# American Rescue Plan ActEmergency Assistance to Non-Public SchoolsRequest for Application

**December 2021**

**A program sponsored under the American Rescue Plan Act to provide funding to Non-Public Private Schools and eligible Non-Public Schools**

**California Department of Education**

**THIS DOCUMENT IS FOR REFERENCE ONLY**.

**PLEASE DO NOT SUBMIT THIS DOCUMENT TO THE CALIFORNIA DEPARTMENT OF EDUCATION.**

Title I Policy, Program, and Support Office
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## Timeline

| **Activity** | **Dates** |
| --- | --- |
| Post Request for Application (RFA) for the American Rescue Plan Act Emergency Assistance to Non-Public Schools (ARP EANS) program on the California Department of Education (CDE) website | December 3, 2021 |
| Technical Assistance Webinar: Overview of the RFA and program requirements for the ARP EANS  | December 8, 2021 |
| Application Window for the RFA for the ARP EANS: Schools will submit an application via an online portal | December 13, 2021 – January 3, 2022 |
| ARP EANS Application Received by the CDE | By 5 p.m. on January 3, 2022 |
| ARP EANS Application Evaluation by the CDE | January 3 – January 11, 2022 |
| The CDE notifies applicants of application status, award amount, and program requirements for the ARP EANS program | By January 12, 2022 |

**AMERICAN RESCUE PLAN ACT EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS PROGRAM (ARP EANS)**

## Part A: Cover Sheet

Applicant will provide the Cover Sheet as a scanned PDF attachment. The signature of the school representative must either be an original ink signature or an authenticated e-signature.

Name of school or organization: [Add Name of School or Organization]

Mailing address: [Add Mailing Address]

Email address of authorized representative of the school: [Add Email Address]

I certify to the best of my knowledge and belief, all of the information in this application is true and correct. I further understand that knowingly making a false statement or misrepresentation on this application I may be subject to criminal and civil penalties including penalty of perjury, under applicable State and Federal laws.

County District School (CDS) Code (if applicable): [Add CDS code]

Authorized Representative of the School: [Add Name of Representative]

Phone Number: [Add Phone Number]

Signature of Authorized Representative of the School (Applications submitted without a signature will be disqualified).

[Add Signature]

Date: [Add Date Signed]

Primary Contact: [Add Name of Contact]

Please provide one point of contact for who shall be responsible for submitting documents to the CDE for the purposes of requesting reimbursements and payments, and managing fiscal oversight of the program on behalf of the applicant.

Name: [Add Name for Point of Contact]

Email address: [Add Email Address]

Phone: [Add Phone Number]

## Schools List

An organization that has governing authority over a group of schools may submit an application on behalf of its member schools. In the chart below, list all schools submitted in the application. The organization is responsible for maintaining data and other information for all applicable schools.

| **Name of School(s)** | **County** | **Grade Levels Served** | **CDS Code****(if applicable)** | **First name of primary contact** | **Last name of primary contact** | **Title of primary contact** | **Email of Primary Contact** | **Direct phone of primary contact** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| [Name of School] | [County] | Grade Levels Served | [CDS Code] | [First name of primary contact] | [Last name of primary contact] | [Title of primary contact] | [Email of Primary Contact] | [Direct phone of primary contact] |
| [Name of School] | [County] | Grade Levels Served | [CDS Code] | [First name of primary contact] | [Last name of primary contact] | [Title of primary contact] | Email of Primary Contact] | [Direct phone of primary contact] |
| [Name of School] | [County] | Grade Levels Served | [CDS Code] | [First name of primary contact] | [Last name of primary contact] | [Title of primary contact] | Email of Primary Contact] | [Direct phone of primary contact] |
| [Name of School] | [County] | Grade Levels Served  | [CDS Code] | [First name of primary contact] | [Last name of primary contact] | [Title of primary contact] | Email of Primary Contact] | [Direct phone of primary contact] |

## Overview

As part of the American Rescue Plan Act (ARP), 2021, Public Law 117-2 (March 11, 2021), 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 non-public schools (NPS), as defined below, through the ARP EANS program. The purpose of the ARP EANS program is to provide services or assistance to the NPS that enroll a significant percentage of students from low-income families and are most impacted by the Coronavirus Disease 2019 (COVID-19) emergency.

Under the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2020, Pub. L. No. 116-260 (December 27, 2020), Congress first authorized the EANS program as part of the GEER Fund to provide emergency services or assistance to NPS in the wake of the COVID-19 emergency. The ARP Act authorized a second round of funding to provide services or assistance to the NPS.

