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STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION FOR BEHAVIORAL HEALTH

Jeffrey A. Meyers
Commissioner

Katja S. Fox
Director

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September 27, 2016

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

REQUESTED ACTION

1. Authorize the Department of Health and Human Services, Division for Behavioral Health to enter into a Memorandum of Agreement with the Department of Education (Vendor #TBD), 101 Pleasant Street, Concord, NH 03301 for the purpose supporting the New Hampshire Youth Risk Behavior Risk Survey (YRBS). The Division for Behavioral Health requests that this agreement be effective the date of Governor and Executive Council approval through June 30, 2021 in an amount not to exceed \$45,000.

2. Subject to the approval of Item #1 above, authorize the Department of Health and Human Services, Division of Behavioral Health to accept and expend Other Funds in the amount of \$15,000 each biennium from the Department of Education effective date of Governor and Executive Council approval through June 30, 2021 and further authorize funds to be allocated as follows for State Fiscal Year 2017. Funds awarded for periods after State Fiscal Year 2017 are anticipated to be included in the future operating budgets for State Fiscal Year 2019 and State Fiscal Year 2021.

Funds received to support this request will be deposited into the following account for State Fiscal Year 2017, 2019 and 2021.

05-95-49-491510-2988 HEALTH AND SOCIAL SERVICES, DEPT. OF HEALTH AND HUMAN SERVICES, HHS: DIV OF COMM BASED CARE SVC, BUREAU OF DRUG & ALCOHOL SERVICES, PREVENTION SERVICES

STATE FISCAL YEAR 2017

Class	Class Title	Current Authorized Budget	Increase/ Decrease Amount	Revised Modified Budget
000-000000	General Funds	\$70,038	\$0	\$70,038
000-404600	Federal Funds	\$3,150,045	\$0	\$3,150,045
004-499040	Intra Agency Transfer	\$180,000	\$15,000	\$195,000
	TOTAL REVENUES:	\$3,400,083	\$15,000	\$3,415,083

Class	Class Title	Current Authorized Budget	Increase/ Decrease Amount	Revised Modified Budget
010-500100	Personal Services Perm Class	\$184,067	\$0	\$184,067
020-500200	Current Expenses	\$6,500	\$0	\$6,500
026-500251	Organizational Dues	\$1	\$0	\$1
030-500321	Equipment	\$1	\$0	\$1
038-500175	Technology-Software	\$1	\$0	\$1
039-500180	Telecommunications	\$10,000	\$0	\$10,000
040-500800	Indirect Costs	\$3,200	\$0	\$3,200
041-500801	Audit Fund Set Aside	\$1,800	\$0	\$1,800
042-500620	Additional Fringe Benefits	\$5,000	\$0	\$5,000
049-584977	Transfers to Other State Agencies	\$50,000	\$0	\$50,000
050-500109	Personal Services Temp Appoi	\$1	\$0	\$1
060-500602	Benefits	\$81,162	\$0	\$81,162
070-500704	In State Travel Reimbursement	\$1,500	\$0	\$1,500
080-500714	Out of State Travel Reimbursement	\$2,500	\$0	\$2,500
102-500731	Contracts for Program Services	\$3,054,350	\$15,000	\$3,069,350
	TOTAL EXPENSES:	\$3,400,083	\$15,000	\$3,415,083

EXPLANATION

Funds in this agreement will be used to support the New Hampshire Youth Risk Behavior Survey (YRBS) Initiatives in the following manner; to allow the Department to participate in the selection of survey questions, to allow the Department the ability to support and expand the capacity of Department of Education personnel and, to assist the Department of Education in creating a plan for coordinating student survey activities in the future years. The YRBS survey is used to gather information on health risk behaviors to prioritize and target interventions and develop programming.

This Memorandum of Agreement will assure the New Hampshire Youth Risk Behavior Survey is successfully administered in New Hampshire high schools during the school years of 2017, 2019 and 2021. In addition, this agreement will provide local education agencies the option of conducting the survey with their entire student population as well as developing a plan for future collection of data regarding youth risk behaviors and protective factors.

