

**A. Federal Program General Assurances**

Select **Yes** from the drop-down menu next to the applicable statement below: **Only item 1 OR 2 must be select**

- 1. The LEA provides assurances that it meets all eligibility requirements of Part B of the Individual with Disabilities Education Act (IDEA-B) and the IDEA-B regulations. (20 USC 1413(a); 34 CFR §§ 300.201 through 300.213) These assurances are found in Section III of this Application. The LEA or State agency completed and has already submitted to the Education Department's (PED) Office of Special Education (OSE) a formal record of the LEA's School Governing Body's adoption of special education policies and procedures that are consistent with procedures established under 34 CFR §§ 300.101 through 300.163 and §§ 300.165 through 300.174.

**OR**

- 2. The LEA cannot provide assurances for all eligibility requirements of IDEA-B. The LEA has determined that it is unable to make the assurance that it has, in effect, policies and procedures that are consistent with State policies and established under 34 CFR §§ 300.101 through 300.163 and §§ 300.165 through 300.174. However, the LEA assures that throughout the period of this sub-grant award the LEA will operate programs consistent with the IDEA-B and the IDEA-B regulations. The LEA will make such changes to policies and procedures as necessary to bring itself into compliance with the requirements of IDEA, as amended, as soon as possible, and not later than the end of the upcoming fiscal year.

The LEA must make the following assurances, 1 - 20, that it meets each of the conditions required by Part B of th Disabilities Education Act, Part B (IDEA-B), (34 CFR §§ 300.201 through 300.213).

**B. Other Federal Assurances**

*The signed approved minutes by the Local Board of Education or Governing Council showing approval of the amended policies and procedures are required and must be uploaded in WebEPSS. Submit minutes only if the policies and procedures were amended.*

Select **Yes** from the drop-down menu for 1a or enter a date for 1b. **Only complete 1 section, 1a OR 1b.**

- Yes **1a.** The LEA, in providing for the education of children with disabilities within its jurisdiction, has procedures, and programs that are consistent with the State policies and procedures established under the IDEA Part B regulations at 34 CFR §§300.101 through 300.163, and §§300.165 through 300.174. (20 U.S.C. 1413(a)(1); 34 CFR § § 300.201).

**OR**

**1b.** If assurance cannot be given for item 1a, please provide date on which applicant will provide policies and procedures to the OSE, in order to provide assurance. Date provided may be no later for new state-chartered charter schools no later than December of the current calendar year.

**Enter Date** ↑

Select **Yes** for items 2 and 4-6 from each of the drop-down menus, **enter an amount in item 3 below:**

Yes	<p><b>2.</b> Amounts provided to the LEA under IDEA-B:</p> <p>(1) will be expended in accordance with the applicable provisions of IDEA-B;</p> <p>(2) will be used only to pay the excess costs of providing special education and related services to children with disabilities, consistent with 34 CFR § 300.202(b) and (3) will be used to supplement State, local, and other Federal funds and not to supplant those funds. (20 U.S.C. 1413(a)(2)(A); 34 CFR § 300.202).</p>
4,020,008.00	<p><b>3a.</b> For the purposes of this assurance, please provide the LEA's MOE projected eligibility for the upcoming fiscal year. Please note to meet the MOE eligibility requirement, the LEA is required to budget at least the amount spent in the last year the LEA met the MOE compliance requirement through either the t per capita method.</p>
2026-2027	<p><b>3b.</b> List the year of the MOE compliance expenditure or per capita amount listed in 3a.</p>
Expenditures	<p><b>3c.</b> Please select whether the LEA's MOE eligibility is based on its total expenditure or per capita amount.</p>
Yes	<p><b>3d - Except as provided in 34 CFR §§ 300.204 and 300.205, funds provided to the LEA under IDEA- reduce the level of expenditures for the education of children with disabilities made by the LEA from local funds below the level of those expenditures for the preceding fiscal year. (20 U.S.C. 1413(a)(2)(A); 34 CFR § 300.203)</b></p>
Yes	<p><b>4.</b> To the extent the LEA uses IDEA-B funds to carry out a school-wide program under section 1114 of the Elementary and Secondary Education Act (ESEA), the LEA will use those funds consistent with 34 CFR § 300.206, and the LEA will meet all other requirements of IDEA-B, including ensuring that children with disabilities in school-wide program schools;</p> <p>(1) receive services in accordance with a properly developed IEP; and</p>

