

**New Jersey Department of Education**  
**Hurricane Education Recovery Act**  
**Temporary Emergency Impact Aid for Displaced Students**  
**Guidelines – Volume II - *Updates***  
*February 2, 2006*

**Application Process:**

***Quarter One and Quarter Two:***

If no displaced students were enrolled in a Local Educational Agency (LEA) on October 1, 2005 or December 1, 2005, but an eligible displaced student enrolls in the LEA after December 1, 2005, the district should submit an application by Thursday, January 26, 2006 in order to meet the application deadline. The LEA should indicate zero (0) students for the first and second quarters and should include a comment that an eligible displaced student enrolled in the district after December 1, 2005. The district will then be able to count that student in the third quarter report if the student is still enrolled as of February 1, 2006.

**NEW**

***Quarter Three:***

By February 10, 2006, LEAs must identify and report, using a copy of the original application, the number of eligible displaced students who are enrolled in both public and nonpublic schools as of **February 1, 2006**. LEAs should also include any revised student enrollment counts for the first and second quarters if more accurate data is available.

The New Jersey Department of Education (NJDOE) is aware it may take some time for LEAs to count retroactively for those quarters all students who may have now moved to other states or districts. Consequently, LEAs that met the initial specified timelines for Quarter One and Quarter Two may make upward or downward revisions to their initial displaced student enrollment counts when more satisfactory data become available. Any application amendments must be submitted to the NJDOE **no later than Thursday, April 20, 2006**.

**NOTE:** Per current guidance from the United States Department of Education (USDOE):

- If an LEA did not submit an application by January 26, 2006 because no displaced students were enrolled as of October 1, 2005 for Quarter One and/or December 1, 2005 for Quarter Two, the LEA may submit an application for Quarter Three if a displaced student(s) enrolls after December 1, 2005 and is still enrolled on February 1, 2006.
- If a parent/guardian of an eligible displaced student enrolled in an eligible nonpublic school during Quarter One and/or Quarter Two chooses to transfer the student to another eligible nonpublic school after December 30, 2005, the parent/guardian must complete a new Parent Application and submit the application to the new nonpublic school no later than **February 8, 2006** for Quarter Three and **April 6, 2006** for Quarter Four. The nonpublic school must forward the Parent Application with original signatures, a copy of the registration form and the original Nonpublic School Certification form to the appropriate LEA within whose boundaries the nonpublic school is located.

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**Verification of Status as a Displaced Student:**

If the LEA has not already done so, the LEA must verify that all students included in the original application for Quarter One and Quarter Two are eligible displaced students. In addition, the LEA must verify that the displaced students attending an eligible nonpublic school also meet the required income criteria. As required by Section 107 (c)(1)(E), the NJDOE established the following criteria for determining the eligibility for assistance provided on behalf of a displaced student attending an eligible nonpublic school:

- A) Parents of displaced students must complete a survey form indicating the range of their post hurricane income for the period of October 1, 2005 through December 31, 2005 (see Attachment A – Parent Survey). The completed survey should be submitted to the nonpublic school in which the student is/was enrolled as soon as possible. In turn, the eligible nonpublic school should submit the survey form to the LEA as soon as it is received from the parent.
- B) In order for a student to be considered an eligible displaced student, the parent’s estimated post hurricane income for the period of October 1, 2005 through December 31, 2005 must be less than \$20,000. The \$20,000 benchmark is based on the most recent New Jersey Median Family and Household Income established by the United States Bureau of the Census, Current Population Survey, as adjusted for an anticipated increase.
- C) If the parent of the displaced student cannot be reached, the income of the person designated as the displaced student’s guardian or the income of the person who enrolled the displaced student then becomes the income that must be verified through the completion and submission of the survey form referenced above.

**Notification of Nonpublic School Parents:**

Section 107(j) requires that the parent or guardian of a displaced student enrolled in a nonpublic school be notified that he/she has the option of enrolling the displaced student in a public or a nonpublic school and that the Emergency Impact Aid for Displaced Students funding is temporary and available only for the 2005-2006 school year. The LEA should mail a copy of the letter found in Attachment B, to the parent or guardian of the displaced student.

