



**North Dakota Department of Public Instruction
Kirsten Baesler, State Superintendent
600 East Boulevard Avenue, Bismarck, ND 58505-0440**

**Certification and Agreement
for Funding under the
Education Stabilization Fund Program
Elementary and Secondary School Emergency Relief
(ESSER) Fund**

CFDA Number: 84.425D

April 30, 2020

Program Background Information

Purpose

Under the Elementary and Secondary School Emergency Relief (ESSER) Fund, the North Dakota Department of Public Instruction (NDDPI) will award grants for the purpose of providing local educational agencies (LEAs), with emergency relief funds to address the impact that Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on our elementary and secondary schools across the state. LEAs must provide equitable services to students and teachers in non-public schools as required under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

Eligibility

SEAs are required to use the Title I funding formula to distribute these funds, therefore, only districts that received a Title I allocation for the 2019-2020 school year are eligible to receive ESSER Funds. Districts ineligible for Title I funding would not receive a grant. NDDPI is researching other sources of funding to assist the relatively small number of districts ineligible for the ESSER grant.

Timeline

This emergency funding is a relief package that is meant to provide immediate relief to school districts. LEAs will have from March 13, 2020 to September 30, 2022 to spend the funds.

Use of Funds

LEAs may use funds for any purposes listed in section 18003(d) of the CARES Act. (See Appendix B.)

Program Contact

For additional information, please email [Laurie Matzke](#) or contact her at (701) 328-2284.

Certification and Agreement Instructions

To receive an ESSER Fund allocation, LEAs must submit to the NDDPI the following information:

- A completed cover sheet that includes the signature of the district authorized representative. *(Part A of the Certification and Agreement)*
- Programmatic, fiscal, and reporting assurances. *(Part B of the Certification and Agreement)*
- Information on the use of ESSER funds. *(Part C of the Certification and Agreement)*
- Other assurances and certifications. *(Part D of the Certification and Agreement)*

For purposes of this document, the term “Certification and Agreement” is the application that a LEA is required to file under the CARES Act.

Certification and Agreement Submission Information

Please submit your Certification and Agreement to the NDDPI by [emailing](#) an electronic version of the ESSER Fund Certification and Agreement in Portable Document Format (PDF).

Appendices

Appendix A – Allocation Table

Appendix B – Use of Funds

**Elementary and Secondary School Emergency Relief
(ESSER) Fund
Local Educational Agency**

Part A: Certification and Agreement Cover Sheet

LEA:

CFDA Number: 84.425D

LEA Authorized Representative:

DUNS Number:

Telephone:

Mailing Address:

Email address:

To the best of my knowledge and belief, all the information and data in this agreement are true and correct. I acknowledge and agree that the failure to comply with all Assurances and Certifications in this Agreement, all relevant provisions and requirements of the CARES Act, Pub. L. No. 116-136 (March 27, 2020), or any other applicable law or regulation may result in liability under the False Claims Act, 31 U.S.C. § 3729, *et seq.*; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and 18 USC § 1001, as appropriate.

Signature of LEA Authorized Representative

Date

Part B: Programmatic, Fiscal, and Reporting Assurances

The school district authorized representative assures the following:

1. The LEA will use ESSER funds for activities allowable under section 18003(d) of Division B of the CARES Act. (See Appendix A.) The Department generally does not consider the following to be an allowable use of ESSER funds, under any part of 18003: 1) subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the SEA or LEAs or 2) expenditures related to state or local teacher or faculty unions or associations.
2. LEAs receiving ESSER funds will provide equitable services to students and teachers in non-public schools as required under 18005 of Division B of the CARES Act.
3. LEAs receiving ESSER funds will provide equitable services to students and teachers in non-public schools located within the LEA in the same manner as provided under section 1117 of the ESEA, as determined through timely and meaningful consultation with representatives of non-public schools.
 - a. The LEA will ensure that a public agency will maintain control of funds for the services and assistance provided to a non-public school under the ESSER Fund.
 - b. The LEA will ensure that a public agency will have title to materials, equipment, and property purchased with ESSER funds.
 - c. The LEA will ensure that services to a non-public school with ESSER funds will be provided by a public agency directly, or through contract with, another public or private entity.
4. The LEA will comply with the maintenance of effort provision in Section 18008(a) of Division B of the CARES Act.
5. The LEA and any other entity that receives ESSER funds will, to the greatest extent practicable, continue to compensate its employees and contractors during the period of any disruptions or closures related to COVID-19 in compliance with Section 18006 of Division B of the CARES Act. In addition, each entity that accepts funds will continue to pay employees and contractors to the greatest extent practicable based on the unique financial circumstances of the entity. ESSER funds generally will not be used for bonuses, merit pay, or similar expenditures, unless related to disruptions or closures resulting from COVID-19.
6. The LEA will comply with all reporting requirements, including those in Section 15011(b)(2) of Division B of the CARES Act, and submit required quarterly reports to the NDDPI at such time and in such manner and containing such information as the Secretary may subsequently require. (See also 2 CFR 200.327-200.329). Additional reporting may be required in the future, which may include: the methodology LEAs will use to provide services or assistance to students and staff in both public and non-public schools, the uses of funds by the LEAs or other entities and demonstration of their

