



**Request for Application  
GEER and ESSER SEA  
Reserve Funding**

**RFA # 21-92400-00001**

***Issue Date: October 16, 2020***  
***Deadline Date: November 9, 2020***

**Contact Information:**

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Deputy Director  
Indian Education Division  
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## **Request for Application (RFA) for GEER and ESSER SEA Reserve Funding**

### **PURPOSE OF THIS REQUEST FOR APPLICATION (RFA)**

This RFA is being issued through the New Mexico Public Education Department- Indian Education Division to Tribal Education Departments (TED) for funding under Governor's Emergency Education Relief (GEER) Fund and Elementary and Secondary School Emergency Relief SEA Reserve (ESSER) Fund authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-13.

**The TED will only spend these funds for Internet access for students without access at home. This can include access through fiber, DSL, cable, fixed wireless, wireless hotspots, and satellite, depending on service available at an individual address.**

**Requests for payment (invoices) that contain costs other than those stated above will be denied.**

The TED will comply with the Children's Internet Protection Act (CIPA) to include, but not be limited to adopting and implementing an Internet safety policy addressing:

- Access by minors to inappropriate matter on the Internet;
- The safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
- Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
- Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- Measures restricting minors' access to materials harmful to them.

<https://www.fcc.gov/consumers/guides/childrens-internet-protection-act>

### **NEW MEXICO PUBLIC EDUCATION DEPARTMENT (NMPED) MISSION**

*Equity, Excellence and Relevance*

The New Mexico Public Education Department partners with educators, communities, and families to ensure that ALL students are healthy, secure in their identity, and holistically prepared for college, career, and life

### **NEW MEXICO PUBLIC EDUCATION DEPARTMENT (NMPED) VISION**

Rooted in our Strengths

Students in New Mexico are engaged in a culturally and linguistically responsive educational system that meets the social, emotional, and academic needs of ALL students.

### LEVEL OF FUNDING

Tribe	Count of Students*	AWARD
Navajo	26183	\$ 620,314.00
Zuni	1963	\$ 50,000.00
Laguna	910	\$ 30,000.00
Santo Domingo	827	\$ 30,000.00
Acoma	703	\$ 25,000.00
Mescalero Apache	681	\$ 25,000.00
Jicarilla Apache	637	\$ 25,000.00
Isleta	580	\$ 25,000.00
San Felipe	551	\$ 25,000.00
Jemez	451	\$ 25,000.00
Ohkay Owingeh	276	\$ 15,000.00
Taos	269	\$ 15,000.00
Cochiti	191	\$ 10,000.00
Nambe	163	\$ 10,000.00
Santa Ana	155	\$ 10,000.00
Zia	155	\$ 10,000.00
Santa Clara	136	\$ 10,000.00
San Ildefonso	112	\$ 10,000.00
Pojoaque	78	\$ 5,000.00
Tesuque	59	\$ 5,000.00
Sandia	54	\$ 5,000.00
Picuris	49	\$ 5,000.00
<b>Grand Total</b>	<b>35183</b>	<b>\$ 990,314.00</b>
*Based on STARS 120 day snapshot		

### LENGTH OF FUNDING

The resulting contract shall begin upon execution of an Intergovernmental Agreement (IGA) between NMPED and TEDs, and is intended to continue through the proposed project period, but not later than September 30, 2021. NMPED reserves the right to terminate any award that does not meet the requirements as defined by the guidelines governing the program or otherwise provided in an executed IGA.

### ELIGIBLE ENTITIES

Eligible applicants must be a Department of Education of one of the 22 New Mexico tribes, nations or pueblos.

### Required Questions

1. Provide a description of the steps your department will take to ensure compliance with Section 427 of the General Education Provision Act (GEPA), 20 U.S.C. 1228a. The description must include information on the steps the TED 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 access to, or participation in, the program(s) for which you are submitting this funding request.

