

**HOLLIS BROOKLINE COOPERATIVE SCHOOL BOARD  
ORGANIZATIONAL MEETING  
APRIL 10, 2019  
MEETING MINUTES**

The Organizational Meeting of the Hollis Brookline Cooperative School Board was conducted on Wednesday, April 10, 2019 at 6:00 p.m. at the Hollis/Brookline Middle School Library.

Andrew Corey, Superintendent, presided:

Members of the Board present:     Holly Deurloo Babcock  
   Elizabeth Brown  
   Melanie Levesque (arrived at 6:20 p.m.)  
   Tom Solon (arrived at 6:08 p.m.)  
   Krista Whalen  
   Beth Williams

Members of the Board Absent:     Cindy VanCoughnett

Also in Attendance:                 Gina Bergskaug, Assistant Superintendent  
   Linda Sherwood, Assistant Business Administrator  
   Rick Barnes, Principal, Hollis Brookline High School  
   Bob Thompson, Principal, Hollis Brookline Middle School  
   Mary Martin, Student Council Representative

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**ORGANIZATION OF SCHOOL BOARD**

**ELECTION OF OFFICERS**

Superintendent Corey called for nominations for Chairman of the Hollis Brookline Cooperative School Board for the 2019-2020 term.

**MEMBER WHALEN NOMINATED MEMBER DEURLOO BABCOCK  
SECONDED BY MEMBER BROWN**

**ON THE QUESTION**

Ms. Deurloo Babcock noted, should she be elected to the position, she would recuse herself from any matters concerning HB Elevates, a position the Chair holds, noting her husband is the Treasurer. She would also recuse herself from the handing out of diplomas as her son is graduating, and she would not want to distract from his experience.

**VOTE ON ELECTION OF HOLLY DEURLOO BABCOCK TO THE POSITION OF CHAIRMAN OF  
THE HOLLIS BROOKLINE COOPERATIVE SCHOOL BOARD FOR THE 2019-2020 TERM  
MOTION CARRIED  
4-0-0**

*Superintendent Corey declared Holly Deurloo Babcock Chairman of the Hollis Brookline Cooperative School Board for the 2019-2020 term.*

*Superintendent Corey stepped down and Chairman Deurloo Babcock presided.*

Chairman Deurloo Babcock called for nominations for Vice-Chairman of the Hollis Brookline Cooperative School Board for the 2019-2020 term.

**MEMBER DEURLOO BABCOCK NOMINATED MEMBER SOLON  
SECONDED BY MEMBER WHALEN**

**VOTE ON ELECTION OF TOM SOLON TO THE POSITION OF VICE-CHAIRMAN OF THE  
HOLLIS BROOKLINE COOPERATIVE SCHOOL BOARD FOR THE 2019-2020 TERM**

ON THE QUESTION

Ms. Whalen stated her support of the nomination. She noted the Board has tried to maintain a balance in leadership roles between the two towns. Although the Board does not look at issues before it in terms of individual towns, there are times when it is important to be aware of that as issues could be viewed that way in the community.

**MOTION CARRIED**

**4-0-0**

*Chairman Deurloo Babcock declared Tom Solon Vice-Chairman of the Hollis Brookline Cooperative School Board for the 2019-2020 term.*

Chairman Deurloo Babcock called for nominations for Secretary of the Hollis Brookline Cooperative School Board for the 2019-2020 term.

**MEMBER WHALEN NOMINATED MEMBER WILLIAMS  
SECONDED BY MEMBER BROWN**

ON THE QUESTION

Chairman Deurloo Babcock noted the Secretary is responsible for the minutes of non-public meetings.

**VOTE ON ELECTION OF BETH WILLIAMS TO THE POSITION OF SECRETARY OF THE  
HOLLIS BROOKLINE COOPERATIVE SCHOOL BOARD FOR THE 2019-2020 TERM**

**MOTION CARRIED**

**4-0-0**

*Chairman Deurloo Babcock declared Beth Williams Secretary of the Hollis Brookline Cooperative School Board for the 2019-2020 term.*

*Chairman Deurloo Babcock stated the desire to provide members an opportunity to express interest in committee membership before making her appointments. Appointments shall be brought forward at the May meeting.*

**APPOINTMENT OF PROCESS OBSERVER**

Chairman Deurloo Babcock appointed Krista Whalen as Process Observer.

**AGENDA ADJUSTMENTS**

Superintendent Corey requested the agenda be adjusted by adding, under Deliberations, consideration of a recommendation to authorize the Field Facilities Committee to work with Tighe & Bond to begin the Request

for Proposal (RFP) work and provide recommendations and updates to the School Board throughout the duration of the project.

*There being no objection, the agenda was adjusted as requested.*

**APPROVAL OF MINUTES**

Hollis Brookline Cooperative School Board . . . . . [February 6, 2019](#)

*The following amendment was offered:*

Page 3, Line 41; delete “money”

**MOTION BY MEMBER SOLON TO ACCEPT, AS AMENDED  
MOTION SECONDED BY MEMBER WHALEN  
MOTION CARRIED**

**4-0-1**

*Member Williams Abstained*

Hollis Brookline Cooperative School Board - **Public Hearing** . . . . . [February 6, 2019](#)

*The following amendments were offered:*

Page 4, line 20; delete “and” following “students”

Page 6, Line 8; replace “that” with “they” following “something”

**MOTION BY MEMBER SOLON TO ACCEPT, AS AMENDED  
MOTION SECONDED BY MEMBER BROWN  
MOTION CARRIED**

**4-0-1**

*Member Williams Abstained*

Hollis Brookline Cooperative School Board . . . . . [February 13, 2019](#)

*The following amendment was offered:*

Page 15, Line 8; correct the spelling of “misconstrued”

**MOTION BY MEMBER SOLON TO ACCEPT, AS AMENDED  
MOTION SECONDED BY MEMBER BROWN  
MOTION CARRIED**

**4-0-1**

*Member Williams Abstained*

**NOMINATIONS/RESIGNATIONS/CORRESPONDENCE**

Superintendent Corey informed the Board of his receipt of a letter of resignation from Catherine Collard. In her letter, Mrs. Collard spoke of being grateful for the personal and professional growth that being a part of the Hollis Brookline High School (HBHS) community has afforded her since joining the faculty in the fall of 2009.

**MOTION BY MEMBER SOLON TO ACCEPT THE RESIGNATION OF CATHERINE COLLARD WITH AN EFFECTIVE DATE OF JUNE 30, 2019**  
**MOTION SECONDED BY MEMBER WHALEN**  
**MOTION CARRIED**  
**6-0-0**

Superintendent Corey informed the Board of his receipt of a letter of resignation from Kathleen Maynard, HBHS Guidance Counselor.

In her letter, Ms. Maynard commented on being most grateful to have worked with an outstanding high school, staff, students, teachers, and families.

**MOTION BY MEMBER SOLON TO ACCEPT THE RESIGNATION OF KATHLEEN MAYNARD AS A GUIDANCE COUNSELOR AT THE HOLLIS BROOKLINE HIGH SCHOOL WITH AN EFFECTIVE DATE OF JUNE 30, 2019**  
**MOTION SECONDED BY MEMBER WHALEN**  
**MOTION CARRIED**  
**6-0-0**

At a recent Planning Board meeting the Beaver Brook Association provided a letter expressing concerns relative to the drainage at the turf field. The Planning Board followed up with a letter requesting the concerns be addressed, e.g., see what could be done to limit noise from the P.A. system, monitor runoff as needed. Superintendent Corey and representatives from Tighe & Bond attended a meeting of the Conservation Commission (March 6<sup>th</sup>) during which the Beaver Brook Association indicated being satisfied with the remedies the District has put in place.

Superintendent Corey noted updates received from the New Hampshire Department of Environmental Services (NHDES); Wetlands Permit and Alteration of Terrain (AoT). They have been sent to Tighe & Bond, are being addressed, and plans resubmitted to address those concerns. A response is expected in the next week.

**PUBLIC INPUT** - None

**NON-PUBLIC SESSION**

**MOTION BY MEMBER SOLON THAT THE BOARD, BY ROLL CALL, GO INTO NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3 II (a) THE DISMISSAL, PROMOTION OR COMPENSATION OF ANY PUBLIC EMPLOYEE, RSA 91-A:3 II (c) TO DISCUSS A MATTER, WHICH IF DISCUSSED IN PUBLIC, WOULD LIKELY AFFECT ADVERSELY THE REPUTATION OF A PERSON, OTHER THAN A MEMBER OF THE BODY OR AGENCY ITSELF, AND RSA 91-A:3 II (d) CONSIDERATION OF THE ACQUISITION, SALE, OR LEASE OF REAL OR PERSONAL PROPERTY WHICH, IF DISCUSSED IN PUBLIC, WOULD LIKELY BENEFIT A PARTY OR PARTIES WHOSE INTERESTS ARE ADVERSE TO THOSE OF THE GENERAL COMMUNITY**  
**MOTION SECONDED BY MEMBER LEVESQUE**

*A Viva Voce Roll Call was conducted, which resulted as follows:*

Yea: Melanie Levesque, Holly Deurloo Babcock, Tom Solon, Elizabeth Brown, Krista Whalen,  
Beth Williams

6

Nay: 0

**MOTION CARRIED**

*The Board went into non-public session at 6:25 p.m.  
The Board came out of non-public session at 7:45 p.m.*

**MOTION BY MEMBER SOLON THAT THE BOARD SEAL THE MINUTES OF THE NON-PUBLIC SESSION UNTIL SUCH TIME AS THE MAJORITY OF THE BOARD VOTES THAT THE PURPOSE OF THE CONFIDENTIALITY WOULD NO LONGER BE SERVED  
MOTION SECONDED BY MEMBER WHALEN**

*A Viva Voce Roll Call was conducted, which resulted as follows:*

Yea: Melanie Levesque, Holly Deurloo Babcock, Tom Solon, Elizabeth Brown, Krista Whalen,  
Beth Williams

6

Nay:

0

**MOTION CARRIED**

Vice Chairman Solon requested the unsealing of the minutes be placed on the agenda for the Board's May meeting.

