

Policy Committee Agenda: 4/8/19, 11:30 – 12:30 pm, SAU17 Conf Rm.

1. Call to Order

2. Approve draft minutes, 3/27/19 meeting: Called to order at 11:33 AM in SAU 17 Conference Room. In attendance were Board members Pam Brown, Larry Heath, Superintendent Ambrose and visitor Annie Collyer. Members agreed Brown would continue as subcommittee chair. Minutes of 3/6/19 meeting were approved without change. Revised policies DGD and EHB were agreed ready for School Board review on April 3. Committee also reviewed the following D and E policies with revisions recommended by NHSBA: DBC, DBJ, DFA, DFF, DGA (New), DH, DI (New), DIC, DIH (New), DJC, DJE, DJF (repeal), DKA (New), DM, DO, EB-R (repeal), EBB (New), EBBA, EBBA-R, EBBB (reaffirm), EBBC (reaffirm), EBCE, EBCE-R (repeal), EC, ECAF, EEA, EE (repeal), EEA-R (repeal), EEAC (repeal), EEAH (repeal). Brown and Heath agreed policies are ready for 1st and 2nd Reading at 4/10/19 Board meeting. Also agreed Finance subcommittee members should give particular attention to newly revised D policies (particularly DFA) and Facilities subcommittee members should give specific input on revised policy EC. Superintendent Ambrose will research the bus transportation company's request to add language to EEA regarding "vaping and animals (pets)." Brown presented possible revisions to BDE and BDE-E which govern Board Subcommittees. Concerns voiced at Board's Organizational meeting on March 20 Brown said might be addressed by the revisions. Changes to BDE presented by Brown were taken directly from the NHSBA's sample policy, while those to BDE-E reflect past practices regarding subcommittee memberships. Heath indicated Board Chair has authority to make committee assignments and the decision should hold. Ambrose suggested the increased workload raised by the Chair in explaining his decision regarding committees perhaps reflects a larger issue of the number of committees we continue to maintain and frequency of their meetings. Discussion will continue at next Policy meeting. Items tabled at 3/6 meeting (IHBA, IKFA, ILBA, IMBC, IMBA [DISTANCE EDUCATION]; JF, JF-R-E1, JF-R-E2 to R12 [Student Activities Fund]; BCA, BCB, BDF) were not addressed. Adjourned at 12:25PM.

3. Old Business

3.1 BDE: BOARD COMMITTEES - see attached

3.2 BDE-E: BOARD COMMITTEE MISSIONS AND STATEMENTS OF PURPOSE - see attached

4. New Business

4.1 Additional J Policies

IKFC (**New Policy – mandated by Federal ESSA Law**)

JEB (1 small wording change)

JEB-E (Repeal – form no longer needed)

JFAA (3 small wording changes, per laws)

JFAB (Tom / Bob: these are legally-mandated additions - correct?)

JFABB (3 small wording changes)

JFABB-R (2 small wording updates)

JFABD (minor updates - legal & policy refs)

JFABD-R1 (**New Policy / Procedure**)

JFABD-R2 (Repeal - old policy/procedure form [?])

JFABD-R3 (Repeal - old policy/procedure form [?])

JG (1 small wording change, 2 obsolete legal refs removed)

JHCB (removed one obsolete section, no longer required by RSA)

JJ (reaffirm only)

JIB (reaffirm only)

JICA (3 small wording changes)

JICA-R (4 small wording changes)

4.2 DAF: Administration of Federal Grant Funds (Starts on page 23 bottom)

4.3 Meeting times

5. Public Comment

6. Adjourn

Current policy

BDE: BOARD COMMITTEES

[Repeal; replace with NHSBA's sample - shown below]

Statement of Purpose

This policy details the manner in which school board committees are appointed and how sub-committees of the school board will support school board goals.

Statement of Policy

There shall be six standing committees: Personnel, Finance, Facilities, Policy, Public Relations and Excellence in Student Achievement (EISA). One representative from the Board will be assigned to Budget and Seacoast School of Technology. Other committees may be formed at the discretion of the Chairperson.

The Chairperson of the School Board shall make assignments to committees at his/her discretion within one month of his/her election. Committee assignments shall commence immediately and shall meet within one month of appointment. Prior to March of each year, committee chairs will produce a written status report and forward a copy of this report to the Superintendent of Schools.

The subsequent Chairs shall review the status report with the sub-committee members to ascertain new goals. The yearly goals shall be brought forward to the board and each subcommittee will produce a set of yearly goals for the committee's work which are aligned to the School Board's annual goals.

Related Policies: BBAA, BDA, BEDG

Original Effective: June 17, 1981. Revised: December 17, 1986. Revised: March 1, 1989. Reaffirmed: September 2, 1992. Revised: April 17, 1996. Revised: February 6, 2002. Revised: April 19, 2006. Revised: September 6, 2006. Reaffirmed: May 2011. Revised: May 4, 2016. Revised: October 19, 2016.

BDE: COMMITTEES AND DELEGATES
[SAU 17 adjustments in red]

The Board may have the following standing committees as deemed necessary:

1. ~~Building and Maintenance~~ **Facilities**
2. ~~Extracurricular~~ **Excellence in Student Achievement**
3. Policy
4. Finance/~~Audit~~
5. ~~Transportation~~ **Personnel**
6. Negotiations
- 7. Public Relations**
- 8. One School Board representative assigned to Budget Committee**
- 9. One School Board representative assigned to the Seacoast School of Technology**

Standing and special committees and delegations shall be appointed by the Chairperson of the Board and approved by vote of a majority of the Board. Committees will meet as needed on problems pertaining to said committee and will make recommendations for action by the full Board.

Committee assignments shall commence immediately and shall meet within one month of appointment. Prior to March of each year, committee chairs will produce a written status report and forward a copy of this report to the Superintendent of Schools.

The subsequent Chairs shall review the status report with the sub-committee members to ascertain new goals. The yearly goals shall be brought forward to the board and each subcommittee will produce a set of yearly goals for the committee's work which are aligned to the School Board's annual goals.

BDE-E: BOARD COMMITTEE MISSIONS AND STATEMENTS OF PURPOSE

[proposed revisions shown in red]

FINANCE

The Finance Sub-Committee responsibilities are to:

- Review the monthly budget-to-actual financial data.
- Oversee bid documents, review submitted bids and make recommendations to the Board on service contracts and everything else not in Facilities Sub-Committee purview.
- Recommend to the Board any contract in excess of three years for Board approval.
- Review and refine the budget preparation process.
- Review annual audit.
- Approve any line transfer items per Policy DBJ.
- Confirm the District uses the services of a qualified auditing firm to review the School District's Financial Records and issue audited financial statements.

The committee shall be comprised of three school board representatives.

Revised: 2018

POLICY

The Policy Sub-Committee is responsible for the development and review of all school board policies which will be disseminated on the District's website. The Committee is specifically responsible for the following items:

- Maintaining policy review and schedule.
- Post approved policies on the web.
- Notifying affected parties of policy development and/or changes.
- Initiate the identification of policy changes required by NCLB.

The committee shall be comprised of three school board representatives.

Reaffirmed: 2010

PERSONNEL

The Personnel Sub-Committee will work to select and hire the best people for the District through the following tasks:

- Develop or refine job descriptions.
- Review personnel needs of the District.
- Recommend to the Chair of the Board, the process to be used and the people to be involved in selecting administrators for the District. (The Personnel Chair will be a member of all administrative search committees.)
- Organize the evaluation of the Superintendent of Schools.
- Recommend salary adjustments for non-union staff for budget consideration.
- Develop draft contracts.

The committee shall be comprised of three school board representatives.

Reaffirmed: 2011

FACILITIES

The Facilities Sub-Committee is dedicated to ensuring that all buildings and property of the district are properly maintained to provide an appropriate educational environment.

The Facilities Sub-Committee is responsible for the following:

- Overseeing the Capital Improvement Plan.
- Overseeing the district-wide Maintenance Replacement Schedule.
- Overseeing the development of the budget for buildings and grounds,
- Capital Improvement Plan, and to advocate for them during the budget review process.
- Overseeing the bid documents, reviewing the submitted bids and making recommendations to the board for the items on the C.I.P.
- Reviewing and approving alterations to the facilities and grounds.

The committee shall be comprised of three school board representatives.

Reaffirmed: 2008

PUBLIC RELATIONS

The Public Relations Sub-Committee will investigate and execute every opportunity to promote district-wide knowledge and awareness of facts relating to school programs at all levels, both academic and administrative. This sub-committee will also disseminate information promoting the District as a whole.

