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to states. New York State has received an ARP EANS (EANS II) allocation of \$251.2 million that will be made available to eligible religious and independent schools.

Similar to the administration of EANS funds included in the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act of 2021 (EANS I), the new EANS II funds will be directly administered by the New York State Education Department (NYSED). NYSED has worked with the New York State Division of the Budget (DOB) and Governor's Office to develop this program, consistent with the federal legislation and regulations.

All schools interested in receiving assistance as part of EANS II must submit a Letter of Intent to NYSED by November 8, 2021, as explained in more detail below. Schools that do not submit a Letter of Intent in one of the approved formats (see below) by the deadline will not be able to participate. Governor Hochul and NYSED encourage you to participate in this federally funded program.

Additionally, on October 20, 2021, USDE provided answers to NYSED's inquiry from April 2021 concerning EANS eligibility and Federal PPP Loans. In short, USDE clarified that non-public schools affiliated with an entity (e.g. faith-based organizations, and charitable or



4. The school must have been in existence prior to March 13, 2020 and be providing instruction in the current (2021-22) school year.
5. The school did not participate in the Small Business Administration's Paycheck Protection Program (PPP) (15 U.S.C. 636(a)(37)) after December 27, 2020. PPP loans taken prior to December 27, 2020 have no impact on a school's eligibility to participate in EANS. After December 27, 2020 a school must choose between EANS and PPP; a school cannot participate in both. Please see additional guidance relating to PPP loans above.
6. The school must submit a completed Letter of Intent by November 8, 2021 indicating that it intends to participate in the EANS II program and provide all requested information.

Letter of Intent – The Letter of Intent asks for basic information about the school, confirmation of school eligibility, and information necessary to calculate school-level allocation amounts, including:

Enrollment: Schools will report their K-12 enrollment count as submitted in the 2019-20 BEDS report. Preschool-age student counts may not be included. Your school's 2019-20 reported enrollment can be found here:

<http://www.p12.nysed.gov/irs/statistics/nonpublic/> If you did not report BEDS data for 2019-20, please contact NYSED at [SORIS@nysed.gov](mailto:SORIS@nysed.gov)

Low-income Student Counts: Schools will report how many pupils in grades K-12 in the 2019-20 school year were from families with incomes at or below 185 percent of the federal poverty threshold. To be counted as a student from a low-income family for purposes of the EANS II program, a student must be aged 5 through 17 and from a family whose income does not exceed 185 percent of the 2020 federal poverty threshold. Examples of allowable sources of this data include free and reduced-price lunch (FRPL) counts, parent surveys, Federal Title I eligibility, and scholarship/financial aid applications. The total number of low-income students may not exceed your school's reported BEDS enrollment count. Preschool-age student counts may not be included.

Note: For Schools that Applied for EANS I. Information on 2019-20 enrollment and low-income student counts used in the calculation of your EANS I award can be found here: <http://www.nysed.gov/nonpublicschools/emergencysupport/nonpublicschoolsprogrameans> If you applied for EANS I you may be able to use these student counts in your EANS II Letter of Intent.

*Formats for filing a Letter of Intent:*

For schools that are not part of diocesan or multi-building systems, the Letter of Intent should be accessed through the Business Portal at this link:

<https://portal.nysed.gov/abff> if you need assistance in accessing the Portal, please contact [SORIS@nysed.gov](mailto:SORIS@nysed.gov)

Dioceses or multi-building organizations operating multiple school buildings as part of the same organization may submit the requested information in bulk. For this purpose, NYSED will provide a Letter of Intent spreadsheet that can be found at this link: <http://www.nysed.gov/nonpublicschools/emergencysupporttoednonpublicschools/programeans> Email the completed spreadsheet to [SORIS@nysed.gov](mailto:SORIS@nysed.gov)

If your school does not use the internet, you may submit the Letter of Intent by mail (must be postmarked by November 8, 2021) to:

State Office of Religious and Independent Schools  
EBA Room 1074  
New York State Education Department  
89 Washington Avenue  
Albany, NY 12234  
ATTN: Emergency Assistance to Nonpublic Schools (EANS)

School -Level Allocation Methodology – Allocations will be determined as follows:

EANS II funds will be made available to eligible non-public schools based on a per-pupil allocation multiplied by the school's total enrollment count for the 2019-20 school year. The per-pupil allocation will be determined once all Letters of Intent have been received and eligibility determinations made. The per-pupil amount will be based on the total amount of funding available for awards (i.e., \$251.2 million) divided by the total 2019-20 enrollment count of all eligible schools.

New York State ARP EANS Program Timeline –The EANS II program implementation timeframes are listed below:

Governor submitted State's application to USDE – September 9, 2021;

USDE approves State's application – October 19, 2021;

SED releases Letter of Intent to schools – October 27, 2021;

Deadline for schools to submit Letter of Intent – November 8, 2021;

SED releases application to schools – November 18, 2021

Schools' applications due to SED – December 9, 2021;

Applications/Requests for Services and Assistance – Through the application, a nonpublic school may request the following services to be provided:

supplies to sanitize, disinfect, and clean school facilities;

personal protective equipment;

improving ventilation systems, including windows or portable air purification systems to ensure healthy air in the non-public school;

training and professional development for staff on sanitation, the use of personal protective equipment, 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 for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff during the qualifying 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 non-public school;

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 Centers for Disease Control and Prevention;

reasonable transportation costs; [or]

initiating and maintaining education and support services or assistance for remote learning, hybrid learning, or to address learning loss

Public Control of Funds – Control of funds for services and assistance provided to a nonpublic school under the EANS program, as well as 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. In general, once equipment or supplies are no longer needed for purposes of the EANS program, NYSED must remove