	(2) are afforded all of the rights and services guaranteed to children with disabilities under IDEA 1413(a)(2)(D); 34 CFR § 300.206) (20 U.S.C. 1413(a)(2)(D); 34 CFR § 300.206) (20 U.S.C. 1413(a)(2)(D); 34 CFR § 300.206)	(20 U.S.C.
Yes	5. The LEA will ensure that all personnel necessary to carry out Part B of the Act are appropriately prepared, subject to the requirements of 34 CFR §300.156 (related to personnel qualifications) and section 2122 of the ESEA. 1413(a)(3); 34 CFR § 300.207) (20 U.S.C. 1413(a)(3); 34 CFR § 300.207)	(20 U.S.C.
Yes	6. To the extent the LEA uses IDEA-B funds to carry out any of the permissive uses described in 34 CFR § 300.208, such as funds will be used consistent with 34 CFR § 300.208. (20 U.S.C. § 1413(a)(4); 34 CFR § 300.208).	
Select Yes for 7a and 7b, as applicable. If LEA has no Local Charters or is not a State Charter, select N/A for not applicable for 7a and 7b.		
	7a. In carrying out IDEA-B and the IDEA-B regulations with respect to charter schools that are public schools of the LEA, the LEA will: (i) Serve children with disabilities attending those charter schools in the same manner as the LEA serves children with disabilities in its other schools, including providing supplementary and related services on site at the same extent to which the LEA has a policy or practice of providing such services on the site to its other public schools; and (ii) Provide funds under IDEA-B to those charter schools. (A) On the same basis as the LEA provides funds to the LEA's other public schools, including proportional distribution based on relative enrollment of children with disabilities; and (B) At the same time as the LEA distributes other Federal funds to the LEA's other public schools, consistent with the State's charter school law. The LEA will be responsible for ensuring that IDEA-B requirements are met in each public charter that is a school of the LEA, unless State law assigns that responsibility to another entity. (20 U.S.C. 1413(a)(5); 34 CFR § 300.209)	
<b>OR</b>		

N/A  
**7b.** If a public charter school, chartered by the Public Education Commission (PEC), is an LEA applying for IDEA-B funding under 34 CFR §300.705, the LEA that is a public charter school will be responsible for ensuring that the IDEA-B requirements are met, unless State law has assigned that responsibility to some other entity.  
 (20 U.S.C. 1413(a)(5); 34 CFR § 300.209)

Select **Yes** for either 8a OR 8b. If 8b is selected a memo describing the applicant's plan of action to accomplish this assurance must be uploaded to the application module.

**Yes** **8a.** The LEA has chosen to coordinate with the National Instructional Materials Access Center (NIMAC), when purchasing print instructional materials, and will acquire those instructional materials in the same manner, and subject to the same conditions as the State Educational Agency (SEA) under 34 CFR §300.172 and 6.75.4.9 NMAC.  
 Agency (SEA) under 34 CFR §300.172 and 6.75.4.9 NMAC.  
 (20 U.S.C. 1413(a)(6); 34 CFR § 300.210)

**OR**

**8b.** Nothing in 34 CFR § 300.210 shall be construed to require an LEA to coordinate with the NIMAC. The LEA has chosen not to coordinate with the NIMAC but assures that it will provide instructional materials to blind persons or other persons with disabilities in a timely manner. This option requires a plan of action to upload to the application module.

Select **Yes** for Items 9-12, from each of the drop-down menus below: **Yes** is required for all items.

**Yes** **9.** The LEA will ensure that children with disabilities who need instructional materials in accessible formats but are not included under the definition of blind or other persons with disabilities in 34 CFR §300.172(e)(1)(f) or who need materials that cannot be produced from NIMAC files, receive those instructional materials in a timely manner. (20 U.S.C. 1413(a)(6); 34 CFR § 300.210)

**Yes** **10.** The LEA will provide the PED with information needed to enable the PED to carry out its duties including, with respect to 34 CFR § 300.157 and § 300.160, information relating to the performance of children with disabilities participating in programs carried out under IDEA-B.

