

Hollis Brookline Cooperative School Board

Wednesday, May 19, 2021

Hollis Brookline Middle School

6:00

All times are subject to change without notice

- 6:00 Call to Order
- 6:05 **Non-public** under RSA 91-A: 3II (a) Compensation and/or (c) reputation – Administrative and non-union compensation
- 6:30 Appointment of a process observer  
Agenda Adjustments  
Nominations/Resignations and Correspondence
- 6:40 Approval of Minutes – April 2021
- 6:50 Public Input
- 7:10 Principal's/Athletics reports
  - Construction of Master Schedule – Update – Principal Girzone
- 7:45 Discussion
  - Fiscal Year 2021 – Revenue and Expense report
  - Unreserved fund balance update
  - Committee assignments – Board Chair
- 8:00 **Deliberations**
  - To see what action the Board will take regarding policy JLCJ – Concussion and Head Injuries – Third Reading and adoption
  - To see what action the Board will take regarding policy JICD – Student Discipline and Due Process – First Reading
  - To see what action the Board will take regarding policy JLF – Reporting of Child Abuse and Neglect – First Reading
  - To see what action the Board will take regarding policy – BCA - Board member Code of Ethics – annually
  - To see what action the Board will take regarding policy – DFA - Investments Policy – annually
  - To see what action the Board will take regarding the Superintendent's recommendation for Administrative and non-union compensation
  - To see what action the Board will take, if any, regarding the use of the unreserved fund balance

- To see what action the Board will take regarding the committee assignments set forth by the Board Chair
- To see what action the Board will take regarding the annual authorization of the School Board Chair, to sign on behalf of the Board, the General Assurances FY 2022

8:20 HB Highlights

8:30 Report out by the process observer

8:35 Motion to Adjourn

To: Andy Corey, Superintendent  
From: Tim Girzone, Principal HBMS  
Re: Principal's Report  
Date: May 19, 2021

## **Information Only**

### **NH Youth Art:**

A number of HBMS students have had their artwork nominated to be displayed in the virtual NH Youth Arts Month exhibition for 2020-21. The celebration will take place on Friday, May 15th at the Milford Drive-In. Selected student artwork from all over the state will be projected in a presentation on the giant screen before the featured film.

### **Staffing Updates:**

HBMS is currently accepting applications and conducting interviews for the following positions:

- 8th Grade (Earth) Science
- Spanish Teacher
- School Nurse
- Computer Education Teacher

### **NHSAS:**

The New Hampshire SAS tests were administered for both 7th and 8th Grade students over the course of the last three weeks. The exams were offered in-person and were computer based. We welcomed over 30 remote learners into the school to complete the exams in a socially distanced environment.

### **Projected Enrollment Numbers:**

<b>2020-2021</b>	<b>2021-2022</b>
169 7th Graders	191 7th Graders
<u>214 8th Graders</u>	<u>169 8th Graders</u>
383 Total	360 Total

### **Important Dates:**

5/25 - Portsmouth Naval Shipyard - Pop-up STEM event (8th Grade only)  
5/31 - Memorial Day - No School  
6/4 - End of Year Celebration

Respectfully Submitted,

Tim Girzone  
Principal, Hollis Brookline Middle School

<b>Course Name</b>	<b>Requests</b>	<b>Max</b>	<b>S1</b>	<b>S2</b>	<b>Target Sections Offered</b>	<b>Class Size</b>
AP Computer S	19	21	1	1	1	21.0
Computer Scie	26	20	1	0	1	26.0
Computers & T	30	20	2	0	2	15.0
Engineering Te	42	20	1	1	2	21.0
PLTW Digital E	19	20	1	1	1	19.0
PLTW Intro to I	18	20	1	1	1	18.0
PLTW Principle	23	20	1	1	1	23.0
Personal Finan	52	25	0	3	3	17.3
Video Game D	23	20	1	0	1	23.0
Web Page Des	12	21	0	1	1	12.0
<b>TOTAL</b>			9	9		

<b>Course Name</b>	<b>Requests</b>	<b>Max</b>	<b>S1</b>	<b>S2</b>	<b>Target Sections Offered</b>	<b>Class Size</b>
Accel English 10	51	25	3	3	3	17.0
Accel English 9	60	25	3	3	3	20.0
Advanced Writin	26	25	1	0	1	26.0
AP Eng Lit & Com	25	25	1	1	1	25.0
AP English Langu	48	25	2	2	2	24.0
College Composi	25	20	1	1	2	12.5
English 10	107	25	6	6	6	17.8
English 10 Read	12	15	1	1	1	12.0
English 9	142	25	8	8	8	17.8
English 9 Read	9	15	1	1	1	9.0
FIEMUS English		12	1	1	1	
Film Studies	80	25	2	2	4	20.0
Fund English	10	15	1	1	1	10.0
Honors Literature	47	25	3	3	3	15.7

Honors U.S. Liter	45	25	2	2	2	22.5
Journalism 1	24	22	1	0	1	24.0
Journalism 2	7	22	0	1	1	7.0
Literacy	4	15	1	1	1	
Memoirs & Biogr	71	25	3	0	3	23.7
Memoirs & Biogr	31	25	0	2	2	15.5
Poetry	39	25	0	2	2	19.5
Popular Reading	14	15	1	1	1	14.0
Reading 180A	5	15	1	1	1	5.0
Reading 180B	3	15	1	1	1	3.0
Science Fiction	42	25	2	0	2	21.0
U.S. Literature	106	25	5	5	5	21.2
Writing	145	20	3	5	8	18.1
TOTAL			54	54		

Course Name	Requests	Max	S1	S2	Target Sections Offered	Class Size
Fashion & Retail	23	18	0	1	1.0	23.0
Foods & Nutri 1	192	16	3	2	5.0	38.4
Foods & Nutri 2	97	22	0	2	2.0	48.5
Human Relations	35	22	1	0	1.0	35.0
Interior Decorati	19	22	1	0	1.0	19.0
TOTAL			5	5		

Course Name	Requests	Max	Target Sections Offered	Class Size
AP Statistics	17	25	1	17.0
Calculus	50	25	3	16.7
Essentials for Alg	15	8	2	7.5
FIEMUS Math		12	1	0.0

General Geomet	37	15	3	12.3		
Geometry	100	25	5	20.0		
Honors Pre-Calc	36	25	2	18.0		
Individual Math	4	8	1	4.0		
Pre-Calculus	94	25	5	18.8		
Running Start Alg	31	20	2	15.5		
Running Start Alg	36	20	2	18.0		
Specialized Math	1	5	1	1.0		
TOTAL			38			

Course Name	Requests	Max	S1	S2	Target Sections Offered	Class Size
Fitness	212	25	5	5	10	21.2
Outdoor Adventu	39	28	0	1	1	39.0
Personal Fitness	91	28	1	1	2	45.5
Team & Ind Spor	47	28	1	0	1	47.0
Unified PE		25	1	1	1	0.0
Wellness	212	25	5	5	10	21.2
TOTAL			13	13		

