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**BEFORE THE
SUBCOMMITTEE ON DISASTER RECOVERY
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
UNITED STATES SENATE**

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Thank you Chairman Landrieu, Ranking Member Graham, and Members of the Subcommittee. I appreciate the opportunity to be here today to discuss how the Department of Education (ED) has responded to the needs of children affected by disasters, including the role we played in the aftermath of Hurricanes Katrina and Rita. I am also pleased to provide information about the steps we are taking to address recommendations related to elementary and secondary education made by the National Commission on Children and Disasters in their October 2009 Interim Report.

I want to begin by providing a brief overview of the status of emergency management planning in elementary and secondary schools. I am pleased to report that almost every school in the country has developed an emergency management plan, as required for school districts receiving funds under Title IV of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. While most schools have these plans, we know from our grant monitoring activities, from trainings we have provided to school districts, and from our review of applications for funding under our emergency management grant programs that a number of the plans have weaknesses.

For example, some schools' emergency management plans fail to take a comprehensive "all hazards" approach, and instead focus heavily on relatively rare incidents with significant consequences, such as school shootings. Others do not address the needs of all of the populations present in schools, such as students, staff or faculty with disabilities. Sometimes the content of the plans is not thoroughly communicated to staff, students, and their families, or plans are not practiced and revised based on the results of drills and simulations. Still other plans fail to use the "four phase" approach to emergency management developed by the Federal Emergency Management Agency (FEMA), which include prevention-mitigation, preparedness, response, and recovery. In our experience, schools are most likely to struggle with plans for the recovery phase. Not every school emergency management plan faces all of these challenges, but many do have one or more of these shortcomings.

To help schools address these challenges and help ensure that they have the necessary resources to plan for, respond to, and recover from emergencies, ED is implementing a variety of activities. These activities include:

Project School Emergency Response to Violence (Project SERV)

Project SERV was created by Congress and implemented by ED in 2001 to help schools restore the learning environment as quickly as possible after experiencing an event that disrupts teaching and learning. Based on our past work with schools, we know that events such as school shootings or natural disasters, such as hurricanes, can have a traumatic effect on students and faculty and that additional services are often needed, such as mental health counseling, security assistance, or substitute teachers.

While Project SERV was developed in direct response to a series of school shootings that occurred in the 1990's, it has been used since its inception to support the needs of children affected by and recovering from a variety of traumatic events. Since the establishment of Project SERV, ED has made 74 awards to school districts and states. Thirty-eight of these awards were made to schools after a shooting or other violent event; 16 were made to districts after a suicide or series of suicides; 2 were made to deal with the aftermath of an accident; and the remaining 18 were made to deal with other significant disruptive events.

Immediately following the events of 9/11, we recognized that children could be affected not only by events that directly touched their individual schools, but also by circumstances beyond the borders of their school. To help those children that were affected by the events of 9/11, we provided Project SERV awards to the states of New York, New Jersey, Connecticut, Maryland, and Virginia. In addition, separate awards were made to support the efforts of the Washington D.C., and New York City schools. These grants—totaling \$13,425,000—were used by State Education Agencies (SEAs), the New York City Board of Education, and Washington, DC Public Schools for activities such as mental health counseling, grief counseling, and professional development for staff.

In September 2005, shortly after Hurricane Katrina struck the Gulf Coast, we reached out to the SEAs in Alabama, Mississippi, Louisiana, and Texas to offer assistance through Project SERV. We made grants totaling \$7 million to each of the States that were directly impacted by the hurricane. SERV funds were used for a variety of efforts, including hiring additional counselors and social workers, providing supplemental educational services for students who had missed school, offering teacher professional development on recovery-related topics, and providing support to families.

