Emergency Assistance to Nonpublic Schools (EANS) - Updates



February 2022

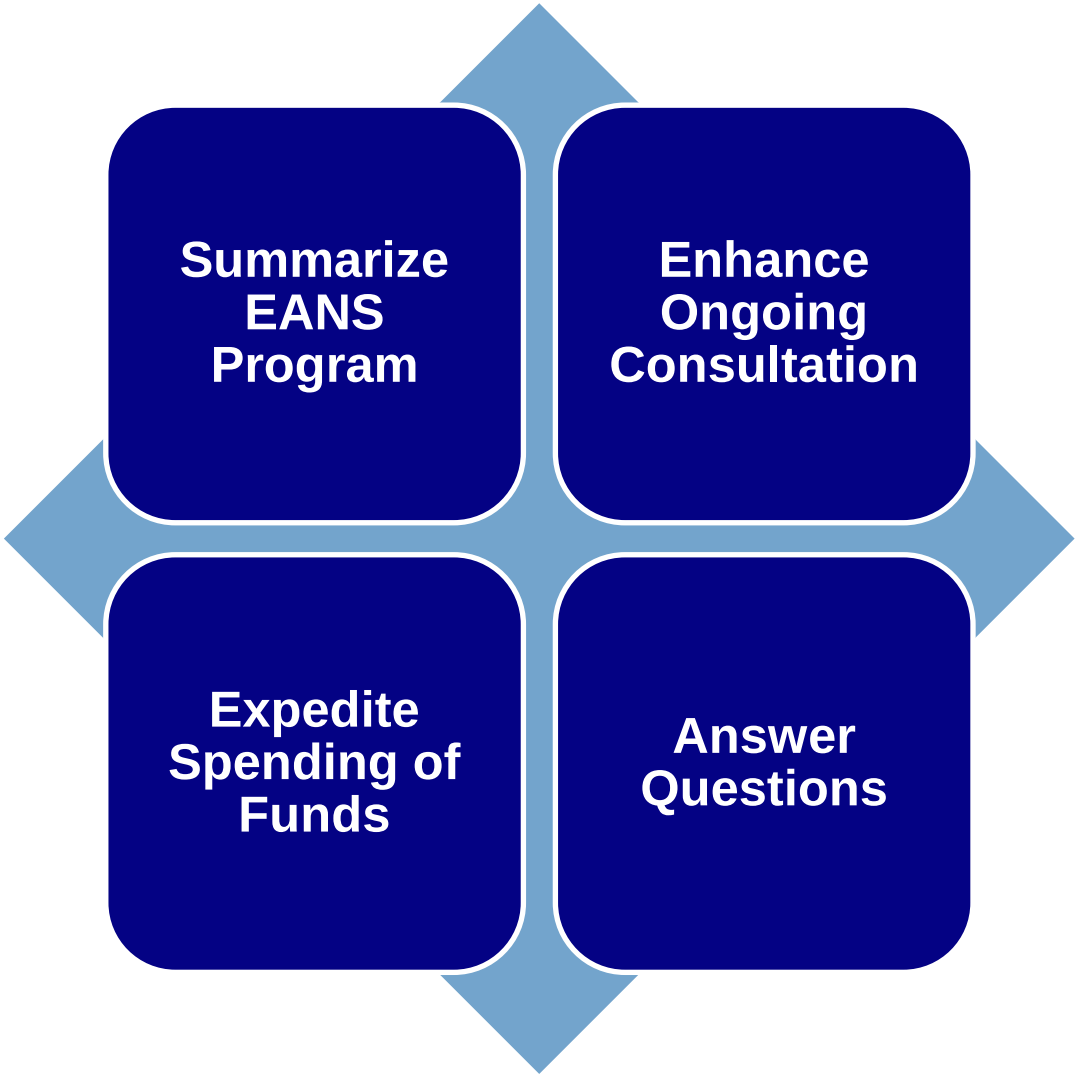
Ohio | Department of Education

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Objectives


Summarize EANS Program
Enhance Ongoing Consultation
Expedite Spending of Funds
Answer Questions

EANS Overview

- As part of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, Congress set aside $2.75 billion of the Governor's Emergency Education Relief (GEER) Fund for the Emergency Assistance to Nonpublic Schools (EANS) program.

- Ohio received a CRRSA EANS award of $**154,896,274**.

EANS Overview

- As part of the American Rescue Plan (ARP) Act, Congress set aside an additional $2.75 for the ARP Emergency Assistance to Nonpublic Schools (ARP EANS) program.

