

## **Frequently Asked Questions (FAQs) for the Temporary Emergency Impact Aid for Displaced Students (Emergency Impact Aid) Program, CFDA Number: 84.938C**

**(updated by NJDOE September 2019)**

### **A. GENERAL QUESTIONS**

#### **A-1. What is the purpose of the Temporary Emergency Impact Aid for Displaced Students program?**

2019 Temporary Emergency Impact Aid for Displaced Students (2019 Emergency Impact Aid) programs as authorized by the Additional Supplemental Appropriations for Disaster Relief Act of 2019, Pub. Law 116-20 (enacted June 6, 2019) provides funds to assist with the cost of educating public and non-public students displaced by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and wildfires, earthquakes, and volcanic eruptions occurring in calendar year 2018 and tornadoes and floods occurring in calendar year 2019 in those areas for which a major disaster or emergency is declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5170 and 5190) (covered disaster or emergency). Under the Emergency Impact Aid program, the U.S. Department of Education (Department) awards grants to eligible State educational agencies (SEAs) to enable them to make emergency impact aid payments to eligible local educational agencies (LEAs) and eligible Bureau of Indian Education (BIE)-funded schools to assist with the cost of educating displaced students who are served by those agencies and schools or who attend eligible non-public schools located in the areas served by those agencies.

#### **A-2. Who may be counted as a displaced student?**

A “displaced student” is a student who:

- Resided in the area of a covered disaster or emergency on the date that is one week prior to the date that the major disaster or emergency was declared for the area; and
- As a result of the covered disaster or emergency, enrolled in an elementary school or secondary school other than the school that the student was enrolled in, or was eligible to be enrolled in, on the date that is one week prior to the date that the major disaster or emergency was declared for the area.

Throughout this document, the term “displaced student(s)” refers to this definition.

#### **A-3. What is an “area of a covered disaster or emergency” for purposes of the displaced student definition in Question A-2?**

For the purpose of the “displaced students” definition, the areas of a covered disaster or emergency are the counties that the Federal Emergency Management Agency (FEMA) designated in the Federal Register

as eligible for individual or public assistance, as a result of a Presidential declaration of a major disaster related to a covered disaster or emergency. Those areas are the following:

**FY 2019 List of Eligible Applicants (as of September 20, 2019)**

- SEAs are eligible to apply for funding, under the Emergency Impact Aid program, based upon the definition of “displaced students.” For the purpose of the definition, the areas of a covered disaster or emergency are the counties that FEMA designated as eligible for individual or public assistance, as a result of a Presidential declaration of a major disaster related to a covered disaster or emergency.
- For declared disasters and emergencies, occurring as a result of a tropical storm or hurricane but for which further declarations did not specify flooding or tornados, the identified areas in the declaration must have been impacted by flooding or tornados resulting from the covered weather event.
- This comprehensive list only identifies eligible disasters through September 20,2019. States may have newly identified eligible disasters for which they can apply through the close of the application period.

**Qualifying FY 2019 Major Disaster or Emergency Declarations**

**Declaration State (Qualifying Disaster)**

EM-3410 AK (Earthquake)- Matanuska-Susitna, Anchorage, Kenai Peninsula

DR-4413 AK (Earthquake)- Matanuska-Susitna, Anchorage, Kenai Peninsula

EM-3407 AL (Hurricane Michael)- Butler, Russell, Covington, Baldwin, Conecuh, Pike, Houston, Barbour, Geneva, Poarch Creek Reservation and Trust Lands, Escambia, Coffee, Mobile, Dale, Henry, Bullock, Montgomery, Crenshaw

DR-4406 AL (Hurricane Michael)- Geneva, Houston, Dale, Mobile, Henry

DR-4419 AL (Tornados)- Lee

DR-4426 AL (Flooding/Tornados)-Blount, Greene, Franklin, Winston, Lamar, Colbert, Jackson, DeKalb, Morgan, Cherokee, Madison, Marion

EM-3414 AR (Flooding)-Pope, Franklin, Arkansas, Chicot, Faulkner, Jefferson, Conway, Pulaski, Lincoln, Logan, Crawford, Perry, Sebastian, Yell, Johnson, Desha

DR-4441 AR (Flooding)- Lincoln, Johnson, Jefferson, Desha, Crawford, Conway, Perry, Pope, Franklin, Yell, Faulkner, Arkansas, Pulaski, Sebastian, Chicot, Logan, Searcy

DR-4353 CA (Wildfires)- Los Angeles, San Diego, Santa Barbara, Ventura

EM-3398 CA (Wildfires)- Shasta

DR-4382 CA (Wildfires)- Shasta, Lake

EM-3409 CA (Wildfires)-Los Angeles, Butte, Ventura

**Declaration State (Qualifying Disaster)**

DR-4407 CA (Wildfires)- Los Angeles, Butte, Ventura

DR-4431 CA (Flooding)-Calaveres, Colusa, Riverside, Mariposa, Marin, Mendocino, Santa Barbara, Shasta, Napa, Trinity, Modoc

DR-4434 CA (Flooding)-Humboldt, Tuolumne, Tehama, Yolo, El Dorado, Glenn, Amador, Monterey, Butte, Sonoma, Trinity, Mariposa, Lake, Del Norte, Mendocino, Colusa, Napa, Marin

EM-3402 CNMI (Typhoon Mangkut)-Rota, Tinian, Saipan (municipalities)

DR-4396 CNMI (Typhoon Mangkhut)- Rota, Tinian, Saipan (municipalities)

EM-3408 CNMI (Typhoon Yutu)- Rota, Tinian, Saipan, Norther Islands (municipalities)

DR-4404 CNMI (Typhoon Yutu)- Rota, Tinian, Saipan, Norther Islands (municipalities)

EM-3405 FL (Hurricane Michael)- Baker, Pinellas, Alachua, Hamilton, Manatee, Jackson, Bay, Leon, Jefferson, Walton, Gulf, Gilchrist, Union, Escambia, Santa Rosa, Hernando, Liberty, Bradford,

Hillsborough, Taylor, Okaloosa, Gadsden, Washington, Dixie, Madison, Levy, Wakulla, Citrus, Holmes, Franklin, Calhoun, Suwannee, Lafayette, Columbia, Pasco

DR-4399 FL (Hurricane Michael)- Suwannee, Walton, Liberty, Taylor, Jefferson, Okaloosa, Gulf, Holmes, Jackson, Gadsden, Leon, Washington, Wakulla, Hamilton, Madison, Bay, Franklin, Calhoun

EM-3419 FL (Hurricane Dorian; **Only needs identified as a result of impacts specific to flooding and tornados.**)- Osceola, Wakulla, Palm Beach, Sarasota, Jackson, Polk, Taylor, Gulf, Gilchrist, Jefferson, Walton, Escambia, Hardee, Flagler, Volusia, Bradford, Duval, Glades, Santa Rosa, Bay, Franklin, Gadsden, Hamilton, Orange, Hendry, Hillsborough, St. Lucie, Putnam, St. Johns, Broward, Highlands, Charlotte, Indian River, Lafayette, Hernando, Holmes, Calhoun, DeSoto, Baker, Clay, Columbia, Brevard, Dixie, Collier, Alachua, Washington, Leon, Sumter, Seminole, Pasco, Martin, Nassau, Okeechobee, Marion, Monroe, Union, Citrus, Lee, Manatee, Lake, Madison, Suwannee, Okaloosa, Levy, Pinellas, Liberty, Miami-Dade

