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Department of Education

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
Bureau of Adult Education

Adult Diploma Programs

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Section 1 – Overview and Schedule

1.1. Executive Summary

The Department of Education, Bureau of Adult Education, is seeking proposals from local school districts to provide adult diploma services in order for adults to earn a high school credential, for the period from July 1, 2020 until June 30, 2023.

In 1982, the New Hampshire state legislature adopted Ed 700 as rules governing the Adult High School, Basic Education Program and High School Equivalency Program. This rule established the Adult High School Diploma program and sets forth its requirements.

On July 1, 2009, New Hampshire instituted a compulsory attendance law that requires all children over the age of 6 to attend school until at least the age of 18. The compulsory attendance law included provisions for students to pursue alternative learning plans and the option for students ages 16 and 17 to dually enroll in their regular high school AND an adult education program. In support of the goal to increase graduation rates, the NH legislature also invested significant state funds to expand and make accessible adult high school diploma programs across the state.

The flexibility of dual enrollment allowed under the New Hampshire law is in direct conflict with adult education eligibility requirements under the Workforce Innovation and Opportunity Act of 2014 (WIOA), Title II Adult Education and Literacy Act. WIOA, which provides federal funding to the NH Department of Education for the purposes of adult education and literacy activities, requires that an eligible individual not be enrolled in high school. Therefore, the NH Bureau of Adult Education operates the adult high school diploma program as a state-funded program. However, it should be noted that the Bureau does report on adults who meet the eligibility requirements for federal funding and state funds expended on these students are essential for the state to meet federal Maintenance of Effort requirements.

The Bureau of Adult Education shares much of its education philosophy with Title II of WIOA, the Adult Education and Family Literacy Act (AEFLA). Regardless of the funding, adult education in New Hampshire is designed to help adults with the following:

- Improve their educational and employment outcomes
- Become self-sufficient
- Support the educational development of their children
- Transition to postsecondary education and training including through career pathways programs
- Assist English language learners to acquire the skills needed to succeed in the 21st century economy

It is the intention of both WIOA and the NH Bureau of Adult Education to better align the workforce system with education and workforce development in an effort to create a collective response to economic and labor market challenges on the national, state, and local levels. The revisions to the Act emphasize the importance of business collaboration and services to employers to ensure employment success and retention for individuals with disabilities.

1.2. Schedule

The following table provides a Schedule of Events for this RFP through contract finalization and

approval. The Agency reserves the right to amend this Schedule at its sole discretion and at any time through a published Addendum.

EVENT	DATE	LOCAL TIME
RFP Released to Proposers (Advertisement)	2/14/2020	10:00 AM
Vendor Conference	3/5/2020	9:00 AM
Proposer Inquiry Period Ends	3/13/2020	4:00 PM
Final Agency Responses to Proposer Inquiries	3/18/2020	4:00 PM
Proposers Submit Proposals	4/5/2020	4:00 PM
Estimated Notification of Selections and Begin Contract Negotiations	4/6/2020	
Approval	6/30/2020	
Notice to Proceed	7/1/2020	

Section 2 - Description of Agency/Program Issuing the Request for Proposals

2.1 NH Department of Education

The Department of Education provides educational leadership and services which promote equal educational opportunities and quality practices and programs that enable New Hampshire residents to become fully productive members of society.

2.2 Bureau of Adult Education

The Bureau of Adult Education's mission is to provide a variety of educational opportunities to empower adults to become lifelong learners, to support individual in identifying and achieving their potential academic and/or career goals and to assist students to become active participants in their communities.

Currently, the Bureau funds twenty-six (26) adult diploma programs.

Adult diploma programs may provide credit courses for the following purposes:

- Dual enrolled students earn credit(s) to be transferred back the school of record
- Dual enrolled students earn credit(s) toward an Adult Diploma
- Adult students earn credit(s) to be transferred to another school
- Adult students earn credit(s) toward an Adult Diploma
- Adult students earn credit(s) as pre-requisites for postsecondary education/training

Section 3 – Proposed Scope of Work

3.1 Overview

The New Hampshire Department of Education, Bureau of Adult Education (BAE) is currently seeking three-year proposals from local school districts to provide an adult diploma program.

The vision for adult education in New Hampshire is that adult basic and secondary education, including English as a second language is available and accessible to eligible participants through comprehensive services in each region of the state. Providers are responsible for recruiting and engaging eligible participants in adult education and literacy services especially those identified as the most in need of services including individuals who have low levels of literacy, who are English language learners, who have disabilities and who have other barriers to employment.

Collaboration between eligible providers as well as other community organizations is essential to ensure the non-duplication of services; the capacity to serve the local need; the seamless transition of participants between educational levels; and the transition of participants into postsecondary education, training and/or employment. The expectation is that individual providers within each region will coordinate their services, over the course of this contract period, to meet regional needs including year-round programming; flexible delivery systems including off-site tutoring and distance learning options; services for all educational levels as defined in the National Reporting System; and financial efficiency through shared resources which may include personnel.

The adult diploma program does not receive federal funding, but because eligible students and the state funds expended on those students is used for matching and Maintenance of Effort, the adult diploma program is held to the same accountability and performance measures as those adult education programs funded under the Workforce Innovation and Opportunity Act of 2014, Adult Education and Family Literacy Act (AEFLA).

Adult Diploma instruction should be standards-based. Curricula must be aligned to the College & Career Readiness Standards for Adult Education¹ and the English Language Proficiency Standards² as well being contextualized for the sector industries identified in the NH State Workforce Plan. Instruction should be delivered using evidence-based strategies such as those incorporated into the STAR³ Reading program for the essential components of reading and other best practices identified specifically for adult education.

New Hampshire has a centralized professional development system for adult education which provides a wide variety of high-quality, face-to-face and online training for adult educators. The credential requirements for adult educators teaching at the secondary level are different than those for the K-12 system, therefore it is recommended that providers have excellent hiring practices and evaluate teacher effectiveness using the Adult Education Teacher Competencies⁴.

The Bureau of Adult Education provides a web-based student management system for data collection. Local providers are responsible for designating a specific staff person responsible for data entry and

¹ Available at: <https://lincs.ed.gov/publications/pdf/CCRStandardsAdultEd.pdf>

² Available at: <https://lincs.ed.gov/publications/pdf/CCRStandardsAdultEd.pdf>

³ For more information on STAR: <https://lincs.ed.gov/state-resources/federal-initiatives/student-achievement-reading>

⁴ For more information on Adult Education Teacher Competencies: <https://lincs.ed.gov/state-resources/federal-initiatives/teacher-effectiveness/competencies>

reporting. Data is used to inform program decisions and to plan for continuous improvement. In addition to the data required under AEFLA, local programs must submit an annual program self-evaluation which includes a detailed analysis of data and narrative reports demonstrating compliance with various initiatives.

The services outlined in this RFP are authorized under NH RSA 194:18; 1194:19; P.L. 89-750 and 186:61. The Ed Rule 702.01 – 702.08 (see [Appendix A](#)), and any amended rules, must be incorporated into proposals.

Additionally, under the Workforce Investment and Opportunity Act (WIOA), the following considerations are made when awarding contract, in accordance with section 231 (e), as applicable to the Adult Diploma Program:

1. the degree to which the eligible provider would be responsive to –
 - a. regional needs as identified in the local plan under section 108 ([Section 5.4.1](#)); and
 - b. serving individuals in the community who were identified in such plan as most in need of adult education and literacy activities, including individuals –
 - i. who have low levels of literacy skills; or
 - ii. who are English language learners; ([Section 5.4.2](#))
2. the ability of the eligible provider to serve eligible individuals with disabilities, including eligible individuals with learning disabilities; ([Section 5.4.2](#))
3. past effectiveness of the eligible provider in improving the literacy of eligible individuals, to meet State-adjusted levels of performance for the primary indicators of performance described in section 116, especially with respect to eligible individuals who have low levels of literacy; ([Section 5.4.8](#))
4. the extent to which the eligible provider demonstrates alignment between proposed activities and services and the strategy and goals of the local plan under section 108, as well as the activities and services of the one-stop partners; ([Section 5.4.5](#))
5. whether the eligible provider’s program –
 - a. is of sufficient intensity and quality, and based on the most rigorous research available so that participants achieve substantial learning gains; ([Section 5.4.6](#)) and
 - b. uses instructional practices that include the essential components of reading instruction; ([Section 5.4.6](#))
6. whether the eligible provider’s activities, including whether reading, writing, speaking, mathematics, and English language acquisition instruction delivered by the eligible provider, are based on the best practices derived from the most rigorous research available and appropriate, including scientifically valid research and effective educational practice; ([Section 5.4.6](#))
7. whether the eligible provider’s activities effectively use technology, services, and delivery systems, including distance education in a manner sufficient to increase the amount and quality of learning and how such technology, services, and systems lead to improved performance; ([Section 5.4.7](#))
8. whether the eligible provider’s activities provide learning in context, including through integrated education and training, so that an individual acquires the skills needed to transition to and complete postsecondary education and training programs, obtain and advance in employment learning to economic self-sufficiency, and to exercise the rights and responsibilities of citizenship; ([Section 5.4.4](#) and [5.4.8](#))
9. whether the eligible provider’s activities are delivered by well-trained instructors, counselors, and administrators who meet any minimum qualifications established by the State, where applicable, and who have access to high quality professional development, including through electronic means; ([Section 5.4.5](#))

10. whether the eligible provider's activities coordinate with other available education, training and social service resources in the community, such as by establishing strong link with elementary schools and secondary schools, postsecondary educational institutions, institutions of higher education, local workforce investment boards, one-stop centers, job training programs, and social service agencies, business, industry, labor organizations, and intermediaries, for the development of career pathways; ([Section 5.4.5](#))
11. whether the eligible provider's activities offer flexible schedules and coordination with Federal, State and local support services (such as child care, transportation, mental health services, and career planning) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs; ([Section 5.4.3](#))
12. whether the eligible provider maintains a high-quality information management system that has the capacity to report measureable participant outcomes (consistent with section 116) and to monitor program performance; ([Section 5.4.9](#)) and
13. whether the local areas in which the eligible provider is located have a demonstrated need for additional English language acquisition programs and civics education programs. ([Section 5.4.1](#))

3.2 Definitions

3.2.1 Adult Education and Literacy Activities

Adult education and literacy activities mean program, activities and services that include any of the following:

- Adult education
- Literacy
- Workplace adult education and literacy activities (Not funded through this grant)
- Family literacy activities (Not funded through this grant)
- English language acquisition activities (ESL)
- Integrated English Literacy and Civics Education (IELCE)
- Workforce preparation activities
- Integrated Education and Training (IET)

3.2.2 Basic Skills Deficient

The term "basic skills deficient" means, with respect to an individual –

- A. who is a youth, that the individual has English reading, writing or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- B. who is a youth or an adult, that the individual is unable to compute or solve problems, or read, write or speak English, at a level necessary to function on the job, in the individual's family, or in society.

3.2.3 Individual with a Barrier to Employment

The term "individual with a barrier to employment" means a member of one or more of the following populations:

- A. Displaced homemakers
- B. Low-income individuals
- C. Indians, Alaska Natives, and Native Hawaiians, *as such terms are defined in WIOA Section 166.*
- D. Individuals with disabilities, including youth who are individuals with disabilities

- E. Older individuals
- F. Ex-offenders
- G. Homeless individuals, *as defined in VAWA 41403(6)*, or homeless children and youths, *as defined in McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))*
- H. Youth who are in or have aged out of the foster care system
- I. Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.
- J. Eligible migrant and seasonal farmworkers, *as defined in WIOA section 167(i)*
- K. Individuals within two (2) years of exhausting lifetime eligibility under Part A of Title IV of the Social Security Act (*42 U.S.C. 601 et seq*)
- L. Single parents (including single pregnant women)
- M. Long-term unemployed individuals
- N. Such other groups as the Governor of New Hampshire determines to have barriers to employment

3.2.4 Low-Income Individual

- A. In General – The term “low-income individual” means an individual who-
 - (i) receives, or in the last 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under Part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance; is in a family with total family income that does not exceed the higher of-
 - I. the poverty line
 - II. 70 percent of the lower living standards income level;
 - (ii) is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));
 - (iii) receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);
 - (iv) is a foster child on behalf of whom State or local government payments are made;
 - (v) is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.
- B. Lower Living Standard Income Level – The term “lower living standard income level” means that income level (adjusted for regional, metropolitan, urban and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

3.2.5 Individual with Disabilities

The term “individual with a disability” means an individual with a disability as defined in section

3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)

3.2.6 *Essential Components of Reading*

The essential components of reading instruction are explicit and systematic instruction in:

- Phonemic awareness
- Phonics
- Vocabulary instruction
- Reading fluency, including oral reading skills
- Reading comprehension strategies

From Every Student Succeeds Act Sec 1915 9 (c), p.365

3.2.7 *Workforce Preparation Activities*

The term “workforce preparation activities” means activities, programs or services designed to help an individual acquire a combination of:

- Basic academic skills
- Critical thinking skills
- Digital literacy skills
- Self-management skills including competencies in:
 - Utilizing resources
 - Using information
 - Working with others
 - Understanding systems
 - Obtaining skills necessary for successful transition into and completion of postsecondary education or training or employment

3.2.8 *Career Pathway*

The term “career pathway” means a combination of rigorous and high-quality education, training, and other services that—

- (A) aligns with the skill needs of industries in the economy of the State or regional economy involved;
- (B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an “apprenticeship”, except in section 171);
- (C) includes counseling to support an individual in achieving the individual’s education and career goals;
- (D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- (E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;
- (F) enables an individual to attain a secondary school diploma or its

- recognized equivalent, and at least 1 recognized postsecondary credential; and
- (G) helps an individual enter or advance within a specific occupation or occupational cluster.

