

Department of Education Guidance

Federal Education Grants

The US Department of Education provides federal grants for facility improvements to Iowa schools primarily through the Iowa Demonstration Construction Grant program (Fire/Life/Safety and Construction grants). In past years, School Renovation IDEA and Technology (SRIT) Grants were also available. (IDEA stands for Individuals with Disabilities Education Act.) These grants are awarded through the Iowa Department of Education. Certain projects funded in whole or in part by these two grant programs may be considered “undertakings” under Section 106 and should be reviewed according to the procedures outlined in 36 CFR Part 800.

Grant Recipient’s Role

Although the US Department of Education is ultimately responsible for compliance with Section 106 of the National Historic Preservation Act, they delegated their duties to the Iowa Department of Education. By signature on the federal grant application, the grant recipient agrees to assist the Iowa Department of Education in assuring compliance with the National Historic Preservation Act.

Once a grant is awarded, the grant recipient should:

1. collect the information requested in the March 1, 2005 *Guidance Memorandum on Department of Education Projects* prepared by the Iowa SHPO, and
2. submit the collected information and appropriate forms, including a *Request for SHPO Comment on a Department of Education Project* form, to IAED.

Links to these documents can be found [here](#). Please do not submit any information on your project for official comment until the grant has been awarded. This will eliminate unnecessary project reviews by SHPO. If, however, you have questions about how to take care of your historic school, SHPO will be more than happy to assist you.

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A frequently asked question is: If facility modifications are planned for an historic school, will the grant be taken away. The short answer is no. The goal of consultation under Section 106 is to ensure that effects to historic resources are considered in planning for a federal undertaking. Not all modifications are considered “adverse effects.” One way to avoid adverse effects is to ensure that the proposed modifications to the historic property are in keeping with *The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. The SHPO will work with you to avoid, minimize, or mitigate any adverse effects that are found.

Why Preserve Iowa's Historic Schools?

Over sixty Iowa schools have been honored with individual listing on the National Register of Historic Places. These schools, and others not yet listed, are more than just historic buildings, they:

- represent a shared history
- provide a community identity and
- serve as architectural legacies to future generations

Properly rehabilitated and well-maintained historic schools not only support the demanding requirements of education in the 21st century, but also provide architectural attributes not often found in their modern counterparts, including magnificent auditoriums, sizeable windows, and craftsmanship that cannot be duplicated. Most importantly, because they are often smaller buildings in a neighborhood setting, they provide a community-centered environment in which children can learn and receive personal attention from our educators.

Iowa Department of Education' Role

The Iowa Department of Education's School Facility Unit reviews all project documentation submitted by the grant recipients. If the submittal is complete and Iowa Department of Education agrees to the findings, they will sign the *Request for SHPO Comment on a Department of Education Project* form as the Federally Authorized Signature and forward the project documentation to SHPO for Section 106 review.

State Historic Preservation Office Role

Once the appropriate information is submitted to the Iowa Department of Education and forwarded to the Iowa SHPO with an agency determination regarding effects on historic properties, a 30-day comment period begins. SHPO staff will review the material submitted and provide comment. It is important to note that the Section 106 review process is consultative only. The Iowa SHPO provides comments to assist the US and Iowa Departments of Education, and their federal grant recipients, in meeting their responsibilities under Section 106 to take into account how their project may affect historic properties.

Instructions for Completing the Request for SHPO Comment on a Department of Education Project Form

The State Historical Society of Iowa, a Division of the Iowa Department of Cultural Affairs (DCA), prepared these instructions to help the Iowa Department of Education and recipients of US Department of Education funding initiate consultation with the State Historic Preservation Office (SHPO) and obtain comments on projects subject to project review under Section 106 of the National Historic Preservation Act.

These instructions are meant to be used in conjunction with the Request for SHPO Comment on a Department of Education Project form and the March 2005 Guidance Memorandum for Department of Education Projects. Please download and consult each document as you prepare your submittal.

The appropriate documents and forms, including the *Iowa Site Inventory Form* and instructions, are available online.

