



ARP EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS PROGRAM

**PART A: APPLICATION COVER SHEET
(CFDA No. 84.425V)**

DUNS Number Office of the Governor: 809594377	DUNS Number State Educational Agency (SEA): 824700371
<p>Contact Information for Governor's Office</p> <p>Legal Name (e.g., Office of the Governor, State's Executive Office): Office of the Governor</p> <p>Governor's Name/Authorized Representative's Name and Title: Governor Jim Justice</p> <p>Address (Street Number and Name, City, State, Zip Code+4): State Capitol, 1900 Kanawha Blvd. E. Charleston, WV 25305</p> <p>Telephone: 304-558-2000</p> <p>Email: ann.v.urling@wv.gov</p>	<p>Contact Information for SEA</p> <p>Legal Name (e.g., [State] Office of Public Instruction): West Virginia Department of Education</p> <p>Chief State School Officer's Name/SEA Authorized Representative's Name and Title: Melanie Purkey, WVDE Federal Program Officer</p> <p>Address (Street Number and Name, City, State, Zip Code+4): 1900 Kanawha Blvd E, Bldg 6 Room 700 Charleston, WV 25305</p> <p>Telephone: 304-558-7805</p> <p>Email: mpurkey@k12.wv.us</p>
SEA Financial Institution Name: (b) (4)	Last 4-Digits of Account Number:
<p>To the best of my knowledge and belief, all of the information in this application is true and correct. I acknowledge and agree that the failure to comply with all Assurances and Certifications in this Agreement and all relevant statutory and regulatory requirements 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; 18 U.S.C. § 1001, as appropriate; and other enforcement actions.</p>	
<p>Governor or Authorized Representative of the Governor in the Office of the Governor (Typed Name):</p> <p>Governor Jim Justice</p>	
<p>Signature: </p>	<p>Date: 09-03-21</p>
<p>Chief State School Officer or Authorized Representative of the SEA (Typed Name):</p> <p>W. Clayton Burch, State Superintendent of Schools</p>	
<p>Signature: </p>	<p>Date: September 3, 2021</p>

ARP EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS PROGRAM

PART B: APPLICATION REQUIREMENTS

1. Identify the threshold the State will use to determine if a non-public school enrolls a significant percentage of students from low-income families that meets or exceeds (check one of the following).
 - 40 percent; or
 - An alternate significant percentage, contingent on approval by the Secretary, that is based on circumstances in the State, which may be--
 - (1) The State's average percentage of students from low-income families in public and non-public schools;
 - (2) The average percentage of students from low-income families in non-public schools in the State that, for example, applied for or participated in the EANS program as authorized by the CRRSA Act; or
 - (3) Other factors that the State demonstrates support an alternative significant poverty percentage.

2. If you selected an alternate significant percentage, please respond to the following:
 - A. What alternate significant percentage are you proposing?
Not applicable.

 - B. What is the basis for the proposed alternate significant percentage (check and enter text for one or more of the following)?
 - The State's average percentage of students from low-income families in public and non-public schools. *If selected, please identify the average percentage and provide an explanation of how these data justify the proposed alternate significant percentage.*
Not Applicable.

 - The average percentage of students from low-income families in non-public schools in the State that, for example, applied for or participated in the EANS program as authorized by the CRRSA Act. *If selected, please identify the average percentage and provide an explanation of how these data justify the proposed alternate significant percentage.*
Not Applicable.

 - Other factors that the State demonstrates support an alternate significant poverty percentage. *If selected, please identify the measure(s) and associated data and explain how these data support the proposed alternate significant percentage.*
Not Applicable.

3. Identify the factor or factors the State will use to determine which non-public schools are most impacted by the COVID-19 emergency (check one or more of the following).
- The number of COVID-19 infections per capita in the community or communities served by the non-public school.
 - The number of COVID-19 related deaths per capita in the community or communities served by the non-public school.
 - Data on the academic impact of lost instructional time and the social, emotional, and mental health impacts on students attending the non-public school attributable to the disruption of instruction caused by the COVID-19 emergency.
 - The economic impact of the COVID-19 emergency on the community or communities served by the non-public school.
4. Identify any additional factors the State will use to determine which non-public schools are most impacted by the COVID-19 emergency.
Not Applicable.
5. Identify the source(s) of poverty data the State will use to determine counts of students from low-income families⁴ in non-public schools, provided that the poverty threshold is consistent across sources (check one or more of the following).
- Data on student eligibility for free or reduced-price lunch under the Richard B. Russell National School Lunch Act (43 U.S.C. 1751 et seq.).
 - Data from the E-rate program administered by the Federal Communications Commission (47 CFR 54.500, 54.505(b)).
 - Data from a different source, such as scholarship or financial assistance data.
 - Data from a survey developed by the SEA.

⁴ To be counted as a student from a low-income family for the purposes of the ARP EANS program, a student must be aged 5 through 17 from a family whose income does not exceed 185 percent of the 2020 Federal poverty level.



ARP EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS PROGRAM

PART C: 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 the COVID-19 emergency consistent with Section 2002 of the American Rescue Plan Act of 2021 (ARP Act), applicable provisions of Section 312(d) of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act), and all other applicable requirements. Consistent with Section 2002(b) of the ARP Act, funds may **not** be used to provide reimbursements to any non-public school.
- By accepting an ARP EANS award from the Department, the Governor designates the State educational agency (SEA) to administer the ARP EANS program and to draw down funds from the Department's Grants Management System (G5). The SEA will distribute information about the ARP EANS program to non-public schools and make an application easily available no later than 30 days after receipt of the ARP 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 are provided only to eligible non-public schools that enroll a significant percentage of students from low-income families and are most impacted by the COVID-19 emergency, consistent with the final requirements. To be eligible, a non-public school must--
 - be a non-public school that meets the definition of a non-public school in section 316(6) of the CRRSA Act and the eligibility requirement in section 312(d)(9) of the CRRSA Act;
 - submit an application that meets the requirements under Section 312(d)(3)(B) of the CRRSA Act; and
 - request allowable services or assistance consistent with Section 312(d)(4) of the CRRSA Act and Section 2002(b) of the ARP Act.
- The SEA will, to the extent practicable, obligate all ARP EANS funds in an expedited and timely manner, but not later than six months after receiving the funds.
- 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 ARP 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 ARP EANS program, including materials, equipment, and any other items, will be secular, neutral, and non-ideological.
- The SEA will not use ARP 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 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 services of assistance under the ARP 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 ARP 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 application, particularly the assurances herein.



Governor or Authorized Representative of the Governor in the Office of the Governor (Typed Name):	
Governor Jim Justice	
Signature: 	Date: 09-03-21
W. Clayton Burch, State Superintendent of Schools	
Signature: 	Date: September 3, 2021

ARP EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS PROGRAM

PART D: 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 in the Office of the Governor (Typed Name):	
Governor Jim Justice	
Signature: 	Date: 09-03-21
W. Clayton Burch, State Superintendent of Schools	
Signature: 	Date: September 3, 2021