

The Tennessee Department of Education has developed the following assurances and conditions for eligible recipient implementation of career and technical education and the administration of the *Strengthening Career and Technical Education for the 21st Century Act*, otherwise known as Perkins V. For the purposes of these assurances, “eligible recipient” refers to the local Board of Education and/or Local Education Agency (LEA), including Tennessee state special schools, the Achievement Schools, and other eligible secondary recipients. This is required by:

- Federal regulation 34 CFR §76.301 of the Education Department General Administrative Regulations (EDGAR), which requires a general application for subgrantees/subrecipients for participation in federal programs funded by the U.S. Department of Education that meets the requirements of Section 442 of the General Education Provisions Act (GEPA).
- Applicable federal statutes and regulations of federal agencies, including the U.S. Department of Education, pertaining to the expenditure of federal funds.
- Applicable state statutes and regulations of state agencies, including the Tennessee Department of Education and Tennessee State Board of Education, pertaining to the administration of career and technical education.

### **General Assurances**

The eligible recipient hereby assures, to the extent applicable, that:

1. The eligible recipient has the legal authority to apply for funding, meets all requirements as an eligible recipient (as defined in the Tennessee State Board Rule 0520-01-07-.01 and the Tennessee State Plan), and the instructional, administrative, and financial capability to ensure proper planning, management, and completion of the actions described in the Local Application.
2. The eligible recipient will comply with all applicable requirements of all federal and state laws, statutes, executive orders, regulations, requirements, policies, terms and conditions governing career and technical education (CTE).
3. The eligible recipient will maintain a proper accounting system in accordance with generally accepted accounting standards and use appropriate fiscal control(s) and procedure(s) to reduce the risk of fraud, waste, and abuse and to account for and ensure proper expenditure of awarded funds. The eligible recipient shall report any information on suspected fraud, waste, and/or abuse to the Tennessee Department of Education and the Tennessee Comptroller of the Treasury pursuant to the “Local Government Instances of Fraud Reporting Act” (T.C.A. § 8-4-501).
4. The eligible recipient will not use awarded funds to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the acquiring entity or the employees of the acquiring entity, or any affiliate of such an organization (Perkins V, Section 122(d)(13)(B)).
5. The eligible recipient will not use awarded funds to lobby or pay any person or organization for the purpose of lobbying, influencing, or attempting to influence an officer or employee of an governmental agency, a Member of Congress or the Tennessee General Assembly, an officer or employee of Congress or the Tennessee General Assembly, or an employee of a

Member of Congress or the Tennessee General Assembly in connection with the awarding of any contract, grant, loan, cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any contract, grant, loan, or cooperative agreement.

6. The eligible recipient will comply with all federal and State statutes relating to civil rights and nondiscrimination, including but not limited to, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), which prohibits discrimination on the basis of race, color, or national origin; Title IX 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; Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; and the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age.
7. The eligible recipient will comply with all applicable federal and State statutes relating to financial and programmatic audits and monitoring and make available all financial and programmatic records and other such documents to authorized representatives, including but not limited to, the U.S. Department of Education, the Tennessee Department of Education, and the Tennessee Comptroller of the Treasury, for the purpose of conducting monitoring and audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR §200, Subpart F, "Audit Requirements" and/or Section 215.97, and other federal and Tennessee statutes, as applicable.

## Conditions

By accepting Perkins V funds, the eligible recipient hereby agrees to:

1. Use awarded funds to provide and promote equal opportunities for students, including individuals of special populations, to participate in career and technical education (CTE) and program(s) and program(s) of study which:
  - a. assess the individual learning needs and career aspirations of students, including students with disabilities and students identified as individuals of special populations, and develop adequate plans to provide supplementary services which meet the needs of such students and support student recruitment into CTE
  - b. prepares students for employment in high skill, high wage, or in-demand industry sectors or occupations and non-traditional fields, as identified by the Tennessee Department of Education and the Comprehensive Local Needs Assessment (CLNA)
  - c. is of such sequence, scope and quality as to bring about improvement in the quality of CTE and career- or work-based learning opportunities and experiences
  - d. provides counseling and career development activities conducted by professionally trained counselors and teachers who are associated with the provisions of such services designed to facilitate in the transition from high school to postsecondary education, employment and career opportunities, or the military.
2. Designate a CTE administrator, supervisor or director (full or part-time) for the administration of CTE funded programs provided by the eligible recipient. Persons holding CTE supervisory positions including local directors, supervisors, coordinator specialists,

assistant principals for CTE, and CTE center administrators should complete New CTE Director Academy, attend (or send representation to attend) a majority of State and regional CTE Director professional development opportunities provided annually by the Tennessee Department of Education, and must have one (1) of the following sets of employment standards:

- a. A bachelor's degree in CTE from an accredited four (4)-year college or university, three (3) years of teaching experience in an approved CTE program and two (2) years of appropriate employment experience in a recognized occupation;
  - b. a bachelors' degree with a CTE endorsement, three (3) years of teaching experience, two (2) years of appropriate work experience; or,
  - c. an endorsement as a PreK-12 administrator or secondary supervisor or principal.
3. Maintain an active, current local CTE advisory committee comprised of members of the general public (as described in Perkins V, Section 134 (d), (e); State Board Rule 0520-01-07-.01) and retain evidence of ongoing consultation to evaluate, inform, and implement CTE program(s) and program(s) of study offered by the eligible recipient.
  4. Prepare and submit the Local Application and complete the CLNA in consultation with the local CTE advisory committee, pursuant to the requirements in the legislation, Tennessee State Plan, Tennessee Department of Education guidelines and by established deadlines.
  5. Make readily available the Local Application and other CTE planning information related to CTE services, program(s), and program(s) of study program to students, parents, and other members of the general public.
  6. Use awarded Perkins V funds to supplement and not supplant state and/or local funds and only as described in the Local Application approved by the Tennessee Department of Education.
    - a. In the event that Perkins V funds should need to be expended in any manner other than stipulated in the originally approved Local Application, the eligible recipient must submit a revision to amend the Local Application with an explanation of proposed changes along with a revised copy of the budget in ePlan.
    - b. Unless otherwise stipulated from the Tennessee Department of Education, funds will not be expended prior to the approval of the Local Application and/or the amended Local Application.
  7. Comply with all fiscal requirements regarding the Uses of Funds and Local Application components (Perkins V, Section 135(b)), Tennessee Department of Education guidelines, and relevant federal and State requirements and regulations regarding expenditure of Perkins V funds, including the Education Department General Administrative Regulations (EDGAR) and Office of Management and Budget (OMB) Circulars.
  8. Target expenditure of Perkins V funds to support program(s) and program(s) of study which meet the definition and indicators of Size, Scope, and Quality in the Tennessee State Plan and identified in the CLNA and Local Application.

- a. Eligible recipients must have a written process in place to evaluate and verify that Perkins V funds are spent on only those programs identified in the Local Application and meet the Size, Scope, and Quality indicators. This process should be used prior to expending funds and a review of the process should be completed at least annually by the CTE administrator or designee.
  - b. Perkins V funds should not be expended to support CTE program(s) or program(s) of study, that do not meet the definition and indicators of Size, Scope, and Quality other than to elevate the program so that it does meet all of the Size, Scope, and Quality indicators, and/or to support those CTE program(s) or program(s) of study not identified in the CLNA and Local Application.
  - c. Perkins V funds shall not be used to provide CTE program(s) for students prior to the middle grades (Perkins V, Section 215).
9. Maintain an inventory of all equipment purchased in whole or in part with awarded Perkins V funds for the duration of Perkins V and ensure that all such equipment will be available for use by students in the CTE program(s) and program(s) of study for which purchased.
  - a. All records must comply with the provisions and inventory control requirements outlined in EDGAR, including items being appropriately tagged, located, utilized, and/or disposed.
10. Annually evaluate CTE program(s) and program(s) of study using core indicators of performance and complete and submit all annual local data reporting requirements as defined by the Department of Education, as well as other reporting requirements pursuant to federal and state legislation and the Tennessee State Plan, within established dates, and maintain documentation for the duration of Perkins V.
11. Parents and/or guardians of each student in grades 9-12 will be provided with or have access to CTE program(s) and program(s) of study information, recruitment materials, and course offerings provided by the eligible recipient.
12. Teachers, at the beginning of each course, will apprise parents and/or guardians and students of relevant program(s) of study, course content and learning expectations, and conduct a safety examination of students relative to the course content and learning expectation in accordance with student's 504, IEP, etc. These safety examinations should follow local board of education policies for creation, passing rates, and length of retention.
13. Plan and provide annual CTE related professional development, as defined in Perkins V, such as information on CTE specific content, labor market research, emerging industry technology, employability and leadership skill development, and promising educational practices, etc. to CTE teachers, administrators, and other education personnel.
14. If applicable, the eligible recipient shall, upon written request and to the extent practicable, provide opportunities for CTE teachers, administrators, and other educational personnel of private, non-profit schools to participate in CTE related professional development provided by the eligible recipient and will notify the officials of the private schools of said opportunities. This shall be applicable if there are private, non-profit school(s) in the geographical area served by the eligible recipient.

15. If applicable, the eligible recipient shall, upon written request and in a timely and meaningful manner, consult with representatives of private, non-profit schools regarding the meaningful participation in CTE programs, services, and activities receiving Perkins V funding of students attending private, non-profit schools. Notices of program offerings to the private school will be offered. This shall be applicable if there are private, non-profit school(s) in the geographical area served by the eligible recipient.
  - a. Any educational services or other benefits provided, including materials and equipment, shall be secular, neutral, and non-ideological. Expenditures for such services or other benefits shall be equal (consistent with the number of children to be served) to expenditures for programs of children enrolled in the public schools of the eligible recipient.

### **Certification**

By electronically indicating as such and submitting the Local Application in ePlan, the authorized representative of the eligible recipient hereby certifies that the assurances and conditions stipulated in this application have been reviewed and will be adhered to.