See also WIOA Glossary ([Appendix B](#)).

3.2.9 Dual Enrolled

The term “dual enrolled” refers to students who are concurrently enrolled in high school and adult education. Because NH has a compulsory attendance law (RSA 193:1), individuals under the age of 18 are required to be enrolled in school. There are a number of exceptions, as outlined in RSA: 193:1, including the following:

(h) The pupil obtains a waiver from the superintendent, which shall only be granted upon proof that the pupil is 16 years of age or older and has an alternative learning plan for obtaining either a high school diploma or its equivalent.

(1) Alternative learning plans shall include age-appropriate academic rigor and the flexibility to incorporate the pupil’s interest and manner of learning. These plans may include, but are not limited to, such components or combination of components of extended learning opportunities as independent study, private instruction, performing groups, internships, community service, apprenticeships, and on-line courses.

(2) Alternative learning plans shall be developed, and amended if necessary, in consultation with the pupil, a school guidance counselor, the school principal, and at least one parent or guardian of the pupil, and submitted to the school district for approval.

(3) If the superintendent does not approve the alternative learning plan, the parent or guardian of the pupil may appeal such decision to the local school board. A parent or guardian may appeal the decision of a local school board to the state board of education consistent with the provisions of RSA 21-N:11, III.

Under Ed Rule 702, high school students, at least 16 years of age, may attend an adult diploma class full-time or part-time.

3.2.10 Title II

For the purposes of designating students who should be included in data collected under the National Reporting System, the accountability system for Title II of the Workforce Innovation and Opportunity Act, the term “Title II” shall refer to students who meet the following eligibility requirements:

1. The student is NOT enrolled, or required to be enrolled in regular high school, as defined in RSA 193:1.
2. The student is pursuing a secondary level course of study.

3.3 Adult Diploma Program

3.3.1 Purpose

The purpose of the Adult Diploma Program is to provide an alternative for adults to complete their high school diploma. The Adult High School Diploma Program (ADP):

- a. Operates under guidelines established by the NH State Board of Education
- b. Allows local school districts to offer adult education programs leading to a high school diploma
- c. Requires students to complete one or more adult education high school classes
- d. Credit requirements are based on state and local requirements for a diploma
- e. Programs may offer traditional high school academic courses as well as competency-based educational opportunities, cross-discipline classes, extended learning opportunities or other alternatives as described in Ed 702.06, for credit.

Under the Adult Diploma Program, schools may provide a credit course(s) designed to prepare students for the high school equivalency exam in order to earn a high school equivalency certificate in addition to or instead of a high school diploma.

3.3.2 Goals

The primary goal for the Adult Diploma Program is for adults to earn a high school diploma or equivalent in order obtain the skills and knowledge necessary to transition into postsecondary education, training and/or employment; become full partners in the educational development of their children; and lead to sustainable improvement in the economic opportunities for their family.

3.3.3 Eligibility

Students in an Adult Diploma Program must be 18 years old and no longer enrolled in a high school program, referred to as “Title II” participants. Priority for funding is given to these students. Other students may attend the Adult Diploma Program as outlined below:

3.3.3.1 Credit Recovery

Students who are dually enrolled in a regular high school and the adult high school program for the purposes of recovering credits and who are pursuing a regular school diploma are classified as “Credit Recovery” students.

3.3.3.2 Dual Enrolled

A student enrolled in a regular high school program may attend the adult high school program with written recommendation of the student’s principal, as well as written consent of the student’s parent or guardian if the student has not attained the age of majority. See [Section 3.2.9](#).

3.3.3 Educational Functioning Levels

Adult Diploma students are considered to have the following Educational Functioning Levels (EFL) based on descriptors from the National Reporting System and the NH Data & Assessment Policy:

- ABE Level 5 for students who have 1 – 10 credits
- ABE Level 6 for students who have 11+ credits

Students who enter the Adult Diploma Program without any high school credits will have to be assessed using the Test of Adult Basic Education (TABE). Please refer to the NH Data & Assessment Policy ([Appendix C](#)) for more information.

3.3.4 College & Career Readiness Standards for Adult Education

By July 1, 2020, it is expected that all NH adult education programs have curricula aligned with the College & Career Readiness Standards. For more information, see: <http://lincs.ed.gov/publications/pdf/CCRStandardsAdultEd.pdf>

Competency-based instruction and opportunities to extend learning through alternative credit or distance learning are highly encouraged.

3.3.5 Instructional Delivery

Generally, instruction for the Adult Diploma Program occurs at a high school in classes and small groups, of at least 5 students, with a designated instructor who meets the credentialing requirements outlined in the law (see [Appendix A](#)).

Traditionally, classes or groups meet regularly throughout the school year, however, the Bureau's goal is to increase access to educational opportunities throughout the year. Models for year-round education may include coursework through distance learning options, extended learning opportunities or any of the other alternative credit options listed in Ed 702.06 (see [Appendix A](#)).

As required by law, credit courses must meet for a minimum of 45 hours **OR** the student must successfully complete course competency requirements pursuant to Ed 306.27(d) as established by the local adult high school program.

3.3.6 Primary Indicators of Performance

Because state funding used on Title II students is used for the federal Maintenance of Effort requirement, data on those students is reported to the National Reporting System under the Workforce Innovation and Opportunity Act. This includes enrollment data as well as performance data.

The program must track and report data on the following Primary Indicators of Performance for each Title II participant in each period of participation. This data is combined with data from other NH WIOA programs on the Statewide Joint Performance Report annually. The Bureau of Adult Education will negotiate performance targets for these indicators.

For each of the Primary Indicators of Performance, each program entry and exit per participant during the reporting period is considered a period of participation. An individual may have more than one Primary Indicator of Performance in each period of participation.

3.3.6.1 Employment in the Second Quarter after Exit

Includes all Title II participants, except those who were incarcerated at program entry who remain incarcerated, who exit during the program year.

Collection of this data must be made through data matching at the State level, if a social security number is provided, or through a Follow-Up Survey conducted at the local level.

3.3.6.2 Employment in the Fourth Quarter after Exit

Includes all Title II participants, except those who were incarcerated at program entry who remain incarcerated, who exit during the program year.

Collection of this data must be made through data matching at the State level, if a social security number is provided, or through a Follow-Up Survey conducted at the local level.

3.3.6.3 Median Earning in the Second Quarter after Exit

Includes all Title II participants who exit during the program year, except those who were incarcerated at program entry who remain incarcerated, and who are employed in the second quarter after exit.

The Median Earning is determined by the midpoint of wages between the lowest and the highest quarterly wage, in U.S. dollars, in the second quarter after exit.

Collection of this data must be made through data matching at the State level, if a social security number is provided, or through a Follow-Up Survey conducted at the local level.

3.3.6.4 Credential Attainment Indicator – Secondary

Includes all Title II participants who exit during the program year, except those who were incarcerated at program entry who remain incarcerated, and

- who were at the ninth grade equivalent educational functioning level or higher upon entry, as measured by pretest with approved NRS test (or by the attainment of at least one high school credit).
- **AND** who received a secondary credential or diploma during participation or within one year after exit
- **AND** who entered into postsecondary education or training within one year after exit
- **OR** who obtained employment within one year after exit

Collection of this data must be made at the time of exit and 12 months from exit. Data matching through the National Student Clearinghouse may be possible for some participants enrolled in postsecondary education.

3.3.6.5 Credential Attainment Indicator - Postsecondary

Includes all Title II participants co-enrolled in a postsecondary education program (and an adult education program) who exit during the program year, and

- who receive a state-recognized postsecondary credential during participation or within one year after exit.

Collection of this data must be made at the time of exit and 12 months from exit. Data matching through the National Student Clearinghouse may be possible for some participants enrolled in postsecondary education.

3.3.6.6 Exclusions

The following reasons for exit allow the exclusion of a Title II participant from ALL performance measures:

- Exit is due to the participant becoming incarcerated or entered into a 24-

- hour support facility such as a hospital or treatment center.
- Exit is due to medical treatment that lasts more than 90 days.
- Participant is deceased.
- Exit is due to being called into active duty in the National Guard or other armed services for at least 90 days.

Outcome performance measures are NOT required for Dual-Enrolled students.

3.3.7 Measurable Skill Gain Indicators (MSG)

The program must track and report data on the following Measurable Skill Gain indicators for each participant in each period of participation.

For each of the Measurable Skill Gain Indicators, each program entry and exit per participant during the reporting period is considered a period of participation. An individual may have more than one Measurable Skill Gain in each period of participation. Only the most recent MSG will be collected per period of participation for the purposes of reporting to the National Reporting System.

3.3.7.1 Secondary Diploma/Equivalent

All participants who earn a high school diploma or equivalent during the program year.

3.3.7.2 Educational Functioning Level Gain

Educational Functioning Level (EFL) gain can be measured in three ways:

- Comparing the participant's pre-test with the participant's post-test, using an NRS approved test.
- Awarding of Carnegie credits or credits in an adult high school program
- Enrollment in postsecondary education or training after exit

3.3.7.3 Exclusions

Participants in a correctional institution under section 225 of WIOA who remain incarcerated after exit are included in the MSG indicator but excluded from:

- 2nd Quarter Employment Indicator
- Median Earning Indicator
- 4th Quarter Employment Indicator
- Credential Indicator

3.3.8 Additional Requirements

3.3.8.1 Collection of Social Security Numbers

All providers are required to request a social security number from each Title II participant in order to promote data validation for employment indicators through a data match with the department of employment security. See Data Privacy and Protection Policy ([Appendix D](#)).

3.3.8.2 Staffing Requirements

All providers are required to comply with Ed 702.02 Certification of Teachers.

Each provider must have a designated Program Director responsible for the following:

- Serving as the contact person for the Bureau of Adult Education
- Facilitating the daily operation and administration of the program as described in the Adult Diploma Program contract
- Attending New Program Directors Boot Camp (within one year of hire) and quarterly Program Director meetings.
- Coordinate with other local adult education programs to ensure smooth transition of students from basic education into secondary education as needed.
- Facilitation of policies and procedures of the Adult Diploma Program as required by the Bureau of Adult Education and the local school district
- Other duties as described in the job description provided in the proposal

Each provider must have a designated staff person responsible for data entry. This individual must be trained on the LACES data system and is responsible for checking the validity and accuracy of data as well as providing quarterly reports cards for the Bureau of Adult Education. This role may be combined with other staff positions including the Program Director, Counselor or Administrative Assistant. This role may also be performed through a collaborative agreement, memorandum of agreement or other formal understanding with another Bureau-funded adult education center.

3.3.8.3 Postsecondary Transitions

Each program is responsible for ensuring that each students receiving an Adult Diploma has a postsecondary plan. The purpose of the Adult Diploma Program is to assist students with earning a secondary credential or equivalent AND transitioning into postsecondary education, training and/or employment.

The program may determine how it will provide transition planning, options may include, but are not limited to:

- Career Exploration class
- Referrals to NH Employment Security programs including On the Job Training, Apprenticeship and Work-Ready
- Portfolio that includes Job Search materials
- Career Counseling
- Application assistance for postsecondary education
- College visits, employer tours, guest speakers

Section 4 – Process for Submitting a Proposal

4.1 Minimum Requirements for Applicants

Under Ed 702.01, the program must be a secondary school educational program conducted under the auspices of a local school department and approved by the department leading to a high school diploma or an adult high school diploma.

4.2 Proposal Submission, Deadline, and Location Instructions

Proposals submitted in response to this RFP must be received by the Bureau of Adult Education, no later than the time and date specified in the [Schedule](#) section, herein. Proposals may be submitted by either U.S. Mail or In Person.

Proposals must be addressed to:

State of New Hampshire
Department of Education
Bureau of Adult Education
21 South Fruit Street, Suite 20
Concord, NH 03301

Proposals must be clearly marked as follows:

STATE OF NEW HAMPSHIRE

RESPONSE TO RFP BAE-2019-003
Adult Diploma Program

Late submissions will not be accepted and will be returned to the proposers unopened. Delivery of the Proposals shall be at the Proposer's expense. The time of receipt shall be considered when a Proposal has been officially documented by the Agency, in accordance with its established policies, as having been received at the location designated above. The Agency accepts no responsibility for mislabeled mail or mail that is not delivered or undeliverable for whatever reason. Any damage that may occur due to shipping shall be the Proposer's responsibility.

All Proposals submitted in response to this RFP must consist of at least:

- a) One (1) clearly identified original, including all required attachments;
- b) One (1) clearly identified electronic copy of the Proposal including all required attachments contained on digital media such as a USB drive.

Proposers who are ineligible to bid on proposals, bids or quotes issued by the Department of Administrative Services, Division of Procurement and Support Services pursuant to the provisions of RSA 21-I:11-c shall not be considered eligible for an award under this proposal.

4.3 Proposal Inquiries

All inquiries concerning this RFP, including but not limited to, requests for clarifications, questions, and any changes to the RFP, shall be submitted via email to the following RFP designated Point of Contact with the RFP number in the subject line:

TO: Sarah.Bennett@doe.nh.gov
RE: RFP-BAE-2019-001

Inquiries must be received by the Agency's RFP Point of Contact no later than the conclusion of the Proposer Inquiry Period (see [Schedule of Events](#) section, herein). Inquiries received later than the conclusion of the Proposer Inquiry Period shall not be considered properly submitted and may not be considered.