EM-3420 FL (Hurricane Dorian; **Only needs identified as a result of impacts specific to flooding and tornados.**)-Big Cypress Indian Reservation, Fort Pierce Indian Reservation, Brighton Indian Reservation, Tampa Reservation, Hollywood Indian Reservation, Immokalee Indian Reservation

EM-3406 GA (Hurricane Michael)- Chatham, Washington, Talbot, McDuffie, Columbia, Brantley, Glascock, Lee, Terrell, Tattnall, Hancock, Toombs, Montgomery, Bleckley, Decatur, Bacon, Pierce, Webster, Lanier, Screven, Crawford, Pulaski, Jenkins, Schley, Clinch, Dooly, Dougherty, Thomas, Lamar, Putnam, Wilkes, Sumter, Candler, Telfair, Lincoln, Taylor, Baker, Oglethorpe, Wilcox, Chattahoochee, Twiggs, Randolph, Jones, Stewart, Jeff Davis, Dodge, Morgan, Camden, Berrien, Ware, Wheeler, Crisp, Houston, Taliaferro, Elbert, Upson, Charlton, Marion, Calhoun, Greene, Tift, Evans, Wilkinson, McIntosh, Bryan, Seminole, Coffee, Macon, Oconee, Treutlen, Miller, Glynn, Georgetown-Quitman, Clay, Richmond, Bulloch, Wayne, Liberty, Jasper, Effingham, Grady, Monroe, Baldwin, Worth, Turner, Brooks, Jefferson, Bibb, Clarke, Early, Atkinson, Colquitt, Butts, Burke, Peach, Echols, Long, Appling, Mitchell, Laurens, Ben Hill, Warren, Irwin, Lowndes, Cook, Johnson, Muscogee, Emanuel

#### **Declaration State (Qualifying Disaster)**

DR-4400 GA (Hurricane Michael)- Houston, Crawford, Webster, Terrell, Ben Hill, Sumter, Jefferson, Echols, Stewart, Jeff Davis, Emanuel, Hancock, Turner, Toombs, Seminole, Peach, Johnson, Atkinson, Wilcox, Crisp, Appling, Pulaski, Randolph, Wheeler, Schley, Bleckley, Clay, Chattahoochee, Worth, Irwin, Montgomery, Baker, Dougherty, Calhoun, Burke, Tattnall, Jones, Laurens, Berrien, Candler, Coffee, Georgetown-Quitman, Twiggs, Wilkinson, Decatur, Grady, Dooly, Dodge, Tift, Miller, Marion, Thomas, Brooks, Lee, Colquitt, Screven, Putnam, Bacon, Washington, Jenkins, Telfair, Glascock, Evans, Mitchell, Early, Cook, Treutlen, Bulloch, Macon

EM-3422 GA (Hurricane Dorian; **Only needs identified as a result of impacts specific to flooding and tornados.**)- Charlton, Williamsburg, Orangeburg, Kershaw, Long, Liberty, Bryan, Wayne, Effingham, Glynn, Camden, Brantley, Chatham, Pierce

DR-4398 Guam (Typhoon Mangkhut)- Guam (county equivalent)

DR-4366 HI (Earthquake/Volcanic Eruption)- Hawaii County

DR-4421 IA (Flooding)- Webster, Montgomery, Butler, Greene, Franklin, Iowa, Howard, Allamakee, Carroll, Guthrie, Polk, Sioux, Winnebago, Bremer, Winneshiek, Hancock, Fayette, Des Moines, Clay, Palo Alto, Cass, Sac, Adams, Dallas, Floyd, O'Brien, Adair, Louisa, Madison, Jones, Crawford, Calhoun, Dickinson, Kossuth, Scott, Mitchell, Lee, Decatur, Page, Harrison, Hamilton, Lyon, Monona, Worth, Osceola, Cherokee, Fremont, Humboldt, Ida, Emmet, Muscatine, Boone, Clayton, Buena Vista, Pocahontas, Plymouth, Jasper, Union, Tama, Audubon, Mills, Buchanan, Pottawattamie, Ringgold, Keokuk, Mahaska, Woodbury, Hardin, Shelby, Marshall, Clinton, Jackson, Wright, Wapello, Appanoose, Davis, Wayne, Lucas, Monroe, Henry

DR-4443 ID (Flooding)- Nez Perce Indian Reservation, Latah, Idaho, Adams, Valley, Lewis

DR-4461 IL (Flooding)- Adams, Alexander, Bureau, Calhoun, Carroll, Cass, Fulton, Greene, Hancock, Henderson, Henry, Jackson, Jersey, Knox, Madison, Mercer, Monroe, Morgan, Pike, Randolph, Rock Island, Schuyler, Scott, St. Clair, Stephenson, Union, and Whiteside

DR-4428 KY (Flooding)-Breathitt, Wolfe, Whitley, Greenup, Henderson, Ballard, Grant, Crittenden, Wayne, Marshall, Knox, Henry, Elliott, Laurel, Owen, Russell, McCreary, Bell, Carlisle, Owsley, Campbell, Perry, Webster, Madison, Cumberland, McCracken, Floyd, Marion, Union, Livingston, Harlan, Jackson, Fulton, Rockcastle, Metcalfe, Casey, Trigg, Martin, Powell, Magoffin, Pike, Estill, Nicholas, Carroll, Boyd, Knott, Edmonson, Morgan, Leslie, Lee, Adair, Pendleton, Butler, Hancock, Johnson, Clay, Lawrence, Carter, Washington, Letcher, Hickman

EM-3412 KS (Flooding/Tornados)- Coffey, Linn, Saline, Doniphan, Wilson, Montgomery, Osage, Riley, Jefferson, Pottawatomie, Franklin, Marshall, Morris, Geary, Anderson, Woodson, Butler, Harvey, Dickinson, Neosho, Sumner, Allen, Douglas, Cowley, Chautauqua, Greenwood, Cherokee, Wabaunsee, Elk, Lyon, Crawford, Reno, Leavenworth

**Declaration State (Qualifying Disaster)**

DR- 4449 KS (Flooding/Tornados)- Morris, McPherson, Clay, Lincoln, Meade, Elk, Marshall, Barber, Lyon, Jefferson, Linn, Pottawatomie, Allen, Neosho, Pawnee, Kingman, Anderson, Harper, Cowley, Woodson, Leavenworth, Sumner, Ottawa, Osage, Phillips, Cloud, Hodgeman, Coffey, Montgomery, Atchison, Geary, Ellsworth, Chautauqua, Franklin, Doniphan, Rice, Cherokee, Reno, Clark, Butler, Wabaunsee, Barton, Harvey, Nemaha, Greenwood, Pratt, Rush, Marion, Saline, Wilson, Russell, Washington, Chase, Dickinson, Bourbon, Douglas, Gray, Comanche, Crawford, Edwards, Ford, Riley, Wallace, Brown, Stafford, Osborne, Wyandotte, Smith, Ness, Miami

EM-3413 LA (Flooding)-Pointe Coupee, St. Martin, Assumption, St. Mary, Concordia, West Feliciana, Catahoula, Iberville, Terrebonne, St. Landry, Rapides

