

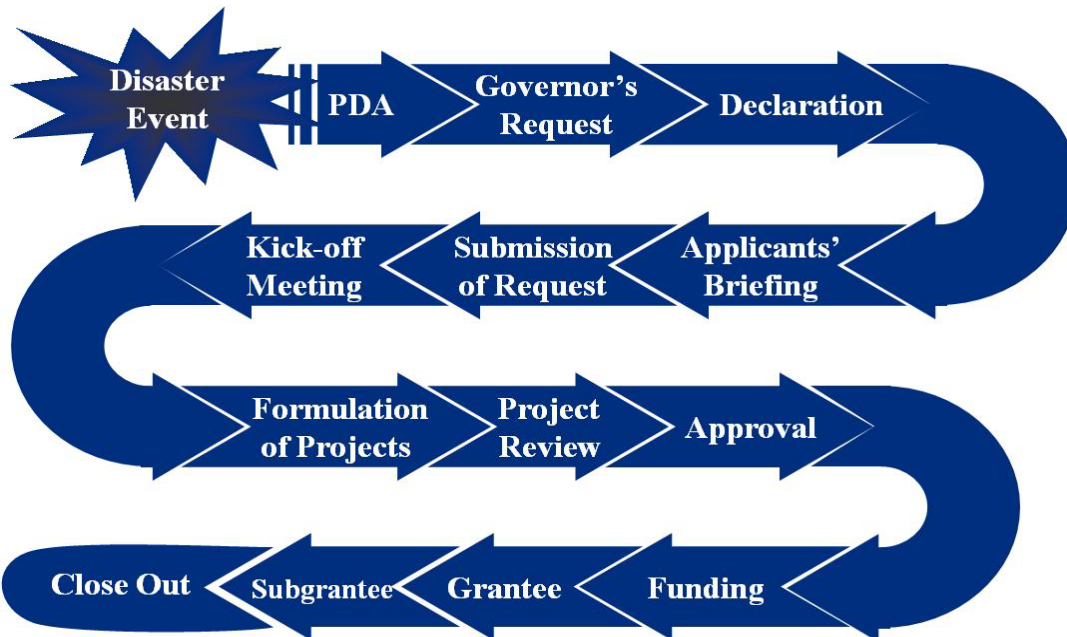


## Public Assistance Program and Educational Facilities Frequently Asked Questions

The Department of Homeland Security’s Federal Emergency Management Agency (FEMA) Public Assistance Program, under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended, can provide grants for educational facilities after a Presidentially declared major disaster that involves a public assistance clause. Under the Public Assistance Program, FEMA can assist applicants [State, local and Tribal governments and certain Private Nonprofit (PNP) entities] with the response to and recovery from major disasters and emergencies. Specifically, the program provides assistance for the repair, replacement or restoration of disaster-damaged facilities, and for the cost of debris removal and emergency protective measures. The program also encourages protection from future damage by providing assistance for hazard mitigation measures during the recovery process.

The State, in most cases, acts as the Grantee for the Public Assistance Program. The State is responsible for implementing and monitoring the grants awarded under the program. The State provides information to potential applicants and works with FEMA to manage the program. The applicants are responsible for identifying damage, providing sufficient data to develop an accurate scope and cost estimate for doing the work, and managing their approved projects.

The Public Assistance process is outlined below:



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## Frequently Asked Questions

### **1. What defines an eligible primary and secondary educational institution under the Public Assistance Program?**

Educational institutions encompass primary, secondary, and higher education schools. For primary and secondary schools, an educational institution is a day or residential school that provides primary and secondary education as determined under State law. This generally means that the school satisfies State requirements for compulsory attendance.

### **2. What do we recognize as an eligible higher education institution?**

A higher educational institution is recognized as one that:

- admits students possessing a high school diploma or equivalent;
- is legally authorized to provide education beyond the secondary level;
- awards a bachelor's degree or a two-year degree that is acceptable as full credit towards a bachelor's degree;
- is a public or PNP institution; and
- is accredited by a nationally recognized agency or association (as determined by the Secretary of the Department of Education).

### **3. Does the educational facility have to be used for secular educational purposes?**

A religious-oriented private non-profit that restricts enrollments to students of a particular religious faith will be eligible for assistance if the school is *primarily* used for secular educational purposes. Conversely, if the facility is primarily for religious purposes or instruction, it is not eligible for assistance.