Course Name	Requests	Max	Target Sections Offered	Class Size
Accel Biology	63	24	3	21.0
Anatomy & Physi	37	24	2	18.5
AP Biology	19	24	1	19.0
AP Chemistry	20	24	1	20.0
AP Environmenta	45	24	3	15.0
AP Physics I	29	24	2	14.5
AP Physics II	13	24	1	13.0
Biology	106	24	6	17.7

Chemistry	75	24	4	18.8		
Chemistry and So	49	24	3	16.3		
Chemistry Essent	0	15	0	#DIV/0!		
FIEMUS Science	1	15	1	1.0		
General Science	9	12	1	9.0		
Honors Anatomy	29	24	2	14.5		
Honors Chemistr	57	24	3	19.0		
Honors Physics	42	24	2	21.0		
Life Science	7	15	1	7.0		
Physical Science	158	24	9	17.6		
Physics	47	24	3	15.7		
TOTAL			48			
Senior Quest	14	25	1	14.0		

Course Name	Requests	Max	S1	S2	Target Sections Offered	Class Size
AP Psychology	97	25	4	4	4	24.3
AP U.S. History	24	25	1	1	1	24.0
AP US Gov Pol	33	25	2	2	2	16.5
AP World History	41	25	2	2	2	20.5
Civics	214	25	5	5	10	21.4
Contemporary Is	20	25	1	0	1	20.0
Economics	212	25	5	5	10	21.2
FIEMUS Social Studies		12	1	1	1	0.0
Human Geograph	18	25	0	1	1	18.0
Legal Studies	47	25	2	0	2	23.5
Psychology	54	25	3	3	3	18.0
Sociology	60	25	0	2	2	30.0
U.S. History	212	25	11	11	11	19.3

World Studies	127	25	7	7	7	18.1
TOTAL			44	44		

Course Name	Requests	Max	S1	S2	Target Sections Offered	Class Size
3-D Design and S	9	18	0	0	0	#DIV/0!
AP Studio Art/Ar	6	15	0	0	1	6
Ceramics	97	18	2	2	4	18
Digital Photog 1	59	18	3	0	3	20
Digital Photog 2	13	18	0	1	1	13
Drawing	16	18	1		1	16
Drawing 2	15	18		1	1	15
Fundamentals of	94	20	3	3	6	16
Intro to Graphic	27	20	0	2	2	14
Painting	30	18	1	1	2	15
Painting 2			0		0	
TOTAL			10	10		

Course Name	Requests	Max	S1	S2	Target Sections Offered	Class Size
Acting I	8	25	1	0	1	14
Acting II	1	25			0	#DIV/0!
Concert Band EO	26	28	1	1	2	13
Concert Choir EO	20	28	0.5	0.5	1	20
Dance, Movemen	23	25	0	1	1	23
Guitar	21	15	1		1	21
Guitar II	7	15		1	1	7
Honors Choir	17	28	1	1	1	17
Honors Jazz Band	15	28	1	1	1	15

Improv Theatre	15	25	1	0	1	15
Improv Theatre	5	25		1	2	3
Jazz Band EOD	13	28	1	1	2	7
Jazz Choir EOD	9	28	0.5	0.5	1	9
Music Th & Com	4	25				#DIV/0!
Theatre Studies	6	25				#DIV/0!
Unified Music	0	10	1	1		#DIV/0!
TOTAL			9	9		

Course Name	Requests	Max	Target Sections Offered	Class Size		
AP French	8	25	1	8.0		
AP Spanish	19	25	1	19.0		
French I	26	25	1	26.0		
French II	59	25	3	19.7		
French III	36	25	2	18.0		
French IV	17	25	1	17.0		
Honors French IV	23	25	1	23.0		
Honors Spanish I	39	25	2	19.5		
Intro to Modern	19	20	1	19.0		
Latin I	44	25	2	22.0		
Latin II	28	25	2	14.0		
Spanish I	75	25	4	18.8		
Spanish II	90	25	4	22.5		
Spanish III	81	25	4	20.3		
Spanish IV	30	25	1	30.0		
TOTAL			30			

To: Andrew Corey, Superintendent  
From: Rick Barnes, Principal  
RE: May Board Report

**2021-22 Master Schedule Discussion:** (See HBMS board report)

**Signs for Seniors:** Thanks to the generosity of an anonymous donor, signs were made available for any senior who wanted on and will be delivered soon to families courtesy of volunteers from the Hollis-Brookline Athletic Booster Club. We are grateful for the support and incredible effort of the HBABC on enhancing student experiences on and off the field.

**National Merit Finalist:** Of the 1.5 million entrants, some 50,000 with the highest PSAT/NMSQT® Selection Index scores (calculated by doubling the sum of the Reading, Writing and Language, and Math Test scores) qualify for recognition in the National Merit Scholarship Program. In September, these high scorers are notified through their schools that they have qualified as either Commended Students or Semifinalists.

We are pleased to announce that **Kai Jimeno '21** has been named as a finalist from an elite pool of around 15,000 students from the original 1.5 million. This is an incredible honor. Congratulation to Kai for his commitment to excellence in the classroom.

### **Important Year End Events & Dates**

**Prom:** at Beaver Brook on 5/21. Rain Date: 5/22

**Class Awards Day** June 9 during the regular school day.

**Senior Awards Night:** June 9 on the LAX Field. Time TBD.

**Graduation:** June 12 10 AM Rain Date: June 13

Respectfully Submitted,

Rick Barnes  
Principal

## May Stuco Report

- Teacher appreciation week went very smoothly, each class found their own unique way to thank our teachers and staff for all of their hard work this past year and based on responses it was much appreciated.
- We were fortunate enough to have Mr. Grizone join us for a meeting to get to know our council and who he will be working with next year
- Council is now working in different policy groups addressing the student council constitution, our election process, and role descriptions for council. The constitution has not been reviewed since 2017 so we are mainly just trying to regroup before going into next year and make some needed updates to policies.
- The seniors are in their home stretch and now getting excited for prom and graduation and were very proud of how they handled everything throughout this tricky year

To: Andrew Corey, Superintendent  
 From: Brian Bumpus, District Athletic Coordinator  
 Re: May 2021 Board Report

**HBHS Athletics Update:** The spring season has been one full of success for our HBHS Athletic teams so far. The Baseball, Girls Tennis, and Boys Lacrosse teams remain unbeaten on the year, while the Girls Lacrosse has only seen 1 loss, and Boys Volleyball and Softball teams each have 2 losses a piece. The Boys Tennis team and Track teams remain in the hunt, with tournaments and state meets scheduled to start during the week of May 24th. The Unified Track team has had a great season so far as well, and will be hosting an intrasquad meet on Monday, May 17th to wrap up their season.

**Nashua Telegraph Coach of the Year:** We would like to extend congratulations to both our Swimming Coach, Bob Ouellette, and our Ice Hockey Coach, Joel Sanborn, for earning well-deserved Nashua Telegraph Coach of the Year honors for the winter season.