DR-4439 LA (Flooding)- Morehouse, Lincoln, Union

EM-3416 LA (Tropical Storm Barry; **Only needs identified as a result of impacts specific to flooding and tornados.**)- Avoyelles, East Baton Rouge, Ascension, Cameron, Calcasieu, Acadia, Assumption, Terrebonne, West Baton Rouge, Tangipahoa, Washington, Vermilion, West Feliciana, St. Tammany, St. John the Baptist, St. Bernard, Rapides, St. James, Orleans, St. Helena, Lafourche, Pointe Coupee, Jefferson, St. Landry, Lafayette, Jefferson Davis, Plaquemines, St. Mary, Livingston, East Feliciana, Iberville, Iberia, St. Charles, St. Martin, Ouachita, Beauregard, Allen, Catahoula, Concordia, Evangeline, Vernon

DR-4462 LA (Flooding)- Assumption, Caldwell, Catahoula, Concordia, East Carroll, Franklin, Iberville, Ouachita, Pointe Coupee, Rapides, St. Martin, Terrebonne, and West Feliciana

DR-4458 LA (Tropical Storm Barry; **Only needs identified as a result of impacts specific to flooding and tornados.**)- East Feliciana, Terrebonne, West Feliciana, St. Charles, Orleans, Lafourche, Tangipahoa, Iberville, Allen, Jefferson, Plaquemines, Assumption, Ascension, St. Helena, East Baton Rouge, Vermilion, Iberia, St. John the Baptist, St. Mary

DR-4442 MN (Flooding)- Chippewa, Swift, Le Sueur, Polk, Dodge, Watonwan, Houston, Rock, Lincoln, Cottonwood, McLeod, Martin, Traverse, Lac qui Parle, Faribault, Ramsey, Grant, Clay, Nobles, Washington, Upper Sioux Community (Indian Reservation), Blue Earth, Pipestone, White Earth Indian Reservation, Redwood, Waseca, Roseau, Murray, Pennington, Red Lake, Prairie Island Community (Indian Reservation), Kittson, Lyon, Olmsted, Stevens, Freeborn, Fillmore, Wabasha, Wilkin, Jackson, Brown, Renville, Marshall, Norman, Sibley, Nicollet, Mower, Red Lake Indian Reservation, Mahnomon, Steele, Goodhue, Winona, Big Stone, Yellow Medicine, Scott

DR-4435 MO (Flooding)-Atchison, Holt, Pemiscot, Perry, Ray, Mississippi, New Madrid, Ste. Genevieve, Carroll, Platte, Buchanan, Andrew, Chariton, Pike, Scott, Cape Girardeau

**Declaration State (Qualifying Disaster)**

DR-4451 MO (Flooding/Tornados)- Jasper, St. Charles, Lafayette, Osage, Pulaski, Jackson, Boone, Buchanan, Livingston, Atchison, Chariton, Lincoln, Miller, Platte, Holt, Carroll, Andrew, Greene, Pike, Cole, Harrison, Montgomery, New Madrid, McDonald, Macon, Maries, Howell, Mercer, Knox, Douglas, Gentry, Bates, Daviess, Adair, Marion, Barton, Cape Girardeau, Henry, Caldwell, Cedar, Camden, Hickory,

Dade, Clark, Monroe, Bollinger, Dallas, Linn, Barry, Mississippi, Lewis, Laclede, Grundy, Wright, Ozark, Webster, Randolph, Schuyler, Vernon, Wayne, Ste. Genevieve, Nodaway, Ralls, Taney, Stoddard, Pemiscot, Saline, Scotland, Texas, Ray, Perry, Putnam, Shannon, Shelby, Newton, Sullivan, Callaway, Jefferson

DR-4429 MS (Flooding/Tornados)-Clay, Grenada, Chickasaw, Quitman, Leflore, Alcorn, Yalobusha, Montgomery, Itawamba, Webster, Lowndes, Sunflower, Washington, Carroll, Prentiss, Tallahatchie, Pontotoc, Lafayette, Lee, Union, Coahoma, Calhoun, Panola, Tishomingo, Humphreys, Issaquena, Sharkey, Yazoo, Warren

DR-4450 MS (Flooding/Tornados)- Clay, Warren, Oktibbeha, Yazoo, Itawamba, Monroe, Clarke, Kemper, Holmes

DR-4437 MT (Flooding)- Daniels, Lake, Stillwater, Park, Valley, Treasure, Powder River, McCone

DR-4412 NC (Tropical Storm Michael)-Hyde, Chatham, Dare, Surry, Caswell, Forsyth, Davie, Rockingham, Person, Granville, Vance, Yadkin, Davidson, Montgomery, Iredell, Brunswick, Randolph, Stokes, Alamance, McDowell, Orange

EM-3401 NC (Hurricane Florence)- Buncombe, Gaston, Lee, Henderson, Pitt, Hoke, Pamlico, Randolph, Polk, Alexander, Alleghany, Catawba, Avery, Craven, Burke, Vance, Jackson, Haywood, Montgomery, Sampson, Beaufort, Tyrrell, Chowan, Granville, Franklin, Union, New Hanover, Carteret, Camden, Davie, Wilson, Pender, Surry, Currituck, Rockingham, Brunswick, Person, Bertie, Cleveland, Hyde, Scotland, Mecklenburg, Stokes, Warren, Lenoir, Wilkes, Pasquotank, Halifax, Rowan, Cherokee, Robeson, Durham, Duplin, Martin, Easter Band of Cherokee Indians of North Carolina, Nash, McDowell, Onslow, Bladen, Macon, Johnston, Hertford, Chatham, Yancey, Wake, Alamance, Columbus, Forsyth, Yadkin, Anson, Madison, Clay, Moore, Wayne, Orange, Greene, Lincoln, Transylvania, Jones, Dare, Cabarrus, Cumberland, Stanly, Rutherford, Graham, Iredell, Guilford, Caswell, Mitchell, Watauga, Washington, Edgecombe, Perquimans, Caldwell, Northampton, Ashe, Richmond, Swain, Davidson, Harnett, Gates

DR-4393 NC (Hurricane Florence)-Yancey, McDowell, Granville, Hyde, Orange, Pamlico, Pitt, Davidson, Greene, Ashe, Durham, Carteret, Union, Duplin, Stanly, Lee, Sampson, Harnett, Lenoir, Alamance, Bertie, Person, Rowan, Guilford, Robeson, Wayne, Montgomery, Cumberland, Onslow, Cabarrus, Polk, Dare, Hoke, Madison, Craven, Johnston, Richmond, Pender, Beaufort, New Hanover, Randolph, Scotland, Anson, Columbus, Brunswick, Tyrrell, Bladen, Moore, Jones, Wilson, Alleghany, Chatham

#### **Declaration State (Qualifying Disaster)**

EM-3423 NC (Hurricane Dorian; **Only needs identified as a result of impacts specific to flooding and tornados.**)- Currituck, Columbus, Cleveland, Alexander, Eastern Band of Cherokee Indians of North Carolina, Cherokee, Craven, Avery, Davidson, Harnett, Davie, Gates, Duplin, Greene, Anson, Henderson, Catawba, Alleghany, Clay, Ashe, Chatham, Bertie, Bladen, Hyde, Alamance, Johnston, Iredell, Hoke, Hertford, Guilford, Haywood, Beaufort, Caswell, Carteret, Buncombe, Brunswick, Camden, Caldwell, Burke, Cabarrus, Dare, Halifax, Graham, Gaston, Durham, Edgecomb, Franklin, Forsyth, Granville, Jones, Jackson, Chowan, Cumberland, Rutherford, Surry, Warren, Tyrrell, Wayne, Pasquotank, Rowan, Onslow, Scotland, Lee, Yancey, Union, Transylvania, Swain, Wilkes, Mitchell, Pender, Watauga, Yadkin, Wilson, Rockingham, Washington, Martin, Pamlico, Orange, Person, Stokes, Perquimans, McDowell, Randolph, Richmond, Polk, Pitt, Robeson, Montgomery, Moore, Nash, New Hanover, Madison, Northampton, Lenoir, Mecklenburg, Macon, Lincoln, Vance, Wake, Sampson, Stanly

