

Form B: SES Provider Assurances

Item No.	As the superintendent, LEA/owner and/or majority shareholder of the applicant entity, I certify compliance with each of the following assurances:
1	<p>Provider agrees to comply with all applicable federal, state, and local health, safety, and civil rights laws, including mandatory child abuse reporting in accordance with <i>Penal Code</i> sections 11164 through 11174.3.</p> <p style="text-align: right;">ESEA, as amended, Title I, Part A, Section 1116 (e)(5)(c); 5 CCR Section 13075.2 (b)(28)</p>
2	<p>Provider certifies that all instruction:</p> <ul style="list-style-type: none"> • shall be provided outside of the regular school day; and • will be secular, neutral, and non-ideological. <p style="text-align: right;">5 CCR Section 13075.2</p>
3	<p>Provider agrees that the staffing, fiscal, equipment, and facility resources of the organization will be in compliance with all applicable federal, state, and local statutes and regulations.</p> <p style="text-align: right;">5 CCR Section 13075.2</p>
4	<p>If instruction will occur at a facility other than a student's school or residence, the provider certifies that its facility(ies) meets all applicable federal, state, and local health and safety laws.</p> <p style="text-align: right;">5 CCR Section 13075.2</p>
5	<p>Provider agrees to comply with all applicable federal, state, and LEA-adopted conflict-of-interest policies.</p> <p style="text-align: right;"><i>California Government Code 19990</i></p>
6	<p>Provider agrees to comply with all state and federal privacy laws, including 20 <i>United States Code</i> Section 1232g (FERPA), <i>Education Code</i> (EC) sections 49073 through 49079 inclusive, and EC Section 60641(a)(3)(A).</p> <p style="text-align: right;">5 CCR Section 13075.2</p>
7	<p>Provider agrees to complete and submit the annual SES Accountability Report to the CDE by August 1 each year.</p> <p style="text-align: right;">5 CCR Section 13075.2</p>
8	<p>Provider agrees to provide to each LEA with which it contracts written proof of current liability insurance coverage and other necessary insurance in the type and amount required by the LEA.</p> <p style="text-align: right;">5 CCR Section 13075.2</p>
9	<p>Provider agrees it will not disclose to the public the identity of any student eligible for or receiving SES without the written permission of the parents/guardians of the student.</p> <p style="text-align: right;">ESEA, as amended, Title I, Part A, Section 1116 (e)(2)(D)</p>
10	<p>Provider certifies that it has not been terminated by the SBE as an approved SES provider at any time within the immediately preceding two fiscal years in which it is submitting an online application.</p> <p style="text-align: right;">5 CCR Section 13075.2</p>

11	<p>Provider assures that it will not transfer its approval status or sell its approval status to another entity.</p> <p style="text-align: right;">5 CCR Section 13075.2</p>
12	<p>Provider agrees to provide the LEA with specific procedures that will be used to:</p> <ul style="list-style-type: none"> a. Ensure a student’s safety prior to, during, and following each tutoring session, including drop off and pick up policies. b. Notify students and parents/guardians when sessions have been cancelled or rescheduled. <p style="text-align: right;">5 CCR Section 13075.2</p>
13	<p>Provider agrees that it shall only use subcontractors for whom it provides the information required by 5 CCR Section 13075.2 and that it shall limit the work of each subcontractor to the subcontractor services described in the narrative response portion of this online application.</p> <p style="text-align: right;">5 CCR sections 13075.2 and 13075.3</p>
14	<p>Provider certifies that it has not been debarred, suspended from or deemed ineligible for any federally-funded contracts in California or in any other state, as specified in 34 C.F.R. Section 85, at any time within the immediately preceding two fiscal years in which it is submitting an online application.</p> <p style="text-align: right;">5 CCR Section 13075.2</p>
15	<p>Provider agrees to comply with all applicable laws in obtaining personally identifiable information from a student’s educational record.</p> <p style="text-align: right;">5 CCR Section 13075.2</p>
16	<p>Provider agrees that all personally identifiable student level data shall not be disclosed to any other party without prior consent of the parent/guardian.</p> <p style="text-align: right;">5 CCR Section 13075.2</p>
17	<p>Provider certifies that (check the one that applies):</p> <ul style="list-style-type: none"> a. ___ It has not been terminated as an approved provider of SES from any other state’s list at any time within the immediately preceding two fiscal years in which it is submitting an online application. <p style="text-align: center;">or</p> <ul style="list-style-type: none"> b. ___ It has been terminated as an approved provider of SES from another state’s list in the preceding two fiscal years, and is submitting evidence of the reasons for termination and the completed Provider Status Verification (Form F) as part of the supporting documentation for this online application. The evidence is submitted for the purpose of determining whether such termination would have resulted in termination in the State of California. <p style="text-align: right;">5 CCR Section 13075.2</p>
18	<p>Provider has read and agrees to comply with the requirements described in the following documents:</p> <ul style="list-style-type: none"> • Drug-Free Workplace Form, CDE-100DF • Lobbying form, ED 80-0013 • Debarment and Suspension form, ED 80-0014

	<ul style="list-style-type: none"> General Education Provisions Act, OMB Control No. 1890-0005 5 CCR Section 13075.3
19	<p>Provider will ensure that incentives provided to students shall be limited to those educational materials and tools that support the delivery of the SES and the incentives shall not exceed a monetary value of \$50 per student per fiscal year. 5 CCR Section 13075.9</p>
20	<p>Provider agrees to hire only tutors, including online tutors, who, at a minimum have completed at least two years of study at an institution of higher education; obtained an associate's or higher degree; or possess at least one year of education-related experience in ELA, math, and/or science prior to being hired. 5 CCR Section 13075.8</p>
21	<p>Provider will designate a program monitor/supervisor who resides in California in order to supervise the work of the teachers and tutors and to provide access to on-going staff development for teachers and tutors. 5 CCR Section 13075.8</p>
<p>As the superintendent, owner and/or majority shareholder of this applicant entity, I certify that I have read and will comply with each of the SES Provider Assurances listed above.</p>	
<p>Hand-written Signature of Superintendent/Owner(s)/Majority Shareholder(s) of the Applicant Entity</p>	
<p>Name and Title of Applicant listed above</p>	<p>Dr. Nellie Meyer, Superintendent, Mt. Diablo Unified</p>
<p>Name of Entity Applying to Become an Approved SES Provider</p>	<p>Mt. Diablo Unified School District ASPIRE Program</p>
<p>Date of Signature</p>	