In February 2008, after shootings at Virginia Polytechnic Institute (Virginia Tech) and Northern Illinois University (NIU), Project SERV was expanded so funds could be awarded to institutions of higher education (IHEs). The first institution to receive such funds was NIU. It received \$396,919 in September 2008 to hire additional counselors, develop a threat assessment protocol, and identify alternate classroom space. While Virginia Tech did not receive funds under Project SERV, it did receive \$960,685 from ED to help respond to the mass shooting that occurred there on April 16, 2007. The funds were provided under the Safe and Drug-Free Schools and Communities Act National Programs grant authority (Title IV, Section 4121 of the ESEA), and were used to establish a sustainable institutional infrastructure for identifying, assessing and responding to students who are more likely to commit violent acts. Virginia Tech has also used grant funds to support national discussions on assessing and responding to at-risk individuals in a higher education setting as part of efforts to create a replicable model.

Readiness and Emergency Management for Schools (REMS)

The Readiness and Emergency Management for Schools (REMS) initiative was created by Congress and implemented by ED in FY 2003. The program is designed to provide funds to LEAs to create, strengthen, or improve emergency management plans at the district and school-building levels. Funds from this initiative can be used by LEAs to train school personnel in emergency management procedures; to coordinate with local community partners, including local government, law enforcement, public safety or emergency management, and public health and mental health agencies; and to improve local capacity to sustain emergency management efforts. Since the initiative's inception, ED has awarded over \$200 million in grants to 717 school districts in 47 of the 50 States. In 2009, ED awarded \$26.7 million to 111 districts.

Emergency Management for Higher Education (EMHE)

In FY 2008, Congress appropriated funds for IHEs to develop and implement emergency management plans to prevent campus violence (including assessing and addressing the mental health needs of students) and for responding to threats and incidents of violence or natural disaster in a manner that ensures the

safety of campus communities. Since that time, ED has provided over \$18.4 million in grant funding to 43 IHEs across the country. Funds from EMHE are being used by IHEs to implement a variety of activities, including writing and enhancing emergency management plans, providing training to campus stakeholders, conducting vulnerability assessments, collaborating with State and local community partners, and developing campus-based threat assessment teams.

Elementary and Secondary School Counseling Programs

While not primarily a disaster recovery program, the Elementary and Secondary School Counseling (ESSC) Program supports enhanced access to mental health services for students and helps schools provide a comprehensive counseling program to meet students' needs, including recovering from a crisis. The ESSC program is designed to provide funds to Local Educational Agencies (LEAs) to develop promising and innovative approaches for initiating or expanding counseling programs in elementary and secondary schools. Since 2000, the program has provided over \$350 million to 410 schools. Grantees use funds to support the hiring and training of qualified school counselors, school psychologists, and social workers for elementary and secondary schools and to provide greater student access to counseling services by reducing the ratio of students to counselors, social workers, and school psychologists. ED plans to hold a competition for new awards under this program early in Fiscal Year (FY) 2010 and make awards during the summer, pending enactment of ED's fiscal year FY 2010 appropriation.

Training and Technical Assistance

Aside from these various grant programs, ED also provides training and technical assistance focused on emergency management to assist schools in their efforts to plan for and recover from disasters. The framework for our emergency management guidance can be found in our 2003 publication, *Practical Information on Crisis Planning: A Guide for Schools and Communities*, which provides school officials with information on the critical concepts and components of good crisis planning and provides examples of promising practices. The guide has been distributed to every school district in the country and is available at www.ed.gov, along with numerous other publications on crisis planning and emergency management in schools.

ED also supports a REMS Technical Assistance Center that hosts a web site, develops training materials, and coordinates training sessions. The Center has collaborated with ED on a variety of publications related to children and disasters. In addition to developing publications, ED and the Center have created a series of training sessions for educators and emergency management personnel on various aspects of emergency management. In addition, we have developed a series of advanced training sessions on specific issues such as "Responding to Bereavement and Loss" and "Continuity of Operations Planning", both of which are critical issues for disaster recovery. All this information is available for educators and others involved in emergency management activities on the REMS TA Center web site: <http://rems.ed.gov>.

