Special Note: On September 9, 2020, the U.S. Department of Education (USED) made it known that the Interim Final Rule that they published on July 1, 2020 is no longer in effect. The USED decision was reached after various legal challenges and court rulings. The impact of this change and the updates to the Ohio Department of Education (Department) guidance is being reviewed. The Department will provide guidance as it is developed. In the meantime, the Department's Office of Federal Programs (OFP) provided the most current recommendations in CCIP Note 448 (link here). Please review this note and any subsequent CCIP note releasing guidance. (9/25/20)

CCIP Note #436

Re: Update Needed for CCIP Note #435, CARES Act Information and Estimated Allocations
Date: May 4, 2020
To: Nonpublic Principals and Superintendents; Public School District and Community Schools Superintendents, Treasurers, Title I Directors/Coordinators and Consolidated Application Contacts

Special Note: *CCIP Note #435 was unveiled to the public the afternoon of April 30, 2020. Shortly after the CCIP Note was unveiled, the U.S. Department of Education (USED) provided important updates regarding how states and LEAs must administer and calculate equitable services for nonpublic schools under the CARES Act. The information provided on CCIP Note #435 should be reviewed together with CCIP Note #436*

Federal CARES Act Information and Ohio Department of Education Updates
The Ohio Department of Education's Office of Federal Programs (OFP) will provide stakeholders with important information and implementation updates on the Elementary and Secondary School Emergency Relief Fund (ESSERF) as they become available. The ESSER Fund provides support to local educational agencies (LEAs) to address the impact that the novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on elementary and secondary schools across the nation. LEAs receiving ESSER Funds must provide equitable services to students and teachers in nonpublic schools as required under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). Public districts must ensure that they consult with all nonpublic schools, both chartered nonpublic schools and non-chartered, non-tax schools regarding participation in ESSERF equitable services.

1. **LEA Preliminary Allocations for ESSER Funds***:*
   The Office of Federal Programs has made preliminary allocations for LEAs as well as the anticipated set aside levels for nonpublic equitable service based on enrollment data of the nonpublic buildings within the district boundaries. These preliminary allocations were determined based on current data available and on current guidance from the U.S. Education Department. Click here for the LEA total ESSERF allocations and total nonpublic equitable services obligations. Click here for the anticipated set aside levels for nonpublic equitable services for the nonpublic buildings within the district boundaries.

2. **What to Expect and Next Steps:**
   Basic information about our implementation process includes:
   - State Application to USED*:* In the coming days, ODE will apply to the USED for the ESSER Funds. Once the application is received by the USED, Ohio should receive an award and have access to the federal funds within a week.

- Ohio LEA Application: The Office of Federal Programs will make available in the coming days a Word document template of the LEA application that will be coded into the CCIP before the end of May. This template should help districts and nonpublic schools plan and prepare for the application once it is available in the CCIP. Districts will simply need to cut and paste the information into the CCIP.
- Life of the Grant Application (Funds Available for 2020 and Beyond): Our commitment is to provide districts the option to have access to the ESSER Funds this fiscal year (2020) if they have a need for costs incurred. Our plan is to create an application that crosses over the fiscal years (March 13, 2020 to September 30, 2022). In other words, the district will provide budget information in the application that could be used for associated costs in any year without the need to address carryover applications between years or submit a final expenditure report (FER) until the end of the grant. Under this application, the substantially approved date would be back to March 13, 2020 and could be used until September 30, 2022.
- OFP CARES Act/ESSER Fund Guidance: The Office of Federal Programs is currently working on an ESSER Fund/CARES Act guidance document. The guidance will be housed in the CCIP Document Library and updated regularly.

3. **U.S. Department of Education Resources:**
   The main source of information about the CARES Act and ESSER Fund is the USED. We will provide information as it is received. The USED COVID-19 website may be accessed HERE. The ESSER Fund information may be accessed HERE. Key information documents are below and housed within the CCIP Document library.

USED Instructions on Administrating and Calculating Nonpublic Equitable Services Under the CARES Act

Shortly after the release of CCIP Note #435 (link here), the USED released important information regarding how state educational agencies and LEAs must administer and calculate equitable services for nonpublic schools. This new information impacts the approach we (the Ohio Department of Education) originally had for planning and administering the ESSER Fund and calculating nonpublic equitable service allocations. The USED information guidance on administering and calculating nonpublic equitable services may be found HERE. Public districts should ensure that they consult with all nonpublic schools, both chartered nonpublic schools and non-chartered, non-tax schools (NCNT) regarding participation in ESSERF equitable services. Interested NCNT schools who wish to participate in ESSERF equitable services will need to contact Chantelle Carter at Chantelle.Carter@education.ohio.gov to begin the process of being added to the Nonpublic Data System. This process may take a few days as the Ohio Educational Directory System (OEDS) requires an overnight update. It is recommended that LEAs contact NCNT schools immediately to ensure enrollment data may be entered by the deadline.

Clarification on Data Needed in the NPDS

The Nonpublic Data System (NPDS) window is being extended to May 15, 2020. It is important for all nonpublic schools to upload and verify low income data that is used for Title I, Part A equitable service calculations. The Title I, Part A equitable service amount at the district-level is based on total low-income counts of the nonpublic students, regardless if a private school chooses not to participate.

- Updated Nonpublic Navigation Instructions and Technical Assistance Videos are available HERE.

- If you have questions, please contact Chantelle Carter, Nonpublic Ombudsman at Chantelle.Carter@education.ohio.gov or an ESEA Education Program Specialist in the Office of Federal Programs at (614) 466-4161.