In response to the anticipated two-part question, "Can these funds be used to offset General Funds?" and "What is the compelling reason for not offsetting General Funds?" the Division offers the following information: These funds may not be used to offset General Funds as they are specifically granted to the State for the purpose of providing the services described above.

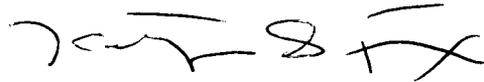
These funds will not change the program eligibility levels. No new program will be established with the acceptance of these funds.

Area served: Statewide

Source of Funds: These funds are 100% Other Funds. Attached is the Memorandum of Agreement between the Department of Health and Human Services, Division of Behavioral Health and the Department of Education.

In the event that Other funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,



Katja S. Fox
Director

Approved by:



Jeffrey A. Meyers
Commissioner

Memorandum of Agreement

Between the New Hampshire Department of Education

and the

New Hampshire Department of Health and Human Services

Relative to the New Hampshire Youth Risk Behavior Survey (YRBS)

Effective Date of Signature through June 30, 2021

Parties:

This Memorandum of Agreement (MOA) is between the New Hampshire Department of Education (hereinafter referred to as "DOE") and the New Hampshire Department of Health and Human Services (hereinafter referred to as "DHHS").

I. Statement of Purpose

- A. To define the terms of collaboration in administering the NH Youth Risk Behavior Survey (YRBS) to create statewide data sets in 2017, 2019, and 2021 that include statistically valid samples of New Hampshire high school students (grades 9 to 12). The NH YRBS currently provides the best sources of youth risk behavior data for state and local evaluation of many grants and programs. Survey administration standards established by the US Centers for Disease Control and Prevention will be in place to protect the confidentiality of schools and the anonymity of students, improve the quality of the data collected, and increase school and student participation rates.
- B. To allow DHHS to participate in the selection of questions for the 2017, 2019, and 2021 NH YRBS without bearing a cost for question inclusion, to interpret and release survey results, to further analyze the data sets, and share findings with DOE, participating high schools, and community partners.
- C. To allow DHHS to support and expand the capacity of DOE personnel so that, when and if funds are available, local education agencies have an option of conducting the YRBS with their entire student populations ("school-wide survey") and receiving a school level report.
- D. To direct DOE and DHHS personnel to create a plan for coordinating student survey activities in future years to minimize disruption of school schedules while meeting the increasing demand for youth risk behavior, tobacco use, drug use, and other necessary data. This MOA addresses the specific inter-agency responsibilities for administering the NH YRBS.

II. Definitions

- A. "YRBS" shall mean the survey instrument developed by the Centers for Disease Control and Prevention (CDC), Division of Adolescent and School Health (DASH). The survey allows for the assessment of the priority health risk behaviors that result in the greatest amount of morbidity, mortality, and social problems among youth.
- B. "NH YRBS" shall mean the aforementioned survey instrument with additional questions added to capture emerging health trends among New Hampshire's youth.

III. Goals

- A. To assure the NH YRBS will be successfully administered in high schools in 2017, 2019, and 2021 so as to achieve statistically valid data sets at the state, public health region, and school level.
- B. To provide local education agencies, when funds are available, the option of conducting the NH YRBS with their entire student populations and receiving a school-specific report.
- C. To develop a plan for future collection of data about youth risk behaviors and protective factors to increase access to reliable, complete, and generalizable data.

IV. Delineation of Intent

- A. The parties intend that this MOA will facilitate the efforts of each Department to cooperate in providing simultaneous administration of the NH YRBS.
- B. To provide funding to DHHS to support NH YRBS survey administration.