To aid SHPO review, a copy of the *Request for SHPO Comment on a Department of Education Project* form should be fully completed, signed by a representative of the Iowa Department of Education, and sent to the SHPO, along with a cover letter and the supporting information, maps, photographs, and other appropriate documentation requested on the form and in the March 2005 Guidance Memorandum for Department of Education Projects. Incomplete forms and information severely limit SHPO's ability to provide comments in a timely fashion.

I. General Information

Please mark "This is a new submittal" if this is the first time information has been sent to the SHPO on this project. Mark "This is more information relating to SHPO R&C #:" if this is additional information regarding a project that has been previously submitted to SHPO. If the project has already been assigned a Review and Compliance (R&C) number, please enter the R&C number on the blank line. The R&C number is typically designated as such in the upper right-hand corner of correspondence from SHPO.

a. Property name:

Enter the name of the property, for example: "Garfield Elementary School".

b. Property Street & Number:

Enter the address for the project, for example: "205 Main Street" or "10065 Old Military Trail Road." If a property does not have an address, such as a vacant lot or rural property, then enter a street name or legal location, for example: NE corner of Hayes and Garfield Streets or the SW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ of Section 32, T97N-R24W.

c. County, City and Zip:

Enter the appropriate information for the property or project area, for example: "Johnson", "Iowa City", and "52242."

d. Funding/Grant Program:

Check the appropriate box for the US Department of Education grant awarded. If the project is an Iowa Demonstration Construction Grant, please check whether it is a Fire/Life Safety grant or a Construction grant, and include the fiscal year the grant was awarded on the line. If another funding or grant program is applicable, include the full name of the program on the line following "Other" and the fiscal year awarded.

e. Local Contact Person on Project:

Enter the name and phone number of the person who should receive correspondence from SHPO and contacted with questions regarding the project. Include the full address, city, zip code, email, and phone number where the person may be reached.

II. Scope of Work and Identification of Historic Places

The purpose of this section is to provide basic information to SHPO regarding the proposed project and required review. This will aid in routing of project information to the appropriate SHPO reviewers, thus expediting the review process.

a. Please check the appropriate box(es) to indicate the type of activity that is proposed as part of the undertaking.

Often, the proposed activity will not fall neatly into one category or another. Please check any and all that apply. Include the supporting documentation for each activity type requested in the March 2005 *Guidance Memorandum for Department of Education Projects*.

Renovation of Existing School Facilities (Section 2). This activity is the renovation and rehabilitation of school facilities, including modernization, remodeling, and repair work, as well as the installation of new building features that may require the removal of partitions or partial demolition of existing features. However, if an addition outside the current building footprint and/or substantial demolition is proposed, please check the second and/or third boxes, respectively. For example, if an elevator is to be installed within the existing footprint of the building, "Renovation" would be checked. However, if an elevator shaft will be added outside the existing footprint and several interior partitions need to be removed to accommodate the construction of an accessible ramp, please check the "Renovation" and "Additions". Other work that falls under this activity type includes, but is not limited to, repointing masonry, window replacement, residing, and the removal or remodeling of a limited number of interior walls or architectural features.

Addition to Existing School Facilities (Section 3). Check this box for any project that involves the construction of an addition outside the current exterior walls of a school facility. This includes new construction above existing buildings, as well as additions that involve ground disturbance. For example, if a one-story elementary school needs to be expanded through the addition of a second story, this box would be checked. Similarly, this box would be checked if a new wing to the building were proposed. If an addition is proposed that requires demolition of a portion existing facility, please check both "Additions" and "Demolition".

Demolition of Existing School Facilities (Section 4). This activity includes the total demolition of existing school facilities, as well as substantial demolition of portions of school facilities. For the purposes of this document, “substantial demolition” is defined as any demolition involving ground disturbance or not otherwise contained within the exterior walls of the existing facility, or removal of the majority of the interior walls (commonly called “gutting” the building). This section does not include the removal of a few interior partitions or other minor demolition work, which are included as part of “Renovation” (Section 2).

Sale, Abandonment, or Other Non-destructive Method of Disposal (Section 5). Check this box if a school facility is to be closed, but not demolished, as part of the undertaking. This might include sale, abandonment, transfer, lease, or any number of non-destructive methods of facility disposal.