The Agency intends to issue official responses to properly submitted inquiries on or before the date specified in the Schedule section, herein; however, this date is subject to change at the Agency's discretion. The Agency may consolidate and/or paraphrase questions for sufficiency and clarity. The Agency may, at its discretion, amend this RFP on its own initiative or in response to issues raised by inquiries, as it deems appropriate. Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon the Agency. Official responses by the Agency will be made only in writing by the process described above. Vendors shall be responsible for reviewing the most updated information related to this RFP before submitting a proposal.

4.4 Vendor Conference

The Bureau of Adult Education will provide a vendor conference on Thursday, March 5, 2020 from 9:00 am until Noon in Room 100 of the Walker Building at 21 South Fruit Street, Concord, NH.

The vendor conference will also be available online through Zoom. Registration is required at: https://zoom.us/meeting/register/tJ0pcOigqTkqDILecGz1q_eXj_tI4uEhhw

Attendance at the vendor conference is recommended. This conference will be held to provide potential applicants an opportunity to learn more about the program and preparation of the proposal.

4.5 Restriction of Contact with Agency Employees

From the date of release of this RFP until an award is made and announced regarding the selection of Proposer(s), all communication with personnel employed by or under contract with the Agency regarding this RFP is forbidden unless first approved by the RFP Point of Contact listed in the Proposal Inquiries section, herein. Agency employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential contractor during the selection process, unless otherwise authorized by the RFP Point of Contact. Proposers may be disqualified for violating this restriction on communications.

4.6 Validity of Proposal

Proposals must be valid for one hundred and eighty (180) days following the deadline for submission of Proposals in Schedule of Events, or until the Effective Date of any resulting Contract, whichever is later.

4.7 Proposal Acceptance

This RFP does not obligate the Bureau of Adult Education to award funding. The Bureau of Adult Education reserves the right to accept or reject any or all proposals received.

Once a proposal packet is received by the Bureau of Adult Education, it will be immediately reviewed for completeness.

1. Stamp packet with the date and time received.
2. Ensure that the number of pages of the packet is equal to the number of pages noted by the applicant.
3. A high level review will be conducted checking for completeness.
4. If the packet is complete, the representative from the Department will sign the packet and mark it as complete. The representative will add the proposal to a list of received

proposals for this RFP.

5. If the packet is Incomplete
 - i. An additional person within the program will review the packet and agree that it appears incomplete.
 - ii. Both individuals will sign off that the packet is incomplete.
 - iii. The person who completed the initial review will notify the provider that the proposal appears to be incomplete.
 - iv. The representative will then add the proposal to the list of proposals and note that it is incomplete.
 - v. A provider will have 5 business days, from the date of notification by the Bureau, to submit a complete proposal or the application will be withdrawn from the competition.

Section 5 - Content and Requirements for a Proposal

It is the Applicant's responsibility to demonstrate to the Department of Education, Bureau of Adult Education, that it is capable of and qualified to perform the required work in the most cost efficient method.

When responding to this RFP, the applicant shall include a completed application with the following:

1. Attachment 1 – ADP Application
 - a. Organizational Capacity
 - b. Application
2. Attachment 2 – Budget Worksheets
 - a. FY21 Budget Worksheet
 - b. Local Match Worksheet
3. Attachment 3 – Required Documentation for Proposals
 - a. ADP Graduation Requirements
 - b. Proposed Course Offerings for FY21
4. Attachment 4 – Required Documentation for Contracts
 - a. Certificate of Insurance
 - b. School Board list
 - c. General Provisions Act (GEPA) Statement
 - d. Buy American Statement
 - e. General Assurances
 - f. Program Assurances

5.1 Organizational Capacity

In order to demonstrate that the applicant has the organizational capacity to provide the services proposed, the Organizational Capacity Chart must be completed.

This section includes information about staff experience; prior experience working with similar projects; geographical areas currently served; coordination with other adult education centers, WIOA core partners, local employers and other community organizations.

The following information must be completed on the Application:

- Provide a summary of the titles, qualifications and responsibilities of key program staff
- Designate the geographic area that the programs described will serve
- A description of any cooperative arrangements with other agencies, institutions, or organizations for the delivery of adult education and literacy activities
- Explain how community connections have increased the effectiveness of your program

Attachments to the Proposal shall include the following:

- Job descriptions and resumes of all key staff (see [Section 3.3.8.2](#))
- Three (3) letters of reference from past students and/or collaborating agencies that speak to the organization's ability to provide the services described in this RFP.

Please provide the name of the organization, the mailing address and vendor contact information.

5.1.1 Vendor Experience

1. Please list the titles, qualifications and responsibilities of key program staff.
2. Attach job descriptions and resumes for all key program staff.
3. Describe the organization’s prior experience administering an adult diploma program.
4. Please provide the following data:

	Student Type	FY18	FY19	FY20 (YTD)
# of Students Enrolled	Dual Enrolled			
	Title II			
# of Credits Earned	Dual Enrolled			
	Title II			
# of Credentials Earned	Dual Enrolled			
	Title II			
Transition to Postsecondary	All Students			
Transition to Employment	All Students			

5. Describe the geographic area(s) currently covered by the organization including any satellite/outreach offices or community sites used to provide services.

5.1.2 Coordination with Others

5.1.2.1 Coordination with other adult education agencies.

6. Please describe the organization's prior experience coordinating services with any other local adult education center(s) providing adult basic education, English as a Second Language and/or high school equivalency services.

5.1.2.2 Coordination with WIOA Core Partners

7. Please describe the organization’s prior experience coordinating services with any of the WIOA Core Partners⁵ including direct referrals, co-enrollment or transition services.

5.1.2.3 Coordination with Community and Employers

8. Please describe at least two collaborations with other community organizations that have increased the effectiveness of your program by helping your participants to attend, advance or complete your program or transition from your program into employment, postsecondary education or training.

⁵ WIOA Core Partners include: NH Employment Security, WIOA Adult, WIOA Youth, Senior Community Service Employment Program, Vocational Rehabilitation, Dept of Health & Human Services and the Community College System of NH.

5.1.2.4 Letters of Support

9. Please attach three (3) letters of reference from past students and/or collaborating agencies that speak to the organization's ability to provide the services described in the RFP.

5.1.3 Financial Stability

10. Please attach evidence of financial stability either through a narrative description of appropriated funds through a district budget process; or through audited financial records.

5.2 Application

5.2.1 Organization Information

Please indicate the name of the organization, the mailing address and the vendor contact information.

From the drop down list, please choose the region (as described in [Appendix E](#)) where the services will be provided. It is the intention of the Bureau of Adult Education to fund a minimum of one Adult Diploma program in each region, however, there may be multiple programs within a region.

5.2.2 Responsiveness to Regional Need

The program must be responsive to regional needs including the educational, economic and social/cultural needs of the area.

1. Please describe how the program will meet the educational needs of the region. This may include, but is not limited to, students needing credit recovery options, students needing an alternative learning plan either full-time or part-time, and adult students who have withdrawn from school without earning a diploma or equivalent.

2. Please describe how the program will meet the economic needs of the region including the preparation of individuals for sector initiatives⁶, assisting individuals with transition into economic stability through employment and participating in the development of career pathways.

3. Please describe how the program will meet the social/cultural needs of the region including meeting diverse needs of the population, providing soft skills training and fostering the development of cultural competence.

5.2.2.1 Scoring Detail for Responsiveness to Regional Needs

Responsiveness to Regional Needs will be allocated a maximum score of seventy-five (75) points. The main purpose of this section is to measure how well the proposed program will meet the educational, economic and social/cultural needs of the local region including, but not limited to:

⁶ The Sector Initiatives identified in the NH State Workforce Plan are: Healthcare, Information Technology, Manufacturing, Hospitality and Construction. The initiatives represent occupational fields that are currently in-demand and can offer high-wages. For more information, see <https://www.nhworks.org/sector-partnership-initiatives-spi/>

- How many residents do not have a high school diploma or equivalent?
- How many high school students are in need of credit recovery services?
- How many high school students are in need of an alternative learning plan that includes Adult Diploma courses?
- What is the primary reason for dual enrolled students need to access Adult Diploma courses?
- What is the current dropout rate? How will this program address that need?
- Are there other educational needs that the Diploma program will serve?
- What are the causes/effects of the current educational attainment level in the region (i.e. does a high level of attainment result in a lack of entry level jobs for those without a diploma?)
- What other educational needs are there in the community?
- What is the economic condition of the community?
- Are those who are in need of adult education services able to be economically stable? Why or why not?
- What jobs are available in the community, does the program prepare individuals for those jobs? What skill levels are required for those jobs?
- How does the program assist individuals with integrating into the community, socially?

5.2.2.2 References/Resources

This is not intended to be a complete list of potential references or resources that could be used to respond to this section of the RFP. Inclusion on this list does not indicate endorsement of these organizations by the Bureau of Adult Education.

NH State Workforce Plan

<https://www.nhworks.org/wp-content/uploads/2018/12/State-Plan-NH-Works-Website.pdf>

US Census Bureau – Educational Attainment

<https://www.census.gov/topics/education.html>

National Center for Education Statistics – State & County Estimates of Low Literacy <https://nces.ed.gov/naal/estimates/>

NH Department of Education Dropouts and Completers

<https://www.education.nh.gov/data/dropouts.htm>

NH Employment Security, Economic, Labor Market Information Bureau

<http://www.nhes.nh.gov/elmi/index.htm>

NH Department of Health & Human Services, Office of Health Equity, NH Refugee Program

<https://www.dhhs.nh.gov/omh/refugee/index.htm>

Community Visioning & Profiles, UNH Cooperative Extension

<https://extension.unh.edu/Civic-Engagement-and-Community-Decision-Making/Community-Profiles>

National Center for Cultural Competence
<https://nccc.georgetown.edu/>

5.2.3 Serving the Most in Need

The program must serve individuals in the community who were identified as most in need of adult education and literacy activities at the secondary level.

4. Please describe how the program will serve the needs of those identified as most in need of adult education and literacy activities at the secondary level including English language learners in need of a U.S. credential; individuals with disabilities including physical, emotional, social and learning disabilities; and those with barriers to employment including displaced homemakers, low-income participants, ex-offenders and others.
5. Please describe how the program will serve the needs of students under the age of 18 who are required to be enrolled in school under the compulsory attendance law.
6. Please describe the program's plan for recruitment of Title II students.
7. Please estimate the program enrollment numbers for the next three years.
8. Please explain how these anticipated numbers were determined.

5.2.3.1 Scoring Details for Serving the Most in Need

Serving the Most in Need will be allocated a maximum score of one hundred (100) points. The main purpose of this section is to measure how well the proposed program will serve individuals in the community who were identified as most in need of adult education and literacy activities at the secondary level including, but not limited to:

- How will the program work with English language learners to increase access to a U.S. diploma or credential?
- What internal services or external referrals are used to meet the needs of individuals with disabilities? Are those services successful? Why or why not?
- How will the program assess for disabilities, particularly "hidden disabilities" without violating the privacy rights of all participants?
- How will the program work with individuals with barriers to employment to ensure they can attend and complete coursework?
- How do the anticipated enrollment numbers compare to current numbers or recent trends? Please explain any significant differences and why those might occur.
- How will the program recruit individuals most in need of services?

5.2.3.2 References/Resources

This is not intended to be a complete list of potential references or resources that could be used to respond to this section of the RFP. Inclusion on this list does not indicate endorsement of these organizations by the Bureau of Adult Education.

Americans with Disabilities Act
<https://www.ada.gov/>

Temporary Assistance for Needy Families
<https://www.acf.hhs.gov/ofa/programs/tanf>

Learning to Achieve: A Review of Research Literature on Serving Adults with Learning Disabilities
<https://lincs.ed.gov/publications/pdf/L2ALiteratureReview09.pdf>

New Opportunities to Improve Economic and Career Success for Low-Income Youth and Adults
<http://www.clasp.org/resources-and-publications/publication-1/KeyProvisionsofWIOA-Final.pdf>

5.2.4 Service Delivery, Format and Schedules

The program must have a delivery method, location and scheduled that enable individuals to attend and complete programs. All regions are expected to offer year-round programming.

9. Please describe the program's service delivery format(s) and explain how the format(s) enable individuals to attend and complete the program. This may include one-on-one instruction, small groups, workshops, large classes, distance learning options, other service delivery methods or combinations.

10. If year-round programming will not be offered solely by the applicant, please explain any agreements, partnerships or collaborations with other adult education programs to meet the requirement that year-round programming is available in the region.

11. Please describe the program's class structure including the number of anticipated students, the number of days/hours of instructional time per week, when classes will be available and how students will be placed in class(es).

12. Please describe the enrollment cycle for students including when they can start, including how many semesters per calendar year and what happens if the student enrolls mid-semester.

5.2.4.1 Scoring Details for Service Delivery, Format and Schedules

Service Delivery Format and Schedules will be allocated a maximum score of one hundred (100) points. The main purpose of this section is to measure how well the proposed program will enable individuals to attend and complete classes through flexible scheduling, sufficient instructional time per week and appropriate delivery methods including, but not limited to:

- Which delivery methods will the program offer and why? Which methods have been most successful in the past and why?
- Will the program offer a combination of service delivery options? How will these options be made available to enrolled participants?
- Will the program offer open enrollment? Why or why not? If not, please address how the program will engage participants while they are

- waiting for a start date?
- What methods will be used to expand learning opportunities beyond the classroom? How will those activities be monitored or tracked, if appropriate?
- Will the program have an attendance policy? How will participants who struggle with attendance continue to be engaged in the program?

