

# Ohio School Facilities Commission

## School Building Emergency Assistance Program Guidelines

*A program to assist school districts in emergency projects made necessary due to an Act of God.*

### **Program Overview**

- S.B. 272, effective September 14, 2000, created the School Building Emergency Assistance Program. The Program authorizes the Commission to distribute state assistance to school districts for emergency facility projects due to an Act of God. The law defines an emergency project as the “reconstruction or renovation of or repair to any classroom facilities made necessary due to an Act of God.”
- The law requires that any state assistance under this program shall be used to pay the cost of only the portion of an emergency project that is not covered by insurance or other public or private emergency assistance received by or payable to the school district.
- Any damage to classroom facilities caused by the age of the facilities or by the lack of timely maintenance to the facilities shall not be eligible for state assistance under this program.

### **Appropriations**

Fifteen million dollars is appropriated and available for the program in H.B. 640.

### **Eligibility**

Districts in the first through 100th percentiles are eligible if they meet the criteria specified by law.

### **Definition of “Act of God”**

For the purposes of a project qualifying under this program, an “Act of God” shall be defined as:

An act, event, happening, or occurrence due to natural causes or disaster; a disaster (flood, tornado, fire, earthquake, or other disasters) produced by nature. It is of such character that it could not have been prevented or escaped from by any amount of foresight or prudence or by reasonable degree of care or diligence.

### **Application Procedure**

Applications may be made to the Commission beginning on September 14, 2000. A school district is required to apply to the Commission within **sixty (60)** days of the damage occurring, unless waived by the Commission for good cause.

In order to qualify for state assistance, a school district shall submit all of the following to the Commission:

1. A School Building Emergency Assistance Program Application Form.
2. A notarized statement from the school district treasurer certifying that the amount of state assistance requested for the emergency project is not covered by insurance or other public or private emergency assistance received by or payable to the school district.

3. A written estimate from a licensed architect, engineer or contractor of the cost to repair the damaged facilities.

The Commission reserves the right to make an independent assessment of the cause of the need for the repair or replacement of classroom facilities.

### **Compliance with the Ohio School Design Manual**

- The Commission will only consider applications for classroom facilities that are consistent with spaces that the Commission funds in accordance with the Ohio School Facilities Design Manual. For example, the Commission will not consider applications for the replacement of administrative buildings, athletic fields and other areas not considered a classroom facility.
- A school district is required to make every effort to conform an emergency project to design specifications adopted by the Commission, including minimum capacity requirements adopted under Section 3318.03, Ohio Revised Code, unless the Commission determines it is not possible to conform the project to such specifications.

### **Commission Review**

The Commission will conduct an on-site visit of the facility in need of emergency repair or replacement to verify the cause of the need for the emergency repair or replacement of a school facility.

If a determination is made by the Commission that 1) an emergency project is necessary due to an Act of God, and 2) the state assistance requested for the emergency project is not covered by insurance or other public or private emergency assistance received by or payable to the school district, then the Commission may approve state assistance for a school district.

### **Approval of State Assistance**

The Commission will consider applications on a case-by-case basis, taking into account the moneys available for the program.

### **Agreement**

No commitment for funding will be made and no funds will be released until the Commission has received an agreement signed by the applicant school district. The agreement will provide that a school district is prohibited from using the funds for any purpose other than the approved emergency project.

### **Reporting Requirements**

Participant school districts will be required to submit reports to the Commission regarding the status and closeout of the project.

### **Contact for Assistance**

If you have questions regarding the School Building Emergency Assistance Program or application process please contact the Commission by phone at (614) 466-6290 or e-mail at [program.info@osfc.state.oh.us](mailto:program.info@osfc.state.oh.us).

Adopted: September 12, 2000