Some of the methods to be used:

- News media
- Newspapers
- District Newsletters and Bulletins via direct mail or sent home with students
- General population newsletters
- Letters to the Editor
- Web sites
- Local Access TV – Newton and Kingston
- Networking with community citizens
- Posters and notices on Town Hall bulletin boards
- State and federal representatives
- Community groups

The committee shall be comprised of three school board representatives.

Reaffirmed: 2010

EXCELLENCE in STUDENT ACHIEVEMENT (EISA)

The purpose of the Excellence in Student Achievement (EISA) Committee is to ensure the highest level of student achievement.

The committee is responsible for monitoring student performance and making recommendations to improve student achievement to the school board.

This committee will:

- Ensure data from statewide and district assessments are received and promptly reported to the School Board in an ongoing basis.
- Monitor institutional effectiveness by ensuring programs, curriculum, professional development and other budgeted activities are mapped to growth targets in academic and other performance indicators.
- Review yearly Academic Achievement Reports using the district indicators for student success/progress.
- Evaluate Board policies and Administration recommendations that impact student achievement and recommend to the Board resolutions which ensure programs support student achievement and successful programs are replicated where possible.

The committee ~~should~~ **shall** be comprised of three school board representatives, and non-voting curriculum directors, and teacher representation when needed.

Revised: 10/24/18

Effective: February 6, 2002. Revised: July 16, 2003. Revised: June 29, 2004. Revised: March 21, 2007
Revised: October 15, 2008. Revised: August 11, 2010. Revised: May 18, 2011. Revised: May 4, 2016. Revised:
October 19, 2016. Revised: October 24, 2018.

IKFC: ALTERNATE DIPLOMA FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES

Statement of Purpose:

The purpose of this policy is to meet the requirements of the federal Every Student Succeeds Act ("ESSA") to establish and allow the awarding of a District Alternate Diploma to certain students with the most significant cognitive disabilities.

Statement of Policy:

Under ESSA, states may adopt alternate content standards and alternate assessments for students with the most significant cognitive disabilities. In states that have adopted such alternative content standards, ESSA allows local school boards to adopt policies allowing certain students with significant cognitive disabilities the ability to earn an Alternate Diploma based on the alternative content standards.

An Alternate Diploma provides students who may have ordinarily earned certificates of attendance, or completion under New Hampshire Administrative Rule Ed. 306.27(q), with the option to earn a diploma.

New Hampshire has adopted Dynamic Learning Maps (DLM) as an alternate assessment tool. The DLM assessment measures yearly student progress, and provides independent standards which align with the NH Statewide Assessment.

Accordingly, this policy authorizes the District to award an Alternate Diploma in accordance with the below requirements and conditions.

Eligibility:

Consistent with ESSA, the Alternate Diploma may be awarded to students who:

1. Have significant cognitive disabilities;
2. Have a current Individualized Education Program ("IEP"); and
3. Participate in the state authorized alternate assessment (currently DLM).

The Alternate Diploma is NOT available to students without IEP's, including students with Section 504 plans.

Determination of Award:

The determination to award and the Alternate Diploma is the responsibility of the student's IEP team, including the student's parent(s)/guardian(s). The IEP team's consideration of the appropriateness of an Alternate Diploma should be included in transition planning beginning at age sixteen (16). Details of this decision shall be included in the student's IEP transition plan in accordance with Ed. 1109.03.

Time of Award:

The student may choose (individually or through the IEP team) to receive the Alternate Diploma at one (1) of three (3) times:

1. At graduation with common age peers;
2. At the conclusion of the student's IEP; or
3. Upon reaching age twenty-one (21).

If the student participates in the traditional graduation ceremony, the student will be included in the graduation program with no difference in listing from his/her peers awarded a regular diploma. The student may only attend one graduation ceremony.

Effect of Award and Continued Eligibility:

1. Under 34 CFR 300.102 (a)(3), the awarding of any document other than regular high school diploma shall not terminate a child's eligibility for a free and appropriate public education ("FAPE"). Accordingly, earning an Alternate Diploma does not end a student's eligibility for special education services. Rather, students who have earned the Alternate Diploma, and are otherwise eligible for special education services, may continue to receive such services and may continue working towards meeting the requirements for the regular high school diploma.
2. Alternate Diplomas awarded under this policy are counted in the state graduation rate, while certificates of attendance or equivalency are not.

Implementation

The Superintendent, with the assistance of the Director of Student Services is directed to establish, and make available procedures and administrative rules to implement this policy.

Legal References:

20 U.S.C. §7801 (23) - Every Student Succeeds Act (§ 8101(a)(23))

34 CFR 300.102 (a)(3); 300.43; and 300.320(b)

RSA 193-E - Adequate Public Education

Ed 306.27(q)(4)- Minimum Standards/High School Requirements/Equivalency Diplomas

Ed 1109.03- When and IEP is in Effect...Transition Services

History:

New: Month DD, 2019

JEB: ENTRANCE AGE

Statement of Purpose:

The purpose of this policy is to articulate the required age for entering school in the District.

Statement of Policy:

The Sanborn Regional School District shall comply with RSA 193:1-I and II with regard to the required age for entering first grade. Therefore, entering first grade students must be 6 years old before October 1, or have been a resident of and attended public school in another district and since moved into the Sanborn Regional School District.

Students entering kindergarten must be 5 years old before October 1, or have begun kindergarten in another public school. Students who complete kindergarten in the Sanborn Regional School District or another public school will then be permitted to enter grade one.

Students entering public school for the first time in either kindergarten or grade one will participate in a pre-school screening process as outlined ~~in Checklist JEB-E~~ **by school administrative staff.**

History:

Original Effective:	June 4, 1975
Revised:	November 3, 1997
Revised:	June 6, 2001
Revised:	October 20, 2004
Reaffirmed:	October 5, 2011
Revised:	Month DD, 2019

JEB-E: ENTRANCE AGE CHECKLIST

[Repeal - check list no longer needed.]

- ~~1. _____ Informal assessment/consultation with school psychologist or counselor to determine emotional and social maturity.~~
- ~~2. _____ Informal observation/assessment by occupational therapist (OT) and speech/language pathologist (or specialist) to determine acquisition of developmental appropriate skills in these areas.~~
- ~~3. _____ Completion of all required forms for kindergarten or grade one entrance inclusive of parent information and prior school experience information.~~
- ~~4. _____ Completion of one full year in a structured school program or evidence of acquisition of minimum kindergarten skills and competencies for early grade one admission.~~

5. _____ School Board approval for early admission.

History:

Effective: ~~June 6, 2001.~~ Revised: ~~October 20, 2004.~~ Revised: _____ ~~October 5, 2011.~~

Repealed: Month DD, 2019

JFAA: ADMISSION OF NEW RESIDENT STUDENTS

Statement of Purpose:

This policy prescribes the manner in which students new to the district schools shall be assigned to courses of study and grades.

Statement of Policy:

The school district of residence of a student is defined by RSA 193:12, II.

A student new to a district school will be placed in the grade or course best suited to his/her needs as determined by the records of the school or program from which he/she is transferring.

The school principal **or his designee** will have the responsibility for making such placements. The principal shall have the right to use evaluation and testing, if he/she believes it is needed, to complement the material available from the prior educational placement.

Related: See also: JCA

Legal References:

RSA 193:1, Duty of Parent, Compulsory Attendance by Pupil

RSA 193:12,II Legal Residence Required

RSA 110-D, Interstate Compact on Educational Opportunities for Military Children

History:

Effective: September 1, 1970

Revised: January 8, 1986

Revised: November 3, 1997

Reaffirm: October 5, 2011

Revised: Month DD, 2019

JFAB: TUITION POLICY

Statement of Purpose:

The purpose of this policy is to define the manner in which Sanborn Regional School District will accept and charge tuition students.

Statement of Policy:

Non-resident students may only attend district schools when their attendance has been approved by the Board. If the Board agrees to enroll a non-resident student, the District will either charge tuition to the parent or, alternatively, the Superintendent may seek to enter into an agreement for the payment of tuition with the school district in which the student resides.

If a student's parents are divorced and the student lives primarily out-of-district, student may nonetheless attend schools within the District and considered a resident of the District for school attendance purposes provided: (1) the divorce decree allows the student to attend the District; (2) or provided the parents have agreed in writing that the student may attend the District and such written agreement is provided to the District. Students in this situation will not be charged tuition.

In a divorce decree, or parenting plan developed pursuant to RSA 461-A, a child's legal residence for school attendance purposes may be the school district in which either parent resides, provided the parents agree in writing to the district the child will attend and each parent furnishes a copy of the agreement to the school district in which the parent resides. Transportation will not necessarily be provided for students admitted under this provision and under corresponding law. The Superintendent or designee will make all determinations as to whether transportation will be provided in such circumstances. The Superintendent or designee's decision will be final.

