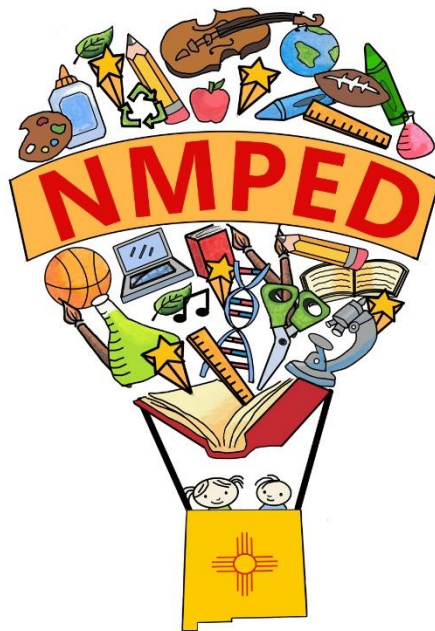New Mexico Public Education Department

EANS Program

Emergency Assistance to Non-Public Schools

EANS Team
3-10-2021

Table of Contents

QUESTIONS?

Visit our website or the USDE website for more information or send an email

[NMPED EANS](#)

[Emergency Assistance for Non-Public Schools - Office of Elementary and Secondary Education](#)

EANS.info@state.nm.us

General Overview

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.

The purpose of this document is to inform non-public schools of the opportunity for non-public schools to receive emergency services or assistance in the wake of the Coronavirus Disease 2019 (COVID-19). Congress authorized the Emergency Assistance to Non-Public Schools (EANS) program under the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act), Pub. L. No. 116-260 (December 27, 2020). The EANS program is part of the CRRSA Act's Governor's Emergency Education Relief Fund (GEER Fund under the CRRSA Act). The U.S. Department of Education (Department) awarded a portion of the GEER Fund under the CRRSA Act to Governors as a supplement to the Coronavirus Aid, Relief, and Economic Security (CARES) Act's GEER Fund. The funds awarded as a supplement to the CARES Act GEER Fund awards are referred to as the GEER II Fund. The statute requires that State Educational Agencies (SEAs) administer the program. The New Mexico Public Education Department (PED) will carry out this role.

The services are available to all eligible non-public schools, including those that may not have participated in any Federal education program in the past, but the program will first target services to non-public schools serving low-income students and are most impacted by COVID-19.

Under the EANS program, a Governor is the recipient of Federal financial assistance and is responsible for ensuring that the SEA administers the EANS program in accordance with applicable laws, including civil rights laws. Section 312(d)(7)(A) of the CRRSA Act requires a public agency (e.g., the SEA) to control and administer EANS funds and keep title to materials, equipment, and property purchased with the funds. A non-public school whose students and teachers receive services or assistance under the EANS program, even if such services or assistance are delivered through reimbursement, is not a "recipient of Federal financial assistance."

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)).

In general, once equipment or supplies are no longer needed for purposes of the EANS program, an SEA must remove them from the private school. 34 C.F.R. § 76.661(d)(1). After equipment and supplies are no longer needed for the purposes of the EANS program, the SEA may continue to use the equipment or supplies in the non-public school to the extent they are needed for other allowable purposes under another federal education program, such as the ESEA or the Individuals with Disabilities Education Act (IDEA). In that case, the SEA must retain title to, and maintain administrative control over, the equipment and supplies or transfer title and control to another public agency such as a local education agency (LEA) providing equitable services under another federal education program.

Introduction to the EANS Application System

Before you start:

Tips for using the EANS application system

1. Microsoft Edge

The EANS application is built on a Microsoft platform and operates optimally in Microsoft Edge.

2. Save and refresh

Use the SAVE button frequently.

4. Editing modules

To edit the application modules, use the edit icon:

5. Toolbar

The toolbar is located at the top of each module. It can be used in addition to or in place of the "Save" and "Cancel" buttons located at the bottom of each module.

6. Username and password

Each non-public school will have one username and one password. It is best if only one authorized user is accessing the application at a time. The system will save only one user's work at a time, and having multiple users in the application simultaneously will cause errors.

