

American Rescue Plan Emergency Assistance to Non-Public Schools (ARP EANS II)

Overview

On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law. It is a \$1.9 trillion package of assistance measures, including \$2.75 billion for the American Rescue Plan's Emergency Assistance to Non-Public Schools (ARP EANS II) program. This program will provide \$12,327,260 in support to non-public schools in Maine. The purpose of the EANS program is to provide services or assistance to eligible non-public schools to address educational disruptions caused by the COVID-19 emergency.

Under ARP EANS II, a State educational agency (SEA) may only provide services or assistance to non-public schools that enroll a significant percentage of students from low-income families and are most impacted by the novel Coronavirus Disease 2019 (COVID-19) emergency. Additionally, an SEA may not use ARP EANS II funds to provide reimbursements to any non-public school for costs the school incurred to address the impacts of the COVID-19 emergency. The SEA will provide support to non-public schools for allowable costs through procurement. The SEA will contract directly with educational service providers and/or additional staff on the school's behalf.

All questions regarding ARP EANS II should be directed to EANSProgram.DOE@maine.gov.

A. The State's minimum percentage to determine whether a non-public school enrolls a significant percentage of students from low-income families.

The Maine Department of Education will prioritize non-public schools serving students from low-income families through a tiered approach with a minimum threshold of 25% or greater. The tiered approach will be broken down into the following, highest per pupil amount to the lowest per pupil amount, for eligible non-public schools that serve a low-income student percentage of 25 percent or greater:

- non-public school serving 40% or more students from low-income families
- non-public school serving 35% or more students from low-income families
- non-public school serving 30% or more students from low-income families
- non-public school serving 25% or more students from low-income families

B. Sources of poverty data to be used to determine counts of low-income families in a non-public school.

Data on student eligibility for free or reduced-price lunch under the Richard B. Russell National School Lunch Act (43 U.S.C. 1751 et seq.).

C. Factors to determine whether a non-public school is most impacted by the COVID-19 emergency.

- Data from the cumulative COVID-19 cases reported by zip code, which identifies probable and confirmed cases. The non-public school community zip code will be the identifier for this data set that will be assessed at the beginning of October 2021. This publicly available data set is released by the Maine Center for Disease Control and Prevention (CDC) and accessed at <https://www.maine.gov/dhhs/mecdc/infectious-disease/epi/airborne/coronavirus/data.shtml>.
- Loss of Maine student tuition revenue as a result of declining student enrollment, which was reported in the CRRSA EANS intent to apply. The information requested on the CRRSA EANS intent to apply included student tuition revenue and student enrollment for October 2018, October 2019, and October 2020. Within the American Rescue Plan (ARP) EANS application the student tuition and student enrollment for school year 2021-2022 will be collected.

- Learning loss attributed to the COVID-19 emergency, which presented in a wide variety of educational barriers and disruptions. Some examples of the educational barriers and disruptions might include insufficient technological support, loss of instructional time, family concerns for child(ren) safety and emotional well-being, and/or a decrease in student attendance in all modes of instruction (hybrid, remote, in-person).
- Lack of resources to address safety measures, recruit and retain educational staff, and promote social distancing.

Timeline

- US Department of Education awards ARP EANS II funding to Maine: March 16, 2022
- Maine posts ARP EANS II non-public school application: April 15, 2022
- Application deadline: May 16, 2022
- Maine approves/denies non-public school ARP EANS II applications: (Within thirty days of receipt of application)
- Maine obligates ARP EANS II funds: September 16, 2022 (no later than six months after receiving the funds from the USED)
- Non-public schools receive services and assistance: From ARP EANS II non-public application approval date - September 30, 2024
- Service and assistance period ends September 30, 2024

Obligation Defined:

B-11. What does it mean for an SEA to “obligate” EANS funds? (Updated September 17, 2021) The regulations at 34 C.F.R. § 76.707 govern when an obligation of Federal funds by an SEA occurs. Specifically, for services or assistance provided through a contract, the obligation is made on the date that the SEA makes a binding written commitment to obtain the services, work, or products. For rental or lease of real or personal property, the obligation is made when the property is first used. A SEA’s approval of a non-public school’s application for EANS services or assistance does not constitute an obligation of EANS.

Allowable Activities

ARP EANS II has largely the same allowable uses in that a non-public school may receive services or assistance to address educational disruptions resulting from the COVID-19 Emergency.

Allowable types of services or assistance:

1. Supplies to sanitize, disinfect, and clean school facilities; but not cleaning services.
2. Personal protective equipment (PPE).
3. Improving ventilation systems including through windows or portable air purification systems to ensure healthy air.
4. Training and professional development for staff on sanitation, the use of PPE, and minimizing the spread of infectious diseases.
5. Physical barriers to facilitate social distancing.
6. Other materials, supplies, or equipment to implement public health protocol, including guidelines and recommendations from the CDC for reopening and operation of school facilities to effectively maintain health and safety.
7. Expanding capacity to administer coronavirus testing and effectively monitor to suppress the virus.
8. Educational technology (including hardware, software, connectivity, assistive technology, and adaptive equipment) to assist students, educators, and other staff with remote or hybrid learning.
9. Redeveloping instructional plans, including curriculum development, for remote learning, hybrid learning, or to address learning loss.
10. Leasing of sites or spaces to ensure safe social distancing.
11. Reasonable transportation costs.
12. Initiating and maintaining education and support services for remote learning, hybrid learning, or to address learning loss.

Please Note: Under ARP EANS II, reimbursements are prohibited for any non-public school.