### **PRINCIPAL REPORTS / ATHLETIC REPORT**

Rick Barnes, Principal, HBHS, spoke of a recent article in the Nashua Telegraph wherein the Principal of Souhegan COOP High School referenced ongoing discussions with Hollis Brookline relative to AP courses. Principal Barnes stated there have been "what if" discussions. It is a small state, and, as educators, they see each other quite often. Things that come up are numbers, e.g., class sizes, how different issues are addressed. Nothing has ever risen to any kind of level of "hey we are going to do this". Any proposal of that kind would come before the Board.

Chairman Deurloo Babcock stated, for the record, her displeasure with the fact the District is doing away with AP French. Students making the decision to take French in 6<sup>th</sup> grade have an expectation they will receive a total of 6 years of French instruction. If going to continually have a situation where it cannot be offered unless achieving a certain enrollment number, due to contractual issues, she believes that should be made known to 6<sup>th</sup> grade students as they are making their decision between languages. This occurred with the class of 2018 now the class of 2020. This is an interruption in French instruction.

Asked if there is a VLACS course for AP French, Principal Barnes stated there is not.

Principal Barnes commented issues such as this and others discussed throughout the years with Souhegan and other schools is one of the reasons why the timing is perfect for the Instructional Best Practices Committee. That discussion can occur within the confines of that committee, and all the different variables could be vetted.

Asked how low the anticipated enrollment was, Principal Barnes stated it to have been 8 before the point where schedules go back to counselors, which typically results in a lower number.

Asked if AP French was in addition to French 4, Principal Barnes explained AP French is the 5<sup>th</sup> French.

Chairman Deurloo Babcock commented there are years when it is offered and years when it is not. It is when there is a smaller class size in general and then perhaps not as many students taking French. It is an additional prep for a teacher, so it means we pay a per diem for it.

Vice Chairman Solon questioned if the SAT is open to voluntary paid participation. He used the example of his children testing at Nashua North where they signed up with and paid College Boards to take the SATs. Principal Barnes stated the school the students test at does not do that. In response to questions posed, Principal Barnes stated the test is an automatic for all juniors, is mandatory (State test), there were approx. 2 non-participants, and it is not offered to non-juniors.

Principal Thompson spoke of the recent trip to Washington, DC (200 8<sup>th</sup> grade students and 25 adults). Due to the generosity of community members, the large number of scholarships needed were funded to ensure all students wishing to, were able to attend the trip. The community donated over \$10,000, which included an anonymous donation of \$4,200 from a family. He expressed how grateful the school is for the generous community support.

Chairman Deurloo Babcock spoke of mention of the Master Schedule in the report noting later in the agenda the Board would deliberate on the creation of an Instructional Best Practices Committee for the COOP District. She suggested it would be helpful for that committee to receive a report on what is occurring in the HBMS. Principal Thompson stated his belief they are in the position where a draft schedule could be brought forward for the Board's review at the May meeting.

Assistant Superintendent Bergskaug spoke of the need for the Board to approve the schedule at its next meeting so that the District can move forward. Ms. Williams questioned the process of input from staff and students. Principal Thompson spoke of the large amount of input received from staff. Discussion began in August and has taken place in various formats, e.g., departments, teams, Instructional Leadership Team. The input from students has been fairly limited as many of the issues being addressed are internal, e.g., how we deliver special education interventions, specialized reading programs, meeting the needs of diverse learners, etc. They have, in the past, taken input from students about things they like. The fundamental things they have received student feedback on are not going to change.

Assistant Superintendent Bergskaug commented the goal of the work is not necessarily to align with the High School. Part of the push that came from an external source last year was to conduct an in-depth study of both the HBMS and HBHS; an independent evaluation of Student Services and the school counseling department. Some of the recommendations were to look at the master schedule as a lot of the roadblocks for how services can be provided are related to the schedule. It became the driving force for determining how to ensure we meet all students' needs.

Ms. Williams stated the desire to speak offline about how it impacts the time students have outside of core classes; is it growing, shrinking, etc.

Vice Chairman Solon revisited the subject of SATs questioning, if an individual has taken tests on his/her own, is it possible for the results to be submitted in lieu of having to take the test. Principal Barnes stated it is not. Superintendent Corey stated it is viewed as an opportunity to take the SAT one time on the State, and what it has done, in a lot of cases, is result in students being pleasantly surprised by how they have done. In a lot of districts you will hear of students looking at college as a result of it.

Vice Chairman Solon commented if you have students who are taking the test on their own, conceivably multiple times, he could see where at some point they would not want to take it again especially when all results are reported. He suggested the District would then forego the opportunity to have those results aggregated in with the other results in terms of using it for the State evaluation. He suggested it would be worthy of petitioning if a standing Junior has valid SAT results that they be able to be submitted. He questioned what would occur if a student who has taken it 3 times takes it on that day and has a bad result.

Ms. Levesque spoke of having attended the First Robotics competition at UNH, and of being truly impressed by the students. She congratulated the team on their accomplishments.

Superintendent Corey highlighted items from the Athletic Coordinator's report. The HBHS Wrestling Team won its 3<sup>rd</sup> State Championship. The Athletic Coordinator, Brian Bumpus, was named Coach of the Year.

The HBHS had 39 NHIAA Scholar Athletes. These are student-athletes who have maintained a B+ average or better, have participated in community service, and play 2 or more sports in their senior year.

## **DISCUSSION**

- Facilities Committee Update
  - Board Building Tour

*The Board and audience member participated in a tour of the building.*

- Robotics Warrant Article

Assistant Superintendent Bergskaug noted the dedicated space for robotics and the proposal to swap the current space with an existing science classroom to benefit curriculum; would have two science teachers back to back who are able to share resources and collaborate and also allow the robotics program to be back to back with the shop space that is in tech. ed. Although the District would continue with tech. ed., it may take on a slightly different look. This is the opportunity to review the space and ensure what we have matches the curriculum being offered and everything is clearly identified as student use for daytime versus robotics use during evening hours.

Asked about the proposed wall, Assistant Superintendent Bergskaug stated it is not a firm proposal. There were discussions of pieces of equipment that were not to be used by students during the day and provide some sort of barrier to provide additional safety and prevent use. At this point, there are some pieces of the proposal that she and the Superintendent would like to look to an architect to provide assurance anything being put forward meets educational specifications in terms of size restrictions for the viable spaces. As an example, the proposal has the door of room 105 in a different spot. The question is if the wood shop is large enough for the class size to go into. Having someone review the plans who has expertise with school building code is desired before committing to a set plan and beginning construction.

Vice Chairman Solon questioned if there is a timetable for the tech. ed. curriculum update. Assistant Superintendent Bergskaug responded the Administration is in the midst of interviewing. The idea is to hold onto the building aspects but incorporate more of the drawing and CAD before the build. Being looked at is a wide option of who could be brought in, where their expertise is, etc. At this time, she is uncertain if it will look precisely like the proposal on day 1 of next year.

Ms. Williams commented placing science next to science and the flow for robotics sounds great. However, she stated the desire to obtain feedback from the teachers as the ones that are in the spaces. She spoke of the individual retiring; gaining his feedback as well as input from the potential new hire. Whether the timetable will permit that input she is uncertain.

Assistant Superintendent Bergskaug remarked regardless of the individual brought in, she is of the opinion it would be in the best interest of the District to make updates. There have been discussions with the existing teacher about what is used by the teacher, students, and not used at all. What needs to go is understood, e.g.,

age of equipment, safety regulations having changed over the years, etc. The curriculum vision would always incorporate the wood shop.

Vice Chairman Solon commented the only area where he would challenge that assumption is in the use of wood. While wood is well understood, he questioned whether the use of wood is fundamental to the skills that are being sought, and if not, if there is an opportunity to more closely align the materials usage, and therefore the required equipment with that of robotics so that there might be some consolidation and better utilization of space. Yes, wood is used, but it is, in many cases, a support material. The equipment that is used for wood is almost always not used for anything else.

Assistant Superintendent Bergskaug stated her belief there is value to maintaining some of what we do. She would like to see the horizon expanded by looking beyond that at different materials. She is uncertain that would occur year one. She is of the belief the bulk of the current equipment would have to be replaced.

Vice Chairman Solon remarked the only thing he sees that is probably not being used by any of the instructors is the planer. There are bandsaws and drill presses and things of that nature.

Assistant Superintendent Bergskaug stated there are two table saws without guards. The safety level of the equipment has changed over the years resulting in those pieces of equipment being teacher use only.