**HBMS Athletic Update:** The Spring season for Hollis Brookline Middle School Athletics has gotten off to a great start! With 101 athletes playing across five different teams, we have been able to continue with intramural athletics in a way that has offered practice for athletes who are experienced in their sport, as well as expose new student athletes to an activity they may not have otherwise tried. At the end of the 5 week season we are looking forward to a culminating activity with scrimmages against Milford as well as an intrasquad track meet!

**Spring Participation Numbers:** We have seen a slight decrease in participation numbers from 2 years ago, which is consistent with what we have seen throughout the year. We feel that when we start to return to our standard slate of sub-varsity and middle school offerings, these numbers will fall back in line with what we typically see in terms of participation.

**Hollis Brookline High School**

Winter Sports	18-19	19-20	20-21
Baseball	27	N/A	23
Boys Lacrosse	32	N/A	36
Boys Tennis	13	N/A	8
Boys Volleyball	32	N/A	26
Girls Lacrosse	40	N/A	30
Girls Tennis	13	N/A	13
Outdoor Track	51	N/A	54
Softball	28	N/A	15
Unified Track	21	N/A	15
<b>TOTAL</b>	<b>257</b>	<b>0</b>	<b>220</b>

**Hollis Brookline Middle School**

Winter Sports	18-19	19-20	20-21
Baseball	17	N/A	16
Boys Lacrosse	21	N/A	12
Girls Lacrosse	21	N/A	17
Outdoor Track	60	N/A	37
Softball	15	N/A	19
<b>TOTAL</b>	<b>134</b>	<b>0</b>	<b>101</b>

**NHIAA/NHADA Scholar Athletes:** Hollis Brookline High School is, once again, very well represented with 28 NHIAA Scholar Athletes for the 2020-2021 school year. These are student-athletes who have maintained a B+ average or better, have participated in community service, and have played 2 or more sports in their senior year.

**Recent Coaching Hires:**

HBMS Boys Lacrosse - Allie Buschmann

HBMS Boys Lacrosse - Brian Bumpus

**District Coaching Openings:** The HB Athletic Department currently has no coaching openings. Openings for the 2021-2022 school year will be posted on June 1st.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Brian Bumpus".

Brian Bumpus  
District Athletic Coordinator

# Hollis Brookline Cooperative School District

## FY21

### as of 5/7/21

<b>Expenses</b>				
Description	Budget	YTD Expense	Encumbered	Balance
Regular Education	\$ 6,277,212	\$ 4,440,526	\$ 1,636,791	\$ 199,895
Special Education	\$ 3,681,768	\$ 2,544,596	\$ 840,939	\$ 296,232
Vocational Program	\$ 30,000	\$ 22,460	\$ 24,201	\$ (16,661)
Co-curricular Program	\$ 866,805	\$ 492,712	\$ 201,411	\$ 172,682
Student Support Services	\$ 1,458,617	\$ 993,059	\$ 357,291	\$ 108,267
Instructional Staff Support	\$ 791,481	\$ 476,484	\$ 185,907	\$ 129,090
*School Board/SAU Assessment	\$ 1,076,555	\$ 903,897	\$ 88,838	\$ 83,820
School Administration	\$ 1,096,586	\$ 899,756	\$ 171,442	\$ 25,388
Facilities	\$ 1,551,511	\$ 1,180,168	\$ 366,619	\$ 4,724
Transportation	\$ 1,136,911	\$ 681,665	\$ 184,914	\$ 270,332
Benefits	\$ 5,152,792	\$ 3,759,381	\$ 1,289,467	\$ 103,944
Debt Service	\$ 810,228	\$ 796,568	\$ -	\$ 13,660
Transfers	\$ 952,000	\$ 265,390	\$ 520,165	\$ 166,445
<b>TOTAL FY21</b>	<b>\$ 24,882,466</b>	<b>\$ 17,456,663</b>	<b>\$ 5,867,986</b>	<b>\$ 1,557,817</b>
Plus FY20 Expense Carryover	\$ 226,253	\$ 52,207	\$ 7,216	\$ 166,830
<b>TOTAL FY20 + FY21 Expense</b>	<b>\$ 25,108,719</b>	<b>\$ 17,508,870</b>	<b>\$ 5,875,202</b>	<b>\$ 1,724,647</b>

# Revenue

Description	Budget	YTD Revenue	Expected	In Excess of Budget
Local Property Tax	\$ 16,027,029	\$ 15,350,000	\$ 677,029	\$ -
Adequacy Aid Grant/Tax	\$ 5,988,348	\$ 3,941,647	\$ 2,046,701	\$ -
Impact Fees	\$ 20,000	\$ 47,927		\$ 27,927
<b>State</b>				
Special Education Aid	\$ 371,639	\$ 476,185		\$ 104,546
Building Aid	\$ 199,362	\$ 199,362	\$ -	\$ -
Food Service	\$ 3,000	\$ 4,281		\$ 1,281
Vocational Aid	\$ 5,000	\$ 2,818	\$ 2,182	\$ -
<b>Federal</b>				
Grants	\$ 260,000	\$ 147,676	\$ 112,324	\$ (0)
Food Service	\$ 38,000	\$ 201,362	\$ 30,000	\$ 193,362
Medicaid	\$ -	\$ 95,174		\$ 95,174
<b>Local</b>				
Tuition	\$ 24,000	\$ 34,832	\$ 3,000	\$ 13,832
Food Service Sales	\$ 359,000	\$ 21,522	\$ 3,000	\$ (334,478)
Other	\$ 70,000	\$ 135,006		\$ 65,006
Plus FY20 Expense Carryover	226,253		\$ 59,423	\$ (166,830)
Contingency & Trusts	\$ 392,000		\$ 392,000	\$ -
Unreserved Fund Balance	\$ 1,314,088		\$ 1,314,088	\$ -
Less Retained Fund Balance	\$ (189,000)		\$ (189,000)	\$ -
<b>TOTAL REVENUE</b>	<b>\$ 25,108,719</b>	<b>\$ 20,657,792</b>	<b>\$ 4,450,747</b>	<b>\$ (180)</b>

<b>Total Expense Balance</b>	<b>\$1,724,647</b>
<b>Total Revenue Balance</b>	<b>(\$180)</b>
<b>Unreserved Fund Balance</b>	<b>\$1,724,466</b>

**Anticipated Reductions to Unreserved Fund Balance**

Funded in this order:

<b>Estimated Needs for FY21</b>	
Athletic Trust	\$ 50,000
Maint. Trust	\$ 115,000
Spec Ed Trust	\$ -
Contingency	
Retained Fund Balance	\$ 180,760
<b>Total Reductions</b>	<b>\$ 345,760</b>

<b>Projected Fund Balance</b>	<b>\$1,378,706</b>
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**Explanation of budget balances on current expense report**

