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STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF LONG TERM SUPPORTS AND SERVICES

Lori A. Weaver
Interim Commissioner

Melissa A. Hardy
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May 1, 2023

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI authorize the Department of Health and Human Services, Division of Long Term Supports and Services to **retroactively** amend Fiscal Committee item #FIS 21-289, approved on October 22, 2021, and Governor and Council item #21, approved on October 27, 2021, to extend the end date of the accept and expend of Individuals with Disabilities Education Act/ARP grant funds from September 30, 2022 to June 30, 2023, effective retroactive to October 1, 2022, upon Fiscal Committee and Governor and Council approvals, through June 30, 2023. 100% Federal Funds.

05-095-093-930010-24530000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS; HHS: DLTSS-DEVELOPMENTAL SVCS; DIV OF DEVELOPMENTAL SVCS, INDIVS W DISABILITIES ED ARP

Class	Description	Current Adjusted Authorized	Requested Action	Revised Adjusted Authorized
000 - 400146 - 16	Federal Funds	\$1,218,273	\$0	\$1,218,273
	General Funds	\$0	\$0	\$0
Total Revenue		\$1,218,273	\$0	\$1,218,273
020 - 500217	Current Expenses	\$112,555	\$0	\$112,555
021 - 500211	Food Institutions	\$18,500	\$0	\$18,500
022 - 500258	Rents-Leases Other Than Sta	\$32,000	\$0	\$32,000
041 - 500801	Audit Fund Set Aside	\$1,218	\$0	\$1,218
068 - 500562	Remuneration	\$84,000	\$0	\$84,000
074 - 500585	Grants For Pub Asst And Rel	\$970,000	\$0	\$970,000
Total Expenses		\$1,218,273	\$0	\$1,218,273

EXPLANATION

This request is **retroactive** due to a change of the financial management staffing that supports the bureau shortly before the grant ended; during this staffing transition the need for the request for an extension was overlooked. The financial management staff is now in place and they have an inventory of the bureau's grants in order to manage the end dates accordingly in the future.

This request is being made to extend grant funds available for SFY 2022-2023 to administer Individuals with Disabilities Education Act (IDEA)/American Rescue Plan Act of 2021 (ARP) grant funds from the US Department of Education. Part C Family Centered Early Supports and Services (FCESS) provides support and services to eligible infants and toddlers birth through 2 years who demonstrate a developmental delay, are at risk for developmental delay, or have a diagnosed disability, and their families throughout New Hampshire (NH). The US Census April 1, 2010 to July 1, 2019 identified 37,205 infants and toddlers (birth – 3 years) in NH, and Part C FCESS served 5.66% of this population. The ARP funds are being used to carryout IDEA Part C Public Awareness and Child Find activities, which requires the state to identify and evaluate all infants and toddlers eligible for Part C FCESS.

Area Served: Statewide.

Source of Funds: 100% Federal from the American Rescue Plan (ARP) Act.

In the event that federal funds become no longer available, general funds will not be requested to support the program expenditures.

Respectfully submitted,



Lori A. Weaver
Interim Commissioner

U.S. DEPARTMENT OF EDUCATION FACT SHEET

Section 2014 of the American Rescue Plan Act of 2021 and the Individuals with Disabilities Education Act

Part B and Part C of the Individuals with Disabilities Education Act (IDEA) authorize assistance to States to support the provision of special education and related services to children with disabilities and the provision and coordination of early intervention services for infants and toddlers with disabilities and their families, respectively. Section 2014(a) of the American Rescue Plan Act of 2021 (ARP) provided more than \$3 billion in supplemental funding for Fiscal Year 2021 for the three IDEA formula grant programs described below:

- \$2,580,000,000 for IDEA Part B Grants to States (Section 611)
- \$200,000,000 for IDEA Part B Preschool Grants (Section 619)
- \$250,000,000 for IDEA Part C Grants for Infants and Families

This document provides an overview of the major statutory and regulatory requirements for IDEA Part B and Part C. Supplemental funding made available by the ARP is subject to the same requirements as Federal fiscal year (FFY) 2021 IDEA funding made available under Public Law 116-260 (The Consolidated Appropriations Act of 2021).

