



**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  
Elementary and Secondary School Emergency Relief  
(ESSER II) Funds**

May 3, 2021

# **Program Background Information**

## **Purpose**

Under the Elementary and Secondary School Emergency Relief (ESSER II) 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.

## **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 2020-2021 school year are eligible to receive a LEA ESSER grant. Those districts ineligible for Title I funding will receive a grant using the ESSER state set-aside funding.

## **Period of Availability**

The timeframe for spending ESSER II funding is March 13, 2020 through September 30, 2023.

## **Use of Funds**

LEAs may use funds for any purposes listed in Appendix B “Allowable Uses of ESSER Funding”.

## **Application Deadline**

ESSER applications will be reviewed and approved as they are received. The final deadline to complete the application is June 1, 2021.

## **Program Contact**

For additional information, please contact Laurie Matzke by telephone at (701) 328-2284 or by email at [lmatzke@nd.gov](mailto:lmatzke@nd.gov).

# Instructions

To receive ESSER II Funding, 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*)
- Certify to specific grant requirements, **Part B**. (Requires the signatures of the authorized representative, the business manager, and the school board president.)
- Address the anticipated use of ESSER funds. (*Part C of the Certification and Agreement*)
- Complete narrative questions on the requirements to address learning loss and consultation, **Part D**.
- Programmatic, fiscal, and reporting assurances. (*Part E of the Certification and Agreement*)

For purposes of this document, the term “Certification and Agreement” is the application that an LEA is required to file with the State Education Agency.

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) to [dpiasstsupt@nd.gov](mailto:dpiasstsupt@nd.gov).

## Appendices

Appendix A – Allocation Table for ESSER II

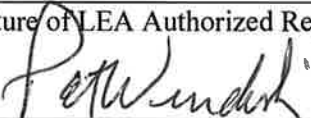
Appendix B – Allowable Uses of ESSER funds

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

**Part A: Certification and Agreement Cover Sheet**

LEA: Maple Valley 4	CFDA Number: 84.425D
LEA Authorized Representative: Pat Windish	DUNS Number: 193454493
Telephone: 701-749-2570	Mailing Address: Maple Valley School 207 Broadway Tower City, ND. 58071
Email address: Pat.windish@k12.nd.us	



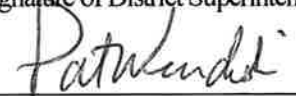
To the best of my knowledge and belief, all the information and data in this agreement are true and correct. I acknowledge and agree that the failure to comply with all Assurances and Certifications in this Agreement, all relevant provisions and requirements, or any other applicable law or regulation 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.

LEA Authorized Representative: (typed name): Pat Windish	Telephone: 701-749-2570
Signature of LEA Authorized Representative: 	Date: June 21, 2021

## Part B: Grant Requirements

As authorized representatives of the school district, we assure:  
(All boxes must be checked.)

- ESSER II funds will only be used on allowable activities as outlined in Appendix B.
- The district will submit ESSER quarterly reports by the established due dates.
- The districts will submit reports regarding how the district utilized ESSER funding to address learning loss.
  - State Required
  - Federal Required
  - Fiscal Reports
- ESSER II funds are available on a reimbursement method. When submitting requests for reimbursement through WebGrants will include:
  - Summary report - New
  - Detailed ledger
  - Receipts or invoices
- For any construction or renovation projects, the district will complete the “Capital Expenses-Prior Approval for ESSER Funding” form and comply with the Capital Expense requirements:
  - Procurement – 2 CFR § 200.317-327
  - Davis-Bacon prevailing wage rules – 20 U.S. Code § 1232b
  - Uniform Grant Guidance Rules – 2 CFR § 200.310-316
    - Prior approval rules – 2 CFR § 200.439
    - Rules on real property – 2 CFR § 200.311
    - Rules on financing costs – 2 CFR § 200.449
  - EDGAR construction rules – 34 CFR § 76.660, 34 CFR §§ 75.600-75.617
- The district will submit all required documentation needed in order to comply with the ESSER monitoring requirements.

