

## Appendix J

### Debarment and Suspension Certification

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#### CERTIFICATION

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*I, the official named below, hereby swear that I am duly authorized legally to bind the grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.*

GRANTEE/BIDDER ORGANIZATION NAME	FEDERAL ID NUMBER
BY ( <i>Authorized Signature</i> )	DATE EXECUTED
PRINTED NAME AND TITLE OF PERSON SIGNING	TELEPHONE NUMBER (Include Area Code)

GRANTEE/APPLICANT ORGANIZATION'S MAILING ADDRESS

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The grant recipient named above hereby certifies that to the best of his/her knowledge and belief that he/she and their principals or affiliates or any sub-contractor utilized under the Refugee School Impact Grant, are not debarred or suspended from federal financial assistance programs and activities nor proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any federal department or agency. The applicant also certifies that it or any of its sub-contractors are not listed on the Excluded Parties Listing System (<http://www.epls.gov>) (Executive Order 12549, 7 CFR Part 3017, and 44 CFR Part 17).

## Appendix K

### DRUG-FREE WORKPLACE CERTIFICATION

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#### CERTIFICATION

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*I, the official named below, hereby swear that I am duly authorized legally to bind the grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.*

GRANTEE/BIDDER ORGANIZATION NAME	FEDERAL ID NUMBER
BY (Authorized Signature)	DATE EXECUTED
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GRANTEE/APPLICANT ORGANIZATION'S MAILING ADDRESS

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The grant recipient named above hereby certifies compliance with California Government Code Section 8355 and the federal Drug-Free Workplace Act of 1988 (41 U.S.C. 701 *et seq.*, as amended), as defined at 45 CFR Subtitle A, Part 84, Section 82.100, in matters relating to providing a drug-free workplace. The above named grant recipient will:

1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all of the following:
  - (a) The dangers of drug abuse in the workplace,
  - (b) The Grantee's policy of maintaining a drug-free workplace,
  - (c) Any available counseling, rehabilitation and employee assistance programs.
  - (d) Penalties that may be imposed upon employees for drug abuse violations.

## Appendix K

3. Provide as required by Government Code Section 8355(c), that every employee who works on the proposed grant:
  - (a) Will receive a copy of the company's drug-free workplace policy statement.
  - (b) Will agree to abide by the terms of the company's statement as a condition of employment on the grant.
  - (c) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
4. Notify the agency in writing within 10 calendar days after receiving notice under paragraph (3) (c) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee. Notice shall include the identification number(s) of each affected grant.
5. Take one of the following actions, within 30 calendar days of receiving notice under paragraph (3) (c) with respect to any employee who is so convicted:
  - (a) Take appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (b) Require such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

**Appendix L**

**NONDISCRIMINATION CLAUSE**

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**CERTIFICATION**

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*I, the official named below, hereby swear that I am duly authorized legally to bind the grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.*

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OFFICIAL'S NAME

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DATE EXECUTED

EXECUTED IN THE COUNTY OF

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PROSPECTIVE GRANTEE'S SIGNATURE

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PROSPECTIVE GRANTEE'S TITLE

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PROSPECTIVE GRANTEE'S LEGAL NAME

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1. During the performance of this grant, Grantee and its subcontractors shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave. Grantees and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Grantee and subcontractors shall comply with the provision of the Fair Employment and Housing Act (Government Code Section 12900 et seq.) and the applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this contract by reference and made a part hereof as if set forth in full. Grantee and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.
2. This Grantee shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the grant.

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ORGANIZATION NAME

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## **Appendix L**

The organization named above (hereinafter referred to as "prospective Grantee") hereby certifies, unless specifically exempted, compliance with Government Code Section 12990 (a-f) and California Code of Regulations, Title 2, Division 4, Chapter 5 in matters relating to reporting requirements and the development, implementation and maintenance of a Nondiscrimination Program. Prospective Grantee agrees not to unlawfully discriminate, harass or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave.

## Appendix M

### PRIVACY, SECURITY, AND CONFIDENTIALITY

If, in the course of carrying out this work, the Grantee gathers or processes personal (private) information, Grantee must provide written assurance that the data will be managed in accordance with all applicable federal and California state privacy laws including, but not limited to: Family Educational Rights and Privacy Act of 1984 (20 U.S.C. Sec. 1232g), and Children's Online Privacy Protection Act (COPPA), and California Education Code sections 49069 to 49079. Examples of personal information include, but are not limited to: name, telephone, e-mail account, address, date of birth, immigration status, and social security number.

There are civil and criminal actions that may be invoked for unauthorized disclosure of information from confidential records. (California Penal Code section 11140-11144, 13301-13303, Civil Code section 1798, Chapter 709, Statute of 1997 define civil and criminal actions for unauthorized disclosure of information from confidential records.) Grantee shall instruct all employees with access to confidential and sensitive information regarding: (1) the confidential nature of the information, and (2) the sanctions against unauthorized access, use, or disclosure found in the California Civil Code section 1798.55, and the Penal Code section 502.

In addition, the Grantee will be expected to demonstrate that it has taken specific steps to ensure the data are kept secure and confidential as evidenced by, at a minimum, the following:

- Each and every employee, subcontractor or other person who has access to personal information is required to sign a statement that they understand that the information is personal and they will take steps to ensure that unauthorized personnel do not gain access to personal data.
- Personal data, while being transmitted electronically, must be encrypted.
- Any repository for the data will be locked and have access restricted to those personnel that have a legitimate need to access the data and have signed a confidentiality agreement.

Any security breach must be reported to the California Department of Social Services (CDSS) immediately within 24 hours of initial detection of any unauthorized access, use, and disclosure of information. Notification shall be reported by telephone or email to:

Information Security Officer  
916-654-0910  
[iso@dss.ca.gov](mailto:iso@dss.ca.gov)

CDSS considers mailing information (including e-mail address) to be personal (private). As such, if the Grantee asks a person for his or her mailing information, the Grantee must make it clear to the person providing the information whether the information will be shared with any organization other than CDSS and the Grantee. In addition, the Grantee will provide the person providing the mailing information an "opt-out" (i.e. the person can elect to not have his or her mailing information shared with organizations outside of CDSS and the Grantee).

## Appendix N

### CERTIFICATION REGARDING LOBBYING

#### Certification for Contracts, Grants, Loans, and Cooperative Agreements

Applicable to Grants, Subgrants, Cooperative Agreements, and Contracts exceeding \$100,000 in federal funds.

- (1) For agreements with Contractors who are state entities not under the authority of the Governor, or cities, private firms or agencies which are receiving in excess of \$100,000 in federal funds from CDSS to perform services. By signing this Agreement the Contractor certifies that to the best of his or her knowledge and belief that:
  - a. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, 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 a federal contract, cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a federal contract, grant, loan, or cooperative agreement.
  - b. If any funds other than federal appropriated funds have been paid 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 their federal grant or agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
  - c. The Contractor shall require that the language of this certification be included in the award documents for all covered subawards exceeding \$100,000 in federal funds at all appropriate tiers and that all subrecipients shall certify and disclose accordingly.
- (2) This certification is a prerequisite for making or entering into this transaction and is imposed by Section 1352, Title 31, U.S. Code. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Any person who fails to file the required certification shall be subject to a civil penalty of no less than \$10,000 and not more than \$100,000 for each such failure.

GRANTEE/BIDDER ORGANIZATION NAME	FEDERAL ID NUMBER
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PRINTED NAME AND TITLE OF PERSON SIGNING	TELEPHONE NUMBER (Include Area Code)
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