With two exceptions, the requirements of the ARP EANS program are the same as those in section 312(d) of the CRRSA Act. The two exceptions are:

1. a State educational agency (SEA) may only provide services or assistance under the ARP EANS program to the NPS that enroll a significant percentage of students from low-income families and are most impacted by the COVID-19 emergency; and
2. an SEA may not use ARP EANS funds to provide reimbursements to any NPS for costs the school incurred to address the impact of the COVID-19 emergency.

On September 9, 2021, Governor Newsom applied for California’s ARP EANS award. California received an ARP EANS award of $181,312,003, of which $180,405,443 may be allocated to eligible NPS. The CDE is responsible for the administration of the ARP EANS program.

For purposes of the ARP EANS program, federal law specifies that an eligible NPS is an elementary or secondary school that is:

Non-profit[[1]](#footnote-1)

* Accredited, licensed, or otherwise operates in accordance with California law
* Was in existence prior to March 13, 2020, the date the President declared the national emergency due to the COVID-19
* Did not, and will not, apply for and receive a loan under the Paycheck Protection Program (PPP) of the Small Business Act (15 U.S.C. § 636[a],[36] and [37]) that is made on or after December 27, 2020. This limitation applies for so long as the NPS is a participant in the EANS program under the CRSSA Act or the ARP Act. However, an NPS that has received a PPP loan guaranteed under paragraph (36) of 15 U.S.C, section 636(a) that was made *before* December 27, 2020, shall be eligible to receive services or assistance under the ARP EANS program.

In addition to the requirements for students from low-income families and the COVID-19 impacts, a NPS must:

* Be an NPS that meets the definition of a NPS in section 316(6) of the CRRSA Act and the eligibility requirement section 312(d)(9) of the CRRSA Act
* Submit an application that meets the requirements under section 312(d)(3)(B) of the CRRSA Act
* Request allowable services or assistance consistent with section 312(d)(4) of the CRSSA Act and section 2002(b) of the ARP Act

Additionally, following the approval of its ARP EANS application, a SEA is required to publish on its webpage the State’s approved:

* Minimum percentage to determine whether a NPS enrolls a significant percentage of students from low-income families
* Sources of poverty data to be used in determining counts of students from low-income families in a NPS
* Factors to determine whether a NPS is most impacted by the COVID-19 emergency.

The CDE published the following information on the EANS webpage at: <https://www.cde.ca.gov/fg/cr/eans.asp>.

* 20 percent has been identified as the threshold the State will use to determine if a NPS enrolls a significant percentage of students from low-income families. In order to arrive at this threshold, the CDE calculated the aggregated sum of students who reported low income counts by the total enrollment across the CRSSA EANS schools. This percentage would provide emergency assistance and services to more students by allowing a larger number of private schools in California that have been impacted by the COVID-19 emergency to apply under the ARP EANS program.
* The CDE will accept one or more of the following data sources regarding the number and percentage of low-income families enrolled in the NPS for the 2019–20 school year, provided the poverty threshold is consistent across sources and does not exceed 185 percent of the 2020 federal poverty level:
	+ Data on student eligibility for free or reduced-price lunch under the Richard B. Russell National School Lunch Act
	+ Data from the E-rate program administered by the Federal Communications Commission
	+ Data from a different source, such as scholarship or financial assistance data.
* COVID-19 Impact - In order to determine the impact COVID-19 has had on a NPS, the CDE will use the number of COVID-19 infections per capita in the community or communities served by the non-public school to measure impact.

Only the NPS that meet the criteria noted above are eligible to apply under the ARP EANS program.

The ARP EANS awards can be used for secular, neutral, and non-ideological services and assistance, including sanitization supplies, personal protective equipment (PPE), COVID-19 testing, educational technology, and connectivity. The ARP EANS awards must be expended by September 2024. Unlike the CRRSA EANS program, under the ARP EANS program, reimbursements are prohibited for any NPS (see section 2002(b) of the ARP Act).

## Part B: Eligibility Criteria/Additional Requirements

* 1. The SEA will ensure that services or assistance are provided only to eligible NPS that enroll a significant percentage (defined as 20 percent, see above) of students from low-income families and are most impacted by the COVID-19 emergency.