Collaboration with Other Federal Agencies

ED has also collaborated with other federal agencies on numerous activities that are related to one or more of the four phases of emergency management planning. For example, in collaboration with the U.S. Secret Service (USSS), we conducted research on elementary and secondary school shootings. The findings from that study, published in a report entitled *The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks in the United States*, are available at <http://www.ed.gov/admins/lead/safety/preventingattacksreport.pdf> and provide educators and law enforcement personnel with key information about how to prevent school shootings. A similar study is being conducted on targeted shootings at IHEs, and we expect it to provide administrators at colleges and universities with similar findings.

As a result of our research on school shootings, we have also developed a guide to managing threatening situations in schools. The guide is available at <http://www.ed.gov/admins/lead/safety/threatassessmentguide.pdf> and served as the basis for the development of a Threat Assessment Training Program. Since 2002, ED and the USSS have provided several hundred of these threat assessment trainings to educators, law enforcement personnel and mental health staff.

ED has also worked with the Department of Homeland Security (DHS) and the Centers for Disease Control and Prevention (CDC) to respond to the recent H1N1 influenza outbreak. Because children and youth are disproportionately affected by the virus, schools and school policies were of paramount importance and became a focal point in responding to this emergency. Since April 2009, when the virus was first reported, we have worked with the CDC to publish common-sense guidelines to help schools—from pre-K to higher education—manage the risk of the disease while also maintaining a stable learning environment for students. Together, we created a nationwide reporting mechanism to track school dismissals in real time, allowing decision makers and scientists to understand how communities were affected by and responded to the threat of H1N1 influenza and how the disease spread across the country.

ED has also collaborated with the National Oceanic and Atmospheric Administration (NOAA) and DHS to provide all public and private elementary, secondary, and postsecondary schools with NOAA all-hazards radios. These radios, which were provided to schools free of charge, are an effective and inexpensive tool for communicating both weather-related and other public safety alerts to local communities and schools so they can be better prepared to respond to a crisis.

Response to Hurricanes Katrina and Rita

In addition to our broad and ongoing efforts to address emergency management in all schools, ED engaged in numerous activities designed specifically to support the recovery effort following Hurricanes Katrina and Rita.

In the days, weeks, and months following the hurricanes, Department officials maintained contact with the affected states to continually assess their needs and provide assistance where possible. ED staff conducted numerous conference calls, meetings, and training sessions with local and state officials and provided written guidance as needed to respond to concerns. We created a brochure full of practical tips for educators, school support staff, parents, and students to help students cope with the aftermath of disaster. In addition, we developed a web site to serve as a resource clearinghouse for persons who wanted to help students displaced by the hurricane.

ED also granted waivers to various provisions of fiscal and administrative requirements of the Education Department General Administrative requirements (EDGAR), as well as ESEA. We worked closely with affected SEAs to permit greater flexibility on provisions related to carry over funds and transfer of funds, as well as maintenance of effort and matching requirements, and supplement not supplant restrictions.

In addition to our extensive outreach efforts to affected states, ED also implemented several specific programs created by Congress to respond to the needs of displaced students, including grant programs to assist homeless youth, charter schools, teacher recruitment, and IHEs in the Gulf Coast region. Three of the our most expansive efforts involved the Emergency Impact Aid program, the Immediate Aid to Restart School Operations (Restart) program, and the provision of Federal Student Aid for displaced college students.

The Emergency Impact Aid Program for Displaced Students

The Emergency Impact Aid Program (EIAP) was signed into law on December 30, 2005, as section 107 of the Hurricane Education Recovery Act (HERA). The legislation authorized formula payments to

LEAs and eligible nonpublic schools to assist with costs associated with the education of children who were displaced by Hurricanes Katrina and Rita. The original appropriation provided \$645 million, and a supplemental appropriation signed by the president on June 15, 2006, increased the total funding to \$880 million. The authority and funding were available only during fiscal year 2006. Forty-nine States and the District of Columbia applied for the program and all that applied received funding.

