

79 *Am*

FIS 15 156

# State of New Hampshire

DEPARTMENT OF SAFETY  
OFFICE OF THE COMMISSIONER  
33 HAZEN DR. CONCORD, NH 03305  
603/271-2791



JOHN J. BARTHELMES  
COMMISSIONER

August 4, 2015

The Honorable Neal M. Kurk, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

*[Signature]*  
Approved by Fiscal Committee 8/26/15  
Date

### Requested Action

1. Pursuant to RSA 124:15, and contingent on the approval of request number two, authorize the Department of Safety, Division of Homeland Security and Emergency Management, to establish four (4) temporary part-time, class 050 positions for the purpose of providing training and technical assistance directly to New Hampshire school districts and their stakeholders in support of the New Hampshire Department of Education's grant entitled "Developing Capacity to Improve Emergency Operations Plans in New Hampshire". Effective upon Fiscal Committee and Governor and Council approvals through December 31, 2015. Funding source: 100% Agency Income.
2. Authorize the Department of Safety, Division of Homeland Security, to accept and expend a sub-grant from the New Hampshire Department of Education (NHDOE) in an amount not to exceed \$85,000.00 for the purpose of assisting NHDOE in completing the scope of the US Department of Education grant entitled "Developing Capacity to Improve Emergency Operations Plans in New Hampshire". Effective upon Governor and Council approval through December 31, 2015. Funding source: 100% Agency Income.

Funds will be budgeted as follows:

02-23-23-236010-08590000 Dept. of Safety – Div. of Homeland Security & Emer Mgt – HSEM Agency Income-Grant

<u>Class</u>	<u>Description</u>	<u>SFY 16 Current Adjusted Authorized</u>	<u>Requested Action</u>	<u>Revised SFY 2016 Adjusted Authorized</u>
009-407036	Agency Income	\$0.00	(\$85,000.00)	(\$85,000.00)
018-500106	Overtime	\$0.00	\$5,000.00	\$5,000.00
020-500200	Current Expense	\$0.00	\$6,500.00	\$6,500.00
030-500301	Equipment	\$0.00	\$1,000.00	\$1,000.00
040-500800	Indirect Costs	\$0.00	\$9,500.00	\$9,500.00
050-500109	Personal Serv - Temp	\$0.00	\$45,500.00	\$45,500.00
060-500601	Benefits	\$0.00	\$4,500.00	\$4,500.00
070-502970	In State Travel Reimbursement	\$0.00	\$6,000.00	\$6,000.00
080-500710	Out of State Travel Reimb	\$0.00	\$7,000.00	\$7,000.00
	08590000 Totals	\$0.00	\$85,000.00	\$85,000.00

Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
August 4, 2015  
Page 2 of 3

Explanation

This request is to accept and expend a sub-grant from the NH Department of Education (NHDOE) and to establish four temporary positions to support NHDOE's federal grant entitled "Developing Capacity to Improve Emergency Operations Plans in New Hampshire".

Listed below are answers to standard questions required of all Fiscal Committee item requests, related to RSA 14:30-a, VI "Expenditure of funds over \$100,000 from any Non State Source", or RSA124:15,"Positions Authorized" or both:

1. Is the action required of this request a result of the Continuing Resolution for FY 2016? **No.**
2. If this request is retroactive what is the significance and importance of the action being effective from an earlier date? **No, this request is not retroactive.**
3. Is this a previously funded and ongoing program established through Fiscal Committee and Governor and Executive Council action? (If so, include as an attachment the original documents as approved and cite the specific dates of authorization and end dates for each action as part of your answer to this question.) **This is a grant.**
4. Was funding for this program included in the FY 2014-2015 enacted Budget or requested and denied? **No.**
5. Is this program in total or in part, included in the vetoed FY 2016-2017 Operating Budget proposal currently pending for your department, or was it requested and denied? **No.**
6. Does this program include either positions or consultants and, if so, are the positions filled, vacant, or have offers pending? (Please provide details for each position and note whether consultant contracts have been awarded.) **This grant provides for four (4) temporary positions that have not been filled at this time. Details of these positions are provided below.**
7. What would be the effect should this program be discontinued or not initiated as a result of this request being denied? **This grant would not be utilized.**