Function	Description	Current Balance	Notes
1100	Regular Education	\$ 199,895	Hiring savings and Covid-19 caused salary adjustments
1200	Special Education	\$ 296,232	Savings in tuition and out-of-district services
1300	Vocational Program	\$ (16,661)	Higher # of students attending Voc Ed
1400	Co-curricular Program	\$ 172,682	Covid-19 caused savings in athletics and extra-curricular activities
2100	Student Support Services	\$ 108,267	Savings in contracted services (speech and OT)
2200	Instructional Staff Support	\$ 129,090	Savings in teacher duties, salaries and professional development
* 2300	*School Board/SAU Assessment	\$ 83,820	\$100,000 contingency fund; legal fees higher than expected
2400	School Administration	\$ 25,388	Savings in consulting services and telephone expense
2600	Facilities	\$ 4,724	Primarily Covid-19 supplies after December
2700	Transportation	\$ 270,332	Special Ed transportation savings
2900	Benefits	\$ 103,944	Savings in insurance, taxes, and retirement due to hiring savings
5100	Debt Service	\$ 13,660	Re-financing Turf bond
5200	Transfers	\$ 166,445	Transferred fewer athletic fee dollars than anticipated; food service transfers lower

**General explanation of what is included in each account category**

Function	Description	Includes
1100	Regular Education	Teacher salaries and teaching materials
1200	Special Education	Teacher salaries, teaching materials, ESY, out-of-district tuition
1300	Vocational Program	Vocational ed. Tuition
1400	Co-curricular Program	Athletic program and other co-curricular activities
2100	Student Support Services	Guidance, nurse, psychologist, OT, teaching/testing supplies, contracted services
2200	Instructional Staff Support	Professional development, librarian, library supplies, computer equipment
2300	School Board/Assessment	Assessment, school board expense, annual meeting expense, legal expense
2400	School Administration	Administrator & secretarial salaries, copiers, telephone, hardware/software support contracts, site licensing, consulting, network services, office supplies
2600	Facilities	Custodial/maintenance salaries, snow plowing, mowing, building repairs, heating oil, electric, janitorial supplies, property/liability insurance
2700	Transportation	Bus and transportation, fuel
2900	Benefits	Health and dental insurance, taxes, NHRS, Life/LTD, workers comp & unemployment
4000	Site Improvement	Site improvements including architectural fees
5100	Bonds	Principal and interest payments on bonds
5200	Transfers	Accounting line to make total expenses match total revenue, and match the budget.

## Proposed Use of Anticipated Year End Fund Balance

Accelerated Project List by Priority	Proposed Budget Yr	Estimated Cost
<b>Priority #1</b>		
<b>HBHS/HBMS Building Evaluation/Recommendations</b>		
Energy Efficiencies - no cost until votes pass funding	FY23	\$ -
No cost until voters pass funding		
Hollis Energy Committee highly recommends		
HEC anticipates significant saving potential		
Upcoming Enrollment Increases - Several options to be presented	New	\$ 30,000
Brookline Workforce Housing potential enrollment increases		
Potential Preschool enrollment increases		
<b>HBHS FY23 Tech Plan (Year 3)</b>	FY23	\$ 115,174
<b>HBHS Next Roof Section (most expensive phase)</b>	FY23	\$ 195,000
<b>HBMS Roof Replacement - Oldest section</b>	FY23	\$ 100,000
<b>Priority #1 Total</b>		<b>\$ 440,174</b>
<b>Priority #2</b>		
<b>HBMS Window Replacement</b>		
Phase II - (Phase I-FY21 Completion)	FY23	\$ 80,000
<b>Priority #2 Total</b>		<b>\$ 80,000</b>
<b>Priority #3</b>		
<b>Paving Projects</b>		
HBMS-Several Sections of needed paving	FY23	\$ 60,000
HBHS-Complete Circular Drive/expansion (FY23 Phase)	FY23	\$ 60,000
HBHS-Dirt Teacher's Lot	FY24	\$ 150,000
HBHS-Back Lot	FY25	\$ 300,000
<b>Priority #3 Total</b>		<b>\$ 570,000</b>
<b>Priority #4</b>		
<b>HBHS Main Office Security Renovation</b>		
Recommended by Homeland Security	FY23	\$ 86,000
<b>Priority #2 Total</b>		<b>\$ 86,000</b>
<b>Grand Total of Choices</b>		<b>\$ 1,176,174</b>

## JLCJ - CONCUSSIONS AND HEAD INJURIES

*Category: Priority/Required by Law*

*Related Policies: EBBB*

The Hollis Brookline Cooperative School District is committed to ensuring the safety of students while at school and when participating in any school-sponsored events. The Board is aware that head injuries, including concussions, can happen to any student, not just an athlete, and that the risk of catastrophic injuries or death is significant when a concussion or other head injury is not properly evaluated and managed.

Section I of this policy applies to all students of the District who experience or are suspected to have experienced a concussion or other traumatic brain injury, whether in school or out, while Section II pertains to student-athletes, and other students participating in school sports or other district athletic activities.

### **I. Provisions relating to all Students Who have Experienced a Concussion or Traumatic Brain Injury.**

A. Definitions: For purposes of this policy, the terms below will have the ascribed meanings.

"Head injury" means injuries to the scalp, skull, or brain caused by trauma, and shall include a concussion which is the most common type of sports-related brain injury.

"Health care provider" means a person who is licensed, certified, or otherwise statutorily authorized by the state to provide medical treatment (physician, advanced registered nurse practitioner, or licensed physician's assistant).

"Student-athlete" means a student involved in any intramural sports program conducted outside the regular teaching day or competitive student sports program between schools in grades 7 through 12.

"Sports" means intramural sports programs conducted outside the regular teaching day for students in grades 7 through 12 or competitive athletic programs between schools for students in grades 7 through 12, including, without limitation, all NHIAA sanctioned activities, including cheer/dance squads, or any other district-sponsored sports or activities as determined by the board or administration.

B. Duty to Report. All District employees shall report any accident or incident which involves a student head injury. The report should be filed in the same manner provided under Board policy EBBB as for that of any accident requiring first aid. Additionally, Teachers should report to the school nurse (or administrator in charge if the nurse is unavailable) if the student appears to have any difficulty with academic tasks that the teacher believes may be related to concussion. The school nurse will notify the student's parents or guardians.

(New proposed policy)

C. Return to Learning Protocols. After a student has suffered a concussion, whether in school or not, before full resumption of academic work, the building principal or their designee will work with the school nurse, a student's parent/guardian, teacher(s) and other appropriate district staff to include the athletic trainer, to establish a graduated learning reentry plan in accordance with the written instructions from the medical provider. The plan will support the student's full return to academic activities, and ease the stress of making up past work while engaged in present work. The plan must include:

- Step-by-step instructions and details for students, parents/guardians and school personnel;
- Time frames for physical and cognitive rest within first few days post-injury and throughout the recovery as needed;
- Guidance on graduated return to extracurricular athletic activities and classroom studies, including classroom accommodations or modifications;
- Frequency of assessments by the school nurse, school physician if applicable, neuropsychologist or athletic trainer until full return to the classroom and extracurricular athletic activities are authorized;
- Any provisions relative to "return-to-play" for student-athletes;
- A plan for communication and coordination among school personnel and with the parents/caregivers and the student's medical provider.

