grantees and subgrantees). It is not intended to be an exhaustive list.

Requirement	Description	Source
Cash Management	Grantees are required to manage Federal grant funds in compliance with the requirements in the Payment Integrity Information Act of 2019 (PIIA), Cash Management Improvement Act of 1990 (CMIA), and as further clarified in Department and governmentwide regulations.	<ul style="list-style-type: none"> • Payment Integrity Information Act of 2019 (PIIA) • Cash Management Improvement Act of 1990 (CMIA)
Conflict of Interest	Federal agencies must establish conflict of interest policies for Federal awards and grantees and subgrantees must disclose in writing any potential conflict of interest to the Federal agency or pass-through entity in accordance with established Federal agency policies.	<ul style="list-style-type: none"> • 2 CFR Part 200.112, Conflict of interest • See Certifications
Debt Collection	After providing reasonable notice, Federal agencies or pass-through entities may withhold payments to grantee or subgrantees for financial obligations incurred after a specific date until conditions are corrected or the debt is repaid to the Federal Government.	<ul style="list-style-type: none"> • OMB Circular A-129, Policies for Federal Credit Programs and Non-Tax Receivables • See Certifications
Drug-Free Workplace	Related to maintaining a drug-free workplace and notifying the awarding agency if an employee is convicted of violating a criminal drug law. Failure to follow these requirements may be cause for debarment.	<ul style="list-style-type: none"> • Drug-Free Workplace Act (41 USC 8101-8106) • 2 CFR Part 182, Government-Wide Requirements for Drug-Free Workplace (Financial Assistance) • See Certifications
Executive Compensation Reporting	Related to requirements to report certain information on compensation for executives.	<ul style="list-style-type: none"> • Federal Funding Accountability and Transparency Act of 2006 (FFATA) • 2 CFR Part 170, Reporting Subaward and Executive Compensation Information • See Certifications
Environmental Protections – Assess and Mitigate Environmental Impact	The National Environmental Protection Act (NEPA) includes policies to conduct reviews to assess and mitigate environmental impact. Applies to construction or major renovation activities. Does not apply to subcontractors.	<ul style="list-style-type: none"> • National Environmental Policy Act of 1969, as amended (42 USC 4321 <i>et seq.</i>) • See Certifications

Requirement	Description	Source
Fair Housing Practices	Related to protecting people from discrimination in housing under federally funded programs	<ul style="list-style-type: none"> • Title VIII of the Civil Rights Act of 1968 (42 USC 3601 et seq) • See Certifications
Faith-Based Organizations	Related to protections for faith-based organizations to apply and receive Federal funds without discrimination or interference with their mission. Describes limitations on the use of Federal funds.	<ul style="list-style-type: none"> • Religious Freedom Restoration Act of 1993 (42 USC 2000bb et seq) • Executive Order 13279, Equal Protection of the Laws for Faith-Based and Community Organizations • Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships with Faith-Based and Other Neighborhood Organizations • Executive Order 13831, Establishment of a White House Faith and Opportunity Initiative • 28 CFR Part 38, Partnerships with Faith-Based and Other Neighborhood Organizations
Lobbying Disclosures	Related to requirements to disclose lobbying activities.	<ul style="list-style-type: none"> • Lobbying Disclosure Act of 1995 (2 USC 1601 et seq, Disclosure of Lobbying Activity) • See Certifications
Procurement – American-Manufactured Goods	Related to required preferences for certain products and materials made in the US. Waivers may be possible.	<ul style="list-style-type: none"> • Buy American Act (41 USC 8301 et seq) • Build America, Buy America Act • 2 CFR Part 200.322, Domestic preferences for procurements
Procurement – Fly America Act	Related to requirements for travelers to use certified U.S. airlines for award-funded air travel.	<ul style="list-style-type: none"> • 49 USC 40118 • 41 CFR 301-10.131 - 143
Procurement – Prohibition on certain telecommunications and video surveillance services or equipment	Related to restrictions on using Federal funds for telecommunications equipment produced by certain companies.	<ul style="list-style-type: none"> • 41 USC 3901 et seq • 2 CFR Part 200.216

Requirement	Description	Source
Protections Against Discrimination	Related to protecting people from discrimination based on different criteria under Federal grants and programs.	<ul style="list-style-type: none"> • Age Discrimination Act of 1975 (42 USC 6101 et seq) • Section 504 of the Rehabilitation Act (29 USC 794) • Title VI of the Civil Rights Act (42 USC 2000d) • Church Amendments (42 USC 300a-7) • Coates-Snowe Amendment (42 USC 238n) • Title IX of the Education Amendments of 1972, as amended (20 USC 1681 et seq) • See Certifications
Publications and Acknowledgement of Support	Describes requirement for grantees to publicly disclose when Federal funds from the Department are used in documents such as press releases, requests for proposals, and publications.	<ul style="list-style-type: none"> • 34 CFR 75.620(b)
Subaward Reporting	Related to requirements to report certain information on subawards.	<ul style="list-style-type: none"> • Federal Funding Accountability and Transparency Act of 2006 (FFATA) • 2 CFR Part 170, Reporting Subaward and Executive Compensation Information • See Certifications
Suspension and Debarment	Regulations restrict issuing Federal awards, subawards, and contracts to certain parties that are debarred, suspended, or otherwise excluded from receiving or participating in Federal awards.	<ul style="list-style-type: none"> • 2 CFR Part 180, OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement) • 2 CFR Part 200.214, Suspension and debarment • Executive Orders 12549 and 12689, Debarment and suspension • See Certifications
Trafficking Victims Protection	Related to bans providing funds to organizations involved in human trafficking.	<ul style="list-style-type: none"> • Trafficking Victims Protection Act (TVPA) of 2000, as amended, (22 USC 7104(g)) • 2 CFR Part 175, Award Term for Trafficking in Persons • See Certifications

Requirement	Description	Source
Violations of Federal Criminal Law and Civil Actions	Related to requirements to disclose certain violations of Federal criminal law.	<ul style="list-style-type: none"> • False Claims Act (31 USC 3729-3733, False claims and 31 USC 3730, Civil actions for false claims) • Program Fraud and Civil Remedies Act (31 USC 3801 et seq) • 2 CFR Part 200.113, Mandatory disclosures • See Certifications
Wage Protections – Copeland Anti-Kickback Act	Related to protections that require requiring contractors to follow construction, alteration, and renovation and weekly compliance statements on the wages paid to each employee in support of Federal awards.	<ul style="list-style-type: none"> • Copeland Anti-Kickback Act (18 USC 874 and 40 USC 3145) • 48 CFR 22.403, Copeland Act
Wage Protections – Davis-Bacon Act	Related to protections that require using contractors that pay prevailing wages and benefits under awards that fund construction, alterations, or repairs.	<ul style="list-style-type: none"> • The Davis-Bacon Act (40 USC 3141 et seq)
Whistleblower Protections	Related to protecting employees from reprisal for disclosing information about violations.	<ul style="list-style-type: none"> • Protection from Reprisal of Disclosure of Certain Information (41 USC 4712) • See Certifications

SIGNATURES

The subrecipient hereby assures and certifies that, as a condition of receiving federal funds, it will comply with all applicable federal and state statutes and regulations, as they may be amended, revised, or replaced in the future.

Agency Head Signature **Date**

Office of Adult Education Signature **Date**