This sub-grant will fund four (4) temporary part-time positions that will provide, under the HSEM School Preparedness Program, training and technical assistance directly to New Hampshire school districts, and their stakeholders. These positions will consist of one (1) School Program Coordinator (i.e., Program Specialist III), two (2) Emergency Management Trainers (i.e., Field Representative II), and one (1) Program Assistant II. The School Program Coordinator and Emergency Management Trainers will be responsible for coordinating with NH school districts for developing, planning, training, evaluating, and conducting school safety and security assessments; working with school district administration stakeholders to provide training, guidance, and assistance to conduct workshops, training drills, and exercises at the local, state, and regional levels; working closely with local, state, and federal entities, as well as other state agencies, to develop exercise design documents to support this training; and working closely with the Federal Emergency Management Agency (FEMA), serving as agency liaisons for state and federal initiatives. In addition, the School Program Coordinator will not only be responsible for developing, analyzing, interpreting, and implementing school preparedness program policies in order to comply with state and federal laws as well as grant requirements, but will also supervise the staff responsible for implementing the HSEM School Preparedness Program. The fourth position, the Program Assistant II will be responsible for performing record keeping and reporting duties, as well as performing other administrative support duties for the HSEM School Preparedness Program.

Class 018 – Overtime

Funds will be used for overtime associated with grant reporting and EOC activation.

Class 020 – Current Expense

Funds will be used for office supplies and costs associated with creating training materials, creating reports, etc.

Class 030 – Equipment

Funds will be used for equipment required to develop training materials and for training sessions.


Her Excellency, Governor Margaret Wood Hassan  
and the Honorable Council  
August 4, 2015  
Page 3 of 3

Class 040 – Indirect Costs	Funds will be used for indirect costs.
Class 050 – Personal Serv-Temp	Funds will be used to pay salaries of four temporary part-time positions – 1 Program Specialist III – LG 21; 2 Field Representative II – LG 21; 1 Program Assistant II – LG 15.
Class 060 – Benefits	Funds will be used to pay the benefits associated with the temporary part-time positions.
Class 070 – In-State Travel	Funds will be used for in-state travel associate with the scope of work.
Class 080 – Out-of-State Travel	Funds will be used for out-of-state travel associated with working with federal entities.

The following information is provided in accordance with the comptroller's instructional memorandum dated September 12, 1981.

- 1) *List of personnel involved:* Four (4) temporary part-time positions of one (1) School Program Coordinator, two (2) Emergency Management Trainers, and one (1) Program Assistant II.
- 2) *Nature, Need, and Duration:* These positions are needed to assist the NH Department of Education with completing the scope of the grant from the US Department of Education entitled "Developing Capacity to Improve Emergency Operations Plans in New Hampshire" through the end of the Memorandum of Agreement between HSEM and NH DOE in June 2017.
- 3) *Relationship to existing agency programs:* These positions will provide support to the HSEM School Preparedness Program.
- 4) *Has a similar program been requested of the legislature and denied?* No
- 5) *Why wasn't funding included in the agency's budget request?* These funds were unanticipated at the time the budget was created.
- 6) *Can portions of the grant funds be utilized?* Grant funds are being utilized for these positions.
- 7) *Estimate the funds required to continue this position:* Funds for these positions are estimated at \$124,465.00 for the duration of the MOA through June 30, 2017.

Respectfully submitted,

  
John J. Barthelme  
Commissioner

# MEMORANDUM OF AGREEMENT

Between the Department of Education (DOE) and the Department of Safety, Division of Homeland Security and Emergency Management (HSEM) for completion of the scope of a grant the DOE received from the US Department of Education titled "Developing Capacity to Improve Emergency Operations Plans in New Hampshire".

This Memorandum of Agreement (MOA) outlines the responsibilities of the DOE and HSEM relative to the completion of the scope of the grant, the proposed schedule for the work and the funding provided by the DOE to HSEM.

WHEREAS, the DOE has been awarded a grant from the US Department of Education titled "Developing Capacity to Improve Emergency Operations Plans in New Hampshire".