5.2.4.2 References/Resources

This is not intended to be a complete list of potential references or resources that could be used to respond to this section of the RFP. Inclusion on this list does not indicate endorsement of these organizations by the Bureau of Adult Education.

Adult Learner Persistence Policy Examples

<http://www.nelrc.org/persist/policy.html>

Diving Deep Into the Local NRS Pool: Attendance, Educational Gain and Transition Outcomes

<https://www.nrsweb.org/training-ta/archive-training-events>

Teaching Strategies: Resources for Adult Educators

<http://nhptv.pbslearningmedia.org/collection/ketae/>

5.2.5 Proposed Curricula

The program must provide learning in context so that an individual acquires the skills needed to transition to and complete postsecondary education and training programs, obtain and advance in employment leading to economic self-sufficiency and to exercise the rights and responsibilities of citizenship.

13. As of July 1, 2020, all adult education programs are required to have curricula aligned with the College and Career Readiness Standards for Adult Education. Please describe how the programs curricula will be aligned.

14. Please describe how the program will provide contextualized instruction and integrate workforce preparation activities. See [Appendix B](#): WIOA Glossary for the definition of contextualized instruction and workforce preparation activities.

15. Ed 702.06 provides multiple ways for adults to earn high school credits, please describe how these alternative credits will be used to increase opportunities including how credit will be determined.

16. Please attach a program of studies or course offering description.

5.2.5.1 Scoring Details for Proposed Curricula

Proposed Curricula and Contextualized Instruction will be allocated a maximum score of one hundred (100) points. The main purpose of this section is to measure how well the proposed program will provide curricula designed to meet the needs of the participants, especially through contextualized instruction and alternative credits including, but not limited to:

- Is it clear that the curricula will be aligned with the College & Career Readiness Standards for Adult Education, not solely Common Core or those standards approved by the local school district?
- How will the curriculum be designed? Will it be competency-based? Will it be project-based or have some other educational foundation?
- How will instruction be contextualized?
- For what fields will instruction be contextualized? How was that decision made?
- Under WIOA, workforce preparation activities are not intended to be a stand-alone component. How will workforce preparation activities be integrated into the program?
- How will credits be determined? Are there options for alternative credits to be earned and is there a system in place for determining when students should access those types of credits?
- How will the curriculum encourage transition to postsecondary education, training or employment? Will Running Start classes or dual-enrollment at the postsecondary level be encouraged or incorporated?
- Does the program of studies include core academic classes as well as a variety of elective credits to meet the minimum standards for graduation as established in Ed 702.05?

5.2.5.2 References/Resources

This is not intended to be a complete list of potential references or resources that could be used to respond to this section of the RFP. Inclusion on this list does not indicate endorsement of these organizations by the Bureau of Adult Education.

College & Career Readiness Standards for Adult Education
<http://lincs.ed.gov/publications/pdf/CCRStandardsAdultEd.pdf>

Changing the Odds: Informing Policy with Research on How Adult Learners Succeed
http://www.air.org/sites/default/files/downloads/report/AIR_Changing_the_Odds_0.pdf

Handbook for Sustaining Standards-Based Education in Adult Education
<https://lincs.ed.gov/publications/pdf/SustainingStandards-BasedEd.pdf>

Improving Adult Literacy Instruction: Options for Practice and Research
https://lincs.ed.gov/publications/NAS_report

Contextualized Education Resources from Penn State
<https://sites.psu.edu/pathwaystoemployment/additional-iet-resources/other-resources/contextualized-education/>

Facilitating Student Learning Through Contextualization
<https://ccrc.tc.columbia.edu/media/k2/attachments/facilitating-learning-contextualization-brief.pdf>

5.2.6 Coordination with Others

The program must coordinate services with other adult education programs, core WIOA partners,

local employers and community service agencies in order to enable students to achieve a secondary credential and successfully transition into postsecondary education, training and/or employment.

17. Please describe how the program will coordinate with other adult education programs including those offering basic education, English as a Second Language, volunteer literacy services, and high school equivalency testing to ensure an easy transition for students between programs as needed.

18. Please describe how the program will assist students with access to career and technical education, credentialing or other learning opportunities that will increase their earning potential upon graduation.

19. Please describe any coordination with local employers which may include work-based learning opportunities for students; assistance for instructors with contextualizing instruction to local occupations; recruitment of incumbent workers in need of secondary level academic skills; cost-sharing program expenses; alignment of curricula to entry-level skill needs; or to address other needs.

20. Please describe how the program will ensure that students are provided with community resources from local agencies to reduce barriers to attendance and completion such as child care, transportation, housing, mental health and financial issues.

5.2.6.1 Scoring for Coordination with Others

Coordination with Others will be allocated a maximum score of seventy-five (75) points. The main purpose of this section is to measure how well the proposed program will coordinate with other adult education, CTE centers, postsecondary institutions, training providers, local employers and local community service agencies to meet the needs of students and support transition into postsecondary education, training and/or employment including, but not limited to:

- How will the program promote/encourage access to and completion of career and technical education classes; the opportunity to earn occupational credentials while enrolled; work-based learning options; on-the-job training or apprenticeships?
- Does the program coordinate with core WIOA partners for assistance with employment preparation and training?
- Will students have the opportunity to be concurrently enrolled in the program and a postsecondary institution for the purposes of earning credit at the postsecondary level or earning an occupational credential?
- How well is the program connected with local employers?
- Does the program coordinate with community service providers to assist students with resolving barriers to attendance and completion?

5.2.6.2 References/Referrals

This is not intended to be a complete list of potential references or resources that could be used to respond to this section of the RFP. Inclusion on this list does not indicate endorsement of these organizations by the Bureau of Adult Education.

NH Dept of Education, Bureau of Career Development

<https://www.education.nh.gov/career/career/index.htm>

NH Dept of Employment Security, Economic and Labor Market Information Bureau
<https://www.nhes.nh.gov/elmi/index.htm>

NH JAG (WIOA Youth)
<http://nh-jag.org/>

My Turn (WIOA Youth)
<https://www.my-turn.org/>

NH Dept of Health & Human Services
<https://www.dhhs.nh.gov/>

211 – Statewide comprehensive, information and referral service
www.nh211.org

National College Transition Network
<https://www.collegetransition.org/career-pathways/publications/>

5.2.7 Intensity, Quality and Best Practices of Program

The program must be of sufficient intensity and quality; based on the most rigorous research available; and provide instruction delivered by well-trained instructors so that participants achieve substantial learning gains.

21. Please describe the adult education research that informs the instructional practices of the program and how it is expect to assist participant with achieving substantial learning gains.

22. Please describe how the program will meet the requirement of providing instruction delivered by well-trained instructors.

23. Adult education andragogy differs from the pedagogy used in the K-12 system. Please describe how the program will ensure that instruction is designed for adult learners including how staff will access professional development opportunities specifically related to teaching adults.

5.2.7.1 Scoring Details for Intensity, Quality and Best Practices of Program

Intensity, Quality and Best Practices will be allocated a maximum score of one hundred (100) points. The main purpose of this section is to measure how well the proposed program will meet the requirement of being of sufficient intensity and quality; based on the most rigorous research available; and provide instruction delivered by well-trained instructors including the degree to which the instructional practices are appropriate for adults including, but not limited to:

- Ed 702.05 sets a minimum of 45 hours per credit and Ed 306.27 allows for competency-based credit. Does the program prepare participants with the skills necessary for entering and completing postsecondary education or training? Does the program prepare participants for entry level skills required by local employers?
- Is the research cited the most rigorous research available including scientifically valid research and effective adult education practice?
- How will the program evaluate staff to ensure that instructors are well-

trained, particularly in adult education learning theory?

5.2.7.2 References/Resources

This is not intended to be a complete list of potential references or resources that could be used to respond to this section of the RFP. Inclusion on this list does not indicate endorsement of these organizations by the Bureau of Adult Education.

Employability Skills Framework
<http://cte.ed.gov/employabilityskills/>

OCTAE Professional Development
<https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/aeprofdev.html?exp=2>

Adult Education Teacher Competencies
<https://lincs.ed.gov/publications/te/competencies.pdf>

Adult Education: What Makes Teaching Effective?
http://calpro-online.org/documents/CALPRO_BRIEF_13_508.pdf

Learning to Achieve: A Review of the Research Literature on Serving Adults with Learning Disabilities
<https://lincs.ed.gov/publications/pdf/L2ALiteratureReview09.pdf>

Improving Adult Education Literacy Instruction: Options for Practice and Research
https://lincs.ed.gov/publications/NAS_report

Teaching Excellence in Adult Education
<https://lincs.ed.gov/programs/teal>

Adult Learning Theories
https://lincs.ed.gov/sites/default/files/11_%20TEAL_Adult_Learning_Theory.pdf

Implementing Literacy Programs to Improve Student Achievement
<https://lincs.ed.gov/publications/pdf/EDVAE09C0042ImpLiteracy.pdf>

Student Achievement in Reading (STAR)
<https://lincs.ed.gov/state-resources/federal-initiatives/student-achievement-reading>

5.2.8 Integration of Technology, Services and Digital Systems

The program must effectively use technology, services and delivery systems including distance education, in a manner sufficient to increase the amount and quality of learning. Such technology, services and systems should lead to improved performance.

24. Please describe how the program incorporates technology into learning including the use of a variety of devices.

25. Please describe how distance learning will be used in the program to expand or extend learning opportunities including, but not limited to, what software will be used; how distance learning will be facilitated; and how students will be oriented.

5.2.8.1 Scoring Details for Integration of Technology

Integration of Technology Services and Digital Systems will be allocated a maximum score of seventy-five (75) points. The main purpose of this section is to measure how

well the proposed program will incorporate the use of technology, especially with regard to distance learning including, but not limited to:

- How will the program incorporate technology into learning activities?
- What technological devices will be used?
- What programs/services will the program use? Free programs such as Khan Academy or contracted services such as Aztec or PLATO?
- How will distance learning be incorporated? Will it be an option for all learners? How will the program assess the learner to determine if distance learning is appropriate?
- How will distance learning be facilitated?
- How will technology, including distance learning, increase the intensity and quality of instruction?
- How will the program incorporate digital literacy for all participants?

5.2.8.2 References/Resources

This is not intended to be a complete list of potential references or resources that could be used to respond to this section of the RFP. Inclusion on this list does not indicate endorsement of these organizations by the Bureau of Adult Education.

Integrating Technology in WIOA

<https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/integrating-technology.pdf>

IDEAL Distance Education and Blended Learning Handbook

<https://edtech.worlded.org/wp-content/uploads/2018/08/IDEAL-Handbook-6th-Edition-8-16-18.pdf>

Blended Learning for the Adult Education Classroom

<https://lincs.ed.gov/professional-development/resource-collections/profile-818>

Investigating the Language and Literacy Skills Required for Online Learning

<https://lincs.ed.gov/professional-development/resource-collections/profile-338>

Digital Literacy Initiatives

<https://lincs.ed.gov/programs/digital-literacy>

Integrating Digital Literacy and Problem Solving into Instruction

<https://lincs.ed.gov/professional-development/resource-collections/profile-820>

Northstar Digital Literacy

<https://www.digitalliteracyassessment.org/>

5.2.9 Meeting Program Outcomes

The program must demonstrate effectiveness in meeting program outcomes for all students.

- For **Title II** students, outcome expectations include contributing to the statewide performance targets for the six primary indicators of performance and measurable skill gain as described in [Section 3.3.6](#).
- For **dual-enrolled** students, the outcome expectations include earning high school credits and a secondary school credential, either through the regular school system or through the Adult Diploma program and thereby leading to a reduction of the district's drop-out rate (or maintenance for those districts currently at 0%) and successful transition into

postsecondary education, as documented through the Statewide Longitudinal Data System.

26. Please estimate the anticipated the number of credits attempted, credits earned and secondary credentials earned for the course of this contract.

5.2.9.1 For Title II Students

	FY21	FY22	FY23
# of Credits Attempted			
# of Credits Earned			
# of Secondary Credentials Earned			

Data to track the following outcomes must be done either through the collection of a Social Security number in order for the State Agency to complete data matching with employment records OR through follow up surveys as described in [Appendix C: NH Data & Assessment Policy](#).

27. Please describe how the program will ensure the collection of follow up data at the second and fourth quarter after exit from the program including, but not limited to, strategies for collection SSN, maintaining contact with students, conducting follow up surveys using multiple communication methods.

5.2.9.2 For Dual-Enrolled Students

The program is prohibited from collecting Social Security numbers for students who are dual-enrolled. Follow-up surveys are not required for dual-enrolled students; however credential attainment must be recorded in the data system. Additional post-exit information is helpful, but not required.

28. Please describe the past effectiveness of the program on the district’s drop out rate including how the number of dual-enrolled students compares to the district’s drop outs⁷.

5.2.9.3 Scoring Details for Meeting Program Outcomes

Meeting Program Outcomes will be allocated a maximum score of one hundred (100) points. The main purpose of this section is to measure how well the proposed program has met program outcome goals in the past and how the program proposes to meet the performance goals in the future including, but not limited to:

- How will the program systematically collect/maintain contact information for Title II participants to be able to locate them at the second quarter, fourth quarter and one year after exit?

