



STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

CHRISTOPHER T. SUNUNU
Governor

May 11, 2021

Frank Edelblut
Commissioner
New Hampshire Department of Education
101 Pleasant Street
Concord, N.H. 03301

Dear Commissioner Edelblut,

Pursuant to my authority under RSA 21-P:43; RSA 4:45; RSA 4:47; and Executive Order 2020-04, as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17, 2020-18, 2020-20, 2020-21, 2020-23, 2020-24, 2020-25, 2021-01, 2021-02, 2021-04, 2021-05, 2021-06, and 2021-08 I have approved your written request, in attachment, to take the following actions related to the American Rescue Plan (ARP) Act Elementary and Secondary School Emergency Relief (ESSER) Funds:

1. Authority for the Department of Education (DOE), Division of Learner Support to accept and expend American Rescue Plan (ARP) Act Elementary and Secondary School Emergency Relief (ESSER) funds in the amount of \$233,667,755 from the United States Department of Education. Budgeted consistent with the information in the request, in attachment. Effective through June 30, 2024. (100% Federal Funds)

The Department of Administrative Services is authorized to take the actions necessary to effectuate this authorization.

Sincerely,

A handwritten signature in blue ink that reads "Chris T. Sununu".

Christopher T. Sununu
Governor

CC: Charles Arlinghaus, Commissioner, Department of Administrative Services

Frank Edelblut
Commissioner



Christine Brennan
Deputy Commissioner

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
101 Pleasant Street
Concord, N.H. 03301
TEL (603) 271-3495
FAX (603)-271-1963
Citizens Services Line 1-800-339-9900

May 11, 2021

His Excellency, Governor Christopher T. Sununu
State House
Concord, NH 03301

REQUESTED ACTION UNDER RSA 4:45, RSA 21-P:43, AND SECTION 4 OF EXECUTIVE ORDER 2020-A4 AS EXTENDED BY EXECUTIVE ORDERS 2020-05 AND 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17, 2020-18, 2020-20, 2020-21, 2020-23, 2020-24, 2020-25, 2021-01, 2021-02, 2021-04, 2021-05 AND 2021-06 AND SUSPEND THE MANUAL OF PROCEDURES 150, V., B., 1., REQUIREMENT.

Authorize the Department of Education, Division of Learner Support to accept and expend American Rescue Plan, Elementary and Secondary School Emergency Relief (ARP ESSER) funds in the amount of \$233,667,755 from the United States Department of Education, effective upon approval by the Governor through June 30, 2024. 100% Federal Funds.

Funds to be budgeted in the account titled, as shown below:

ESSER III – ARP 2021

Account: 06-56-56-562010-19740000
Revenue Source Code: 400374

ESSER III - 1974				
Class	Object	Description	FY21	FY22
020	500200	Current Expenses	2,550	4,550
027	582703	Transfers to DOIT	4,200	17,775
028	582814	Transfers to General Servic	3,150	13,950
029	500290	Intra-Agency Transfers	45,750	66,300
030	500301	Equipment New Replacement	200	300
037	500173	Technology Hardware	200	300
038	500177	Technology Software	500	1,250
039	500190	Telecommunications	627	3,818
040	500800	Indirect Costs	13,701	34,889
041	500801	Audit Fund Set Aside	233,010	658
042	500620	Additional Frindge Benefits	4,427	11,802
050	500109	Personal Service Temp Appoi	42,846	157,524
059	500177	Temp Full Time	77,448	163,194
060	500601	Benefits	77,540	173,079
066	500544	Employee Training	250	300
070	500710	In State Travel Reimbursement	1,200	2,300
072	500557	Grants Federal	216,962,229	-
080	500710	Out of State Travel Reimb	3,250	5,500
102	500731	Contracts for Program Services	15,537,188	-
		FY TOTAL	233,010,266	657,489

EXPLANATION

The New Hampshire Department of Education received the first portion (two-thirds) of the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) Fund under the American Rescue Plan (ARP) Act of 2021 on March 24, 2021. Similar to ESSER I and ESSER II under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act respectively, this fund allows the State Education Agency (SEA) and its Local Educational Agencies (LEAs) to expend funds flexibly "to help safely reopen and sustain the safe operation of schools and address the impact of the coronavirus pandemic on the nation's students." USED conditioned the receipt of the second portion (one-third) of ARP ESSER on the submission of an ARP ESSER State Plan application, the deadline for which is June 7, 2021.

The New Hampshire Department of Education (NH DOE), upon receipt of regulatory and guidance documents from the US Education Department, will award 90 percent of ARP ESSER to local education agencies (LEAS) based on FY2020 Title I, Part A allocations in fiscal year 2020 within 60 days of receipt or by May 24, 2021. The NH DOE will prepare allocations and deliver funds via the existing reporting and

His Excellency, Governor Christopher T. Sununu
May 11, 2021

application software, the online Grants Management System (GMS). LEAs will submit application documents, including program assurances and allowable grant activities, through this software, enabling two-way communication and reimbursement of expenses.