Section 504 or other such accommodations or modifications when appropriate will be developed in accordance with applicable law and Board policies.

D. Concussion Awareness and Education. To the extent possible, the District will implement concussion awareness and education into physical education and/or health education curriculum.

## **II. Provisions relating to Students Participating in Sports and Athletic Programs.**

Consistent with the National Federation of High School (NFHS) and the New Hampshire Interscholastic Athletic Association (NHIAA), the District will utilize recommended guidelines, procedures and other pertinent information to inform and educate coaches, youth athletes, and parents/guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to play after a concussion or head injury.

A. Compliance with NHIAA Procedures and Protocols. All coaches, officials or licensed athletic trainers will comply with NHIAA recommended procedures for the management of head injuries and concussions.

B. Immediate Removal from Play and other NHIAA Protocols. Any coach, official, licensed athletic trainer, or health care provider who suspects that a student-athlete has sustained a concussion or head injury in a practice (including tryouts or trainings) or during a competition shall immediately remove the student-athlete from all physical activity. Such incidents must be reported on a district accident form and turned into athletic director within 24 hours of injury.

(New proposed policy)

C. "Return to Participation". A student-athlete who has been removed from play due to head injury with suspected concussion shall not return to play on the same day, nor until (1) the student is evaluated by a health care provider and receives medical clearance and written authorization from that health care provider stating the student-athlete is symptom free and may return to play, and (2) the student-athlete's parent/guardian provides written permission for the student-athlete to return to play. If the health care provider determines a student athlete suffered a concussion, a return to learning plan must also be established consistent with paragraph I.C of this policy prior to the athlete returning to participation. Successful completion of the graduated return to play procedures under the direction of the athletic trainer is required before full return to play is permitted.

The District shall limit a student-athlete's participation as determined by the student's treating health care provider, unless, based upon the judgement of the licensed athletic trainer greater limitations are appropriate.

If symptoms of a concussion recur, or if concussion signs and/or behaviors are observed at any time during the return-to-activity program, the coach must immediately remove the student-athlete from play and refer them to the athletic trainer. Depending on previous instructions, the athlete may need to be re-evaluated by the health-care provider, or may have to return to the previous step of the return-to-activity program as determined by the athletic trainer.

D. Parent Information Sheet. On a yearly basis, the Athletic Director shall assure that a concussion and head injury information sheet is distributed to each student-athlete and the athlete's parent/guardian prior to the student-athlete's initial practice (including try-out) or competition. This information sheet may be incorporated into the parent permission sheet that allows students to participate in extracurricular athletics.

E. Coach Training. All coaches, including volunteer coaches, will complete training in head injury and concussion management as recommended and/or provided by NHIAA, New Hampshire Department of Education and/or other pertinent organizations. The Athletic Director is responsible for assuring compliance with this provision.

F. Annual Review of NHIAA Concussion Protocols by Athletic Director. No less than annually, the Athletic Director or their designee shall review any changes that have been made in procedures required for concussion and head injury management or other serious injury by consulting with the NHIAA. The Athletic Director shall take steps to implement the then current procedures and protocols as soon as possible.

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District Policy History:

First Reading: September 2012

Approved: September 2012

(New proposed policy)

Reviewed on July 17, 2013 with consideration for RSA [200](#):50 and House Bill 180-2013; no changes were needed.

First Reading: March 17, 2021 (as amended)

Second Reading: April 14, 2021

Third Reading and Adoption: May 19, 2021

Legal References:

*RSA 200:49, Head Injury Policies for Student Sports*

*RSA 200:50, Removal of Student-Athlete*

*RSA 205:51, School Districts; Limitation of Liability*

*RSA 200:52, Definitions*

*RSA 200:63, Head Injuries; Return to Learning and Plan*

# JICD STUDENT CONDUCT, DISCIPLINE AND DUE PROCESS

## Safe School Zone

The Hollis Brookline Cooperative School Board endorses the following principles of student conduct:

I. Respect for law and those given authority to administer it shall be expected of all students. This included conformity to school rules as well as to general provisions of the law regarding minors.

II. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall be expected of all members of the school community.

III. Respect for the real and personal property, pride in one's work, and exemplary personal standards of courtesy, decency, honesty, and wholesome attitudes shall be maintained.

IV. Respect for individual worth is the obligation of the school. Diligence and a desire to benefit from the opportunity is the obligation of the student.

The Board expects student conduct to contribute to a productive learning climate. Individual rights are to be honored and protected in all instances; however, the rights of one individual shall not take precedence over those of another individual or of the group itself, and all students shall have equal rights and equal responsibilities in the classroom or at any school-sponsored activity.

The Board further recognizes the right of each school to establish disciplinary procedures in accordance with RSA [193:13](#) and RSA 193-D through the development of administrative procedures which are approved by the Superintendent or his/her designee. Due process shall be afforded to any student involved in a proceeding which may result in suspension, exclusion, or expulsion. Students expelled from school may be reinstated by the Board under the provisions of RSA [193:13](#). Student due process rights shall be printed in the Parent-Student Handbook, will be made available in another language or presented orally upon request.

The Superintendent may modify expulsion requirements as provided in RSA [193:14](#), IV. In addition, the District shall comply with the provisions of the Individual With Disabilities Education Act (IDEA) when disciplining students.]

At all times, students are required to conduct themselves in accordance with behavioral standards set forth in the student handbook and all other applicable Board policies and all District or school rules. Failure to comply can lead to disciplinary consequences as set forth in this policy and applicable law.

Students facing discipline will be afforded all due process rights given by law. The Superintendent or his/her written designee is authorized to suspend any student for ten days or less for violations of school rules or policies. Should the Superintendent desire to extend a suspension beyond 10 days, or seek expulsion of a student, such student will be afforded a hearing consistent with the provisions of RSA 193:13, I (b) and (c), N.H. Dept. of Education Rule 317.04, and Board Policy ~~{\*\*}~~JICD. D.2.