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**Uses and Amount of Funds:**

*Uses of Funds:*

*LEAs and Eligible Nonpublic Schools:*

Recipients of funds received on behalf of displaced students with disabilities may use those funds **only** to pay for special education and related services consistent with the *IDEA*. However, the law does not require that these funds be used to provide special education and related services only to students displaced by hurricanes Katrina and Rita. They may become part of the LEA's or school's regular special education budget, and the LEA or school may use them to provide activities and services in which both displaced and other students with disabilities participate, taking care to ensure the special education needs of displaced students are met.

*Amount of Funds:*

If an LEA provides special education and related services consistent with the *IDEA* to a displaced student attending an eligible nonpublic school, the LEA may retain 20% of the funding it would otherwise place in the student's account in order to cover the cost of providing those services.

**NEW**

**Payments Made to Accounts on Behalf of Displaced Students Enrolled in Nonpublic Schools:**

The NJDOE will provide general ledger accounting guidance to the LEAs with notification of the award for Temporary Emergency Impact Aid for Displaced Students. LEAs must record the funds for the nonpublic schools in separate general ledger accounts as follows:

- The LEA that receives Temporary Emergency Impact Aid for Displaced Students must account for the aid received for the students attending nonpublic schools separately from the aid for the students attending the public schools.
- The revenue account must be in the special revenue fund (fund 20) using a unique code in the range **45XX** (Other Federal Projects). Disbursements to the nonpublic school will be recorded in an account set up for this purpose only using a unique program code in the 450-469 range and the function and object code 545-800, and titled "Payment to Nonpublic School(s)." These accounts must be used only for the Temporary Emergency Impact Aid for Displaced Students attending nonpublic schools. The LEA must set up a separate revenue and program code for the funds received and expended for students attending the LEA schools.

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- Disbursements of the funds to the nonpublic school(s) must be made within **fourteen (14) calendar days** of receiving payments from the NJDOE.
- The LEA must keep a record of the names of the displaced students, the amount of funds provided for these students, and the disbursement of funds to the nonpublic school(s) attended by each student.

**NOTE:** When displaced students enroll in different eligible nonpublic schools on different quarterly count dates, LEAs need to ensure payments for these displaced students are directed to the correct accounts.

**NOTE:** Participating nonpublic schools that access funds from student accounts must meet all applicable program requirements including those related to allowable uses of funds and, when requested, promptly submit the required data and supporting documentation to the NJDOE.

**Other Requirements:**

*Nonpublic Schools:*

- Nonpublic schools receiving funds on behalf of displaced students under this program **must** comply with the program statute's non-discrimination provision, which prohibits discrimination on the basis of race, color, national origin, religion, disability or sex. Additionally, nonpublic schools receiving funds on behalf of displaced students under this program are considered recipients of Federal financial assistance and are subject for the grant period (from the time of the grant award through July 31, 2006) to the provisions of *Title VI of the Civil Rights Act of 1964* (P.L. 88-352), *Title IX of the Education Amendments of 1972*, *Section 504 of the Rehabilitation Act of 1973* and the *Age Discrimination Act*, which are enforced by the USDOE's Office of Civil Rights.
- In addition, any entity that employs fifteen (15) or more employees is subject to *Title VII of the Civil Rights Act of 1964* (P.L. 88-352), which prohibits discrimination in employment on the basis of race, color, national origin, religion or sex, except that *Title VII* may not apply to the employment of individuals of a particular religion by a religious organization, such as a nonpublic religious school. *Title VII* is enforced by the Equal Employment Opportunity Commission.