Upon the admission of a non-resident student to the District, the Superintendent or designee will immediately notify the student's school district of residence of the student's name, date of birth, address, and grade assignment of the student. This notification shall also be made at the beginning of each school year for which the student is enrolled.

The Board acknowledges the provisions of RSA 193:3 which state that the district in which the student resides shall retain all responsibility for the provision of special education and related services pursuant to RSA 186-C.

The Board's decision on whether to enroll a non-resident student will not be based, in whole or in part, on whether that student is a student with a disability, as defined by applicable state or federal law.

Tuition rates will be charged at a rate set by the Board and billed quarterly in advance to the district of residence or parent responsible for payment. When a district of residence is responsible for tuition, approval must be from that district's school board.

Under normal circumstances, the district will not provide transportation to and from school for non-resident and tuition students at district expense. However, the district may assist parents in finding and procuring

transportation services for their children.

The provisions of this policy may be modified on a case-by-case basis, as needed, pursuant to separate contracts, agreements and other binding arrangements.

Recognizing the importance of providing an adequate education for all children of school age, the Sanborn Regional School District will accept, whenever feasible, tuition students according to the following guidelines:

1. Each year in April, the Board shall establish tuition rates at no more than 110% of the projected Sanborn Regional cost per pupil as calculated using the New Hampshire Department of Education formula. This formula shall be implemented using the adopted budget for the ensuing year. Additional charges for special education programming shall be added to the tuition rate if applicable to the individual student.
2. Children of future residents may attend tuition-free for the first ~~marking period~~ 45 school days only if parents have not yet established residency in the district provided they supply copies of purchase and sales or rental agreements. Upon the beginning of the next marking period, they shall be charged a daily tuition until they establish residency.
3. Children of former residents may continue in school for the final ~~marking period~~ 45 school days only, at no tuition, ~~provided they supply copies of purchase or rental agreements. If residency changes prior to the beginning of the marking period, students will not be permitted to remain in the district.~~ **with the permission of the Superintendent.**
4. In the situations described in items 2 and 3 above, children of parents who do not provide notification to the district in a timely fashion will not be allowed to continue as students. Further, special exceptions may be considered for students who are seniors at Sanborn Regional High School.
5. The children of non-resident school district employees shall be allowed to enter the Sanborn Regional schools and shall be charged an amount equal to one-half the annual tuition rate.
6. ~~Recognized exchange students from foreign countries living in residents' homes within the district will not be charged tuition.~~ **Exchange students accepted pursuant to Board Policy JFABB, and who are hosted by SRSD resident will not be charged tuition.**
7. The academic and disciplinary record of each tuition student shall be reviewed by the school administrator prior to acceptance or renewal of the student's attendance, when a pre-arranged tuition contract with another school district does not exist.
8. Each year, when it sets tuition rates in the month of April, the Superintendent of Schools shall recommend, and the board shall take action to determine whether or not the district will accept tuition students from another district, other than those with whom the Sanborn Regional School District has a pre-arranged tuition contract.

Legal References:

RSA 186-C:13, Special Education; Liability for Expenses

RSA 193:3, Change of School or Assignment

RSA 193:12, Legal Residence Required

History:

Original: October 21, 1970. Revised: April 3, 1974. Revised: November 2, 1983. Revised: June 15, 1988. Revised: November 3, 1997. Revised: October 17, 2001. Revised: July 16, 2003. Revised: December 1, 2010. Reaffirm: October 5, 2011. **Reaffirm: Month DD, 2019.**

JFABB: FOREIGN EXCHANGE STUDENTS

Statement of Purpose:

In order to promote cultural awareness and understanding and to provide diverse experiences to district students, the Board shall admit foreign exchange students into the schools of the district.

Statement of Policy:

The Board ~~shall~~ **may** accept foreign exchange students who meet the established guidelines for admission to district schools.

The Board may accept exchange students on a J-1 Visa who reside within the district as participants in group-sponsored exchange programs approved by the Board. The Board may waive tuition for these exchange student(s).

The Board ~~shall~~ **may** accept privately sponsored exchange students on an F-1 Visa for attendance in secondary schools upon payment of tuition at the established district rate; tuition payments may not be waived. The period of attendance shall not exceed twelve (12) months.

Exchange students with either J-1 or F-1 Visa status residing in Fremont will have their eligibility determined by the Sanborn Regional and Fremont School Boards.

The Board reserves the right to limit the number of foreign exchange students admitted to the school.

Delegation of Responsibility:

The Superintendent or designee shall be responsible for determining the visa status and eligibility of foreign exchange students applying for admission to district schools.

Foreign exchange students shall comply with all immunization requirements for students. Once admitted, all exchange students shall be subject to all district policies and regulations governing students.

Related: See also: See appendix: JFABB-R

History:

New: March 5, 2014

Revised: Month DD, 2019

JFABB-R: ADMISSION OF FOREIGN EXCHANGE STUDENTS

Academic Requirement:

No student will be admitted who has already graduated from the equivalent of twelfth grade or who will reach the age of twenty-one years on or before September 15th of that school year.

The student must have average or above-average grades in school at home and must not require special education services in order to function in the regular academic program.

The student must have sufficient knowledge of the English language to enable effective oral and written communication and to function in a regular educational setting without special assistance. If a student's English proficiency is found to be insufficient to function in the regular Instructional program without special assistance, the exchange program or private sponsor must provide a tutor or make other educational arrangements for the student at their expense. If the program or sponsor fail to do so, the student will be withdrawn and INS will be notified.

The district will not provide foreign students with admission to special educational programs, English as a Second Language programs, post- secondary options or other special programs.

General Requirements:

Foreign students will be treated as regular students. They are responsible for complying with all district policies and regulations.

Foreign students are expected to pay for all lunches, books, athletic and student activity fees and other fees, yearbook costs, and all other expenses normally borne by students in the district. Foreign students are not entitled to free or reduced prices for lunches.

The eligibility requirements of the NHIAA will be followed.

The sponsor, host family and local program representative must maintain personal contact with the school, must be available and willing to meet with school personnel when problems or circumstances require and must assume full and final responsibility for resolving problems including the early return of the student if personal, family or school difficulties cannot be resolved.

If a student's grades, conduct or discipline are deemed unsatisfactory by the school, the student may be withdrawn.

Admissions Process:

Approvals for admission must be obtained from the district between April 15th and July 31st for the following school year or between October 15th and December 15th for the second semester, except under unusual circumstances.

All applications will be screened by the Superintendent or designee before they are forwarded for review and approval of the principal of the school where admission is being requested **and the School Board(s) as described in Policy JFABB.**

The student must attend the school in the attendance area in which the host family or sponsor lives, unless an appropriate transfer is approved by the district. Should a large number of foreign students be scheduled for a particular school, a transfer to another school may be recommended by the district in order to create a balance in foreign student enrollment.

Upon the student's arrival in the district, the adult sponsor (host family and/or local representative of the exchange program) and student must come to the school to complete the enrollment process. Students must arrive in sufficient time for attendance on the first day of school.

Students Requesting Admission Must Submit:

1. Birth Certificate or other proof of age.
2. Recent official transcript with English translation reflecting courses taken and grades earned.
3. Records showing any require immunizations.
4. Evidence of medical insurance that will cover the student while residing in the district.
5. A letter of application written in English by the student that provides pertinent information about the student, including student's name, age, birth date, home address and phone number, level of education, reasons for wanting to attend school in the district and the projected duration of enrollment.
6. The names, addresses and phone numbers of the exchange student's own parents/guardians, the host family and the local exchange program representative.
7. Proof of English proficiency, including evidence that the student has successfully completed a minimum of three years of instruction in English and a letter of recommendation from the English language teacher documenting the level of proficiency or evidence that the student has passed a test of English language proficiency, such as the SLEP, TOEFL or FSI.
8. A notarized temporary custody agreement between the student's parents and the host family and/or exchange program.

Private Sponsors Must Submit:

- a. Proof of residence: or;
- b. Affidavit of support, including the following supporting evidence:
 - A statement from an officer of a bank or other financial institution in which deposits are recorded giving details regarding the date the accounts were set up.
 - A statement from the employer on letterhead stationery showing the date and nature of employment, the salary paid and whether the position is temporary or permanent.
 - If self-employed, a copy of the last income tax return filed.

Only programs designated by the United States ~~Information Agency~~ **Department of State** will be considered for placement of foreign students on J-1 visas.

The program must have a local representative residing in or near the district who will meet with the student, host family, and school personnel on a regular basis.

Orientation, both pre-departure and upon arrival in the United States, must be provided to help foreign students adjust to a new culture. Ongoing contact and support from the local representative of the exchange program must also be provided.