Under EIAP, LEAs could use funds for a wide range of allowable costs incurred during school year 2005-2006, the year in which the children were initially displaced. Authorized uses of funds included compensation of personnel, curricular materials, classroom supplies, mobile educational units, transportation costs, health and counseling services, and education and support services. In addition, Emergency Impact Aid could be used for basic instructional services including tutoring, mentoring or academic counseling.

Funds were distributed on the basis of student count data supplied by SEAs and LEAs. The LEAs were required to make counts of displaced students enrolled in their schools on four quarterly dates during the school year. They reported this information to their SEAs, which combined the counts in their initial applications to ED and in amendments made later in the year.

The law stipulated short time periods for the implementation of the program in order to move the funds to the LEAs as quickly as possible. In January 2006, ED published in the Federal Register a notice of availability of funds and published an electronic application on the Internet. Under the statute, LEAs were required to apply to their SEAs for funds no later than 14 calendar days after the date of the Federal Register notice, and the SEAs were required to submit their initial applications to the ED no later than 21 calendar days after the publication of the notice. ED also published policy guidance through two Frequently Asked Questions documents in January and March because there was insufficient time for the rule-making process. ED made a series of payments to SEAs based on the initial applications and the amendments that were submitted later; the SEAs then made payments to the LEAs.

The formula in the law specified a maximum amount per displaced student, and specified that payments be made based on four quarterly counts of displaced students in the LEAs. When the initial payments were made, ED prorated the amount paid per student because it was unclear whether the appropriation would cover the maximum amount. After receiving all amendments and after the passage of the supplemental appropriation, ED determined that the maximum amount per student could be paid. Final payments were made in the summer of 2006, and the LEAs were able to use those funds for costs that had been incurred during the 2005-2006 school year.

ED staff conducted multiple conference calls with SEAs, LEAs, and nonpublic schools, as well as education coordinators for homeless students, between January and June. The program staff conducted technical assistance and monitoring trips to several SEAs, including the three that reported the most displaced students, Texas, Louisiana, and Mississippi. Monitoring trips also were made to the SEAs of Arkansas, Maryland, Michigan, Missouri, North Carolina, Tennessee, Virginia, and Washington, D.C.

The primary challenges for the EIAP related to fiscal oversight and management of the program. While ED was able to make initial payments within two months of receiving the appropriation, the most heavily impacted school districts and States were not prepared to administer these funds within the prescribed timeframes. Recordkeeping was also an area that proved challenging, as applicants for Emergency Impact Aid were allowed to adjust their data as they received more accurate student counts. Finally, in some cases, States were hesitant to move forward when the “normal” rules did not apply, which resulted in unnecessary delays. For example, instead of drawing down available funds immediately, as EIAP allowed, some States first required LEAs to submit expenditure reports, which was unnecessary. Some of

the States needed assurances from ED officials that they were not violating rules prohibiting excessive fund draws that are often imposed on grantees under other programs.

An important factor in the success of the program was the ability to launch a grant program in an exceptionally short period of time. Although ED had been preparing for the passage of this legislation, certain steps, such as approval of application forms by the Office of Management and Budget (OMB), could not occur until the legislation had been signed. The OMB approval moved very quickly because OMB and ED made this project their highest priority, and each office was ready to respond to the needs of the other. The very short timeframes created challenges for the SEAs, which had to develop their own applications and procedures and coordinate new activities with their LEAs. In planning for future emergency programs such as this one, it will be imperative to establish strong lines of communication between each level of government as quickly as possible.