compliance with Section 18003(d), such as any use of funds addressing the digital divide, including securing access to home-based connectivity and remote-use devices, related issues in supporting remote learning for all students, including disadvantaged populations.

7. Every recipient and subrecipient of ESSER funds will cooperate with any examination of records with respect to such funds by making records available for inspection, production, and examination, and authorized individuals available for interview and examination, upon the request of (i) the Department and/or its Inspector General; or (ii) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.

Signature of LEA Authorized Representative

Date

Part C: Use of Funds

1) Describe how the LEA intends to use ESSER Act Funding.

- Coordinate emergency response
- Ensure preparedness and coordination
- Purchase cleaning supplies
- Unique needs of at-risk learners
- Educational technology
- Mental health supports
- Supplemental learning
- McKinney-Vento Homeless Assistance Act
- Coordinate long-term closures
- Professional development
- ESSA
- IDEA
- Perkins
- Added needs of at-risk population
- Adult Education and Family Literacy Act
- Indian, Native Hawaiian and Alaska Native Act
- Other activities

Describe all areas marked above in detail. Please attach additional pages as needed.

- 2) Describe the LEA's plan for meeting each student's learning needs when they return to the classroom. Please attach additional pages as needed.

Part D: Other Assurances and Certifications

The school district authorized representative assures or certifies the following:

1. The LEA will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood hazards; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders and regulations.
2. Any LEA receiving funding under this program will have on file with the SEA a set of assurances that meets the requirements of section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).
3. To the extent applicable, an LEA will include in its local application a description of how the LEA will comply with the requirements of section 427 of GEPA (20 U.S.C. 1228a). The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede equal access to, or participation in, the program.
4. The LEA will comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) requirements in Subpart D—Post Federal Award Requirements (2 CFR §§200.300-345) and Subpart E—Cost Principles (2 CFR §§200.400-475) to ensure that LEAs, including charter schools that are LEAs, are using ESSER funds for purposes that are reasonable, necessary, and allocable under the CARES Act.
5. The LEA will comply with the provisions of all applicable acts, regulations and assurances; the following provisions of Education Department General Administrative Regulations (EDGAR) 34 CFR parts 76, 77, 81, 82, 84, 97, 98, and 99; the OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and the Uniform Guidance in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

