



MEMORANDUM

TO: Non-Public Schools

FROM: Dr. Michael Johnson, Commissioner 

DATE: February 12, 2021

SUBJECT: Emergency Assistance for Non-Public Schools (EANS) program under the CRRSA Act

The Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act was signed into law on December 27, 2020 and provides another round of funding for States to respond to the COVID-19 pandemic in K-12 schools. The CRRSA Act provides \$5.4 billion for the Emergency Assistance for Non-Public Schools (EANS) program, which is part of the Governor's Emergency Education Relief (GEER II) Fund. Under the EANS program, the Alaska Department of Education & Early Development (DEED) was awarded funds 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.

Purpose of the EANS Program

The purpose of the EANS program is to provide services or assistance to eligible non-public schools to address educational disruptions caused by COVID-19. By creating a separate reservation of funds for this purpose, Congress reiterated the need for non-public schools to participate in emergency education relief programs by establishing a separate program under the GEER II Fund, rather than relying on the equitable services requirements that typically apply to elementary and secondary formula grant programs. Consequently, school districts are not required to provide equitable services for funds received under the CRRSA Act, though equitable services requirements continue to apply to CARES Act programs.

Non-Public School Eligibility

For purposes of the EANS program, an eligible non-public school is an elementary or secondary school that—

- Is non-profit¹
- Is accredited, licensed, or otherwise operates in accordance with State law;

¹ A for-profit non-public school is not eligible to receive equitable services for its students and teachers under the EANS program. Section 315(6) of the CRRSA Act defines a "non-public school" as a non-public elementary or secondary school. Section 315(8) of the CARES Act incorporates the definitions in ESEA section 8101 for any terms not defined in the CARES Act. ESEA section 8101(19) and (45) defines "elementary school" and "secondary school," respectively, and specifies that they must be non-profit.

- Was in existence prior to March 13, 2020, the date the President declared the national emergency due to COVID-19; and
- Did not, and will not, apply for and receive a loan under the Small Business Administration's Paycheck Protection Program (PPP) (15 U.S.C. 636(a)(37)) that is made on or after December 27, 2020. (See C-13 for information regarding non-public schools that apply for but do not receive a PPP loan).

Services or Assistance for Non-Public Schools

A non-public school may apply to receive services or assistance from DEED or its contractors to address educational disruptions resulting from COVID-19 for:

- Supplies to sanitize, disinfect, and clean school facilities
- Personal Protective Equipment (PPE)
- Improving ventilation systems, including windows or portable air purification systems
- Training and professional development for staff on sanitization, the use of PPE, and minimizing the spread of infectious diseases
- 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
- Redeveloping instructional plans for remote or hybrid learning or to address learning loss
- Leasing sites or spaces to ensure social distancing
- Reasonable transportation costs
- Initiating and maintaining education and support services or assistance for remote or hybrid learning or to address learning loss
- Reimbursement for the expenses of any services or assistance described above that a non-public school incurred on or after March 13, 2020, except for:
 - 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.

All services or assistance provided, including any materials, equipment, and any other items used to provide such services or assistance must be limited to secular, neutral, and nonideological purposes.

Public Control of Funds

Control of funds for services and assistance provided to a non-public school under the EANS program and title to materials, equipment and property purchased with such funds, must be in a public agency, and a public agency must administer such funds, materials, equipment, and property. Reimbursements by DEED to non-public schools for allowable expenses meet the public control requirements. In addition,

services for a non-public school must be provided by a public agency directly or through contract with another public or private entity.

Equipment and supplies purchased with EANS funds for students and teachers in a non-public school may be used for the authorized purposes of the EANS program during the period of performance (i.e., through September 30, 2023) or until the equipment and supplies are no longer needed for the purposes of the EANS program (see 34 C.F.R. § 76.661(b); 2 C.F.R. §§ 200.313(a)(1), (c)(1) and 200.314(a)).

Application

To receive services or assistance under the EANS program, an eligible non-public school must submit an application to DEED. DEED must prioritize services or assistance to non-public schools that enroll low-income students and are most impacted by COVID-19.

DEED will release the EANS Program application on February 12, 2021 and applications are due to DEED no later than March 12, 2021 at 5:00pm Alaska Standard Time. Submission must be sent to DEED.CARES@alaska.gov.

Resources

- [DEED's COVID Relief Webpage](#)
- [US ED Emergency Assistance for Non-Public Schools Webpage](#)
- [US ED Emergency Assistance to Non-Public Schools FAQ](#)
- [US ED Governor's Emergency Education Relief Fund Webpage](#)

Please email DEED.CARES@alaska.gov with questions regarding the CRRSA Act and CARES Act.