Orientation must be provided to the host family in advance of the foreign student's arrival.

The family should be acquainted with the needs and requirements of housing a visitor for a long period of time, advised of potential problems in hosting a foreign student and provided with suggestions for coping with these problems. Ongoing contact and support from the local representative of the exchange program must also be provided.

History:

New: March 5, 2014. Revised: Month DD, 2019.

JFABD: ADMISSION OF HOMELESS STUDENTS

Statement of Purpose:

The district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school.

Statement of Policy:

Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

Per the No Child Left Behind Act of 2002, homeless students are defined as those students lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Abandoned in hospitals;
5. Awaiting foster care placement;

6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in previous examples.

The Superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families.

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in which attendance area the student is actually living, or other schools.

If there is an enrollment dispute between the child's parent/guardian and the school district, the student shall immediately be enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent/guardian shall be informed in writing of the district's final decision and the parent/guardian's appeal rights. Unaccompanied youth will also be enrolled pending resolution of a dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception.

Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment, consistent with district policies.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If a homeless student is living in another district but will attend his or her school of origin, both districts will make reasonable efforts to coordinate the transportation services necessary for the student.

The district's liaison for homeless students and their families shall coordinate with: local social service agencies that provide services to homeless children and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. The district's liaison will also review and recommend to the district policies that may eliminate barriers to the enrollment of homeless students.

Related: See also: Policy JFABD-R1

Legal References:

NH Code of Administrative Rules, Section ~~Ed 306.04(a)(17)~~ **Ed 306.04(a)(19)**; Homeless Students

RSA 193:12, Legal Residence Required

No Child Left Behind Act, 2002

McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11431, et seq.

History:

Original: September 19, 2007. Revised: October 7, 2009. Reaffirmed: October 5, 2011. Revised: Month DD, 2019.

New Policy/Procedure

JFABD-R1: HOMELESS EDUCATION DISPUTE RESOLUTION PROCESS

Level I:

A complaint regarding the placement or education of a homeless student shall first be presented orally and informally to the district's homeless coordinator. If the complaint is not promptly resolved, the complainant may present a formal written complaint (grievance) to the homeless coordinator. The written charge must include the following information: date of filing, description of alleged grievances, the name of the person or persons involved and a recapitulation of the action taken during the informal charge stage. Within five (5) business days after receiving the complaint, the coordinator shall state a decision in writing to the complainant, with supporting evidence and reasons. In addition, the coordinator will inform the Superintendent of the formal complaint and the disposition.

Level II

Within five (5) business days after receiving the decision at Level I, the complainant may appeal the decision to the Superintendent by filing a written appeal. This appeal shall consist of the complainant's grievance and the decision rendered at Level I. The superintendent will arrange for a personal conference with the complainant at his or her earliest mutual convenience. Within five (5) business days after receiving the complaint, the superintendent shall state a decision in writing to the complainant, with supporting evidence and reasons.

A written explanation of the Superintendent's decision regarding school enrollment shall be provided to the parent/guardian, student of lawful age, or unaccompanied youth, including a statement regarding the right to appeal the decision to the commissioner of the New Hampshire Department of Education.

Level III

The complainant may appeal the Superintendent's decision to the commission of the New Hampshire Department of Education. In the case of an unaccompanied youth, the Local Homeless Education Liaison will assist the youth in the appeal process.

Related: See also: Policy JFABD

History: New: Month DD, 2019

JG: ASSIGNMENT OF STUDENTS TO CLASSES AND GRADE LEVELS

Statement of Purpose:

Students will be enrolled in grades and classes in which they can be expected to master established district instructional learning objectives. All students who are included under the compulsory attendance law must be enrolled and required to attend all classes prescribed by the state and the district unless exempt by the school authorities.

Statement of Policy:

Students will be placed in the grade level and class that best meets the student's academic needs, after consultation between the building principal **or his/her designee** and the student's parent/guardian.

Students transferring into the school district will be placed in the grade level and class that best meets the student's needs, after review of the records from the student's prior school, and after consultation between the building principal and the student's parents.

Students receiving special education services will be placed in accordance with applicable law.

The decision of the building principal regarding student placement may be appealed to the Superintendent, and then to the School Board. The School Board will give significant consideration to the principal's and Superintendent's recommended placement.

Legal References:

NH Code of Administrative Rules, Section Ed 302.02(I), Duties of Superintendent

~~NH Code of Administrative Rules, Section Ed 306.14(a), Instructional Program;~~

~~Appropriate Assignment of All Incoming Students~~

History:

Effective: April 19, 1995. Format Revision: June 5, 1996. Revised: November 3, 1997. Revised: October 7, 2009. Reaffirmed: October 5, 2011. **Reaffirmed: Month DD, 2019**

JHCB: STUDENT RIGHTS OF FREEDOM OF ASSEMBLY AND FREEDOM OF RELIGION

Statement of Purpose

The purpose of this policy is to define the manner in which student rights to freedom of assembly and religion shall be assured.

Statement of Policy

In accordance with RSA 189:1-b, enacted August 13, 1977, the Sanborn Regional School Board hereby establishes the following procedure guaranteeing each student the right of free assembly and free exercise of religion.

The principal of each school building will designate an area of the building which will be available for not more than five minutes prior to the time instructional classes convene, so that those students who wish may exercise their above-mentioned rights. This designated area shall be supervised by a staff member, designated by the principal, to ensure an orderly procedure and pattern in the movement of students.

~~Each school principal will provide each student and parent with a copy of the New Hampshire RSA 189:1-b, a copy of this policy, and provisions for its implementation as a part of the student/family handbook.~~

History:

Original: April 20, 1978. Revised: November 3, 1997. Revised: Month DD, 2019.

JJ: STUDENT RIGHTS AND RESPONSIBILITIES

[reaffirm only]

Student rights and responsibilities shall be published in the Parent-Student Handbook, and will be made available in another language or presented orally upon request. Student disciplinary procedures will be implemented pursuant to the provisions of Board Policy JICD.

Legal References:

RSA 189:15, Regulations

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

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

NH Code of Administrative Rules, Section Ed 317.04(b), Disciplinary Procedures

History:

New: January 8, 2014. Reaffirmed: Month DD, 2019.

JIB: STUDENT INVOLVEMENT IN DECISION MAKING

[reaffirm only]

Statement of Purpose

The purpose of this policy is to encourage student involvement in decision making, and to describe the manner in which the student council representative to the board shall be accommodated.

Statement of Policy

The Sanborn Regional School Board appreciates the interest and participation of the high school student body in the business of the District and as such has chosen to have a student sit as a non-voting member of the Board under RSA 189:1-c, effective July 1, 2004.

To facilitate these communications between the board and the students, the board requests that the student body elect a representative to serve as a board member. A packet of pertinent materials will be made available to that member at the central office in the designated mailbox. The member will have all the powers and duties as outlined in RSA 194:23-f.

History:

Effective: December 7, 1983. Revised: November 3, 1997. Revised: February 18, 2004. Reaffirmed: October 5, 2011. **Reaffirmed: Month DD, 2019.**

JICA: STUDENT DRESS

Statement of Purpose:

The purpose of this policy is to define the expectations for students with regard to dress **and grooming**.

Statement of Policy:

The Sanborn Regional School Board believes that the general atmosphere of a school must be conducive to learning, and that student dress and appearance affects that atmosphere. Therefore, students shall dress **and groom** themselves in an appropriate manner. At all times their dress **and grooming** shall reflect good taste. In general, wearing apparel and appearance will be determined at the discretion of the parent. Student dress shall be regarded as merely another manifestation of student attitude and conduct. When there is evidence that a student's choice of clothing or appearance interferes with the educational process and mission of the school, the school will exercise its rights and responsibilities to intervene and take corrective action.

If a student's general attire or appearance represents a danger to his or her health or welfare, or attracts undue attention to the extent that it becomes a disruptive factor in school, the principal or his/her designee will ask the student to make the necessary changes. In the event that the change does not take place in the time allowed, the principal or his/her designee will prescribe the necessary action to be taken by the school. In the interest of health, safety, cleanliness, decency, and decorum among students, the regulations listed in Policy JICA-R have been adopted.

History:

Effective: September 1, 1970. Revised: November 3, 1997. Reaffirmed: October 5, 2011. **Revised: Month DD, 2019.**

JICA-R: STUDENT DRESS

Statement of Purpose

It is the purpose of these guidelines to set forth specific regulations for student dress ~~and grooming~~.

