

107TH CONGRESS
2^D SESSION

H. R. 5676

To authorize the Secretary of Education to make grants to local educational agencies for disaster relief.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2002

Mrs. MALONEY of New York (for herself, Mr. SERRANO, Mr. TOWNS, and Mr. FROST) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To authorize the Secretary of Education to make grants to local educational agencies for disaster relief.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disaster Relief for Our
5 Schools Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The terrorist attack on September 11,
9 2001, had a devastating impact on New York City,
10 New York, including its schools.

1 (2) Since the terrorist attack, the New York
2 City School System has experienced tremendous dif-
3 ficulty in obtaining aid from the Federal Govern-
4 ment to help with resulting expenses.

5 (3) Under prior legislation enacted in 1965, the
6 Department of Health, Education, and Welfare was
7 authorized to distribute disaster assistance to local
8 school districts impacted by a declared disaster, and
9 the Department performed this task well.

10 (4) Following the Northridge, California, earth-
11 quake in 1994, the Los Angeles school district re-
12 ceived assistance from the Department of Education
13 as quickly as 2 weeks from the incident.

14 (5) In 1994, responsibility for disaster assist-
15 ance for education institutions was officially trans-
16 ferred from the Department of Education to the
17 Federal Emergency Management Agency under the
18 Robert T. Stafford Disaster Relief and Emergency
19 Assistance Act (42 U.S.C. 5121 et seq.).

20 (6) Given the experience of the New York City
21 School System, and with statements made by the
22 Federal Emergency Management Agency that the
23 Agency cannot provide assistance for operating ex-
24 penses, the Department of Education should be au-

1 thorized to provide immediate disaster assistance for
2 schools.

3 **SEC. 3. DISASTER RELIEF GRANTS FOR LOCAL EDU-**
4 **CATIONAL AGENCIES.**

5 (a) **ESTABLISHMENT.**—The Secretary of Education
6 may make grants for disaster relief to local educational
7 agencies located in any area for which the President has
8 declared a major disaster pursuant to the Robert T. Staf-
9 ford Disaster Relief and Emergency Assistance Act (42
10 U.S.C. 5121 et seq.).

11 (b) **USE OF FUNDS.**—The Secretary may not make
12 a grant under this section unless the applicant involved
13 agrees to use the grant as reimbursement or payment for
14 expenses resulting from a major disaster described in sub-
15 section (a) that occurred after September 10, 2001. Such
16 expenses may include any of the following:

17 (1) Additional classroom instruction time and
18 related activities for students who lost instructional
19 time as a result of the disaster.

20 (2) Mental health and trauma counseling and
21 other appropriate support services to students suf-
22 fering from long-term or short-term trauma-related
23 disorders resulting from the disaster.

24 (3) Guidance and grief counseling and mental
25 health services, including overtime payment for

1 counselors and mental health professionals, for stu-
2 dents and school staff.

3 (4) Textbooks and other school supplies and
4 equipment damaged or destroyed as a result of the
5 disaster, or used to support the relocation of stu-
6 dents from schools in the disaster area.

7 (5) Relocating students, including transpor-
8 tation of students to temporary school facilities.

9 (6) Loss of perishable food stock and revenue
10 lost from food services.

11 (7) Renting or leasing alternate temporary fa-
12 cilities or transportation.

13 (c) APPLICATION.—To seek a grant under this sec-
14 tion, a local educational agency shall submit an application
15 to the Secretary at such time, in such manner, and con-
16 taining such information as the Secretary reasonably re-
17 quires.

18 (d) RULE OF CONSTRUCTION.—Nothing in this Act
19 shall be construed as prohibiting or exempting the Federal
20 Emergency Management Agency from its obligation to
21 provide assistance to local educational agencies in connec-
22 tion with a major disaster, including debris removal and
23 cleanup, and restoration of facilities to their predisaster
24 condition.

25 (e) DEFINITIONS.—For purposes of this section:

1 (1) The term “local educational agency” has
2 the meaning given to that term in section 9101 of
3 the Elementary and Secondary Education Act of
4 1965 (20 U.S.C. 7801).

5 (2) The term “Secretary” means the Secretary
6 of Education.

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