- Ohio received an ARP EANS Award of **$155,190,488.**

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

Ohio's EANS Process

- EANS application process
- Eligible schools that apply receive an EANS Final Service Amount based on low-income and impact of COVID-19.
- The Ohio Department of Education contracts with Education Service Centers (ESCs) across Ohio to provide EANS services and assistance on behalf of the Department.
- CRRSA EANS: CCIP Note 476
- ARP EANS: CCIP Note 488

CRRSA EANS

- The Department contracted with Education Service Centers to provide CRRSA EANS services equal to the Final Service Amount for each school by September 30, 2023.
- There are 501 schools with a CRRSA EANS Final Service Amount. Contracts began July 1, 2021.
- To date, the Department has paid approximately $28,000,000 through the EANS Invoice Process, around 20% of the available funds.

ARP EANS

- Application process completed in December 2021.
- Only schools with 25 percent of enrolled students from low-income families were eligible.
- Eligible nonpublic schools that applied for ARP EANS receive their requested amount in services.
- Education Service Centers will be contracted to provide ARP EANS services.

ARP EANS

- ARP EANS contracts will be in place by April, after which participating ESCs will begin to consult with schools.

- The Department will notify all schools with the ESC service provider contact information and the next steps for ARP EANS.

Education Service Center Role



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 provides EANS services and assistance on behalf of the Department and must maintain control of the funds.

Control of EANS Funds

The ESC works 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.

Updates – EANS Guidance

Coming Soon!

- The USED made updates to the EANS Frequently Asked Questions guidance.
- The Ohio Department of Education will update:
  - EANS Frequently Asked Questions
  - EANS Service and Assistance Guide
- The Department will provide a link to the document in the CCIP Document Library and notify ESCs and nonpublic schools.

Updates – EANS Guidance

- No reimbursements under ARP EANS program. Services must be rendered by the ESC or third-party provider.
- EANS funds may be used to pay for the installation of equipment or supplies purchased with EANS funds.
- EANS funds may be used to pay for the installation of equipment or supplies purchased by a nonpublic school for purposes of improving its ventilation system.

Updates – EANS Guidance

Licensure

- The Department is amending its EANS guidance to allow flexibility in the EANS program.
- Teachers hired by an ESC under EANS must meet state licensure requirements as applicable. This may include certification in accordance with ORC 3301.07 and 3301.071.

