



Hollis Policy Committee - Aug 10 2026 Agenda

Monday, August 10, 2026 at 9:00 AM

Hollis Upper Elementary School

	Page
A. 9:00am Call to Order	
B. 9:05am Policies Under Review	
1. IIB: Class Size, 2nd read IIB (HSD) Class Size .docx 	3
2. JICK: Pupil Safety and Violence Prevention- Bullying, 2nd read JICK (HSD) Pupil Safety and Violence Prevention - Bullying .docx 	5
C. 9:30am Policies to Review	
1. EEAA-R: Use of Video and Audio Systems EEAA-R (COOP) Use of Video and Audio Systems Administrative Use  - current COOP	14
2. JICL: School District Internet Access for Students JICL (COOP) School District Internet Access for Students  - current COOP	16
D. 10:00am Spring Policy Review	
1. AC: Non-Discrimination, Equal Opportunity AC (HSD) NON-DISCRIMINATION EQUAL OPPORTUNITY.docx 	18
2. EBCA: Crisis Prevention and Emergency Response EBCA (HSD) Crisis Prevention and Emergency Response Plans.docx 	23
3. IKL: Academic Honesty and Integrity IKL (HSD) Academic Integrity and Honesty.docx 	25
4. JFABD: Admission of Homeless Children and Unaccompanied Youth JFABD (HSD) Admission of Homeless Students and Unaccompanied Youth.docx 	27
5. JLCD: Administering Medication to Students	30

6. DAF: Administration of Federal Grants

35

[DAF \(HSD\) Administration of Federal Grants.docx](#) 

E. 10:30am Motion to Adjourn



Policy: IIB

Section: Section I - Instruction

(HSD) Class Size

IIB

Category R

CLASS SIZE

Class size will be defined as the recommended number of students under the supervision of a teacher, at any one time, for the purpose of instruction and learning.

In determining the sections at each grade level, the Superintendent and the administration will consider the needs of learners at each grade level, current best practices, and the demands of the programs and standards at each grade level along with the NH DOE Minimum Standards ED306.14.

Ed 306.14 Student-Educator Ratios.

(a) The local school board shall establish student-educator ratios that promote student learning for each learning opportunity and learning level based upon school safety policies, content, instructional method, the characteristics of learners, and the following:

(1) Kindergarten – grade 2, 25 students or fewer per educator, provided that each school shall strive to achieve the class size of 20 students or fewer per educator;

(2) Grades 3-5, 30 students or fewer per educator, provided that each school shall strive to achieve the class size of 25 students or fewer per educator

If the class exceeds the recommended maximum size of a particular grade level outlined in this policy, the Superintendent shall consult with the appropriate Principal and review the situation before deciding whether to take such steps as hiring additional personnel or using other resources.

The Board establishes that the following recommendations should be utilized for class size:

K-2: 18 students per class

3 20 students per class

4-6: 23 students per class

Legal References:

N.H. Code of Administrative Rules, Section Ed 306.14, Class Size

1st Reading: November 14, 2012
2nd Reading: December 12, 2012
3rd Reading: December 12, 2012 (waived)
Adopted: December 12, 2012

1st Reading: April 5, 2017
2nd Reading: April 5, 2017
3rd Reading: April 5, 2017 (waived)
Adopted: April 5, 2017

1st Reading: May 6, 2026 (as amended)
2nd Reading: June 3, 2026 (as amended)

PUPIL SAFETY AND VIOLENCE PREVENTION - BULLYING

Category: Priority/Required by Law

See also [JBAA](#), [JIC](#), [JICD](#), [IHBA](#)

A. **Purpose and Intent:** The Hollis School District is committed to providing a safe and respectful learning environment for all students. Through education, prevention, and consistent enforcement, we aim to eliminate bullying and promote positive peer relationships for all of our students.

1. Prohibition of Bullying or Cyberbullying of a Student - RSA 193-F:4, II(a): This policy is intended to comply with and implement RSA 193-F. Bullying, in any form—whether physical, verbal, social, or cyber—is strictly prohibited and will not be tolerated. This policy defines bullying and related conduct, and establishes clear procedures for reporting, investigating, and responding to incidents.
2. Protection of all School Aged Children - RSA 193-F:4, II(c): This policy shall apply to all students and school-aged persons on school district grounds and participating in school district functions, whether or not such school-aged person is a student within the District and regardless of their status under the law. District staff will coordinate with staff from other districts, if an allegation of bullying involves a student who is not a resident of the District.

Prohibition of Retaliation and False Accusations - RSA 193-F:4, II(b): This policy prohibits retaliation or false accusations against a victim, witness, or anyone else who, in good faith, provides information about an act of bullying or cyberbullying. An unsubstantiated allegation of bullying, on its own, will not constitute a false accusation against an alleged perpetrator.

B. **Definitions** (RSA 193-F:3)

1. Bullying: Bullying is hereby defined as a single significant incident or a pattern of incidents involving a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, directed at another pupil which:
 - a. Physically harms a pupil or damages the pupil's property;
 - b. Causes emotional distress to a pupil;
 - c. Interferes with a pupil's educational opportunities;
 - d. Creates a hostile educational environment; or
 - e. Substantially disrupts the orderly operation of the school and
 - f. Either occurs on, is delivered to, school property or a school-sponsored activity or event on or off school property; or occurs off of school property or outside a school-sponsored activity or event, if the conduct interferes with a student's educational opportunities or substantially disrupts the orderly operations of the school or any school-sponsored activity or event.

Bullying shall include actions motivated by an imbalance of power based on a pupil's actual or perceived personal characteristics, behaviors, or beliefs, or motivated by the pupil's association with another person and based on the other person's characteristics, behaviors, or beliefs.

As used throughout this or other Board policies, and unless the context indicates otherwise, the term "bullying" as used in this policy will include cyberbullying.

2. "Cyberbullying" is defined as any conduct defined as "bullying" in this policy that is undertaken through the use of electronic devices. For purposes of this policy, any references to the term bullying shall include cyberbullying.
3. "Electronic devices" includes, but is not limited to, telephones, cellular or smartphones, computers, pagers, or any other device which is used for or can transmit: voice calls or messages; electronic mail; text/instant or other verbal messaging; images or videos; and websites.
4. "Parent" means a person who has legal custody of a minor child as a natural or adoptive parent, as a legal guardian, or who is functioning in a parental role if the actual parent or guardian is absent from the child's daily life. Additionally, "parent" may include students who have been emancipated, either by age or legal process. The term "parent", shall not, however, include a parent as to whom the parent-child relationship has been terminated by judicial decree or voluntary relinquishment.
5. "Perpetrator" means a student who engages in bullying or cyberbullying.
6. "Principal" shall mean and include the building Principal or other senior building administrator of a school, as well as any qualified person appointed by the Principal to carry out all or some Principal functions as described in this policy. References to "Principal" throughout this policy refer to the Principal or designee.
7. "Retaliation" means and includes such conduct as intimidation, threats, coercion, harassment, or discrimination in response to (or in an effort to prevent) a victim, alleged victim, witness or other person, who in good faith provides information about an act or conduct that the person providing the information believes is bullying or cyberbullying.
8. "School property" means all real property and all physical plant and equipment used for school purposes, including public or private school buses or vans.
9. "Staff" means and includes all district, school or SAU employees, designated volunteers (as defined in Board policy GBCD), or other volunteers who are regularly on school property, or who have significant contact with students, and any employees of a company under contract to the District or SAU and who have significant contact with students.
10. "Student" shall have the same meaning as "pupil" as used in RSA 193-F and this or any other Board policy.
11. "Superintendent" means the Superintendent (Senior Education Official) or other person designated by the Superintendent to carry out all or some Superintendent functions as described in this policy. References to "Superintendent" throughout this policy refer to the Superintendent or designee.
12. "Victim" means a student against whom bullying or cyberbullying has been perpetrated.

C. Retaliation - RSA 193-F:4, II(b). Retaliation or false accusations related to bullying or cyberbullying shall be deemed a violation of this policy, and students engaging in retaliation or making false accusations may be subject to disciplinary action. Upon receiving any report of bullying or cyberbullying, the Principal will immediately assess the need to develop a plan or take steps to protect the alleged victim or any witnesses against retaliation. The same assessment shall be made at any point upon a report of retaliation or false accusations made during or after a bullying/cyberbullying investigation.

Reports of retaliation or false accusations relating to a bullying/cyberbullying report may be made in the same manner as for reports of bullying/cyberbullying as provided in this policy.

Investigations, and responses (i.e., interventions, supportive measures, disciplinary consequences) to reports of retaliation or false accusations may be made as provided in the same manner as provided in the applicable sections below for reports or incidents of bullying/cyberbullying, or in accordance with procedures and provisions set forth in the student handbook

D. Procedures for Reporting Bullying, Cyberbullying, Retaliation or False Accusations - RSA 193-F:4, II(f). At each school, the Principal is responsible for receiving reports or complaints of bullying or cyberbullying.