Part B of the IDEA provides funds to eligible States and entities under the Grants to States program authorized by section 611 of IDEA for children with disabilities aged three through 21 and the Preschool Grants program authorized by section 619 of IDEA for children with disabilities aged three through five. The IDEA Part B funds assist States, and through them, eligible local educational agencies (LEAs), in providing special education and related services to children with disabilities. Part B funds are awarded to each State educational agency (SEA) that has established its eligibility under section 612 of IDEA for IDEA Part B funds to assist in providing special education and related services to eligible children with disabilities.¹ States are required to distribute any IDEA section 611 and section 619 funds that the State does not reserve for State-level activities² to LEAs that have established their eligibility under section 613 of IDEA under a statutory formula and must be used only to pay the excess costs of providing special education and related services in accordance with part B of IDEA.³ All IDEA Part B ARP funds must be used consistently with the current IDEA Part B statutory and regulatory requirements.

¹ See also 34 C.F.R. § 300.100.

² States are limited in the amount they may reserve for State-level activities by the formula in 34 C.F.R. § 300.704.

³ 34 C.F.R. §§ 300.705(a) and 300.815; see also 34 C.F.R. § 300.202(a)(2).

Part C of the IDEA provides funds to each State lead agency designated by the Governor to implement statewide systems of coordinated, comprehensive, multidisciplinary, interagency programs to make early intervention services available to infants and toddlers with disabilities and their families. All IDEA Part C ARP funds must be used consistently with the current IDEA Part C statutory and regulatory requirements. IDEA Part C ARP funds may be used for any allowable purpose under Part C of the IDEA, including the direct provision of early intervention services to infants and toddlers with disabilities and their families, and implementing a statewide, comprehensive, coordinated, multidisciplinary, interagency system to provide early intervention services.

Under Public Law 116-260, (The Consolidated Appropriations Act of 2021) States may use IDEA Part C FFY 2021 and IDEA Part C ARP funds allotted under section 643(c) of the IDEA to make subgrants to LEAs, institutions of higher education, other public agencies, and private non-profit organizations to carry out activities authorized by section 638 of the IDEA. States may also apply for state incentive grants (SIGs) to fund the Part C extension option under IDEA sections 635(c) and 643(e) and 34 C.F.R. §§ 303.211 and 303.734.

The additional IDEA Part B and Part C funds that section 2014 of the ARP made available for States, in addition to State IDEA Part B and Part C formula grant awards for Federal fiscal year (FFY) 2021, are subject to all IDEA statutory requirements reflected in 20 U.S.C. 1401 et seq. and applicable regulatory requirements in 34 CFR Parts 300 and 303. These statutory and regulatory provisions apply to IDEA grant awards, and include requirements and provisions under IDEA, the Education Department General Administrative Regulations (EDGAR), applicable provisions of the General Education Provisions Act (GEPA), and the Office of Management and Budget's (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). State allocation summary tables for FFY 2021 IDEA Part B and Part C grant awards (including both the regular formula grant funds and the supplemental IDEA grant funds provided under section 2014 of the ARP) are available on the IDEA ARP page in the linked locations.

The table below describes major statutory and regulatory requirements of IDEA Part B and C. These requirements apply equally to funds made available under the ARP and the Consolidated Appropriations Act of 2021. The table below is intended to highlight key topics with links to statutory and regulatory text, but is not a comprehensive list of all requirements.

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
Authorizing Statutes	Section 611 and section 619 of the IDEA (for the IDEA Part B FFY 2021 formula grant funds), and section 2014 of the ARP (for the supplemental IDEA section 611 and section 619 funds).	Section 643 of the IDEA (for the IDEA Part C FFY 2021 IDEA formula grant funds, and section 2014 of the ARP (for the supplemental IDEA Part C funds).