If a student is disabled under the Individuals with Disabilities Act (IDEA), the New Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act,

- I. Disciplinary Measures – "Definitions". Disciplinary measures may include, but are not limited to, removal from the classroom, detention, in-school suspension, out-of-school suspension, restriction from activities, probation, and expulsion.
  - A. "Removal from the classroom" means a student is sent to the building Principal's office. It is within the discretion of the person in charge of the classroom to remove the student.
  - B. "Detention" means the student's presence is required for disciplinary purposes before or after the hours when the student is assigned to be in class. The building Principal is authorized to establish guidelines or protocol for when detention shall be served (either before school or after school). Whether a student will serve detention, and the length of the detention, is within the discretion of the licensed employee disciplining the student or the building Principal.
  - C. "Saturday detention" means a student serves a detention at school between 8 AM until 12:00 PM as assigned by administration. Examples of infractions that may merit a Saturday detention include but are not limited to failure to report to regular detention, verbally aggressive, inappropriate or hostile behavior, bullying/harassment, any other offense that requires administrative action and a consequence greater than a detention.
  - D. "In-school suspension" means the student will attend school but will be temporarily isolated from one or more classes while under supervision. An in-school suspension will not exceed ten (10) consecutive school days.
  - E. "Out-of-school suspension" means the temporary denial of a student's attendance at school for a specific period of time for gross misconduct, for neglect, or refusal to conform to school rules or policies.
  - F. "Short-term suspension" means a suspension of ten (10) school days or less. Ed 317.04(a)(1).
  - G. "Long-term suspension" means the continuation of a short-term suspension under RSA 193:13, I (b)-(c), and also means a suspension in excess of ten (10) school days under Ed 317.04(a)(2).
  - H. "Restriction from school activities" means a student will attend school, classes, and practice but will not participate in other school extra-curricular activities, including competitions.
  - I. "Probation" means a student is given a conditional suspension of a penalty for a definite period of time in addition to being reprimanded. The conditional suspension will mean the student must meet the conditions and terms for the

suspension of the penalty. Failure of the student to meet these conditions and terms will result in immediate reinstatement of the penalty.

J. "Expulsion" means the permanent denial of a pupil's attendance at school for any of the reasons listed in RSA 193:13, II and III.

II. Standards for Removal from Classroom and Detention.

A. Students may be removed from the classroom at the classroom teacher's discretion if the student refuses to obey the teacher's directives, becomes disruptive, fails to abide by school rules or policies, or otherwise impedes the educational purpose of the class.

B. Classroom teachers may assign students to detention for similar conduct.

C. The building Principal may assign students to detention under the same standard.

III. Standards for In-School Suspension, Restriction of Activities, and Probation.

The building Principal is authorized to issue in-school suspensions, restrictions of activities, or place a student on probation for any failure to conform to school or School District policies or rules, or for any conduct that causes material or substantial disruption to the school environment, interferes with the rights of others, presents a threat to the health and safety of students, employees, and visitors, is otherwise inappropriate, or is prohibited by law.

Restriction of activities may also be issued pursuant to rules or policies pertaining to specific clubs or teams.

IV. Process for Out-of-School Suspension.

The power of suspension is authorized for gross misconduct, for neglect, or refusal to conform to School District policies and rules as follows:

A. Short-term Suspensions. The building Principal (as designee of the Superintendent) is authorized to suspend a student for ten (10) school days or less. \*The Principal shall consult with the Superintendent prior to issuing any suspension.

1. As required by RSA 193:13(a), educational assignments shall be made available to the suspended pupil during the period of suspension.

2. Due process standards for short-term suspensions (ten (10) days or less) will adhere to the requirements of Ed 317.04(f)(1).

B. Long-term Suspensions. The Superintendent is authorized to continue the suspension and issue a long-term suspension of a pupil for a period in excess of ten (10) school days, provided only that if the Superintendent issued the original short-term suspension, then the School Board may designate another person to continue the short-term suspension and issue the long-term suspension.

1. Prior to a long-term suspension, the student will be afforded an informal hearing on the matter. The informal hearing need not rise to the level and protocol of a formal hearing before the School Board, but the process must comply with the requirements of Ed 317.04 (f)(2) and Ed 317.04 (f)(3)(g), including, without limitation, the requirements for advance notice and a written decision.

2. Any suspension in excess of ten (10) school days, as described in Paragraph 2 of this Section, is appealable to the School Board, provided the Superintendent receives the appeal in writing within ten (10) days after the issuance of the [Superintendent]'s decision described in Paragraph

3. Any suspension in excess of ten (10) school days shall remain in effect while this appeal is pending.

V. Process for Expulsion.

A. Any pupil may be expelled by the School Board for (a) an act of theft, destruction, or violence as defined in RSA Chapter 193-D, (b) for possession of a pellet paint ball gun or BB gun or rifle as provided by RSA 193:13, II, or (c) for gross misconduct, or for neglect or refusal to conform to the reasonable rules of the school. An expulsion under this paragraph will run until the School Board restores the student's permission to attend school. A student seeking restoration of permission to attend school shall file a written request with the Superintendent which details the basis for the request. The Board will determine whether and in what manner it will consider any such request.

B. Additionally, any pupil may be expelled by the School Board for bringing or possessing a firearm as defined in Section 921 U.S.C. Title 18 in a safe school zone, as defined in RSA 193-D:1, unless such pupil has written authorization from the Superintendent. Any expulsion under this provision shall be for a period of not less than twelve (12) months.

C. Prior to any expulsion, the District will ensure that the due process standards set forth in Ed 317.04(f)(3) are followed.

D. Any decision by the Board to expel a student may be appealed to the State Board of Education.

E. The Superintendent of Schools is authorized to modify the expulsion or suspension requirements of Sections E.1 and E.2 above on a case-by-case basis.

VI. Sub-committee of Board. For purposes of sections D and E of this policy, "Board" or "School Board" may either be a quorum of the full Board, or a subcommittee of the Board duly authorized by the School Board.

VII. Disciplinary Removal of Students with Disabilities.

If a student is disabled under the Individuals with Disabilities Act (IDEA), the New Hampshire RSA 186-C, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act,

or any other law providing special rights to disabled students, those laws shall govern and shall supersede these local policies to the extent these local policies are inconsistent with those laws. Accordingly, any suspension or expulsion of a child with a disability as defined in Ed 1102.01(t) shall be in accordance with Ed 1124.01.

VIII. Notice and Dissemination.

This policy and school rules which inform the student body of the content of RSA 193:13 shall be printed in the student handbook and made available on the District's website to students, parents, and guardians. The Principal or designated building administrator shall also inform the student body concerning this policy and school rules which address the content of RSA 193:13 through appropriate means, which may include posting and announcements. See: Ed. 317.04(d).

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District Policy History:

First reading: May 19, 2021

Second reading/adopted: \_\_\_\_\_

District revision history:

Legal References:

RSA 189:15, Regulations

RSA 193:13, Suspension & Expulsion of Pupils

RSA Chapter 193-D, Safe Schools Zones

NH Code of Administrative Rules, Section Ed 306.04(a)(3), Discipline

NH Code of Administrative Rules, Section Ed 306.04(f), Student Discipline Policy

NH Code of Administrative Rules, Section Ed 317.04, Suspension and Expulsion of Pupils

Assuring Due Process Disciplinary Procedures

In re Keelin B., 162 N.H. 38, 27 A.3d 689 (2011)

See Appendix: [JICD-R](#)

**LF**

## **REPORTING CHILD ABUSE**

All ~~school~~ district employees, designated volunteers, and contracted service providers having reason to suspect that a child has been abused or neglected shall immediately ~~apprise~~ notify the administration who will immediately report to DCYF and the district Superintendent.