1. Student Reporting: Any student who believes he or she has been the victim of bullying/cyberbullying, retaliation, or false accusations should report the alleged acts immediately to the Principal, or to a school district employee or volunteer that the student feels more comfortable making the report.
2. Staff Reporting: Any school employee or volunteer who receives a report of, witnesses, or has knowledge or belief that bullying/cyberbullying or retaliation may have occurred, shall inform the Principal as soon as possible, but no later than the end of that school day.
3. Parent Reporting: Parents and other adults are also encouraged to report any concerns about possible bullying/cyberbullying or retaliation of students to the Principal.
4. Report Forms: The administration may develop student reporting forms to assist students and staff in filing such reports. An investigation shall still proceed even if a student is reluctant to fill out the designated form and chooses not to do so.
5. Anonymous Reports: The Principal may develop a system or method for receiving anonymous reports of bullying within the building. Although students, parents, volunteers and visitors may report anonymously, an investigation based upon such reports may by necessity be incomplete. More significantly, formal disciplinary action may not be based solely on an anonymous report, and, likewise, other remedial or supportive measures may require some form of evidentiary verification.

E. Actions Upon Receipt of Report of Bullying or Cyberbullying

1. Receipt of Report: Upon receipt of a report of bullying, the Principal shall commence an investigation consistent with the provisions of Section F of this policy and shall assess:
 - a. the need for a plan to protect students against retaliation,
 - b. whether the conduct may be construed as illegal discrimination or harassment related to a protected class as set forth in Board policy AC (if so, the Principal shall confer with the

District staff member(s) charged with handling such discrimination or harassment to determine how to proceed (e.g., parallel or combined investigations)); and

- c. whether such conduct constitutes a safe schools violation requiring a report pursuant to RSA 193-D:4 and Ed 317.05.
2. Parental Notice of Bullying Report — RSA 193-F:4, II(h). Within 48 hours of receiving a report of bullying, the Principal will notify the parents of any student reported as a victim of bullying, as well as the parents of any student who has been reported as a perpetrator of bullying. Such notification may be made by telephone, writing or personal conference. The date, time, method, and location (if applicable) of such notification and communication shall be included in the investigative report. Notifications shall be consistent with the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) relative to the student privacy rights of each student indicated in the report.

The Principal may request of the Superintendent a waiver of the parental notification requirement, which may be granted only if the Superintendent deems such a waiver to be in the best interest of either the alleged victim or alleged perpetrator. If the waiver is granted, it shall be documented in writing.

3. Bullying Across School Districts — RSA 193-F:4, I(j). In cases of bullying and/or cyberbullying across multiple school districts, the Principal shall commence an investigation and contact the other involved school district(s) to collaborate investigation efforts. In cases of bullying and/or cyberbullying across multiple states, the Principal shall also inform the New Hampshire attorney general's office.

F. Investigative Procedures - RSA 193-F:4, II(j)

1. Upon receipt of a report of bullying, the Principal shall, within 5 school days, initiate an investigation into the alleged act. If the Principal is directly and personally involved with a complaint or is closely related to a party to the complaint, then the Superintendent shall direct another district employee to conduct the investigation.
2. The investigation should include documented interviews with the alleged victim, alleged perpetrator and any witnesses. All interviews shall be conducted privately, and shall be confidential to the extent permitted by law. Each individual will be interviewed separately and at no time will the alleged victim and perpetrator be interviewed together during the investigation.
3. The investigation should include review of any available surveillance recordings subject to the provisions of applicable Board policies.
4. If the alleged bullying was in whole or in part cyberbullying, the Principal may ask students and/or parents to provide the District with printed copies of the e-mails, text messages, website pages, or other similar electronic communications, consistent with Board policy JIH and RSA 189:70. RSA 189:70, II(d). The Principal may not, however, take any of the following actions:
 - i. Require or request a student or prospective student to disclose or to provide access to a personal social media account through the student's or prospective student's user name, password, or other means of authentication that provides access;

- ii. Require or request a student or prospective student to access a personal social media account in the presence of any employee of the educational institution in a manner that enables the employee to observe the contents of the personal social media account;
- iii. Compel a student or prospective student to add anyone to his or her list of contacts associated with a personal social media account or require, request, suggest, or cause a student or prospective student to change the privacy settings associated with a personal social media account;
- iv. Take or threaten to take any action against a student or prospective student to discipline or prohibit such student or prospective student from participation in curricular or co-curricular activities for refusal to disclose information or to take the above actions.

RSA 189:70, I(a)-(d). The Principal may, however, monitor the usage of the District's computer network. In addition, the Principal may take any of the above listed actions if the social media account was created or provided by the District, if the student was provided advance notice that the account may be monitored at any time by District employees. RSA 189:70, III.

5. The Principal or other investigator shall consider all relevant facts and circumstances during the course of the investigation, including but not limited to:
 - a. Description of incident, including the nature of the behavior;
 - b. How often the conduct occurred;
 - c. Whether there were past incidents or past continuing patterns of behavior;
 - d. The characteristics of parties involved, (name, grade, age, etc.);
 - e. The identity and number of individuals who participated in bullying behavior;
 - f. Where the alleged incident(s) occurred;
 - g. Whether the conduct adversely affected any student's education or educational environment;
 - h. Whether the conduct physically harmed the alleged victim;
 - i. Whether the conduct damaged the alleged victim's property;
 - j. Whether the conducted caused emotional distress to a pupil;
 - k. Whether the conduct was motivated by an imbalance of power based on the pupil's actual or perceived personal characteristics, behaviors, or beliefs, and/or motivated by the pupil's association with another person and based on the other person's characteristics, behaviors, or beliefs.;
 - l. Whether the conduct violated any District or school policies or rules; and
 - m. The date, time and method by which parents or legal guardians of all parties involved were first contacted.
6. The Principal shall complete the investigation within 10 school days of receiving the initial report. If the Principal needs more than 10 school days to complete the investigation, the Superintendent may grant an extension of up to 7 school days. In the event such extension is

granted, the Principal shall notify in writing all parties involved of the granting of the extension.

Without limiting what might constitute sufficient cause for an extension under this paragraph, the Superintendent may consider the interests of the victim or alleged perpetrator related to any investigation into some or all of the same alleged conduct which other investigation includes procedures and timelines mandated by a regulation or statute other than RSA 193-F (e.g., Title IX, criminal investigations, etc.). Before waiving the time requirement on account of such other investigation, the Superintendent should confer with counsel and or the District's Title IX Officer.

G. Completion of Investigation and Report

1. Investigative Determination and Report: Whether a particular action or incident constitutes bullying/cyberbullying, retaliation or other violation of this policy – requires review and consideration of available evidence of all facts and surrounding circumstances. The investigative determination along with a summary of the investigation, shall be included in a comprehensive report. If the determination is that the bullying allegation is substantiated, the report shall include provisions describing any disciplinary consequences, interventions, supportive measures or other assistance for the victim or perpetrator, and, when indicated, any steps appropriate to protect all students from retaliation of any kind. The report may also include policy, training or other recommendations for preventing future bullying conduct within the school.
2. Communication with Students and Parents Upon Completion of Investigation - RSA 193-F:4, II(m).
 - a. The Principal will meet promptly with each student (alleged victim and alleged perpetrator) involved in the incident(s) and communicate the general investigative determination as to whether the allegations of bullying/cyberbullying were substantiated, and any initial consequences or interventions appropriate to the determination.
 - b. Within 10 school days of the completion of the investigation, the Principal will notify the parents of the alleged victim and of the alleged perpetrator of the outcome of the investigation and the school's remedies and assistance, within the boundaries of applicable state and federal law. The initial communication may be in writing, in person or by telephone, but if verbally, the Principal will also send a letter confirming earlier determination to the parents within 2 school days confirming the earlier notification.
 - c. If the parents request, the Principal shall schedule a meeting with them to further explain the investigative determination.
 - d. In accordance with the Family Educational Rights and Privacy Act and other laws concerning student privacy, the District will not disclose educational records of students, including the discipline and remedial action assigned to those students and the parents of other students involved in a bullying incident.
3. Appeals: A parent aggrieved by the investigative determination of the Principal may appeal the determination in accordance with the standards and procedures set forth for Level II and Level III appeals in Board policy ACA.
4. Additional Reporting Requirements.

- a. Reporting Substantiated Incidents - RSA 193-F:4, II(l): The Principal shall forward all substantiated reports of bullying to the Superintendent upon completion of the Principal's investigation.
- b. Department of Education Reports - RSA 193-F:4, II(g): The Principal shall be responsible for completing such reports/forms as required by the New Hampshire Department of Education (NHED) for all substantiated incidents of bullying. Irrespective of the time/date a form/report is due to be filed with NHED, the report/form or the information required for the report/form shall be completed/compiled within 10 school days following an investigative finding of a substantiated bullying/cyberbullying report. The Principal or designee shall retain a copy and shall forward one copy to the Superintendent. Hard copies are not necessary if the digital form/data is retained and accessible to both the building administration and SAU.
- c. Reporting to NH Department of Education - RSA 193-F:6, I. The Superintendent shall annually report the District's substantiated incidents of bullying to the New Hampshire Department of Education. Pursuant to FERPA, such reports shall not contain any personally identifiable information pertaining to any student.