A satisfactory answer...	May require revision
<ul style="list-style-type: none"> <li>• Describes how each aspect of the spending plan supports different groups of constituents</li> <li>• Describes potential barriers to accessing aspects of the proposed spending plan based on criteria such as gender, race, color, national origin, (dis)ability, and age</li> <li>• Describes steps that will be taken to eliminate or reduce those barriers to ensure equitable access</li> </ul>	<ul style="list-style-type: none"> <li>• May not describe how all aspects of the spending plan are intended to support different groups of constituents</li> <li>• May not clearly or completely describe potential barriers to accessing aspects of the proposed spending plan based on criteria such as gender, race, color, national origin, (dis)ability, and age</li> <li>• May not clearly or completely describe steps that will be taken to eliminate or reduce those barriers to ensure equitable access</li> </ul>

2. Outline the TED's proposed timeline for providing services and assistance to students.

A satisfactory answer...	May require revision
<ul style="list-style-type: none"> <li>• Identifies a timeline for all proposed spending activities</li> <li>• Identifies which constituents the spending activities will affect (e.g., students, educators, families)</li> <li>• Shows that 100% of the funds will be liquidated by June 30, 2021 and in ways that are allowed by the CARES Act</li> </ul>	<ul style="list-style-type: none"> <li>• Timeline may be incomplete, unclear, or may not include all proposed spending activities</li> <li>• May not clearly identify which constituents the spending activities will affect (e.g., students, educators, families)</li> <li>• May not show that 100% of the funds will be liquidated by June 30, 2021 and in ways that are allowed by the CARES Act</li> </ul>

### PROGRAM OVERSIGHT AND MANAGEMENT

NMPED will manage the progress of the projects/programs; the program contact is listed below:

Rebecca Reyes, Deputy Director Indian Education Division [Rebecca.Reyes2@state.nm.us](mailto:Rebecca.Reyes2@state.nm.us)

### TIMELINE

NMPED will make every effort to adhere to the following schedule:

Action	Responsible Party	Due Date
Issue RFA	NMPED	October 16, 2020
Submission of applications	Potential applicants	November 9, 2020
Evaluation of applications	Review panel	November 9, 2020-November 11, 2020
Selection of grantees	Review panel	November 12, 2020
Finalize contractual arrangements	NMPED/grantees	November 12-13, 2020
Contract awards	NMPED/grantees	November 29, 2020

### EXPLANATION OF EVENTS

- Issuance of RFA: This RFA is being issued on behalf of the New Mexico Public

Education Department on the date specified in the above timeline.

- Submission of Application: All applications must be received for review and evaluation by 5:00 pm MST on November 9, 2020. Applications received after this time will not be accepted. The date and time of receipt of application will be time-stamped by email. Please email them to [Indian.Education@state.nm.us](mailto:Indian.Education@state.nm.us)
- Finalize Contractual Agreements: During the window of time stipulated in the timeline above, NMPED will work directly with successful grantees to establish contract terms leading to execution of an Intergovernmental Agreement (IGA).
- Contract Awards: After review of the Evaluation Committee Report and the signed contractual agreement, the Agency Procurement Office will award as per the schedule in the timeline above. This date is subject to change at the discretion of the State Purchasing Division or relevant Agency Procurement Office.

### **REPORTING**

The TED 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 NMPED at such time and in such manner and containing such information as the NMPED and the U.S. Department of Education may subsequently require. (See also, 2 CFR 200.327-200.329.) There is more detailed language in the Assurances document.

### **CHECKLIST FOR SUBMISSION AND MUST INCLUDE THE FOLLOWING**

- I. Cover Page
- II. Required Questions responses
- III. Signed CARES Act GEER and SEA Reserve ESSER Fund Assurances

# Cover Page

## Tribal Name

<b>Name</b>		
<b>Phone</b>	<b>e-mail</b>	
<b>Mailing Address</b>		
<b>Anticipated targeted population</b>		
<b>Number of students based on FY20 count of students (page 3 of RFA)</b>		

## Required Questions

Provide a description of the steps your department will take to ensure compliance with Section 427 of the General Education Provision Act (GEPA), 20 U.S.C. 1228a. The description must include information on the steps the TED 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 access to, or participation in, the program(s) for which you are submitting this funding request.

Outline the TEDs proposed timeline for providing services and assistance to students.

## NM Public Education Department

Assurances for the Application  
for receipt of award authorized  
by the CARES Act GEER and SEA  
Reserve ESSER Funds

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Name of Tribal Education Department (TED)

The TED provides the following assurances in application to the New Mexico Public Education Department (NMPED) as the State Educational Agency (SEA), for receipt of the TED level award from the Governor's Emergency Education Relief (GEER) Fund and the Elementary and Secondary School Emergency Relief (ESSER) Fund authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-13.