Signature of LEA Authorized Representative

Date

Appendix A: Allocation Table

County District Number	District Name	ESSER Funds
27002	Alexander 2	\$40,594.00
25014	Anamoose 14	\$100,567.00
26009	Ashley 9	\$36,718.00
15010	Bakker 10	\$0.00
02007	Barnes County North 7	\$65,241.00
17003	Beach 3	\$76,184.00
17305	Beach Home on the Range	\$0.00
40007	Belcourt 7	\$2,395,287.00
45013	Belfield 13	\$40,335.00
29027	Beulah 27	\$95,686.00
04001	Billings Co 1	\$0.00
08001	Bismarck 1	\$2,330,761.00
08301	Bismarck Charles Hall	\$0.00
08302	Bismarck Pride Manchester	\$0.00
05001	Bottineau 1	\$187,379.00
07014	Bowbells 14	\$18,304.00
06001	Bowman Co 1	\$53,321.00
07036	Burke Central 36	\$24,340.00
16049	Carrington 49	\$72,805.00
34006	Cavalier 6	\$78,865.00
33001	Center-Stanton 1	\$47,867.00
09017	Central Cass 17	\$93,219.00
44032	Central Elem 32	\$0.00
49003	Central Valley 3	\$26,574.00
32001	Dakota Prairie 1	\$86,693.00
36001	Devils Lake 1	\$612,791.00
45001	Dickinson 1	\$705,881.00
12001	Divide County 1	\$92,176.00
25057	Drake 57	\$0.00
34019	Drayton 19	\$82,057.00
40001	Dunseith 1	\$800,991.00
27018	Earl 18	\$0.00
23003	Edgeley 3	\$55,605.00
36002	Edmore 2	\$17,852.00
53006	Eight Mile 6	\$117,269.00
19049	Elgin-New Leipzig 49	\$57,582.00
11040	Ellendale 40	\$72,074.00
18127	Emerado 127	\$140,797.00
37024	Enderlin Area 24	\$70,753.00
39018	Fairmount 18	\$55,631.00
09001	Fargo 1	\$3,275,476.00
09317	Fargo Dakota Boys Ranch	\$0.00
09316	Fargo Luther Hall Residentia	\$0.00
52025	Fessenden-Bowdon 25	\$26,564.00
46019	Finley-Sharon 19	\$0.00
30039	Flasher 39	\$50,874.00
50005	Fordville-Lankin 5	\$0.00
37006	Ft Ransom 6	\$0.00

Actual ESSER Funds Allocations

County District Number	District Name	ESSER Funds
03030	Ft Totten 30	\$398,754.00
43004	Ft Yates 4	\$420,837.00
43300	Ft Yates Lake Oahe Group	\$0.00
24056	Gackle-Streeter 56	\$39,997.00
28051	Garrison 51	\$87,815.00
30048	Glen Ullin 48	\$28,345.00
38026	Glenburn 26	\$102,687.00
42016	Goodrich 16	\$0.00
50003	Grafton 3	\$333,349.00
18001	Grand Forks 1	\$2,100,205.00
18140	Grand Forks AFB 140	\$0.00
18301	Grand Forks Ruth Meiers	\$0.00
53099	Grenora 99	\$63,993.00
20018	Griggs County Central 18	\$62,468.00
13019	Halliday 19	\$0.00
39008	Hankinson 8	\$46,143.00
52038	Harvey 38	\$87,428.00
49007	Hatton Eielson 7	\$50,091.00
15006	Hazleton-Moffit-Braddock 6	\$32,171.00
29003	Hazen 3	\$58,648.00
30013	Hebron 13	\$47,849.00
01013	Hettinger 13	\$43,059.00
49009	Hillsboro 9	\$89,718.00
46010	Hope 10	\$0.00
27032	Horse Creek 32	\$0.00
47001	Jamestown 1	\$563,878.00
51028	Kenmare 28	\$69,448.00
47019	Kensal 19	\$0.00
22001	Kidder County 1	\$103,036.00
13016	Killdeer 16	\$93,851.00
09002	Kindred 2	\$27,724.00
23007	Kulm 7	\$40,922.00
32066	Lakota 66	\$35,291.00
23008	LaMoure 8	\$75,129.00
10023	Langdon Area 23	\$76,397.00
18044	Larimore 44	\$65,319.00
03006	Leeds 6	\$36,853.00
51161	Lewis and Clark 161	\$48,002.00
39028	Lidgerwood 28	\$51,223.00
15036	Linton 36	\$61,028.00
37019	Lisbon 19	\$78,881.00
02046	Litchville-Marion 46	\$48,116.00
30004	Little Heart 4	\$0.00
17006	Lone Tree 6	\$0.00
03009	Maddock 9	\$49,659.00
30001	Mandan 1	\$882,429.00
27036	Mandaree 36	\$203,103.00
08045	Manning 45	\$0.00