H. Substantiated Instances of Bullying/Cyberbullying, Retaliation or False Accusations: Interventions, Remedial Measures and Disciplinary Consequences — RSA 193-F:4, II(k).

While students who have been found to have committed an act of bullying/cyberbullying, or engaged in retaliation or made a false accusation, can face disciplinary consequences, the Board encourages the administration and school district staff to explore alternative or additional measures and interventions to address the substantiated instances of bullying/cyberbullying, and prevent their reoccurrence.

1. Interventions and Other Remedial Measures: Examples of interventions and remedial measures include, but are not limited to:
 - a. Restitution,
 - b. Parent conferences,
 - c. Student counseling,
 - d. Behavior assessment,
 - e. Corrective instruction or other relevant learning experience,
 - f. Peer support group, and
 - g. Mediation (but only after the investigation has been completed).

Interventions and other remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim, and take corrective action for documented systematic problems related to bullying.

A finding that an allegation of bullying/cyberbullying, retaliation, or a false accusation is unsubstantiated *does not* preclude the District from implementing interventions and other remedial measures, when appropriate to do so.

2. Disciplinary Consequences - RSA 193-F:4, II(d)- Disciplinary consequences for students shall be consistent with District policies and the student handbook for the conduct that violated this policy. Disciplinary consequences should be varied according to specific circumstances such as: the nature of the behavior, the developmental age of the student, the student's prior disciplinary history, performance. Students will be afforded any due process applicable to the level of consequences as provided in Board policy JICD, RSA 193:13 and Ed 317.

I. Dissemination of Policy and Bullying Prevention Education - RSA 193-F:4, II(e) and 193-F:5.

1. Staff and Volunteers: All staff will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (employee handbook, hard copy, website, workshops, etc.). The Superintendent will ensure that all school employees and volunteers receive **annual** training on bullying and related Board policies, consistent with RSA 193-F:5.
2. Students: All students will be provided with a copy of this policy annually. The Superintendent may determine the method of providing the policy (student handbook, mailing, hard copy, website, etc.).

Each year, all students will participate in programming that includes anti-bullying/cyberbullying materials presented in age-appropriate language. The materials and information should, among other things, describe expectations for student behavior, emphasize an understanding of what bullying/cyberbullying, harassment and intimidation is and looks like, the District's prohibition of such conduct and the reasons why the conduct is destructive, unacceptable, and how and when the conduct can lead to disciplinary consequences.

The Superintendent, in consultation with staff, will, to the extent reasonably possible, integrate student anti-bullying training and education into the district's curriculum, behavior programs and other violence prevention efforts.

3. Parents: The Superintendent will ensure that all parents are annually provided with a copy of this policy or informed in writing where a copy of the policy may be located on the District and/or school's website. Student/family handbooks will include information of the District/school's anti-bullying program, as well as the means for students to report bullying acts either experienced or witnessed, and how parents, themselves, may inform/report to the school when they believe their child is being bullied or is bullying other students and encourage their children to report bullying when it occurs.
4. Additional Notice and School District Programs: The Board may, from time to time, host or schedule public forums in which it will address this anti-bullying policy, discuss bullying in the schools, and consult with a variety of individuals, including teachers, administrators, guidance counselors, school psychologists and other interested persons.

J. Summary of School Officials' Duties to Implement Policy - RSA 193-F:4, II(n)

The Superintendent, as the person charged with supervision of all employees of the District, is responsible for the implementation of this policy and the provisions of RSA 193-F. The School Principal(s) are expected and required by statute to implement this policy within their respective school buildings and ensure the procedures are followed.

Consistent with this Policy, the Principal(s) shall receive reports of alleged bullying or retaliation, investigate the alleged conduct, and communicate with the parties involved (including their parents) consistent with privacy laws, and communicate/report to the Superintendent. The Superintendent shall oversee the Principal(s) in their duties relative to this policy and shall ensure each school is compliant with this policy. Additionally, the Superintendent, will receive reports of substantiated incidents, review waivers and time extension requests, and communicate with the Principal(s), the School Board, and the NH Department of Education, all as provided in this policy.

K. Immunity and Liability – RSA 193-F:7 & 9

Under 193-F:7, employees, volunteers, students, parents and any other person covered by this policy will be immune from civil liability for **good faith** conduct arising from or pertaining to the reporting, investigation, findings, recommended response, or implementation of a recommended response under this policy or RSA 193-F. (Note – civil liability could arise, (including for attorney fees) in the event of gross negligence or willful misconduct for violations of this policy.)

Legal References:

RSA [193-F](#), Pupil Safety and Violence Prevention Act

RSA [187:70](#), Educational Institution Policies on Social Media

RSA [570-A](#):2, Capture of Audio Recordings on School Buses Allowed

NH Code of Administrative Rules, Section Ed 306.04(b)(7), Student Harassment

1st Reading: November 10, 2010
2nd Reading: April 13, 2011
3rd Reading: Waived April 13, 2011
Approved: April 13, 2011

Reviewed:

1st Reading: June 1, 2016
2nd Reading: July 18, 2016
3rd Reading: July 18, 2016 (Waived)
Adopted: July 18, 2016

1st Reading: November 4, 2020
2nd Reading: December 2, 2020 (as amended)
3rd Reading: December 2, 2020 (Waived)
Adopted: December 2, 2020

1st Reading: May 6, 2026 (as amended)

2nd Reading: June 3, 2026 (as amended)



Policy: EEAA-R

Section: Section E - Support Services

(COOP) Use of Video and Audio SYstems Administrative Use

EEAA-R

USE OF VIDEO AND AUDIO SYSTEMS ADMINISTRATIVE PROCEDURE

Video and Audio Systems include but are not limited to security cameras and live streaming video and audio systems.

A. Security Camera Placement

1. Security cameras may be placed outside and inside school facilities as described in Policy EEAA and as approved by the Superintendent. The Superintendent shall consult with the building administrator and others as appropriate prior to approving placement of security cameras.
2. The use of security cameras or video devices may also be approved in particular locations by the Superintendent on a short-term basis in connection with investigations of possible misconduct and/or illegal activity.
3. Security cameras will not be placed in bathrooms, locker rooms, private offices or other locations where the Superintendent determines that users have a reasonable expectation of privacy, except as otherwise permitted by law.

B. Viewing/Monitoring of Live Images from Security Cameras and/or Other Recording Devices

1. In order to maintain building security, a monitor will be placed to enable office staff to observe points of access to the building.
2. The Superintendent, building administrators and others designated by the Superintendent may monitor security camera images on a periodic or random basis for school-related purposes.
3. In situations when the School Department's Comprehensive Emergency Plan is implemented and/or there is an immediate security risk, law enforcement officials may directly view images from school security cameras at the school on their own monitors at other locations.

C. Viewing of Recordings

1. The Superintendent, building administrators and others designated by the Superintendent may review recordings for school-related purposes. Other school employees may be authorized by the Superintendent or a building administrator to view recordings if there is a legitimate educational or operational reason to do so.
2. Any recording used for student disciplinary purposes will only be disclosed as authorized by the Family Educational Rights and Privacy Act (FERPA) and in accordance with Board policy.
3. The parents/guardians of a student or an eligible student under FERPA may request to view portions of a recording used as a basis for disciplinary action against that student. Viewing of

the recording shall be conducted in the presence of a building administrator and shall be conducted in a manner that does not violate the confidentiality rights of other students.

4. Law enforcement personnel may review recordings, when available, to investigate possible criminal conduct.

D. Storage and Security of Security Camera Recordings

1. All security camera recordings will be stored in a secure location to ensure confidentiality.
2. Security camera recordings will be stored no longer than 60 days, except in cases where there is a request from the police or a court or when recordings are needed for a disciplinary matter.
3. Recordings related to a disciplinary matter will be maintained in their original form until the matter is resolved.

1st Reading: May 18, 2016

2nd Reading: June 15, 2016

Adopted: June 15, 2016

1st Reading: January 17, 2024 (as amended)

2nd Reading: May 15, 2024 (as amended)

3rd Reading: August 21, 2024

Adopted: August 21, 2024

Adoption Date: **August 21, 2024**



Policy: JICL

Section: Section J - Students

(COOP) School District Internet Access for Students

JICL

*Category: Priority/Required by Law
See also EHAA, GBEF*

SCHOOL DISTRICT INTERNET ACCESS FOR STUDENTS

The Board recognizes that technological resources can enhance student performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, teachers, and the community, supporting SAU #41 and school operations, and improving access to and exchange of information. The Board expects all students to learn to use the available technological resources that will assist them in the performance of their education. As needed, students shall receive training, lessons and instruction in the appropriate use of these resources.

