



COVID-19 Public Assistance Eligibility for Texas ISDs

Question: Will Summer School be covered?

Answer: This would be considered normal or increased operating costs which are not eligible for public entities unless the additional cost is specifically related to eligible emergency actions to save lives or protect public health and safety or improved property.

Question: If you are approving applications from districts that have already applied, what did you approve? Can you provide examples of things included in applications you've already processed?

Answer: State, local, tribal and territorial government entities are eligible to apply for Public Assistance (PA), including school districts. Certain private non-profit organizations are also eligible to apply for PA, including those that own and/or operate medical care facilities. Applicants are currently being approved as eligible to apply for Public Assistance. Specific project eligibility is submitted to FEMA for review and projects must be an emergency actions to save lives or protect public health and safety or improved property. All assistance provided under PA is subject to standard program eligibility requirements, including reasonable cost, procurement, and duplication of benefits requirements.

Question: Are costs to set up a virtual school setting covered? Materials, postage, computers/tablets, hot spots?

Answer: The purchase of computers, laptops, internet service, and other related expenses is not eligible as an emergency protective measure. These purchases would be considered increased operating costs which are not eligible for public entities unless the additional cost is specifically related to eligible emergency actions to save lives or protect public health and safety or improved property. For PNP Applicants, increased operating costs are generally ineligible even if the facility is providing an emergency service, unless doing so on behalf of and at the direction of the legally responsible government entity. In such cases, PA funding is provided through that government entity as the eligible Applicant.

Question: Is repairs/replacement of laptops/tables checked out by students covered?

Answer: The purchase of computers, laptops, internet service, and other related expenses is not eligible as an emergency protective measure. These purchases would be considered increased operating costs which are not eligible for public entities unless the additional cost is specifically related to eligible emergency actions to save lives or protect public health and safety or improved property. For PNP Applicants, increased operating costs are generally ineligible even if the facility is providing an emergency service, unless doing so on behalf of and at the direction of the legally responsible government entity. In such cases, PA funding is provided through that government entity as the eligible Applicant.

Question: Is transportation/fuel/mileage to get materials/meals to kids covered?

Answer: Increased operational costs are typically not eligible under Public Assistance.



Question: The USDA meals reimbursement only covers 75% of the employee cost to serve; can we ask for the other 25% under this funding?

Answer: Costs incurred for employee labor to serve meals to students is not an eligible Category B Emergency Protective Measure and is therefore not a reimbursable expense under the FEMA Public Assistance Program.

Question: We are feeding the community due to disruption to food availability and mobility during shelter in place. Is this covered?

Answer: USDA has a “Disaster Household Distribution” (DHD) program, which is an existing federal program that allows for USDA food commodities to be distributed house by house. Under a Presidential Declaration of a National Emergency, USDA Food Nutrition Service may approve state requests for DHDs for targeted areas to meet specific needs when traditional channels of food are unavailable and not being replenished on a regular basis. DHD provides boxed foods to households using existing inventories of USDA-purchased foods. More information is on the USDA’s website: <https://www.fns.usda.gov/usda-foods/covid-19-disaster-household-distribution>

Question: Will the cost of masks be covered? Will equipment (not supplies) purchased for deep cleaning/disinfection AFTER the start of COVID-19 (Jan 20th) be eligible for reimbursement?

Answer: For eligible public and PNP facilities, costs associated with disinfecting the facility to eliminate or lessen an immediate threat to lives, public health, and safety are eligible. The work should be consistent with current public health guidance as it relates to disinfection recommendations. The following CDC guidance for disinfection is available online at:

- www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html for community facilities; and
- www.cdc.gov/coronavirus/2019-ncov/infection-control/control-recommendations.html for healthcare facilities.

In cases where disinfection may appear to be an increased operating cost (e.g., cleaning and disinfection are a part of normal operating costs), funding may be eligible if:

- The facility provides services that are specifically related to eligible emergency actions to save lives or protect public health and safety or improved property;
- The costs are for a limited time based on the exigency of the circumstances; and
- The Applicant tracks and documents the additional costs.

Examples may include increased cleaning and disinfection costs in emergency, medical, and custodial care facilities treating patients infected with COVID-19.

Policies on labor costs, purchase of supplies and equipment, and contracted services apply as with any other incident (e.g., costs must be reasonable and procurement requirements must be followed).

Question: Can we apply for wages for workers that are doing the cleaning and sanitation?

Answer: For Emergency Work, only overtime labor is eligible for budgeted employees. For unbudgeted employees performing Emergency Work, both straight-time and overtime labor are eligible.



Emergency Work Labor Eligibility		
Budgeted Employees	Overtime	Straight-Time
Permanent employee	☑	
Seasonal employee working during normal season of employment	☑	
Unbudgeted Employees	Overtime	Straight-Time
Essential employee called back from administrative leave	☑	☑
Permanent employee funded from external source	☑	☑
Temporary employee hired to perform eligible work	☑	☑
Seasonal employee working outside normal season of employment	☑	☑

Question: We are a residential facility considering the purchase of a disinfectant system that will clean the air and surfaces. Can that be reimbursed?

