

Emergency Assistance to Non-public Schools Monitoring Protocol

The Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021 provided \$2.75 billion for the Emergency Assistance to Non-Public Schools (EANS) program. Under the CRRSA EANS program, the Department awarded grant funds by formula to each Governor with an approved Certification and Agreement. Funds are intended to provide services and 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.

The American Rescue Plan (ARP) Act provided an additional \$2.75 billion to Governors for the EANS program. Under the ARP EANS program, the Department awarded grants by formula to each Governor with an approved application to provide services and assistance to eligible non-public schools to address the impact that the COVID-19 emergency has had, and continues to have, on non-public school students and teachers in the State.

CRRSA Act
Section 312(d)

EDGAR
[34 CFR 75.600-75.618](#)
[34 C.F.R. 76.661](#)

Uniform Guidance
[2 C.F.R. 200.317](#)
[2 C.F.R. 200.322](#)
[2 C.F.R. 200.326](#)
[2 C.F.R. 200.332\(d\), \(e\)](#)
[2 C.F.R. 200.403-475](#)

ARP Act
Section 2002

A. Emergency Assistance to Non-public Schools (EANS)- Governor's Office-Implementation and Administration

Description: Under the EANS program, funded under the CRRSA Act and ARP Act, funds not obligated by the State educational agency (SEA) for the provision of services and assistance to non-public schools revert to the Governor. These reverted funds can be used for any allowable use of funds under the CRRSA Governor's Emergency Education Relief Fund (GEER II). This section of the self-assessment reviews the uses of these reverted funds by the Governor's Office. **The completion of this section of the self-assessment by the Governor's Office may require additional input from other entities responsible for administering reverted funds.**

Recommended Participants: EANS State Director, Program Attorney(s), Program Accountant(s)

Subtopics:

- Reverted Funds Administration
- Procurement Using Reverted EANS Funds
- Subawards Made Using Reverted EANS Funds

Suggested documentation, if applicable to the Governor's awarding of reverted EANS funds:

- If applicable, a copy of the memorandum of understanding, interagency agreement, or other document that formally designating another entity to administer reverted funds

- Written agreements or communications outlining the administration and use of reverted CRRSA or ARP EANS funds
- Samples of any evidence used to determine use of reverted CRRSA or ARP EANS funds
- Guidance or sample communications with entities in receipt of reverted CRRSA or ARP EANS funds
- Process used to calculate subrecipient amounts
- Subrecipient application templates
- Sample subrecipient award notices and list of subrecipients for CRRSA EANS and ARP EANS
- Guidance or sample technical assistance documents provided to entities in receipt of reverted EANS funds
- Procurement manual or other documented procurement procedures
- Written standards of conduct covering conflicts of interest
- Documentation of policies and procedures intended to prevent contracting with suspended or debarred parties
- Subrecipient monitoring handbooks, SOPs, etc.
- Subrecipient monitoring plans, schedules, protocols and reports
- Documentation of corrective action follow-up activities for subrecipient monitoring findings including both communications with subrecipient and evidence of implementation of corrective action (if available)

Self-Assessment Questions

| Subtopic | Questions | Response | Supporting Documentation |
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| Reverted Funds Administration | Have unobligated CRRSA EANS and ARP EANS funds reverted from the SEA to the Governor for uses under GEER II? (If neither unobligated CRRSA EANS nor ARP EANS funds have reverted, please provide an explanation for why a reversion has not occurred. Then, move to the SEA section of the self-assessment.) | <i>CRRSA EANS (Yes/No)</i> <i>ARP EANS (Yes/No)</i> | |
| Reverted Funds Administration | What entity is responsible for administering reverted CRRSA EANS and/or ARP EANS funds? (If not the Governor's Office, please provide agreement with the other entity, if such an agreement exists, outlining the roles and responsibilities for managing the implementation of reverted CRRSA EANS and/or ARP EANS funds.) | <i>(Enter brief response here)</i> | |

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| Reverted Funds Administration | What process and criteria did the Governor's Office use to make determinations about the uses for reverted CRRSA EANS funds? How were decisions made? | <i>(Enter brief response here)</i> | |
| Reverted Funds Administration | How, if at all, was the process and criteria the Governor's Office used to make determinations for uses of ARP funds different than for CRRSA funds? | <i>(Enter brief response here)</i> | |
| Reverted Funds Administration | Are reverted CRRSA EANS or ARP EANS funds being used to support non-public schools? If so, describe the uses of reverted funds. | <i>(Enter brief response here)</i> | |
| Reverted Funds Administration | Please describe the process for determining how to distribute reverted CRRSA EANS including any process for determining subaward and/or contract amounts and obtaining and reviewing data to calculate award amounts and determine eligibility. If this process is different for reverted ARP EANS funds, please also explain. | <i>(Enter brief response here)</i> | |
| Procurement Using Reverted EANS Funds | Does the Governor's Office or another agency within the State government have responsibility for conducting procurement transactions using Federal funds? | <i>Governor's Office/Other Agency/Both (Circle One)</i> | |
| Procurement Using Reverted EANS Funds | If procurement responsibilities are shared between the Governor's Office and another State agency (or agencies), briefly describe the roles of each agency in the procurement process. | <i>(Enter brief response here)</i> | |
| Procurement Using Reverted EANS Funds | Does the Governor's Office maintain documented, comprehensive procurement procedures that capture all phases of the procurement process and | <i>Yes/No (Circle One)</i> | |

