

**CARL D. PERKINS
STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY
ACT OF 2018
STATEMENT OF ASSURANCES (Local Plan)**

Assurances form a binding agreement between the eligible recipient fiscal agent, the Arkansas Department of Education, and the U.S. Department of Education that assures all legal requirements are met in accordance with state and federal laws, regulations, and rules.

These assurances apply to program activities and expenditures of funds. Compliance to general and specific program assurances is the legal responsibility of the eligible recipient under the authorization of the local board of education.

Programs, services, and activities included under this application shall be operated in accordance with the Carl D. Perkins Career and Technical Education Act of 2018, Strengthening CTE for the 21st Century Act.

THE APPLICANT CERTIFIES COMPLIANCE WITH:

- Title VI and VII of the Civil Rights Act of 1964;
- Title IX of the Education Amendments of 1972;
- Section 503 and 504 of the Rehabilitation Act of 1973;
- Executive Order 11246 prohibiting employment discrimination based on race, color, sex, religion, and national origin;
- The Age Discrimination Act of 1975 and the Age Discrimination in Employment Act of 1967;
- The Equal Pay Act of 1963;
- The Americans with Disabilities Act of 1990;
- ORS 326.051 and ORS 659.105, education standards and all rules issued by the State Board of Education pursuant to these laws; and,
- All health and safety laws and regulations issued by the U.S. Department of Education pursuant to their laws, when classroom facilities will be used by students and/or faculty.

THE APPLICANT AGREES AND ASSURES THAT:

1. The applicant will comply with the requirements of the Act and the provisions of the State Plan, including the provision of a financial audit of funds received under the Act which may be included as part of an audit of other Federal or State programs. [section122(13)(A)]
2. Funds made available under this Act for career and technical education shall supplement, and shall not supplant, non-Federal funds expended to carry out career and technical education activities. [section 211(a)]
3. None of the funds expended under this Act will be used 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. [section122(13)(B)]
4. The eligible agency will use the funds to promote preparation for high-skill, high-wage, or in-demand industry sectors or occupations and non-traditional fields, as identified by the eligible agency. [section122(13)(C)]
5. Any eligible recipient desiring financial assistance under this part shall, in accordance with

requirements established by the eligible agency (in consultation with such other educational training entities as the eligible agency determined to be appropriate) submit a local application to the eligible agency. Such local application shall cover the same period of time as the period of time applicable to the State plan submitted under section 122 [section134(a)].

6. Guidance for creating the Comprehensive Local Needs Assessment can be found on the Arkansas Division of Career and Technical Education's website:
<https://dcte.ade.arkansas.gov/Page/PerkinsV>

PROGRAM ASSURANCES

1. Each eligible recipient that receives funds under the Carl D. Perkins Career and Technical Education Act of 2018, Strengthening CTE for the 21st Century Act shall use such funds to develop, coordinate, implement, or improve career and technical education programs to meet the needs identified in the comprehensive local needs assessment described in section 134(c) [section 135(a)]. *Arkansas guidelines are found here:*
<https://dcte.ade.arkansas.gov/Page/PerkinsV>
2. Funds are used according to the requirements identified in Section 135 (Local Use of Funds) of the Carl D. Perkins Career and Technical Education Act of 2018, Strengthening CTE for the 21st Century Act.
3. Except as provided in section 131(c)(2), a local educational agency shall not receive an allocation under subsection 133(a) unless the amount allocated to such agency...is greater than \$15,000. A local educational agency may enter into a consortium with other local educational agencies for purposes of meeting the minimum allocation requirement of this paragraph [section 131(c)(1)].
4. The eligible agency (State of Arkansas) shall waive the application of section 131(c)(1) in any case in which the local educational agency is located in a rural, sparsely populated area; or is a public charter school operating secondary school career and technical education programs; and demonstrates that the local educational agency is unable to enter into a consortium for purposes of providing activities under this part [section 131(c)(2)].
5. No funds made available under the Carl D. Perkins Career and Technical Education Act of 2018, Strengthening CTE for the 21st Century Act shall be used: to require any secondary school student to choose or pursue a specific career pathway or program of study; or to mandate that any individual participate in a career and technical education program, including a career and technical education program that requires the attainment of a federally funded skill level, standard, or certificate of mastery [section 214]. [20 U.S.C. 2394].
6. No funds received under the Carl D. Perkins Career and Technical Education Act of 2018, Strengthening CTE for the 21st Century Act may be used to provide career and technical education programs or programs of study to students prior to the middle grades (as such term is defined in section 8101 of the Elementary and Secondary Education Act of 1965), except that equipment and facilities purchased with funds under this Act may be used by such students [Section 215] [20 U.S.C. 2395].
7. Nothing in this Act shall be construed to be inconsistent with applicable Federal law prohibiting discrimination on the basis of race, color, sex, national origin, age, or disability in the provision of Federal programs or services. [Section 216] [20 U.S.C. 2396]

This statement of assurance has been reviewed and approved by the following school district and their Board.

School District Name: Fort Smith Public Schools

Superintendent Name: Dr. Terry Morawski

Superintendent Signature: _____

School Board Approval Date: 8/23/2021

CTE Coordinator Name: Dr. Gary Udouj

CTE Coordinator Signature: _____