Additionally, within 30 days of the subgrant date, LEAs that receive ARP ESSER funds must make publicly available on its website a plan for the safe return to in-person instruction and continuity of services. LEAs may also meet this requirement if the LEA "developed and made publicly available on the LEA's website such a plan that meets statutory requirements before the enactment of the ARP." In both scenarios, the LEA must seek public comment and take such comments into account in the development of the plan before making the plan publicly available

The NHDOE will communicate allocations, guidance and regulations on allowable activities and expenditures. LEAs will submit program assurances and activities. NHDOE will review, approve or suggest edits, and LEAs will be allowed to spend available funds to be reimbursed through the reporting system.

An LEA receiving ARP ESSER must reserve at least 20 percent of funds "to address learning loss through the implementation of evidence-based interventions and ensure that those interventions respond to students' social, emotional, and academic needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups." Remaining LEA ARP ESSER funds may be used for a wide range of activities, including:

- any activity authorized by the ESEA, the Individuals with Disabilities Education Act (IDEA), Adult Education and Family Literacy Act (AEFLA), or Carl D. Perkins Career and Technical Education Act of 2006 (Perkins CTE);
- developing strategies and implement public health protocols including, to the greatest extent practicable, policies in line with guidance from the Centers for Disease Control and Prevention (CDC) on reopening and operating schools to effectively maintain the health and safety of students, educators, and other staff;
- coordinating preparedness and response efforts with State, local, Tribal, and territorial public health departments to prevent, prepare for, and respond to COVID-19;
- training and professional development on sanitizing and minimizing the spread of infectious diseases;
- purchasing supplies to sanitize and clean the LEA's facilities;
- repairing and improving school facilities to reduce risk of virus transmission and exposure to environmental health hazards;
- improving indoor air quality;
- addressing the needs of children from low-income families, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth;
- developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs;
- planning for or implementing activities during long-term closures, including providing meals to eligible students and providing technology for online learning;
- purchasing educational technology (including hardware, software, connectivity, assistive technology, and adaptive equipment) for students that aids in regular and substantive educational interaction between students and their classroom instructors, including students from low-income families and children with disabilities;

His Excellency, Governor Christopher T. Sununu
May 11, 2021

- providing mental health services and supports, including through the implementation of evidence-based full-service community schools and the hiring of counselors;
- planning and implementing activities related to summer learning and supplemental after-school programs;
- addressing learning loss; and
- other activities that are necessary to maintain operation of and continuity of and services, including continuing to employ existing or hiring new LEA and school staff.

Within the 10 percent set aside, ARP ESSER also includes three State-level reservations:

- 5 percent of the total ARP ESSER allocation for the implementation of evidence-based interventions aimed specifically at addressing learning loss;
- 1 percent of the total ARP ESSER allocation for evidence-based summer enrichment programs; and
- 1 percent of the total ARP ESSER allocation for evidence-based comprehensive afterschool programs.

In support of the objectives noted above, the Department commits to: adequately monitoring the formula subgrantees; assisting in the development of remote learning programming; providing technical assistance to understand new legislation and new flexibilities; supporting fiscal compliance guidance and support.

APPROPRIATION EXPLANATION

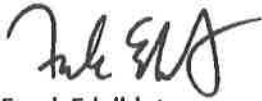
<u>Class</u>	<u>Class Description</u>	<u>Explanation</u>
020	Current Expenses	Appropriation to cover materials and supplies that will be used by staff.
027	Transfers to DOIT	Appropriation to cover required IT support.
028	Transfers to General Services	Appropriation for staff work areas.
029	Intra-Agency Transfers	Appropriation to internal program support.
030	Equipment	Appropriation to provide new equipment to staff hired under the grant.
037	Technology Hardware	Appropriation for new computer hardware.
038	Technology Software	Appropriation for new computer software.
039	Telecommunications	Appropriation to provide VOIP and other telecommunications services.
040	Indirect Costs	Appropriation to meet the State of NH Statewide Cost Allocation Plan obligations.
041	Audit Fund Set Aside	Appropriation is based on .1 percent of the grant.
042	Post-Retirement	Appropriation to cover post retirement costs at the current rate of 10.43 percent.
050	Part Time Salaries	Appropriation to cover cost allocation of salary.
059	Personal Service Temp	Appropriation to fund existing position to support the grant.
060	Benefits	Appropriation to cover Health, Dental, Life, Medicare, FICA and Retirement Contributions for full time and cost allocated positions.
066	Employee Training	Appropriation to cover training of staff.