⁷ 2018-2019 Drop Out Report available at: <https://www.education.nh.gov/data/dropouts.htm>

- How will the program coordinate follow up surveys to gain maximum responses?
- How will the program collaborate with other partners to collect performance indicators and/or measurable skill gain?
- What is the passing rate based on attempted credits and earned credits and can this be improved?

5.2.9.4 References/Resources

This is not intended to be a complete list of potential references or resources that could be used to respond to this section of the RFP. Inclusion on this list does not indicate endorsement of these organizations by the Bureau of Adult Education.

Performance Accountability Guidance for WIOA

<http://www.nrsweb.org/foundations/octae-program-memo-17-2.pdf>

NRS Technical Assistance Guide

<https://www.nrsweb.org/policy-data/nrs-ta-guide>

Accountability and Reporting

<https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/accountability-reporting.html>

NRS Webinars (Postexit Indicators, Increasing Posttesting to Improve Measurable Skill Gains)

<https://www.nrsweb.org/training-ta/webinars>

WIOA Wednesday: Performance Accountability, Parts 1 and 2

https://www.workforcegps.org/events/2016/09/27/12/05/WIOA_Wednesday_Performance_Accountability_Pt_1

5.2.10 Reporting

The program must maintain high-quality data and input that data into a state-hosted system to provide accurate and timely reporting. In order for data entry to be consistent and validated, a specific trained individual must be assigned to complete data entry as well as quarterly data reports (format to be determined).

29. Please describe how student demographic information, attendance records and credits will be collected, stored, entered and analyzed including the program's internal system for ensuring the accuracy of data.

30. Please describe how the program will use the required quarterly data reports to validate data and inform program decisions.

5.2.10.1 Scoring Details for Reporting

Reporting will be allocated a maximum score of seventy-five (75) points. The main purpose of this section is to measure how well the proposed program will collect, store, enter and validate student and program data including, but not limited to:

- What steps will be taken to ensure that the staff person responsible for data entry is adequately trained?
- What internal checks are in place or will be in place to ensure that accurate data is being entered?

- In addition to the required quarterly reports, what other reports will the program run to ensure high-quality data is being inputted?

5.2.10.2 References/Resources

This is not intended to be a complete list of potential references or resources that could be used to respond to this section of the RFP. Inclusion on this list does not indicate endorsement of these organizations by the Bureau of Adult Education.

NRS Technical Assistance Guide

<https://www.nrsweb.org/policy-data/nrs-ta-guide>

Linking Data Quality with Action: Evaluating and Improving Local Program Performance

https://www.nrsweb.org/sites/default/files/FinalLinkingDataGuide_0.pdf

Promising Approaches to Data Quality

<https://www.nrsweb.org/training-ta/ta-tools/data-collection-and-quality>

Adult Learner Persistence Project – Attendance Policies

<http://www.nelrc.org/persist/policy.html#3attendance>

5.2.11 Implementation Timeline

The program must provide a timeline for the implementation of the elements of this RFP.

31. Will the program be fully functional and serving student by September 14, 2020? If not, please provide a detailed timeline explaining the start-up process.

5.2.11.1 Scoring Details for Implementation Timeline

Implementation Timelines will be allocated a maximum score of twenty-five (25) points. The main purpose of this section is to measure how well the proposed program is positioned to start by September 14, 2020, including but not limited to:

- Will the program be ready to enroll and instruct participants?
- Will the appropriate staff be hired prior to September 14th?
- Will the program have the materials and curriculum ready for implementation by September 14th?
- Is the implementation timeline reasonable considering the organization’s experience and past performance?

5.3 Budget Worksheets

Attachment 2 – BAE-RFP-2019-003 ADP Budget Worksheets is an Excel document with the following worksheets:

1. Adult Diploma Program Budget Worksheet FY21
2. Local Match
3. ADP Budget Narrative
4. ADP Budget Projections FY22 and FY23

All budgets must be entered on Attachment 2 Budget Worksheets.

5.3.1 Federal Laws/Rules Relevant to Funding

Because state funds used on Title II students in the Adult Diploma Program are used for the required federal Maintenance of Effort. The use of those funds must be compliant with the federal laws listed below. All costs must be necessary, reasonable and allowable for adult education activities. Hyperlinks to the original documentation have been included for reference.

- [WIOA](#)
 - Section 231 – Grants and Contracts for Eligible Providers
 - Section 232 – Local Application
 - Section 233 – Local Administrative Cost Limits
 - Section 241 – Administrative Provisions
- [§463](#)
 - §463.25 Administrative Cost Limits
 - §463.26 What activities are considered local administrative costs
- Uniform Guidance
 - [2 CFR Part 200 Subpart D](#)
 - Standards for Financial and Program Management
 - Performance and Financial Monitoring and Reporting
 - Subrecipient Monitoring and Management
 - Record Retention and Access
 - [2 CFR Part 200 Subpart E](#)
 - Cost allocation plans
 - Direct vs. indirect costs
 - Allowable vs. unallowable costs
 - Necessary, reasonable and allocable costs
 - Standards for Documentation of Personnel Expenses
- [EDGAR 34 CFR, Part 76](#)
 - Indirect Cost Rates

5.3.2 Funding Formula

In order to distribute funding in an equitable manner, the Bureau of Adult Education has developed a funding formula for FY21 based on enrollment. Please see [Section 5.3.4](#) for future funding considerations.

The FY21 funding formula for the Adult Diploma Program is based on a total allocation of \$900,000 divided by the number of students enrolled in each program. Because Title II students are the priority for adult education funding and school districts continue to receive other funding for Dual-Enrolled students, the formula places a higher value (3X) on the Title II students.

The calculation for FY21 is as follows:

- \$900,000 = Total Allocation
- 457 = Number of Title II students served in FY19
- 1458 = Number of Dual-Enrolled students served in FY19

$$\frac{900,000}{3(457)+1(1458)} = \frac{900\ 000}{2829} = \$318.13 \text{ per unit}$$

To calculate the proposed program's estimated allocation:

- X = Number of Title II students served in FY19 (according to Report Card)

- $Y = \text{Number of Dual-Enrolled students served in FY19 (according to Report Card)}$

$$3X(318.13) + 318.13Y = \text{Estimated Allocation}$$

The following chart shows how the FY19 distribution of funding **IF** this formula had been applied by region (see [Appendix E](#)). Please note that there may be multiple ADP programs located in each region.

Region	Dual Enrolled	Title II	Estimated Allocation
Berlin	11	15	\$17,815.28
Claremont	64	20	\$39,448.12
Concord	102	45	\$75,396.81
Conway	64	21	\$40,402.51
Keene	98	16	\$46,446.98
Laconia	26	31	\$37,857.47
Littleton	26	10	\$17,815.28
Manchester	209	41	\$105,619.16
Nashua	331	112	\$212,192.71
Portsmouth	80	34	\$57,899.66
Salem	202	42	\$104,346.64
Somersworth	245	70	\$144,749.15

5.3.3 FY22 and FY23 Funding Formulas

Enrollment may not be related to the cost of operating an Adult Diploma Program due to variation in the number of courses attended by each student. Over the course of this contract, the Bureau of Adult Education will be developing a formula that takes into account both the enrollment status of the student (Title II or dual-enrolled) AND the number of attempted credits.

This new calculation will not be used until the Bureau of Adult Education has confirmed that both enrollment status data AND credit data is valid and accurate.

5.3.4 ADP FY21 Budget Worksheet

Please use this budget worksheet to detail the estimated line items for FY21 for each budget category as listed below.

5.3.4.1 Personnel

Amounts paid to both permanent and temporary employees and amounts paid by the organization on behalf of employees, these amounts are not included in the gross salary, but are in addition to that amount.

1. Please list the Administrative, Support Staff and Instructional Staff positions for the program by title.

Administrative

Include salaries for the following required administrative positions:

- Program Director
- Data Entry Specialist

- If this position is being filled by an individual not employed by the program, please indicate on the Budget Narrative.

Additional administrative salaries may be included in this section.

There is not a formula for calculating the director's salary, each program must determine the number of hours necessary for a program director to adequately perform the required duties.

Support Staff

Include salaries for any of the following counseling positions:

- Counselor
- Intake & Assessment/Transcript Evaluation Specialist
- Distance Learning Facilitator

Additional support staff salaries may be included here.

Instructional Staff

Include salaries for all instructors and paraprofessionals.

Each program is responsible for determining the number of prep time hours allowable. This cost should be included in the total hours for each instructor.

2. Please list the benefits and total amount for each category of Personnel. Be sure to explain the calculations for benefits in the Budget Narrative including the type of benefits, cost per person, etc.,

Benefits include:

- Health insurance
- Dental Insurance
- Life Insurance
- Disability Insurance
- Other Group Insurance
- Social Security Contributions
- Retirement Contributions
- Unemployment Compensation
- Worker's Compensation
- Tuition Reimbursement or Professional Development

5.3.4.2 Professional Technical Services

Services which by their nature can be performed only by persons or firms with specialized skills and knowledge.

3. Please list any purchased professional and technical services including but not limited to professional educational and technical services.

5.3.4.3 Purchased Property Services

Services purchased to operate, repair, maintain and rent property owned or used by the organization.

4. Please list any purchased property services including rent, cleaning and other services. Do not include utilities or communication services in this section.

Purchased Property Services include, but are not limited to:

- Water, sewer
- Cleaning services
- Disposal services
- Snow Plowing services
- Custodial services
- Repairs & Maintenance
- Rent
- Rental of Equipment

5.3.4.4 Other Purchased Services

Amounts paid for services rendered by organizations or personnel not on the payroll of the organization and not included in Professional and Technical Services or Property Services.

5. Please list any other purchased services including building insurance, communication systems and postage.

Other Purchased Services include, but are not limited to:

- Insurance (other than employee benefits)
- Voice Communications (telephone)
- Data Communications (Internet)
- Postage
- Advertising
- Printing and Binding
- Travel
- Tuition
- Other services purchased from private sources or another school district

5.3.4.5 Supplies

Amounts paid for items that are consumed, worn out or deteriorated through use or items that lose their identity through fabrication or incorporation into different or more complex units or substances.

6. Please list any supplies including utilities, office supplies, books, printed media, electronic media and software.

Supplies include:

- Energy services (please include these as a total monthly amount)
 - Natural gas
 - Electricity
 - Bottled gas
 - Oil
 - Gasoline

- Books & information resources
- Workbooks and Printed Media
- Digital Subscriptions
- Software

The following are **not** allowable under the Uniform Guidance:

- Food (unless used for instructional purposes such as a Culinary Arts class)
- Graduation expenses

NOTE: *The Bureau of Adult Education has contracts, as a result of a competitive bid, for digital subscriptions that are provided at no-cost to local providers. Justification for additional subscriptions must be described in the Budget Narrative.*

5.3.4.6 Property

Expenditures for acquiring fixed assets, including initial equipment, additional equipment and replacement of equipment.

7. Please list any equipment including furniture, computers and depreciation.

Property includes:

- New Furniture
- New Computers
- Replacement Furniture
- Replacement Computers
- Depreciation

NOTE: *The Bureau of Adult Education made a substantial investment in computer equipment in FY20. Those desk top computers, laptops and tablets will be distributed to programs awarded funding through this RFP.*

5.3.4.7 Other Objects

Amounts paid for goods and services not otherwise classified.

8. Please list any other objects.

Other Objects include:

- Dues and fees
- Miscellaneous Expenditures that are not classified in any other object

5.3.4.8 Other Uses of Funds

Expenditures for transactions which are not classified in other objects, such as indirect cost.

9. Please list the indirect cost.

NOTE: *This is a state requirement. The rate must be the rate approved by the NH Department of Education for the school district or a maximum of 10% for non-profit organizations.*

If the NH DOE has not set a rate for 2020-2021 school year prior to the submission of this proposal, please use the previous year's rate. The grant amount will be adjusted when the new rates are released. See

<https://www.education.nh.gov/data/miscell.htm#indirect> for most recent rates.

5.3.5 ADP Budget Narrative FY21

Please use the ADP Budget Narrative FY 21 Form in [Attachment 2](#) to explain the items and calculations in each section of the budget. There are hyperlinks in each section to move between the same sections on the Budget Narrative and the ADP Budget Worksheet.

5.3.6 ADP Matching Budget Worksheet

Programs must include a 25% match for funds provided by the Bureau of Adult Education. Matching funds can be in-kind or cash. All matching funds must meet the same requirements as funds provided by the Bureau and comply with the federal laws listed in [Section 5.3.1](#).

Please use the ADP Local Match Worksheet in [Attachment 2](#) to detail matching cash or in-kind contributions that will be made to the program.

The State requires a 25% match of the total ADP grant. On the spreadsheet this is calculated using the Total Proposed Budget from the ADP Budget Worksheet FY21.

The FY21 Budget Total will be transferred from the ADP Budget FY21 and the 25% Total will be automatically calculated.

5.3.6.1 Cash Contributions

Please include any cash contributions such as salaries paid by or an operating budget provided by a local school district.

Please indicate how each contribution contributes to the purpose of the Adult Diploma Program.

5.3.6.2 In-Kind Contributions

Please include the fair market value for any in-kind contributions.

Please indicate how each contribution contributes to the purpose of the Adult Diploma Program.

The calculation for the fair market value is: Volunteer Hours X Hourly Rate.

5.3.6.3 Other information

Please enter the hourly rate used to calculate the value of Volunteers.

The Total Match will be automatically calculated as the sum of the Cash Contributions Total and In-Kind Contributions Total.

The Required Match will be automatically entered. Please compare the Required Match to the Total Local Match to ensure that it meets or exceeds the requirement.