By reviewing each bulletbelow, I affirm that the following is true and correct regarding each school included in this application. [Add check boxes for each bullet below]

* The school requesting services or assistance is a non-profit school.
* The school requesting services or assistance is accredited, licensed, or otherwise approved to operate in accordance with California law.
* The school requesting services or assistance existed and operated prior to March 13, 2020.
* None of the services or assistance for which I am requesting support in Part D of this application have already been supported by a loan under the PPP. (except as noted on p. 6, above).
* The school is in compliance with all applicable State and federal laws and regulations prohibiting discrimination.

## Part C: Non-public School Data

A SEA must provide services or assistance under the ARP EANS program after determining that the school enrolled a significant percentage (20 percent) of students from low-income families for the 2019–20 school year. Low-income is defined as children ages 5−17 who are from families at or below 185 percent of the federal poverty level and enrolled in NPS; therefore, students from families above the 185 percent poverty level may not be counted.

The CDE will accept one or more of the following data sources regarding the number and percentage from low-income families enrolled in the NPS for the 2019–20 school year. Applicants must choose one or more of the following four data sources to use as verification for data provided. While more than one source may be used, the poverty threshold must be consistent across sources and not exceed 185 percent of the 2020 federal poverty level.

Note: The NPS is not required to submit the selected, allowable data source with the application, but is required to retain records for a period of five years to verify compliance in the case of an audit review of data.

* Available free or reduced-priced lunch data as derived from students who are eligible to receive free and reduced-price meals (FRPM) based on applying for the National School Lunch Program (NSLP) or who are determined to meet the same income-eligibility criteria as the NSLP through their local school as well as students who are automatically eligible for free meals based on their foster, migrant, or homeless status, or because they were directly certified (Title 7, Code of Federal Regulations, Section 245.6) as being eligible for free meals pursuant to all applicable State and federal requirements.
* Scholarship or financial assistance data, limited to students who are from families at or below 185 percent of the federal poverty level.
* E-Rate Data: an alternative method that allows schools to collect and determine low income counts without participating in the NSLP.
* Comparable poverty data from another source, such as proportionality. (Use of proportionality requires the NPS to apply the low-income percentage of each participating Title I public school attendance area to the number of the NPS’ private school children who reside in that school attendance area to derive the number of private school children from low-income families.)
1. **Enrollment and Low-Income Data**
2. Total student enrollment of the school in the 2019–2020 school year (grades T/K–12): [Add Student Enrollment].
3. Grade Levels Served: [Add Grade Levels Served].
4. Number or estimated number of students from low-income families enrolled in the school in the 2019–2020 school year (grades T/K–12): [Add Number of Students].
5. This number or estimated number is from the following data source(s): [Add check boxes for each bullet below]
* Available free or reduced-priced lunch data as derived from students who are eligible to receive FRPM based on applying for the NSLP or who are determined to meet the same income eligibility criteria as the NSLP through their local school as well as students who are automatically eligible for free meals based on their foster, migrant, or homeless status, or because they were directly certified (Title 7, CFR, Section 245.6) as being eligible for free meals pursuant to all applicable state and federal requirements.
* Scholarship or financial assistance data, limited to students who are from families at or below 185 percent of the federal poverty level.
* E-Rate Data: an alternative method that allows schools to collect and determine low income counts without participating in the NSLP.
* If proportionality is used, data and documents supporting the sources and method of computation.
1. **Paycheck Protection Program (PPP)**
2. Did the school receive a loan guaranteed under the PPP before December 27, 2020?
[Add a Yes and No checkbox here]
3. If the answer is yes, please respond to the following:
	1. What was the total amount of the PPP loan? [Enter Dollar Amount]
	2. Do you assure that services or assistance, including reimbursement for previously incurred costs for qualified funds received under the EANS program will be services or assistance not already funded by the PPP loan?
	[Add a Yes and No checkbox here]

Note: A NPS that received a PPP loan that was made before December 27, 2020, is eligible to receive services or assistance. A NPS that applied for a PPP loan after that date but did not receive funds under the PPP is also eligible to receive services or assistance.

1. **Impact of COVID-19**

In order to determine the impact COVID-19 has had on a NPS, the CDE will use the number of COVID-19 infections per capita in the community or communities served by the non-public school to measure impact.

Additionally, as part of completing the application, the NPS agrees to maintain all documentation for a period of five years, where an audit has been requested, until the audit is resolved, whichever is longer. The CDE and other State agencies shall have the right to audit, monitor, review, and to copy any records and supporting documentation pertaining to this agreement to verify compliance with all requirements. The CDE may require an applicant to submit documentation to substantiate one or more of the above assurances.