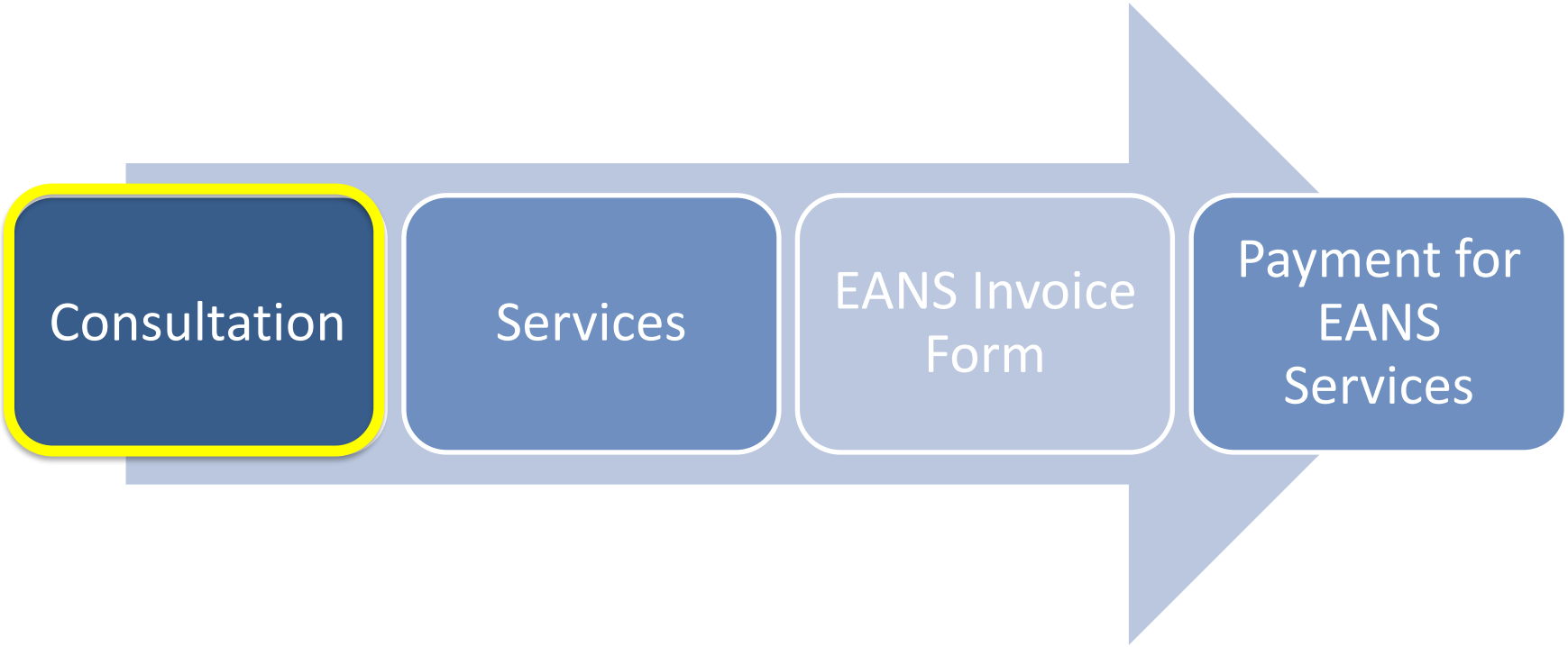
Updates – EANS Guidance

- There is a new assurance that the ESC or school will use an approved vendor/supplier for Personal Protective Equipment. Details can be found on this letter from Office of Budget and Management.

- We would expect to see that as of January 14, 2022 PPE purchases on the EANS Invoice and Supporting Documentation Form follow this assurance and guidance.

- *Subrecipient will comply with Section 234.10 of House Bill 169 of the 134th Ohio General Assembly regarding the purchase of personal protective equipment (PPE) and will purchase only products that are either (1) approved by the National Institute for Occupational Safety and Health; or (2) Authorized for use by the United States Food and Drug Administration, including under emergency use authorization. Subrecipient will comply with Section 125.035 of the Revised Code if applicable.*