Yes **11.** The LEA will make available to parents of children with disabilities and to the general public all documents relating to the eligibility of the agency under IDEA-B. (20 U.S.C. 1413(a)(8); 34 CFR § 300.212)

Yes **12.** The LEA will cooperate in the Secretary of the U.S. Department of Education's efforts under section 1308 of the ESEA to ensure the linkage of records pertaining to migratory children with disabilities for the purpose of electronically exchanging, among the States, health and educational information regarding those children. (20 U.S.C. 1413(a)(9); 34 CFR § 300.213) (20 U.S.C. 1413(a)(9); 34 CFR § 300.213)

**C. Other Assurances**

Select **Yes** for items 13-20, from each of the drop-down menus below:  
Yes is required for all items.

Yes **13.** The LEA assures that any P.L. 81-874 (impact aid) add-on funds which it may receive for the benefit of students with disabilities will be spent in accordance with the federal regulations governing that program.

**14.** Federal Program General Assurances: The LEA has Federal Program General Assurances on file with the PED. The applicant acknowledges that the Federal Program General Assurances are incorporated herein by reference as though fully set forth herein. These assurances include:  
- Assurances - **NON-CONSTRUCTION PROGRAMS** (if applicable)  
- General Education Provisions Act Assurances  
**Yes** If the applicant does not have the assurances mentioned above on file with the PED, the applicant must submit such signed assurances with this application. Civil rights assurances must be filed with the U.S. Department of Education's Office for Civil Rights (ED's OCR), if the applicant has not filed these assurances with ED's OCR, the applicant will file such assurances.

Yes	<p><b>15.</b> The LEA will provide accurate, valid and timely data to the PED deemed necessary by the PED determine if significant discrepancies that may exist between the rates of long-term suspensions and expulsions of children with and without disabilities or any other information that may be required by the PED or the U.S. Depart [20 U.S.C. 1412(a)(22), 1418(a); 34 CFR §§ 300.211; 300.640 through 300.646]</p>
Yes	<p><b>16.</b> The LEA shall use fiscal control and fund accounting procedures that ensure proper disbursement of and accounting for Federal funds. (34 CFR § 76.702)</p>
Yes	<p><b>17.</b> As per 6.31.2.11(A)(3) NMAC, each public agency shall develop and implement appropriate policies and procedures to ensure a smooth and effective transition from Part C to Part B programs for preschool children with disabilities within the agency's educational jurisdiction, in compliance with 34 CFR Sec. 300.124. The Part C lead agency must share the directory information of potentially eligible students with their LEA(s). Each LEA and other public agencies as appropriate shall make reasonable efforts to establish productive working relations with local Part C programs and when given reasonable notice shall participate in the transition planning conferences arranged by local Part C providers. The process of sharing this data must be completed in a Memorandum of Understanding (MOU) or Interagency Agreement between both the LEA and Part C lead agency. (Not applicable to State Supported Schools without preschool.)</p>
N/A	<p><b>18.</b> LEAs may provide Part B funds, through MOUs, with the tribes to assist them in coordinating child find and providing direct services to preschool children with disabilities aged three through five living on reservations. However, the LEA remains responsible for conducting child find and making a free appropriate public education available to those preschool children. LEAs and public agencies serving preschool children with disabilities on reservations must negotiate equitable arrangements through joint powers agreements or memorandums of understanding or interstate agreements for sharing funding and other resources available for the educational services of the preschool children with disabilities. In order to provide seamless services to the preschool children living on reservations, such agreements shall include provisions with regard to resolving disputes between all parties to the agreement. (A copy of the signed agreement must be submitted with your local IDEA-B sub-grant application. Any revisions made to the agreement must be submitted to the OSE.) Please upload MOUs with tribal entities to application module.</p>
List all tribes in the LEAs jurisdiction: (If applicable)	Date of MOU with listed tribe:

Yes	
Yes	<p><b>19.</b> The LEA provides equitable access and participation in all IDEA program benefits and activities, regardless of gender, race, national origin, color, disability, and age. (20 USC 1228a)</p>
Yes	<p><b>20.</b> The LEA provides assurance that there is a process and procedure in place to obtain one time Medicaid and private insurance and that there is a yearly review so that notice is given annually to parents that have given the one time consent. (20 USC 1412(a)(12); 34 CFR § 300.154(d)(2)(iv) and (v); 6.31.2.9(B)7</p>
Yes	<p><b>21.</b> In accordance with section 70914 of the <a href="#">Build America, Buy America Act (Pub. L. No. 117-58)</a> and its implementing regulations in 2 CFR 184, the LEA provides assurance that it will not use IDEA B grant funds for infrastructure projects or activities (e.g., construction, remodeling infrastructure) unless they comply with the following Buy America Sourcing requirements:</p> <ol style="list-style-type: none"> <li>1. All iron and steel used in the infrastructure project or activity are produced in the United States;</li> <li>2. All manufactured products used in the infrastructure project or activity are produced in the United States; and</li> <li>3. All construction materials are manufactured in the United States.</li> </ol>
Yes	<p><b>22.</b> In accordance with Section 427 of the General Education Provisions Act (GEP) the LEA ensures that:</p> <ol style="list-style-type: none"> <li>1. equitable access to, and equitable participation in, the proposed IDEA, part B in this application will be provided to students, teachers, and other program</li> <li>2. it will take appropriate steps to overcome barriers to equitable participation including barriers based on gender, race, color, national origin, disability, and</li> </ol>

**D. Certifications**

The applicant must provide certification for Items 1 AND 2 below. Select **Yes** from each of the drop-down menus

Yes	<p>1. The applicant certifies that no Federal appropriated funds have been 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement. The applicant shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR Part 82, Appendix B).</p>
Yes	<p>2. As required by Executive Order 12549, Department and Suspension, and implemented at 34 C prospective participants in all lower tier transactions meeting the threshold and tier requirements stated at 34 CFR Part 85, Section 85.110</p> <p>A. The applicant certifies that it and its principals:</p> <p>(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;</p> <p>(b) have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempt 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;</p> <p>(c) are not presently indicted for or otherwise criminally or civilly charged by a governmental ent local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification;</p> <p>(d) have not within a three-year period preceding this application had one or more public transations (Federal, State, or local) terminated for cause or default; and</p> <p>B. Where the applicant is unable to certify to any of the statements in this certification, he or she sahl attach an explanation to this application.</p>

The LEA provides assurance that the individuals listed below are not suspended or debarred from over operating a Federal grant and are not listed on the Federal Suspension/Debarment List:

School Board President	Laci L. Phillips Newland
Superintendent	Lauren Lawws
Special Education Director	Robi Hess
Business Manager	Evelyn Garcia

Requirement:

2

Pursuant

to Title IX, Section 9203. Preventing Improper Use of Taxpayer Funds – Every Student Success Act - to address the misuse of taxpayer funds, the Secretary of Education shall (1) require that each recipient of a grant or sub grant under the the Elementary and Secondary Education Act of 1965 display, in a public place, the hotline contact in Office of Inspector General of the Department of Education so that any individual who observes, detects, or suspects improper use of taxpayer funds can easily report such improper use; (2) annually notify employees of the Department of Education of their responsibility to report fraud; and (3) require any applicant for a grant under such assurance to the Secretary and the entity awarding the sub grant that any information submitted when applying for such grant and responding to monitoring and compliance reviews is truthful and accurate.

The

U.S. Department of Education Office of Inspector General (OIG) conducts audits, investigations, a educational programs and operations, and has criminal investigators nationwide who conduct investigations of fraudulent schemes targeting the Department's funds and/or programs. OIG is responsible for protecting the integrity of Federal education programs administered by the Department, ensuring vital funds are used for allowable and in accordance with all applicable requirements. Title IX, Section 9203 of Every Student Succeeds Act requires the Department's OIG hotline contact information be publicly posted so that any individual who observes, detects, or suspects improper use of taxpayer funds can easily report such improper use.

**Sample Assurance Language:**

The LEA assures compliance with requirements for Title IX, Section 9203 of Every Student Succeeds Act to:

- a. display in a public place the hotline contact information of the Department's OIG so that any individual who observes, detects, or suspects improper use of funds can easily report such improper use.
- b. Annually notify employees of their responsibility to report fraud.

**Sample Language and Links:**

The U.S. Department of Education Office of Inspector General (OIG) conducts audits, investigations, a educational programs and operations, and has criminal nationwide who conduct investigations of fraudulent schemes targeting the Department's funds and/or programs. OIG is responsible for protecting the integr education programs administered by the Department, ensuring vital funds are used for allowable and in intended purposes and in accordance with all applica requirements. Title IX, Section 9203 of Every Student Succeeds Act requires the Department's OIG hotline contact information be publicly posted so that any i who observes, detects, or suspects improper use of taxpayer funds can easily report such improper use.

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