



## ACSI Memo: Summary of COVID Relief Resources November 17, 2021

The COVID-19 crisis led Congress to pass multiple laws in 2020 and 2021 to provide relief to the private sector. Government policies closed schools and businesses, and, in turn, wreaked economic havoc. Congress responded by passing a wide array of new programs to help individuals and businesses – both for-profit and non-profit – weather the challenges.

Below is a summary of the better-known programs with links to resources with more information to help school leaders make sense of the COVID relief landscape.

The programs below were generally created (and/or later modified) by three key laws:

- The **Coronavirus Aid, Relief, and Economic Security (CARES) Act** (March 27, 2020);
- The **Consolidated Appropriations Act (CAA)** (December 27, 2020) (which includes the **Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act** and the **Taxpayer Certainty and Disaster Relief Act of 2020**); and,
- The **American Rescue Plan (ARP) Act of 2021** (March 11, 2021)

For a broad range of COVID relief resources, commentary, and guidance, please consult [ACSI's COVID-19 webpage](#). For a brief early overall summary of CARES Act programs, see ACSI's [April 5, 2020 CARES Act Memo](#). Be sure to check for updates. The [federal government COVID-19 webpage](#) is also helpful.

### FEDERAL COVID RELIEF PROGRAMS

**Paycheck Protection Program (PPP)** – loans through the Small Business Administration (SBA); federal financial assistance (FFA) is implicated but can be mitigated. PPP ended May 31, 2021; loan forgiveness may yet be in process for borrowers.

[ACSI resources](#) (April 2020)

[SBA resources](#), including loan forgiveness information; [SBA Faith-Based FAQs](#)

**ESSER – Elementary and Secondary School Emergency Relief (ESSER) Fund** – equitable services through the local education agency (LEA); schools do not become recipients of FFA. Modeled on the 50+ years of equitable services under the Elementary and Secondary Education (ESEA) Act (now the Every Student Succeeds Act (ESSA)). A switch in the formula for determining how much the LEA was to set aside for non-public schools led to initial confusion.

[ACSI resources](#) / [USDE resources](#)

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**GEER – Governor’s Emergency Education Relief (GEER) Fund** – variable programs state-by-state; most, but not all, implicate schools in FFA. (For example, if GEER funding is provided via equitable services – where a public body retains ownership / provides services – it would not be receipt of FFA).

[USDE resources](#)

**EANS – Emergency Assistance for Non-Public Schools (EANS or EANS I)** (CRSSA Act) – a program within GEER in which schools may receive services/materials from the state education agency (SEA) and are not implicated in FFA (because ownership resides with the SEA).

[ACSI resources](#) / [USDE resources](#)

**ARP EANS – Emergency Assistance for Non-Public Schools (EANS or EANS II or ARP EANS)** (ARP Act) – made the qualification requirements more restrictive (40% rule) and changed reimbursement rules but retained the SEA provision or ownership of services/materials so schools are not implicated in FFA.

[ACSI resources](#) / [USDE resources](#)

**FCC ECF – Federal Communications Commission (FCC) Emergency Connectivity Fund (ECF)** – provides assistance for technology improvements; FFA can be limited by means of having the school’s vendor or consultant direct-bill the FCC. First application filing ended August 13, 2021; second application filing ended October 13, 2021.

[ACSI resources](#) / [FCC resources](#)

**FEMA PA grants – Federal Emergency Management Agency (FEMA) Public Assistance grants** – additional funds for COVID relief through Public Assistance (PA) grants; FFA is implicated.

[ACSI resources](#) (LLU, Winter 2020, p. 21)

[FEMA resources](#)

**Coronavirus Relief Fund for States, Tribal Governments, and Certain Eligible Local Governments** – local governments may provide relief to nonpublic schools under a wide variety of names that may incorporate the name of the local government. Where this assistance comes in the form of grants, it would normally be receipt of FFA. Where the government entity retains ownership/provides services directly, FFA can be reduced or eliminated. (In general, if a school receives federal money, it is FFA; if a school receives services or goods owned by a government, it is not federal *financial* assistance).

[Treasury resources](#) ARP Coronavirus State and Local Fiscal Recovery Funds

[Treasury resources](#) CARES Act, Coronavirus Relief Fund

**Employee Retention Tax Credit (ERTC)** – a tax credit to help employers retain employees. The Infrastructure Investment and Jobs Act (November 15, 2021) (also called the bipartisan infrastructure bill (BIF)) restricted the ERTC to the first three quarters of 2021 from an earlier extension to all four quarters. The upcoming edition of ACSI’s *Legal Legislative Update* will have a brief article.

[IRS resources](#) – watch for updates.