Students shall be responsible for the appropriate use of technology and shall use the SAU #41's technological resources primarily for the purposes related to their educational duties. Students are hereby notified that there is no expectation of privacy on district computers, computer files, email, internet usage logs, and other electronic data.

The Superintendent or designee shall ensure that all SAU #41 computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or pornographic and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research, educational or other lawful purpose.

The Superintendent shall establish social media and acceptable use administrative regulations and an Acceptable Use Agreement that outlines student obligations and responsibilities related to the use of SAU #41 technologies. They also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the student's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulations.

This policy is referenced in all student handbooks. Each student and their Parent/Guardian shall be required to acknowledge in writing that they have read and understood the SAU #41's Acceptable Use Agreement.

Legal References:

*RSA [194:3-d](#), School District Computer Networks
47 U.S.C. §254, Requirements for Certain Schools - Internet Safety*

20 U.S.C. §6777, Enhancing Education through Technology - Internet Safety
Appendix: SAU #41 Networks & Internet Acceptable Use Procedure Appendix I & II

1st Reading: February 19, 2014
Adopted: February 19, 2014

Category: *Priority/Required by Law*

Related Policies: *ACAA, ACAA-R, ACAB, ACAB-R, ACD, ACE, GBAA, JBAA, JICK, KED, KEE*

NON-DISCRIMINATION, EQUAL OPPORTUNITY EMPLOYMENT AND DISTRICT ANTI-DISCRIMINATION PLAN

A. Prohibition Against Discrimination of Students in Educational Programs and Activities.

Under New Hampshire law and Board policy, no person shall be excluded from, denied the benefits of, or subjected to discrimination in the District's public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin. Discrimination, including harassment, against any student in the District's education programs, on the basis of any of the above classes, or a student's creed, is prohibited. Finally, there shall be no denial to any person of the benefits of educational programs or activities, on the basis of any of the above classes, or economic status.

Harassment of students other than on the basis of any of the classes or categories listed above is prohibited under Board policy [JICK](#) Pupil Safety and Violence Prevention.

B. Equal Opportunity of Employment and Prohibition Against Discrimination in Employment.

The School District is an Equal Opportunity Employer. The District ensures equal employment opportunities without regard to age, color, creed, disability, gender identity, marital status, national origin, pregnancy, race, religion, sex, or sexual orientation. The District will employ individuals who meet the physical and mental requirements, and who have the education, training, and experience established as necessary for the performance of the job as specified in the pertinent job description(s).

Discrimination against and harassment of school employees because of age, sex, race, creed, religion, color, marital status, familial status, physical or mental disability, genetic information, national origin, ancestry, sexual orientation, or gender identity are prohibited. Additionally, the District will not discriminate against any employee who is a victim of domestic violence, harassment, sexual assault, or stalking.

C. Policy Application.

This Policy is applicable to all persons employed or served by the District. It applies to all sites and activities the District supervises, controls, or where it has jurisdiction under the law, including where it (a) occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or (b) occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a student's educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event, as set forth in Board policy [JICK](#), Pupil Safety and Violence Prevention. Examples of sites and activities include all District buildings and grounds, school buses and other vehicles, field trips, and athletic competitions.

D. District Anti-Discrimination Plan.

The Superintendent shall develop and provide to the Board for approval, a coordinated written District Anti-Discrimination Plan (the "Plan") to include guidelines, protocols and procedures intended to prevent, assess the presence of, intervene in, and respond to incidents of discrimination.

Among other things, the Plan should include provisions, and recommendations with respect to resources, policies, complaint procedures, student education programs, Plan dissemination and training appropriate to carrying out the Plan objectives stated in the preceding paragraph.

In developing the Plan, the Superintendent is encouraged to seek input from appropriate groups of the school and local community and coordinate with the District's Human Rights Officer and Title IX and 504 Coordinators.

No less than once every two years (off years from review of the District's Suicide Prevention Plan per Policy JLDDBB), the Superintendent shall update the District Anti-Discrimination Plan, and present the same to the Board for review. Such Plan updates should be submitted to the Board in time for appropriate budget consideration.

E. Human Rights Title IX, 504 and other Coordinators or Officers.

The Superintendent shall assure that District and or building personnel are assigned to the positions listed below. Each year, the Superintendent shall prepare and disseminate as an Appendix AC-E to this Policy an updated list of the person or persons acting in those positions, along with their District contact information, including telephone number, email, postal and physical addresses.

Human Rights Officer	Director of Student Services for Students;
Human Rights Officer	HR Administrator for Employees
Title IX Coordinator	Director of Student Services
504 Coordinator	Director of Student Services

The Appendix will also include current contact for relevant state and federal agencies including:

U.S. Department of Education, Office of Civil Rights

U.S. Department of Agriculture, Office of Civil Rights

N.H. Human Rights Commission

N.H. Department of Justice, Civil Rights Unit

N.H. Department of Education, Commissioner of Education

F. Complaint and Reporting Procedures- Report, Complaint, Grievance Procedures and Consequences

~~Any person who believes that he or she has been discriminated against, harassed, or bullied in violation of this policy by any student, employee, or other person under the supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination, harassment, or bullying, should contact the Human Rights Officer, or otherwise as provided in the policies referenced below under this same heading.~~

1. Reports and Complaints

- a. Reports or complaints of sex discrimination, including sex-based harassment, or sexual violence should be made under Board policy ACAC;
 - b. Reports or complaints by students of discrimination on the basis of educational disability under the IDEA should be made under Board policy ACE;
 - c. Reports or complaints of bullying or other harassment of pupils should be made under Board policy JICK;
 - d. Reports or complaints of discrimination, harassment, or retaliation not specified above, including, without limitation, claims relating to race, ethnicity, disability (e.g., ADA or 504), religion, access to Title 36 youth groups listed in Title 36, Subtitle II, Part B of the United States Code (as a patriotic society) that is intended to serve young people under the age of 21, and not involving or relating to the District's food services should be made under the grievance procedure in Board policy ACA; and
 - e. Reports or complaints of discrimination based upon protected classes relative to any of the District's food and nutrition services (FNS) programs (school lunches, etc.) should be made under Board policy ACF, unless the alleged discriminatory conduct relates to a class identified in associated sections related Board policies.
 - f. Complaints or reports regarding matters not covered in applicable policies should be made to the Assistant Superintendent of Student Services.
- Any employee who has witnessed, or who has reliable information that another person may have been subjected to discrimination, harassment, or bullying in violation of this policy has a duty to report such conduct to their immediate supervisor, the Assistant Superintendent of Student Services, or as provided in one of the policies or administrative procedures referenced above under this same heading. Additionally, employees who observe an incident of harassment, discrimination or bullying are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so.

2. Grievance Procedures and Investigations

Grievance procedures and investigations of any complaints shall be according to the policies listed above and related administrative procedures or regulations.

3. Consequences and Remedies

Employees who violate this policy, including the failure to report or intervene as described here, will be disciplined, up to and including employment termination.

Students who violate this policy will be disciplined in accordance with applicable policies, the Code of Conduct, or school/classroom rules and regulations. Patrons, contractors, visitors, or others who violate this policy may be prohibited from District property or otherwise restricted while on District property subject to applicable law. See also Board policy KFA. The Superintendent, their designee, Building Principal, or building designees will contact law enforcement or seek a court order to enforce this policy when necessary or when actions may constitute criminal behavior.

G. Alternative Complaint Procedures and Legal Remedies.

At any time, whether or not an individual files a complaint or report under this Policy, an individual may file a complaint with the Office for Civil Rights ("OCR"), of the United States Department of Education, or with the New Hampshire Commissioner for Human Rights.

1. Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921; Telephone number: (617) 289-0111; Fax number: (617) 289-0150; Email: OCR.Boston@ed.gov

Note: Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures.

2. New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Concord, NH 03301; Telephone number: (603) 271-2767; Email: humanrights@nh.gov

Notwithstanding any other remedy, any person may contact the police or pursue a criminal prosecution under state or federal criminal law.

H. Retaliation Prohibited.

No reprisals or retaliation of any kind will be taken by the Board or by any District employee against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless that person knew the complaint or report was false or knowingly provided false information.

I. Administrative Procedures and Regulations.

The Superintendent shall develop such other procedures and regulations as are necessary and appropriate to implement this Policy.

J. Notice of Compliance.

The Superintendent will provide notice of compliance with federal and state civil rights laws to all applicants for employment, employees, students, parents, and other interested persons, as appropriate.

Legal References:

RSA 354-A:6, Opportunity for Employment without Discrimination a Civil Right

RSA 354-A:7, Unlawful Discriminatory Practices

The Age Discrimination in Employment Act of 1967

Title II of The Americans with Disabilities Act of 1990

Title VII of The Civil Rights Act of 1964 (15 or more employees)?