V. Specific Roles, Responsibilities, and Actions to be Taken

- A. Services to be provided to ensure successful administration of the NH YRBS include the following:

- 1. DOE shall have the responsibility to:
 - a) Coordinate with DHHS for the administration of the statewide NH YRBS.
 - b) Transfer a sum of \$15,000 in each survey year for an overall total of \$45,000 to DHHS to be used to pay survey-related expenses as approved in advance by the DOE and to support a survey coordinator dedicated to managing the statewide NH YRBS, provided DOE determines that there are sufficient federal YRBS funds available for these purposes. The transfer will be completed by March 1st of 2017, and 2019, and 2021. Other costs will be borne by DHHS at its discretion.
 - c) Make the results of the state-level YRBS report as created by CDC available to DHHS for use according to DOE and CDC established procedures and guidelines.
- 2. DHHS shall have the responsibility to:
 - a) Assist in selecting optional questions that provide data such as perception of health risk, perception of social disapproval, and protective factors.
 - b) Within the availability of funding:
 - Provide support in administering the statewide survey and coordinate administration of the optional school-wide surveys.
 - Create the public health region reports and generate school level reports from each school-wide survey.
 - Make the school level reports and public health region reports available to DOE for use according to DOE and CDC-established procedures and guidelines.

- B. Availability of professionals to work together across programs:

DOE and DHHS shall each assign staff members to work together to develop and administer the NH YRBS. Such availability shall be specifically delineated and specific tasks defined and assigned prior to the implementation of the NH YRBS. Specific Services or Tasks of Each Partner Are As Follows:

- 1. For DOE:
 - a) Review DHHS- recommended changes to survey questionnaires and gain CDC approval of these changes.
 - b) Inform schools and districts about the impending survey by sending a mailing including an introductory letter from the Commissioner of Education with an explanation of the survey process, administration schedule, and importance of participation.
 - c) Review the survey tracking system used by DHHS in the previous survey cycle and assist in modifying to better suit user needs and contractor expectations.
 - d) Provide the most current student enrollment files for sampling and post-

stratification purposes to DHHS. The files should include the student- level enrollment counts for grade 9-12 public schools, public academies, joint maintenance agreements, and charter schools. The enrollment file will be in the Excel spreadsheet format. The enrollment data file should contain a breakdown by grade, gender, race, and ethnicity.

- e) DOE's YRBS coordinator will assure that the DHHS request for student enrollment files is forwarded to the appropriate DOE data manager for compilation and returned in a timely manner. The data request shall be made well in advance of the expected delivery date.
- f) Coordinate with DHHS to provide either a meeting place or an alternate method for training of the school survey administrators.
- g) Participate in survey administration design and implementation.
- h) Release and distribute the state level survey results as they are received from CDC and reviewed by DHHS.
- i) Assist DHHS with the release of school level reports by providing the most current list of school official addresses and email addresses.

2. For DHHS:

- a) Manage the implementation of the statewide survey 2017, 2019, 2021 NH YRBS, including the following activities:
- b) Assist in identifying and training staff that will coordinate the survey administration at each school.
- c) Provide a meeting place or method for training of the school survey administrators in coordination with the DOE.
- d) DHHS will submit the school enrollment files to CDC for sampling and post-stratification purposes in a timely manner that meets the needs of CDC.
- e) Provide the lead on encouraging participation of districts and schools that either have conducted school-wide surveys in the past or have expressed interest in doing so, and follow-up with schools that are included in the sampling plan but are not responding.
- f) Create and maintain a tracking system for survey materials to be distributed to schools, received from schools, and sent to CDC.
- g) Submit revised survey questions to DOE for review, in the format needed by CDC for DOE to submit to CDC for approval.
- h) Create information packets for schools inviting them to participate in the NH YRBS.
- i) Mail information packets to selected schools and follow-up with non-responding schools both prior to and after NH YRBS administration.
- j) Prepare and print survey letters, parental notification letters, and instructions for survey administrators, teachers, and student participants, and survey materials.
- k) Obtain survey tools for scanning.
- l) Distribute survey materials to each participating school.
- m) Assist in identifying and training staff that will administer the school surveys.
- n) For the optional school-wide surveys, coordinate recruitment and survey administration activities, make necessary contractual arrangements for data entry cleaning and analysis, and generate a school specific report for each of

the high schools that conduct a school-wide survey.

- o) DHHS will advise DOE of the plan and timeframe for release of the public health region level YRBS Reports.
- p) The superintendents and school principals participating in the all-school surveys will receive the final school level report prior to the release of the report to community partners.
- q) DHHS will advise DOE, superintendent, and the school principal (and the school survey contact person) via email of the report release dates before the school level reports are emailed to superintendents and school principals and the public health region reports are released.

