Emergency Assistance to Nonpublic Schools (EANS) Services and Assistance



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Ohio | Department of Education

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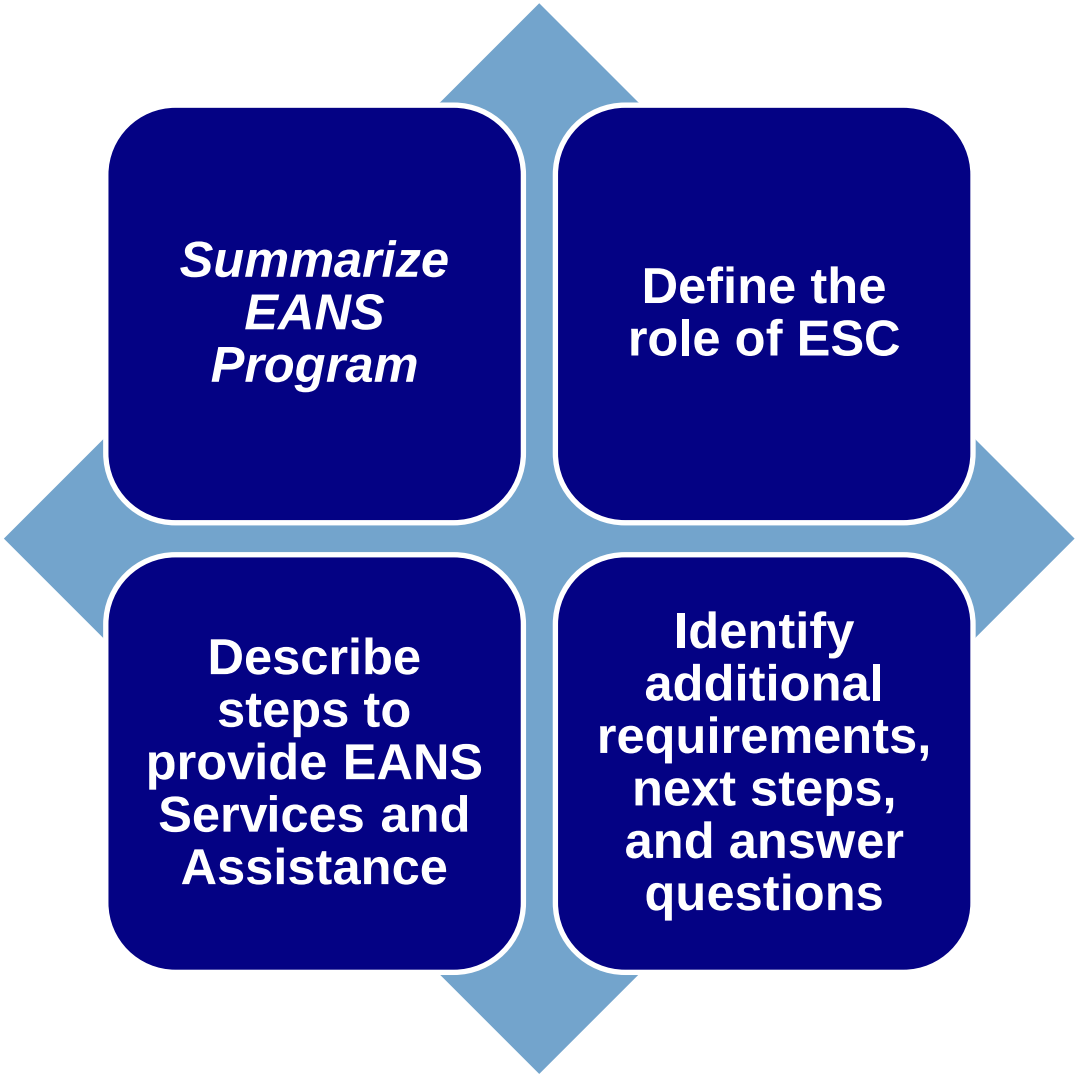
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Objectives


Summarize EANS Program
Define the role of ESC
Describe steps to provide EANS Services and Assistance
Identify additional requirements, next steps, and answer questions

EANS Overview

- As part of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021, (CRRSA Act) Public Law 116-260, Congress set aside $2.75 billion of the Governor's Emergency Education Relief (GEER) Fund specifically to provide emergency assistance to students and teachers in nonpublic schools through the Emergency Assistance to Nonpublic Schools (EANS) program.

- The purpose of the EANS program is to provide services or assistance to eligible non-public schools to address the impact that the Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on non-public school students and teachers in the state.

EANS Overview

- On February 5th, 2021, Governor DeWine submitted a signed certification and agreement for Ohio's EANS award. Ohio received an EANS award of **$154,896,274**. The Ohio Department of Education (ODE) is responsible for the administration of the EANS program.

- In March, eligible nonpublic schools applied to receive services and assistance through the Emergency Assistance to Nonpublic Schools (EANS) program. Details of this process can be found in CCIP Note 466.

- In May, the Ohio Department of Education released EANS Service Amounts for nonpublic schools that completed an EANS application. Details of this process can be found in CCIP Note 469.