Regulations

1. Students are expected to follow all school rules governing safety in specialized programs that may require the wearing of protective clothing, safety glasses, proper foot protection, or other similar requirements.
2. In all matters relating to individual dress ~~and grooming~~, students are required to exercise discretion, exhibit responsible behavior, and endeavor to reflect respect for themselves, their school, and their community.
3. The wearing of clothing, insignia, symbols or adornments worn or carried on or about a student which may promote the use of any controlled substance, including but not limited to drugs, alcohol, or tobacco, is unacceptable.
4. The wearing of clothing which features offensive and/or vulgar words, pictures or drawings, or, for the sake of humor, includes phrases of a sexual nature or phrases that have derogatory language regarding a person's ethnic background, national origin, religious belief, sexual orientation, or disability is unacceptable.
5. The wearing of clothing which is unduly revealing or attire which detracts in any way from the educational mission of the school is unacceptable.
6. ~~The wearing of hats is permitted only in the hallways, cafeteria, and other non-instructional spaces in the school as determined by the Building Principal.~~

~~The Sanborn Regional School Board shall review these regulations annually. Administrators shall review these regulations annually with faculty, staff, and students.~~ Notification of these regulations shall be included in each student/family handbook each year, which will be provided to the School Board annually.

History:

Original effective: November 3, 1997
Revised: November 17, 2004
Reaffirmed: October 5, 2011
Revised: September 9, 2015

Email from NHSBA regarding new DAF policy (April 3, 2019)

Dear NHSBA Members -

This Special Policy Update consists of a single sample policy package that contains several sub-policies regarding management of Federal grant funds. The policies are among others required under a set of Federal regulations and

guidelines commonly referred to as the Uniform Grant Guidance ("UGG"). The policy package, designated sample policy DAF - "Administration of Federal Grant Funds", consists of an introduction and 10 sub-policies, as follows:

DAF-1 ALLOWABILITY

DAF-2 CASH MANAGEMENT AND FUND CONTROL

DAF-3 PROCUREMENT

DAF-4 PROCUREMENT - ADDITIONAL PROVISIONS PERTINENT TO FOOD SERVICE PROGRAM

DAF-5 CONFLICT OF INTEREST AND MANDATORY DISCLOSURES

DAF-6 INVENTORY MANAGEMENT - EQUIPMENT AND SUPPLIES PURCHASED WITH FEDERAL FUNDS

DAF-7 TRAVEL REIMBURSEMENT - FEDERAL FUNDS

DAF-8 ACCOUNTABILITY AND CERTIFICATIONS

DAF-9 TIME AND EFFORT REPORTING / OVERSIGHT

DAF-10 GRANT BUDGET RECONCILIATION

The policy **must be supplemented with written procedures** that should be developed under the supervision of the Superintendent and business office. The specific procedures will require tailoring according to the administrative structure, technological capacity and other circumstances or preferences of each district. Written procedures which are required under the policy and the UGG are indicated in the policy and may be identified searching for the phrase "administrative procedures".

For more guidance relative to the UGG, the NHDOE, Bureau of Federal Compliance, has released several "Fact Sheets" relative to the UGG which include, among other things, a description of some of the specific procedures administrators will need to create and implement. You can find those fact sheets at:

<https://www.education.nh.gov/program/federal-compliance/fact-sheets.htm>

Note, however, that many of the provisions stated as required in the DOE Fact Sheets (and the DOE's "Sample Procurement Procedures for Child Nutrition Programs"), are incorporated into this sample policy DAF.

(a) Other current existing policies implicated by this sample DAF should be reviewed to help assure continuity of practices within the District. Most significantly:

- Modify DJ to identify who has authority to approve purchase orders;
- Modify DJB to outline approved process for purchase order procedures. The policy may instruct the Superintendent to approve and implement written procedures which more specifically spell out the process.

(b) A sampling review of the policy manuals of various school districts, reveals that many districts have adopted some UGG policies or components of policies required by the federal Uniform Grant Guidance (2 CFR 200). In order to avoid redundancy, we recommend that prior to adoption of this sample, Districts review their own policy manuals for related policies, and make such changes as are appropriate.

(c) The UGG and this policy apply specifically to federal grant funds - whether or not received directly, through NHDOE or through any other pass-through entity, and irrespective of whether the federal moneys are the sole funds used for the particular purpose, program, purchase, etc. Because many of the elements required under the UGG are significantly

more restrictive or burdensome than those which may exist under state law, the component "sub-policies" (see page 3 of this sample) are framed to pertain to Federal Fund use only. Boards may choose to extend some of the requirements found in this policy more generally. For instance, the Travel section (DAF-6), or Conflict of Interest (DAF-4), could be extended to district programs which do not rely on Federal grant funds. In those instances, we recommend revising current policies to simply refer to the appropriate section(s) of this policy. E.g., the last two sentences of NHSBA sample policy DKC would be replaced with "Travel reimbursement shall be subject to the same restrictions, procedures and controls as set forth in Board Policy DAF-7 regarding travel relating to federal grant funds."

(d) Because this sample implicates subject matter found in several other NHSBA samples (see related policies section in the headers of pages 1 and 3), districts should review their own companion policies and consider whether to include the following notation:

All purchases for property and services made using federal funds are conducted in accordance with all applicable Federal, State and local laws and regulations, the Uniform Grant Guidance, and the District's written policies and procedures. See Board Policy DAF.

(e) Given the complexity of this sample policy, and relationship to many existing NHSBA samples, NHSBA contemplates further development and revisions over the next several policy update cycles.

[Click here](#) to view sample policy DAF in word format.

[Click here](#) to view sample policy DAF in pdf format.

New Policy

DAF: Administration of Federal Grant Funds

Category: Priority/Required by Law

Related Policies: DI, DID, DJ, DJC, DJE, DJF & DK

See also: ADB, EFAA, EHB, JICI & JRA

ADOPTION NOTES – DELETE BEFORE ADOPTION: Policy

begins on third page.

Green highlights indicate special notes added since March 13.

(a) *General – As will all sample policies, NHSBA recommends that each district carefully review this sample DAF prior to adoption to assure suitability with the district’s own specific circumstances, organizational structures, etc.. Highlighted language in this sample indicates areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc. **This text box, and all highlights within the policy should be removed prior to adoption.***

(b) *This sample policy DAF, includes several sub-policies (see page 3, below), and is intended to establish the local board’s expectations and standards for financial management and other internal controls relative to federal grant awards as required by a set of federal regulations commonly known as the Uniform Grant Guidance (“UGG”); 2 CFR Part 200. **This policy is not sufficient, alone, to serve as the written controls required by the UGG.***

*The policy **must be supplemented with written procedures** that should be developed under the supervision of the Superintendent and business office. The specific procedures will require tailoring according to the administrative structure, technological capacity and other circumstances or preferences of each district. Written procedures which are required under the policy and the UGG are indicated in the policy, and may be identified searching for the phrase “administrative procedures”. **NHDOE, Bureau of Federal Compliance**, has released several “Fact Sheets” relative to the UGG which include, among other things, a description of some of the specific procedures administrators will need to create and implement:*

<https://www.education.nh.gov/program/federal-compliance/fact-sheets.htm>

An example of the type of procedures (as opposed to policy) required by the UGG may be found in the NHDOE the sample set of procedures for food service procurement. Note, however, that many of the provisions stated as required in the DOE Fact Sheets, and the food service procedures, are incorporated into sample policy DAF.

(c) *Other current existing policies implicated by this sample DAF should be reviewed to help assure continuity of practices within the District. Most significantly:*

- *Modify DJ to identify who has authority to approve purchase orders;*

- *Modify DJB to outline approved process for purchase order procedures. The policy may instruct the Superintendent to approve and implement written procedures which more*

specifically spell out the process.

ADOPTION NOTES – CONTINUED....

(d) *A sampling review of the policy manuals of various school districts, reveals that many districts have adopted some UGG policies or components of policies required by the federal Uniform Grant Guidance (2 CFR 200). In order to avoid redundancy, we recommend that prior to adoption of this sample, Districts review their own policy manuals for related policies, and make such changes as are appropriate.*

(e) *The UGG and this policy apply specifically to federal grant funds - whether or not received directly, through NHDOE or through any other pass-through entity, and irrespective of whether the federal moneys are the sole funds used for the particular purpose, program, purchase, etc. Because many of the elements required under the UGG are significantly more restrictive or burdensome than those which may exist under state law, the component “sub-policies” (see page 3 of this [packet-sample, page 1 of the policy](#)) are framed to pertain to Federal Fund use only. Boards may choose to extend some of the requirements found in this policy more generally. For instance, the Travel section (DAF6), or Conflict of Interest (DAF-4), could be extended to district programs which do not rely on Federal grant funds. In those instances, we recommend revising current policies to simply refer to the appropriate section(s) of this policy. E.g., the last two sentences of NHSBA sample policy DKC would be replaced with “Travel reimbursement shall be subject to the same*

restrictions, procedures and controls as set forth in Board Policy DAF7 regarding travel relating to federal grant funds.”