EANS Process



Consultation

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



Consultation in Action

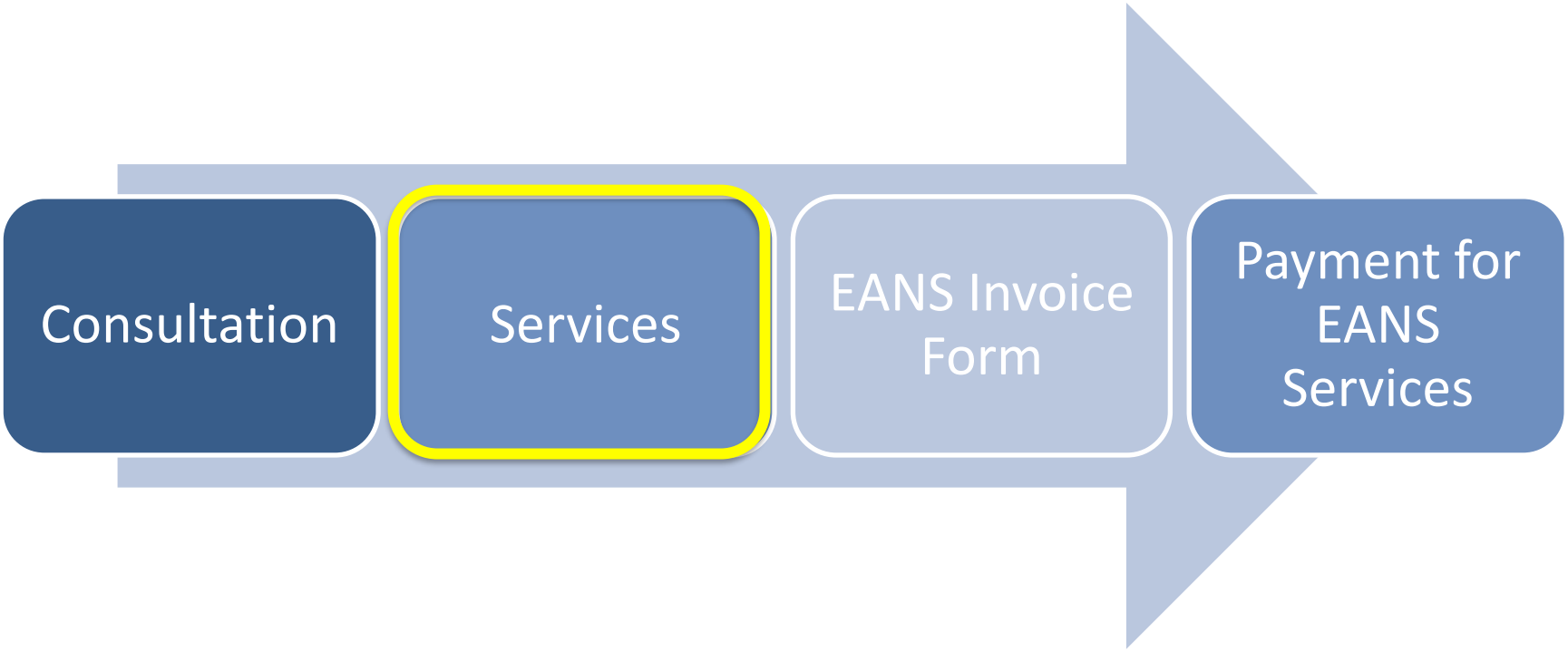


Richard Cox, ESC of Lake Erie West

Jennifer Michaels, Diocese of Toledo

Melissa Empie, Cardinal Stritch Catholic High School and Academy

EANS Process



EANS Services

- 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

***These services *are* reimbursable for CRRSA EANS only. For ARP EANS, all services must be rendered by the ESC or third-party provider.

EANS Services

- 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.

***These services are not reimbursable. All services must be rendered by the ESC or third-party provider.

EANS Service Questions

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

EANS funds may not be used to cover payroll, however teachers and staff may be contracted by the ESC outside the contractual obligation to the nonpublic school if the staff are needed to maintain education and support services for remote/hybrid learning or to address learning loss. 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 Service 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.

EANS Service Questions

Can we lease a space with EANS to facilitate social distancing?

Yes. Leasing sites or spaces to ensure social distancing is an allowable use in the EANS program. It is important to note that the ESC on behalf of the Department should follow all the requirements of the EANS program. For instance, equipment and materials should be removeable at the end of the performance period, and the ESCs on behalf of the Department are prohibited from using EANS funds for construction. The EANS lease period should be consistent with the period of availability of the EANS program, which for CRRSA EANS runs until September 30, 2023.

EANS Service Questions

May EANS funds be used to pay for the installation of equipment or supplies purchased with EANS funds?

Yes. To the extent the purchase of supplies or equipment is allowable under the EANS program, EANS funds may be used to pay the costs of installation as long as the ESC on behalf of the Department can do so consistent with other applicable requirements. Section 312(d)(7) of the CRRSA Act, for example, requires an SEA or another public agency to keep title to materials, equipment and property purchased with EANS funds and the public agency must administer such materials, equipment, and property. Additionally, 34 C.F.R. § 76.661 requires that equipment and supplies purchased with EANS funds must be able to be removed from a non-public school without remodeling the non-public school facility. Moreover, under 34 C.F.R. § 76.662, an SEA is prohibited from using EANS funds for construction.

EANS Service Questions

May an ESC on behalf of the Department use EANS funds to pay for the installation of equipment or supplies purchased by a nonpublic school for purposes of improving its ventilation system?

Yes. EANS funds generally may only be used for the costs of installation of supplies or equipment that is otherwise allowable and not for installation of supplies or equipment that is not otherwise allowable. However, because section 312(d)(4)(C) of the CRRSA Act authorizes the use of funds for improving ventilation systems, an SEA may use EANS funds to install supplies or equipment that are otherwise unallowable as long as such supplies or equipment are needed to improve a non-public school's ventilation system.

School and ESC Feedback

- Allowable uses are narrow or not perfectly aligned to a school's need in response to COVID-19.
- The process to meet the EANS program requirements can be challenging.
- Once EANS services are rendered, the services have been impactful for schools in response to COVID-19.