Ms. Brown stated her opinion there is a much broader curriculum discussion that needs to occur before changing the current configuration. She would be opposed to any curriculum change that turned tech. ed. into a robotics program. There are elements of true tech. ed. that she believes to be fundamental to students and education. The students are not having an opportunity to learn those in any other way. The vast majority of students will own homes someday, and will need to know how to use a drill, dig a pilot hole, etc. Those fundamental skills still need to be taught. She commented she needs those skills; nothing about her profession will ever touch on robotics, but she knows how to hang a picture and drill something. Those are fundamental things our program has taught students and they have done it by learning how to build a shelf, etc. Before we start going to something that is purely robotics there is a much bigger conversation that needs to be had.

Assistant Superintendent Bergskaug stated she has never proposed going to robotics for 7<sup>th</sup> and 8<sup>th</sup> grade tech ed. She is looking at still doing the shelf, but not going to straight build it; draw it, design it in CAD, model it, and then build it. Whether students would cut the wood to put it together or laser print it and then put it together is yet to be determined. There are some Project Lead the Way Courses that information and/or ideas could be gathered from. There is a Green Architecture class that will start looking at the different features of a green home and how you build that; students building the little house. There is so much that could be done with that that is just a different twist on what we are doing now; that is adding some more of the tech component while maintaining a lot of the features that are important.

Assistant Superintendent Bergskaug stated her belief the next most important thing to be done is to dedicate some funding to an architect to really see what the scope is and the requirements of not necessarily this proposal down to the machine, but the proposal down to the division of making a separate space so that there is some pure robotics only.

Chairman Deurloo Babcock commented it is basically if we were to try and put a wall in place, we would want to ensure we have met code for the two spaces, e.g., egress, not load bearing walls, occupancy limitations, etc. she agreed the timing is not ideal. It would be ideal to have a complete understanding of where we are headed in terms of curriculum and know what we are going to do with this space so it would fit the curriculum we envision not for a year, but for five or ten years. That would be ideal, but we are not there at this time. What she was hearing was that the determinations could not be made until having had the opportunity to work with



the individual who fills the position being vacated by a retirement. Unlike other courses where there is a set curriculum, this will be determined by the skillset of the individual hired.

Superintendent Corey noted the item was placed on the agenda to start the discussion. It is recognized there is a good deal of curriculum work to be done and that the District is in the midst of a hire. The Administration viewed it from the standpoint of having the next few months to continue the discussion. Nothing would be done from a budgetary standpoint until after July 1st and from the standpoint of students, who are currently occupying the building. The desire was to make the Board aware of the multiple pieces occurring concurrently, e.g., Principal Thompson is addressing the hire, Assistant Superintendent Bergskaug has a well thought out curriculum that has been shared internally; however the skillset of the new hire remains uncertain. It may be that training is required for that individual. The goal, over the next 3 months is to provide the Board with the information needed to allow the Board to determine where to go next.

Chairman Deurloo Babcock commented the committee that has been a STEM Committee has had discussion of membership including a second Board member.

Vice Chairman Solon stated the Administration is looking to avoid a situation that reduces the available space to the daytime classes and to that end is considering something that breaks the existing shop area into a smaller area that becomes the daytime area and additional hands-off area. That is not something he would support at this time.

In terms of authorizing expending of funds on a design, he would want there to be greater definition as to what the space is going to be providing particularly in terms of defining student outcome, e.g., what skills are we looking to have the students leave that curriculum with. Similarly, if there is a definition of what the robotics program needs to have as an outcome for the utilization of the area, overlaps can be looked for.

Ms. Brown commented part of what her child likes about the tech. ed. program is having time that is still structured, but allows you to do something with your hands during the school day. Art has that capability as well. These students are 7<sup>th</sup> and 8<sup>th</sup> graders who are used to having recess. They have come up here and need some time where they get to move around, and do something. She would be reluctant to want to replace this active activity with something that is a much more fine-motor skills type of activity.

Vice Chairman Solon commented the logic of what is being proposed, fundamentally, looks really good.

- Field Update

Superintendent Corey stated the Administration has been working with Tighe & Bond. They have filed the appropriate permits with the State environmental agencies. They received feedback, and will be responding to the requested changes this week. Once the permit is in hand, the project will move to construction drawings. Kelley Seeley, Business Manager, is working with Tighe & Bond as well as Bond Council in the development of the Requests for Proposals and the language that will be included.

It is believed the project will break ground in mid-May. One of the issues being discussed, in terms of facilities, is how some of the tree work will be approached; does not have to be done by the same company that is doing the groundwork for drainage, etc. The experts at Tighe & Bond are being relied upon for direction.

Asked if any parking lot use would be lost during the later parts of the school year, Superintendent Corey stated his understanding the staging area will be up in the field areas, and will not impact parking. He will look to verify his understanding is correct.

- Election Results

Superintendent Corey thanked the Administration at the HBMS and HBHS for all their efforts throughout the budget process, the Budget Committee, School Board, Business Office, Assistant Superintendent Bergskaug, for all her efforts concerning curriculum, and the voters for once again providing the District with the means to move its plans forward for students.

- Revenue and Expense Update

When reported in January, the estimated amount of the expense budget not anticipated to be expended was \$201,828, which is now estimated at \$377,023. This changes daily. At one point there were over 1,300 purchase orders. Over the past month that number has been reduced to approx. 300. At this point in the year, purchase orders that are known not to be necessary are being closed and the funds no longer encumbered.

In January the reported revenue balance was \$34,767. The current anticipated balance is \$70,698. Increases were seen in impact fees; District had budgeted \$5,000 and \$20,374 has been received and in the category of local revenue, under "other" the budgeted amount was \$5,000 and actual received was \$65,460. Twenty thousand of that was an unanticipated rebate received from the insurance carrier, Primex, for workers' compensation.

The result is a total of \$459,050 to the Unreserved Fund Balance. From that amount, the approved allocations to the Contingency Fund (\$100,000), Athletic Trust Fund (\$67,000), Maintenance Trust Fund (\$75,000), Special Education Trust Fund (\$25,000) and Retained Fund Balance (\$142,000) will be funded, leaving an amount to be returned to the taxpayers of \$50,050.

Asked for additional clarification of the Retained Fund Balance, Superintendent Corey commented a number of years back, the voters approved a percentage the District is permitted to retain. Those dollars are shown as a revenue line to each budget. In order to expend those funds, the Administration must gain approval of the School Board, Budget Committee, and Department of Education.

Each year, the Board votes (in August) to determine what that dollar amount will be. The Board has typically kept it at \$142,000. It is intended to address unanticipated expenses that are over and above what could be addressed through the Contingency Fund.

Vice Chairman Solon remarked the District has made a pretty strong selling point of needing the Contingency Fund because the budgets do not allow for a buffer. He questioned the potential need for retaining that level of funding if the District has been able to fund the contingency and other trusts.

Superintendent Corey stated his concern to be a significant out-of-district special education placement. That concern will decrease over the years as the Special Education Trust Fund grows. At the Board's August meeting (after the auditors have been in-house), a discussion could occur around that. Vice Chairman Solon asked what the balance would be once the \$25,000 allocation occurs, and was informed it would be \$175,000.

Asked what role, if any, Budget Committee discussions take in evaluating the amount to be returned, Superintendent Corey stated the Administration typically looks for input from the Budget Committee understanding the budget is originally passed with the Budget Committee and School Board being involved in any expenditure. If not an expenditure, they should have discussion around the amount they feel should be retained.

The question was asked of whether the retained fund balance is a lapsing or non-lapsing fund (whether it rolls over from year to year), Superintendent Corey explained it is a lapsing fund, and any amount to be allocated must be approved each year.

- Transportation

Superintendent Corey informed the Board the transportation contract has been executed. Some slight changes were made following discussion with the Board Chairs. If the transportation company misses multiple runs over a given period, they pay a penalty fee. They have guaranteed they will be cross-rostering with other bus companies so that drivers could be used for after-school runs, etc. through that mechanism. In the upcoming months, the routes will be reviewed.

Superintendent Corey spoke of discussions with former Chairman Solon, and the recommendation that discussions occur regarding the issue of transportation in terms of whether there is a desire to consider bus fees, further consolidation of routes or pickup points, etc. State law does not require school districts to provide transportation for grades 9-12. Superintendent Corey commented he cannot imagine being a COOP district and not providing transportation, but it is not legally required. That would also have a parking impact; were sophomores wishing to provide their own transportation, there would be an impact on the number of available parking spaces. It is more of a long-term discussion to determine if there is the desire for a change in direction.

It is understood there is the need to review the issue of parking, particularly if NESDEC enrollment figures are correct.

Vice Chairman Solon reiterated providing transportation 9-12 is not required, and therefore a fee could be charged. Currently, the District is forced to assume that every eligible student is going to ride the bus, we build our bus routes and size the number of buses based on that assumption. Requiring a nominal fee could identify a reduction in ridership. The potential small amount of additional revenue could be used to accelerate the improvement of parking.

*The topic will be placed on future agendas for discussion of the individual aspects.*

- School Calendar 2019-2020

Assistant Superintendent Bergskaug stated the proposed date for the November Professional Development (PD) day is Friday, November 8<sup>th</sup>. That provides for a four-day weekend for college visits. Some concerns around a longer December break include the fact that a number of the support staff would be without a paycheck for two weeks, which is often very difficult particularly if the weather results in a number of snow days. The March PD day has been moved to February 11<sup>th</sup>. There is a desire for school not to be in session during the Primary Election. That date will be confirmed once announced by the State.