(f) *Because this sample implicates subject matter found in several other NHSBA samples (see related policies section in the headers of pages 1 and 3), districts should review their own companion policies and consider whether to include the following notation:*

All purchases for property and services made using federal funds are conducted in accordance with all applicable Federal, State and local laws and regulations, the Uniform Grant Guidance, and the District’s written policies and procedures. See Board Policy DAF.

(g) *Given the complexity of this sample policy, and relationship to many existing NHSBA samples, NHSBA contemplates further development and revisions relative to the over the next several policy updates.*

Direct any inquiries to either NHSBA’s Director of Policy Services or local district counsel.

Category: Priority/Required by Law

*Related Policies: DI, DID, DJ, DJC, DJE, DJF & DK
See also: ADB, EFAA, EHB, JICI & JRA*

This Policy includes “sub-policies” relating to specific provisions of the Uniform Administrative Requirements for Federal Awards issued by the U.S. Office of Budget and Management. Those requirements, which are commonly known as Uniform Grant Guidance (“UGG”), are found in Title 2 of the Code of Federal Regulations (“CFR”) part 200. The sub-policies include:

Please change or delete page numbers according to your own formatting

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NOTICE: Notwithstanding any other policy of the District, all funds awarded directly or indirectly through any Federal grant or subsidy programs shall be administered in accordance with this Policy, and any administrative procedures adopted implementing this Policy.

The Board accepts federal funds, which are available, provided that there is a specific need for them and that the required matching funds are available. The Board intends to administer federal grant awards efficiently, effectively and in compliance with all requirements imposed by law, the awarding agency and the New Hampshire Department of Education (NHDOE) or other applicable pass-through entity.

This policy establishes the minimum standards regarding internal controls and grant management to be used by the District in the administration of any funds received by the District through Federal grant programs as required by applicable NH and Federal laws or regulations, including, without limitation, the UGG.

The Board directs the [...*Superintendent, Business Administrator* ~~other – for instance, a District may designate a “Federal Funds Coordinator”~~] to develop, monitor, and enforce effective administrative procedures and other internal controls over federal awards *as necessary in order to* ~~that~~ provide reasonable assurances that the District is managing the awards in compliance with all requirements for federal grants and awards. Systems and controls must meet all requirements of federal and/or law and regulation and shall be based on best practices.

The Superintendent is directed to assure that all individuals responsible for the administration of a federal grant or award shall be provided sufficient training to carry out their duties in accordance with all applicable requirements for the federal grant or award and this policy.

To the extent not covered by this Policy, the administrative procedures and internal controls must provide for:

1. identification of all federal funds received and expended and their program source;
2. accurate, current, and complete disclosure of financial data in accordance with federal requirements;
3. records sufficient to track the receipt and use of funds;
4. effective control and accountability over assets to assure they are used only for authorized purposes and
5. comparison of expenditures against budget.

DAF-1 ALLOWABILITY

The Superintendent is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives and the specific terms and conditions of the grant award.

A. Cost Principles: Except whether otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

1. Be “necessary” and “reasonable” for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.
 - a. To determine whether a cost is “reasonable”, consideration shall be given to:
 - i. whether a cost is a type generally recognized as ordinary and necessary for the operation of the District or the proper and efficient performance of the Federal award;

- ii. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal and other laws and regulations;
 - iii. market prices for comparable goods or services for the geographic area;
 - iv. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and
 - v. whether the cost represents any significant deviation from the established practices or Board policy which may increase the expense. While Federal regulations do not provide specific descriptions of what satisfied the "necessary" element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the District can demonstrate that the cost addresses an existing need and can prove it.
 - b. When determining whether a cost is "necessary", consideration may be given to whether:
 - i. the cost is needed for the proper and efficient performance of the grant program;
 - ii. the cost is identified in the approved budget or application;
 - iii. there is an educational benefit associated with the cost;
 - iv. the cost aligns with identified needs based on results and findings from a needs assessment; and/or
 - v. the cost addresses program goals and objectives and is based on program data.
 - c. A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received.
2. Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the Federal award.
 3. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the District.
 4. Be afforded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.

5. Be determined in accordance with generally accepted accounting principles.
6. Be representative of actual cost, net of all applicable credits or offsets.

The term “applicable credits” refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to/or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

7. Be not included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.
8. Be adequately documented:
 - a. in the case of personal services, the Superintendent shall implement a system for District personnel to account for time and efforts expended on grant funded programs to assure that only permissible personnel expenses are allocated;
 - b. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

B. Selected Items of Cost: The District shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, District staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, District and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and District personnel shall follow those rules as well.

C. Cost Compliance: The Superintendent shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant.

D. Determining Whether A Cost is Direct or Indirect

1. “Direct costs” are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment

purchased for use on a specific grant; and infrastructure costs directly attributable to the program (such as long distance telephone calls specific to the program, etc.).

2. "Indirect costs" are those that have been incurred for a common or joint purpose benefitting more than one (1) cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one (1) component of the District, the governing body of the District, compensation of the Superintendent, compensation of the chief executive officer of any component of the District, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if **all** the following conditions are met:

- a. Administrative or clerical services are integral to a project or activity.
- b. Individuals involved can be specifically identified with the project or activity.
- c. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
- d. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by NHDOE or the pass-through entity (Federal funds subject to 2 C.F.R Part 200 pertaining to determining indirect cost allocation).

- E. Timely Obligation of Funds:** Obligations are orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-Federal entity during the same or a future period.

The following are examples of when funds are determined to be "obligated" under applicable regulation of the U.S. Department of Education:

When the obligation is for:

1. Acquisition of property – on the date which the District makes a binding written commitment to acquire the property.
2. Personal services by an employee of the District – when the services are performed.
3. Personal services by a contractor who is not an employee of the District – on the date which the District makes a binding written commitment to obtain the services.
4. Public utility services – when the District received the services.
5. Travel – when the travel is taken.
6. Rental of property – when the District uses the property.
7. A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E – Cost Principles – on the first day of the project period.

F. Period of Performance: All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance. The period of performance is dictated by statute and will be indicated in the Grant Award Notification (“GAN”). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twentyseven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period of carry over. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, obligations under a grant may not be made until the grant funding period begins or all necessary materials are submitted to the granting agency, whichever is later. In the case of a direct grant, obligations may begin when the grant is [substantially approved](#), unless an agreement exists with NHDOE or the pass-through entity to reimburse for pre-approval expenses.

For both State-administered and direct grants, regardless of the period of availability, the District shall liquidate all obligations incurred under the award not later than forty-five (45) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consistently, the District shall closely monitor grant spending throughout the grant cycle.

DAF-2 CASH MANAGEMENT AND FUND CONTROL

Payment methods must be established in writing that minimize the time elapsed between the drawdown of federal funds and the disbursement of those funds. Standards for funds control and accountability must be met as required by the Uniform Guidance for advance payments and in accordance with the requirements of NHDOE or other applicable pass-through-entity.

In order to provide reasonable assurance that all assets, including Federal, State, and local funds, are safeguarded against waste, loss, unauthorized use, or misappropriation, the Superintendent shall implement internal controls in the area of cash management.

The District's payment methods shall minimize the time elapsing between the transfer of funds from the United States Treasury or the NHDOE (pass-through entity) and disbursement by the District, regardless of whether the payment is made by electronic fund transfer, or issuance or redemption of checks, warrants, or payment by other means.

The District shall use forms and procedures required by the NHDOE, grantor agency or other passthrough entity to request payment. The District shall request grant fund payments in accordance with the provisions of the grant. Additionally, the District's financial management systems shall meet the standards for fund control and accountability as established by the awarding agency.

The [_____*Superintendent*_____/Officer] is authorized to submit requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as deemed appropriate when electronic transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

When the District uses a cash advance payment method, the following standards shall apply:

- A. The timing and amount of the advance payment requested will be as close as is administratively feasible to the actual disbursement for direct program or project costs and the proportionate share of any allowable indirect costs.
- B. The District shall make timely payment to contractors in accordance with contract provisions.
- C. To the extent available, the District shall disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments.
- D. The District shall account for the receipt, obligation and expenditure of funds.
- E. Advance payments shall be deposited and maintained in insured accounts whenever possible.
- F. Advance payments will be maintained in interest bearing accounts unless the following apply:
 1. The District receives less than \$120,000 in Federal awards per year.