An oral report shall be made immediately by telephone and followed within 48 hours by a report in writing, if so requested, by DCYF Central Intake. ~~Such~~ The written report shall, if known, contain the name and address of the child suspected of being neglected or abused and the person responsible for the child's welfare, the specific information indicating neglect or the nature and extent of the child's injuries (including any evidence of previous injuries), the identity of the person or persons suspected of being responsible for such neglect or abuse, and any other information that might be helpful in establishing neglect or abuse or that may be required by the Division of Children Youth and Family Services.

~~Staff training is recommended at the building level on an annual basis.~~

The Superintendent is directed to assure that the Principal or their designee of each school shall post a sign within the school that is readily visible to students, in the form provided by the Division for Children, Youth and Families, that contains instructions on how to report child abuse or neglect, including the phone number for filing reports and information on accessing the Division's website. Additionally, information pertaining to the requirements of section A of this policy shall be included in each student handbook or placed on the district's website.

Training for all District Employees, designated volunteers and contracted service providers is recommended (in-person or online) upon beginning service with the District, with annual refreshers thereafter, on the mandatory reporting requirements, including how to identify suspected child abuse or neglect.

### **Legal References:**

*RSA 169-C:29, Persons Required to Report*

*RSA 169-C:30, Nature and Content of Report*

*RSA 169-C:31, Immunity from Liability*

*RSA 169-C:34, III, Duties of the Department of Health and Human Services*

Adopted: January 16, 2008

Amendment First Reading: May 19, 2021

**BOARD MEMBER CODE OF ETHICS**

The School Board will review and vote to adhere to the following "Board Member Code of Ethics" at the Board organizational meeting each year.

New Hampshire residents elected or appointed to local school boards serve their communities and our state in overseeing the most important function of all local and state government - public education. To that end, it is appropriate to constantly remind ourselves of a proper and appropriate "code of conduct" for local School Board members in performing this important service to our communities and the youth of New Hampshire. We therefore resolve to:

Assure the opportunity for high quality education for every student regardless of individual student differences;

Make all decisions and take all actions holding the well being of students of our schools as our fundamental guiding principle;

Ensure that our schools are in compliance with all national, state and local laws and regulations pertaining to education and public agencies;

Represent the entire community without fear or favor, while not using the position of School Board member for personal or financial gain or benefit to self;

Uphold the principles of due process and individual dignity, and protect the civil and human rights of all;

Adhere to the principles that the School Board shall confine its role to policymaking, planning and oversight while the Superintendent shall administer and manage our schools while implementing the policies of the board;

Act as part of an educational team with all staff members and the community with mutual respect and regard for each other's respective responsibilities and duties;

Recognize that the strength of the Board is acting as a Board, not as individuals;

Maintain high standards as School Board members through continual self-assessment and professional development for ourselves;

Preserve the obligation of having all issues considered fairly and without bias;

Instill respect for community, family, honesty, fairness and for our state and nation.

Honor the spirit of the open meeting law, RSA 91-A:2. Board members will not have any discussions, including email, that affect policy or decision making outside of a Board meeting.

Adopted: May 25, 2004

Re-Adopted: March 18, 2014

Re-Adopted: March 24, 2015

Re-Adopted: March 22, 2016

Re-Adopted: March 28, 2017

Re-Adopted: March 27, 2018

Re-Adopted: April 10, 2019

Re-Adopted: September 16, 2020

Re-Adoption: May 19, 2021

## INVESTMENT

The Hollis-Brookline Cooperative School Board authorizes the Hollis-Brookline Cooperative School District Treasurer working in conjunction with the Superintendent and his/her designee and pursuant to RSA 197:23-a to invest the funds of the District subject to the following objectives and standards of care.

### OBJECTIVES

The three objectives, in priority order, of investment activities shall be safety, liquidity, and yield.

1. Safety of principal is the foremost objective in this policy. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital by mitigating credit and interest rate risk. This will be accomplished by limiting the type of the investments and institutions to those stipulated by statute and fully covered by FDIC insurance or collateral approved pursuant to RSA 366:57.
2. Liquidity of the investment portfolio shall remain sufficient to meet all operating requirements that may be reasonably anticipated.
3. Yield. The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

### STANDARDS OF CARE

1. Prudence. The standard of prudence to be used by the District Treasurer and Superintendent or his/her designee involved in the investment process shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. They are directed to use the *GFOA Recommended Practices and Policy Statements Related to Cash Management* as a guide to the prudent investment of public funds.
2. Ethics and conflicts of interest. The School District Treasurer and Superintendent or his/her designee involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Employees and Investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officials shall subordinate their personal investment transactions to those of the School District particularly with regard to the timing of purchases and sales.
3. Internal Controls. The District Treasurer and Superintendent or his/her designee shall establish a system of internal controls that shall be documented in writing. The internal controls shall be reviewed by the school board and an independent auditor.

This investment policy shall be reviewed annually by the School Board.

**Legal References:**

*RSA 197:23-a, Treasurer's Duties*

*RSA 383:22, Public Deposit Investment Pool*

1st Reading: August 8, 2007

Adoption: May 21, 2008

Adoption: March 30, 2016

Adoption: February 15, 2017

Re-Adoption: April 11, 2018

Re-Adoption: April 10, 2019

Re-Adoption: September 16, 2020

Re-Adoption: May 19, 2021



Frank Edelblut  
Commissioner

Christine Brennan  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
101 Pleasant Street  
Concord, N.H. 03301  
TEL. (603) 271-3495  
FAX (603) 271-1953

*BREVIEW*  
*Hollis*

April 6, 2021

TO: Superintendents

FROM: Timothy Carney, Administrator  
Bureau of Federal Compliance

SUBJECT: General Assurances FY 2022

The New Hampshire Department of Education (NHDOE) has developed the attached "General Assurances, Requirements and Definitions for Participation in Federal Programs" document that must be signed by all agencies and organizations that receive federal funds through the NHDOE. The federally funded programs which flow money through the NHDOE require each applicant to file certain assurances. Some of these assurances apply to all programs and are therefore, considered "general assurances."

The submission of general assurances is required in part by:

- Federal regulation 34 CFR §76.301 of the Education Department General Administrative Regulations (EDGAR), which requires a general application for subgrantees/subrecipients for participation in federal programs funded by the U.S. Department of Education that meets the requirements of Section 442 of the General Education Provisions Act (GEPA).
- Applicable federal statutes.
- Applicable regulations of other federal agencies.

The NHDOE has consolidated the general assurances into one document which also now includes requirements and definitions in an effort to provide more guidance relative to implementation of the underlying assurances. NHDOE requests an annual submission for all of your Local Education Agencies (LEA's). This will simplify the collection of assurances and facilitate the requirement that the NHDOE Commissioner

of Education certify to the Secretary of Education the status of all LEAs. In New Hampshire both School Districts and School Administrative Units (SAUs) are considered LEA's. Individual program policy establishes which of these two entities may apply for federal funds. As such, both the Superintendent and the local School Board Chairperson are required to sign the certifications of the attached document.

