

Additional Program Assurances for 84.060 - Indian Education Formula Grants

1. If the applicant is an LEA, it assures that funds received under this program will be used only to supplement the level of funds that, in the absence of the Federal funds made available under this program, the LEA would make available for the education of Indian children, and not to supplant such funds. (Section 7114(c)(1) of Part A, Title VII)
2. It assures that it will submit a performance report, or, for the last year of a project, a final report, that evaluates at least annually: (a) the grantee's progress in achieving the objectives in its approved application; (b) the effectiveness of the project in meeting the purposes of the program; and (c) the effect of the project on participants being served by the project. (34 CFR 75.590)
3. It assures that it will cooperate in any evaluation of the program by the Secretary. (34 CFR 75.591)
4. It assures that the program for which funds are sought is based on a comprehensive local assessment and prioritization of the unique educational and culturally related academic needs of the American Indian and Alaska Native students for whom the LEA is providing an education. (Section 7114(c)(3) of Part A, Title VII)
5. It assures that it will use the best available talents and resources, including persons from the Indian community. (Section 7114(c)(3) of Part A, Title VII)
6. It assures that it has developed the project for which application is made (a) in open consultation with parents of Indian children and teachers and, if appropriate, Indian students from secondary schools, including through public hearings held to provide a full opportunity to understand the program and to offer recommendations regarding the program; and (b) with the participation of a parent committee selected in accordance with section 7114(c) of the statute; and (c) with the written approval of that parent committee. (Section 7114(c)(3)(4) of Part A, Title VII)
7. It assures, if it is a local educational agency that, the parent committee will adopt and abide by reasonable by-laws for the conduct of the activities of the committee. (Section 7114(c)(4) of Part A, Title VII)
8. It assures that the LEA has established policies and procedures, including policies and procedures relating to the hiring of personnel, will ensure that the program will be operated and evaluated in consultation with, and with the involvement of, parents of the children, and representatives of the area, to be served. (Section 7114(c)(4)).
9. It assures that an application for inclusion of these program funds in a Title I school-wide project, has been approved, in writing, by the parent committee and that the parent committee was allowed to review the application in a timely fashion, has determined that the program will not diminish the availability of culturally related activities for American Indians and Alaska Native students, and has determined that the Title I school-wide project meets the purpose of the Indian education formula grant program. (Sections 7114(c)(4)(D) and 7115(c) of Part A, Title VII) It assures that it will directly administer or supervise the administration of the project. (34 CFR 75.701) It assures that it will keep records related to grant funds, program compliance and program performance and will afford the Secretary access to these records as the Secretary may find necessary to assure the correctness and verification of reports made by the applicant. (34 CFR sections 75.730-.732)
10. It assures that it has fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds. (34 CFR 75.702)
11. Pursuant to Section 9306(a) of the Elementary and Secondary Education Act, it assures that:
 - The program will be administered in accordance with all applicable statutes, regulations, program plans, and application;
 - The control of funds provided under the program and title to property acquired with program funds will be in a public agency or in a nonprofit private agency, institution, organization, or Indian tribe, if the law authorizing the program provides for assistance to those entities and who will administer these funds and property to the extent required by the authorizing statute;
 - The applicant will adopt and use proper methods of administering the program, including -- the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out the program; and the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation;
 - The applicant will cooperate in carrying out any evaluation of the program conducted by or for the State educational agency (SEA, if the applicant is an LEA), the Secretary or other Federal officials;
 - The applicant will make reports, maintain records, provide information, and afford access to the State educational agency and the Secretary as may be necessary to enable the SEA, for LEA applicants, and the Secretary to carry out and perform their duties under this program; and
 - Before the application is submitted, the applicant affords a reasonable opportunity for public comment on the application and has considered those comments.