10329 - ESSER III 3/20-9/24 84.425U - 2021

Contract Details

Funding Opportunity: 9830-ESSER III - Elementary and Secondary School Emergency Relief Fund III
Program Area: CARES-CRRSA-ARP
Status: Approved
Contract Number: 002
Contract Template: ARP ESSER III
Contract Title: Additional Distributed ESSER III Funds
Contract Period: -
Executed Date: 

Contract Text

Grant Award
NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
OFFICE OF FISCAL MANAGEMENT

Basic Information and Signatory Sheet

Program Title
ESSER III 3/20-9/24 84.425U

Program Number
10329

Grantor

North Dakota Department of Public Instruction
600 E. Boulevard Avenue Dept 201
Bismarck, ND 58505-0440

Grantor Telephone Number
701-328-4051

Grantor Contact Person
Valerie Willis

Grantor Email Address
vwillis@nd.gov

Additional Distributed ESSER III Funds
### Grantee

<table>
<thead>
<tr>
<th>Grantee Name</th>
<th>Grantee SAM.gov Entity ID</th>
<th>Grantee City and State</th>
<th>Grantee Zip Code -4</th>
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</thead>
<tbody>
<tr>
<td>Sawyer Public School District 16</td>
<td>L2HKUR56XN3</td>
<td>Sawyer, North Dakota</td>
<td>58781-</td>
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### Grant Award Information

<table>
<thead>
<tr>
<th>Type of Award</th>
<th>Project Period (MM/DD/YYYY)</th>
<th>Basis for Award</th>
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<tbody>
<tr>
<td>Federal Grant</td>
<td>From: 3/13/2020 To: 9/30/2024</td>
<td>Formula</td>
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<table>
<thead>
<tr>
<th>Funding Source</th>
<th>FAIN Number (Award Number)</th>
<th>CFDA Number</th>
<th>Federal Award Agency</th>
<th>Federal Award Date</th>
<th>CFDA Project Name/Description</th>
<th>Total Amount to State under FAIN Number (Award Amount)</th>
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</table>

<table>
<thead>
<tr>
<th>Is this an R&amp;D Grant?</th>
<th>Indirect Cost rate for Award</th>
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</thead>
<tbody>
<tr>
<td>no</td>
<td>0.0%</td>
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### Financial Information

<table>
<thead>
<tr>
<th>1. Amount of Grant Award</th>
<th>2. Previous Funds Awarded for Project</th>
<th>Total Funds Awarded (Box 1 plus Box 2)</th>
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</thead>
<tbody>
<tr>
<td>$302.00</td>
<td>$198,120.00</td>
<td>$198,422.00</td>
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</tbody>
</table>
A local educational agency that receives funds under this title may use the funds for any of the following:


2. Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.

3. Providing principals and other 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, 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, and 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 this guidance is 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; educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include 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 and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness.

12. Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ appropriate staff.

13. Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, and children and youth in foster care, of the local educational agency, including:
   a. Administering and using high-quality assessments that are valid and reliable, to accurately assess students’ academic progress and address academic needs, including through differentiating instruction.
   b. Implementing evidence-based activities to meet the comprehensive needs of students.
   c. Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning setting.
   d. Tracking student attendance and improving student engagement in distance education.

14. School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health needs.

15. Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical ventilation, and air conditioning systems, filtering, purification, and air cleaning, fans, control systems, and window and door repair and replacement.

16. Developing strategies and implementing public health protocols to align with the guidance from the CDC for the reopening and operation of schools.

17. Additional Pay – for example, a local educational agency (LEA) might use local ESSER funds to provide employees with additional pay to: add light of the pandemic; provide additional compensation to teachers and other staff that work in-person; provide additional compensation to teach new duties because of COVID; incentivize effective teachers to move to schools with vulnerable students that have been disproportionately impacted by the pandemic; or substitute teachers where there is a shortage. Other pay strategies could also be permissible if the LEA can connect the strategic needs.

18. Transportation – An LEA could use local ESSER funds for a variety of transportation costs like running additional bus routes with fewer student appropriate, reimbursing families for mileage expense, if families provide transportation.

19. High Quality Instructional Materials and Curricula and Related Professional Development – for example, an LEA could use local ESSER funds to purchase reading curriculum districtwide and related professional development to address unfinished learning and accelerate early literacy skills; district-wide and school-wide options; additional materials and teacher training to implement Advanced Placement (AP) classes in schools, and where necessary provide materials and teacher training for students, particularly vulnerable students, can access and succeed in AP classes, social and emotional learning programs; Multi-Tier System of Supports (MTSS) and Tier 3 interventions aligned to strong Tier 1 curriculum, as well as related screening tools; and career and technical education programs.

20. Acquisition of Real Property or Modular Classrooms – an LEA could use local ESSER funds to acquire real property or modular classrooms if necessary. Additional space might help an LEA to re-open schools in-person consistent with CDC guidelines.

21. Construction and Renovation – ESSER funds can be used for construction and renovation costs when reasonable and necessary to prevent, prepare for, and respond to COVID-19. For example, an LEA might use ESSER funds to undertake construction or renovation to help an LEA to clean effectively, in compliance with fire and safety codes to create more space.