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
Amount of IDEA regular FFY 2021 funds (not including ARP)	\$12,937,457,000 for IDEA section 611 \$397,620,000 for IDEA section 619.	\$477,000,000 for IDEA Part C.
Amount of IDEA funds awarded in ARP	\$2,580,000,000 for IDEA section 611 \$200,000,000 for IDEA section 619.	\$250,000,000 for IDEA Part C.
Period of Funds Availability	Funds are available for obligation by SEAs and LEAs between July 1, 2021, and September 30, 2023, and must be liquidated by January 28, 2024.	Funds are available for obligation by Part C lead agencies between July 1, 2021, and September 30, 2023, and must be liquidated by January 28, 2024.
Reservation of IDEA funds for State administration and other State-level activities	<p>IDEA allows States to reserve funds for State level activities (State administration and other State-level activities) for both sections 611 and 619. However, because the provisions governing the maximum amount of funds that may be reserved are slightly different for section 611 and section 619, the impact of the additional ARP funds is different.</p> <p>For section 611, the amounts that States may reserve for State administration and other State-level activities are set in accordance with section 611(e) of the IDEA. Under these provisions the maximum amount that a State may reserve is subject to rate of inflation and not the total amount of IDEA funds made available. As a result, the additional IDEA funds made available by ARP do not increase the amount that can be reserved</p>	N/A

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
	<p>for State administration and other State level activities.</p> <p>For section 619, the amounts that States may reserve for State administration and other State-level activities are set in accordance with section 619(d) of the IDEA. Under these provisions the maximum amount that a State may reserve is determined by the lesser of (1) the increase in the State's allocation under the program, or (2) the rate of inflation. As a result of the additional ARP Act funding, there was a small increase in the amount that States may reserve compared to FFY 2020.</p>	
LEA allocations	<p>Under section 611(f) of the IDEA and 34 C.F.R. § 300.705(a), each State that receives a section 611 grant for any fiscal year shall distribute any section 611 funds the State does not reserve for State-level activities to LEAs (including public charter schools that operate as LEAs) in the State that have established their eligibility under section 613 of the IDEA, in accordance with the formula in section 611(f)(2).</p> <p>Likewise, under section 619(g) of the IDEA and 34 C.F.R. § 300.815, each State that receives a section 619 grant for any fiscal year shall distribute all of the</p>	N/A

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
	<p>section 619 grant funds that the State does not reserve for State-level activities to LEAs in the State (including public charter schools that operate as LEAs) in the State that have established their eligibility under section 613 of the IDEA, in accordance with the formula in section 619(g)(1)(A) and (B).</p>	
<p>Cash Management</p>	<p>For the IDEA section 611 program, cash management principles apply and IDEA funds are usually included in the Treasury-State agreement. 31 C.F.R. Part 205, Subpart A. IDEA subgrants are subject to the OMB Uniform Guidance payment requirements in 2 C.F.R § 200.305(b).</p> <p>For the IDEA section 619 program, cash management principles in 31 C.F.R. Part 205 Subpart B (rules applicable to Federal assistance programs not included in a Treasury-State agreement) apply.</p>	<p>Cash management principles in 31 C.F.R. Part 205 Subpart B (rules applicable to Federal assistance programs not included in a Treasury-State agreement) apply.</p>
<p>Uses of Funds</p>	<p>Funds may be used for all allowable purposes under Part B of IDEA and are subject to all requirements and provisions that apply to IDEA funds, including requirements and provisions under IDEA, EDGAR, and the OMB Uniform Guidance.</p>	<p>Funds may be used for all allowable purposes under Part C of IDEA and are subject to all requirements and provisions that apply to IDEA funds, including requirements under IDEA, EDGAR, and the OMB Uniform Guidance.</p>