DR-4444 ND (Flooding)- Richland, Cass, Adams, Grant, Pembina, Walsh, McKenzie, Emmons, Ransom, Morton, Barnes, Sargent, Traill, Hettinger, Steele, Logan, Dickey, Grand Forks, LaMoure

DR-4420 NE (Flooding)- York, Sherman, Sac and Fox Indian Reservation, Omaha Indian Reservation, Cass, Deuel, Webster, Brown Kearney, Franklin, Morrill, Loup, Scotts Bluff, Greeley, Polk, Colfax, Butler, Knox, Cherry, Lincoln, Merrick, Buffalo, Lancaster, Douglas, Harlan, Saline, Pierce, Gage, Valley, Hall, Gosper, Holt, Custer, Fillmore, Dixon, Sheridan, Dodge, Box Butte, Keya Paha, Otoe, Wheeler, Antelope, Howard, Stanton, Garden, Thayer, Saunders, Nemaha, Cedar, Santee Indian Reservation, Dakota, Phelps, Banner,

Furnas, Adams, Blaine, Nuckolls, Seward, Frontier, Wayne, Logan, Pawnee, Boone, Sarpy, Richardson, Johnson, Madison, Platte, Boyd, Thurston, Cheyenne, Dawson, Rock, Washington, Jefferson, Kimball, Sioux, Cuming, Clay, Nance, Garfield, Dawes, Winnebago Indian Reservation, Burt, Ponca

DR-4457 NH (Flooding)- Grafton

DR-4424 OH (Flooding)-Brown, Pike, Vinton, Athens, Hocking, Jefferson, Noble, Muskingum, Morgan, Lawrence, Perry, Guernsey, Washington, Meigs, Gallia, Monroe, Adams, Ross, Jackson, Belmont, Scioto

DR-4447 OH (Flooding/Tornado)- Greene, Miami, Auglaize, Muskingum, Mahoning, Pickaway, Perry, Mercer, Darke, Hocking, Montgomery, Columbiana

EM-3411 OK (Flooding)- Wagoner, Osage, Haskell, Sequoyah, Pawnee, Muskogee, Tulsa, Kay, Le Flore, Noble

DR-4373 OK (Wildfire)- Custer, Harmon, Dewey, Roger Mills, Woodward

DR-4438 OK (Flooding/Tornados)- Mayes, Pawnee, Le Flore, Pawnee (OTSA), Alfalfa, Osage, Ottawa, Nowata, Okmulgee, Washington, Sequoyah, Tulsa, Muskogee, Haskell, Cherokee, Rogers, Kay, Payne, Garfield, Craig, Wagoner, Delaware, Canadian, Pottawatomie, Logan, Woods, Kingfisher, Creek, Noble, Pushmataha, Pittsburg, Roger Mills, Okfuskee, Beckham, Jackson, Washita, Lincoln, Adair, Grady, Greer, Harper, Grant, Custer, Ellis, Dewey, Blaine, Beaver, Kiowa, Caddo, Woodward, Tillman

DR-4453 OK (Flooding/Tornados)- Alfalfa, Bryan, Coal, Atoka, Craig, Lincoln, Ottawa, Kay, Pittsburg, Stephens, Osage, Noble, Nowata, Tillman, Pushmataha, Okmulgee, Major, Love, Okfuskee

#### **Declaration State (Qualifying Disaster)**

DR-4432 OR (Flooding)-Douglas, Jefferson, Lane, Coos, Curry

DR-4452 OR (Flooding)- Curry, Umatilla, Grant, Linn, Wheeler, Douglas

EM-3417 PR (Tropical Storm Dorian; **Only needs identified as a result of impacts specific to flooding and tornados.**)- Maricao, Maunabo, Adjuntas, Loiza, Coama, Fajardo, Aguas Buenas, Las Piedras, Ceiba, Culebra, Cabo Rojo, Hormigueros, Florida, Catano, Carolina, Aguada, Caguas, Anasco, Aibonito, Arecibo, Barranquitas, Cidra, Camuy, Aguadilla, Ciales, Arroyo, Canovanas, Cayey, Bayamon, Lajas, Las Marias, Juana Diaz, Lares, Humacao, Juncos, Isabel, Jayuya, Guanica, Gurabo, Guayama, Hatillo, Barceloneta, Guayanilla, Manati, Luquillo, Vieques, Yabucoa, Utuado, San Sebastian, Vega Baja, Salinas, Sabana Grande, Rio Grande, Rincon, Dorado, San German, San Lorenzo, Guaynabo, Orocoveis, Mayaguez, Comerio, Penuelas, Patillas, Ponce, Naranjito, Corozal, Quebradillas, Morovis, Moca, Naguabo, Toa Alta, San Juan, Vega Alta, Toa Baja, Trujillo Alto, Santa Isabel, Yauco, Villalba,

DR-4440 SD (Flooding)- Davison, Tripp, Hand, Codington, McCook, Dewey, Hyde, Marshall, Lyman, Day, Minnehaha, Yankton, Lake Traverse (Sisseton) Indian Reservation, Clay, Union, Brule, Jones, Spink, Clark, Fall River, Ziebach, Hanson, Moody, Brown, Campbell, Cheyenne River Indian Reservation, Roberts, Sanborn, Walworth, Potter, Aurora, Miner, Perkins, Faulk, Buffalo, Hutchison, Oglala Sioux Tribe of the Pine Ridge Reservation, Hughes, Charles Mix, Deuel, Jerauld, Edmunds, Pennington, Lake, Brookings, Hamlin, Turner, Bennett, Sully, Lincoln, Gregory, Kingsbury, Rosebud Indian Reservation, Mellette, Jackson, Douglas, McPherson, Oglala Lakota, Grant, Todd, Beadle, Bon Homme

EM-3400 SC (Hurricane Florence)- Chesterfield, Darlington, Allendale, Aiken, Clarendon, Union, Colleton, Hampton, Saluda, Edgefield, Florence, Beaufort, Kershaw, Calhoun, Richland, Barnwell, Catawba Indian Reservation, Marlboro, McCormick, Marion, Greenville, Williamsburg, Oconee, Dillon, Charleston, Dorchester, Horry, Greenwood, Lee, Lancaster, Cherokee, Abbeville, Jasper, Fairfield, Lexington, Bamberg, York, Orangeburg, Georgetown, Newberry, Sumter, Anderson, Laurens, Pickens, Chester, Berkeley, Spartanburg

DR-4394 SC (Hurricane Florence)- Dorchester, Chesterfield, Darlington, Marion, Charleston, Dillon, Williamsburg, Florence, Marlboro, Calhoun, Colleton, Berkeley, Georgetown, Clarendon, Horry, Sumter, Jasper, Orangeburg, Lancaster