His Excellency, Governor Christopher T. Sununu
May 11, 2021

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| 070 | In-State Travel | Appropriation to cover travel for in state meetings, presentations and technical assistance. |
| 072 | Grants – Federal | Appropriation for the distribution of funds to grant sub-recipients. |
| 080 | Out of State Travel | Appropriation to cover staff travel to attend out of state meetings and presentations. |
| 102 | Contracts for Program Services | Appropriation to contract with providers of evaluation services, technical assistance and trainings. |

In the event Federal Funds become no longer available, General Funds will not be requested to support this program. Attached is a copy of the grant award.

Respectfully submitted,



Frank Edelblut
Commissioner of Education



**US Department of Education
Washington, D.C. 20202**

S425U210017

GRANT AWARD NOTIFICATION

1	RECIPIENT NAME New Hampshire Department of Education 101 Pleasant Street Concord, NH 03301	2	AWARD INFORMATION PR/AWARD NUMBER S425U210017 ACTION NUMBER 1 ACTION TYPE New AWARD TYPE Formula							
3	PROJECT STAFF RECIPIENT STATE DIRECTOR Susan K Murphy (603) 271-3838 <u>Susan.K.Murphy@doe.nh.gov</u> EDUCATION PROGRAM CONTACT Morgan Rawlings (202) 453-5804 <u>morgan.rawlings@ed.gov</u> EDUCATION PAYMENT HOTLINE G5 PAYEE HELPDESK 888-336-8930 <u>edcaps.user@ed.gov</u>	4	PROJECT DESCRIPTION 84.425U American Rescue Plan - Elementary and Secondary Schools Emergency Relief Fund (ARP-ESSER)							
5	KEY PERSONNEL N/A									
6	AWARD PERIODS BUDGET PERIOD 03/24/2021 - 09/30/2023 FEDERAL FUNDING PERIOD 03/24/2021 - 09/30/2023 FUTURE BUDGET PERIODS N/A									
7	AUTHORIZED FUNDING CURRENT AWARD AMOUNT \$233,667,755.00 PREVIOUS CUMULATIVE AMOUNT \$0.00 CUMULATIVE AMOUNT \$233,667,755.00									
8	ADMINISTRATIVE INFORMATION DUNS/SSN 808590277 REGULATIONS EDGAR AS APPLICABLE 2 CFR AS APPLICABLE ATTACHMENTS 1, 3, 8, 9, 11, 12, 13, 14, ARPESSER-T, GE3, GE4, GE5									
9	LEGISLATIVE AND FISCAL DATA AUTHORITY: PL PUBLIC LAW 117-2 N/A AMERICAN RESCUE PLAN ACT OF 2021 PROGRAM TITLE: EDUCATION STABILIZATION FUND CFDA/SUBPROGRAM NO: 84.425U									
	FUND CODE	FUNDING YEAR	AWARD YEAR	ORG. CODE	CATEGORY	LIMITATION	ACTIVITY	CFDA	OBJECT CLASS	AMOUNT
	0251N	2021	2021	ES000000	B	DR6	000	425	4101A	\$233,667,755.00



**US Department of Education
Washington, D.C. 20202**

S425U210017

GRANT AWARD NOTIFICATION

10

PR/AWARD NUMBER: S425U210017
RECIPIENT NAME: New Hampshire Department of Education

TERMS AND CONDITIONS

- (1) The Office of Management and Budget requires all Federal agencies to assign a Federal Award Identifying Number (FAIN) to each of their financial assistance awards. The PR/AWARD NUMBER identified in Block 2 is your FAIN. If subawards are permitted under this grant, and you choose to make subawards, you must document the assigned PR/AWARD NUMBER (FAIN) identified in Block 2 of this Grant Award Notification on each subaward made under this grant. The term subaward means:
 1. A legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient. (See 2 CFR 200.331(a))
 2. The term does not include your procurement of property and services needed to carry out the project or program (The payments received for goods or services provided as a contractor are not Federal awards, see 2 CFR 200.501(f) of the OMB Uniform Guidance: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards").
 3. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract. (See 2 CFR 200.1)
- (2) You are authorized, in carrying out this grant, to utilize the higher threshold set for micro-purchase and simplified acquisition thresholds for federal assistance under this grant or under a contract you award under this grant established by recent statutory changes. These statutory changes raise the threshold for micro-purchases under Federal financial assistance awards to \$10,000 and raise the threshold for simplified acquisitions to \$250,000 for recipients. These higher thresholds are not effective until implemented in the Federal Acquisition Regulations (FAR) at 48 CFR Subpart 2.1 (Definitions), which has not yet occurred. See 2 CFR 200.67 and 200.88. For FY 2018, OMB is granting an exception allowing recipients to use the higher thresholds in advance of changes to the FAR. Please refer to Office of Management and Budget's Memorandum 18-18 regarding the statutory changes. If you have any questions about these regulations, please contact the program officer identified in Block 3 of this GAN.
- (3) The negotiated indirect cost rate or the indirect cost allocation plan approved for the entity identified in Block 1 of this GAN applies to this grant award.
- (4) ARP-ESSER 1-5
American Rescue Plan ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND (ARP ESSER) BOX 10 of the Grant Award Notifications (GAN) for the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) Fund awards, as authorized in section 2001 of the American Rescue Plan Act (ARP).

