



Agreement For Renovation And Expansion Of Regional Career and Technical Education Centers

This Agreement is entered into this _____ day of _____, 20__, by and between the State of New Hampshire, Department of Education (the "State") and the _____ School District (the "Receiving District").

WHEREAS, RSA Chapter 188-E governs regional career and technical education in the State of New Hampshire,

WHEREAS, the following excerpts from RSA 188-E are some of the provisions that specifically apply to this Agreement:

"RSA 188-E:2 Definitions.

... IV. "Construction" shall mean the actual construction of facilities and provision of initial equipment."

"RSA 188-E:3 Construction or Renovation of Regional Vocational Centers.

I. The commissioner, department of education, shall make grants available to designated regional centers for construction of vocational education facilities or renovation of existing regional vocational centers. The state board shall adopt rules, pursuant to RSA 541-A and RSA 21-N:9, II, which the commissioner shall carry out, relative to requirements for approval of regional vocational education centers to receive funds for construction or renovation of such facilities. The rules shall include criteria which guarantee potential sending districts an opportunity to enroll students in the regional vocational program, and basic criteria for planning such facilities through cooperative development of plans by the vocational education staff of the state department of education and the local school district's staff. When such plans appear to be both educationally and financially acceptable, the department's vocational staff shall recommend to the commissioner that they be approved for funding.

II. Upon completion, the constructed or renovated facility shall become the property of the school district or public academy, as the case may be. Provision of the site, parking, and other related areas shall be the responsibility of the local community. Site work, including but not limited to cut and fill work, compaction, demolition, relocation of utilities, relocation of roadways and sidewalks, and similar work within an area extending to one foot beyond the outside edge of the exterior walls of the building shall be eligible for grants under paragraph I. Nothing shall prohibit the inclusion of the site and related facilities which are not funded as part of construction cost by the state under this chapter from being included in a regular building aid application of the district as provided in RSA 198:15-b."

"RSA 188-E:10 Funding for Renovation and Expansion.

I. The department of education is responsible for maintaining a statewide system of regional vocational education centers to provide and allow for a variety of career and technical education programs funded within state budget appropriations. The treasurer of the state of New Hampshire is hereby authorized to make funds available to the department of education for the renovation and expansion of qualified regional vocational education centers or regional vocational education programs authorized in the capital budget, provided that:

- (a) The commissioner of the department of education shall ensure that all requests submitted are both educationally and financially appropriate within the state capital project authorization process;
- (b) The commissioner of the department of education submits on a biennial basis in a capital budget request a priority list of facilities and programs eligible for renovation and expansion, provided that priority shall be given to programs that have been certified by an approved standard or that need additional funds to become certified by an approved standard;
- (c) Each request for funding follows the capital budget procedure pursuant to RSA 9:3-a, provided that no qualified project funded in a state capital budget as required in this section, shall have additional funds for the same project included in a subsequent proposal for capital appropriation under RSA 9:3-a unless directed by the priority list of the department of education;
- (d) Each school district requesting funds from the department of education establishes and funds a renovation and expansion reserve fund, which shall be used by the school district to pay renovation and expansion costs not funded by the state, and which may include funding for the replacement of equipment; and
- (e) The state shall fund not less than 50 percent nor more than 75 percent of the cost of a qualified project approved pursuant to this section.
- (f) In this section, "qualified" means the project:
 - (1) Demonstrates need connected to the labor market.
 - (2) Accepts students from sending schools.
 - (3) Demonstrates adequate number of students through enrollment figures based on 3-year averages.
 - (4) Demonstrates alignment with program competencies and academic competencies required by the department of education.
 - (5) Allows for matriculation into a postsecondary venue.
 - (6) Meets all industry and building standards.
 - (7) Meets the procedural requirements for requests under this section and any other requirements in rules of the department of education.
 - (8) Is a regional vocational education center within a public school, or private academy as defined in RSA 194:23, II, in the state of New Hampshire.
 - (9) Has the capacity to provide academic courses for students from the sending districts who are approved for full-time attendance at the center.

II. The renovation and expansion reserve funding required by subparagraph I(d) may be funded through local community funds, vocational education tuition payments, gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, organizations, or institutions. School districts shall consider priority funding for programs certified or needing additional funds to become certified as set forth in subparagraph I(b).