Appendix: AC-R

Revised: September 2008

Revised: July 1998, February 2004, February 2005

1st Reading: August 8, 2012

2nd Reading: September 12, 2012

3rd Reading: Waived

Approved: September 12, 2012

1st Reading: April 3, 2019 (as amended)0

2nd Reading: May 1, 2019

3rd Reading: June 5, 2019

Adopted: June 5, 2019

1st Reading: January 5, 2022

2nd Reading: April 6, 2022

3rd Reading: September 7, 2022

Adopted: September 7, 2022

1st Reading: October 4, 2023 (as amended)

2nd Reading: November 1, 2023

3rd Reading: Waived

Adopted: November 1, 2023

1st Reading: November 5, 2025 (as amended)

2nd Reading: Waived

3rd Reading: Waived

Adopted: November 5, 2025

Policy EBCA: Crisis Prevention and Emergency Response Plans

Category: Recommended

References: JICI, EBCH, JLCJA, EB, EBB, EBCB, EB CD, JICK, EBCC

The Board recognizes that schools are subject to a number of potentially dangerous events, such as natural disasters, industrial accidents, acts of terrorism, and other violent events. No school is immune from these events no matter the size or location. The Board is committed to the prevention of these events, to the extent possible, in the schools and at school-sponsored activities.

For the purpose of the policy, all reference to the school buildings shall include the school property. School property pertains to all real property and all physical plant and equipment used for school purposes, including school buses or other vehicles used to transport students on behalf of the District. School property shall also include non-district-owned property when that property is used for school-sponsored educational or co/extracurricular programs or activities. See also Ed 306.04(b)(2), RSA 193-D:1, V and RSA 193-F:3, V.

District-Wide Plans

The Superintendent, in coordination with school administrators and local emergency authorities, shall maintain a comprehensive District Emergency Operations Plan (“EOP”) in accordance with RSA 189:64, the Incident Command System (ICS), and the National Incident Management System (NIMS).

The District EOP shall serve as both the site-specific emergency operations plan for each school and the District-wide Crisis Prevention and Response Plan. The plan shall address, but not be limited to, acts of violence, threats, natural disasters, fire, hazardous materials, medical emergencies, sports injury emergency response, and other hazards deemed necessary by the School Board or local emergency authorities.

The Superintendent or designee shall annually review and update the District EOP in coordination with building administrators and emergency response agencies. If, after such review, the plan remains unchanged, the Superintendent/Principal shall notify the New Hampshire Department of Safety by October 15 that the plan is unchanged. If the Emergency Operations Plan is updated or revised, the Superintendent/Principal shall submit the updated plan to the Director of Homeland Security and Emergency Management of the Department of Safety by October 15.

The District Emergency Operations Plan shall not be considered a public record and shall not be available for public inspection or review, except as otherwise required by law.

All emergency response drills, including fire and all-hazard drills, shall be conducted annually in accordance with Board policy and applicable state law.

School building principals, or their designee, shall annually review their site-specific EOP and submit updated plans (or report of no changes) to the Superintendent for review by October 1st. Members of the public will not be permitted to view the EOP.

Coordination

The Superintendent will establish a relationship with local and state emergency services (e.g., police, fire, ambulance, etc.). Unless otherwise provided in a site-specific EOP, the District

Crisis Prevention and Response Plan or the District Communication Plan, the Superintendent, or their designee, will serve as the coordinator/liaison with these authorities. Additionally, the Superintendent should designate personnel to explore the availability of any training or support provided by the New Hampshire Departments of Education and/or Safety associated with risk assessment, crisis management, and other matters related to this policy.

NH Statutes

RSA 153-A:28-33

Description

Automated External Defibrillation

RSA 189:64

Emergency Response Plans

RSA 193-D

Safe School Zones

RSA 193-F

Pupil Safety and Violence Prevention

RSA 200:40-c

Emergency Plans for Sports Related Injuries

NH Dept of Ed Regulation

N.H. Code Admin. Rules Ed 306.04(b)(2)

Description

School Safety

1st Reading: June 3, 2026

2nd Reading: Waived

3rd Reading: Waived

Adopted: June 3, 2026

Academic Integrity and Honesty

All students are expected to demonstrate academic integrity and honesty. Students are expected to put forth their best effort on tests and assignments. Students are expected to demonstrate respect towards their instructors who develop assignments and assessments that value Human Intelligence and aim to create learning experiences for students. Engaging in various forms of cheating or academic dishonesty does not permit students to realize the full extent of their educational experience or their full academic potential. These expectations are directly related to the Board's educational objectives for students to learn to be responsible for and accept the consequences of their behavior.

Prohibited Behavior

In addition to individual classroom standards, the following behaviors violate academic integrity and are prohibited:

1. **Cheating:** Cheating is any act of academic dishonesty, which includes such things as receiving or communicating information to another student during a test or other assessment; looking at another's test or assessment during the exam; using notes or obtaining information during a test or assessment when prohibited; obtaining information about the questions or answers for an assessment prior to the administration of the exam; or whatever else is deemed contrary to the rules of fairness with respect to school work or assessment, including special rules developed by the instructor of the course.
2. **Improper Use of Generative AI Tools:** Improper use of generative artificial intelligence ("AI") tools (e.g., ChatGPT, Google Bard, Harvey.AI, Gemini, Copilot, etc.) is use which is inconsistent with the purpose, spirit, or specific instructions for assigned school work or homework. **Students may only use AI tools in accordance with associated Board policies, the teacher's or activity supervisor's specific instructions or pre-existing class, or school guidelines.** When use is permitted, students must state their use of the AI tools and, where applicable, find a legitimate, independent source to cite information. Teachers will provide general instructions related to the acceptable use of AI tools, but students are expected to obtain clarification from the teacher if they are uncertain of whether and how AI tools may be used on any given assignment.
3. **Plagiarism:** Representing someone else's ideas or words as your own without proper citation. This includes paraphrasing or directly quoting published or unpublished work without acknowledging the source. Sources include books, articles, websites, work of others, and AI tools. Teachers will provide clear citation guidelines, but students should seek clarification if unsure.
4. **Academic Misrepresentation:** Having someone else or individual substitute complete a test or assessment for you.

5. **Academic Collusion:** Sharing test questions or answers with another student without the instructor's permission. This includes copying another's work or allowing someone to copy yours, as well as unauthorized group collaboration on individual assignments.
6. **Dishonesty in Academic Work:** Submitting work prepared by someone else, including writing services, AI tools, or another person. All submitted work must be your own original work unless properly cited or following the teacher's instructions.
7. **Self-Plagiarism:** Reusing work from a previous class to fulfill requirements in another class without permission does not promote new learning. Repurposing work may be allowed in some cases with prior teacher approval.
8. **Unfair Academic Advantage:** Intentionally hindering another student's academic performance. Examples include but not limited to hiding research materials, sabotaging another's work, intimidation, or failure to contribute meaningfully to a group assignment.
9. **Facilitating Academic Dishonesty:** Completing work for another student or collaborating on work meant to be independent.
10. **Other Academic Dishonesty:** Any intentional act that violates the spirit of academic integrity and this policy. This includes stealing assessments, tampering with records, including false academic information on applications, altering academic records or grades, distributing materials for cheating, or unethical technology use (e.g., pre-programmed calculators).

11. Consequences

Disciplinary consequences for violations will follow Board policy and the Student Code of Conduct. Consequences may range from a zero on an assignment to more serious actions depending on the circumstances surrounding the violation

Note: This policy uses the term "technology tools" to encompass all AI tools and allows for flexibility with their use under teacher guidance. It also clarifies citation expectations for information and products generated through AI tools.

CHILDREN AND YOUTH IN TRANSITION POLICY
ADMISSION OF HOMELESS CHILDREN AND UNACCOMPANIED YOUTH

Under the federal McKinney-Vento Homeless Assistance Act, ~~T~~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. 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, hotel, 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 station 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. The District shall provide training and other technical assistance to Homeless Liaison and other appropriate District staff regarding the District's obligations to homeless students, including the obligation to keep confidential information about a homeless student's housing situation.

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. If a homeless student becomes permanently housed during the school year, the student shall

no longer be considered homeless and may only continue enrollment in the District for the remainder of that school year. All McKinney-Vento rights and services, including transportation and free lunch, shall be continued for the remainder of that year for such students. 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 their 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.

In furtherance of the District's commitment to minimizing the stigma that otherwise might attach to homelessness, all information relating to a homeless student's housing information shall remain confidential notwithstanding any provision relating to directory information under FERPA. The Superintendent is directed to assure that all relevant staff responsible for the proper implementation of this policy, including, but not limited to, any staff or volunteers who, by nature of their position, have information concerning a homeless student's housing information, receive sufficient training to carry out their duties consistent with this policy, and any applicable procedures.

Legal References:

NH Code of Administrative Rules, Section Ed 306.04(a)(17), Homeless Students

RSA 193:12, Legal Residence Required

No Child Left Behind Act 2002

McKinney-Venmo Homeless Assistance Act, 42 U.S.C. 11431, et. Seq.

1st Reading: August 11, 2010

2nd Reading: Waived

3rd Reading: Waived

Adopted: August 11, 2010

ADMINISTERING MEDICATION TO STUDENTS

A. General Provisions for Administration of Medication

Medication whether prescription or over-the-counter (“OTC”), shall only be administered to or taken by students during the school day in accordance with this policy, and the corresponding administrative procedures record-keeping found related board policies.