Section 6 – Evaluation of Proposals

Please note that only applications from eligible providers will be evaluated. For a complete description of the Minimum Requirements for Applicants in [Section 4.1](#).

6.1 Evaluation Considerations

Proposals submitted by eligible providers will be subjected to the following reviews:

1. Evaluation Team Review

The Agency will appoint a three-member evaluation team(s) to review and rate proposals. Proposals will be evaluated using the Evaluation Criteria described in the RFP. The team will review and discuss their evaluations of all proposals, combine the individual scores to determine an average score for proposal. These scores will be used to determine the most advantageous contracts.

2. Geographic Distribution

Proposals will be considered based on geographic distribution. The Agency intends to fund at least one program in each region.

For regions that have a higher percentage of eligible individuals, the Agency will fund multiple programs to ensure that services are available for those in need.

6.2 Criteria for Evaluation and Scoring

The Agency will use a scoring scale of 1000 points, a maximum of 100 points based on Vendor Experience/Organizational Capacity; 900 points based on the eleven areas outlined in [Section 5.2](#) which will be distributed as set forth in the table found in [Section 6.2.2](#).

6.2.1 Vendor Experience and Organizational Capacity

Organizational capacity as described in [Attachment 1](#) will be award a maximum of 100 points based on the Applicant's past effectiveness in administering an Adult Diploma program; in transitioning adults into employment, postsecondary education and/or employment; and in building effective partnerships with other adult education centers, core WIOA partners, the local business community and social service agencies. The financial stability and local support of the organization will also be taken into consideration.

6.2.2 Adult Diploma Program Proposal

Sections 1 – 11 will be awarded the maximum points listed below for each section.

	Section	Description	Points
1	Responsiveness to Regional Need	The program must be responsive to regional needs including the educational, economic and social/cultural needs of the area.	75
2	Serving the Most in Need	The program must serve individuals in the community who were identified as most in need of adult education and literacy activities at the secondary level.	100
3	Service Delivery Format and Schedules	The program must have a delivery method, location and schedule that enable individuals to attend and complete programs.	100
4	Proposed Curricula and Contextualized Instruction	The program must provide learning in context so that an individual acquires the skills needed to transition to and	100

		complete postsecondary education and training programs, obtain and advance in employment leading to economic self-sufficiency and to exercise the rights and responsibilities of citizenship.	
5	Coordination with Others	The program must coordinate with the local CTE center, other adult education centers, core WIOA partners, local employers and community service agencies.	75
6	Intensity, Quality and Best Practices of Program	The program must be of sufficient intensity and quality and based on the most rigorous research available so that participants achieve substantial learning gains.	100
7	Integration of Technology Services and Digital Systems	The program must effectively use technology, services and delivery systems including distance education, in a manner sufficient to increase the amount and quality of learning. Such technology, services and systems should lead to improved performance.	75
8	Meeting Program Outcomes	The program must meet or exceed minimum program outcome expectations including performance indicators, measurable skills gains and other standards.	100
9	Reporting	The program must maintain high-quality data and input that data into a state-provided system to provide accurate and timely reporting.	75
10	Implementation Timeline	The program must provide a timeline for the implementation of the elements of this RFP.	25
11	Budget	The program must provide a cost-conscious budget with the primary focus on providing quality services to eligible individuals through adequate staffing and resources.	75
		TOTAL	900

6.3 Planned Evaluation Steps

The Agency plans to use the following process:

- Initial screening to ensure that the Proposals are in compliance with submission requirements as outlined in Section 4;
- Determine if the Applicant is Eligible by meeting the Minimum Requirements as outlined in [Section 4.1](#)
- Preliminary evaluation of the Proposals;
- Oral interviews (if necessary);
- Final Evaluation of Proposals and scoring;
- Select the Applicant(s) and begin contract negotiation.

6.4 Initial Screening

The Agency will conduct an initial screening step to verify Applicant compliance with the technical submission requirements set forth in the RFP and the minimum content set forth in [Section 4](#) of this RFP. The Agency may waive or offer a limited opportunity to cure immaterial deviations from the RFP requirements if it is determined to be in the best interest of the State.

The initial screening will include, but is not limited to:

- Was the proposal submitted prior to the deadline?
- Was the proposal submitted in the correct format?
- Does the proposal include, at a minimum:
 - Attachment 1: Organizational Capacity & ADP Application

- Attachment 2: ADP Budget Worksheets
- Attachment 3: Required Documentation for Proposals

In the event of an incomplete proposal, the provider will be notified and given five (5) business days to provide any missing documentation or the proposal will be withdrawn.

6.5 Applicant Eligibility

Complete proposals will be reviewed to determine if the applicant has met the minimum requirements. Applicants must be determined eligible in accordance with [Section 4.1](#) of this RFP.

Proposals submitted by ineligible applicants will be returned.

6.6 Preliminary Scoring of Proposals

The Agency will establish a three-member evaluation team(s) to initially score the Proposals. This evaluation team will review the proposals and give a preliminary score to the proposals under the guidelines set forth in [Section 5](#).

Should an Applicant's Proposal fail to achieve 500 Points in the preliminary scoring, it will receive no further consideration from the evaluation team.

6.7 Oral Interviews

If the Agency determines that it is appropriate, proposers may be invited to oral interviews. The Agency retains the sole discretion to determine whether to conduct oral interviews. In the case that oral interviews are required, all applicants will be required to participate.

The purpose of oral interviews is to clarify and expound upon information provided in the written Proposals. Proposers are prohibited from altering the basic substance of their Proposals during the oral interviews.

Information gained from oral interviews will be used to refine review scores assigned from the initial review of the Proposals.

6.8 Final Scoring of Proposals

Following Oral Interviews, Reference Checks (if appropriate) and/or review of written clarifications of proposals requested by the Agency, the evaluation team will determine a final score for each Proposal.

6.9 Final Selection

The Agency will conduct a final selection based on the final evaluation of the initial begin contract negotiations with the selected Applicant(s).

6.10 Rights of the Agency in Accepting and Evaluating Proposals

The Agency reserves the right to:

- Make independent investigations in evaluating Proposals;
- Waive minor or immaterial deviations from the RFP requirements, if determined to be in the best interest of the State;
- Omit any planned evaluation step if, in the Agency's view, the step is not needed; and
- At its sole discretion, reject any and all Proposals at any time.

6.11 State Appeal Rights

A bidder who wishes to contest the award of funding under this RFP must submit a written letter stating the specifics of the dispute to the Point of Contact for this RFP no later than ten days after the public announcement of contracts. The NH DOE will issue a decision on appeals within 30 days of receipt. The NH DOE encourages the use of informal resolution to address complaints or disputes related to the RFP process issues. Written complaint should be address to the Contract Office, NH Department of Education, Bureau of Adult Education, 21 South Fruit Street, Suite 20, Concord, NH 03301.

Section 7 – Terms and Conditions Related To The RFP Process

7.1 RFP Addendum

The Agency reserves the right to amend this RFP at its discretion, prior to the Proposal submission deadline. In the event of an addendum to this RFP, the Agency, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.

7.2 Non-Collusion

The Proposer's signature on a Proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and Work quoted have been established without collusion with other Proposers and without effort to preclude the Agency from obtaining the best possible competitive Proposal.

7.3 Property of the Agency

All material received in response to this RFP shall become the property of the State and will not be returned to the proposer. Upon Contract award, the State reserves the right to use any information presented in any Proposal.

7.4 Confidentiality of a Proposal

Unless necessary for the approval of a contract, the substance of a proposal must remain confidential until the Effective Date of any Contract resulting from this RFP. A Proposer's disclosure or distribution of Proposals other than to the Agency will be grounds for disqualification.

7.5 Public Disclosure

Pursuant to RSA 21-G:37, all responses to this RFP shall be considered confidential until the award of a contract. At the time of receipt of proposals, the Agency will post the number of responses received with no further information. No later than five (5) business days prior to submission of a contract to the Department of Administrative Services pursuant to this RFP, the Agency will post the name, rank or score of each proposer. In the event that the contract does not require Governor & Executive Council approval, the Agency shall disclose the rank or score of the Proposals at least 5 business days before final approval of the contract.

The content of each Proposer's Proposal shall become public information upon the award of any resulting Contract. Any information submitted as part of a response to this request for proposal (RFP) may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). However, business financial information and proprietary information such as trade secrets, business and financials models and forecasts, and proprietary formulas may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to this request for proposal, bid or information should be kept confidential as financial or proprietary information; you must specifically identify that information in a letter to the agency, and must mark/stamp each page of the materials that you claim must be exempt from disclosure as "CONFIDENTIAL". A designation by the Proposer of information it believes exempt does not have the effect of making such information exempt. The Agency will determine the information it believes is properly exempted from disclosure. Marking of the entire Proposal or entire sections of the

Proposal (e.g. pricing) as confidential will neither be accepted nor honored. Notwithstanding any provision of this RFP to the contrary, Proposer pricing will be subject to disclosure upon approval of the contract. The Agency will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential.

If a request is made to the Agency to view portions of a Proposal that the Proposer has properly and clearly marked confidential, the Agency will notify the Proposer of the request and of the date the Agency plans to release the records. By submitting a Proposal, Proposers agree that unless the Proposer obtains a court order, at its sole expense, enjoining the release of the requested information, the Agency may release the requested information on the date specified in the Agency's notice without any liability to the Proposers.

7.6 Non-Commitment

Notwithstanding any other provision of this RFP, this RFP does not commit the Agency to award a Contract. The Agency reserves the right, at its sole discretion, to reject any and all Proposals, or any portions thereof, at any time; to cancel this RFP; and to solicit new Proposals under a new acquisition process.

7.7 Proposal Preparation Cost

By submitting a Proposal, a Proposer agrees that in no event shall the Agency be either responsible for or held liable for any costs incurred by a Proposer in the preparation of or in connection with the Proposal, or for Work performed prior to the Effective Date of a resulting Contract.

7.8 Ethical Requirements

From the time this RFP is published until a contract is awarded, no bidder shall offer or give, directly or indirectly, any gift, expense reimbursement, or honorarium, as defined by RSA 15-B, to any elected official, public official, public employee, constitutional official, or family member of any such official or employee who will or has selected, evaluated, or awarded an RFP, or similar submission. Any bidder that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any bidder who has been convicted of an offense based on conduct in violation of this section, which has not been annulled, or who is subject to a pending criminal charge for such an offense, shall be disqualified from bidding on the RFP, or similar request for submission and every such bidder shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A bidder that was disqualified under this section because of a pending criminal charge which is subsequently dismissed, results in an acquittal, or is annulled, may notify the department of administrative services, which shall note that information on the list maintained on the state's internal intranet system, except in the case of annulment, the information, shall be deleted from the list.

7.9 Challenges on Form or Process of the RFP

Any challenges regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of Proposals, shall be brought to the attention of the Agency at least ten (10) business days prior to the Proposal Submission Deadline. By submitting a proposal, the Proposer is deemed to have waived any challenges to the agency's authority to conduct this procurement and the form and procedures of this RFP.

7.10 Insurance

The Applicant(s) selected through this RFP must obtain and maintain in force, comprehensive general liability insurance against all claims of bodily injury, death, or property damage, in amounts of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate.

The Applicant's employees as well as employees hired under this contract must be covered with workers' compensation insurance. Proof of insurance will be requested at the time of contracting.

7.11 Special Provisions

Proposals must include a statement that the organization submitting the proposal will comply with the provisions of the US Code of Federal Regulations 34 CFR 364 and the following US Circular if applicable: Office of Management and Budget (OMB) Circular A-110 "Uniform Administrative Non-Profit Organizations." Agency shall not make any award or permit any award (sub grant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549, "Debarment or Suspension."

7.12 Civil Rights Compliance

Funding for this contract includes Federal funds and therefore obligates the Vendor to comply with civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability and age.

Section 8 – Contract Terms and Award

8.1 Non-Exclusive Contract

Any resulting Contract from this RFP will be a non-exclusive Contract. The State reserves the right, at its discretion, to retain other Contractors to provide any of the Services or Deliverables identified under this procurement or make an award by item, part or portion of an item, group of items, or total Proposal.

8.2 Award

If the State decides to award a contract as a result of this RFP process, any award is contingent upon approval of the Contract by Governor and Executive Council of the State of New Hampshire, if required, and upon continued appropriation of funding for the contract.

8.3 Standard Contract Terms

The Term of the Contract will be for three (3) years from the date of approval, contingent upon satisfactory vendor performance and continued funding.

8.4 Responsibility of the Contractor

If awarded a contract, the Vendor shall maintain financial records to support the receipt, accounting for, allocation or, and disbursement of all funds awarded. The Vendor is responsible of entering the contact amounts by line item into the NH Department of Education Grants Management System.

Accurate invoices must be submitted in a timely manner. Monthly reports must be submitted within 15 days after the end of the month. At the end of the project, the organization must reconcile the final report within 60 days after close of the project. Except in the case of the State Biennium year (the year in which the two-year state budget closes), monthly expenditure reports must be submitted by June 15 for payment. Late submissions risk not being paid because state funds may not be available after June 30.

8.4 Special Terms To Be Included In A Contract Resulting From This RFP

All Proposers will be required to sign annual General Assurances from the NH Department of Education, Bureau of Federal Compliance. See sample in [Attachment 4](#).

Please see [Attachment 4](#) for additional required documentation for execution of a contract.

Additionally, if requirements under the Workforce Innovation and Opportunity Act of 2014 should change during the course of this contract term, vendors will be responsible for making those changes to the program with respect to Title II students.