EANS Overview

- The Ohio Department of Education is contracting with Education Service Centers (ESCs) across Ohio to provide EANS services and assistance to nonpublic schools that received an EANS Final Service Amount.

- EANS Final Service Amounts have been updated to adjust for changes to eligible nonpublic schools and EANS administrative costs. The EANS Final Service Amounts for each nonpublic school and listing of the ESC providing services can be found here.

Education Service Center Role

- Each contracted ESC will provide services and assistance to a group of nonpublic schools on behalf of the Department and in accordance with the CRRSA Act and US Department of Education guidance on the EANS program.

- In addition, each contracted ESC will assist the Department in meeting all compliance, monitoring, and reporting responsibilities for provision of services and assistance to these nonpublic schools.

Education Service Center Role

- In early July, Education Service Centers will consult with the nonpublic schools for which they are contracted to provide EANS services and assistance.
- The Ohio Department of Education has provided the nonpublic school EANS applications to contracted ESCs.
- Nonpublic schools may request changes to the EANS services listed on the EANS application.
- Through consultation, the ESC will determine the means, method, manner, and process of delivering EANS services and assistance.

Education Service Center Role

- The Department acknowledges that ESCs may not provide all the allowable EANS services in-house and could therefore need to enter into a third-party agreement.

- The Department believes that third-party agreements to provide EANS services may be allowable.

- However, it is important to note that the responsibility for ensuring that EANS services are provided still falls to the contracted ESC.

The ESC must provide EANS services and assistance equal to the EANS Final Service Amount for each nonpublic school for which it has been contracted to provide services by September 30, 2023. The services rendered must not exceed the EANS Final Service Amount for the school.

Consultation

ESCs will engage in consultation with each nonpublic school for which it has been contracted to provide EANS services and assistance to determine:

- Continued eligibility of the nonpublic school for the EANS Program (that all the assurances signed by the nonpublic school in the EANS Application are still accurate and true).

- Allowability of the services and assistance that the nonpublic school requested on its EANS application, and/or new services that the nonpublic school is requesting.

- If necessary, the frequency and method of continued consultation to ensure provision of EANS services and assistance.

EANS Services and Assistance

- Nonpublic schools may request *reimbursement* through the ESC for certain expenses they incurred or will incur that are allowable in the EANS program.

- A nonpublic school may be reimbursed only for expenses that the school incurred on or after March 13, 2020, to prevent, prepare for, and respond to COVID-19, that have not already been reimbursed with Federal funds, including PPP.

EANS Services and Assistance

Reimbursable expenses include:

- Supplies to sanitize, disinfect, and clean school facilities
- Personal Protective Equipment (PPE)
- Physical barriers to facilitate social distancing
- Other materials, supplies or equipment recommended by the CDC for reopening and operation of school facilities to effectively maintain health and safety
- Expanding capacity to administer coronavirus testing to effectively monitor and suppress the virus
- Educational technology
- Leasing sites or spaces to ensure social distancing
- Reasonable transportation costs

EANS Services and Assistance

- Some EANS services and assistance <u>are not</u> reimbursable.

- These EANS services and assistance must be provided by the ESC or third-party provider.

EANS Services and Assistance

EANS services and assistance that are allowable but may not be reimbursed include:

- Improvements to ventilation systems (including windows), except for portable air purification systems, which may be reimbursed.
- Staff training and professional development on sanitization, the use of PPE, and minimizing the spread of COVID-19.
- Developing instructional plans, including curriculum development, for remote or hybrid learning or to address learning loss.
- Initiating and maintaining education and support services or assistance for remote or hybrid learning or to address learning loss.
- Any expenses reimbursed through a loan guaranteed under the PPP (15 U.S.C. 636(a)) prior to December 27, 2020.

These services should be rendered by the ESC or a third-party provider.

ESC Invoice Process

- The ESC will submit invoices and EANS supporting documentation for reimbursable expenses and/or services rendered. The Department will review invoices and approve or return for correction. The ESC must submit an *EANS Invoice Form* and *EANS Supporting Documentation Form* with each invoice request.

- Invoices must be submitted to fiscal.management@education.ohio.gov. The invoice email must include the EANS Invoice Form as well as the Supporting Documentation Form.

- Please copy the eans@education.ohio.gov inbox with each invoice request.

ESC Invoice Process

- The ESC must keep on file all supporting documentation that shows that an EANS reimbursable expense has occurred or service has been rendered. Some examples of supporting documentation include, but are not limited to, Purchase Orders, Invoices, Receipts, and Mileage Logs.

- In consideration of the ESC's services performed under the EANS contract, the Department will pay the ESC an administrative fee in an amount equal to four percent of the total services for which the ESC seeks reimbursement. The administrative amount is calculated on the EANS Invoice Form and will be paid to the ESC upon approval of the invoice along with the EANS reimbursements and services rendered.

ESC Invoice Process

- Each ESC will have an assigned Invoice Approver from the Office of Federal Programs. There are additional standard review steps that will occur within the Department fiscal system. The approval process for EANS invoices will take between 10 and 30 days.

- If an ESC has questions or needs assistance in the EANS invoice process, it may email eans@education.ohio.gov.