22. Budgetary Shortfalls – ESSER funds can be used to assist with budget shortfalls resulting from the pandemic. Specifically, as with all uses of funds must be “to prevent, prepare for, and respond to COVID-19. This Means that ESSER funds may be used to bridge budget shortfalls if and only if the ESSER funds are needed for education-related expenses.
Terms and Conditions

1. Federal Requirements
The school district authorized representative assures the following:

1. Local educational agencies receiving elementary and secondary school emergency relief funds shall provide two narrative summary reports to the State agency or board including information regarding learning losses of students identified within the district, including subgroup gaps; school district plans to address closing subgroup gaps; uses of elementary and secondary school emergency relief funds, including the percentage of those funds received by the superintendent of public instruction; and the impact elementary and secondary school emergency relief fund expenditures had on accelerating student achievement.

2. The local educational agency will administer the ESSER III program in accordance with all applicable statutes, regulations, program plans, and a program plan to the State agency or board, and to the Secretary of Education as may reasonably be necessary to perform their duties and that the local educational agency will maintain such records, including the records required under section 794 of title 29 in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities.

7. The local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in from research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices develop.

8. That none of the funds expended under any applicable program will be used to acquire equipment (including computer software) in any instance direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.

9. Local educational agencies receiving ARP ESSER funds will either: (a) within 30 days of receipt of the funds, will develop and make publicly available a plan that meets statutory requirements before the enactment of the ARP.

10. Local educational agencies shall, to the greatest extent practicable, continue to compensate its employees and contractors during the period COVID-19, based on the unique financial circumstances of the entity.

11. The LEA will comply with the maintenance of equity provision in section 2004(c) of the ARP.

12. Not less than 20 percent of the LEA’s total ARP ESSER allocation will be used to address learning loss through the implementation of evidence-based learning or summer enrichment, extended day, comprehensive afterschool programs, extended school year programs, or other evidence-based interventions to provide students’ academic, social, and emotional needs and address the disproportionate impact of COVID-19 on students in low-income families, children with disabilities, English learners, gender, migrant students, students experiencing homelessness.

13. The LEA Superintendent acknowledges and agrees that failure to comply with all assurances and certifications in this recovery plan, all applicable acts, regulations, and assurances; the following provisions of Education Department Appropriations Act, 2021 (CRSRA Act), Pub. L. No. 116-260 (December 27, 2020), or any other version of the False Claims Act, 21 U.S.C. § 3729, et seq.; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension adopted and amended as regulations of the Department in 2 CFR Parts 3485; and 18 U.S.C. § 1001, as appropriate, and other enforcement actions.

14. The LEA will cooperate with any SEA monitoring policies and/or procedures with regards to the allowable of expenditures.

15. The LEA will use ESSER III funds for purposes that are reasonable, necessary, and allocable under the ARP Act.

16. The LEA will cooperate with any examination of records with respect to such funds by making records available for inspection, production, examination, and upon request.

17. The LEA will comply with the provisions of all applicable acts, regulations, and assurances; the following provisions of Education Department Appropriations Act, 2021 (CRSRA Act), Pub. L. No. 116-260 (December 27, 2020), or any other version of the False Claims Act, 21 U.S.C. § 3729, et seq.; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension adopted and amended as regulations of the Department in 2 CFR Parts 3485; and the Uniform Guidance in 2 CFR Part 200, as adopted and amended in 2 CFR Part 3474.

18. The LEA will comply with General Education Provision Act (GEPA) Sections 427 and 442.

19. The LEA will take all necessary steps to allow every student, teacher, and other program beneficiary to participate in the ESSER III program, access to, or participation in, the program, the LEA will quickly address and resolve those issues. (GEPA 427)

20. The LEA will comply with the maintenance of effort provision in Section 317(b) thereof.

21. The LEA will comply with all reporting requirements and submit required quarterly reports to the NDDPI at such time and in such manner as may be required. Additional reporting may be required in the future, which may include the methodology LEAs will use to 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 addressing the digital divide, including securing access to home-based connectivity and remote-use devices, related issues in supporting disadvantaged populations.

22. The LEA will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction activities relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions and any other agreement entered into between the LEA and the Secretary of Education).
23. The LEA will comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Federal Award Requirements (2 CFR §§200.300-345) and Subpart E—Cost Principles (2 CFR §§200.400-475) to ensure that LEAs, including ESSER funds for purposes that are reasonable, necessary, and allocable under the CARES Act.

24. The LEA will use such fiscal control and accounting procedures as will ensure proper disbursement of, and accounting for, federal funds.

25. The LEA will comply with federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age. These laws include the Equal Rights Act of 1964 (34 CFR 100), the Title IX of the Education Amendments of 1972 (34 CFR 106), Title II of Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 (34 CFR 104), and the Age Discrimination Act (34 CFR 110).

26. The LEA will keep such records as may be reasonably required for a fiscal audit and permit NDDPI and auditors to have access to grantee’s records related to this grant, as necessary.

27. The LEA will conduct background checks of all personnel who will have direct contact/interaction with students involved in the program.

2. Additional Requirements

Requests for Reimbursement/Claims must be submitted in the WebGrants system. Ledgers, receipts, invoices, and a summary report must be submitted with all claims.

School districts receiving elementary and secondary school emergency relief funds shall provide two narrative summary reports to the superintendent; one regarding learning loss of students identified within the district, including subgroup gaps; school district plans to accelerate learning in these subgroup gaps; use of funds, including the percentage of those funds expended in categories determined by the superintendent of public instruction; and a plan to accelerate the learning recovery for the district’s students.

3. The indirect cost rate is the rate approved by NDDPI or your cognizant Federal Agency

4. Grantee is to permit NDDPI and auditors to have access to grantee’s records and financial statements related to this grant as needed.

5. Grant Closeout Requirements

LEAs will be required to submit a ledger documenting the 20 percent of ESSER III funds spent on learning loss when closing out the grant.