An email was sent to the contact person's email address listed on the intent to participate google form submitted by your non-public school. The following link was provided in the email for you to retrieve your password.   If you forget your password you can click on this link to retrieve it again. http://164.64.166.12:8080/GetStarsPassword/

If you need assistance with usernames and passwords for the application, please contact eans.info@state.nm.us.

7. Adding information

You will click this button in each module to fill and complete the required information.

Entry to the application

Click here to access the EANS application: EANS Application - Home (state.nm.us)

If you see the window shown below, select the second item in the drop-down menu, "Windows authentication." It will then prompt you for your username and password.

Sign In

Select the credentials you want to use to logon to this SharePoint site:

When prompted, log in to the application:
1. Enter your username
2. Enter your password
3. Click the "OK" button

In the application, enter non-public school contact information:

Fill out the contact information for your school's EANS representative, and then click **Save**.

Module 2: Non-Public School eligibility

1. Nonprofit school – a non-public elementary or secondary school

2. Accredited, Licensed, or otherwise operates in accordance with State law
   a. Evidence-based curriculum is used
   b. Students are tested yearly with a standards-based assessment
   c. Teachers must meet competencies in order to teach
   d. Special needs of students are addressed
   e. Administration is licensed
   f. School location meets physical safety requirements
      i. Fire, emergency preparedness
      ii. Planning document available to constituents
   g. Financial transactions accountability system is used

3. Existed prior to March 13, 2020

4. Did not and will not apply for and receive a loan under the Small Business Administration Paycheck Protection Program that is made on or after December 27, 2020.
   a. If a non-profit private school applies for a PPP loan on or after December 27, 2020, *but does not receive funds under the PPP*, the school may apply for services or assistance under the EANS program, as long as the non-public school meets the requirements and deadlines of this application.

   b. If a non-public school applied for *but does not receive services or assistance through EANS*, nothing in the Education Stabilization Fund would preclude that non-public school from applying for and receiving a PPP loan on or after December 27, 2020.

Module 3: Non-Public School data

1. ## Enrollment and Low-Income Data
    a. Use the same enrollment date as the date for low-income data.
    b. Make sure to upload supporting documents for data submitted.
    c. If using "other," please describe.

2. ## Paycheck Protection Program (PPP)
    a. School cannot participate in PPP program after December 27, 2020.
    b. Be prepared to show that past expenditures being reimbursed by EANS were not reimbursed with PPP or other federal funds.

3. ## Impact of COVID-19
    a. Percentage of decrease in enrollment and lack of capacity will be auto-calculated by the application after you click the "save" button.
    b. Supporting documents must be uploaded to the application in order for the application to receive approval.

Module 4: Non-Public School Services or Assistance Requested

1. ## Request for Reimbursement for Previous Expenses
    a. There are 13 categories to choose from.
    b. Click the "Request" button to add additional categories.
    c. If there are different items within the category, please describe them separately with breakout costs.
    d. There are a few previous expenses that are not allowable; see Appendix 2, bottom of page 10, for allowable/unallowable explanation.

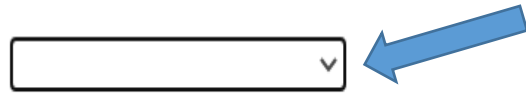2. ## Request for Future Services or Assistance (or Reimbursement for Future Expenses)
    a. There are 13 categories to choose from.
    b. Click the "Request" button to add additional categories.
    c. If there are different items within the category, please describe them separately with breakout costs.
    d. See Appendix 2 for further information on allowable/unallowable uses.

Module 5: Additional Documentation

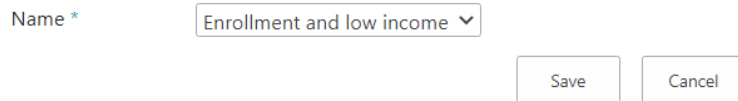1. Click on "Upload Additional Documentation."

   Upload Additional Documentation
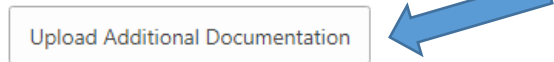
2. Click on drop-down arrow.   Name *   [dropdown]

3. Once you have chosen a category, click the "Attach File" icon to attach document.

   Save   Cancel   Paste   ✂ Cut   📋 Copy   Attach File   ABC Spelling

   Commit   Clipboard   Actions   Spelling

   Recycle Bin

   ✏ EDIT LINKS   **Module 5. Attachments**

   Name *   Enrollment and low income ▾

   Save   Cancel

4. Click on the "Choose File" button to locate and attach the document.

   Use this page to add attachments to an item.