Asked about the last day of school for the current school year, Assistant Superintendent Bergskaug stated the date posted on the calendar to be June 20<sup>th</sup>.

## **DELIBERATIONS**

- To see what action the Board will take regarding the Administration's Recommendations for Teacher Nominations

**MOTION BY MEMBER SOLON TO ACCEPT THE SUPERINTENDENT’S RECOMMENDATIONS FOR TEACHER NOMINATIONS, AS PRESENTED**  
**MOTION SECONDED BY MEMBER LEVESQUE**  
**MOTION CARRIED**  
**6-0-0**

- To see what action the Board will take regarding the School Calendar for 2019-2010

**MOTION BY MEMBER SOLON TO APPROVE THE 2019-2020 SCHOOL CALENDAR, AS PRESENTED**  
**MOTION SECONDED BY MEMBER WILLIAMS**  
**MOTION CARRIED**  
**6-0-0**

- To see what action the Board will take regarding the Re-adoption of Policy BCA - Board Member Code of Ethics

**MOTION BY MEMBER SOLON THAT THE BOARD, BY ROLL CALL, STATE AGREEMENT TO ADHERE TO POLICY BCA – BOARD MEMBER CODE OF ETHICS**  
**MOTION SECONDED BY MEMBER WHALEN**

ON THE QUESTION

Vice Chairman Solon questioned if a review has been done to determine if there have been any changes to RSA 91-A:2. He noted the Statute includes language such as “No meeting shall be conducted by electronic mail or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously at the meeting location specified in the meeting notice.”. He spoke of the importance of Board members understanding what is and is not permitted under State Statute, e.g., a quorum of the Board cannot engage in back and forth discussion through email, on matters which the Board has authority over.

He suggested the RSA be distributed to the Board. Superintendent Corey stated that would occur.

*A Viva Voce Roll Call was conducted, which resulted as follows:*

Yea: Melanie Levesque, Holly Deurloo Babcock, Tom Solon, Elizabeth Brown, Krista Whalen,  
Beth Williams

6

Nay: 0

**MOTION CARRIED**

- To see what action the Board will take regarding the Re-adoption of Policy DFA - Investments

The Board was informed of the State requirement to review the policy on a yearly basis. The intent is to provide an opportunity, at least yearly, to consider investments. In large districts that receive tax dollars in a single transfer, there may be a decision to invest as a means of generating revenue. As identified within the current policy, the School District Treasurer working in conjunction with the Superintendent and his/her designee and pursuant to RSA 197:23-a, is authorized to invest the funds of the District subject to specified objectives and standards of care.

**MOTION BY MEMBER SOLON TO ADOPT POLICY DFA - INVESTMENTS  
MOTION SECONDED BY MEMBER WHALEN**

ON THE QUESTION

Vice Chairman Solon noted, during his tenure, the Board has never done anything to issue actual instructions for investment. He spoke of interest rates being so low, it is not worthwhile. That scenario could change. To get ahead of the curve, it may be worth working on generating guidelines that identify a trigger that would indicate consideration of holding some portion of funds in interest bearing accounts.

**MOTION CARRIED**

**6-0-0**

- To see what action the Board will take regarding Tuition Student(s) for 2019-2020 (Policy JFAB)

**MOTION BY MEMBER SOLON TO ACCEPT THE RECOMMENDATIONS OF THE  
ADMINISTRATION REGARDING TUITIONED STUDENTS FOR THE 2019-2020 SCHOOL YEAR  
MOTION SECONDED BY MEMBER WILLIAMS**

**MOTION CARRIED**

**6-0-0**

- To see what action the Board will take regarding Policy IJOC - Volunteers  
- 1<sup>st</sup> Reading - 2-13-19 (amended)

*Given its Second Reading;*

**MOTION BY MEMBER WHALEN TO ACCEPT THE SECOND READING OF POLICY IJOC -  
VOLUNTEERS  
MOTION SECONDED BY MEMBER LEVESQUE**

ON THE QUESTION

Noted were formatting changes needed: spacing between “1 and “2 under “Designated Volunteers”, underline “Supervised Volunteers”, correct lettering under “Volunteer Requirements”.

Vice Chairman Solon remarked there are restrictions, some from State RSA and some from the Department of Labor, that restrict having volunteers who are also employees. A paid employee cannot volunteer to do something for which they are paid to do under a different circumstance. He stated his understanding you cannot have a volunteer perform a function that another is paid to do, e.g., you cannot have a volunteer assistant coach.

Chairman Deurloo Babcock spoke of the efforts to ensure the policy reflects the procedures in place.

Vice Chairman Solon asked, with regard to sports, does the policy place requirements on volunteers to abide by the rules of the coach’s handbook in terms of how one can and cannot treat a student athlete. Superintendent Corey stated if becoming a volunteer coach, the process would be completed at the SAU, which would be followed by meetings with coaches and the Athletic Director. Vice Chairman Solon questioned the process for volunteers in general, not having the title of coach, but still working with students. Superintendent Corey stated if a volunteer in a coaching position, you are expected to follow the guidelines for the coaches. Asked what defines a coaching position, he stated it could be a parent volunteer working with the team under the direct supervision of the coach, who is a paid employee, and being required to follow the guidelines put forth in the student handbook. Were there an issue, it would be brought to the attention of the Building Principal who would go to the paid employee to determine what is occurring, and then make a decision as to whether the volunteer would continue.

Vice Chairman Solon commented one of the criteria of being a volunteer is that it cannot be a position that has to be filled.

**MOTION CARRIED**  
**6-0-0**

- To see what action the Board will take regarding Policy AC - Non-Discrimination  
*Given its First Reading;*

**MOTION BY MEMBER SOLON TO ACCEPT THE FIRST READING OF POLICY AC –  
DISCRIMINATION, AS PRESENTED**  
**MOTION SECONDED BY MEMBER BROWN**

ON THE QUESTION

Chairman Deurloo Babcock noted the policy was made to mirror Policy GBA - Equal Opportunity Employment.

**MOTION CARRIED**  
**6-0-0**

- To see what action the Board will take regarding Policy ADC - Tobacco Products Ban  
*Given its First Reading;*

**MOTION BY MEMBER LEVESQUE TO ACCEPT THE FIRST READING OF POLICY ADC -  
TOBACCO PRODUCTS BAN, AS PRESENTED**  
**MOTION SECONDED BY MEMBER BROWN**

ON THE QUESTION

Ms. Brown stated her recollection the Board has addressed this policy previously. Assistant Superintendent Bergskaug noted tobacco is addressed in 3 policies; one specific to students, one specific to facility, and the policy before the Board, which is overarching. Chairman Deurloo Babcock stated the proposed changes would amend the policy so that it aligns with the other 2.

Vice Chairman Solon questioned who would be responsible for enforcing the policy, if the intent is for it to be in place to allow for enforcement or if it will be proactively policed. Superintendent Corey responded it is enforced every time the behavior is seen. That may be in a proactive or reactive manner.

Noted was that policies JICG and GBED - Use of Tobacco Products Strictly Prohibited in/or All School Facilities and/or Grounds were adopted August 17, 2016.

Vice Chairman Solon questioned if the title of the policy is dictated, noting a large portion of the activity sought to be eliminated is categorically not tobacco, e.g., vaping. He is uncertain members of the public would look to a tobacco policy if questioning whether there is a policy on vaping. Chairman Deurloo Babcock stated that could be researched and information brought forward for the next reading.

Vice Chairman Solon questioned if signage is intended. Principal Barnes agreed with the need for increased signage.

**MOTION CARRIED**  
**6-0-0**

- To see what action the Board will take regarding Policy ILD - Educational Questionnaires, Surveys and Research

*Given its First Reading:*

**MOTION BY MEMBER SOLON TO ACCEPT THE FIRST READING OF POLICY ILD – EDUCATIONAL QUESTIONNAIRES, SURVEYS AND RESEARCH, AS AMENDED  
MOTION SECONDED BY MEMBER WHALEN**

ON THE QUESTION

Assistant Superintendent Bergskaug noted State law changed a few years back. The policy was on the agenda for the Policy Committee in the October 2017 timeframe. There was lengthy discussion around the policy, but it was never brought before the Board for consideration. Asked whether the District was looking to opt in or opt out, she indicated the move is to prior notice and prior consent being required, except for the Youth Risk Behavior Survey developed by the Centers for Disease Control and Prevention. Current policy is an opt-out, which does not align with State law. Added was the language around the Youth Risk Behavior Survey.

It was noted there is legislation pending that could change State law.

Ms. Levesque noted the proposed deletion of the sentence that reads: “Parents/guardians will have the right to deny permission for their child to participate in taking the survey.” The next line states “The school will not penalize students whose parents/guardians exercise this option.” She suggested that sentence be removed as well.

*The Board agreed to the additional change.*

**MOTION CARRIED**

**6-0-0**

- To see what action the Board will take regarding the HBCSB Policy Committee Recommendation for the Re-Establishment of an “Instructional Best Practices” Committee to Address Policy IMBC – Alternative Credit Options and other related topics such as Master Schedule, curriculum, graduation requirements, etc.