Appendix A: NH Ed Rules 702

NOTE: An initial proposal for revisions to parts of the Ed 700 rules is scheduled to be presented to the State Board of Education on February 13, 2020. Any program receiving funding under this RFP will be required to comply with the amended rules should they be approved.

PART Ed 702 ADULT HIGH SCHOOL DIPLOMA PROGRAM

Ed 702.01 Establishment of an Adult High School Diploma Program. A secondary school educational program shall be offered in regular adult evening programs or adult high schools conducted under the auspices of a local school department and approved by the department leading to a high school diploma or an adult high school diploma.

Source. #2055, eff 6-16-82; ss by #2714, eff 5-16-84; ss by #4851, eff 6-25-90; EXPIRED 6-25-96

New. #6366, eff 10-30-96, EXPIRED: 10-30-96

New. #8265, eff 1-22-05; ss by #9638, eff 1-20-10

Ed 702.02 Certification of Teachers.

- (a) Except as provided in Ed 702.02(b), teachers shall be certified for the subjects they are teaching in accordance with Ed 500.
- (b) The following individuals shall be qualified instructors for the subjects they are teaching in accordance with local school district policy when they do not meet the certification requirements of Ed 500:
 - (1) Teachers who are certified in special education;
 - (2) Teachers who have 5 or more years of experience in the private sector in areas including, but not limited to, computer technology, biology, journalism;
 - (3) Teachers who have 3 or more years of experience teaching in a subject area at a private high school;
 - (4) Teachers who are certified to teach K-8;
 - (5) Teachers who have previously taught in an adult high school program;
 - (6) Teachers who are certified in other states with which New Hampshire has reciprocal certification;
 - (7) Teachers who are certified, but teaching outside their area of certification; and

(8) Teachers who have prior teaching experience at the college or university level.

Source. #2055, eff 6-16-82; ss by #2714, eff 5-16-84; ss by #4851, eff 6-25-90; EXPIRED 6-25-96

New. #6366, eff 10-30-96, EXPIRED: 10-30-96

New. #8265, eff 1-22-05, amd by #8449, eff 10-18-05; ss by #9638, eff 1-20-10

Ed 702.03 Transfer from Day to Evening Programs.

(a) A student presently enrolled in a regular high school program may transfer to the adult high school program with written recommendation of the student's principal, as well as written consent of the student's parent or guardian if the student has not attained the age of majority.

(b) Notwithstanding (a) above certain in-school youth may earn credits via the adult high school programs.

Source. #2055, eff 6-16-82; ss by #2714, eff 5-16-84; ss by #4851, eff 6-25-90; EXPIRED 6-25-96

New. #6366, eff 10-30-96, EXPIRED: 10-30-96

New. #8265, eff 1-22-05; ss by #9638, eff 1-20-10

Ed 702.04 Eligibility. The student shall be at least 16 years of age to enroll in an adult high school program.

Source. #2055, eff 6-16-82; ss by #2714, eff 5-16-84; ss by #4851, eff 6-25-90; EXPIRED 6-25-96

New. #6366, eff 10-30-96, EXPIRED: 10-30-96

New. #8265, eff 1-22-05; ss by #9638, eff 1-20-10

Ed 702.05 Credit Hours.

(a) Each student shall successfully complete a minimum program of 20 units for graduation including 11 ½ units as outlined in Table 702-1:

Table 702-1 Subjects and Units of Credit for An Adult High School Diploma

<u>Subject</u>	<u>Units of Credit</u>
Social Science Including U.S. History 1 unit Economics ½ unit Civics ½ unit	3 units
English	4 units
Mathematics	2 units
Science	2 units
Computer Literacy	½ unit

(b) Except as provided in Ed 702.06 each one credit subject offered in this program shall meet for

not less than 45 hours.

(c) Except as provided in Ed 702.06 each one half credit subject offered in this program shall meet for not less than 22½ hours.

Source. #2055, eff 6-16-82; ss by #2714, eff 5-16-84; ss by #4851, eff 6-25-90; EXPIRED 6-25-96

New. #6366, eff 10-30-96, EXPIRED: 10-30-96

New. #8265, eff 1-22-05; ss by #9638, eff 1-20-10

Ed 702.06 Sources of High School Credit.

(a) Sources of high school credit shall include:

(1) Previous high school work completed for which credit was granted by an approved high school and/or accredited post-secondary institution;

(2) Course work successfully completed in the adult high school program; and

(3) Work experiences and non-high-school educational experience according to the following requirements:

a. Credits for apprenticeship programs that meet the requirements of local adult high schools shall be given upon review as to curriculum, time spent in class, scope and quality of instruction;

b. A maximum of 2 credits may be earned by observation/practicum experiences in business, industry and/or other institutions that meet the requirements of local adult high schools;

c. Successful completion of course competency requirements pursuant to Ed 306.27(d) as established by the local adult high school program;

d. One credit may be earned through work in the home of 2 years' duration or more;

e. One credit in addition to the credit earned in Ed 702.06(a)(3)d may be earned by a student who demonstrates sufficient competency in aspects of homemaking such as household budgeting, child care, or meal preparation by passing a test developed by the local adult high school program director for the purpose of earning the credit in this clause;

f. A maximum of 2 credits may be earned by students who successfully pass high school final examinations when the final examination is for a course that is an elective and not a required course;

g. Unlimited numbers of credits may be earned from accredited institutions, licensed trade schools, business schools, colleges, extension courses, distance learning, web-based courses, correspondence courses and extended learning opportunities (ELO) that meet the requirements of local adult high schools;

h. A maximum of 2 credits may be earned by a student's supervised direct involvement in a voluntary community service activity that meets requirements established by the local

adult high school program director;

i. One credit may be earned for work experience that meets requirements established by the local adult high school program director in one occupation or family of skills. A maximum of 2 work experience credits may be earned by a student with experience in more than one occupation or family of skills; and

j. One credit shall be granted for military service resulting in an honorable discharge.

(b) Procedures for documenting the awarding of credit in Ed 702.06(a)(3) shall be the responsibility of the local adult high school program director.

Source. #2055, eff 6-16-82; ss by #2714, eff 5-16-84; ss by #4851, eff 6-25-90; EXPIRED 6-25-96

New. #6366, eff 10-30-96, EXPIRED: 10-30-96

New. #8265, eff 1-22-05; ss by #9638, eff 1-20-10

Ed 702.07 Attendance Policies. Local adult high school programs may establish attendance policies which set minimum standards for awarding course credit.

Source. #2055, eff 6-16-82; ss by #2714, eff 5-16-84; ss by #4851, eff 6-25-90; EXPIRED 6-25-96

New. #6366, eff 10-30-96, EXPIRED: 10-30-96

New. #8265, eff 1-22-05; ss by #9638, eff 1-20-10

Ed 702.08 Graduation Requirements.

(a) A student shall successfully complete at least one adult high school class before the student is eligible to receive a high school diploma or an adult high school diploma.

(b) The adult high school graduate shall receive his or her high school diploma or adult high school diploma from the school system where the student completed the requirements for the diploma as specified in Ed 702.08(a).

Source. #9638, eff 1-20-10 (from Ed 702.07)

Appendix B: WIOA Glossary

Please see separate document.

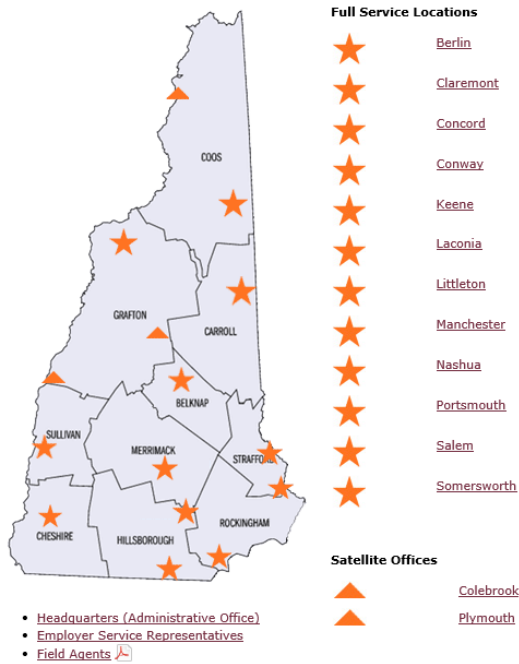
Appendix C: NH Data & Assessment Policy

Please see separate document.

Appendix D: Data Sharing & Privacy Policy

See separate document.

Appendix E: Adult Education Regions



The Adult Education Regions are based on the same catchment areas as the NH Works offices.

Interactive map available at:

<https://www.nhes.nh.gov/locations/index.htm>

Region	Towns Served
Berlin	Berlin, Cambridge, Clarksville, Colebrook, Columbia, Dixville, Dummer, Errol, Gorham, Groveton, Kilkenny, Milan, Millsfield, N. Stratford, Northumberland, Odell, Pittsburg, Randolph, Shelburne, Stark, Stewartstown, Stratford. Success, Wentworth's Location
Claremont	Acworth, Canaan, Charlestown, Claremont, Cornish, Croydon, Dorchester, Enfield, Goshen, Grafton, Grantham, Hanover, Langdon, Lebanon, Lempster, Lyme, New London, Newbury, Newport, Orange, Orford, Piermont, Plainfield, Springfield, Sunapee, Sutton, Unity, Washington, Wentworth, Wilmot
Concord	Allenstown, Andover, Antrim, Barnstead, Bennington, Boscawen, Bow, Bradford, Canterbury, Chichester, Concord, Danbury, Dunbarton, Epsom, Franklin, Henniker, Hillsborough Hopkinton, Loudon, Pembroke, Pittsfield, Salisbury, Warner, Webster, Windsor
Conway	Albany, Bartlett, Chatham, Conway, East Conway. Eaton, Effingham, Freedom, Glen, Hale's Location, Hart's Location, Intervale, Jackson, Kearsarge. Madison, North Conway. Ossipee, Redstone, Tamworth, Wolfeboro
Keene	Alstead, Chesterfield, Dublin, Fitzwilliam, Gilsum, Hancock, Harrisville, Hinsdale, Jaffrey, Keene, Marlborough, Marlow, Nelson, Peterborough, Richmond, Rindge, Roxbury. Sharon, Stoddard, Sullivan, Surry. Swanzey. Troy, Walpole, Westmoreland, Winchester
Laconia	Alexandria, Alton, Ashland, Belmont, Bridgewater, Bristol, Campton, Center Harbor, Ellsworth, Gilford, Gilmanton, Groton, Hebron, Hill, Holderness, Laconia, Meredith, Moultonborough, New Hampton, Northfield, Plymouth, Rumney, Sanbornton, Sandwich, Tilton, Tuftonboro
Littleton	Bath, Benton, Bethlehem, Carroll, Dalton, Easton, Franconia, Haverhill, Jefferson, Lancaster, Landaff, Lincoln, Lisbon, Littleton, Livermore, Lyman, Monroe, Sugar Hill, Thornton, Warren Waterville Valley, Whitefield, Woodstock
Manchester	Auburn, Bedford, Candia, Chester, Deerfield, Deering, Francestown, Goffstown, Hooksett, Londonderry, Manchester, New Boston, Raymond, Weare

Nashua	Amherst, Brookline, Greenfield, Greenville, Hollis, Hudson, Litchfield, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, Nashua, New Ipswich, Temple, Wilton
Portsmouth	Brentwood, Epping Exeter, Fremont, Greenland, Hampton, Hampton Falls, Kensington, New Castle, Newington, North Hampton, Portsmouth, Rye, Seabrook, South Hampton, Stratham
Salem	Atkinson, Danville, Derry, East Kingston, Hampstead, Kingston, Newton, Pelham, Plaistow, Salem, Sandown, Windham
Somersworth	Barrington, Brookfield, Dover, Durham, Farmington, Gonic, Lee, Madbury, Middleton, Milton, Milton Mills, New Durham, Newfields, Newmarket, Northwood, Nottingham, Rochester, Rollinsford, Somersworth, Strafford, Union, Wakefield

Attachment 1: Adult Diploma Application

See separate document.

Attachment 2: Adult Diploma Budget Worksheets

See separate document.

Attachment 3: Required Documentation for Proposals

From Attachment 1: Organizational Capacity & ADP Application

- Job Descriptions of Key Staff (#2)
- Three (3) Letters of Reference (#9)
- Narrative description of appropriated funds through a district budget process; or audited financial records. (#10)
- Proposed Program of Studies or Course Catalog for FY21 (#16)

From [Section 7.11](#) Special Provisions

- A statement that the organization will comply with the provisions of the US Code of Federal Regulations and the Uniform Administrative Non-Profit Organizations, if applicable.
- A [form is available](#) in this section.

STATEMENT of ACCEPTANCE of Special Provisions

The organization will comply with the provisions of the US Code of Federal Regulations 34 CFR 364 and the following US Circular, if applicable: Office of Management and Budget (OBM) Circular A-110 "Uniform Administrative Non-Profit Organizations."

Superintendent of Schools or
Chief Officer of Agency: _____
Signature

Local Director of Project: _____
Signature

Date Signed: _____

Attachment 4: Required Documents for Contracts

1. [Certificate of Insurance](#)

- If a certificate of insurance is already on file with the NH Department of Education, please document this information in the attachments.
- Specific requirements can be found in [Section 7.10](#).

2. School Board List

3. [US Department of Education General Education Provisions Act \(GEPA\)](#)

- The organization must provide a GEPA attestation.
- Examples of the Notice to Applicants and Attestation Form are available in this section.