Board President: (typed name) Joseph Bata	Business Manager: (typed name) Cathy Janish	District Superintendent: (typed name) Pat Windish
Signature of Board President: 	Signature of Business Manager: 	Signature of District Superintendent: 
Date: 6-24-2021	Date: 6-21-21	Date: 6-21-21

## Part C: Use of Funds

Allowable Use of Funds	
Potential Uses: (check all that apply)	Estimated Expenditure Amount:
<input type="checkbox"/> Coordinate emergency response	\$
<input type="checkbox"/> Ensure preparedness and coordination	\$
<input checked="" type="checkbox"/> Purchase cleaning supplies	\$3112
<input checked="" type="checkbox"/> Educational technology	\$65,000
<input checked="" type="checkbox"/> Mental health supports	\$2500
<input type="checkbox"/> Supplemental learning	\$
<input type="checkbox"/> Added needs of at-risk population	\$
<input type="checkbox"/> Transportation	\$
<input type="checkbox"/> Coordinate long-term closures	\$
<input checked="" type="checkbox"/> Professional development	\$12000
<input type="checkbox"/> ESSA (New federal law replacing NCLB)	\$
<input type="checkbox"/> IDEA (Special Education)	\$
<input type="checkbox"/> Perkins (Career & Technical Education)	\$
<input type="checkbox"/> McKinney-Vento Homeless Assistance Act	\$
<input type="checkbox"/> Adult Education and Family Literacy Act	\$
<input type="checkbox"/> Indian, Native Hawaiian, & Alaskan Native Act	\$
<input checked="" type="checkbox"/> Address learning loss	\$25000
<input checked="" type="checkbox"/> School facility repairs and improvements	\$49500
<input type="checkbox"/> Improving air quality	\$
<input type="checkbox"/> Implement public health protocols	\$
<input type="checkbox"/> Additional pay	\$
<input type="checkbox"/> High quality instructional materials and curricula	\$
<input type="checkbox"/> Acquisition of real property or modular classrooms	\$
<input type="checkbox"/> Construction Projects	\$
<input type="checkbox"/> Renovation Projects	\$
<input type="checkbox"/> Budgetary shortfalls	\$

## Part D: Narratives

1. **Addressing Learning Loss:** Detail the LEA's plan to use a portion of ESSER II funding to address learning loss. ESSER II regulations have a focus on learning loss and districts are encouraged to spend a portion of their LEA funds to measure and address learning loss among students, in particular, those disproportionately affected by the coronavirus and school closures. Districts will be required to indicate what percent of their ESSER II funds were used to address learning loss. Districts will need to track the learning loss expenditures separately.

Please see attached document.

2. **Stakeholder Consultation**: LEAs are required to engage in meaningful consultation with stakeholders, including students; families; school and district administrators and special education administrators; teachers, principals, school leaders, other educators, school staff, and their unions; as well as any tribes or civil or disability rights organizations in the LEA, as well as groups that represent students with disabilities, ELs, children experiencing homelessness, children in foster care, migratory students, and those who are incarcerated. Describe in detail how the LEA consulted with these stakeholder groups regarding how the ESSER II will be utilized.

Maple Valley has conducted the following survey to get input on the uses of ESSER II dollars.  
[https://forms.office.com/Pages/ResponsePage.aspx?id=Kni\\_2\\_HO8UqGyB-SAQYdtpBaxjEroVOjuAERcpae5UNFJSMFhPMkgxVVg0S09YNDZEMUFMQVJKMC4u](https://forms.office.com/Pages/ResponsePage.aspx?id=Kni_2_HO8UqGyB-SAQYdtpBaxjEroVOjuAERcpae5UNFJSMFhPMkgxVVg0S09YNDZEMUFMQVJKMC4u)  
. After reviewing the input, Maple Valley is budgeting the dollars as listed above.