EM-3421 SC (Hurricane Dorian; **Only needs identified as a result of impacts specific to flooding and tornados.**)- Abbeville, Aiken, McIntosh, Union, Marion, Lee, Saluda, Greenwood, Richland, Chester,

Spartanburg, Darlington, Pickens, Charleston, Bamberg, Beaufort, Laurens, Sumter, York, Lancaster, Oconee, Dillon, McCormick, Edgefield, Dorchester, Marlboro, Lexington, Newberry, Greenville, Fairfield, Horry, Georgetown, Hampton, Cherokee, Florence, Clarendon, Colleton, Chesterfield, Barnwell, Calhoun, Catawba Indian Reservation, Berkeley, Anderson, Allendale

DR-4427 TN (Flooding)-Scott, Hickman, Roane, Tipton, Lake, Lincoln, Humphreys, Union, Clay, Lauderdale, Carter, Smith, Lewis, Jackson, Robertson, Van Buren, Hamilton, Morgan, Gibson, Hawkins, Coffee, Loudon, Coker, Sequatchie, Jefferson, Moore, Anderson, Grainger, Sevier, Rhea, Houston, Decatur, Bedford, Lawrence, Obion, Giles, Overton, Hancock, Blount, Claiborne, Campbell, Knox, Marion, Bledsoe, Perry, DeKalb, Dyer, Marshall, Greene, Cheatham, Unicoi, Fentress, Johnson, McNairy, Hamblen, Dickson, Warren, Wayne, Hardin

#### **Declaration State (Qualifying Disaster)**

DR-4454 TX (Flooding)- Cameron, Hidalgo, Willacy

EM-3418 USVI (Hurricane Dorian; **Only needs identified as a result of impacts specific to flooding and tornados.**)- St. Thomas (Island), St. Croix (Island), St. John (Island)

EM-3403 VA (Hurricane Florence)- Pulaski, Northampton, Dickenson, Amelia, Mathews, Pittsylvania, Roanoke, Spotsylvania, Russell, Buena Vista, Isle of Wright, Alleghany, Buckingham, Prince George, Sussex, Middlesex, Augusta, Smyth, Roanoke, Alexandria, Brunswick, Rockingham, Lancaster, Culpeper, Virginia Beach, Harrisonburg, Botetourt, Dinwiddie, Richmond, Campbell, Newport News, Albemarle, Falls Church, Westmoreland, Emporia, Goochland, Waynesboro, Henry, Colonial Heights, Patrick, Bland, Wise, Clarke, King George, Loudon, Louisa, Giles, Hopewell, Charles City, Warren, Craig, Manassas Park, Northumberland, Fauquier, Bath, Montgomery, Portsmouth, Surry, King and Queen, Lunenburg, Staunton, Greene, Washington, Essex, Scott, Charlottesville, Bedford, Fluvanna, Carroll, Fredericksburg, Franklin, Page, Suffolk, Poquoson, Caroline, Gloucester, Lee, Accomack, Bristol, Lexington, Frederick, Rockbridge, Radford, Buchanan, King William, Hanover, Stafford, Southampton, Madison, Fairfax, Danville, Amherst, Chesapeake, Manassas, New Kent, Nelson, Wythe, Petersburg, Norton, Grayson, Chesterfield, Galax, Shenandoah, Fairfax, Powhatan, Rappahannock, James City, Mecklenburg, Highland, Prince Edward, Covington, Greensville, Nottoway, Richmond, Cumberland, Williamsburg, Halifax, Henrico, Orange, Appomattox, Hampton, Lynchburg, Bedford, Salem, Charlotte, Floyd, Norfolk, Tazewell, Winchester, York, Martinsville, Arlington, Prince William, Franklin

DR-4401 VA (Hurricane Florence)- Patrick, Botetourt, Halifax, Williamsburg, Nelson, Russell, Craig, Roanoke, Martinsville, Richmond, Bristol, Mecklenburg, Pulaski, Hampton, Isle of Wight, Floyd, Lancaster, Chesterfield, Nottoway, Henry, Franklin, King and Queen, Charles City, Northumberland, Lunenburg, Grayson, Newport News, King William, Mathews, Danville, Pittsylvania, Franklin

DR-4411 VA (Tropical Storm Michael)- Chesterfield, Lunenburg, Amelia, Grayson, Brunswick, Charlotte, Pittsylvania, Appomattox, Middlesex, Franklin, Fluvanna, Roanoke, Galax, Prince Edward, Halifax, Essex, Powhatan, Mecklenburg, James City, Nottoway, Lancaster, Campbell, Danville, King William, Rappahannock, Dinwiddie, King and Queen, Floyd, Westmoreland, Montgomery, Cumberland, Northumberland, Northampton, Richmond, Martinsville, New Kent

DR-4445 VT (Flooding)- Bennington, Windsor, Washington, Rutland, Essex, Orange

DR-4455 WV (Flooding)- Tucker, Randolph, Preston, Grant, Pendleton

DR-4459 WI (Flooding)- Barron, Vernon, Clark, Portage, Shawano, Menominee Indian Reservation, Polk, La Crosse, Oconto, Waupaca, St. Croix Indian Reservation, Rusk, Menominee, Outagamie, Oneida, Forest, Monroe, Wood, Langlade

#### **A-4. May preschool students be included in the counts of displaced students?**

Preschool students in non-profit, publicly funded preschool programs may only be included in the displaced student counts if preschool education is included as a part of elementary education by State

law. If State law defines elementary education as beginning with kindergarten, preschool students may not be included in the displaced student counts from that State.

#### **A-5. What timelines apply to the Emergency Impact Aid Program?**

LEAs and BIE-funded schools were required to apply to their SEA for funds under the program by October 11, 2019. SEAs must submit their initial applications to the Department by October 23, 2019. SEAs must submit any application amendments affecting allocations under the Emergency Impact Aid program to the Department no later than January 31, 2020. An SEA may establish additional reasonable deadlines to collect necessary revisions from LEAs, Bureau of Indian Education schools, and non-public schools, to facilitate submission of SEA final application amendments by January 31, 2020.

In addition to these application deadlines, the modified Act requires that LEAs make payments to accounts on behalf of non-public students within 14 calendar days of receiving payments from their SEAs. (See section 107(c)(2)(A)(iii) of the modified Act.) When students are enrolled in different non-public schools on different quarterly count dates, LEAs need to ensure that payments for these students are directed to the correct accounts on their behalf.

#### **A-6. What data must each SEA, LEA, and BIE-funded school provide to receive Emergency Impact Aid funding?**

In its application to its SEA for Emergency Impact Aid funding, each LEA and BIE-funded school must submit enrollment data for all four quarters of the 2018-2019 school year on the numbers of displaced students enrolled in that LEA (in public and non-public schools, see Question B-2) or BIE-funded school as of four different count dates, disaggregated by students who are children with disabilities <sup>1</sup>, English learners who are not reported as children with disabilities, and all other displaced students. The data for the fourth quarter may be estimated data.

Each SEA that applies for Emergency Impact Aid funding must provide to the Department in its application data for all four quarters of the 2018-19 school year, which may include estimated data for the fourth quarter, on the aggregated numbers of displaced students enrolled in public, non-public, and BIE-funded schools on four different count dates also disaggregated by students who are children with disabilities, English learners who are not reported as children with disabilities, and all other displaced students. The Department will use the data that are included in the SEA applications to make initial payments under the Emergency Impact Aid program.