4. [Buy American Statement](#)

- This statement is provided in accordance with Section 502 of the Workforce Innovation and Opportunity Act of 2014.

5. General Assurances

The NH Department of Education requires a signature from all local education agencies and organizations that receive federal funds through the Department on the General Assurances.

- [For LEAs \(Local Education Agencies\)](#)

6. Program Assurances



CERTIFICATE OF LIABILITY INSURANCE


JOHNSNO-01 DMEANEY

DATE (MM/DD/YYYY)

9/11/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Mason & Mason Technology Insurance Services, Inc. 458 South Ave. Whitman, MA 02382		CONTACT NAME: Judy Yeary PHONE (A/C, No, Ext): (781) 447-5531 FAX (A/C, No): (781) 447-7230 E-MAIL ADDRESS: info@masoninsure.com	
INSURED 		INSURER(S) AFFORDING COVERAGE INSURER A: Federal Insurance Company NAIC # 20281 INSURER B: Executive Risk Indemnity 35181 INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PRO JECT <input checked="" type="checkbox"/> LOC OTHER:		35873320	09/09/2015	09/09/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		73546634	09/09/2015	09/09/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		79861066	09/09/2015	09/09/2016	EACH OCCURRENCE \$ 20,000,000 AGGREGATE \$ 20,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	71733182	09/09/2015	09/09/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	ERRORS & OMISSIONS		82120859	09/09/2015	09/09/2016	EACH OCC/GEN AGG 1,000,000
A	DIRECTORS & OFFICERS		81595534	11/09/2014	11/09/2015	EACH OCC/GEN AGG 3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 It is understood and agreed that NH Department of Health and Human Services is included as an additional insured as respects general liability as required by written contract per the terms and conditions of the policy.

CERTIFICATE HOLDER NH Department of Health and Human Services 129 Pleasant Street Concord, NH 03301	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	--

ACORD 25 (2014/01)

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NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about the following provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single

narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

- 1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- 2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.
- 3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.
- 4) An applicant that proposes a project to increase school safety might describe the special efforts it will take to address concern of lesbian, gay, bisexual, and transgender students, and efforts to reach out to and involve the families of LGBT students

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (Public Law 103-382). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1894-0005.

**GENERAL EDUCATION PROVISIONS ACT (GEPA) Sec. 427 Attestation –
WORKFORCE INVESTMENT ACT, TITLE II – ADULT EDUCATION AND FAMILY
LITERACY**

This attestation outlines the steps that _____ will ensure be taken
(Applicant)
should the Adult Education application be funded.

The purpose of this requirement is to assist the United States Department of Education in implementing its mission to ensure equal access to education and to promote educational excellence. If funded, the following steps will be taken to ensure equitable access to and equitable participation in the project or activity to be conducted with federal adult education assistance by addressing the access needs of students, teachers, and other program beneficiaries in order to overcome barriers to equitable participation, including barriers based on gender, race, color, national origin, disability and age. The Act highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, determine whether these or other barriers may prevent students, teachers, etc., from such access or participation in the federally-funded project or activity. Please describe the steps to be taken to comply with the GEPA requirements.

Project Director: (Name and Title) _____

Signature of Project Director: _____ Date: _____

Buy American Act

PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.— In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available under title I or II or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), it is the sense of Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

This statement is provided in accordance with Section 502 of the Workforce Innovation and Opportunities Act of 2014.



Frank Edelblut
Commissioner

Christine Brennan
Deputy Commissioner

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

March 27, 2019

TO: Superintendents

FROM: Timothy Carney, Administrator
Bureau of Federal Compliance

SUBJECT: General Assurances FY 2020

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

The submission of general assurances is required by:

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

The NHDOE has consolidated the general assurances into one document which also now includes requirements and definitions in an effort to provide more guidance relative to implementation of the underlying assurances. NHDOE requests an annual submission for all of your Local Education Agencies (LEA's). This will simplify the collection of assurances and facilitate the requirement that the NHDOE Commissioner of Education certify to the Secretary of Education the status of all LEAs. In New Hampshire both School Districts and School Administrative Units (SAUs) are considered

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LEA's. Individual program policy establishes which of these two entities may apply for federal funds. As such, both the Superintendent and the local School Board Chairperson are required to sign the certifications of the attached document.

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

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

On the Certification page, please include the name and number of the SAU office and the name of the School District which will be applying for funds, both certifying parties are asked to execute the document, and return to the NHDOE Bureau of Federal Compliance office no later than **June 30, 2019**.

Thank you for your assistance with this initiative. This process should make it less difficult for all of us to access and use the federal funds for the purposes designated.

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

New Hampshire Department of Education

FY2020

GENERAL ASSURANCES, REQUIREMENTS AND DEFINITIONS FOR PARTICIPATION IN FEDERAL PROGRAMS

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

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

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

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

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

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

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

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

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General Assurances, Requirements and Definitions for Participation in Federal Programs

A. General Assurances

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

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

Sample Only

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

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

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

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

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

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

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

B. Explanation of Grants Management Requirements

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

I. Financial Management Systems

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

Specifically, the financial management system must be able to:

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

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

2. Written Policies and Procedures

The subrecipient must have written policies and procedures for:

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

3. Internal Controls

The subrecipient must:

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

4. Allowable Costs

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

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

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5. Audits

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

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

The subrecipient assures it will implement the following audit responsibilities;

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

6. Reports to be Submitted

Audits/Management Decisions

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

- a) The Federal Audit Clearinghouse (FAC) in 2 CFR 200, Subpart F requires the auditee to electronically submit the data collection form described in 200.512(b) and the reporting package described in 200.512(c) to FAC at: [https://harvester.census.gov/facides/\(S\(mqamohbpfj0hmyh1r45p1p01\)\)/account/login.aspx](https://harvester.census.gov/facides/(S(mqamohbpfj0hmyh1r45p1p01))/account/login.aspx)

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Initials of School Board Chair: _____

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

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

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

Single Audit Certification

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

7. Debarment, Suspension, and Other Responsibility Matters

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

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

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

The subrecipient certifies that it and its principals:

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

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

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

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

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

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

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

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

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

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Sample Only

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

9. EDGAR - Education Department General Administrative Regulations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ed 317.03 Standard for Expulsion by Local School Board.

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

12. Lobbying

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

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the applicant certifies that:

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

New Hampshire RSA 15:5 - Prohibited Activities.

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

13. Subrecipient Monitoring

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

14. More Restrictive Conditions

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

15. Obligations by Subrecipients

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

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

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

17. Personnel Costs – Time Distribution

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

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

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

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

18. Project Effective Dates

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

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

19. Protected Prayer in Public Elementary and Secondary Schools

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

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and secondary schools.

20. Purchasing

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

22. Retention and Access to Records

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

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

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

23. The Stevens Amendment

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

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

24. Transfer of Disciplinary Records

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

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

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

B. Definitions

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

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

Superintendent or other Qualifying Administrator Certification:

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

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

SAU Number: _____ School District: _____

Typed Name of Superintendent Or other Qualifying Administrator	Signature	Date

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Frank Edelblut
Commissioner

Christine M. Brennan
Deputy Commissioner

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

Federal/State Program Title: State Funded – Adult Diploma Program

Project Manager

Name:		Title:	
Address:		Telephone:	
Email Address:		Fax:	

Financial Contact

Name:		Title:	
Address:		Telephone:	
Email Address:		Fax:	

The above named person is designated as Project Manager. I hold the Program Manager responsible for implementing the project in accordance with the approved project, for the remaining within the budget limitations, for ensuring that only authorized items required to implement the project are charged to the project, and for initialing the request to amend the approved project.

Print Name and Title of SAU Superintendent of School or RA/Chief Financial Officer

Signature of SAU Superintendent of Schools or RA/Chief Financial Officer

Date

**Please initial and date on the bottom of each page of the Program Assurances
and return to: Sarah.Bennett@doe.nh.gov**

TDD Access: Relay NH 711
EQUAL OPPORTUNITY EMPLOYER- EQUAL EDUCATIONAL OPPORTUNITIES

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Adult Diploma Program (ADP)

Adult Diploma Programs, authorized under Ed 702, will provide educational opportunities conducted under the auspices of a local school department and approved by the department leading to a high school diploma or an adult high school diploma.

Adult Diploma Programs must comply with the requirements outlined in Ed 702 with regard to certification of teachers, transfer from day program to evening programs, eligibility, credit hours, sources of high school credit, attendance policies, and graduation requirements.

ADP programs shall provide the following services:

Responsiveness to Regional Need

- The Contractor is responsible for identifying and meeting the educational needs of the region by using data from the school district's drop out report and US Census's American Community Survey to target, recruitment, and serve individuals without a high school diploma.
- The Contractor is responsible for using NH Employment Security data and State Workforce Board Sector-Based Initiatives to identify regional economic needs and to incorporate preparation of individuals for sector initiatives, assisting individuals with transition into economic stability through employment and participation in the development of career pathways.
- The Contractor is responsible for using local resources to identify the social and cultural needs of the region and include programming to address the diverse needs of the population, provide soft skills training and foster the development of cultural competence.

Serving the Most in Need

- The Contractor is responsible for identifying, recruiting, and serving students who are in need of a high school diploma or equivalent skills.
- The Contractor is responsible for serving the needs of English language learners, especially those who are in need of a high school diploma.
- The Contractor is responsible for serving the needs of individuals with disabilities including physical, emotional, social, and learning disabilities.
- The Contractor is responsible for serving the needs of individuals with barriers to employment including displaced homemakers, low-income individuals, ex-offenders, and others.

Service Delivery Format and Schedules

- The Contractor must have a delivery method, location(s), and schedule that enable individuals to attend and complete the program.
- All adult education regions must offer year-round programming. This requirement may be met through a collaborative regional effort.

Proposed Curricula and Contextualized Instruction

- The Contractor is required to provide a curriculum that is aligned with the College & Career Readiness Standards for Adult Education.
- The Contractor is required to provide contextualized instruction that includes occupationally relevant materials and integrate workforce preparation activities.
- The Contractor must provide multiple ways for adults to earn high school credits which may include alternatives outlined in Ed 702.06.
- The Contractor, its officers, employees, agents or members, may assume full political, religious, and citizenship responsibilities, but shall refrain from exploiting the instructional responsibility of his/her professional position. Material presented to students shall be relevant to the course and appropriate to the maturity and achievement level of the students. The Contractor, its officers, employees, agents or members will at all times strive to promote tolerance for the views and opinions of others and for the right of individuals to form and hold differing views and opinions. The Contractor, its officers, employees, agents or members, will encourage the student to study varying points of view and respect his/her right to form his/her own judgment.

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Coordination with Others

- The Contractor is required to coordinate services with other adult education programs, core WIOA partners, local employers and community service agencies in order to enable students to achieve a secondary credential and successfully transition into postsecondary education, training and/or employment.

Intensity, Quality and Best Practices

- The Contractor must base its instruction on best practices derived from the most rigorous research available and appropriate, including scientifically valid research and effective educational practice.
- The Contractor must provide instruction, designed for adult learners and delivered by well-trained instructors.

Integration of Technology Services and Digital Systems

- The Contractor must incorporate digital literacy instruction for all students at all levels.
- The Contractor must include distance learning options as a part of its delivery system including a policy for selecting appropriate students, facilitating distance learning, and a plan for how distance learning will be used.
- The Contractor must incorporate the use of a variety of technology services in the classroom.

Meeting Program Outcomes

- The Contractor must enter the number of Carnegie credits in the data system for each student to determine the starting Educational Functioning Level.
- The Contractor must enter earned credits into the data system to calculate the cumulative credits as defined in the NH Assessment and Data Policy.
- The Contractor must conduct follow up surveys with all enrolled Title II participants as required by the National Reporting System to collect performance indicator data and measurable skills gains in accordance with National Reporting System requirements.

Reporting

- The Contractor is required to use the data system provided by the NH Bureau of Adult Education to collect data for federal reporting.
- A representative from the Contractor must be trained to use the data system. All data must be entered on a bi-weekly basis.
- The Contractor must analyze its program data on a quarterly basis and set goals for improvement through the annual Self-Assessment process.
- The Contractor is required to request social security numbers, in accordance with 5 U.S.C. § 552a, for all Title II participants over the age of 18. The Contractor will aid students, who do not possess a social security number, in applying for a social security number. Students who fail to provide a social security number will be indicated in the data system in order to assist with National Reporting System (NRS) for Adult Education requirements such as student outcome follow and data matching purposes for federal Workforce Innovation and Opportunity Act employment measures.

Event of Default

- Any one or more of the following acts or omissions of the Contractor shall constitute an event of default hereunder ("Event of Default"): failure to perform the Services satisfactorily or on schedule (to include failure to provide; failure to submit any report required hereunder; and/or failure to perform any other covenant, term or condition of this Agreement. Upon the occurrence of any Event of Default, the new Hampshire Department of Education may take any one, or more, or all, of the following actions: give the Contractor a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely remedied, terminate this Agreement, effective two (2) days after giving the Contractor notice of termination; give the

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Contractor a written notice specifying the Event of Default and suspending all payments to be made under this Agreement and ordering that the portion of the contract price which would otherwise accrue to the Contractor during the period from the date of such notice until such time as the State determines that the Contractor has cured the Event of Default shall never be paid to the Contractor; set off against any other obligations the State may owe to the Contractor any damages the State suffers by reason of any Event of Default; and/or treat the Agreement as breached and pursue any of its remedies at law or in equity, or both.

____ Initials
____ Date

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