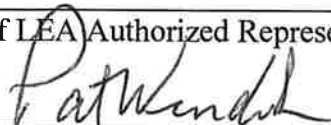


## **Part E: Programmatic, Fiscal, and Reporting Assurances**

The school district authorized representative assures the following:

1. School districts receiving elementary and secondary school emergency relief funds shall provide two narrative summary reports to the superintendent of public instruction, including information regarding learning losses of students identified within the district, including subgroup gaps; school district plans to accelerate learning recovery for all students, including closing subgroup gaps; uses of elementary and secondary school emergency relief funds, including the percentage of those funds expended in categories determined by the superintendent of public instruction; and the impact elementary and secondary school emergency relief fund expenditures had on accelerating the learning recovery for the districts' students.
2. The LEA Superintendent acknowledges and agrees that failure to comply with all assurances and certifications in this recovery plan, all relevant provisions and requirements of the Coronavirus Response and Relief Supplemental Appropriations Act, 201 (CRRSA Act), Pub. L. No. 116-260 (December 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 U.S.C. § 1001, as appropriate, and other enforcement actions.
3. The LEA that receives ESSER II 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 315 of Division M of the CRRSA Act. In addition, LEAs that accept funds will continue to pay employees and contractors to the greatest extent practicable based on the unique financial circumstances of the LEA. CRRSA Act funds generally will not be used for bonuses, merit pay, or similar expenditures, unless related to disruptions or closures resulting from COVID-19.
4. The LEA will cooperate with any SEA monitoring policies and/or procedures with regards to the allowability of expenditures.
5. The LEA will use ESSER II funds for purposes that are reasonable, necessary, and allocable under the CRRSA Act.
6. The LEA will cooperate with any examination of records with respect to such funds by making records available for inspection, production, examination, and authorized individuals for interview and examination, upon request.
7. 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.
8. The LEA will comply with General Education Provision Act (GEPA) Sections 427 and 442.
9. The LEA will take all necessary steps to allow every student, teacher, and other program beneficiary to participate in the ESSER II program. If any barrier arises that impedes equal access to, or participation, in the program, the LEA will quickly address and resolve those issues. (GEPA 427)

10. The LEA will comply with the maintenance of effort provision in Section 317(b) thereof.
11. The LEA will comply with all reporting requirements 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. 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.
12. 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.
13. 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.
14. The LEA will use such fiscal control and accounting procedures as will ensure proper disbursement of, and accounting for, federal funds.
15. 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 Title VI of the Civil Rights Act of 1964 (34 CFR 100), the Title IX of the Education Amendments of 1972 (34 CFR 106). Title II of the Americans with Disabilities Act, the Equal Educational Opportunities Act, Section 504 of the Rehabilitation Act of 1973 (34 CFR 104), and the Age Discrimination Act (34 CFR 110).
16. 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 and financial statement related to this grant, as necessary.
17. The LEA will conduct background checks of all personnel who will have direct contact/interaction with students involved in the program.

LEA Authorized Representative: (typed name) Pat Windish	
Signature of LEA Authorized Representative: 	Date: 6-21-21

## Part C: Use of Funds

Allowable Use of Funds	
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<input type="checkbox"/> Added needs of at-risk population	\$
<input type="checkbox"/> Transportation	\$
<input type="checkbox"/> Coordinate long-term closures	\$
<input checked="" type="checkbox"/> Professional development	\$12000
<input type="checkbox"/> ESSA (New federal law replacing NCLB)	\$
<input type="checkbox"/> IDEA (Special Education)	\$
<input type="checkbox"/> Perkins (Career & Technical Education)	\$
<input type="checkbox"/> McKinney-Vento Homeless Assistance Act	\$
<input type="checkbox"/> Adult Education and Family Literacy Act	\$
<input type="checkbox"/> Indian, Native Hawaiian, & Alaskan Native Act	\$
<input checked="" type="checkbox"/> Address learning loss	\$50210
<input checked="" type="checkbox"/> School facility repairs and improvements	\$49500
<input checked="" type="checkbox"/> Improving air quality	\$3088
<input type="checkbox"/> Implement public health protocols	\$
<input type="checkbox"/> Additional pay	\$
<input type="checkbox"/> High quality instructional materials and curricula	\$
<input type="checkbox"/> Acquisition of real property or modular classrooms	\$
<input type="checkbox"/> Construction Projects	\$
<input type="checkbox"/> Renovation Projects	\$
<input type="checkbox"/> Budgetary shortfalls	\$