**MOTION BY MEMBER SOLON TO RE-ESTABLISH THE INSTRUCTIONAL BEST PRACTICES COMMITTEE TO ADDRESS POLICY IMBC – ALTERNATIVE CREDIT OPTIONS AND OTHER RELATED TOPICS SUCH AS MASTER SCHEDULE, CURRICULUM, AND GRADUATION REQUIREMENTS**

**MOTION SECONDED BY MEMBER WILLIAMS**

ON THE QUESTION

Chairman Deurloo Babcock stated the Policy Committee has had Policy IMBC before it for a few months. Discussion has resulted in many questions regarding how the District wishes to handle alternative credit options in terms of GPA, schedule, curriculum, graduation requirements, etc. The committee has had multiple conversations regarding best practices, homework policies, class rank, weighting, etc. It is the recommendation of the Policy Committee to re-establish the Instructional Best Practices Committee.

It was suggested the HBHS Principal and the two (2) Board Liaisons meet to determine the composition of the committee, which would be brought back before the Board for approval. During the first meeting of the full membership, the Charge and goals of the committee would be discussed.

Ms. Williams commented on being pleased with the re-establishment of the committee.

Ms. Levesque asked for clarification of what is meant by alternative credit options. Vice Chairman Solon spoke of the push for First Robotics activities along with additional hours being counted as the equivalent of a specific class that is defined in New Hampshire curriculum.

Assistant Superintendent Bergskaug noted Policy IMBC covers a number of the possibilities. In trying to arrive at a recommendation, the Policy Committee believed it to be a larger conversation.

Chairman Deurloo Babcock stated the Instructional Best Practices Committee would cover a lot of things. Once they fine tune the focus, the Policy Committee will be better able to review the policy.

**MOTION CARRIED**

**6-0-0**

- To see what action the Board will take regarding the creation of a Field Facilities Committee

Superintendent Corey commented on the existing Facilities Committee, which reviewed the field and STEM Center. With the passage of the field, the Facilities Committee continues its work, and is moving from the design phase to the construction phase. It is his recommendation that the Board authorize the committee to work with Tighe & Bond to begin the RFP process and provide recommendations and updates to the Board throughout the project. The make-up of the committee is the Superintendent, Assistant Superintendent, Athletic Coordinator, Cindy VanCoughnett, Business Administration, HBHS and HBMS Principals, Chris Lones, Richard MacDonough, and the Athletic Booster Club President.

**MOTION BY MEMBER LEVESQUE TO AUTHORIZE THE FIELD FACILITIES COMMITTEE TO WORK WITH TIGHE & BOND TO BEGIN THE REQUEST FOR PROPOSAL WORK AND PROVIDE RECOMMENDATIONS AND UPDATES TO THE SCHOOL BOARD THROUGHOUT THE DURATION OF THE PROJECT**

**MOTION SECONDED BY MEMBER WILLIAMS**

ON THE QUESTION

Vice Chairman Solon questioned who the Project Manager is. Superintendent Corey responded as one has not yet been selected, it remains his responsibility. It would not have been prudent or financially sound to be paying someone for the work that has been done up to this point. When getting into the day-to-day operation of the project, the intent is to hire a project manager to work with Tighe & Bond.

It is a structure that was utilized with the Hollis Energy Project, and one which allowed the committee to stay on top of it.

**AMENDED MOTION BY MEMBER SOLON TO AUTHORIZE THE FIELD FACILITIES COMMITTEE TO WORK WITH TIGHE & BOND TO HIRE A PROJECT MANAGER AND BEGIN THE REQUEST FOR PROPOSAL WORK AND PROVIDE RECOMMENDATIONS AND UPDATES TO THE SCHOOL BOARD THROUGHOUT THE DURATION OF THE PROJECT**

**MOTION SECONDED BY MEMBER WILLIAMS**

ON THE QUESTION

The work can be done simultaneously. Ms. Brown noted the Field Facilities Committee does not have the authority to hire. Vice Chairman Solon suggested they do if authorized to do so.

Superintendent Corey stated the intent would be to bring the hire to the Board. He would not want to slow the process in the absence of the authority to make an offer.



Chairman Deurloo Babcock remarked the Superintendent is authorized to hire and is a member of the committee.

**MOTION CARRIED**  
**6-0-0**

*Vote on the main motion, as amended*

**MOTION CARRIED**  
**6-0-0**

Vice Chairman Solon noted he is looking to the committee to determine the appropriate cost and requirement of that position.

Superintendent Corey spoke of the Federal Assurances and the change that came about last year whereby the Chairman is required to sign them. A copy was provided (copy attached) to the Board for review in advance of next month's meeting.

**REPORT OUT BY PROCESS OBSERVER**

Ms. Whalen spoke of the number of items the Board addressed, and the in-depth discussion that occurred. The building tour took more time than anticipated. She felt the meeting was run very well.

Vice Chairman Solon noted the Budget Committee Chairman forwarded to him a note notifying the Board the next Budget Committee meeting has been moved to April 15<sup>th</sup>.

**ADJOURNMENT**

**MOTION BY MEMBER BROWN TO ADJOURN**  
**MOTION SECONDED BY MEMBER WHALEN**  
**MOTION CARRIED**  
**6-0-0**

The April 10, 2019 Organizational Meeting of the Hollis Brookline Cooperative School Board adjourned at 9:49 p.m.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

# New Hampshire Department of Education

**FY2020**

## **GENERAL ASSURANCES, REQUIREMENTS AND DEFINITIONS FOR PARTICIPATION IN FEDERAL PROGRAMS**

Subrecipients of any Federal grant funds provided through the New Hampshire Department of Education (NHDOE) must submit a signed copy of this document to the NHDOE Bureau of Federal Compliance prior to any grant application being deemed to be “substantially approvable”. Once a grant is deemed to be in substantially approvable form, the subrecipient may begin to obligate funds which will be reimbursed upon final approval of the application by the NHDOE (34 CFR 708).

**Any funds obligated by the subrecipient prior to the application being in substantially approvable form will not be reimbursable even upon final approval of the application by the NHDOE.**

This FY2020 general assurances document contains some differences from the FY2019 general assurances document. You are encouraged to do a side by side comparison of the two documents so that you thoroughly understand the requirements to which you are agreeing.

Following your review and acceptance of these General Assurances, Requirements and Definitions for Participation in Federal Programs please sign the certification statement on the appropriate page and then initial each of the remaining pages where indicated.

Please note that the practice of the School Board authorizing the Superintendent to sign on behalf of the School Board Chair is not acceptable to the NHDOE in this case and will be considered non-responsive.

Once the document is fully executed, you may either email or mail a copy of the entire document to:

Timothy Carney  
New Hampshire Department of Education  
Bureau of Federal Compliance  
101 Pleasant Street  
Concord, NH 03301  
[Timothy.Carney@doe.nh.gov](mailto:Timothy.Carney@doe.nh.gov)

Should you have any questions please contact Timothy Carney at 603-271-2634 or Lindsey Scribner at 603-271-3837.

# General Assurances, Requirements and Definitions for Participation in Federal Programs

## A. General Assurances

Assurance is hereby given by the subrecipient that, to the extent applicable:

- 1) The subrecipient has the legal authority to apply for the federal assistance, and the institutional, managerial, and financial capability (including funds sufficient to pay non-federal share of project costs, as applicable) to ensure proper planning, management, and completion of the project described in all applications submitted.
- 2) The subrecipient will give the awarding agency, the NHDOE, the Comptroller General of the United States and, if appropriate, other State Agencies, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- 3) The subrecipient will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- 4) The subrecipient will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- 5) The subrecipient will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
  - (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin;
  - (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex;
  - (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps;
  - (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age;
  - (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
  - (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
  - (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
  - (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;
  - (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
  - (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

- 6) The subrecipient will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
- 7) The subrecipient will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds. The subrecipient further assures that no federally appropriated funds have been paid or will be paid by or on behalf of the subrecipient to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.
- 8) The subrecipient will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported in whole or in part with federal funds.
- 9) The subrecipient will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported in whole or in part with federal funds.
- 10) The subrecipient will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- 11) The subrecipient will comply with all applicable requirements of all other federal laws, executive orders, regulations, and policies governing all program(s).
- 12) The subrecipient will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR 200, Subpart F, "Audit Requirements," as applicable.
- 13) The recipient will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.
- 14) The control of funds provided to the subrecipient under each program, and title to property acquired with those funds, will be in a public agency, and a public agency will administer those funds and property.
- 15) Personnel funded from federal grants and their subcontractors will adhere to the prohibition from text messaging while driving an organization-owned vehicle, or while driving their own privately owned vehicle during official Grant business, or from using organization-supplied electronic equipment to text message or email while driving. Recipients must comply with these conditions under Executive Order 13513, "Federal Leadership On Reducing Text Messaging While Driving," October 1, 2009 (pursuant to provisions attached to federal grants funded by the US Department of Education).

