

U.S. Department of Education

**Certification and Agreement
for Funding**

**Emergency Assistance to Non-Public Schools
Program
under the
Coronavirus Response and Relief
Supplemental Appropriations Act, 2021
(CRRSA Act)**

CFDA Number: 84.425R



OMB Number: 1810-0741
Expiration Date: Nov. 30, 2023

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The OMB control number for this information collection is 1810-0741. The time required to complete this information collection is estimated to average .5 hours (or 30 minutes) per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: GEERF@ed.gov.

PROGRAM BACKGROUND INFORMATION

Purpose

Under the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act), Pub. L. No. 116-260 (December 27, 2020), Congress authorized the Emergency Assistance to Non-Public Schools (EANS) program as part of the Act's Governor's Emergency Education Relief Fund. The U.S. Department of Education (Department) will award a portion of the GEER Fund to Governors as a supplement to the CARES Act's GEER I Fund. Those funds, which we refer to as the GEER II Fund, will appear in the Department's grants management system (G5) without any additional paperwork. In addition, the Department will award a formula grant to each Governor with an approved EANS Certification and Agreement¹ for the purpose of providing emergency services or assistance to non-public schools in the wake of Coronavirus Disease 2019 (COVID-19). By accepting an EANS award from the Department, a Governor automatically designates the State educational agency (SEA) to administer the EANS program. An SEA will be the payee or fiscal agent in G5 for purposes of accessing Federal funds.

Eligibility

Governors in all 50 States and the Commonwealth of Puerto Rico, as well as the Mayor of the District of Columbia.

Funding

The Department will award \$2,750,000,000 to Governors with an approved Certification and Agreement based on each State's relative share of children aged 5-17 who are from a family at or below 185 percent of the poverty level and who are enrolled in non-public schools. The amount each State is eligible to receive is indicated in the allocation table in Appendix B.

Timeline

The Department intends to make an award to a Governor within one business day of receiving an approvable Certification and Agreement. An SEA, as the agency designated to administer the EANS program, must make an application available to non-public schools no later than 30 days after receipt of the funds and approve or deny an application from a non-public school no later than 30 days after receiving it. The SEA must, to the extent practicable, obligate all funds for services or assistance to non-public schools in the State in an expedited and timely manner, but not later than six months after receiving the funds. (An SEA is considered to have received EANS funds on the date the Department makes the grant award to the Governor.) An SEA that complies with its responsibilities under the EANS program but has unobligated funds remaining six months after receiving those funds must return them to the Governor for any authorized use under the GEER II Fund. Before the SEA returns EANS funds to the Governor, it should notify the Department.

Types of Services or Assistance

A non-public school receiving services or assistance under the EANS program shall use such services or assistance to address educational disruptions resulting from COVID-19 for:

- A. supplies to sanitize, disinfect, and clean school facilities;

¹ For purposes of this section, Certification and Agreement is the application referenced in Section 312(d)(1)(A) of the CRRSA Act.

- B. personal protective equipment (PPE);
- C. improving ventilation systems, including windows or portable air purification systems to ensure healthy air in the non-public school;
- D. training and professional development for staff on sanitation, the use of PPE, and minimizing the spread of infectious diseases;
- E. physical barriers to facilitate social distancing;
- F. other materials, supplies, or equipment to implement public health protocols, including guidelines and recommendations from the Centers for Disease Control and Prevention (CDC) for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff during the qualifying emergency;
- G. expanding capacity to administer coronavirus testing to effectively monitor and suppress coronavirus, to conduct surveillance and contact tracing activities, and to support other activities related to coronavirus testing for students, teachers, and staff at the non-public school;
- H. educational technology (including hardware, software, connectivity, assistive technology, and adaptive equipment) to assist students, educators, and other staff with remote or hybrid learning;
- I. redeveloping instructional plans, including curriculum development, for remote learning, hybrid learning, or to address learning loss;
- J. leasing of sites or spaces to ensure safe social distancing to implement public health protocols, including guidelines and recommendations from the CDC;
- K. reasonable transportation costs;
- L. initiating and maintaining education and support services or assistance for remote learning, hybrid learning, or to address learning loss; or
- M. reimbursement for the expenses of any services or assistance described above that a non-public school incurred on or after March 13, 2020, except for services or assistance under (C) (other than portable air purification systems, which are an allowable reimbursable expense), (D), (I), and (L)) or any expenses reimbursed through a loan guaranteed under the Paycheck Protection Act (15 U.S.C. 636(a)) as of December 27, 2020.

CERTIFICATION AND AGREEMENT INSTRUCTIONS

GENERAL INSTRUCTIONS

To receive the State's allocation under the EANS program, a Governor must submit a complete, signed Certification and Agreement, in PDF, by email, to the U.S. Department of Education (Department) at GEERF@ed.gov no later than February 8, 2021. The Certification and Agreement must include the following, each of which requires the signature of the Governor or authorized representative:

- A completed Certification and Agreement cover sheet. *(Part A)*
- Programmatic, fiscal and reporting assurances. *(Part B)*
- Other assurances and certifications. *(Part C)*

APPENDICES

Appendix A – Authorizing Statute
Appendix B – State Allocation Data

EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS PROGRAM

PART A: CERTIFICATION AND AGREEMENT COVER SHEET

(CFDA No. 84.425R)

