

The Texas Education Agency (TEA) may enter into an agreement with a federal agency concerning a project related to education, including provision of school lunches and construction of school buildings. TEA, or another state agency designated by the governor, shall coordinate a district's actions relating to participation in a federal financial assistance program. *Education Code 7.021(b), (c); Gov't Code 742.003*

**Retirement and
Insurance
Contributions**

If a district applies to obtain money provided by the United States government or its agencies and if any of the money will pay part or all of any employee's salary, the district must also apply for any legally available funds to pay state contributions to the retirement system as set out in Government Code 825.404, and to pay state contributions to the group insurance program for retired school employees as set out in Insurance Code Chapter 1575.

When a district receives funds to pay for state contributions for retirement and insurance pursuant to this application, it shall immediately send such funds to the retirement system for deposit in the state contribution account. A district shall report monthly to the system, in a form it prescribes, the names of each employee paid in whole or in part from a grant, the source of the grant, the amount of the employee's salary paid from the grant, the amount of money provided for state contributions for the employee by the grant, and such other information as the retirement system deems necessary.

A district shall comply with applicable rules governing examination of its records by the Teacher Retirement System.

Gov't Code 825.406; Insurance Code 1575

Block Grant Funds

If a district receives more than \$5,000 in block grant funds to be used as the district determines is appropriate, it shall provide evidence to TEA that a public meeting or hearing was held in a timely manner solely to seek public comment on the needs or uses of block grant funds. This meeting or hearing may be held in conjunction with another board meeting or hearing if the meeting or hearing to consider block grant funds is clearly noted on the public announcement for the other meeting or hearing. *Gov't Code 2105.058*

**Education
Department General
Administrative
Regulations
(EDGAR)**

The Education Department General Administrative Regulations (EDGAR) are federal regulations for administering discretionary and formula grants awarded by the U.S. Department of Education (DOE).

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Uniform Guidance The Uniform Guidance (2 C.F.R. Part 200) establishes uniform administrative requirements, cost principles, and audit requirements for federal awards to non-federal entities. It is intended to streamline and consolidate government requirements for receiving and using federal awards so as to reduce administrative burden and improve outcomes.

The Uniform Guidance is effective for new and continuation awards issued on or after December 26, 2014. The regulations do not affect grant funds awarded prior to December 26, 2014, unless funds made available under those grants are carried forward into a new federal fiscal year or a continuation grant. *2 C.F.R. 200.100*

General Compliance A district is responsible for complying with all requirements of the federal award. *2 C.F.R. 200.300(b)*

Conflict of Interest A district must disclose in writing any potential conflict of interest to the DOE or TEA in accordance with applicable DOE policy. *2 C.F.R. 200.112*

Mandatory Disclosures A district must disclose, in a timely manner, in writing to the DOE or TEA all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Failure to make required disclosures can result in any of the remedies described in 2 C.F.R. 200.338 (Remedies for noncompliance), including suspension or debarment. *2 C.F.R. 200.113*

General Procurement Standards The district must use its own documented procurement procedures which reflect applicable state, local, and tribal laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in the Uniform Guidance.

The district must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

The district must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of these parties, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the district must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

However, districts may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the district.

2 C.F.R. 200.318

*Suspension and
Debarment*

Districts and contractors are subject to non-procurement debarment and suspension regulations at 2 C.F.R. Part 180. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. *2 C.F.R. 200.205(d), .212*

*Financial
Management and
Internal Controls*

The district's financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions. The district must establish and maintain effective internal control over the federal award that provides reasonable assurance that the district is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. *2 C.F.R. 200.302, .303*

*Remedies for
Noncompliance*

If a district fails to comply with federal statutes, regulations, or the terms and conditions of a federal award, the DOE or TEA may impose additional conditions, as described in 2 C.F.R. 200.207 (Specific conditions). If the DOE or TEA determines that noncompliance cannot be remedied by imposing additional conditions, the DOE or TEA may take one or more of the following actions, as appropriate in the circumstances:

1. Temporarily withhold cash payments pending correction of the deficiency by the district or more severe enforcement action by the DOE or TEA.
2. Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
3. Wholly or partly suspend or terminate the federal award.
4. Initiate suspension or debarment proceedings as authorized under 2 C.F.R. Part 180 and DOE regulations (or in the case of TEA, recommend such a proceeding be initiated by the DOE).
5. Withhold further federal awards for the project or program.

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6. Take other remedies that may be legally available.

2 C.F.R. 200.338

Direct Grant
Programs

The regulations in 34 C.F.R. Part 75 apply to each direct grant program of the DOE. *34 C.F.R. 75.1*

State-Administered
Programs

The regulations in 34 CFR Part 76 apply to each state-administered program of the DOE. *34 C.F.R. 76.1*

General Education
Provision Act
(GEPA)

The regulations in 34 C.F.R. Part 81 govern the enforcement of legal requirements under applicable programs administered by the DOE and implement Part E of the General Education Provisions Act (GEPA). *34 C.F.R. 81.1*