3. For Both Partners:

- a) Identify the schedule and deadlines for the survey, which include dates of administration, date of release of parent letter, end date of survey, and determine the due date for reports to be presented to participating districts, the State Board of Education, and the Commissioners.
- b) If possible, attend a Superintendents' meeting to:
- c) Share "success stories" from the previous administration of the survey.
- d) Explain the various ways that agencies and communities use the data to design programs to improve the health of NH students.
- e) Apprise them of the impending administration of the NH YRBS and to gain their support.
- f) Collaborate on obtaining agreements to participate for the schools and classes selected for the random sample.
- g) Adhere to a regular communication schedule between all staff involved in NH YRBS for problem solving and exchange of information.
- h) Plan and implement a joint training session for school teachers/staff that will be administering the survey.
- i) Collaborate on data interpretation and report distribution for the statewide survey.

VI. Monitoring Function

The Commissioners, or their designees, shall meet at least annually to clarify agency specific roles, responsibilities, and actions to be taken by their respective departments and to revise this MOA as necessary.

VII. Sub-agreements

Where appropriate, the departments shall develop sub-agreements to carry out the responsibilities delineated in this MOA. The sub-agreements shall be in accord with the provisions of this MOA and subject to the approval of the Commissioners of the Departments of Education and Health and Human Services.

VIII. Construction of Agreement

- A. Nothing in the MOA shall be construed as relieving the departments of Health and Human Services or DOE of fulfilling their obligations under the law.
- B. To the extent anything in this MOA shall conflict with state or federal law, now or in the future, state or federal law shall govern and the remaining portions of the agreement shall remain in effect.

IX. Dispute Resolution Mechanism

A. The dispute resolution procedure is intended to provide a means whereby any disputes or questions regarding the administration of the MOA or the respective financial and programmatic responsibilities of the departments that are parties to the MOA can be resolved. It is further the intent of the parties that this mechanism will assist the parties in effectively meeting their obligations as set forth in the MOA.

B. An individual who remains aggrieved following the pursuit and completion of applicable administrative remedies may submit a written request for resolution of jurisdictional issues to the Commissioner of Education or the Commissioner of Health and Human Services. Upon receipt of such a written request, the Commissioner of DHHS and the Commissioner of Education shall assign the case to the appropriate offices within both departments, which offices shall render a joint decision.

C. If the designated representatives within each department cannot reach a joint decision, the case shall be referred to the Commissioner of DHHS and the Commissioner of Education who shall review the facts of the case as developed through the due process and complaint hearings, and render a joint decision.

D. No matter regarding an obligation or responsibility claimed to be owed to an individual by the Department of Education or the Department of DHHS, or by any unit or agency within or under the jurisdiction of said departments, may be considered unless and until all available and appropriate administrative procedures to determine such obligations or responsibilities have been exhausted, including, but not limited to, fair hearings, client rights appeals, and appeals regarding individual education plans.

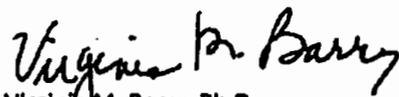
E. This MOA does not confer any substantive or procedural rights upon any applicant or recipient of services that may be available through either the Department of Health and Human Services or the Department of Education, or through any entity that operates under or receives funds from either department.

X. Period of Effect.

This Memorandum of Agreement shall remain in effect (continue) until June 30th, 2021 or until terminated by either party upon 90 day written notice served on the other party.

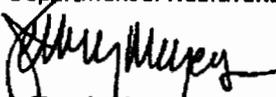
IN WITNESS WHEREOF, THE PARTIES HERETO have hereunto set their hands and affixed their signatures:

Department of Education

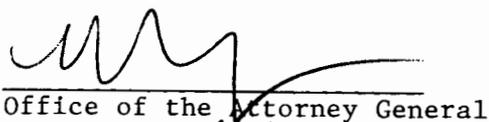


Virginia M. Barry, Ph.D.
Commissioner
Department of Education

Department of Health and Human Services



Jeffrey A. Meyers
Commissioner
Department of Health and Human Services



Office of the Attorney General

Name: Megan A. Jacobs
Title: Attorney