Creative Ideas for Services

- Staff to initiate and maintain education and support services for remote or hybrid learning, or to address learning loss
- Removeable equipment and materials for health and safety tied to CDC guidance
- Portable air purification systems
- Touchless fixtures (if removeable and not considered a capital improvement)
- Installation costs for ventilation systems

Best Practices

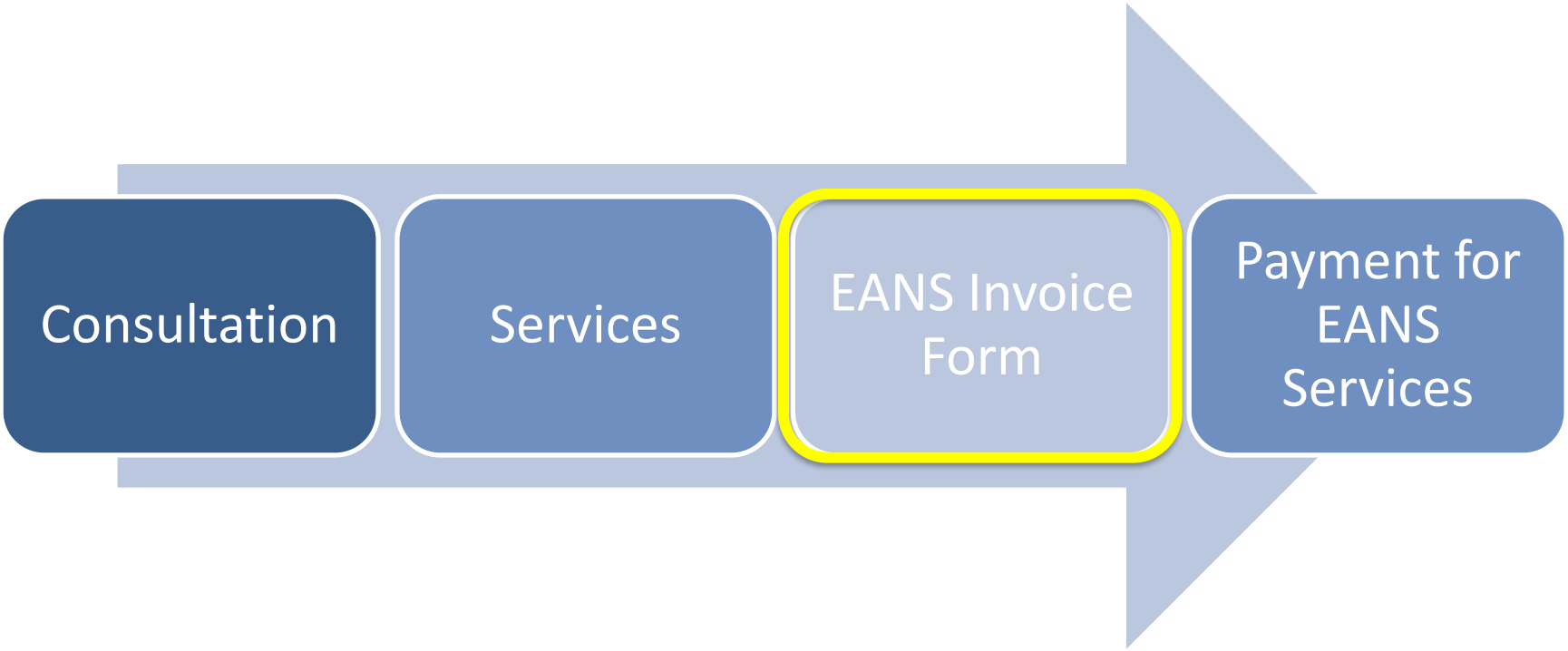
- Know the EANS allowable uses (EANS FAQ, Pages 4-5) and how they relate to the need in the school in response to COVID-19.
- Consultation is key. The ESC and the school collaborate to determine if services are allowable, and how the ESC will render that service.
- Reach out to the Department with any questions at eans@education.ohio.gov.

Example of ESC Service Process



Richard Cox,
ESC of Lake Erie West

EANS Process



ESC Invoice Form

- Once a service is rendered, the ESC submits the EANS Invoice and Supporting Documentation Form to the Department.
- The Department's fiscal office uploads the form in the Department invoice system.
- The Office of Federal Programs Emergency Grants team reviews the invoice within five days.