### Funding Calculation Methodology

There is a total of $180,405,443 in ARP EANS funds available for allocation statewide. Funding will be distributed based on a per-student base rate, with an additional supplemental rate for each student from a low-income family. The supplemental rate will be 20 percent of the base rate (e.g., if the base rate is $100 per student, then each student from a low-income family would generate an additional $20, which is the low-income supplemental rate). The CDE will calculate the base rate, and correspondingly, the low-income supplemental rate, based on the sum of the total student enrollment and total number of students from low-income families from all valid ARP EANS applications received by the due date.

## Part D: Non-Public School Services or Assistance Requested

A school may apply for services or assistance from the CDE to address educational disruptions resulting from the COVID-19 emergency for the activities listed below. Please check all categories of need. Reimbursement for any purchases are not allowable under the ARP EANS program and eligible applicants will be able to request services or assistance directly from the CDE. Information regarding the process for requesting services will be shared with each NPS who receives an allocation under the ARP EANS program.

* Supplies to sanitize, disinfect, and clean school facilities
* PPE
* Improving ventilation systems, including windows or portable air purification systems to ensure healthy air in the NPS
* Training and professional development for staff on sanitation, the use of PPE, and minimizing the spread of infectious diseases
* Physical barriers to facilitate social distancing
* Other materials, supplies, or equipment to implement public health protocols, including guidelines and recommendations from the Centers for Disease Control and Prevention (CDC) for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff during the COVID-19 emergency
* Expanding capacity to administer coronavirus testing to effectively monitor and suppress coronavirus, to conduct surveillance and contact tracing activities, and to support other activities related to coronavirus testing for students, teachers, and staff at the NPS
* Educational technology (including hardware, software, connectivity, assistive technology, and adaptive equipment) to assist students, educators, and other staff with remote or hybrid learning
* Redeveloping instructional plans, including curriculum development, for remote learning, hybrid learning, or to address learning loss
* Leasing of sites or spaces to ensure safe social distancing to implement public health protocols, including guidelines and recommendations from the CDC
* Reasonable transportation costs
* Initiating and maintaining education and support services or assistance for remote learning, hybrid learning, or to address learning loss.

Note: Pursuant to the ARP EANS statutory requirements, and unlike the EANS program authorized under section 312(d) of the CRRSA Act, a SEA may not use ARP EANS funds to provide reimbursements to any NPS. All services or assistance will be provided through the CDE.

### Closeout Procedures:

* The NPS will report any unspent funds as designated by the CDE.
* Financial records, supporting documents, and all other records will be retained for a period of five years.
* Inventory records must be maintained that include a description of the property, a serial number or other identification number, the source of property, the acquisition date, cost of the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

## Part E: General Assurances, Terms, and Conditions

The Applicant acknowledges as follows:

* Control of funds for services and assistance provided to a NPS under the ARP 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.
* All services or assistance provided under the program must be secular, neutral, and non-ideological.
* As the duly authorized representative of the applicant, I have read all assurances, certifications, terms, and conditions associated with the ARP EANS program requirements and I agree to comply with all requirements as a condition of funding.
* Certify that there is and will be full compliance with all applicable state and federal rules and regulations and that to the best of my knowledge, the information contained in this application is correct and complete.
* Certify that making a false statement or misrepresentation in, or in connection with this application, may be subject to criminal and civil proceedings and penalties, including for perjury, under applicable state and federal laws.

### Submission of Application

Applicants responding to this RFA must complete the following:

* All responses must be provided via an online Survey.
* The Cover Sheet (Part A) will be provided as a PDF attachment and uploaded at the conclusion of the survey. The signature of the school representative must be either an original ink signature or authenticated e-signature.
* If applicable, a list of schools on behalf of the organization submitting the application.
* Applications failing to meet any criteria or requirements as noted in the RFA may be deemed ineligible.

### Appeal Process

If an application is deemed ineligible or not approved for funding, applicants may request an appeal of the denial within 10 calendar days following receipt of the letter of denial. The request for appeal must clearly identify a violation of the application review process governing the ARP EANS program.

A request to appeal the denial of an application should be addressed to: EANS@cde.ca.gov

1. A for-profit non-public school is not eligible to receive services for its students and teachers under the EANS program. (See Emergency Assistance to Non-Public Schools (EANS) Program, U.S. Department of Education, FAQs, C-1, p. 14.) [↑](#footnote-ref-1)