The Department has identified four suggested quarterly count dates for an SEA and each LEA and BIE-funded school to identify numbers of displaced students: October 1, 2018; December 1, 2018; February 1, 2019; and April 1, 2019. An SEA may use these dates or select count dates that fall within a 21-day range for each of the quarters, i.e., within 10 calendar days before or after these dates. If an SEA selects other count dates, the SEA must select four specific dates and require that each LEA or BIE-funded school that applies use those dates.

An LEA or BIE-funded school must provide as an update to its application to the SEA any updated enrollment data generally and any unreported fourth quarter data for the 2018-19 school year once those

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<sup>1</sup> As used in this document and as noted in the response to Question C-1, the term “child with a disability” has the same meaning given the term in section 602(3) of the Individuals with Disabilities Education Act (IDEA). See section 8101(4) of the ESEA.

data become available but no later than the deadline set by the SEA. The SEA must then provide any updated enrollment data generally and any unreported fourth quarter data for the 2018-19 school year to the Department by January 31, 2020. See Section B in this document for more information

#### **A-7. What must an LEA include in its application to the SEA?**

An LEA's application to the SEA must include the following information consistent with any procedures as established by the SEA:

a) Numbers of displaced students enrolled in public schools as of four quarterly count dates specified by the SEA, including separate counts of students who are reported as children with disabilities, English learners who are not reported as children with disabilities, and all other displaced students;

b) Numbers of displaced students enrolled in non-public schools as of four quarterly count dates specified by the SEA, including separate counts of students who are reported as children with disabilities, English learners who are not reported as children with disabilities, and all other displaced students;

c) An assurance that the LEA will make payments to all accounts established for displaced students enrolled in non-public schools within 14 days of receiving its allocation;

d) An assurance that the LEA will comply with the procedures established by the SEA to receive applications for assistance from the parents or guardians of non-public school displaced students;

e) An assurance that the LEA will comply with the procedures established by the SEA to make payments to accounts for non-public school displaced students; and

f) An assurance that the LEA will comply with the procedures established by the SEA to obtain:

i. Certifications of attendance from non-public schools for displaced students;

and

ii. Certifications from non-public schools that payments for displaced non-public school students will be used only for allowable purposes.

#### **A-8. What must a parent or guardian of a non-public school student submit to an LEA (or SEA, as applicable) so that the school receives Emergency Impact Aid funding for that student?**

The SEA will establish procedures for a parent or guardian<sup>2</sup> of a non-public school displaced student to request that the LEA in which the non-public school is located apply for Emergency Impact Aid funding. The parent of a non-public school displaced student should promptly submit the data and supporting

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<sup>2</sup> For purposes of this guidance, references to parents includes both parents and guardians.

documentation that is required under those procedures to the LEA or SEA, as applicable, so that program funds can be received on behalf of the student. In particular, parents of a non-public school displaced student must provide verification and evidence that the student on whose behalf they are applying meets the definition of displaced student. (See Question A-2.) Parents must also supply evidence, such as a registration form, that they enrolled their child in an eligible, non-public school for the quarter(s) claimed and prior to February 9, 2019. (See Question F-8.)

#### **A-9. What count dates must an LEA use for identifying numbers of eligible displaced students?**

The LEA must use quarterly count dates established by its SEA. The Department has identified four suggested quarterly count dates for identifying numbers of displaced students: October 1, 2018; December 1, 2018; February 1, 2019; and April 1, 2019. An SEA may use these dates or select count dates that fall within a 21-day range for each of the quarters, i.e., within 10 calendar days before or after these dates.

#### **A-10. How does an LEA identify eligible displaced students?**

An LEA must take a count of the displaced students it has enrolled on each of the count dates, based on the definition of a “displaced student.” (See Question A-2.)

In doing so, it must document that each such student --

- 1) Resided in the area of the covered disaster or emergency on the date that is one week prior to the date that a major disaster or emergency was declared for the area; and
- 2) As a result of the covered disaster or emergency, is enrolled in an elementary school or secondary school other than the school that the student was enrolled in, or was eligible to be enrolled in, on the date that is one week prior to the date that a major disaster or emergency was declared for the area.

Similarly, for displaced students enrolled in non-public schools, the LEA must take a count of such students on whose behalf parents have applied for assistance under the program.

Examples of how an LEA might document that a student is displaced include, but are not limited to, a student registration form with a former address of the student within the disaster areas, verification of enrollment from an SEA, a transcript from the student’s former school, a utility bill, or a copy of a parent’s driver’s license.

#### **A-11. How does an LEA generally identify an eligible displaced student who is a child with a disability?**

An LEA can identify a displaced student as a child with a disability under section 602(3) of the Individuals with Disabilities Education Act (IDEA) based on the student’s last individualized education program (IEP) as defined in Section 614(d) of the IDEA, or in the case of a non-public school student who is a child with a disability under IDEA, based on the student’s most recent IDEA eligibility determination or the student’s last services plan as defined in 34 CFR §300.37. For additional information on identifying and serving students who are children with disabilities, please see Question H-2 and visit the Department’s IDEA website. For additional information about equitable services for non-public school students with

disabilities, see <https://innovation.ed.gov/what-we-do/non-public-education/individuals-with-disabilities-education-improvement-act-idea/>.

## **A-12. What is an “English learner” for purposes of this program?**

An “English learner” is an individual—

- a) who is aged 3 through 21;
- b) who is enrolled or preparing to enroll in an elementary school or secondary school;
- c) i. who was not born in the United States or whose native language is a language other than English;
  - ii. (I) who is a Native American or Alaska Native, or a native resident of the outlying areas;  
  
and  
  
(II) who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
  - iii. who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant;  
  
and
- d) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—
  - i. the ability to meet the challenging State academic standards;
  - ii. the ability to successfully achieve in classrooms where the language of instruction is English; or
  - iii. the opportunity to participate fully in society.

See section 8101 of the Elementary and Secondary Education Act of 1965, as amended (ESEA) and section 101(b) of the modified Act. See also Question A-1.

## **B. USES OF FUNDS**

### **B-1. For what activities and services may an LEA, BIE-funded school, or non-public school expend program funds?**

These entities may use program funds to provide instructional opportunities for displaced students who enroll in their schools and for expenses the recipient incurs in serving displaced students. Examples of allowable expenses include:

- a) Paying the compensation of personnel, including teacher aides, in schools enrolling displaced students;
- b) Identifying and acquiring curricular material and classroom supplies;
- c) Acquiring or leasing mobile educational units or leasing sites and spaces (to the extent that those costs are not met by FEMA);
- d) Providing basic instructional services for displaced students, including tutoring, mentoring, or academic counseling;
- e) Paying reasonable transportation costs;
- f) Providing health and counseling services; and
- g) Providing education and support services.

The recipients may use these funds for pre-award costs, including the reimbursement of expenditures incurred prior to the receipt of a grant. (See also Question E-6 regarding uses of funds for displaced students who are children with disabilities.)