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- Under *Title IX of the Education Amendments of 1972* (Title IX), a nonpublic school that is controlled by a religious organization may seek an exemption from any *Title IX* provision, if that provision is inconsistent with the religious tenets of that religious organization. Moreover, to the extent that is consistent with *Title IX*, a parent or guardian is still free to choose and a nonpublic school may still offer a single sex school, class or activity.
- The prohibition on religious discrimination is limited with respect to a nonpublic school that is controlled by a religious organization or organization that is operated on the basis of religious tenets in that it applies only to displaced students who generate payments under this program.
- A parent or guardian who has applied for assistance on behalf of a displaced student in a nonpublic school may have that student opt out of religious worship or classes offered by the nonpublic school.

**LEAs:**

In order to avoid duplicate Federal funding, an LEA **may not** claim any displaced student in its annual section 8003 Impact Aid application if the LEA receives a Temporary Emergency Impact Aid payment, for any quarter, for that student under this program. Displaced students also must not be counted in the total number of students reported on Table 6 of the LEA's section 8003 application.

**LEAs and Nonpublic Schools:**

Although, subgrantees may not use these funds for construction or major renovation, any laborers and mechanics employed by contractors or subcontractors on minor remodeling projects assisted with these Federal education funds must be paid in accordance with prevailing wage requirements in the *Davis-Bacon Act*.

Minor remodeling refers to minor alterations in a previously completed building. The terms also includes the extension of utility lines, such as water or electricity, from points beyond the confines of the space in which the minor remodeling is undertaken, but within the confines of the previously completed building. The term **does not include** building construction, structural alteration to buildings, building maintenance or repairs.

# **Attachment A**

## **Parent of Eligible Displaced Student Survey Form**

**Parent of Eligible Displaced Student  
Survey Form**

**Please complete the following information to determine eligibility for funds under the Temporary Emergency Impact Aid grant program, and return this survey to the eligible nonpublic school in which your child is enrolled.**

**Name of Nonpublic School:** \_\_\_\_\_  
**Street/P.O. Box:** \_\_\_\_\_  
**City:** \_\_\_\_\_  
**County:** \_\_\_\_\_  
**State & Zip:** \_\_\_\_\_

**Name of Displaced Student(s):**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, \_\_\_\_\_, verify my estimated post hurricane  
(Please Print Name of Parent or Guardian)  
income for the period from October 1, 2005 through December 31, 2005 is best represented  
in one of the following ranges of incomes. Please check only one box below:

- Below \$10,000
- \$10,000 - \$19,999
- \$20,000 - \$29,999
- \$30,000 and Above

\_\_\_\_\_  
(Signature of Parent or Guardian)

\_\_\_\_\_  
(Date)

## **Attachment B**

**Parent/Guardian of Nonpublic School Students  
Displaced by Hurricanes Katrina and Rita Notification Letter**



## State of New Jersey

DEPARTMENT OF EDUCATION  
PO Box 500  
TRENTON, NJ 08625-0500

JON S. CORZINE  
*Governor*

LUCILLE E. DAVY  
*Acting Commissioner*

February 3, 2006

TO: Parents or Guardians of Nonpublic School Students  
Displaced by Hurricanes Katrina and Rita

FROM: Lucille E. Davy *LED*  
Acting Commissioner

SUBJECT: Temporary Emergency Impact Aid for Displaced Students

On December 30, 2005, Congress passed the Hurricane Education Recovery Act. This legislation authorizes new grant programs to assist public and nonpublic schools in meeting the educational needs of students displaced by Hurricanes Katrina and Rita. One such grant program is the Temporary Emergency Impact Aid for Displaced Students.

Please be advised, the Temporary Emergency Impact Aid for Displaced Students grant program is a temporary program, which will be available only for the 2005-2006 academic school year. Additionally, as a parent or guardian of a displaced student attending an eligible nonpublic school, you have the option to enroll your child in a public school or a nonpublic school.

The New Jersey Department of Education is pleased to provide these resources, and remains steadfast in its commitment to providing educational opportunities for all children.

LD/AC/AS/ K:\Hurricane Relief\L.Davy.parent.ltr