This policy shall extend to any school-sponsored activity, event, or program.

Medication is to be administered by a school nurse, as defined in RSA 200:29 (“the school nurse”). The school nurse may delegate the administration of medication to others only as permitted under the New Hampshire Nurse Practice Act, and N.H. Code of Administrative Regulations Nurse 404. If no such person is available, the building principal or nurse’s designee is permitted to assist students in taking required medications by:

- i. making such medications available to the student as needed;
- ii. observing the student as they take or do not take their medication; and
- iii. recording whether the student did or did not take their medication.

Upon delegation, the nurse will document the process and leave written instructions with the delegate, as appropriate.

Whenever possible, medications should not be taken during the school day. Upon receiving a request from the parent, guardian, or physician relative to a particular student's need for medication during school hours, the school nurse may contact the parent or guardian to discuss whether the student should remain at home, or whether the medication should be taken before, during, and/or after school. The nurse may also inquire about any other medical conditions requiring medications and any special side effects, contraindications, and adverse reactions to be observed.

- a. *Prescription Medication* will be only be administered in school only after receiving and filing in the student's health record the following:
 - a. A written statement from the licensed prescriber conforming to the requirements of N.H. Department of Education Rule 311.02 (i)(1) (included in District procedures).
 - b. A written authorization from the parent/guardian as provided in N.H. Department of Education Rule 311.02 (i)(2) & (3).
- b. *Over-the-Counter Medication* may be administered to a student with previous written authorization from the parent/guardian. The school nurse may, however, require a licensed prescriber's order, or further information/direction from a licensed health care provider (i.e., physician, advanced registered nurse practitioner, licensed physician's assistant or dentist), before administering an OTC medication to a student. The authorization shall contain the same information, with the same access, as is required relative to prescription medications.

To the extent consistent with New Hampshire's Nurse Practices Act, RSA 326-B, the school nurse may at their discretion accept verbal instructions from a licensed health care provider relative to administration of a prescription medication, and verbal instructions from a parent/guardian with respect to an OTC medication. In both instances, the verbal instructions shall be followed by written statements as provided above.

B. Emergency Administration of Medication

The school nurse or other properly designated personnel may administer other medications to students in emergency situations provided such personnel has all training as is required by law, and is consistent with the provisions of Board policy JLCE.

C. Field Trips and School Sponsored Activities

A single dose of medication may be transferred by the school nurse from the original container to a newly labeled container for the purposes of field trips or school sponsored activities. For trips or activities necessitating more than one dose, special arrangements for administering medication must be approved by the school nurse or, in the school nurse's absence, the Principal.

D. Other Uses/Administration Prohibited

No person shall share or otherwise administer any prescription or over-the counter medication

with any student except as provided in this policy. Notice of this prohibition will be provided in student handbooks. Students acting in violation of this prohibition will be subject to discipline consistent with applicable Board policies.

E. Delivery, Storage and Disposal of Medication

Medications provided by the student's parent/guardian may only be delivered to the school nurse or principal/principal's designee. All such medication should be delivered in its original container. The school nurse is directed to keep such medications in a locked cabinet or refrigerator. No more than a 30-day supply will be kept and maintained by the school. The school nurse will contact the parent/guardian regarding any unused medication. Such medication shall be picked up by parent/guardian within ten days after its use is discontinued. If the parent/guardian does not pick up the medication within ten days, the school nurse may dispose of the unused medication and record as such in the student's health record file.

The school nurse may maintain a supply of asthma related rescue medication and the emergency medication epinephrine.

F. Administration and Self-Administration of Epinephrine Auto-Injectors and Inhalers

Students may possess and self-administer an epinephrine auto-injector if the student suffers from potentially life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self-administration. If a student finds it necessary to use their auto-injector, ~~s/he~~ they shall immediately report to the nearest supervising adult. The school nurse or building principal may maintain at least one epinephrine auto-injector, provided by the student, in the nurse's office or other suitable location. Additionally, students may possess and self-administer a metered dose inhaler or a dry powder inhaler to alleviate or prevent asthmatic symptoms, auto-injectors for severe allergic reactions, and other injectable medications necessary to treat life-threatening allergies. Both the student's parent/guardian and physician must authorize such self-possession and self-administration. Such authorization must include the same information required under A.1 of this policy and Policy JLCE.

Other emergency medications, such as insulin, may be carried and self-administered by the student only with prior approval by the school nurse and written statements from a licensed health care provider and a parent/guardian and in the same manner as described in A.1 of this policy, and subject to other conditions as the school nurse may require.

G. Medication Records

The school nurse is responsible for keeping accurate records regarding the administration of

medication to students. Such records shall be retained as required under Board policy EHB, Data/Records Retention.

H. Implementation: Procedures and Protocols

The Superintendent, in consultation with the school nurse(s), shall be responsible for establishing specific procedures necessary and appropriate to control (e.g., delivery, storage, authorization, record-keeping, reporting, etc.) medications in the schools. Such procedures shall be in writing. The procedures should be reviewed no less than every two years.

Additionally, and pursuant to N.H. Administrative Rule Ed. 311.02(k), each school nurse shall also develop and implement building specific protocols regarding receipt and safe storage of prescription medications.

Legal Reference:

RSA 200:42, Possession and Use of Epinephrine Auto-Injectors Permitted

RSA 200:43, Use of Epinephrine Auto-Injector

RSA 200:44, Availability of Epinephrine Auto-Injector

RSA 200:45, Pupil Use of Epinephrine Auto-Injectors - Immunity

RSA 200:46, Possession and Self-Administration of Asthma Inhalers Permitted

RSA 200:47, Use of Asthma Medications by Pupils - Immunity

N.H. Code of Administrative Rules – Section Ed. 311.02(d); Medication During School Day

1st Reading: October 20, 2005

2nd Reading: February 9, 2006

Adoption: March 9, 2006

Reviewed:

1st Reading: June 1, 2016

2nd Reading: July 18, 2016

3rd Reading: July 18, 2016 (Waived)

Adopted: July 18, 2016

1st Reading: December 5, 2025 (as amended)

2nd Reading: January 7, 2026 (as amended)

3rd Reading: April 1, 2026 (as amended)

Adopted: April 1, 2026

DAF

Category: Priority/Required by Law

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

See also: ADB, EHB, JICI & JRA

ADMINISTRATION OF FEDERAL GRANT FUNDS

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:

- 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
- DAF-11 SUB-RECIPIENT MONITORING AND MANAGEMENT
- DAF-12 REPORTING ON REAL PROPERTY
- DAF-13 WHISTLEBLOWER PROTECTIONS: NOTIFICATION, RIGHTS & REMEDIES

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 (NHED) 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 or their designee to develop, monitor, and enforce effective administrative procedures and other internal controls over federal awards as necessary in order to 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 NHED 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 twenty-seven (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.

Pre-award costs are those incurred prior to the effective date of the Federal award or subaward directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the initial Federal awarding agency or of the NHED or other pass-through entity.

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 NHED 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 NHED (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 NHED, grantor agency or other pass-through 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 or their designee 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 policies, and 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.

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 judgment. 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~~ \$15,000. 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~~ \$350,000. 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 and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed ~~\$\$250,000~~ \$350,000.

- 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 DJE: Bidding Requirements. 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.
- 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, including, without limitation, Veteran-Owned Small Businesses (VOSBs) or Service- Disabled Veteran-Owned Small Businesses (SDVOSBs) are used when possible ("target businesses"). 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~~ \$350,000 (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 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. (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:

1. Clause for Remedies Arising from Breach: 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. Termination Clause: 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. Anti-pollution clause: 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. Anti-lobbying clause: 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)~~ (I).
5. Negotiation of profit: 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 200.3234(b)).