   Name

   Choose File   No file chosen

   OK   Cancel
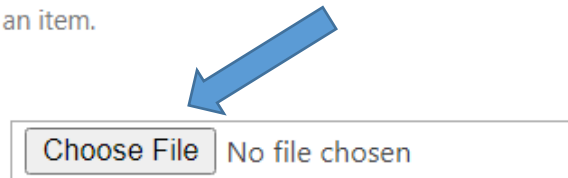
5. Click the "OK" button to complete attaching document.
6. Click "Save" to complete the process.

Supporting documents are required for all data such as enrollment, low-income numbers, tuition loss, enrollment loss, lack of technology capacity, learning loss and any other information that supports descriptions or narratives in the application.

Module 6: Submit your application

1. Click on the "Submit Your Application" button.
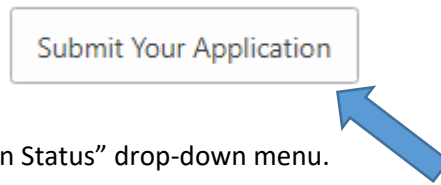
2. Choose the "Submitted" option in the "Application Status" drop-down menu.

3. Click "Save" to submit the application for review.
4. A notification email will be sent to the non-public contact email address and to the PED.
5. If revisions are needed, the PED reviewer will change the status to "Return for revision" and will include comments.
6. This process will continue until the application is approved. At that time, the PED will change the application status to "Approved," and a notification email will be sent to the non-public school contact email address.

Frequent answered questions

1. Are schools who were not or are not in hybrid and/or remote learning eligible for EANS services or assistance?

   Yes. There are no eligibility restrictions related to whether a school is operating in person or virtually.

2. Does initiating and maintaining education and support services or assistance for remote or hybrid learning include paying for teachers and other educational staff?

   Yes. An SEA may contract with a teacher at a non-public school directly to provide secular, neutral, and non-ideological services outside of the teacher's contractual obligation with the non-public school. The non-public school teacher must be employed by the SEA or another public entity for EANS purposes outside of the time he or she is employed by the non-public school, and the non-public school teacher must be under the direct supervision of the SEA or other public entity with respect to all EANS activities. Also, an SEA may contract with a vendor to provide staff, such as nurses or teachers, who will provide services in non-public schools. The contract must be under the control and supervision of the SEA or another public entity. However, EANS funds may not be used to provide funds to non-public schools to cover payroll. Under section 312(d)(7) of the CRRSA Act, a public agency must control funds for services or assistance provided to non-public school students and teachers under the EANS program.

Appendix 1 - Criteria to determine most impacted by COVID-19

Scoring matrix

Low Income % at or below	10	20	30	40	50	60	70	80	90	100
Score	1	2	3	4	5	6	7	8	9	10

Category/Score	3	2	1
Tuition loss	Above 40%	20%-39%	Below 20%
Decrease in enrollment	Above 40%	20%-39%	Below 20%
Lack of capacity to provide remote learning due to insufficient technological support	Above 40%	20%-39%	Below 20%

Data documenting the extent of learning loss attributable to the disruption of instruction caused by COVID-19 will receive a score of 1.

Rubric

- Tuition loss – comparing December 31, 2019 with December 31, 2020
- Decrease in enrollment - comparing December 31, 2019 with December 31, 2020
- Technology gap – comparing number of students who did not have a technology device and/or adequate Internet connectivity to total enrollment on March 13, 2019

Impacted category ranges

Maximum score is 20.

Score of 15-20 is considered high risk and will receive 1st priority of services and assistance.

Score of 8-14 is considered moderate risk and will receive 2nd priority of services and assistance as funds permit after high-risk schools' needs are met.

Score of 7 or below is considered low risk will receive 3rd priority of services and assistance as funds permit after high-risk and moderate-risk schools' needs are met.

Documentation for all data must be uploaded with the application submission.