Construction of New School Facilities (Section 6). Check this box if a brand new school facility will be constructed as part of this project (this does not include additions to an existing facility). If the new construction will result in the demolition or the sale, abandonment, or other non-destructive disposal of existing facilities (e.g., through consolidation), please check the appropriate box on the *Request for SHPO Comment on a Department of Education Project* form.

b. Please check the box indicating whether you are requesting a specific SHPO review for archeology and/or architecture and fill in the respective blanks.

Archaeology. Check this box if your project involves ground disturbance due to proposed additions, demolition, and/or new construction, as well as other types of ground disturbance, such as trenching for utilities, extensive landscaping, or modifications to the schoolyard to accommodate accessibility. Fill in the blanks for the number of acres in the Area of Potential Effects and the legal location of the property. Please see the Frequently Asked Questions at www.iowahistory.org/preservation/review_compliance/schools for a definition of “Area of Potential Effects.”

Architecture. Check this box if there are extant buildings in the Area of Potential Effects. Include the original date of construction of the building(s), and the dates of any subsequent modifications. If there is more than one building in the Area of Potential Effects, detail these dates in the cover letter of your submittal.

III. Applicant Certification

a. Agencies or applicants MUST check one of the three boxes provided and submit adequate documentation for such findings. The official documentation needed to support a finding of “No Historic Properties Affected” can be found in 36 CFR Part 800.11(d) and that for a finding of “No Adverse Effect” or “Adverse Effect” can be found in 36 CFR Part 800.11(e). The March 2005 *Guidance Memorandum for Department of Education Projects* provides additional information on appropriate submittals for review.

No Historic Properties will be Affected Agencies and applicants will check this box when properties in the Area of Potential Effects are not eligible for or not listed on the National Register, or their project has no direct or indirect effects on properties eligible for or listed on the National Register. In certain rare instances a project may have no effect on an eligible or listed property. For example, the rehabilitation of the interior of a noncontributing or ineligible building in a historic district would be viewed as having no effect because that project might have no impact on the character and qualities that caused the district to be found eligible or nominated.

No Adverse Effect to a Historic Property Agencies or applicants should check this box when projects are planned to avoid potential adverse effects to historic properties in the Area of Potential Effects; are modified to avoid them; or are carried out in accordance with the Secretary of the Interior’s *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. If the agency or applicant intends to continue consultation with the SHPO to discuss conditions that may be imposed for a “conditional no adverse effect”, this box may be checked as well.

Adverse Effect to a Historic Property Agencies and applicants should check this box when demolition of historic properties in the Area of Potential Effects is proposed; projects cannot be modified to avoid potential adverse effects; or projects cannot be carried out in accordance with the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. For more information on Adverse Effects, consult the Guidance Memorandum and 36 CFR Part 800.5. If an adverse effect is found, the agency must notify the Advisory Council on Historic Preservation and continue consultation with the SHPO and other consulting parties to resolve the adverse effect, in accordance with 36 CFR Part 800.6.

b. Federally Authorized Signature. The individual authorized to sign for the agency or applicant should sign the appropriate space, enter the date, and type or neatly print the person's name in the space below the signature. For projects funded through the Iowa Department of Education, this will typically be the state agency's School Facilities Consultant.

IV. State Historic Preservation Office Comment

Leave this area blank. When this form and its supporting documentation are received, SHPO will:

- Assign your project an R&C tracking number and log the project into our database.
- Notify you whether the 30-day review period will be initiated for your project. If a determination of effect with the appropriate documentation has been sent in by the federal agency or an authorized party who is serving as the federal agency, the letter will notify the submitter that the 30-day review period has started and will also provide the date when the 30-day review period will expire. If the 30-day review period was not initiated, the letter will specify why the review was not initiated and will request additional information or a determination of effect from the responsible federal agency or an authorized party who is serving as the federal agency.
- Distribute your information to appropriate review staff.
- Review your project information. SHPO staff may issue comments on a project within the 30 day review period. If the 30-day review period was initiated and SHPO staff does not respond prior to the expiration date printed on the letter, **and you have allowed reasonable time for receipt of a letter written on day 30**, you may assume that SHPO concurs with findings where "No Historic Properties" will be affected or where a "No Adverse Effect" is proposed for a historic property. In these cases, the Department of Education's responsibilities to consult with SHPO under Section 106 of the National Historic Preservation Act have been fulfilled.