I am requesting that you and the local School Board complete the certifications at the end of the enclosed general assurance document; initial each page in the spaces provided and return it in full to the attention of the Bureau of Federal Compliance. That office will notify the directors of all NHDOE programs approving federal funds to LEA's when they have received your assurances. The directors of the various federal programs are not to request additional copies from you, but to accept the Bureau of Federal Compliance list as the basis for determining compliance with these requirements as one item in their approval of proposals for funding. Other program specific assurances will still be requested from the LEA's by individual NHDOE programs.

Compliance with these general assurances will be subject to review by NHDOE staff during on-site federal compliance monitoring. Annual audits by CPA's in accordance with the Single Audit Act may also include compliance checks.

On the Certification page, please include the name and number of the SAU office and the name of the School District which will be applying for funds, both certifying parties are asked to execute the document, and return to the NHDOE Bureau of Federal Compliance office no later than **June 30, 2021**.

If you should have any questions regarding these general assurances, please contact Timothy Carney, Administrator of the Bureau of Federal Compliance at [Timothy.Carney@doe.nh.gov](mailto:Timothy.Carney@doe.nh.gov) or at 603-271-2634.

# New Hampshire Department of Education

**FY2022**

## **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 formula grant application being deemed to be “substantially approvable” or any discretionary grant receiving “final approval”. Once a formula 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 FY2022 general assurances document contains some differences from the FY2021 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:

New Hampshire Department of Education  
Bureau of Federal Compliance  
101 Pleasant Street  
Concord, NH 03301  
federalcompliance@doe.nh.gov

Should you have any questions please contact Timothy Carney at 603-271-2634, Lindsey Labonville at 603-271-3837, or Jessica Lescarbeau at 603-271-3808.

# 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 not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. The subrecipient will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
- 4) The subrecipient will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
- 5) The subrecipient will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
- 6) 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.
- 7) The subrecipient will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- 8) 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.
- 9) 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.
- 10) 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.
- 11) 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.
- 12) 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.
- 13) 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.
- 14) The subrecipient will comply with all applicable requirements of all other federal laws, executive orders, regulations, and policies governing all program(s).
- 15) 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 200.501, Subpart F, "Audit Requirements," as applicable.
- 16) 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 subrecipient 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.
- 17) The control of funds provided to a subrecipient that is a Local Education Agency 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.

- 18) 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).
- 19) The subrecipient assures that it 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]).
- 20) The subrecipient will comply with the Stevens Amendment.
- 21) 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 subrecipient 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.
- 22) 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 [2CFR 200.415(a)].  
  
*"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."*
- 23) If an LEA, 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.
- 24) If an LEA, 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.
- 25) If an LEA, 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.

- 26) The subrecipient will comply with the requirements of the Gun-Free Schools Act of 1994.
- 27) The subrecipient will submit a fully executed and accurate Single-Audit Certification form to the NHDOE not later than March 31, 2022. The worksheet will be provided to each subrecipient by the NHDOE.
- 28) The subrecipient shall comply with the restrictions of New Hampshire RSA 15:5.
- 29) The subrecipient will comply with the requirements in 2 CFR Part 180, Government-wide Debarment and Suspension (Non-procurement).
- 30) 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.
- 31) The recipient will adhere to the requirements of Title 20 USC 7197 relative to the Transfer of Disciplinary Records.
- 32) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
- 33) Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction sub-agreements.
- 34) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- 35) Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
- 36) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- 37) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-

1 et seq.).

- 38) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award (2 CFR 200.322).

## **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(b)(20)(ii))
- f) Suspension and Debarment (2 CFR 200.214)
- g) Travel Costs (2 CFR 200.475)
- 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 200.334 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 200.334.

### 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 no later than 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 an 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\(mqamohbpjf0hmyh1r45p1po1\)\)/account/login.aspx](https://harvester.census.gov/facides/(S(mqamohbpjf0hmyh1r45p1po1))/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 no later than

**March 31, 2022.** 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 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 (34 CFR 84.610) 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.

- The recipient's policy of maintaining a drug-free workplace.
  - Any available drug counseling, rehabilitation, and employee assistance programs.
  - 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:
- Abide by the terms of the statement.
  - 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 5 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.
- 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. 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.

#### **10. 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 Administrating 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 193:13, III and therefore is subject to expulsion.

### 11. 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.

## **12. Subrecipient Monitoring**

In addition to reviews of audits conducted in accordance with 2 CFR 200, Subpart F, subrecipient 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.

## **13. 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.

## **14. 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).

## **15. 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

## **16. 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.

### **17. Purchasing/Procurement**

The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and 2 CFR 200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

1. Informal procurement methods
  - a. Micro-purchases
  - b. Small purchases
2. Formal procurement methods
  - a. Sealed bids
  - b. Proposals
3. Noncompetitive procurement

### **18. 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 200.334, 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 200.337 (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.

### **19. 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.*

### **20. 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.

### C. Definitions (2 CFR 200.1)

- 1) **Audit finding** - *Audit finding* means deficiencies which the auditor is required by 2 CFR 200.516 (a) to report in the schedule of findings and questioned costs.
- 2) **Management decision** - *Management decision* means the Federal awarding agency's or pass-through entity's written determination, provided to the auditee, of the adequacy of the auditee's proposed corrective actions to address the findings, based on its evaluation of the audit findings and proposed corrective actions.
- 3) **Pass-through entity** - *Pass-through entity (PTE)* means a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program.
- 4) **Period of performance** - *Period of performance* means the total estimate time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods. Identification of the Period of Performance in the Federal award per 2 CFR 200.211(b)(5) does not commit the awarding agency to fund the award beyond the currently approved budget period.
- 5) **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.

- 6) **Subrecipient - Subrecipient** mean an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

**CERTIFICATION**

**Instructions:** The Superintendent, or other Qualifying Administrator, if the School District or School Administrative Unit (SAU) does not have a Superintendent, (*See* RSA 194-C:5, II) **must** consult with the School Board for the School District/SAU by informing said School Board about the District's/SAU'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.

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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/SAU hereby apply for participation in federally funded education programs on behalf of the School District/SAU named below. I certify, to the best of my knowledge, that the below School District/SAU will adhere to and comply with these General Assurances, Requirements and Definitions for Participation in Federal Programs (pages 1 through 17 inclusive). I further certify, as is evidenced by the Minutes of the School Board Meeting held on \_\_\_\_\_, \_\_\_\_\_, that I have informed the members of the School Board of the federal funds the District/SAU will be receiving and of these General Assurances, Requirements and Definitions for the Participation in Federal Programs for the District's/SAU's participation in said programs.

SAU Number: 41 District or SAU Name: Hollis School District

Andrew F Carey                      Andrew F Carey                      \_\_\_\_\_  
Typed Name of Superintendent                      Signature                      Date  
or other Qualifying Administrator

**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 Programs 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:

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

federalcompliance@doe.nh.gov