EANS Invoice Form

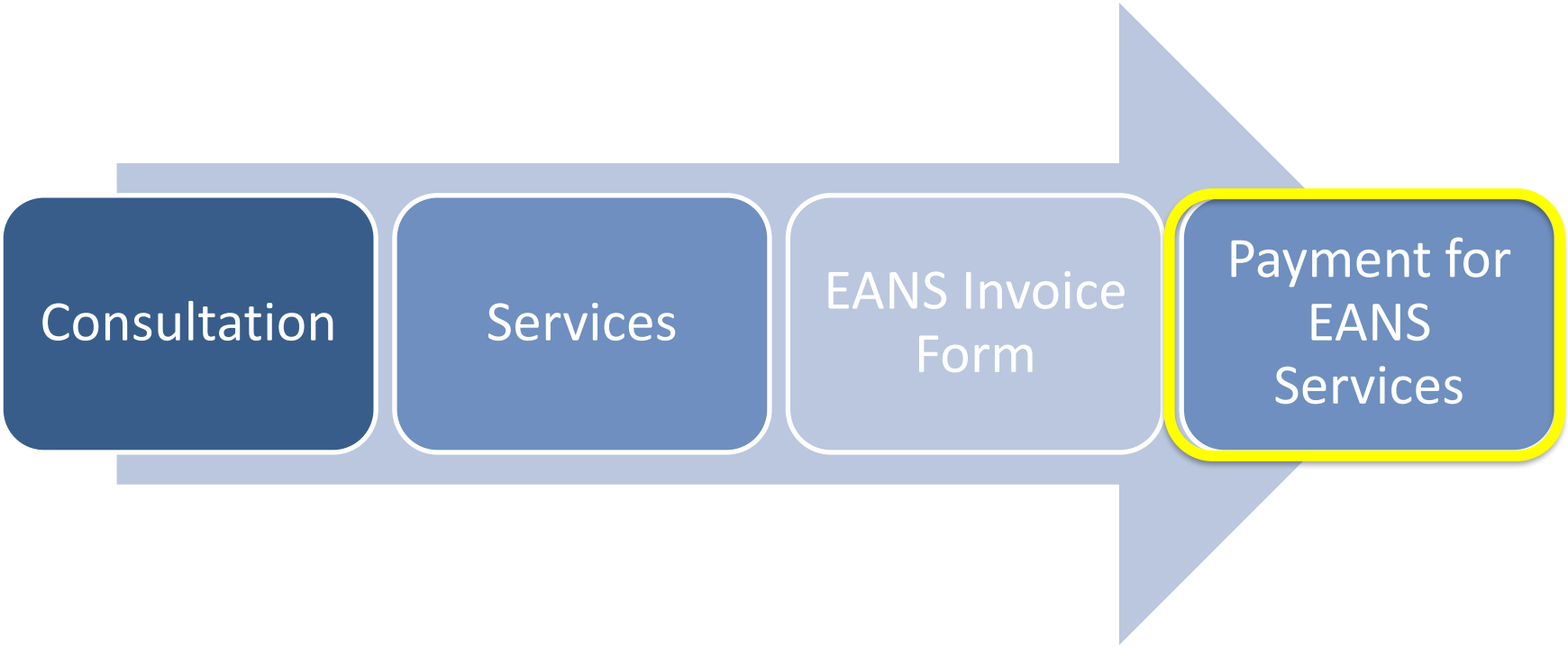
- The Federal Program staff either approves or disapproves the invoice.
- If an invoice is approved, it will be paid within 15-30 days to comply with Office of Management and Budget (OMB) requirements.
- If an invoice is disapproved, the reviewer will add a comment for Fiscal Services to explain why it was disapproved. Federal Programs will contact the ESC.

ESC Invoice Form – Common Issues

- Service vs reimbursement
- Mistyped IRNs
- Duplicate invoice numbers
- Not itemizing invoices
- Documentation not attached to the email
- Columns not completed on documentation tab (e.g., not including dates on supporting documentation form)

Please convert all invoices to PDF before sending to the fiscal office.

EANS Process



Payment for EANS Services

- Please be patient on EANS services and payment.
- ESCs are working hard to ensure services are rendered and program requirements are met.
- It can take 15-30 days to process an EANS Invoice due to federal requirements for payments.
- If you have concerns or need assistance, please email eans@education.ohio.gov.

EANS Resources

- EANS Frequently Asked Questions
- EANS Services and Assistance Guide
- CRRSA EANS: CCIP Note 476
- ARP EANS: CCIP Note 488
- USED EANS Resources

EANS Office Hours

- The Department will host monthly recurring EANS office hours from February 15, 2022 through September 30, 2024.

- The office hours will place on the third Tuesday each month, from 1-2pm at the following Teams link.

- EANS consultation process
- EANS allowable activities
- EANS services and reimbursements
- EANS invoice process
- CRRSA and ARP EANS Requirements

EANS Discussion

- What do nonpublic schools need from ESCs to get the requested EANS services rendered for their school?
- What do ESCs need from nonpublic schools to render services?
- What can the Department do more effectively to meet the needs of nonpublic schools?
- What can the Department do more effectively to meet the needs of ESCs?



Questions?