- 16) The subrecipient assures that is will adhere to the Pro-Children Act of 2001, which states that no person shall permit smoking within any indoor facility owned or leased or contracted and utilized for the provision of routine or regular kindergarten, elementary, or secondary education or library services to children (P.L. 107-110, section 4303[a]). In addition, no person shall permit smoking within any indoor facility (or portion of such a facility) owned or leased or contracted and utilized for the provision of regular or routine health care or day care or early childhood development (Head Start) services (P.L. 107-110, Section 4303[b][1]). Any failure to comply with a prohibition in this Act shall be considered to be a violation of this Act and any person subject to such prohibition who commits such violation may be liable to the United States for a civil penalty, as determined by the Secretary of Education (P.L. 107-110, section 4303[e][1]).
- 17) The subrecipient will comply with the Stevens Amendment.
- 18) The subrecipient will submit such reports to the NHDOE and to U.S. governmental agencies as may reasonably be required to enable the NHDOE and U.S. governmental agencies to perform their duties. The recipient will maintain such fiscal and programmatic records, including those required under 20 U.S.C. 1234f, and will provide access to those records, as necessary, for those Departments/agencies to perform their duties.
- 19) The subrecipient will assure that all applications submitted for project/grant funding are proper and in accordance with the terms and conditions of the applications, the official who is authorized to legally bind the recipient agency/organization agrees to the following certification.

*“By signing this General Assurances, Requirements and Definitions for Participation in Federal Programs Document, I certify to the best of my knowledge and belief that all applications submitted are true, complete, and accurate, for the purposes and objectives set forth in the application, I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal or administrative penalties for false statements, false claims or otherwise.”*

- 20) The subrecipient will assure that expenditures reported are proper and in accordance with the terms and conditions of any project/grant funding, the official who is authorized to legally bind the agency/organization agrees to the following certification for all fiscal reports and/or vouchers requesting payment.

*“By signing this General Assurances, Requirements and Definitions for Participation in Federal Programs Document, I certify to the best of my knowledge and belief that the reports submitted are true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purpose and objectives set forth in the terms and conditions of the Project Award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.”*

- 21) The subrecipient will provide reasonable opportunities for systematic consultation with and participation of teachers, parents, and other interested agencies, organizations, and individuals, including education-related community groups and non-profit organizations, in the planning for and operation of each program.
- 22) The subrecipient shall assure that any application, evaluation, periodic program plan, or report relating to each program will be made readily available to parents and other members of the general public upon request.

- 23) The subrecipient has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program, significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects. Such procedures shall ensure compliance with applicable federal laws and requirements.
- 24) The subrecipient will comply with the requirements of the Gun-Free Schools Act of 1994.
- 25) The subrecipient will submit a fully executed and accurate Single Audit Certification form to the NHDOE not later than March 31, 2020. The worksheet will be provided to each subrecipient by the NHDOE.
- 26) The subrecipient shall comply with the restrictions of New Hampshire RSA 15:5.
- 27) The subrecipient will comply with the requirements in 2 CFR Part 180, Government-wide Debarment and Suspension (Non-procurement).
- 28) The subrecipient certifies that it will maintain a drug-free workplace and will comply with the requirements of the Drug-Free Workplace Act of 1988.
- 29) The recipient will adhere to the requirements of Title 20 USC 7197 relative to the Transfer of Disciplinary Records.

## **B. Explanation of Grants Management Requirements**

The following section elaborate on certain requirements included in legislation or regulations referred to in the "General Assurances" section. This section also explains the broad requirements that apply to federal program funds.

### **1. Financial Management Systems**

Financial management systems, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award.

Specifically, the financial management system must be able to:

- a) Identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and federal award identification must include, as applicable, the CFDA title and number, federal award identification number and year, name of the federal agency, and name of the pass-through entity, if any.
- b) Provide accurate, current, and complete disclosure of the financial results of each federal award or program.
- c) Produce records that identify adequately the source and application of funds for federally funded activities.
- d) Maintain effective control over, and accountability for, all funds, property, and other assets. The subrecipient must adequately safeguard all assets and assure that they are used solely for authorized purposes.

- e) Generate comparisons of expenditures with budget amounts for each federal award.

## 2. Written Policies and Procedures

The subrecipient must have written policies and procedures for:

- a) Cash Management (2 CFR 200.302(b)(6) & 200.305)
- b) Determining the allowability of costs in accordance with 2 CFR 200 Subpart E—Cost Principles and the terms and conditions of the Federal award. (2 CFR 200.302(b)(7))
- c) Conflict of Interest (2 CFR 200.318(c))
- d) Procurement (2 CFR 200.320)
- e) Method for conducting Technical Evaluations of Proposals and Selecting Recipients (2 CFR 200.320(d)(3) and 200.323)
- f) Suspension and Debarment (2 CFR 200.213)
- g) Travel Policy (2 CFR 200.474(b))
- h) Equipment and Supplies (2 CFR 200.313(d), 200.314)
- i) Time and Effort (2 CFR 200.430(i))
- j) Record Keeping (2 CFR 200.333 and 200.335)

## 3. Internal Controls

The subrecipient must:

- a) Establish and maintain effective internal control over the federal award that provides reasonable assurance that the non-federal entity is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should be in compliance with the guidance outlined in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States or the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- b) Comply with federal statutes, regulations, and the terms and conditions of the federal awards.
- c) Take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.
- d) Take reasonable measures to safeguard and protect personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the subrecipient considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.
- e) Maintain all accounts, records, and other supporting documentation pertaining to all costs incurred and revenues or other applicable credits acquired under each approved project in accordance with 2 CFR 200.333.

## 4. Allowable Costs

In accounting for and expending project/grant funds, the subrecipient may only charge expenditures to the project award if they are;

- a) in payment of obligations incurred during the approved project period;
- b) in conformance with the approved project;
- c) in compliance with all applicable statutes and regulatory provisions;
- d) costs that are allocable to a particular cost objective;
- e) spent only for reasonable and necessary costs of the program; and
- f) not used for general expenses required to carry out other responsibilities of the subrecipient.

## 5. Audits

This part is applicable for all non-federal entities as defined in 2 CFR 200, Subpart F.

- a) In the event that the subrecipient expends \$750,000 or more in federal awards in its fiscal year, the subrecipient must have a single or program-specific audit conducted in accordance with the provisions of 2 CFR 200, Subpart F. In determining the federal awards expended in its fiscal year, the subrecipient shall consider all sources of federal awards, including federal resources received from the NHDOE. The determination of amounts of federal awards expended should be in accordance with the guidelines established by 2 CFR 200, Subpart F.
- b) In connection with the audit requirements, the subrecipient shall also fulfill the requirements relative to auditee responsibilities as provided in 2 CFR 200.508.
- c) If the subrecipient expends less than \$750,000 in federal awards in its fiscal year, an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F, is not required. In the event that the subrecipient expends less than \$750,000 in federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR 200, Subpart F, the cost of the audit must be paid from non-federal resources (i.e., the cost of such an audit must be paid from subrecipient resources obtained from non-federal entities).

The subrecipient assures it will implement the following audit responsibilities;

- a) Procure or otherwise arrange for the audit required by this part in accordance with auditor selection regulations (2 CFR 200.509), and ensure it is properly performed and submitted nine months after the close of the fiscal year in accordance with report submission regulations (2 CFR 200.512).
- b) Provide the auditor access to personnel, accounts, books, records, supporting documentation, and other information as needed so that the auditor may perform the audit required by this part.
- c) Prepare appropriate financial statements, including the schedule of expenditures of federal awards in accordance with financial statements regulations (2 CFR 200.510).
- d) Promptly follow up and take corrective action on audit findings, including preparation of a summary schedule of prior audit findings and a corrective action plan in accordance with audit findings follow-up regulations (2 CFR 200.511(b-c)).
- e) Upon request by the NHDOE Bureau of Federal Compliance (BFC), promptly submit a corrective action plan using the NHDOE template provided by the BFC for audit findings related to NHDOE funded programs.
- f) For repeat findings not resolved or only partially resolved, the subrecipient must provide explanation for findings not resolved or only partially resolved to the BFC for findings related to all NHDOE funded programs. The BFC will review the subrecipient's submission and issue an appropriate Management Decision in accordance with 2 CFR 200.521.

## 6. Reports to be Submitted

### Audits/Management Decisions

Copies of reporting packages for audits conducted in accordance with 2 CFR 200, Subpart F shall be submitted, by or on behalf of the recipient directly to the following:

- a) The Federal Audit Clearinghouse (FAC) in 2 CFR 200, Subpart F requires the auditee to electronically submit the data collection form described in 200.512(b) and the reporting package described in 200.512(c) to FAC at: [https://harvester.census.gov/facides/\(S\(mqamohbpfj0hmyh1r45p1po1\)\)/account/login.aspx](https://harvester.census.gov/facides/(S(mqamohbpfj0hmyh1r45p1po1))/account/login.aspx)



Copies of other reports or management decision letter(s) shall be submitted by or on behalf of the subrecipient directly to:

- a) New Hampshire Department of Education  
Bureau of Federal Compliance  
101 Pleasant Street  
Concord, NH 03301
- b) In response to requests by a federal agency, auditees must submit a copy of any management letters issued by the auditor, 2 CFR 200.512(e).

Any other reports, management decision letters, or other information required to be submitted to the NHDOE pursuant to this agreement shall be submitted in a timely manner.

#### Single Audit Certification

An executed and accurate Single-Audit Certification form shall be submitted to the NHDOE not later than **March 31, 2020**. A copy of the form will be provided to each subrecipient by the NHDOE.