2. The best reasonably available interest-bearing account would not be expected to earn interest in excess of \$500 per year on Federal cash balances.
 3. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
 4. A foreign government or banking system prohibits or precludes interest bearing accounts.
- G. Pursuant to Federal law and regulations, the District may retain interest earned in an amount up to \$500 per year for administrative costs. Any additional interest earned on Federal advance payments deposited in interest-bearing accounts must be remitted annually to the Department of Health and Human Services Payment Management System (“PMS”) through an electronic medium using either Automated Clearing House (“ACH”) network or a Fedwire Funds Service payment. Remittances shall include pertinent information of the payee and nature of payment in the memo area (often referred to as “addenda records” by Financial Institutions) as that will assist in the timely posting of interest earned on Federal funds.

DAF-3 PROCUREMENT

All purchases for property and services made using federal funds must be conducted in accordance with all applicable Federal, State and local laws and regulations, the Uniform Guidance, and the District’s written policies and procedures.

Procurement of all supplies, materials equipment, and services paid for from Federal funds or District matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, [District Board of Education](#) policies, and ~~administrative~~ procedures.

The Superintendent shall maintain a procurement and contract administration system in accordance with the USDOE requirements (2 CFR 200.317-.326) for the administration and management of Federal grants and Federally-funded programs. The District shall maintain a contract administration system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall [also](#) conform to the provisions of the District’s documented general purchase policy DJ [DJ (DJ is NHSBA’s sample, check for district reference _____)].

The District avoids situations that unnecessarily restrict competition and avoids acquisition of unnecessary or duplicative items. Individuals or organizations that develop or draft specifications, requirements, statements of work, and/or invitations for bids, requests for proposals, or invitations to negotiate, are excluded from competing for such purchases. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made to lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

Contracts are awarded only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration is given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. No contract is awarded to a contractor who is suspended or debarred from eligibility for participation in federal assistance programs or activities.

Purchasing records are sufficiently maintained to detail the history of all procurements and must include at least the rationale for the method of procurement, selection of contract type, and contractor selection or rejection; the basis for the contract price; and verification that the contractor is not suspended or debarred.

To foster greater economy and efficiency, the District may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

A. Competition: All procurement transactions shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgement. In order to promote objective contractor performance and eliminate unfair competitive advantage, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

1. unreasonable requirements on firms in order for them to qualify to do business;
2. unnecessary experience and excessive bonding requirements;
3. noncompetitive contracts to consultants that are on retainer contracts;
4. organizational conflicts of interest;
5. specification of only a “brand name” product instead of allowing for an “or equal” product to be offered and describing the performance or other relevant requirements of the procurement; and/or
6. any arbitrary action in the procurement process.

Further, the District does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; (2) the District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the District uses a pre-qualified list of persons, firms or products to acquire goods and services, the pre-qualified list must include enough qualified sources as to ensure

maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list as requested.

- B. Solicitation Language:** The District shall require that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

- C. Procurement Methods:** The District shall utilize the following methods of procurement:

1. Micro-purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$~~10,000~~3,500. To the extent practicable, the District shall distribute micro-purchase equitably among qualified suppliers. Micro-purchases may be

made without soliciting competitive quotations if the Superintendent considers the price to be reasonable. The District maintains evidence of this reasonableness in the records of all purchases made by this method.

2. Small Purchases (Simplified Acquisition)

Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property that does not exceed the competitive bid threshold of \$~~250,000~~~~150,000~~. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

3. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to \$~~250,000~~~~50,000~~ and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed \$~~250,000~~~~50,000~~.

a. In order for sealed bidding to be feasible, the following conditions shall be present:

- i. a complete, adequate, and realistic specification or purchase description is available;
- ii. two (2) or more responsible bidders are willing and able to compete effectively for the business; and
- iii. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

b. When sealed bids are used, the following requirements apply:

- i. Bids shall be solicited in accordance with the provisions of State law and [*Policy DJE (DJE is NHSBA's sample, check for district reference _____)*]. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- ii. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
- iii. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- iv. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.
- v. The Board reserves the right to reject any and all bids for sound documented reason.

v-vi. Bid protests shall be handled pursuant to the process set forth in DAF-3.I.

4. Competitive Proposals

Procurement by competitive proposal, normally conducted with more than one sources submitting an offer, is generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method.

If this method is used, the following requirements apply:

- a. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.
- b. Proposals shall be solicited from an adequate number of sources.
- c. The District shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.
- d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

5. Noncompetitive Proposals

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- a. the item is available only for a single source;
- b. the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- c. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District; and/or
- d. after solicitation of a number of sources, competition is determined to be inadequate.

D. Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms: The District must take necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

E. Contract/Price Analysis: The District shall perform a cost or price analysis in connection with every procurement action in excess of \$~~250,000~~^{150,000} (i.e., the Simplified Acquisition/Small Purchase limit), including contract modifications. (See 2 CFR 200.323(a)). A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the District shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

F. Time and Materials Contracts: The District shall use ~~uses~~ a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the District is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiently. Therefore, the District sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls, and otherwise performs in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

G. Suspension and Disbarment: The District will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance/ and (4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The District is subject to and shall abide by the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR Part 180.

Suspension is an action taken by the District that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (See 2 CFR Part 180 Subpart G).

Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1). A person so excluded is debarred. (See 2 CFR Part 180 Subpart H).

The District shall not subcontract with or award sub-grants to any person or company who is debarred or suspended. For contracts over \$25,000 the District shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management ("SAM"), which maintains a list of such debarred or suspended vendors at www.sam.gov (which replaced the former Excluded Parties List System or EPLS); or collecting a certification from the vendor ~~;~~ ~~or adding a clause or condition to the covered transaction with that vendor.~~ (See 2 CFR Part 180 Sub part C).

Documentation that debarment/suspension was queried must be retained for each covered transaction as part of the documentation required under DAF-3, paragraph J. This documentation should include the date(s) queried and copy(ies) of the SAM result report/screen shot, or a copy of the or certification from the vendor. It should be attached to the payment backup and retained for future audit review.

H. Additional Requirements for Procurement Contracts Using Federal Funds: /

Revision note,

this paragraph H is new. Re-letter remaining paragraphs accordingly.

1. For any contract using Federal funds under which the contract amount exceeds the upper limit for Simplified Acquisition/Small Purchases (see DAF-3.C.2), the contract must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and must provide for sanctions and penalties. (See 2 CFR 200, Appendix II(A)).
2. For any contract using Federal funds under which the contract amount exceeds \$10,000, it must address the District's authority to terminate the contract for cause and for convenience, including the manner by which termination will be effected and the basis for settlement. (See 2 CFR 200, Appendix II(B)).
3. For any contract using Federal funds under which the contract amount exceeds \$150,000, the contract must include clauses addressing the Clean Air Act and the Federal Water Pollution Control Act. (See 2 CFR 200, Appendix II(G)).
4. For any contract using Federal funds under which the contract exceeds \$100,000, the contract must include an anti-lobbying clause, and require bidders to submit Anti-Lobbying Certification as required under 2 CFR 200, Appendix II (J).
- 4-5. For each contract using Federal funds and for which there is no price competition, and for each Federal fund contract in which a cost analysis is performed, the District shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's

[investment, the amount of subcontracting, the quality of the contractor's past performance, and industry profit rates in the surrounding geographical area for similar work. \(See 2 CFR 200.323\(b\)\).](#)

H.I. Bid Protest: *[Revision note, paragraph H above is new. Re-letter remaining paragraphs of DFA-3 accordingly.]* The District maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

H.J. Maintenance of Procurement Records: The District shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, ~~and~~ the basis for the contract price (including a cost or price analysis), [and records regarding disbarment/suspension queries or actions.](#) Such records shall be retained

[consistent with District policy EHB and District Administrative Procedures EHB-R \(EHB and EHB-R are NHSBA's samples, check for district references\) J..](#)

DAF-4 PROCUREMENT – ADDITIONAL PROVISIONS PERTINENT TO FOOD SERVICE

PROGRAM

The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts: (7 CFR Sec. 210.21, 215.14a, 220.16)

A. Mandatory Contract Clauses: The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts:

1. Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority;

2. The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or
3. The contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification;
4. The contractor's determination of its allowable costs must be made in compliance with the applicable departmental and program regulations and Office of Management and Budget cost circulars;
5. The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the state agency, the school food authority may permit the contractor to report this information on a less frequent basis than monthly, but no less frequently than annually;
6. The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract; and
7. The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the state agency, or the department.

B. Contracts with Food Service Management Companies: Procedures for selecting and contracting with a food service management company shall comply with guidance provided by the NHDOE, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts.

DAF-5 CONFLICT OF INTEREST AND MANDATORY DISCLOSURES

The District complies with the requirements of State law and the Uniform Guidance for conflicts of interest and mandatory disclosures for all procurements with federal funds.