1. The TED will use its GEER and SEA Reserve ESSER award to address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on its elementary and secondary school students.
2. The TED will spend its TED level GEER and SEA Reserve ESSER Fund award in accordance with all applicable statutes, regulations, program plans and requirements.
3. **The TED will only spend these funds for Internet access for students without access at home. This can include fiber, DSL, cable, fixed wireless, wireless hotspots, and satellite, depending on service available at an individual address.** Requests for payment (invoices) that contain costs other than those stated above will be denied.
4. The TED will comply with the Children's Internet Protection Act (CIPA) to include, but not be limited to adopting and implementing an Internet safety policy addressing:
  - (a) ■ Access by minors to inappropriate matter on the Internet;
  - (b) ■ The safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
  - (c) ■ Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
  - (d) ■ Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
  - (e) ■ Measures restricting minors' access to materials harmful to them.

<https://www.fcc.gov/consumers/guides/childrens-internet-protection-act>
5. The TED will have control over, and title to property acquired with the TED level award of the GEER and SEA Reserve ESSER Funds. TED must maintain an inventory list of all equipment purchased with these funds.
6. The TED 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 NMPED at such time and in such manner and containing such information as the NMPED and the U.S. Department of Education may subsequently require. (See also, 2 CFR 200.327-200.329.)



The NMPED also may require additional reporting, including but not limited to:

- (a) the methodology TEDs will use to provide services or assistance to students in public and charter schools;
  - (b) the uses of funds by the TEDs and demonstration of their compliance with Section 18003(d). For example, a TED may report that it used its TED level GEER and ESSER Fund allocations to address the digital divide, including securing access to home-based connectivity and remote-use devices, and related support of continuous learning for all students, including at-risk and disadvantaged populations; and
  - (c) For TEDs that receive GEER and SEA Reserve ESSER Fund awards greater than \$150,000.00, quarterly reporting to include at least a detailed list of all projects or activities for which large covered funds were expended or obligated, including:
    - the name of the project or activity;
    - a description of the project or activity;
    - the estimated number of jobs created or retained by the project or activity, where applicable; and
    - detailed information on any level of subcontracts or sub grants awarded by the covered recipient or its subcontractors or sub grantees.
7. The TED will cooperate with any request for examination of records regarding such funds by making records available for inspection, production, and examination, and authorized individuals available for interview and examination, upon the request of (i) NMPED; the U.S. Department of Education and/or its Inspector General; or (ii) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.
  8. The TED will develop policies and processes to ensure equitable access to, and equitable participation in, the project or activity to be conducted with Federal assistance, by addressing the special needs of students, teachers, and other program beneficiaries in order to overcome barriers based on gender, race, color, national origin, disability, and age.
  9. The TED will adopt written procedures for the receipt and resolution of complaints alleging violations of law in the administration of programs.
  10. The TED certifies 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. The SEA will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 C.F.R. Part 82, Appendix B); and the SEA will require the full certification, as set forth in 34 C.F.R. Part 82, Appendix A, in the award documents for all sub awards at all tiers.
  11. The TED will use such fiscal control and fund accounting procedures and program documentation as will ensure proper disbursement of, and accounting for, Federal funds used, including:
    - (a) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients;
    - (b) the correction of deficiencies in any program operations identified

through audits, monitoring, or program evaluation; and  
(c) detailed records of any purchases including P-card purchases.

12. The TED will repay to the SEA, using non-federal funds or Federal funds for which no accountability is required to the Federal government, any amounts which the U.S. Department of Education orders the SEA to repay because of the TED's failure to comply with applicable statutes, regulations, and requirements.

13. The TED will further repay to the SEA with non-federal funds, or from Federal funds from which no accountability is required to the Federal government, any amounts determined by the SEA to have been misspent or misapplied because of the TED's failure to comply with applicable statutes, regulations, and requirements.

The TED, through its duly authorized representative named below, agrees to these assurances, and certifies that the information contained in these assurances is complete and correct to the best of the signatory's knowledge and belief, and such information may be relied upon by New Mexico Public Education Department and the U.S. Department of Education.

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Signature of Governor/President

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Date

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Signature of Tribal Education Director

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Printed Name of Tribal Education Director

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Date

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Name of Tribal Education Department