#### **7. Debarment, Suspension, and Other Responsibility Matters**

As required by Executive Orders (E.O.) 12549 and 12689, Debarment and Suspension, and implemented at 2 CFR Part 180, for prospective participants in primary covered transactions, as defined in 2 CFR 180.120, 180.125 and 180.200, no contract shall be made to parties identified on the General Services Administration's *Excluded Parties List System* as excluded from Federal Procurement or Non-procurement Programs in accordance with E.O.s 12549 and 12689, "Debarment and Suspension." This list contains the names of parties debarred, suspended, or otherwise excluded by agencies, and contractors declared ineligible under statutory or regulatory authority other than E.O. 12549. Contractors with awards that exceed the small purchase threshold shall provide the required certification regarding their exclusion status and that of their principal employees.

The federal government imposes this requirement in order to protect the public interest, and to ensure that only responsible organizations and individuals do business with the government and receive and spend government grant funds. Failure to adhere to these requirements may have serious consequences – for example, disallowance of cost, termination of project, or debarment.

To assure that this requirement is met, there are four options for obtaining satisfaction that subrecipients and contractors are not suspended, debarred, or disqualified. They are:

The subrecipient certifies that it and its principals:

- a) Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from covered transactions by any federal Department or agency.
- b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes; commission of embezzlement; theft, forgery, bribery, falsification, or destruction of records; making false statements; or receiving stolen property.
- c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in this certification.

- d) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Where the subrecipient is unable to certify to any of the statements in this certification, they shall attach an explanation to this document.

### **8. Drug-Free Workplace (Grantees Other Than Individual)**

As required by the Drug-Free Workplace Act of 1988 and implemented in 34 CFR 84.200 and 84.610, the subrecipient certifies that it will continue to provide a drug-free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the subrecipient's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- b) Establishing, as required by 34 CFR 84.215, an ongoing drug-free awareness program to inform employees about:
  - o The dangers of drug abuse in the workplace.
  - o The recipient's policy of maintaining a drug-free workplace.
  - o Any available drug counseling, rehabilitation, and employee assistance programs.
  - o The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- c) Requiring that each employee engaged in the performance of the project is given a copy of this statement.
- d) Notifying the employee in the statement that, as a condition of employment under the project, the employee will:
  - o Abide by the terms of the statement.
  - o Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
- e) Notifying the agency in writing within 10 calendar days after receiving notice of an employee's conviction of a violation of a criminal drug statute in the workplace, as required by 34 CFR 84.205(c)(2), from an employee or otherwise receiving actual notice of employee's conviction. Employers of convicted employees must provide notice, including position title to:

Director, Grants and Contracts Service  
U.S. Department of Education  
400 Maryland Avenue, S.W. [Room 3124, GSA – Regional Office Building No. 3]  
Washington, D.C. 20202-4571

(Notice shall include the identification number[s] of each affected grant).

- f) Taking one of the following actions, as stated in 34 CFR 84.225(b), within 30 calendar days of receiving the required notice with respect to any employee who is convicted of a violation of a criminal drug statute in the workplace.
  - o Taking appropriate personnel action against such an employee, up to and including

- termination consistent with the requirements of the Rehabilitation Act of 1973, as amended.
  - Requiring such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
- g) Making a good-faith effort to maintain a drug-free workplace through implementation of the requirements stated above.

**9. EDGAR - Education Department General Administrative Regulations**

The federal grant administrative regulations for education (Title 34 CFR Parts 75, 76, 77, 79, 81, 82, 84, 86, 97, 98, and 99), was revised on December 26, 2014, with the implementation of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Grants Guidance), and delete 34 CFR Parts 74, 80, and 85 (Part 85 changed to 2 CFR Part 180) and included the deleted regulations into the Uniform Grants Guidance. Both administrative regulations (EDGAR and Uniform Grants Guidance), apply to all federal projects/awards.

**10. General Education Provisions Act (GEPA) Requirements - Section 427 (Federal Requirement) Equity for Students, Teachers, and Other Program Beneficiaries**

The purpose of Section 427 of GEPA is to ensure equal access to education and to promote educational excellence by ensuring equal opportunities to participate for all eligible students, teachers, and other program beneficiaries in proposed projects, and to promote the ability of such students, teachers, and beneficiaries to meet high standards. Further, when designing their projects, grant applicants must address the special needs and equity concerns that might affect the ability of students, teachers, and other program beneficiaries to participate fully in the proposed project.

Program staff within the NHDOE must ensure that information required by Section 427 of GEPA is included in each application that the Department funds. *(There may be a few cases, such as research grants, in which Section 427 may not be applicable because the projects do not have individual project beneficiaries. Contact the Government Printing Office staff should you believe a situation of this kind exists).*

The statute highlights **six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, and age.** Based on local circumstances, the applicant can determine whether these or other barriers may prevent participants from access and participation in the federally assisted project, and how the applicant would overcome these barriers.

These descriptions may be provided in a single narrative or, if appropriate, may be described in connection with other related topics in the application. Subrecipients should be asked to state in the table of contents where this requirement is met.

NHDOE program staff members are responsible for screening each application to ensure that the requirements of this section are met before making an award. If this condition is not met, after the application has been selected for funding the program staff should contact the subrecipient to find out why this information is missing. Documentation must be in the project file indicating that this review was completed before the award was made. If an oversight occurred, the program staff may give the applicant another opportunity to satisfy this requirement, but must receive the missing information before making the award, 34 CFR 75.231.

All applicants for new awards must satisfy this provision to receive funding. Those seeking *continuation* awards do not need to submit information beyond the descriptions included in their original applications.

## 11. Gun Possession (Local Education Agencies (LEAs) only)

As required by Title XIV, Part F, and Section 14601 (Gun-Free Schools Act of 1994) of the Improving America's Schools Act:

The LEA assures that it shall comply with the provisions of RSA 193:13 III.

RSA 193:13, III. Any pupil who brings or possesses a firearm as defined in section 921 of Title 18 of the United States Code in a safe school zone as defined in RSA 193-D:1 without written authorization from the Superintendent or designee shall be expelled from school by the local school board for a period of not less than 12 months.

The LEA assures that it has adopted a policy, which allows the Superintendent or Chief Administrative officer to modify the expulsion requirement on a case by case basis. RSA 193:13, IV.

The LEA assures that it shall report to the NHDOE in July of each year, a description of the circumstances surrounding any expulsions imposed under RSA 193:13, III and IV including, but not limited to:

- a) The name of the school concerned;
- b) The grade of the student disciplined;
- c) The type of firearm involved;
- d) Whether or not the expulsion was modified, and
- e) If the student was identified as Educationally Disabled.

The LEA assures that it has in effect a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm or weapon to school.

Ed 317.03 Standard for Expulsion by Local School Board.

- a) A school board which expels a pupil under RSA 193:13, II or III, shall state in writing its reasons, including the act leading to expulsion, and shall provide a procedure for review as allowed under RSA 193:13, II.
- b) School boards shall make certain that the pupil has received notice of the requirements of RSA 193-D and RSA 193:13 through announced, posted, or printed school rules.
- c) If a student is subject to expulsion and a firearm is involved, the Superintendent shall contact local law enforcement officials whenever there is any doubt concerning:
  - 1) Whether a firearm is legally licensed under RSA 159; or
  - 2) Whether the firearm is lawfully possessed, as opposed to unlawfully possessed, under the legal definitions of RSA 159.
- d) If a pupil brings or possesses a firearm in a safe school zone without written authorization from the Superintendent, the following shall apply:
  - 1) The Superintendent shall suspend the pupil for a period not to exceed 10 days, pending a hearing by the local board; and
  - 2) The school board shall hold a hearing within 10 days to determine whether the student was in violation of RSA 103:13, III and therefore is subject to expulsion.

## 12. Lobbying

As required by Section 1352, Title 31, of the U.S. Code, and implemented in 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined in 34 CFR 82.105 and 82.110,

the applicant certifies that:

- a) No federally appropriated funds have been paid or will be paid by or on behalf of the subrecipient to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.
- b) If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal grants or cooperative agreements, the subrecipient shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- c) The subrecipient shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, contracts under grants, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

**New Hampshire RSA 15:5 - Prohibited Activities.**

- I. Except as provided in paragraph II, no recipient of a grant or appropriation of state funds may use the state funds to lobby or attempt to influence legislation, participate in political activity, or contribute funds to any entity engaged in these activities.
- II. Any recipient of a grant or appropriation of state funds that wishes to engage in any of the activities prohibited in paragraph I, or contribute funds to any entity engaged in these activities, shall segregate the state funds in such a manner that such funds are physically and financially separate from any non-state funds that may be used for any of these purposes. Mere bookkeeping separation of the state funds from other moneys shall not be sufficient.

**13. Subrecipient Monitoring**

In addition to reviews of audits conducted in accordance with 2 CFR 200, Subpart F, subrecipient[ient monitoring procedures may include, but not be limited to, on-site visits by NHDOE staff, limited scope audits, and/or other procedures. By signing this document, the subrecipient agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the NHDOE. In the event the NHDOE determines that a limited scope audit of the project recipient is appropriate, the subrecipient agrees to comply with any additional instructions provided by NHDOE staff to the subrecipient regarding such audit.

**14. More Restrictive Conditions**

Subrecipients found to be in noncompliance with program and/or fund source requirements or determined to be "high risk" shall be subject to the imposition of more restrictive conditions as determined by the NHDOE.

