

10A NCAC 97B .0203 CERTIFICATION AND COMPLIANCE

All applicants shall certify to the Office that they will comply with all applicable federal and state laws, regulations, rules, and Executive Orders. The following certifications, where applicable, shall be included in all applications:

- (1) The applicant must certify to carry out its programs in compliance with the following federal laws and Executive Orders:
 - (a) The Age Discrimination Act of 1975, as amended (42 U.S.C. Section 6101 et. seq.).
 - (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794).
 - (c) The Davis Bacon Act (46 U.S.C. Section 276a).
 - (d) The National Environmental Policy Act of 1969 (42 U.S.C. Section 4321 et. seq.).
 - (e) The Hatch Act (P.L. 76-252).
 - (f) The Civil Rights Act of 1964 (P.L. 88-352).
 - (g) The Civil Rights Act of 1968 (P.L. 90-284).
 - (h) The Federal Fair Labor Standards Act (29 U.S.C. Section 201 et. seq.).
 - (i) Title XX of the Education Amendments of 1972.
 - (j) Other applicable federal laws, Executive Orders and Regulations.
- (2) In addition the applicant must certify that:
 - (a) it has the legal authority to apply for the grant and execute the proposed program;
 - (b) its governing body has passed an official resolution authorizing the filing of the application;
 - (c) it has carried out the citizen participation requirements associated with the filing of an application, as defined in Rule .0402 of this Subchapter;
 - (d) the program applied for has been developed so as to give maximum feasible priority to activities which will benefit low-income persons;
 - (e) it will establish safeguards to prohibit employees from using their position for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties;
 - (f) it will give the Office, the Department and other applicable state and federal agencies access to all records or documents related to the grant; and
 - (g) it will carry out its projects in compliance with all rules found in this Subchapter.

History Note: Authority G.S. 143B-10; 143B-276; 143B-277; 143-323(d); Eff. December 1, 1983; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015.