WHEREAS, the DOE and HSEM have long been working collaboratively in providing school security and safety resources, including Emergency Operation Planning (EOP).

NOW THEREFORE, in order to meet the grant scope requirements, DOE and HSEM have agreed to complete the scope of services as described below.

## SCOPE OF SERVICES

### DEPARTMENT OF EDUCATION TASKS

#### Pre-grant Self-Assessment Data Collection

DOE has disseminated the *District Self-assessment Tool*, prepared and provided by the US Department of Education, to all of the State's SAU Superintendents. This tool is designed to determine the current status and quality of SAU-level EOPs across the State so that the specific SAU needs can be identified. Once the SAU needs are compiled, DOE and HSEM will be better able to understand the training and technical assistance to be provided.

#### Development and Population of SAU EOP Database

DOE will develop a database, using Microsoft Access, which will be populated with pertinent EOP information from each of the State's SAUs. The data will include, but not be limited to, SAU identification information, SAU emergency management contact information, EOP development date (if any), annual review date, evaluation of quality and notation of partner agreements. At the conclusion of the grant term, this database will be maintained by DOE staff.

#### Review of HSEM Prepared EOP Template

HSEM will be preparing an EOP template to be available for voluntary use by the SAUs. DOE will provide comments and approval of the final EOP template prior to dissemination to the SAUs and posting on the HSEM and DOE websites.

### Coordination of Five Regional Training Sessions

DOE will coordinate the content, location and timing of the five regional EOP training sessions in cooperation with HSEM. DOE will be responsible for making all facility arrangements and coordinating announcements to the SAUs and their partners. DOE will also be responsible for supplying presentation equipment, meeting handouts and other required materials as needed by HSEM to complete the training.

### Direct SAU Training and Technical Assistance

DOE will support HSEM staff efforts in providing training and technical assistance directly to the SAUs and their partners.

### Post-grant Self-Assessment Data Collection

DOE will disseminate the District Self-assessment Tool, prepared and provided by the US Department of Education, but only to the SAU Superintendents that responded to the Pre-grant request. The purpose of collecting this data is to evaluate the success of the work completed by DOE and HSEM in improving the quality of SAU-level EOPs. This data will be provided to the US Department of Education which in turn will provide the data to the United States Congress.

## **HOMELAND SECURITY AND EMERGENCY MANAGEMENT TASKS**

### Temporary Part-time Staff

HSEM will hire part-time, temporary staff to complete the grant scope of services. Such staff would include an Emergency Management Specialist, two Field Representatives, and a Program Assistant to provide office support. The two Field Representatives and the Program Assistant would work on the order of 29 hours per week with the Emergency Management Specialist working 15 hours per week to oversee the grant work. HSEM shall notify DOE when staff are hired and provide contact information in a timely manner.

### Development of EOP Template

HSEM shall develop an EOP template using readily available commercial software that encompasses the five mission areas of EOP's (and modeled to comply with Presidential Policy Directive 8 (PPD8)) while including those items specific to New Hampshire SAUs. The EOP template shall also include examples of Memorandum of Agreements for various common partners such as the local Fire and Police Departments, etc. The EOP template shall be reviewed and approved by the DOE prior to dissemination to the SAUs. The EOP template shall be made available as a permanent downloadable document on the HSEM and DOE websites once complete.

### Completion of Five Regional Training Sessions

In coordination with DOE, HSEM will create an EOP development training session to be given at five regional locations to be determined by DOE. Training shall be provided to the SAUs and their partners

on how to complete the EOP development process focusing on both the HSEM-developed EOP template and the Readiness and Emergency Management for Schools (REMS) Technical Assistance (TA) Center EOP Interactive Tools. Training shall also include discussions on the basic plan, functional annexes and threat- and hazard-specific annexes. HSEM shall provide staff to complete the training sessions. HSEM shall provide DOE with a list of required presentation equipment, meeting handouts and other materials needed to complete the training at least a week prior to each session.