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| | all applicable procurement requirements? | | |
| Procurement Using Reverted EANS Funds | Please briefly describe the general procurement process, including how transactions are initiated, reviewed, and executed. | <i>(Enter brief response here)</i> | |
| Procurement Using Reverted EANS Funds | How does the Governor's Office ensure that procurement processes comply with all applicable State procurement requirements and that all transactions are appropriately documented? | <i>(Enter brief response here)</i> | |
| Procurement Using Reverted EANS Funds | How does the Governor's Office ensure that staff and vendors and subrecipients of reverted CRRSA EANS and ARP EANS funds are aware of State procurement requirements? | <i>(Enter brief response here)</i> | |
| Procurement Using Reverted EANS Funds | How does the Governor's Office monitor the work of contractors (or subrecipients engaged in procurement activities) to ensure that work is performed in accordance with agreements and Federal requirements? | <i>(Enter brief response here)</i> | |
| Procurement Using Reverted EANS Funds | What steps does the Governor's Office take when contractors (or subrecipients engaged in procurement activities) fail to perform according to the terms of agreements or otherwise fail to provide adequate goods and/or services? | <i>(Enter brief response here)</i> | |
| Subawards Made Using Reverted EANS Funds | After determining how CRRSA EANS funds would be distributed, describe the grantee's process for notifying and distributing funds to eligible subrecipients. If this process is different for reverted ARP EANS funds, please also explain. | <i>(Enter brief response here)</i> | |

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| Subawards Made Using Reverted EANS Funds | When reviewing subrecipient requests for reverted CRRSA EANS funds, if applicable, please describe the process for determining if the expenses are allowable under GEER II and reasonable and necessary? If this process is different for reverted ARP EANS funds, please also explain. | <i>(Enter brief response here)</i> | |
| Subawards Made Using Reverted EANS Funds | How does the Governor's Office select CRRSA EANS subrecipients for monitoring? Please describe the risk assessment factors used to make monitoring determinations. If this process is different for reverted ARP EANS funds, please also explain. | <i>(Enter brief response here)</i> | |
| Subawards Made Using Reverted EANS Funds | What types of monitoring activities does the Governor's Office engage in to ensure that subrecipients are meeting requirements that program funds are used only for authorized purposes and in compliance with all applicable Federal statutes, regulations, and the terms and conditions of Federal awards? If this process is different for reverted ARP EANS funds, please also explain. | <i>(Enter brief response here)</i> | |
| Subawards Made Using Reverted EANS Funds | Describe the process the Governor's Office uses to ensure that subrecipients address and resolve issues identified during monitoring (i.e., monitoring follow-up). If this process is different for reverted ARP EANS funds, please also explain. | <i>(Enter brief response here)</i> | |
| Additional Documentation | For all subtopics, provide any additional documentation that would serve as evidence for the questions asked. | <i>(Enter list of documents response here)</i> | |

On-site/Desk Review Questions

| <i>Subtopic</i> | <i>Question</i> | <i>Response</i> |
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| TBD | *** Desk review questions will be derived from the initial review of the self-assessment responses, submitted supporting documentation and other documentation and reports submitted by grantees. *** | |
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B. Emergency Assistance to Non-public Schools (EANS)- State Educational Agency (SEA)-Implementation and Administration

Description: Although a Governor applies for EANS funds, the statute requires that the SEA administer the program; consequently, in accepting an EANS award from the Department, a Governor automatically designates the SEA to administer the EANS program. The SEA, in its role, administers services and assistance to eligible non-public schools.