Each employee, board member, or agent of the school system who is engaged in the selection, award or administration of a contract supported by a federal grant or award and who has a potential conflict of interest must disclose that conflict in writing to the [____ *Superintendent* ____/Officer], who, in turn, shall disclose in writing any such potential conflict of interest to NHDOE or other applicable passthrough-entity.

A conflict of interest would arise when the covered individual, any member of his/her immediate family, his/her partner, or an organization, which employs or is about to employ any of those parties has a financial or other interest in or received a tangible personal benefit from a firm considered for a contract. A covered individual who is required to disclose a conflict shall not participate in the selection, award, or administration of a contract supported by a federal grant or award.

Covered individuals will not solicit or accept any gratuities, favors, or items from a contractor or a party to a

subcontractor for a federal grant or award. Violations of this rule are subject to disciplinary action.

The Superintendent shall timely disclose in writing to NHDOE or other applicable pass-through entity, all violations of federal criminal law involving fraud, bribery, or gratuities potentially effecting any federal award. The Superintendent shall fully address any such violations promptly and notify the Board with such information as is appropriate under the circumstances (e.g., taking into account applicable disciplinary processes).

DAF-6 INVENTORY MANAGEMENT - EQUIPMENT AND SUPPLIES PURCHASED WITH FEDERAL FUNDS

Equipment and supplies acquired (“property” as used in this policy DAF-6) with federal funds will be used, managed, and disposed of in accordance with applicable state and federal requirements. Property records and inventory systems shall be sufficiently maintained to account for and track equipment that has been acquired with federal funds. In furtherance thereof, the following minimum standards and controls shall apply to any equipment or pilferable items acquired in whole or in part under a Federal award until such property is disposed in accordance with applicable laws, regulations and Board policies:

A. “Equipment” and “Pilferable Items” Defined: *[Revision note, this paragraph A is new. Reletter remaining paragraphs accordingly.]* For purposes of this policy, “equipment” means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of \$5,000, or the capitalization level established by the District for financial statement purposes. “Pilferable items” are those items, regardless of cost, which may be easily lost or stolen, such as cell phones, tablets, graphing calculators, software, projectors, cameras and other video equipment, computer equipment and televisions.

A-B. Records: *[Revision note, paragraph A above is new. Re-letter remaining paragraphs accordingly.]* The [____ Superintendent __/Officer] shall maintain records that include a description of the property; a serial number or other identification number; the source of the funding for the property (including the federal award identification number (FAIN)); who holds title; the acquisition date; the cost of the property; the percentage of the federal participation in the project costs for the federal award under which the property was acquired; the location, use, and condition of the property; and any ultimate disposition data, including the date of disposition and sale price of the property.

B-C. Inventory: No less than once every two years, the [____ Superintendent __/Officer] shall cause a physical inventory of all equipment and pilferable items ~~the property~~ must be taken and the results reconciled with the property records at least once every two years. Except as otherwise provided in this policy DAF____, inventories shall be conducted consistent with Board Policy [DID (DID is NHSBA’s sample, check for district reference_____].

C-D. Control, Maintenance and Disposition: The Superintendent shall develop administrative procedures relative to property procured in whole or in part with Federal funds to:

1. prevent loss, damage, or theft of the property; Any loss, damage, or theft must be investigated;
2. to maintain the property and keep it in good condition; and
3. to ensure the highest possible return through proper sales procedures, in those instances where the District is authorized to sell the property.

DAF-7 TRAVEL REIMBURSEMENT – FEDERAL FUNDS

The Board shall reimburse administrative, professional and support employees, and school officials, for travel costs incurred in the course of performing services related to official business as a federal grant recipient.

For purposes of this policy, “travel costs” shall mean the expenses for transportation, lodging, subsistence, and related items incurred by employees and school officials who are in travel status on official business as a federal grant recipient.

School officials and district employees shall comply with applicable Board policies and administrative regulations established for reimbursement of travel and other expenses.

The validity of payments for travel costs for all district employees and school officials shall be determined by the [____Superintendent_/Officer].

Travel costs shall be reimbursed on a mileage basis for travel using an employee’s personal vehicle and on an actual cost basis for meals, lodging and other allowable expenses, consistent with those normally allowed in like circumstances in the district’s non-federally funded activities, and in accordance with the district’s travel reimbursement policies and administrative regulations.

Mileage reimbursements shall be at the rate approved by the Board or Board policy for other district travel reimbursements. Actual costs for meals, lodging and other allowable expenses shall be reimbursed only to the extent they are reasonable and do not exceed the per diem limits established by Board policy, or, in the absence of such policy, the federal General Services Administration for federal employees for locale where incurred.

All travel costs must be presented with an itemized, verified statement prior to reimbursement.

In addition, for any costs that are charged directly to the federal award, the [____Superintendent_/Officer] shall maintain sufficient records to justify that: A.

Participation of the individual is necessary to the federal award.

B. The costs are reasonable and consistent with Board policy.

DAF-8 ACCOUNTABILITY AND CERTIFICATIONS

All fiscal transactions must be approved by [____Superintendent_/Officer] the who can attest that the expenditure is allowable and approved [____Superintendent_/Officer] - under the federal program. The [____Superintendent_/Officer] submits all required certifications.

DAF-9 TIME-EFFORT REPORTING / OVERSIGHT

The Superintendent will establish sufficient oversight of the operations of federally supported activities to assure compliance with applicable federal requirements and to ensure that program objectives established by the awarding agency are being achieved. The District will submit all reports as required by federal or state authorities.

As a recipient of Federal funds, the District shall comply with the Uniform Administrative

Requirements, Cost Principles, and Audit Requirements for Federal Awards. Section 200.430 of the Code of Federal Regulations requires certification of effort to document salary expenses charged directly or indirectly against Federally-sponsored projects. This process is intended to verify the compensation for employment services, including salaries and wages, is allocable and properly expended, and that any variances from the budget are reconciled.

A. Compensation: Compensation for employment services includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. Compensation for personal services may also include fringe benefits, which are addressed in 2 CFR 200.431 Compensation – fringe benefits. Costs of compensation are allowable to the extent that they

satisfy the specific requirements of these regulations, and that the total compensation for individual employees:

1. is reasonable for the services rendered, conforms to the District's established written policy, and is consistently applied to both Federal and non-Federal activities; and
2. follows an appointment made in accordance with the District's written policies and meets the requirements of Federal statute, where applicable.

B. Time and Effort Reports: Time and effort reports shall:

1. be supported by a system of internal controls which provide reasonable assurance that the charges are accurate, allowable, and properly allocated;
2. be incorporated into the official records of the District;
3. reasonably reflect the total activity for which the employee is compensated by the District, not exceeding 100% of the compensated activities;
4. encompass both Federally assisted and other activities compensated by the District on an integrated basis;
5. comply with the District's established accounting policies and practices;
6. support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one (1) Federal award, a Federal award and non-Federal award, an indirect cost activity and a direct cost activity, two (2) or more indirect activities which are allocated using different allocation bases, or an unallowable activity and a direct or indirect cost activity.

The District will also follow any time and effort requirements imposed by NHDOE or other passthrough entity as appropriate to the extent that they are more restrictive than the Federal requirements. The [____Superintendent____/Officer] is responsible for the collection and retention of employee time and effort reports. Individually reported data will be made available only to authorized auditors or as required by law.

DAF-10 GRANT BUDGET RECONCILIATION

Budget estimates are not used as support for charges to Federal awards. However, the District may use budget estimates for interim accounting purposes. The system used by the District to establish budget estimates produces reasonable approximations of the activity actually performed. Any significant changes in the corresponding work activity are identified by the District and entered into the District's records in a timely manner.

The District's internal controls include a process to review after-the-fact interim charges made to a Federal award based on budget estimates and ensure that all necessary adjustments are made so that the final amount charged to the Federal award is accurate, allowable, and properly allocated.

District Policy History:

First reading: _____

Second reading/adopted: _____

District revision history:

Legal References:

[2 C.F.R. Part 180](#)

2 C.F.R. Part 200

200.305; 200.313(d); 200.317-.326; 200.403-.406; 200.413(a)-(c); 200.430; 200.431; 200.458; 200.474(b)

[200 Appendix II](#)

7 CFR Part 210

210.16; 210.19; 210.21; 215.14a; 220.16

Legal References Disclaimer: *These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

When adopting this sample or variation of the same, a district should not include the NHSBA history or NHSBA policy notes. The district should, to the extent possible, include its own adoption/revision history.

NHSBA history: New policy – April 2019

NHSBA note, April 2019, this policy was created to reflect requirements of Title 2 CFR Part 200, commonly known as the Uniform Grant Guidance.

w/p-update/2019 Fed/DAF Grant Mgt (19-3-12 Ver) Redline

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