Immediate Aid to Restart School Operations

The Immediate Aid to Restart School Operations (Restart) was signed into law on December 30, 2005, as section 102 of the Hurricane Education Recovery Act (HERA). The \$750 million program was designed to provide immediate services and assistance to LEAs and non-public schools in Alabama, Louisiana, Mississippi, and Texas that served an area in which a major disaster had been declared as a result of Hurricane Katrina or Rita. In an effort to assist states in their recovery efforts, the Department made initial awards under Restart within just six days after the passage of HERA. The remainder of the grant funds was awarded less than two months later.

Although Restart funds were awarded in FY 2006, they are available to the states until expended. Louisiana and Mississippi still have active grants and continue to use Restart funds in their recovery efforts. Restart funds may be used for a variety of activities, including, but not limited to: recovery of data, rental of mobile units, replacement of instructional materials and information systems, curriculum development, transportation costs, and initiating and maintaining education and support services.

Since the program's inception, Department staff has stayed in close contact with SEA staff, particularly from Louisiana and Mississippi, to provide technical assistance and to monitor program implementation. This close contact continues today, and will continue until the Restart funds have been completely expended.

Federal Student Aid for the Education of Displaced Postsecondary Students

While most postsecondary education institutions in the Gulf region re-opened quickly after Hurricane Katrina, 42 institutions had to suspend operations, many for at least the fall semester. Other institutions throughout the region and across the nation opened their doors to these nearly 70,000 displaced students. ED moved quickly, issuing guidance to institutions in the days immediately following the storm so that displaced students could quickly receive Federal student aid.

Our Federal Student Aid office (FSA) convened a higher education Katrina taskforce to ensure that our response addressed all aspects of FSA's service delivery and business functions that touch students, parents, borrowers, schools, lenders, guaranty agencies, servicers, and our other business partners. We reached out to affected schools to assist them in assessing the damage. FSA representatives were dispatched to the region to provide on-site guidance and assistance. ED extended application and reporting deadlines for a number of higher education programs.

We established a Hurricane Katrina call center group to field calls from students, parents, borrowers, schools and partners impacted by the storm. Any question posed to any FSA call center or received

through email was immediately routed to this group of specially-trained customer service representatives. In the months immediately following the storm, FSA received over 6,000 requests for information.

FSA developed a Web site to inform affected higher education students, parents, schools, lenders, loan servicers and business partners about the assistance that was available to them. The site was linked to our primary website, www.ED.gov, as well as all of FSA's primary sites, and it served as our key tool for communicating with those impacted by the storm.

Recommendations of the National Commission on Children and Disasters

In its Interim Report released on October 14, 2009, the National Commission on Children and Disasters made two recommendations specifically related to elementary and secondary schools. Those recommendations were:

Recommendation 7.1: Establish a school disaster preparedness program and appropriate funds to the U.S. Department of Education (ED) for a dedicated and sustained funding stream to all state education agencies (SEAs). Funding should be used for state-and district-level disaster response planning, training, exercises and evaluation that are coordinated with state and local plans and activities.

Recommendation 7.2: Enhance the ability of school personnel to support children who are traumatized, grieving or otherwise recovering from a disaster.

ED appreciates the Commission's work and believes that the activities discussed earlier in this testimony have helped schools be better prepared to plan for, respond to, and recover from disasters. We are currently reviewing the recommendations to determine what actions we can take to provide schools with the most effective emergency management support possible.

With regard to Recommendation #7.1, ED stands ready to work with SEAs to implement programs and activities created by the Congress in a timely way, and with an emphasis on the growing body of knowledge available about effective emergency management planning, response, and recovery.

With regard to Recommendation #7.2, ED has already developed and implemented a training program on bereavement as part of an advanced training curriculum developed for its REMS grantees. We are prepared to explore ways in which this and other important content can be made more available to a broader range of school personnel.

We look forward to continuing to work with the Commission as it develops a final report, and to working with Congress as it reviews the interim recommendations and considers possible action in this area. We believe that, by working together, we can continue to help ensure that all schools are prepared to respond effectively to traumatic incidents and minimize disruptions to teaching and learning.