**B-2. Must those activities and services be specifically related to serving displaced students?**

While the activities and services provided with Emergency Impact Aid funds must be related to serving displaced students, there is no requirement that they be provided only to those students. For instance, one of the allowable activities under the law is provision of basic instructional services. There is no requirement that program funds be used to provide those services only to displaced students; rather, LEAs may use the funds to support regular classroom programs in which both displaced and other students participate. Similarly, the law authorizes the use of funds for reasonable transportation costs. LEAs are under no obligation use these funds to transport only displaced students. They may instead use the money to support their regular transportation budget, taking care to ensure that the transportation needs of displaced students are met.

**B-3. How much of its grant may an LEA or BIE school use for administration?**

An LEA or BIE school may use up to two percent of its allocation for administration of the program.

**B-4. How is “administration” defined for the purposes of this program?**

Administrative costs include costs (direct and indirect) involved in the proper and efficient performance and administration of this Federal grant. This use of funds, as well as indirect costs and rates, must comply with 2 CFR part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and the Department’s administrative regulations. (See 34 CFR 76.560-76.569 on indirect costs.)

**B-5. What restrictions or conditions apply to the funds that LEAs and BIE-funded schools receive on behalf of displaced students who are children with disabilities?**

Recipients of funds under this program for displaced students who are children 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 the covered disaster or emergency. They may become part of an LEA's or school's special education budget, and the LEA or school may use them to provide special education and related services to both displaced and other students who are children with disabilities, taking care to ensure that the special education needs of displaced students with disabilities are met. Notwithstanding the requirement that payments be expended for special education and related services consistent with the IDEA, this program places no other obligation on non-public schools to administer any part of the IDEA.

**B-6. What requirements apply to the use of funds for "special education and related services consistent with the IDEA"?**

The requirements that apply to the use of funds provided for displaced students who are children with disabilities are the same as those that apply to the LEAs use of funds provided under Part B of the IDEA. They include the requirement that the funds be used for the excess costs of providing special education and related services to children with disabilities, consistent with maintenance-of-effort and supplement, not supplant, requirements. Because these fiscal provisions have special meaning under the IDEA, distinct from the way these terms are applied under the ESEA, we advise you to consult with your State and local staff who administer the IDEA if you need additional information on IDEA requirements. The applicable regulations regarding these requirements can be found at 34 CFR sections 300.202-300.208.

**B-7. Are any uses of funds specifically prohibited by statute?**

LEAs may not use program funds for construction or for major renovation of schools. If reasonable and necessary, these funds may be used for minor remodeling or repairs.

**B-8. What is minor remodeling?**

Minor remodeling refers to minor alterations in a previously completed building. The term 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. (See 34 CFR 77.1.)

**B-9. Even though this program is not part of the ESEA, may an LEA's administrative funds be combined into its Consolidated Administrative Account under Title VIII of the ESEA?**

Consistent with sections 8201(a)(2) and 8203(a) of the ESEA, the Secretary designates Emergency Impact Aid as a program whose State and local administrative funds may be consolidated, subject to the respective Emergency Impact Aid statutory caps of one percent for SEAs and two percent for LEAs and BIE-funded schools. The other Federal administrative funds included in the Consolidated Administrative Account, however, are available for obligation for a shorter period of time than the Emergency Impact Aid administrative funds. Thus, if an LEA chooses to consolidate its Emergency Impact Aid administrative funds with other funds, the Emergency Impact Aid administrative funds are considered to be timely

obligated if the LEA can document that, between the time those funds were consolidated and May 31, 2020, it obligated an amount of Consolidated Administrative funds that is at least as great as the amount of Emergency Impact Aid administrative funds that it consolidated. In addition, the LEA must be able to document that it timely obligated any of its other administrative carry-over funds that had to be obligated by September 30, 2019.

**B-10. May Emergency Impact Aid funds be combined in Title I, Part A, schoolwide program campuses to upgrade the entire educational program of the campus?**

Emergency Impact Aid funds may be combined in a schoolwide program school that serves displaced students and used for any activities included in the schoolwide plan. See 69 FR 40360, 40361, July 2, 2004: "[T]he Secretary authorizes a schoolwide program school to consolidate funds that the school receives from any Federal education program, administered by the Secretary, whose funds can be used to carry out activities in a public elementary or secondary school. This authority also extends to services, materials, and equipment purchased with those funds and provided to a public elementary or secondary school."

We note that section 107(e)(4) of the modified Act states that, in general, payments of Emergency Impact Aid funds for a displaced student who is a child with a disability must be used to pay for special education and related services consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.). If a school combines Emergency Impact Aid funds with other Federal, State, and local funds in a schoolwide program school, the school need not track funds made available for a displaced student who is a child with a disability to specific services for that student. However, displaced students with a disability, like all other children with disabilities in the schoolwide program, must be provided services in accordance with a properly developed individualized education program (IEP) and be afforded all of the rights and services guaranteed to children with disabilities and their parents under the IDEA.

**B-11. What kinds of transportation expenses can be supported with Emergency Impact Aid funds?**

Reasonable transportation costs can include:

- Supporting costs of transporting students to and from school, after-school programs, tutorials, remediation programs, extended-year programs, and enrichment programs;
- Providing funds for additional bus drivers for displaced students;
- Replacing buses and supporting repair costs to buses; and
- Replacing other LEA or school vehicles.

**B-12. What are some examples of allowable "education and support services" expenses?**

- In addition to typical costs associated with education and support services, such as security, examples of other allowable expenses that could be considered in this category include:
- Supporting the minor repair of facilities;

- Providing meals for extended-day programs; and purchasing uniforms for displaced students attending an eligible public or non-public school.

## **C. RECORDKEEPING & ADMINISTRATION**

### **C-1. What records must an LEA or BIE-funded school keep after submitting its application?**

In general, all LEA and BIE recipients of Emergency Impact Aid must maintain adequate written records to support the amount of payments that are received and the allowable expenditures that are made under the program for the fiscal year. At a minimum, recipients must keep auditable records documenting the enrollments of the displaced children that they claimed as the basis for receiving payments and evidence that the children claimed met the definition of a displaced student. On request, any recipient must make its records available to the Department for the purpose of examination or audit. (See 2 CFR §§ 200.333-200.337; GEPA section 443, 20 U.S.C. 1232f). The full requirements regarding recordkeeping are in the Uniform Administrative Requirements regulations at 2 CFR 200.333-200.337. In addition, this program is deemed to be “susceptible to significant improper payments” for purposes of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note.) As noted in Question F-3, this will result in additional requirements for grantees under the program, including making expenditure information and documentation available for review by the Department. What records must a non-public school keep after receiving funds from accounts on behalf of displaced students?

At a minimum, a non-public school that receives Emergency Impact Aid funds from student accounts must maintain adequate written records to support the amount of funds that are received and the allowable expenditures that are made under the program for the fiscal year. Recipients must keep auditable records documenting the enrollment of the displaced student on whose behalf the non-public school received payments.

### **C-2. Should SEAs, LEAs, and BIE-funded schools establish separate fund codes or other processes for tracking these grant funds?**

Yes. All SEAs and LEAs should establish separate fund codes or other processes for tracking their Emergency Impact Aid grants in order to allow for appropriate accountability for these funds. If these funds are not kept in separate accounts at the SEA and LEA levels, it may be difficult to document that they have been obligated and liquidated by the statutory deadlines. For example, if an SEA or LEA deposited these funds in a general account, an auditor might assume that an end-of-year balance contains Emergency Impact Aid funds in the same proportion that those funds represented of the state’s or district’s revenues. This could result in audit findings and the required return of funds to the Department. If the specifics of an individual State’s accounting system require it, States have the flexibility to issue their own additional accounting requirements or guidance, so long as they are consistent with these guidelines.