III. Public academies receiving funds through the capital budget process shall comply with all contracts or agreements required by department of education rules adopted pursuant to RSA 541-A."

WHEREAS, the Receiving District desires to renovate and purchase equipment for its regional career and technical education center; and

WHEREAS, the State has Capital Budget funds available and has the authority under RSA 188-E to enter into this Agreement to partially fund the Receiving District's renovations and equipment purchases, NOW THEREFORE, the parties agree as follows:

1. The State, through Capital Budget funds in the amount of \$_____ (_____ dollars), appropriated for Fiscal Year 20__ and Fiscal Year 20__ (July 1, 20__, through June 30, 20__ inclusive), shall pay these funds to the Receiving District for renovations of and purchasing of equipment for the regional career and technical education facilities in _____.

2. The Receiving District shall, with input from and in cooperation with the Sending Districts, develop a renovation plan, and complete the renovations and purchases of equipment for the regional career and technical education facilities in _____.

3. The State shall:

- a. ensure compliance with RSA 188-E:10, I (a), (b), (c) and (e);
- b. comply with the requirements outlined in the *New Hampshire Code of Administrative Rules*, Part Ed 1404.03, Part Ed 1404.04, Part Ed 1404.05 and Part Ed 1404.06;
- c. provide technical assistance in preparing the education and/or renovation plan as requested by the Receiving District;
- d. review, request modifications, and, when acceptable, approve the education and renovation plans of the Receiving District;
- e. review Receiving District payment requests and payment documentation; request additional information as needed and justified from the Receiving District; approve payment requests and submit those approved payment requests to the State's Office of Business Management for processing in a timely manner;
- f. be responsible for requesting that the funds not lapse if the funds are not disbursed to the Receiving District during the State biennium in which they are authorized; and
- g. report the progress of the renovation to the State Board of Education, the Legislature, and other parties as required.

4. The Receiving District shall:

- a. submit a project application containing all of the elements listed in the *New Hampshire Code of Administrative Rules*, Part Ed 1404.02 RENOVATING REGIONAL VOCATIONAL EDUCATION CENTERS;
- b. provide the State with documents outlining the scope of the project, including but not limited to: architectural plans; career and technical program areas affected by the renovation project; itemized cost of the various components of the project; and the total cost of the project;
- c. assure that the project shall be carried out in compliance with RSA 188-E:10 and this Agreement – such assurance shall be signed by the Superintendent and the School Board Chair of the Receiving District;
- d. assure that the facilities and equipment will be maintained for the purposes approved in the plan identified in 4.a. and 4.b. above – such assurance shall be signed by the Superintendent and the School Board Chair of the Receiving District;
- e. assure that the Receiving District shall include only programs which conform to the approved plan identified in 4.a. and 4.b. above;
- f. assure cooperation with the master plans of both the Sending Districts and the Receiving District as required under Ed 512;
- g. assure that Regional Advisory Committees shall operate in accordance with the *New Hampshire Code of Administrative Rules*, Part Ed 1404.09;

h. abide by the approved Regional Career and Technical Education Agreement by and between the State, the Receiving District, and the Sending School Districts of _____, _____, and _____;

i. establish and fund a renovation and expansion reserve fund, which shall be used by the Receiving District to pay renovation and expansion costs not funded by the State, and which may include funding for the replacement of equipment;

j. submit appropriate financial status reports, including funding requests, to the State every three months, at a minimum, or more frequently if necessary; and

k. provide a final accounting of all funds used in this project prior to the final payment and completion of the project.

We, the undersigned, agree to the terms and conditions contained in this Agreement. This Agreement shall become effective upon signature by all parties and shall terminate upon completion of the project. Completion of the project shall be confirmed by the Department prior to distribution of the final payment.

RECEIVING SCHOOL DISTRICT

Date

Name:
Superintendent

RECEIVING SCHOOL BOARD

Date

Name:
Chair

NEW HAMPSHIRE DEPARTMENT OF EDUCATION

Date

Name: Virginia M. Barry, Ph.D.
Commissioner

Date

Name: Lisa Danley
State Director of Career and Technical Education