### **4. How does an educational institution apply for Public Assistance?**

Assistance is only available if the President declares a major disaster or emergency under the authority of the Stafford Act. The educational institution or appropriate governmental jurisdiction must submit a *Request for Public Assistance (RPA)*, FEMA Form 90-49, to FEMA within 30 days after the date of designation of the area where the damage occurred. FEMA and the State will review to determine applicant eligibility. The educational institution or appropriate governmental jurisdiction will be notified by FEMA or the State of its eligibility.

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## **5. Does the Public Assistance grant have a cost share?**

Yes. Eligible projects have a Federal share of not less than 75 percent of eligible costs. The Grantee (i.e., State or Tribal government) determines whether it will contribute to the non-Federal share and/or if the applicants will be responsible for the 25 percent non-Federal share.

## **6. Is funding available to repair or replace educational facilities?**

Yes. Funding may be available to repair or replace eligible educational facilities, including buildings, housing, and classrooms. It also includes related supplies, equipment, machinery, and building systems, e.g., HVAC, of an educational facility necessary or appropriate for instructional, administrative, and support purposes.

## **7. Is funding available to provide temporary classrooms?**

Yes. Funding may be available to provide temporary facilities for classrooms if an eligible educational institution has been damaged or destroyed in a major disaster.

## **8. What facilities are ineligible for temporary relocation assistance?**

Facilities ineligible for temporary relocation assistance include: recreation, parking facilities, athletic stadiums, research and warehouse facilities, and student union buildings, as these facilities are not considered to provide essential community services.

## **9. Can an applicant lease space to store property and contents if a facility is ineligible for temporary facilities?**

Yes. If an applicant has a facility that does not meet the eligibility requirements for temporary relocation assistance, reimbursement may be eligible for temporary space to store and protect property.

## **10. Is funding available to replace buses?**

Yes, if the educational institution owns and is responsible for maintaining the damaged or destroyed vehicle(s), replacement funding is available when equipment, including vehicles, is not repairable. FEMA will approve funding based on the cost of items that are approximately the same age, capacity, and condition.

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## **11. Is funding available to repair or replace a daycare facility within the damaged or destroyed educational facility?**

Yes. Funding may be available to repair or replace a daycare facility within the damaged or destroyed educational facility if it is owned by or under the legal responsibility of an eligible applicant.

## **12. Is the repair or replacement of equipment and furnishings eligible for funding?**

Yes. The repair or replacement of equipment and furnishings are eligible for reimbursement if damaged or destroyed by the declared event. Examples of eligible equipment and furnishings may include such items as: administrative office equipment and furniture, science and computer labs, musical equipment, art equipment, gym equipment and sports equipment, scoreboards, and cafeteria equipment.

## **13. Is the purchase of computer data recovery services for damaged hard drives eligible for funding?**

Yes. If a properly procured services contract was awarded, then recovering data from eligible educational institution's computer hard-drives is eligible work.

## **14. Is funding available to replace homework software systems?**

Yes. If the homework software systems are the property of the eligible applicant and the damage was directly caused the event, then Public Assistance may be available.

## **15. Is the recovery of student and personnel information systems eligible for funding?**

Yes. The eligible costs would only be related to data recovery if the ownership of the data is that of the eligible educational institution.

## **16. How will FEMA handle insurance for educational facilities?**

Disaster assistance will not be provided for damage or losses covered by insurance. Insurance coverage must be subtracted from all applicable Public Assistance funding in order to avoid duplication of financial assistance. The Applicant must also obtain insurance on damaged insurable facilities (buildings, equipment, contents, and vehicles) as a condition of receiving Public Assistance grant funding. In addition, the Applicant must maintain insurance on those facilities in order to be eligible for Public Assistance funding in future disasters.

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**17. What if another Federal agency has the authority to provide disaster assistance funding or resources?**

Public Assistance is not available when funding or resources are available from another Federal agency.

**18. Is the Public Assistance Grant Program required to comply with Section 504 of the Rehabilitation Act, the Architectural Barriers Act and the Americans with Disabilities Act?**

Yes, as a federal grant program, Public Assistance Grant Program is required to comply with Section 504 of the Rehabilitation Act, the Architectural Barriers Act and the Americans with Disabilities Act. For more information, reference our policy on the subject: Response and Recovery Policy 9525.5, *Americans with Disabilities Act (ADA) Access Requirements* ([http://www.fema.gov/government/grant/pa/9525\\_5.shtm](http://www.fema.gov/government/grant/pa/9525_5.shtm))

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