<p>Legal Name (Office of the Governor): <i>State of Rhode Island</i></p>	<p>DUNS Numbers: <i>183956978</i> Office of the Governor: State Educational Agency (SEA): <i>RI Department of Education</i></p>
<p>Address (Street Number and Name, City, State, Zip Code): <i>82 Smith Street Providence, RI 02903</i></p>	<p>Contact Information for SEA Representative: Name: <i>Anc. Riley</i> Position & Office: <i>Deputy Commissioner for Instructional Programs, Commissioners Office</i> Street Number and Name, City, State, Zip Code: <i>255 Westminister Street, Providence, RI 02903</i> Telephone: <i>401-222-4600</i> Email address: <i>Anc. Riley @ RIDE, RI. Gov</i></p>
<p>SEA Financial Institution Name: <i>Bank of America</i> Address (Street Number and Name, City, State, Zip Code): <i>Providence, RI 02908</i> Telephone: <i>401-462-7687</i> ABA Number: (b) (4) Account Number: (b) (4) Contact Name/Telephone: <i>Brian Conklin</i></p>	<p>Corresponding Bank (if applicable) Name: Address (Street Number and Name, City, State, Zip Code): Telephone: ABA Number: Telegraphic Abbrev:</p>
<p>To the best of my knowledge and belief, all of the information in this Certification and 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 Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (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 <i>et seq.</i>; 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, and other enforcement actions.</p>	
<p>Governor or Authorized Representative of the Governor (Typed Name): <i>Kevin J. Gallagher</i></p>	<p>Telephone: <i>401-222-8148</i></p>
<p>Signature of Governor or Authorized Representative of the Governor: (b) (6)</p>	<p>Date: <i>1/28/2021</i></p>

**EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS PROGRAM
PART B: PROGRAMMATIC, FISCAL, AND REPORTING ASSURANCES**

The Governor or his/her authorized representative assures the following:

- Funds will be used to provide services or assistance to non-public schools to address educational disruptions resulting from COVID-19 consistent with Section 312(d) of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act) and all other applicable requirements. By accepting an EANS award from the Department, the Governor designates the State educational agency (SEA) to administer the EANS program and to draw down funds from the Department's Grants Management System (G5). The SEA will distribute information about the EANS program to non-public schools and make an application easily available no later than 30 days after receipt of the EANS funds, which is also the same time as the Governor receives the grant award. The SEA will process each non-public school application promptly but no later than 30 days after the SEA receives the application from a non-public school. The SEA will ensure that services or assistance is provided to any eligible non-public school that--
 - is a non-public school as described under Section 312(d)(3)(C);
 - submits an application that meets the requirements under Section 312(d)(3)(B); and
 - requests allowable services or assistance under Section 312(d)(4).
- The SEA will prioritize services or assistance to non-public schools that enroll low-income students and are most impacted by the qualifying emergency.
- The SEA will, to the extent practicable, obligate all EANS funds in an expedited and timely manner, but not later than six months after receiving the funds.
- The SEA will administer the EANS program in accordance with the statute, including Section 312(d)(3)(B), which specifies that an application from a non-public school must include the following:
 - the number and percentage of students from low-income families enrolled by the non-public school in the 2019-2020 school year;
 - a description of the emergency services authorized under Section 312(d)(4) that the non-public school requests be provided by the SEA;
 - whether the non-public school requesting services or assistance received a Paycheck Protection Program loan that was made before December 27, 2020, and the amount of any such loan.
- The SEA will ensure the control of funds for the services or assistance provided to a non-public school, and title to materials, equipment, and property purchased with EANS funds, will be in a public agency and a public agency will administer such funds, services, assistance, materials, equipment, and property.
- The SEA will ensure that all services or assistance provided under the EANS program, including materials, equipment, and any other items, will be secular, neutral, and non-ideological.
- The SEA will not use EANS funds to provide direct or indirect financial assistance to scholarship-granting organizations or related entities for elementary or secondary education or to provide or support vouchers, tuition tax credit programs, education savings accounts, scholarships, scholarship programs, or tuition-assistance programs for elementary or secondary education, except for students who receive or received such assistance under the Governor's

Emergency Education Relief (GEER I) Fund under the Coronavirus Aid, Relief, and Economic Security (CARES) Act for the 2020-2021 school year, and only for the same assistance provided such students.

- The Governor will comply with the maintenance of effort provision in Section 317 of the CRRSA Act absent waiver by the Secretary pursuant to Section 317(b) thereof.
- The Governor will comply with all reporting requirements at such time and in such manner and containing such information as the Secretary may reasonably require. (See also 2 CFR 200.328-200.329).
- The SEA and any entity providing assistance or services under the EANS program will cooperate with any examination of records 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.
- The Governor will return to the Secretary any funds received under the EANS program that the Governor does not award or obligate within one year of receiving such funds.
- The Governor has consulted with the SEA on the Certification and Agreement, particularly the assurances herein.

Governor or Authorized Representative of the Governor (Typed Name):	
Kevin J. Gallagher	
S (b) (6)	Date: 1/28/21

**EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS PROGRAM
PART C: OTHER ASSURANCES AND CERTIFICATIONS**

The Governor or his/her authorized representative assures or certifies the following:

- The State 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.
- With respect to the certification regarding lobbying in Department Form 80-0013, no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; and the State will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR part 82, Appendix B).
- The State and other entities will comply with the provisions of all applicable acts, regulations, and assurances; the provisions of the Education Department General Administrative Regulations in 34 CFR parts 76, 77, 81, 82, 84, 86, 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 Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

Governor or Authorized Representative of the Governor (Typed Name): <i>Kevin J. Gallagher</i>	
Signature: (b) (6)	Date: <i>1/28/21</i>