6. "Domestic Preference" Requirement: The District must provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States, to the greatest extent practicable. This requirement applies whether the District is purchasing the products directly or when the products are purchased by third parties on the District's behalf (e.g. subcontractor, food service management companies, etc.). It also generally applies to all purchases, even those below the micro- purchase threshold, unless otherwise stipulated by the Federal awarding agency. See also additional "Buy American" provisions in [DAF-4.C](#) regarding food service procurement.
7. Prohibited Contracts (a/k/a Huawei Ban): The District may not use Federal funds to procure, obtain, or enter into or renew a contract to:
 - a. procure or obtain equipment, services, or systems which substantially use telecommunications equipment or services produced by Huawei Technologies Company or ZTE Corporation, or any of their subsidiaries or
 - b. procure or obtain video surveillance and telecom equipment or services from Hytera Communications, Hangzhou Digital Technology, or Dahua Technology.
8. Construction Contracts: Davis-Bacon Act Compliance: All contracts/projects in excess of \$2,000 for the construction, alteration , or prepare of public buildings or public works for which the funds are provided in whole or in part by Federal funds are subject to the requirements of the Davis-Bacon Act (40 U.S.C. 3141-3148) Accordingly, such contracts and projects must adhere to the following:
 - a. Prevailing Wage Requirements:
 - i. Wage Determination. Contractors and subcontractors must pay all laborers and mechanics weekly, and at no less than the prevailing wages and fringe benefits as determined by the U.S. Department of Labor (DOL) for the locality in which the project is performed. The "Prevailing Wage determination" must be included in all applicable bid solicitations and contracts.
 - ii. Certification of Payroll Reporting. Contractors and subcontractors must submit weekly certified payroll records (Form WH-347 or equivalent) to the district official overseeing the project and/or grant (e.g., clerk of the works, project manager, etc.). Such payroll records must include employee names, classifications, hourly rates, actual hours worked, and deductions.
 - b. Worksite Postings: Contractors/subcontractors must post the Prevailing Wage Determination, as well as the Department of Labor's "Employee Rights Under the Davis-Bacon" at the job site in a visible location.
 - c. Contractor and Subcontractor Compliance.
 - i. District contracts subject to the Davis-Bacon Act must include a compliance clause requiring contractor and subcontractor adherence to prevailing wage standards and the additional requirements of the Davis-Bacon Act and this policy section.
 - ii. Contractors must ensure that their subcontractors also comply with the requirements of the Davis-Bacon Act.
 - d. Enforcement and Non-compliance.
 - i. The district official overseeing the project and/or grant (e.g., clerk of the works, project manager, etc.) shall be responsible for monitoring contractor adherence to the Davis-Bacon Act.
 - ii. Any suspected violations must be reported to the Superintendent and may be referred to the U.S. Department of Labor Wage and Hour Division for further investigation.

- I. **Bid Protest:** 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.

- 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, 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.

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 NHED, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts.

C. **“Buy American” Requirement:** Under the “Buy American” provision of the National School Lunch Act (the “NSLA”), school food authorities (SFAs) are required to purchase, to the maximum extent practicable, *domestic commodity or product*. As an SFA, the District is required to comply with the “Buy American” procurement standards set forth in 7 CFR Part 210.21(d) when purchasing commercial food products served in the school meals programs. This requirement applies whether the District is purchasing the products directly or when the products are purchased by third parties on the District’s behalf (e.g., food service management companies, group purchasing cooperatives, shared purchasing, etc.).

Under the NSLA, “*domestic commodity or product*” is defined as an agricultural commodity or product that is produced or processed in the United States using “*substantial*” agricultural commodities that are produced in the United States. For purposes of the act, “*substantial*” means that over 51 percent of the final processed product consists of agricultural commodities that were grown domestically. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are allowable under this provision as territories of the United States.

1. **Exceptions:** The two main exceptions to the Buy American requirements are:
 - a. The product is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality; or
 - b. Competitive bids reveal the costs of a U.S. product are significantly higher than the non- domestic product.
2. **Steps to Comply with Buy American Requirements:** In order to help assure that the District remains in compliance with the Buy American requirement, the Superintendent or their designee, shall
 - a. Include a Buy American clause in all procurement documents (product specifications, bid solicitations, requests for proposals, purchase orders, etc.);
 - b. Monitor contractor performance;
 - c. Require suppliers to certify the origin of the product;
 - d. Examine product packaging for identification of the country of origin; and
 - e. Require suppliers to provide specific information about the percentage of U.S. content in food products upon request.

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.

No employee, board member or other District officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict - or apparent conflict - of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or

is about to employ any of the parties indicated herein, (collectively a "covered individual") has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No employee, board member or other District officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict - or apparent conflict - of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, (collectively a "covered individual") has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Additionally, no employee, board member or other District officer, or agent may solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. This prohibition, however, shall not apply to gratuities of de minimis value, which, for purposes of the policy, are individual gifts, favors, or other items of monetary value, worth \$50 or less and which have no bearing on the selection, award or administration of a Federal award.

The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the recipient or sub-recipient.

Each covered individual 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 or their designee, who, in turn, shall disclose in writing any such potential conflict of interest to NHED or other applicable pass-through-entity.

Employees who violate this provision are subject to disciplinary consequences up to and including dismissal. Agents or contractors acting on behalf of the District are subject to contract termination. School board members or other District officers are subject to such actions as are within the authority of the School Board or district. Violations will also be reported to law enforcement in appropriate circumstances.

The Superintendent shall timely disclose in writing to NHED or other applicable pass-through-entity, and to the Federal awarding agency whenever the Superintendent has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729-3733). The notice to the Federal awarding agency shall be directed to that agency's Office of Inspector General. 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:** 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~~ \$10,000, 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.

B. **Records:** The Superintendent or their designee 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.

C. **Inventory:** No less than once every two years, the Superintendent or their designee shall cause a physical inventory of all equipment and pilferable items must be taken and the results reconciled with the property records at least once every two years. Inventories shall be conducted consistent with Board Policy DID.

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- A. prevent loss, damage, or theft of the property; Any loss, damage, or theft must be investigated;
 - 2- B. to maintain the property and keep it in good condition; and
 - 3- C. to ensure the highest possible return through proper sales procedures, in those instances where the District is authorized to sell the property.
1. **Disposition:** When no longer needed for the original program or project, the equipment may be used in other activities supported by the Federal awarding agency, or disposed of in the following order of priority:

Re-purpose Before Disposal. Before disposing of any property obtained in whole or in part through the use of Federal awards, such property may and should be used first for other activities supported by the same Federal awarding agency, then any other Federally funded activities, and finally for any non-Federal purposes, provided the use does not interfere with Federal projects.

Fair Market Value (FMV) Assessment

Determine current FMV using reasonable methods (e.g., depreciation schedules, resale comparisons).

Document the valuation process.

Disposition Options

If FMV is less than \$10,000, then the property may be retained, sold, or otherwise disposed of consistent with Board policy {**}DN with no further obligation, but documentation is required.

If FMV \$10,000 or more, then:

Request disposition instructions from NHED, or other pertinent state agency or bureau, or for direct awards, the appropriate Federal awarding agency.

If no response within 120 days:

Return the Federal share of proceeds from sale (proportional to original Federal participation).

Deduct allowable selling and handling costs.

Trade-In Option. Notwithstanding the priority list above, equipment purchased or obtained in whole or in part with Federal awards may be used as a trade-in or sold, with proceeds applied to replacement equipment costs needed for the same Federal program. Such trade-in transaction must be properly documented with records retained in accordance with {**}DAF-10.D.

E.Notification of any Loss, Damage or Theft: In the event that the inventory discloses any loss, damage or theft of equipment that will have an impact on the grant program, the Superintendent shall notify NHED, Bureau of Federal Compliance or other pertinent state department or bureau, or, for direct awards, the appropriate Federal agency's Office of Inspector General.

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 or their designee.

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 or their designee 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 the Superintendent or their designee who can attest that the expenditure is allowable and approved under the federal program. The Superintendent or their designee 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:**

1. Time and effort reports shall:
 - a. be supported by a system of internal controls which provide reasonable assurance that the charges are accurate, allowable, and properly allocated;
 - b. be incorporated into the official records of the District;
 - c. reasonably reflect the total activity for which the employee is compensated by the District, not exceeding 100% of the compensated activities;
 - d. encompass both Federally assisted and other activities compensated by the District on an integrated basis;
 - e. comply with the District's established accounting policies and practices;
 - f. 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.
2. Individual employee time and effort reporting. Timesheets are required periodic certifications shall include at a minimum:
 - a. Employee name;
 - b. Grant information;
 - c. Time spent on grant;
 - d. Period of performance;
 - e. Signature of employee, and dated after period of performance

- f. Signature of employee's supervisor who has direct knowledge of the work performed, and dated after period of performance, and;
- g. Certifying statement that information is true (can be placed above signatures)

The District will also follow any time and effort requirements imposed by NHED or other pass-through entity as appropriate to the extent that they are more restrictive than the Federal requirements. The Superintendent or their designee 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.

C.Audit Requirements: The District is required to have a single or program-specific audit conducted for any fiscal year in which the District expends \$1,000,000 or more. A single audit must be conducted in accordance with 2 CFR 200.514, and must cover the entire operations of the entity, or a series of audits that includes all departments, agencies and other organizational units that expended or otherwise administered Federal awards during the audit period. A program-specific audit must be conducted in accordance with 2 CFR 200.501(c).

For any year that the District expends less than \$1,000,000 during the District's fiscal year in Federal awards, the District is exempt from Federal audit requirements for that year, except as noted in 2 CFR 200.503, but records must be available for review or audit by appropriate officials of the Federal agency, the New Hampshire Department of Education or other pass-through entity, and the Government Accountability Office (GAO).

DAF-10 - GRANT BUDGET RECONCILIATION

- A. **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.

- B. **Grant Closeout Requirements:** At the end of the period of performance or when the Federal awarding agency determines the District has completed all applicable administrative actions and all required work under the grant, the agency will close out the Federal award. If the award passed-through the State, the District will have 90 days from the end of the period of performance to submit to the State all financial, performance, and other reports as required by the terms and conditions of the award.