(1) The Office of Management and Budget requires all Federal agencies to assign a Federal Award Identifying Number (FAIN) to each of their financial assistance awards. The PR/AWARD NUMBER identified in Block 2 is your FAIN.

If subawards are permitted under this grant, and you choose to make subawards, you must document the assigned PR/AWARD NUMBER (FAIN) identified in Block 2 of this Grant Award Notification on each subaward made under this grant. The term subaward means:

1. A legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
2. The term does not include your procurement of property and services needed to carry out the project or program (The payments received for goods or services provided as a contractor are not Federal awards, see 2 CFR 200.501(f) of the OMB Uniform Guidance: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards").
3. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.



**US Department of Education
Washington, D.C. 20202**

S425U210017

GRANT AWARD NOTIFICATION

- (2) You are authorized, in carrying out this grant, to utilize the higher threshold set for micro-purchase and simplified acquisition thresholds for Federal assistance under this grant or under a contract you award under this grant established by recent statutory changes. These statutory changes raise the threshold for micro-purchases under Federal financial assistance awards to \$10,000 and raise the threshold for simplified acquisitions to \$250,000 for recipients. See 2 CFR 200.67 and 200.88; and 48 CFR Subpart 2.1 (Definitions). If you have any questions about these regulations, please contact the program officer identified in Block 3 of this GAN.
- (3) The negotiated indirect cost rate or the indirect cost allocation plan approved for the entity identified in Block 1 of this GAN applies to this grant award.
- (4) Under the Tydings Amendment, Section 421(b) of the General Education Provisions Act 20 U.S.C 1225(B), any funds that are not obligated at the end of the federal funding period specified in Block 6 shall remain available for obligation for an additional period of 12 months.
- (5) By drawing down funds made available under this GAN, the recipient agrees to the assurances attached as Attachment T which include relevant ARP ESSER provisions, including the requirements to demonstrate that the State has maintained effort and equity as required in section 2004 of the ARP.
- (5) ARP-ESSER 6-9
- (6) A local educational agency (LEA) may use funds it receives under section 2001(d) of the ARP for any activity listed in section 2001(e) (applicable sections of the ARP are attached to Attachment T). Any activity that is an allowable use of Elementary and Secondary Schools Emergency Relief (ESSER I) funds by an LEA under section 18003(d) of the Coronavirus Aid, Recovery and Economic Security (CARES) Act or ESSER II funds by an LEA under section 313(d) of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act is also an allowable use of ARP ESSER funds by an LEA under section 2001(d) of the ARP ESSER.
- (7) An LEA that receives ARP ESSER funds under this grant is not required to provide equitable services to non-public school students and teachers with the ARP ESSER funding.
- (8) Consistent with the ARP ESSER Grant Award Notification Enclosure 4 (E4) MEMORANDUM TO REMIND DEPARTMENT OF EDUCATION (THE DEPARTMENT) GRANTEES OF EXISTING CASH MANAGEMENT REQUIREMENTS REGARDING PAYMENTS, the SEA will follow applicable cash management requirements in the Cash Management Improvement Act and 2 C.F.R 200.305. If SEA provides advance payments to LEAs, the payments must be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the non-Federal entity in carrying out the purpose of the approved program or project (i.e., to prevent, prepare for, and respond to COVID-19). The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the non-Federal entity for direct program or project costs and the proportionate share of any allowable indirect costs.
- (9) The SEA will return to the Secretary any ARP ESSER funds that the SEA does not award within one year of the date the SEA receives each portion of its ARP ESSER funds (i.e., with respect to the first two-thirds of the SEA's allocation, one year from the date the SEA receives ARP ESSER funds under this GAN, and with respect to the remaining ARP ESSER funds that will be allocated to the SEA after submission of an application, one year from the date the SEA receives those funds). For purposes of this assurance, funds are awarded when they are subgranted to an LEA or, in the case of the funds the SEA reserves under section 2001(f) of the ARP, when the SEA awards a contract or subgrants the funds or retains the funds to provide direct services itself.



**US Department of Education
Washington, D.C. 20202**

S425U210017

GRANT AWARD NOTIFICATION

**Ian Rosenblum
Acting Assistant Secretary**

03/24/2021

AUTHORIZING OFFICIAL

DATE