Appendix 2 - Guidance for allowable/unallowable uses of funds

A non-public school may apply to receive services and assistance from the SEA or its contractors to address educational disruptions resulting from COVID-19. Allowable services and assistance are listed below, along with sub-bulleted examples. Note: previous expenses for some of these services and assistance are not reimbursable – see page 10 for more information.

- Supplies to sanitize, disinfect, and clean school facilities such as
  - Multipurpose cleaners
  - Disinfectants/Virucides (deactivates or destroys virus)
  - Disposable gloves
  - Eye goggles

- Personal Protective Equipment (PPE) such as
  - Face shields
  - Disposable face masks
  - Disposable gloves
  - Disposable gowns

- Improving ventilation systems, including windows or portable air purification systems such as
  - Inspection, testing, maintenance and repair of windows to improve indoor air quality in school facilities
  - Filter replacements for existing air filtration systems
  - Air purifiers

- Training and professional development for staff such as
  - Sanitization
  - The use of PPE
  - Minimizing the spread of infectious diseases

- Physical barriers to facilitate social distancing such as
  - Plexiglas barriers for office staff, libraries, teacher desks
  - Student desk shields
  - Signage for hallways including directional (one-way) signs

- Other materials, supplies or equipment recommended by the CDC for reopening and operation of school facilities to effectively maintain health and safety such as
  - Hand sanitizer dispensers
  - Hand sanitizer refills
  - Hand sanitizers (one for each student)
  - No-touch thermometers
  - Oximeters

- Expanding capacity to administer coronavirus testing to effectively monitor and suppress the virus such as
  - Testing supplies including kits, swabs, etc.
  - Training staff to administer tests
  - PPE for staff administering tests (see above PPE list)

- Educational technology such as
  - Desktops, laptops, tablets for individual students and/or teachers
  - Charging stations
  - Mobile hotspots
  - Software or digital learning content (online learning content)
  - Wi-Fi devices

- Redeveloping instructional plans for remote or hybrid learning or to address learning loss such as
  - Short-term assessments to determine learning loss
  - Evidence-based approaches
  - Professional development/training on addressing learning loss with disadvantaged students, students with special needs or English Language learners

- Leasing sites or spaces to ensure social distancing such as
  - Rental agreements
  - Leasing portable units

- Reasonable transportation costs
  - Additional transportation to meet social distancing requirements
  - Transportation to support nutrition or academic needs of students

- Initiating and maintaining education and support services or assistance for remote or hybrid learning or to address learning loss
  - Services to deal with social/emotional and mental health issues
  - Providing after school learning opportunities (tutoring)
  - Providing summer learning programs

Allowable expenses for services or assistance for which the PED may not reimburse a non-public school.

- Improvements to ventilation systems (including windows), except for portable air purification systems, which may be reimbursed.
- Any expenses reimbursed through a loan guaranteed under the PPP (15 U.S.C. 636(a)) prior to December 27, 2020.
- 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.

Unallowable uses

- Providing direct or indirect financial assistance to scholarship-granting organizations or related entities for elementary or secondary education; or
- Providing or supporting vouchers, tuition tax credit programs, education savings accounts, scholarships, scholarship programs, or tuition-assistance programs for elementary or secondary education.

Additional considerations

- 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.

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

- All services or assistance provided, including any materials, equipment, and any other items used to provide such services or assistance, are limited to secular, neutral, and non-ideological purposes.

- 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)).

- In general, once equipment or supplies are no longer needed for purposes of the EANS program, an SEA must remove them from the private school. 34 C.F.R. § 76.661(d)(1). After equipment and supplies are no longer needed for the purposes of the EANS program, the SEA may continue to use the equipment or supplies in the non-public school to the extent they are needed for other allowable purposes under another federal education program, such as the ESEA or the Individuals with Disabilities Education Act (IDEA). In that case, the SEA must retain title to, and maintain administrative control over, the equipment and supplies or transfer title and control to another public agency such as a local education agency (LEA) providing equitable services under another federal education program.

- To maintain control over the EANS funds, the SEA must ensure that the non-public school's expenditures are allowable expenses, that the non-public school has sufficient documentation supporting such expenditures, and that the SEA or another public agency gains title to materials, equipment, and property for which it provides reimbursement. Thus, the SEA may require any reasonable documentation, such as paid invoices or receipts, related to items for which a non-public school is requesting reimbursement.