Recommended Participants: SEA EANS Personnel, Program Attorney(s), Program Accountant(s)

Subtopics:

- Governor’s Office/SEA EANS Funds Agreements
- Non-Public School Eligibility and Application Process
- Oversight of Non-public School Services and Assistance, Including Equipment and Supplies
- EANS Procurement Processes

Suggested documentation:

- If applicable, a copy of the memorandum of understanding or interagency agreement outlining the roles and responsibilities for the implementation of the program, including the delivery of services and assistance to non-public schools
- Guidance provided to non-public schools regarding provision of services and assistance and eligibility to apply
- Guidance or sample technical assistance documents provided to non-public school officials or organizations
- Inventory management policies and oversight process
- Procurement manual or other documented procurement procedures
- Written standards of conduct covering conflicts of interest
- Documentation of policies and procedures intended to prevent contracting with suspended or debarred parties
- Other documentation that would serve as evidence for the questions asked

Self-Assessment Questions

| <i>Subtopic</i> | <i>Questions</i> | <i>Response</i> | <i>Supporting Documentation</i> |
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| Governor’s Office/SEA EANS Funds Agreements | If applicable, describe the documentation (Memorandum of Understanding (MOU), etc.) | <i>(Enter brief response here)</i> | |

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| | that outlines the responsibility for activities using CRRSA EANS and/or ARP EANS funds. | | |
| Non-Public School Eligibility and Application Process | How did the SEA inform non-public schools of potential eligibility to participate in the CRRSA EANS program? How, if at all, was this process different for ARP EANS? | <i>(Enter brief response here)</i> | |
| Non-Public School Eligibility and Application Process | Describe the process for reviewing non-public school applications for CRRSA EANS and ARP EANS services or assistance. | <i>(Enter brief response here)</i> | |
| Non-Public School Eligibility and Application Process | How many non-public schools applied for services and assistance under the CRRSA EANS and ARP EANS programs and how many were found eligible? | <i>(Enter brief response here)</i> | |
| Non-Public School Eligibility and Application Process | Under ARP EANS, how did the SEA verify the number of students from low-income families enrolled in participating non-public schools? | <i>(Enter brief response here)</i> | |
| Oversight of Non-public School Services and Assistance, Including Equipment and Supplies | Describe the services and assistance provided to non-public schools through the CRRSA EANS and ARP EANS programs. | <i>(Enter brief response here)</i> | |
| Oversight of Non-public School Services and Assistance, Including Equipment and Supplies | How does the SEA maintain the inventory and title to the equipment and supplies purchased for the purposes of providing EANS services and/or assistance to eligible non-public schools? | <i>(Enter brief response here)</i> | |
| Oversight of Non-public School Services and Assistance, Including Equipment and Supplies | How does the SEA monitor the use of equipment and supplies it has purchased with Federal funds to ensure that all relevant State policies and procedures are followed, and that equipment and supplies are used only for authorized purposes? | <i>(Enter brief response here)</i> | |
| Oversight of Non-public School Services and Assistance, Including Equipment and Supplies | What policies does the SEA have in place to ensure control over vulnerable assets (high-value and/or mobile items, including technology) purchased using Federal funds? | <i>(Enter brief response here)</i> | |
| Oversight of Non-public School Services and Assistance, Including Equipment and Supplies | What is the State's process, and anticipated timeline, for finalizing its inventory, disposing of its surplus, and, if necessary, compensating the Federal government for its share of supplies | <i>(Enter brief response here)</i> | |

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| | sold consistent with Federal requirements, and as necessary, with the EANS Disposition FAQs ? | | |
| EANS Procurement Processes | Does the SEA or another agency within the State government have responsibility for conducting procurement transactions using Federal funds? | <i>SEA/Other Agency/Both (Circle One)</i> | |
| EANS Procurement Processes | If procurement responsibilities are shared between the SEA and another State agency (or agencies), briefly describe the roles of each agency in the procurement process. | <i>(Enter brief response here)</i> | |
| EANS Procurement Processes | Does the SEA maintain documented, comprehensive procurement procedures that capture all phases of the procurement process and all applicable procurement requirements? | <i>Yes/No (Circle One)</i> | |
| EANS Procurement Processes | Please briefly describe the SEA's general procurement process, including how transactions are initiated, reviewed, and executed. | <i>(Enter brief response here)</i> | |
| EANS Procurement Processes | How does the SEA ensure that procurement processes comply with all applicable State procurement requirements and that all transactions are appropriately documented? | <i>(Enter brief response here)</i> | |
| EANS Procurement Processes | How does the SEA ensure that staff and vendors are aware of State procurement requirements? | <i>(Enter brief response here)</i> | |
| EANS Procurement Processes | How does the SEA monitor the work of contractors to ensure that work is performed in accordance with agreements and Federal requirements? | <i>(Enter brief response here)</i> | |
| EANS Procurement Processes | What steps does the SEA take where contractors fail to perform according to the terms of agreements or otherwise fail to provide adequate goods and/or services? | <i>(Enter brief response here)</i> | |
| Additional Documentation | For all subtopics, provide any additional documentation that would serve as evidence for the questions asked. | <i>(Enter list of documents response here)</i> | |

On-site/Desk Review Questions

| <i>Subtopic</i> | <i>Question</i> | <i>Response</i> |
|-----------------|---|-----------------|
| TBD | *** Desk review questions will be derived from the initial review of the self-assessment responses, submitted supporting documentation and other documentation and reports submitted by grantees. *** | |