#### **Direct SAU Training and Technical Assistance**

HSEM staff shall provide direct training and technical assistance to SAUs that make a request for such services. Direct training and technical assistance may include, but not be limited to, individual SAU on-site training sessions, creation of the individual SAU basic plan and annexes, coordination of partnering meetings, development of partnering agreements and finalization of the SAU EOPs. HSEM shall provide DOE with a monthly summary of SAUs for which they have provided training and technical assistance and a brief description of the services provided. The format and the required monthly submittal date of the summary will be developed by DOE and provided to HSEM.

#### **EOP Content Development**

HSEM, following authorization by DOE, may create EOP content materials in support of the SAU EOP development efforts. Such content materials may include information sheets on threat and hazard types, state of practice documents on EOP testing exercises and security assessment techniques. The EOP content materials shall be made available as a downloadable document on the HSEM and DOE websites once complete.

#### **FUNDING**

The DOE will provide funding in the amount of \$215,170 from Account # 06-56-56-563510-59880000-029-500290 to HSEM as follows, \$162,170.00 for FY 16 and \$53,000.00 for FY 17.

#### **TERMINATION**

Either party may terminate this agreement upon providing written notice to the other party, thirty (30) days prior to termination. Upon termination, HSEM will retain funds equal to that expended to the termination date. The remaining funds shall be returned to DOE.

#### **DURATION**

This agreement shall continue in effect from Governor and Council approval, but not before July 1, 2015, until June 30, 2017, unless terminated earlier by either party, or extended in writing by a subsequent agreement of the parties and acceptance by Governor and Council.

#### **AGREEMENT**

In WITNESS WHEREOF, the parties hereto have executed this Agreement, which shall become effective on the date the Governor and Council of the State of New Hampshire approve this Agreement, but not

before July 1, 2015.

NH Department of Education

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

6/22/15  
Date

NH Department of Safety

John J. Barthelmes  
John J. Barthelmes  
Commissioner

6/22/15  
Date

Approved as to form, substance, and execution.

[Signature]  
Department of Justice

6/26/15  
Date

**US Department of Education  
Washington, D.C. 20202  
GRANT AWARD NOTIFICATION**

S184Q140019

<b>1</b> RECIPIENT NAME New Hampshire Department of Education Program Support 101 Pleasant Street Concord, NH 03301 - 0000	<b>2</b> AWARD INFORMATION PR/AWARD NUMBER S184Q140019 ACTION NUMBER 0 ACTION TYPE New AWARD TYPE Discretionary						
<b>3</b> PROJECT STAFF RECIPIENT PROJECT DIRECTOR Judith D Fillion (603) 271-3855 <u>judith.fillion@doe.nh.gov</u> EDUCATION PROGRAM CONTACT Amy J Banks (202) 453-6704 <u>amy.banks@ed.gov</u> EDUCATION PAYMENT HOTLINE G5 PAYEE 888-336-8930 HELPDESK <u>edcaps.user@ed.gov</u>	<b>4</b> PROJECT TITLE 84.184Q Developing Capacity to Improve Emergency Operations Plans in New Hampshire						
<b>5</b> KEY PERSONNEL <table border="1"> <thead> <tr> <th>NAME</th> <th>TITLE</th> <th>LEVEL OF EFFORT</th> </tr> </thead> <tbody> <tr> <td>Judith D Fillion</td> <td>Project Director</td> <td>10%</td> </tr> </tbody> </table>		NAME	TITLE	LEVEL OF EFFORT	Judith D Fillion	Project Director	10%
NAME	TITLE	LEVEL OF EFFORT					
Judith D Fillion	Project Director	10%					
<b>6</b> AWARD PERIODS BUDGET PERIOD 10/01/2014 - 03/31/2016 PERFORMANCE PERIOD 10/01/2014 - 03/31/2016 FUTURE BUDGET PERIODS N/A							
<b>7</b> AUTHORIZED FUNDING <table border="1"> <tbody> <tr> <td>THIS ACTION</td> <td>\$250,000.00</td> </tr> <tr> <td>BUDGET PERIOD</td> <td>\$250,000.00</td> </tr> <tr> <td>PERFORMANCE PERIOD</td> <td>\$250,000.00</td> </tr> </tbody> </table>		THIS ACTION	\$250,000.00	BUDGET PERIOD	\$250,000.00	PERFORMANCE PERIOD	\$250,000.00
THIS ACTION	\$250,000.00						
BUDGET PERIOD	\$250,000.00						
PERFORMANCE PERIOD	\$250,000.00						
<b>8</b> ADMINISTRATIVE INFORMATION DUNS/SSN 808590277 REGULATIONS EDGAR AS APPLICABLE 2 CFR AS APPLICABLE ATTACHMENTS A, C, E1, E2, E4, E5, E6, E7, F, N, O, S, U, V, W							
<b>9</b> LEGISLATIVE AND FISCAL DATA AUTHORITY: PL 107-110 IV-A SAFE AND DRUG-FREE SCHOOLS & COMMUNITIES ACT OF ESEA, AS AMENDED PROGRAM TITLE: SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES - NATIONAL PROGRAMS CFDA/SUBPROGRAM NO: 84.184Q							