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
<p>Prior Approvals (for selected items of cost)</p>	<p>Under section 605 of the IDEA, if the Secretary determines that a program authorized under IDEA Part B will be improved by permitting program funds to be used to acquire appropriate equipment, or to construct new facilities or alter existing facilities, the Secretary is authorized to allow the use of those funds for those purposes.</p> <p>Note that SEAs will continue to have the authority, as the pass-through entity, to review and approve LEA requests to use IDEA Part B funds for the purchase of equipment, including the alteration of existing facilities. 2 C.F.R. § 200.439(b) (1)–(3).</p> <p>States may also wish to review the <u>October 2019 Frequently Asked Questions (2019 FAQs) Prior Approval – OSEP and RSA Formula Grants</u>, which provides prior approval flexibilities for certain equipment and participant support costs.</p>	<p>Under section 605 of the IDEA, if the Secretary determines that a program authorized under IDEA Part C will be improved by permitting program funds to be used to acquire appropriate equipment, or to construct new facilities or alter existing facilities, the Secretary is authorized to allow the use of those funds for those purposes.</p> <p>States may also wish to review the <u>October 2019 Frequently Asked Questions (2019 FAQs) Prior Approval – OSEP and RSA Formula Grants</u>, which provides prior approval flexibilities for certain equipment and participant support costs.</p>
<p>Maintenance of State Financial Support (MFS)/Maintenance of Effort (MOE) (State)</p>	<p>Under section 612(a)(18) of the IDEA, a State may not reduce the amount of State financial support for special education and related services for children with disabilities, or otherwise made available because of the excess costs of educating</p>	<p>Section 637(b)(5)(B) of the IDEA includes a supplement not supplant provision, implemented through the Part C regulations at 34 C.F.R. § 303.225. The IDEA Part C MOE provision in 34 C.F.R. § 303.225(b) requires each State to ensure that the total amount of State and local</p>

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
	<p>those children, below the amount of that support for the preceding fiscal year.</p> <p>Under section 612(a)(18)(C) of the IDEA, the Department is authorized to waive the MFS requirement for a State, for one fiscal year at a time, if the Department determines that doing so would be equitable due to an exceptional or uncontrollable circumstance, such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.</p>	<p>funds budgeted for expenditures in the current fiscal year for early intervention services for children eligible under this part and their families must be at least equal to the total amount of State and local funds actually expended for early intervention services for these children and their families in the most recent preceding fiscal year for which the information is available. States must meet this standard to be eligible for the receipt of Federal IDEA Part C funds.</p>
Part C MOE Allowances	N/A	<p>Allowances to the requirements in 34 C.F.R. § 303.225(b) may be made for:</p> <ol style="list-style-type: none"> 1. A decrease in the number of infants and toddlers who are eligible to receive early intervention services under this part; and 2. Unusually large amounts of funds expended for such long-term purposes as the acquisition of equipment and the construction of facilities.
Maintenance of Effort (LEA)	<p>Under section 613(a)(2)(A)(iii) of the IDEA, an LEA may not reduce the level of expenditures for the education of children with disabilities made by the LEA from local funds below the level of those expenditures for the preceding fiscal year.</p>	N/A

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
LEA MOE Exceptions	<p>Under section 613(a)(2)(B) of the IDEA and 34 C.F.R. § 300.204, there are five instances where an LEA may reduce the level of expenditures for the education of children with disabilities made by the LEA below the level of those expenditures for the preceding fiscal year (for the compliance standard), and below the level of those expenditures for the most recent fiscal year for which information is available (for the eligibility standard). They are:</p> <ol style="list-style-type: none"> (1) The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel (e.g., special education teachers, speech pathologists, paraprofessionals assigned to work with children with disabilities); (2) A decrease in the enrollment of children with disabilities; (3) The termination of the obligation of the agency, consistent with IDEA Part B, to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the SEA, because the child— 	N/A

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
	<ul style="list-style-type: none"> (a) Has left the jurisdiction of the agency; (b) Has reached the age at which the obligation of the agency to provide FAPE to the child has terminated; or (c) No longer needs the program of special education; (4) The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities; and (5) The assumption of cost by the high cost fund operated by the SEA under 34 C.F.R. § 300.704(c). 	
<p>Adjustment to Local Effort</p>	<p>Under section 613(a)(2)(C) of the IDEA, for any fiscal year that an LEA's IDEA allocation exceeds the amount the LEA received for the previous fiscal year, under certain circumstances, the LEA may reduce the level of local, or State and local, expenditures otherwise required to meet MOE by up to 50 percent of the amount of the excess, as long as the LEA uses the freed-up local funds for activities that could be supported under the ESEA.</p> <p>Note that an LEA may not take this reduction if the SEA determines that the</p>	