Answer: For eligible public and PNP facilities, costs associated with disinfecting the facility to eliminate or lessen an immediate threat to lives, public health, and safety are eligible. The work should be consistent with current public health guidance as it relates to disinfection recommendations. The following CDC guidance for disinfection is available online at:

- www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html for community facilities; and
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- The facility provides services that are specifically related to eligible emergency actions to save lives or protect public health and safety or improved property;
- The costs are for a limited time based on the exigency of the circumstances; and
- The Applicant tracks and documents the additional costs.

Examples may include increased cleaning and disinfection costs in emergency, medical, and custodial care facilities treating patients infected with COVID-19.

Question: Is premium pay, hazard pay, or overtime covered?

Answer: When eligible COVID-19 work is completed, only overtime is eligible for budgeted employees performing eligible emergency work. Extraordinary costs like hazardous duty pay are considered premium pay. FEMA determines the eligibility of overtime, premium pay, and compensatory time costs based on the Applicant's pre-disaster written labor policy, provided the policy:

- Does not include a contingency clause that payment is subject to Federal funding;
- Is applied uniformly regardless of a Presidential declaration; and
- Has set non-discretionary criteria for when the Applicant activates various pay types.



If these requirements are not met, FEMA limits PA funding to the Applicant’s non-discretionary, uniformly applied pay rates. See PAPPG V3.1, Chapter 2:V.A. Applicant (Force Account) Labor.

Question: How is overtime defined? If staff was not scheduled to work, but had to and accrued overtime, can that be reimbursed?

Answer: Overtime is based on an Applicant’s pre-disaster written labor policy. For Emergency Work, only overtime labor is eligible for budgeted employees. For unbudgeted employees performing Emergency Work, both straight-time and overtime labor are eligible.

Emergency Work Labor Eligibility		
Budgeted Employees	Overtime	Straight-Time
Permanent employee	☑	
Seasonal employee working during normal season of employment	☑	
Unbudgeted Employees	Overtime	Straight-Time
Essential employee called back from administrative leave	☑	☑
Permanent employee funded from external source	☑	☑
Temporary employee hired to perform eligible work	☑	☑
Seasonal employee working outside normal season of employment	☑	☑

Question: Can extraordinary costs associated with graduation be reimbursed?

Answer: This would be considered normal or increased operating costs which are not eligible for public entities unless the additional cost is specifically related to eligible emergency actions to save lives or protect public health and safety or improved property.

Question: Are costs related to working from home non educational costs. Business Office, HR or other central office administration workers?

Answer: These cost would be considered increased operating costs which are not eligible for public entities unless the additional cost is specifically related to eligible emergency actions to save lives or protect public health and safety or improved property.

Question: Is there a comprehensive list of eligible expenditures for reimbursement?

Answer: The Public Assistance Program and Policy Guide details Category B – Emergency Protective Measures. To download a copy, follow the link:

<https://www.fema.gov/media-library/assets/documents/174133>

Question: Can you explain the administrative cost? What documentation is needed as back up?



Answer: FEMA provides Public Assistance funding for managing the PA Program and PA projects. Management costs are defined as indirect costs, direct administrative costs, and other administrative expenses associated with a specific project under a major disaster or emergency.

Subrecipients must submit actual cost documentation to substantiate the eligibility of costs and activities claimed as management costs. These include:

- Activity Logs
- Payroll data
- Procurement procedures
- Contracts
- Invoices

Additional information can be found following the link,
<https://www.fema.gov/media-library/assets/documents/174133>

Question: I've created and account for my ISD on FEMA portal. What is the next step that needs to be completed?

Answer: Submit your Request for Public Assistance. The Request for Public Assistance is the official application to be completed on the FEMA Grants Portal that public and Private Non-Profit organizations use to apply for disaster assistance.

Question: What are the eligible dates? Would FEMA consider reimbursement from the date the policy changed?

Answer: The incident period for the COVID-19 event is January 20, 2020 and ongoing. The incident period end data has not been established. The RPA deadline is nationally extended and will remain open for the duration of the Public Health Emergency, as declared by the Secretary of Health and Human Services, unless an earlier deadline is deemed appropriate by the Assistant Administrator, Recovery Directorate. At that time, the Regional Administrator, pursuant to 44 CFR 206.202(f)(2), may extend the time limitations in 44 CFR 206.202(c). FEMA will accept RPAs for 30 days after the end of the declaration of the Public Health Emergency and provide 30-day advance notification if an earlier deadline is established or further extended by a Regional Administrator.

FEMA determines the eligibility of overtime, premium pay, and compensatory time costs based on the Applicant's pre-disaster written labor policy, provided the policy:

- Does not include a contingency clause that payment is subject to Federal funding;
- Is applied uniformly regardless of a Presidential declaration; and
- Has set non-discretionary criteria for when the Applicant activates various pay types.

If these requirements are not met, FEMA limits PA funding to the Applicant's non-discretionary, uniformly applied pay rates.

Question: Am I correct that Districts should first look to the CARES Act Funding to recoup any cost and then look to FEMA as a last resort?



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Answer: State, territorial, tribal, and local government entities and certain private non-profit organizations are eligible to apply for Public Assistance. FEMA assistance will be provided at a 75 percent federal cost share. Local governments and other eligible PA applicants will apply through their respective state, tribal or territorial jurisdictions. FEMA may provide assistance for emergency protective measures if costs are not funded by the HHS/CDC or other federal agencies. FEMA will not duplicate any assistance provided by other federal agencies.