**15. Obligations by Subrecipients**

Obligations will be considered to have been incurred by subrecipients on the basis of documentary evidence of binding commitments for the acquisition of goods or property or for the performance of work, except that funds for personal services, for services performed by public utilities, for travel, and for the rental of facilities shall be considered to have been obligated at the time such services were rendered, such travel was performed, and/or when facilities are used (see 34 CFR 76.707).

## **16. Participation of Private School Students and Staff in Federal Grants**

Students and staff of nonpublic schools shall be given an opportunity for equitable participation in activities or services conducted by school districts using federal funds. Appropriate personnel must be aware of, and consult, program-specific guidelines discussed in the applicable program statute, regulations, and guidance documents.

## **17. Personnel Costs – Time Distribution**

Charges to federal projects for personnel costs, whether treated as direct or indirect costs, are allowable to the extent that they satisfy the specific requirements of 2 CFR 200.430, and will be based on payrolls documented in accordance with generally accepted practices of the subrecipient and approved by a responsible official(s) of the subrecipient.

When employees work solely on a single federal award or cost objective, charges for their salaries and wages must be supported by personnel activity reports (PARs), which are periodic certifications (at least semi-annually) that the employees worked solely on that program for the period covered by the certification. These certifications must be signed by the employee or a supervisory official having firsthand knowledge of the work performed by the employee.

When employees work on multiple activities or cost objectives (e.g., more than one federal project, a federal project and a non-federal project, an indirect cost activity and a direct cost activity, two or more indirect activities which are allocated using different allocation bases, or an unallowable activity and a direct or indirect cost activity), the distribution of their salaries or wages will be supported by personnel activity reports or equivalent documents that meet the following standards:

- a) Reflect an after-the-fact distribution of the actual activity of each employee
- b) Account for the total activity for which each employee is compensated
- c) Prepared at least monthly and must coincide with one or more pay period
- d) Signed and dated by the employee

## **18. Project Effective Dates**

For federal programs, funds shall be obligated no earlier than the date the project application was received by the NHDOE and determined to be in substantially approvable form or the effective date of the federal grant award, whichever is later.

All Project/Grant Award Notifications reflect the beginning and ending dates of the project period and the date for submission of the final expenditure report. All conditions stated in the award notification are considered binding on the subrecipient.

## **19. Protected Prayer in Public Elementary and Secondary Schools**

As required in Section 9524 of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act of 2001, LEAs must certify annually that they have no policy that prevents or otherwise denies participation in constitutionally protected prayer in public elementary

and secondary schools.

## 20. Purchasing

All subrecipients must have documented procurement policies and procedures that meet the minimum requirements of federal and state statutes, rules, and regulations. Under the Uniform Administrative Requirements, the procurement standards are located at 2 CFR 200.317 – 200.326.

## 22. Retention and Access to Records

Requirements related to retention and access to project/grant records, are determined by federal rules and regulations. Federal regulation 2 CFR 200.333, addresses the retention requirements for records that applies to all financial and programmatic records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal or Project award. If any litigation, claim, or audit is started before the expiration date of the retention period, the records must be maintained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

Access to records of the subrecipient and the expiration of the right of access is found at 2 CFR 200.336 (a) and (c), which states:

- a) Records of non-Federal entities. The Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives [including but not limited to the NHDOE] must have the right of access to any documents, papers, or other records of non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents.
  
- c) Expiration of right of access. The rights of access in this section are not limited to the required retention period but last as long as the records are retained.

## 23. The Stevens Amendment

All federally funded projects must comply with the Stevens Amendment of the Department of Defense Appropriation Act, found in Section 8136, which provides:

*When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, all grantees receiving federal funds, including but not limited to state and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with federal money, (2) the dollar amount of federal funds for the project or program, and (3) the percentage and dollar amount of the total costs of the project or program that will be funded by non-governmental sources.*

## 24. Transfer of Disciplinary Records

Title 20 USC 7197 requires that the State have a procedure to assure that a student's disciplinary records, with respect to suspensions and expulsions, are transferred by the project recipient to any public or private elementary or secondary school where the student is required or chooses to enroll. In New Hampshire, that assurance is statutory and found at RSA 193-D:8.

The relevant portions of the federal and state law appear below.

- a) **Disciplinary Records** - In accordance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g), not later than 2 years after the date of enactment of this part, each State receiving Federal funds under this Act shall provide an assurance to the Secretary that the State has a procedure in place to facilitate the transfer of disciplinary records, with respect to a suspension or expulsion, by local educational agencies to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, on a full- or part-time basis, in the school.
- b) **193-D:8 Transfer Records; Notice** – All elementary and secondary educational institutions, including academies, private schools, and public schools, shall upon request of the parent, pupil, or former pupil, furnish a complete school record for the pupil transferring into a new school system. Such record shall include, but not be limited to, records relating to any incidents involving suspension or expulsion, or delinquent or criminal acts, or any incident reports in which the pupil was charged with any act of theft, destruction, or violence in a safe school zone.

**B. Definitions**

- 1) **Audit finding** - *Audit finding* means deficiencies which the auditor is required by 2 CFR 200.516 Audit findings, paragraph (a) to report in the schedule of findings and questioned costs (2 CFR 200.5).
- 2) **Management decision** -*Management decision* means the evaluation by the Federal awarding agency or pass-through entity of the audit findings and corrective action plan and the issuance of a written decision to the auditee as to what corrective action is necessary (2 CFR 200.66).
- 3) **Obligations** - When used in connection with a non-Federal entity’s utilization of funds under a Federal award, *obligations* means orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-Federal entity during the same or a future period (2 CFR 200.71).
- 4) **Pass-through entity** - *Pass-through entity* means a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program (2 CFR 200.74).
- 5) **Period of performance** - *Period of performance* means the time during which the non-Federal entity may incur new obligations to carry out the work authorized under the Federal award. The Federal awarding agency or pass-through entity must include start and end dates of the period of performance in the Federal award.
- 6) **Subaward** - *Subaward* means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract. (2 CFR 200.92).
- 7) **Subrecipient** - *Subrecipient* means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency (2 CFR 200.93).



**CERTIFICATION**

**Instructions:** The Superintendent, or other Qualifying Administrator, if the School District does not have a Superintendent, (*See* RSA 194-C:5, II) **must** consult with the School Board for the School District by informing said School Board about the District’s participation in Federal Programs and the terms and conditions of the General Assurances, Requirements and Definitions for Participation in Federal Programs. The Superintendent or other Qualifying Administrator and the Chair of the School Board **must** sign this certification page (and initial the remaining pages) as described below and return it to the NHDOE. **No payment for project/grant awards will be made by the NHDOE without a fully executed copy of this General Assurances, Requirements and Definitions for Participation in Federal Programs on file.** For further information, contact the NHDOE Bureau of Federal Compliance at (603) 271-2634.

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**Superintendent or other Qualifying Administrator Certification:**

We the undersigned acknowledge that [a] person is guilty of a violation of R.S.A. § 641:3 if [h]e or she makes a written or electronic false statement which he or she does not believe to be true, on or pursuant to a form bearing a notification authorized by law to the effect that false statements made therein are punishable; or (b) With a purpose to deceive a public servant in the performance of his or her official function, he or she: (1) Makes any written or electronic false statement which he or she does not believe to be true; or (2) Knowingly creates a false impression in a written application for any pecuniary or other benefit by omitting information necessary to prevent statements therein from being misleading; or (3) Submits or invites reliance on any writing which he or she knows to be lacking in authenticity; or (4) Submits or invites reliance on any sample, specimen, map, boundary mark, or other object which he or she knows to be false.

Accordingly, I, the undersigned official legally authorized to bind the named School District hereby apply for participation in federally funded education programs on behalf of the School District named below. I certify, to the best of my knowledge, that the below School District will adhere to and comply with these General Assurances, Requirements and Definitions for Participation in Federal Programs (pages 1 through 16 inclusive). I further certify, as is evidenced by the Minutes of the School Board/School Administrative Unit Meeting of \_\_\_\_\_, \_\_\_\_\_, that I have informed all members of the School Board of the federal funds the District will be receiving and of these General Assurances, Requirements and Definitions for the District’s participation in said programs.

SAU Number: \_\_\_\_\_ School District: \_\_\_\_\_

Typed Name of Superintendent Or other Qualifying Administrator	Signature	Date
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New Hampshire Department of Education – FY20 Page 15 of 16	Initials of Superintendent: _____ Initials of School Board Chair: _____
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**School Board Certification:**

I, the undersigned official representing the School Board, acknowledge that the Superintendent, or other Qualifying Administrator, as identified above, has consulted with all members of the School Board, in furtherance of the School Board’s obligations, including those enumerated in RSA 189:1-a, and pursuant to the School Board’s oversight of federal funds the District will be receiving and of the General Assurances, Requirements and Definitions for Participation in Federal in said programs.

\_\_\_\_\_  
Typed Name of School Board  
Chair (on behalf of the School Board)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please email or mail a copy of the entire document to:

Timothy Carney  
New Hampshire Department of Education  
Bureau of Federal Compliance  
101 Pleasant Street  
Concord, NH 03301

[Timothy.Carney@doe.nh.gov](mailto:Timothy.Carney@doe.nh.gov)