Failure to submit all required reports within the required timeframe will necessarily result in the Federal awarding agency reporting the District's material failure to comply with the terms of the grant to the Office of Management and Budget (OMB), and may pursue other enforcement actions.

The District must maintain all financial records and other documents pertinent to the grant for a period of three years from the date of submission of the final expenditure report, barring other circumstances detailed in 2 CFR 200.344.

DAF-11 - SUB-RECIPIENT MONITORING AND MANAGEMENT

When entering agreements involving the expenditure or disbursements of federal grant funds, the District shall determine whether the recipient of such federal funds is a “contractor” or “subrecipient”, as those terms are defined in 2 CFR §200.23 and §200.93, respectively. See also guidance at 2 CFR §200.330 “Subrecipient and contractor determinations”. Generally, “subrecipients” are instrumental in implementing the applicable work program whereas a “contractor” provides goods and services for the District’s own use. Contractors will be subject to the District’s procurement and purchasing policies (e.g., DAF-3 relative to federal grant funds, *DJE* relative to bidding requirements for non-federal money projects, etc.). Subrecipients are subject to this Policy.

Under the UGG, the District is considered a "pass-through entity" in relation to its subrecipients, and as such requires that subrecipients comply with applicable terms and conditions (flow-down provisions). All subrecipients of Federal or State funds received through the District are subject to the same Federal and State statutes, regulations, and award terms and conditions as the District.

A. Subaward Contents and Communication.

In the execution of every subaward, the District will communicate the following information to the subrecipient and include the same information in the subaward agreement.

1. Every subaward will be clearly identified and include the following Federal award identification:
 - a. Subrecipient name
 - b. Subrecipient’s unique ID number (DUNS)
 - c. Federal Award ID Number (FAIN)
 - d. Federal award date
 - e. Period of performance start and end date
 - f. Amount of federal funds obligated
 - g. Amount of federal funds obligated to the subrecipient
 - h. Total amount of the Federal award
 - a. Total approved cost sharing or match required where applicable
 - j. Project description responsive to FFATA
 - k. Name of Federal awarding agency, pass through entity and contact information
 - l. CFDA number and name
 - m. Identification of the award is R&D
 - n. Indirect cost rate for the Federal award
2. Requirements imposed by the District including statutes, regulations, and the terms and conditions of the Federal award.
3. Any additional requirements the District deems necessary for financial or performance reporting of subrecipients as necessary.
4. An approved indirect cost rate negotiated between subrecipient and the Federal government or between the pass-through entity and subrecipient.
5. Requirements that the District and its auditors have access to the subrecipient records and financial statements.
6. Terms and conditions for closeout of the subaward.

B. Subrecipient Monitoring Procedures.

The Superintendent is responsible for having all the District project managers monitor subrecipients. The District will monitor the activities of the subrecipient to ensure the subaward is used for authorized purposes. The frequency of monitoring review will be specified in the subaward and conducted concurrently with all invoice submission.

Subrecipient monitoring procedures include:

1. At the time of proposal, assess the potential of the subrecipient for programmatic, financial, and administrative suitability.
2. Evaluate each subrecipient's risk of noncompliance prior to executing a subaward. In doing so, the District will assess the subrecipient's:
 - a. Prior experience with the same or similar subawards.
 - b. Results of previous audits and single audit (if applicable).
 - c. New personnel or new or substantially changed systems.
 - d. The extent and results of Federal awarding agency monitoring.
3. Confirm the statement of work and review any non-standard terms and conditions of the subaward during the negotiation process.
4. Monitor financial and programmatic progress and ability of the subrecipient to meet objectives of the subaward. To facilitate this review, subrecipients are required to submit sufficient invoice detail and a progress report. The District project managers will encourage subrecipients to submit regular invoices.
5. Invoices and progress reports will be date stamped upon receipt if received in hard copy. A record of the date of receipt will be maintained for those invoices sent electronically.
6. In conducting regular oversight and monitoring, the District project managers will:
 - a. Verify invoices that include progress reports.
 - b. Review progress reports to ensure project is progressing appropriately and on schedule.
 - c. Compare invoice to agreement budget to ensure eligibility of costs and that costs do not exceed budget.
 - d. Review invoice to ensure supporting documentation is included and invoices costs are within the scope of work for the projects being invoiced.
 - e. Obtain report, certification and supporting documentation of local (non-federal)/in-kind match work from the subrecipient.
 - f. Review subrecipient match tasks for eligibility.
 - g. Initial the progress report and invoice confirming review and approval prior to payment.
 - h. Raise any concerns to the Superintendent or their designee.
7. The Superintendent or their designee, upon recommendation from the project's manager, will approve the invoice payment and will initial invoices confirming review and approval prior to payment.
8. Payments will be withheld from subrecipients for the following reasons:
 - a. Insufficient detail to support the costs billed;
 - b. Unallowable costs;
 - c. Ineligible costs; and/or
 - d. Incomplete work or work not completed in accordance with required specifications.
9. Verify every subrecipient is audited in accordance with 2 CFR §200 Subpart F – Audit Requirements.

C. **Subrecipient Project Files.** Subrecipient project files will contain, at a minimum, the following:

- a. Project proposal
- b. Project scope
- c. Progress reports

- d. Interim and final products
- e. Copies of other applicable project documents as required, such as copies of contracts or MOUs

D.Subrecipient Audit Requirements: The Superintendent shall confirm whether the subrecipient meets the Single Audit threshold (see ~~{**}~~DAF-10, Section C, above). If yes, ensure that they have complied with the audit requirement, obtain and review the audit report, and follow-up on any findings. If no, implement alternative monitoring with agreed-upon procedures. ~~A Single Audit is required when a subrecipient expends \$1,000,000 or more in Federal awards during the fiscal year.~~

~~All subrecipients are required to annually submit their audit and Single Audit report to the District for review to ensure the subrecipient has complied with good accounting practices and federal regulations.~~

~~If a deficiency is identified, the District will:~~

- ~~1. Issue a management decision on audit findings pertaining to the Federal award.~~
- ~~2. Consider whether the results of audits or reviews indicate conditions that necessitate adjustments to pass through entity's own records.~~

E.Methodology for Resolving Findings.

The District will work with subrecipients to resolve any findings and deficiencies. To do so, the District may follow up on deficiencies identified through on-site reviews, provision of basic technical assistance, and other means of assistance as appropriate.

The District will only consider taking enforcement action against non-compliant subrecipients in accordance with 2 CFR 200.338 when noncompliance cannot be remedied. Enforcement may include taking any of the following actions as appropriate:

- a. Temporarily withhold cash payments pending correction of the deficiency
- b. Disallow all or part of the cost of the activity or action not in compliance.
- c. Wholly or partly suspend or terminate the subaward.
- d. Initiate suspension or debarment proceedings.
- e. Withhold further Federal awards for the project or program.
- f. Take other remedies that may be legally available.

DAF-12 REPORTING ON REAL PROPERTY

The District will annually submit reports on forms provided by the New Hampshire Department of Education (NHED) and in accordance with the Rules or procedures of NHED of any real property in which the Federal Government retains an interest.

DAF-13 WHISTLEBLOWER PROTECTIONS: NOTIFICATION, RIGHTS & REMEDIES

In accordance with the Federal Uniform Grant Guidance, the District is committed to maintaining the highest standards of integrity and transparency in its operations. This policy encourages and protects employees, contractors, and other stakeholders who report, in good faith, any instance of fraud, waste, abuse, or any other misconduct related to federally funded programs. The District will not retaliate against any individual who, in good faith, reports concerns related to financial irregularities, fraud, or any violation of law or policy involving federally funded programs. Retaliation against a whistleblower may result in disciplinary action, up to and including termination.

The Superintendent shall ensure that all employees and contractors are notified in writing of their whistleblower rights and remedies under 41 U.S.C. § 4712, including the protection against retaliation for reporting misconduct.

Methods of notification may include:

- Employee handbooks, training materials, and/or other onboarding resources;
- Contracts with employees and or third party contractors;
- Periodically distributed to all employees via email or other communication channels; or
- Displayed prominently in the District's internal communication platforms and in common areas of the workplace.

Individuals may report suspected violations through the following methods:

- Directly to the Superintendent or Business Administrator, via email or in writing.
- Reporting directly to Office of Inspector General for the Federal awarding agency.

Legal References:

42 USC 1751 – 66 National School Lunch Act

2 C.F.R. Part 180

2 C.F.R. Part 200

200.0 - 200.99; 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

1st Reading: November 4, 2020

2nd Reading: December 2, 2020

3rd Reading: January 6, 2021

1st Reading: November 3, 2021

2nd Reading: December 1, 2021

3rd Reading: January 5, 2022

Adopted: January 5, 2022

1st Reading: November 6, 2024 (as amended)

2nd Reading: December 4, 2024

3rd Reading: January 8, 2025 (as amended)

Adopted: January 8, 2025