

## American Rescue Plan Act Earmarks \$2.75 Billion for Private Schools

On March 11, 2021, President Biden signed into law the [American Rescue Plan Act of 2021](#) (the ARP Act) – a \$1.9 trillion economic relief package. The ARP Act includes \$2.75 billion specifically earmarked for private schools. This amounts to about \$500 per private school student nationally.

Pursuant to the terms of the ARP Act, the money is targeted at private schools that “enroll a significant percentage of low-income students” and that have been most impacted by the COVID-19 emergency.

The ARP Act has allocated the \$2.75 billion to the Emergency Assistance for Non-Public Schools Program (EANS Program) which was established under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA Act). Therefore, the eligibility requirements under the EANS Program are likely also applicable to the funds allocated to the EANS Program by the ARP Act.

Accordingly, in order to receive the ARP Act funds, it is likely that a private school must certify that it did not and will not apply for and receive a loan under the Small Business Administrator’s Paycheck Protection Program (PPP) on or after Dec. 27, 2020. To read frequently asked questions about the EANS Program, [click here](#).

As additional information becomes available from the New York State Education Department regarding how private schools may apply for ARP Act funds and utilize these funds, we will keep you updated.

If you have any questions regarding this information memo, please contact [Candace Gomez](#), [Sara Richmond](#), any [attorney](#) in Bond’s [School Law practice](#) or the attorney at the firm with whom you are regularly in contact.