Actual ESSER Funds Allocations

County District Number	District Name	ESSER Funds
18125	Manvel 125	\$30,154.00
09004	Maple Valley 4	\$63,408.00
09007	Mapleton 7	\$16,749.00
44012	Marmarth 12	\$0.00
28050	Max 50	\$51,201.00
49014	May-Port CG 14	\$87,181.00
42019	McClusky 19	\$59,949.00
27001	McKenzie Co 1	\$248,512.00
47003	Medina 3	\$48,397.00
08033	Menoken 33	\$0.00
20007	Midkota 7	\$55,251.00
18128	Midway 128	\$66,489.00
41002	Milnor 2	\$70,518.00
03005	Minnewaukan 5	\$358,182.00
51001	Minot 1	\$1,590,472.00
51160	Minot AFB 160	\$0.00
50020	Minto 20	\$113,457.00
38001	Mohall-Lansford-Sherwood 1	\$51,017.00
47014	Montpelier 14	\$46,332.00
21001	Mott-Regent 1	\$51,415.00
40004	Mt Pleasant 4	\$106,607.00
10019	Munich 19	\$0.00
24002	Napoleon 2	\$44,013.00
08025	Naughton 25	\$0.00
51004	Nedrose 4	\$152,801.00
53002	Nesson 2	\$46,158.00
21009	New England 9	\$73,992.00
14002	New Rockford-Sheyenne 2	\$63,005.00
30049	New Salem-Almont 49	\$46,337.00
31001	New Town 1	\$518,602.00
05054	Newburg-United 54	\$19,367.00
34100	North Border 100	\$73,890.00
41003	North Sargent 3	\$35,707.00
48010	North Star 10	\$65,272.00
09097	Northern Cass 97	\$60,236.00
18129	Northwood 129	\$54,718.00
11041	Oakes 41	\$78,255.00
03016	Oberon 16	\$94,231.00
09080	Page 80	\$0.00
50008	Park River Area 8	\$75,738.00
31003	Parshall 3	\$152,926.00
47010	Pingree-Buchanan 10	\$35,807.00
07027	Powers Lake 27	\$21,027.00
45034	Richardton-Taylor 34	\$70,142.00
39044	Richland 44	\$39,002.00
40029	Rolette 29	\$99,724.00
19018	Roosevelt 18	\$30,656.00
35005	Rugby 5	\$118,101.00

Actual ESSER Funds Allocations

County District Number	District Name	ESSER Funds
41006	Sargent Central 6	\$38,300.00
51016	Sawyer 16	\$16,814.00
06033	Scranton 33	\$23,204.00
43008	Selfridge 8	\$131,964.00
43003	Solen 3	\$310,562.00
45009	South Heart 9	\$45,396.00
51070	South Prairie 70	\$78,827.00
40003	St John 3	\$538,063.00
34043	St Thomas 43	\$0.00
31002	Stanley 2	\$94,805.00
36044	Starkweather 44	\$27,484.00
08035	Sterling 35	\$0.00
15015	Strasburg 15	\$40,046.00
51041	Surrey 41	\$52,355.00
30017	Sweet Briar 17	\$0.00
25060	TGU 60	\$94,290.00
18061	Thompson 61	\$15,048.00
53015	Tioga 15	\$50,674.00
28072	Turtle Lake-Mercer 72	\$25,973.00
13037	Twin Buttes 37	\$59,881.00
28008	Underwood 8	\$28,545.00
51007	United 7	\$83,176.00
02002	Valley City 2	\$296,929.00
34118	Valley-Edinburg 118	\$49,075.00
25001	Velva 1	\$75,306.00
39037	Wahpeton 37	\$348,279.00
03029	Warwick 29	\$385,184.00
28004	Washburn 4	\$39,634.00
09006	West Fargo 6	\$1,749,194.00
05017	Westhope 17	\$26,416.00
28085	White Shield 85	\$176,597.00
53008	Williams County 8	\$118,482.00
53001	Williston 1	\$768,074.00
53300	Williston Eckert Youth Home	\$0.00
28001	Wilton 1	\$29,259.00
08028	Wing 28	\$16,689.00
26019	Wishek 19	\$63,143.00
39042	Wyndmere 42	\$27,192.00
27014	Yellowstone 14	\$20,967.00
26004	Zeeland 4	\$28,145.00
		\$29,967,929.00

Appendix B – LEA Use of Funds

ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND SEC. 18003.

(d)USES OF FUNDS

A local educational agency that receives funds under this title may use the funds for any of the following:

1. Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) ("IDEA"), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) ("the Perkins Act"), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).
2. Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.
3. Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.
4. Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.
5. Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
6. Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
7. Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.
8. Planning for and coordinating during long-term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq.) and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements.
9. Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.
10. Providing mental health services and supports.
11. Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.
12. Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.