**Section 254.2235 Assurance Form**

All proposals submitted shall include the following assurances provided on a form supplied by the State Board of Education:

a) The applicant has the necessary legal authority to apply for and to receive the proposed contract. (Attach a copy of the substantiating document.)

b) The activities and services for which assistance is sought under this program will be administered by or under the supervision of the applicant.

c) In planning the program proposed in the application, there has been and, in establishing and carrying out the program, there will be participation of persons broadly representative of the cultural and educational resources of the area to be served, including persons representative of the interests of potential beneficiaries.

d) No funds received under this contract shall be used to supplant funds normally budgeted for the planning of services of the same type.

e) The applicant will obey all laws in prohibiting discrimination on the basis of race, color, national origin, sex, age or handicap, and all other laws applicable to its program, including but not limited to, the Carl D. Perkins Vocational Education Act (20 U.S.C. 2301 et seq.), "An Act in relation to vocational education" (Ill. Rev. Stat. 1987, ch. 122, par. 694 et . seq.), The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 1-1 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Illinois Human Rights Act (Ill. Rev. Stat. 1987, ch. 68, par. 1-101 et seq.), the Education of the Handicapped Act (20 U.S.C. 1401 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), and Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.).

f) The filing of the application has been authorized by the governing body of the applicant, and the governing body's representative has been duly authorized to file the application for and in behalf of said applicant, and otherwise to act as the authorized representative of the applicant in connection with the application.

g) The applicant will submit all required reports and will comply with all graphic and design standards established by the State Board of Education for project publications.

h) The applicant understands and agrees to the following conditions of the proposed contract:

1) The Illinois State Board of Education assumes rights to all materials and/or products developed in the project.

2) Payment of all services and expenses will be made on a reimbursement-of-cost basis. Dates of payment will be negotiated to insure that the State Board of Education reimburses only for completed performance. Further, the applicant understands that the actual payment of contractual expenditures may require 6-12 weeks after an application for reimbursement is submitted to the State Board of Education.

3) The State Board of Education reserves the right to approve all program, budget and staff changes. Changes will be approved if the proposed distribution of resources or activities would have been approvable within the original application.

4) Either party may prematurely terminate the contract should funds not become available or unsatisfactory progress be documented toward meeting the intended outcomes of the contract (e.g., information from program reports, site visits, or audit reports indicates failure to perform the work as agreed and failure to take timely remedial action as called for in writing by the State Board of Education).

(Source: Added at 13 Ill. Reg. 8459, effective May 22, 1989)