Control of EANS Funds

- Under section 312(d)(7) of the CRRSA Act, a public agency must control funds for services or assistance provided to nonpublic school students and teachers under the EANS program.

- The ESC will provide EANS services and assistance on behalf of the Department and must maintain control of the funds.

Control of EANS Funds

The ESC will work with each nonpublic school to ensure that:

- Expenditures are allowable expenses, that the nonpublic school has sufficient documentation supporting such expenditures, such as paid invoices
- That the school received the services or assistance related to those expenditures, and
- That the Department gains title to materials, equipment, and property.

Services provided under EANS must also be secular, neutral, and non-ideological.

Additional Requirements

- **Records:** The ESC must establish and maintain for at least three years after the last day of the Performance Period its records regarding EANS, including financial reports and all other information pertaining to the ESC's performance of its obligations under the EANS contract.

- **Reporting:** The ESC must be prepared to provide the Department promptly with any records, documents, or information relating to the ESC's provision of EANS services and the EANS program.

- **Monitoring:** The Department may monitor the ESC's performance and the ESC's compliance with any and all requirements relating to the EANS program.

EANS Questions

For questions about Ohio's EANS application process, eligibility, and allowable EANS Services and Assistance, please refer to the EANS Frequently Asked Questions.

For more information about the EANS Services and Assistance process, please refer to the EANS Services and Assistance Guide.

EANS Questions

Is a nonpublic school that received a PPP loan *prior* to December 27, 2020 eligible to receive services or assistance under the EANS program?
Yes. A nonpublic school that received a PPP loan prior to December 27, 2020, may receive services or assistance under the EANS program.

Can a nonpublic school receive EANS services if it applied for and received PPP funding *on or after* December 27th, 2020?
No. In order to be eligible to receive services or assistance under EANS, a nonpublic school must sign an assurance in the EANS application that the school did not, and will not, **apply for and receive a loan** under paragraphs (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)(37)) on or after December 27th, 2020.

EANS Questions

May a nonpublic school receive reimbursement for COVID-19-related expenses?

Yes. A nonpublic school may request reimbursement for expenses it has incurred or will incur for most allowable services or assistance. A nonpublic school may be reimbursed only for allowable services or assistance it incurred on or after March 13, 2020, to prevent, prepare for, and respond to COVID-19, that have not already been reimbursed with federal funds, including PPP. Reimbursements under the EANS program do not make nonpublic schools recipients of federal financial assistance.

EANS Questions

What is the earliest date that the ESC can provide EANS services?

Direct services may be rendered as of July 1, 2021. This does not preclude ESCs and nonpublic schools from planning before July 1, 2021. However, July 1, 2021 will be the starting point for when employment contracts or other direct services can be obligated and covered through invoice requests.

EANS Questions

Can IT staffing or other specialists be “outsourced” if the ESC cannot supply and does the ESC have to work directly with the sourcing vendors and oversee their work?

Yes, the Department believes that the ESC may establish an agreement with a third-party provider. The ESC contracted to provide services to the nonpublic school determines the means, method, manner and process for EANS services, and is ultimately responsible for ensuring that EANS services are provided.

EANS Questions

May EANS funds be used to pay the salaries of nonpublic school teachers or other staff?

No. EANS funds may not be used to cover payroll. Under section 312(d)(7) of the CRRSA Act, a public agency must control funds for services or assistance provided to nonpublic school students and teachers under the EANS program. In Ohio, the Ohio Department of Education plans to contract with ESCs to provide services and assistance. On behalf of ODE, the ESC may contract with a nonpublic school directly to provide secular, neutral, and non-ideological services outside of the teacher's contractual obligation with the nonpublic school. The nonpublic school teacher must be employed by the ESC for EANS purposes outside of the time he or she is employed by the nonpublic school, and the nonpublic school teacher must be under the direct supervision of the contracted ESC with respect to all EANS activities.

EANS Questions

May a nonpublic school charge expenses to EANS for teachers employed due to COVID-19?

In general, teachers employed due to COVID-19 would fall under the following allowable use category: *Initiating and maintaining education and support services or assistance for remote or hybrid learning or to address learning loss.* Under the requirements of the EANS program, this allowable use category may not be reimbursed. Therefore, if the nonpublic school has a need related to remote, hybrid learning or to address learning loss, the service must be provided by the ESC or a third-party provider. If the service is a teacher from the nonpublic school, the teacher must be employed by the ESC for EANS purposes outside of the time he or she is employed by the nonpublic school, and the nonpublic school teacher must be under the direct supervision of the contracted ESC with respect to all EANS activities.

EANS Questions

Are permanent improvements to ventilation systems, such as HVAC systems or new windows, allowable under EANS?

No. See the EANS FAQ, page 3 for details. In general, temporary improvements are allowable. A portable air purification system would be allowable because an SEA could keep title and it could be removed when no longer needed without remodeling the nonpublic school facility. A ventilation system that is installed and becomes a capital improvement in a nonpublic school, however, would not meet these requirements. Similarly, new windows would not be permissible, but repairing old windows to facilitate air flow could be allowable.



Questions?