Also, Emergency Impact Aid funds provided for displaced students reported as children with disabilities must be recorded and tracked separately from Emergency Impact Aid funds provided for students without disabilities

### **C-3. What is the obligation and liquidation period for the administrative funds associated with this program?**

The May 31, 2020, obligation deadline applies to all Emergency Impact Aid program funds, including the administrative portion, and it applies to SEAs, LEAs, and BIE-funded schools. In addition, the 90-day liquidation period following that obligation deadline also applies to all of the funds, including the administrative portions.

**C-4. Does a non-public school have to waive all tuition in order to access an account on behalf of a non-public school student whose parents applied for these funds?**

A non-public school would not have to waive all of its normal tuition charges in order to access the Emergency Impact Aid support, but the school must waive or reimburse at least the amount equal to the Emergency Impact Aid funds that it received on behalf of a displaced student. In the case of a student who is not a student reported as a child with a disability or an English learner, if a non-public school's tuition was \$12,000, the school could access a maximum of \$8,500 from that student's Emergency Impact Aid account and use that amount to reimburse the parents for the portion of the tuition that the parents paid.

**C-5. When an LEA does not have documentation from a parent that a non-public school student was displaced or was enrolled in the school on the count date, must it still make a payment to a an account on behalf of that student within 14 days of receiving funds from the SEA?**

The parents of non-public school displaced students are required to submit applications to LEAs for this program on behalf of their children. In addition, LEAs must obtain attestations from the non-public schools that the displaced students attend in order to verify their enrollment on the count dates identified by the state and certify that they will use program funds only for allowable costs. LEAs must not make a payment into an account on behalf of a non-public school displaced student unless all of the appropriate paperwork has been received on behalf of that student. The LEA should release funds for all other eligible non-public school displaced students while waiting for the required documents for any students for whom the paperwork is incomplete.

**C-6. What goods and services may non-public schools purchase using program funds?**

As noted in Question E-1, non-public schools that receive payments from accounts on behalf of displaced students enrolled in their schools may use those funds for any of the following services and activities:

- a) Paying the compensation of personnel, including teacher aides;
- b) Identifying and acquiring curricular material and classroom supplies;
- c) Acquiring or leasing mobile educational units or leasing sites and spaces (to the extent that those costs are not met by FEMA);
- d) Providing basic instructional services for displaced students, including tutoring, mentoring, or academic counseling;
- e) Paying reasonable transportation costs;
- f) Providing health and counseling services; and

g) Providing education and support services.

As with payments made on behalf of displaced students enrolled in public schools, there is no requirement that the non-public schools use these funds for activities and services that serve only displaced students.

Non-public schools may not use the funds for construction or major renovations.

**C-7. What requirements apply to payments made to accounts on behalf of displaced students who are reported as children with disabilities who are enrolled in non-public schools?**

Recipients of funds under the program on behalf of displaced students who are children 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 children with disabilities displaced by the hurricanes. They may become part of a school's special education budget, and the school may use them to provide special education and related services to both displaced and other children with disabilities, taking care to ensure that the special educational needs of displaced students who are children with disabilities are met. Notwithstanding the requirement that payments be expended for special education and related services consistent with the IDEA, this program does not place other obligations on non-public schools to administer any part of the IDEA.

**C-8. If an LEA provides special education and related services to a displaced student attending a non-public school who is reported as a child with a disability may the LEA retain a portion of the funding it would otherwise place in that student's account?**

Under the IDEA, LEAs typically provide equitable services to eligible children with disabilities enrolled by their parents in non-public schools located in the LEA pursuant to section 612(a)(10)(A) of the IDEA, 20 U.S.C. §1412(a)(10)(A). An LEA that provided such services to a displaced student who is reported as a child with a disability enrolled by their parents in a non-public school may retain a portion of the money that it would otherwise place in the student's account in order to cover its cost of providing equitable services. Each SEA must establish guidelines based on the customary cost of providing equitable services under section 612(a)(10)(A) of the IDEA and must ensure that its LEAs retain an appropriate portion of the funds for this purpose. The SEA must also establish guidelines to ensure that an appropriate portion of tuition is available for the non-public school and must ensure that its guidelines are applied consistently throughout the State.

For example, if a non-public school's tuition cost was \$11,000 and an LEA receives \$10,000 Emergency Impact Aid funds on behalf of a non-public displaced student reported as a child with a disability, it would be reasonable for an SEA's guidelines to specify that the LEA could retain up to \$1,500 for the provision of special education and related services consistent with the IDEA (the difference between \$8,500 for a displaced student who is not a child with a disability and the \$10,000 that is available for a displaced student who is reported as a child with a disability). In that case, the non-public school would receive \$8,500 for the cost of the child's tuition at the non-public school, and the LEA would receive \$1,500 for the additional cost of the equitable services that it provided under section 612(a)(10)(A) of the IDEA.

**C-9. Is there a deadline for when an LEA must make a quarterly payment to the account of a student attending a non-public school?**

In its application to the SEA, an LEA must assure that it will make payments to the accounts of students enrolled in non-public schools within 14 calendar days of receiving those funds. Each LEA must abide by this deadline.

**C-10. What actions must an LEA take to ensure that non-public schools use funds from student accounts only for allowable goods and services?**

SEAs are responsible for ensuring that any such schools receiving Emergency Impact Aid funds meet the terms and conditions associated with those grants. SEAs may wish to request that the non-public schools submit regular reports to them with listings of expenditures from the Emergency Impact Aid funds they have received from student accounts.

Participating non-public schools that access funds from student accounts should cooperate with SEAs in meeting all applicable program requirements including those related to allowable uses of funds and promptly provide required data and supporting documentation to their appropriate SEA.

**C-11. What additional requirements apply to identifying and serving displaced students who are children with disabilities?**

Under the IDEA, all children who are suspected of having a disability and who are in need of special education and related services, including displaced children, must be identified, located, and evaluated in a timely manner and without undue delay so that eligible children can receive a free appropriate public education. 34 CFR §§ 300.101, 300.111, and 300.201. In general, the requirements in section 614(d)(2)(C) of the IDEA, which is entitled “Program for Children Who Transfer School Districts”, would apply to displaced students who are children with disabilities. If the displaced student has an individualized education program (IEP) from a previous LEA and enrolls in a new school in a new LEA in the same State in the same school year, the new LEA in the same State either must adopt the student’s IEP from the previous LEA or develop, adopt, and implement a new IEP that meets applicable IDEA requirements.

If the displaced student does not have an IEP from the previous LEA in the same State, the new LEA in the same State would need to conduct its own evaluation and make its own eligibility determination if it suspects that the student has a disability and needs special education and related services under IDEA. However, if the eligible displaced student moves into a new State, even if the student already has an IEP from the previous LEA, the new LEA in the new State may either conduct its own evaluation and make its own eligibility determination, if determined necessary, or accept the eligibility determination from the previous LEA in which the student was enrolled. Any funds received by an LEA on behalf of a displaced student who is a child with a disability must be used for special education and related services consistent with the IDEA. The definition of “special education” is found in section 602(29) of the IDEA, 20 U.S.C. § 1401(29). The definition of “related services” is found in section 602(26) of the IDEA, 20 U.S.C. § 1401(26).