**US Department of Education  
Washington, D.C. 20202  
GRANT AWARD NOTIFICATION**

5184Q140019

FUND CODE	FUNDING YEAR	AWARD YEAR	ORG. CODE	CATEGORY	LIMITATION	ACTIVITY	CFDA	OBJECT CLASS	AMOUNT
0203A	2014	2014	ES000000	B	GA6	QQQ	184	4101C	\$250,000.00

**10**

PR/AWARD NUMBER: S184Q140019  
 RECIPIENT NAME: New Hampshire Department of Education  
 Program Support

**TERMS AND CONDITIONS**

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

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

1. A legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
2. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation on the principles that can be used in identifying a procurement as distinct from a subaward, see Sec. — .210(b)-(d) of OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
3. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

(2) THE FOLLOWING ITEMS ARE INCORPORATED IN THE GRANT AGREEMENT:

- (1) THE RECIPIENT'S APPLICATION (BLOCK 2),
- (2) THE APPLICABLE EDUCATION DEPARTMENT REGULATIONS (BLOCK 8), AND
- (3) THE SPECIAL TERMS AND CONDITIONS SHOWN AS ATTACHMENTS (BLOCK 8).

IN ACCORDANCE WITH 34 CFR 74.25(c)(2), OR 34 CFR 80.30(d)(3) CHANGES TO KEY PERSONNEL IDENTIFIED IN BLOCK 5 MUST RECEIVE PRIOR APPROVAL FROM THE DEPARTMENT.

THE RECIPIENT IS REQUIRED TO SUBMIT ALL NECESSARY REPORTS TO THE DEPARTMENT OF EDUCATION WITHIN 90 DAYS AFTER THE END OF FEDERAL SUPPORT (BLOCK 6).

*Debbie Kalnasy*  
 \_\_\_\_\_  
 AUTHORIZING OFFICIAL

9/22/14  
 \_\_\_\_\_  
 DATE

# TITLE IX ACQUISITION OF LANDS BY UNITED STATES; FEDERAL AID

## CHAPTER 124 FEDERAL AID

### Miscellaneous

#### Section 124:15

##### **124:15 Positions Restricted. –**

I. In addition to the positions authorized by law, no new personnel positions, or consultants, or both may be created by the acceptance of federal moneys or moneys from any other source unless such positions, or consultants, or both are approved by the fiscal committee of the general court; provided, however, that the governor and council may accept all moneys available for any emergency or disaster as defined by the authority awarding such moneys; and provided further that all such moneys available to the general court or to either of its houses may be accepted by the respective presiding officers with the prior approval of the fiscal committee. Nothing herein shall be construed to affect the provisions of RSA 98:17-a.

II. Every board, agency, department or commission receiving such federal or other moneys shall attempt to apply them in whole or in part to the cost of personnel positions authorized by law so as to reduce the obligation of general funds, but if the salaries of such personnel positions cannot be paid out of such moneys then such positions shall be considered as specified in paragraph I.

III. All such moneys which fund personnel positions subject to the restrictions of this section shall be used only for the purposes or programs specified in the application for approval of the positions or as otherwise authorized by law, and all such moneys which are accepted in accordance with law are hereby appropriated.

Source. 1983, 469:84, eff. July 1, 1983.