Topic	IDEA Part B, Sections 611 and 619.	IDEA Part C
	<p>LEA is unable to establish and maintain programs of free appropriate public education for eligible children with disabilities or the SEA has taken action against the LEA under section 616 of IDEA. Also, an LEA that is required to reserve the maximum 15 percent of its IDEA Part B allocation on Comprehensive Coordinated Early Intervention Services (CCEIS) because the LEA is identified with significant disproportionality under 34 C.F.R. § 300.646 will not be able to take advantage of the MOE reduction in 34 C.F.R. § 300.205(a).</p> <p>In addition, under IDEA section 616(f), if in making its annual determinations, an SEA determines that an LEA is not meeting the requirements of Part B, including meeting targets in the State's performance plan, the SEA must prohibit that LEA from reducing its MOE under IDEA section 613(a)(2)(C) for any fiscal year. Therefore, an SEA must prohibit an LEA from taking advantage of the MOE reduction under IDEA section 613(a)(2)(C) if the LEA's determination is Needs Assistance, Needs Intervention, or Needs Substantial Intervention.</p>	

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
Part C Option		Under the reservation for State incentive grants in section 643((e) of the IDEA, for any fiscal year for which the amount appropriated pursuant to the authorization of appropriations under section 644 of this title exceeds \$460,000,000, the Secretary shall reserve 15 percent of such appropriated amount to provide grants to States that are carrying out the policy described in section 635(c) of this title in order to facilitate the implementation of such policy.
Equitable Services Reservations	Under section 612(a)(10)(A)(i) of the IDEA, to the extent consistent with the number and location of children with disabilities in the State who are enrolled by their parents in private elementary schools and secondary schools in the school district served by an LEA, provision is made for the participation of those children in the program assisted or carried out under Part B by providing for such children special education and related services in accordance with the equitable services requirements in IDEA. 34 C.F.R. §§ 300.130-300.144. Amounts to be expended for the provision of those services (including direct services to parentally placed private school children) by the LEA shall be equal to a proportionate amount of Federal funds	N/A

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
	<p>made available under Part B of the IDEA. In calculating the proportionate share required under IDEA section 612(a)(10)(A)(i)(I), an LEA must first aggregate the FFY 2021 funds received under the section 611 (Grants to States) regular and ARP awards and apply the formula outlined in 34 C.F.R. § 300.133 for calculating the proportionate share to the aggregated amount. Similarly, for children aged 3-5, the proportionate share is based on the total FFY 2021 funds received under the section 619 (Preschool Grants) regular and ARP awards.</p>	
<p>Indirect Cost Rates</p>	<p>Indirect costs are restricted. Under 34 C.F.R § 76.563 of EDGAR, 34 C.F.R. §§ 76.564 through 76.569 apply to agencies of State and local governments that are grantees under programs with a statutory requirement prohibiting the use of Federal funds to supplant non-Federal funds, and to their subgrantees under these programs.</p> <p>Indirect cost rates are approved by the Secretary pursuant to 34 C.F.R. § 76.561. Restricted indirect cost rates apply to the IDEA Part B regular formula grant funds and supplemental funds provided by the ARP. States should calculate their restricted indirect costs on the IDEA Part</p>	<p>Indirect costs are restricted. Under 34 C.F.R § 76.563 of EDGAR, 34 C.F.R. § 76.564 through 76.569 apply to agencies of State and local governments that are grantees under programs with a statutory requirement prohibiting the use of Federal funds to supplant non-Federal funds, and to their subgrantees under these programs. Under 34 C.F.R. § 303.225(c), State may not charge indirect costs to IDEA Part C FFY 2021 formula funds as well as ARP supplemental IDEA Part C funds unless they are charged on a restricted basis. States should calculate their restricted indirect costs on the IDEA Part C ARP funds in the same way as they calculate</p>

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
	B ARP funds in the same way as they calculate indirect costs on their IDEA Part B regular formula grant award.	indirect costs on their IDEA Part C regular formula grant award.
CEIS	Section 613(f) of the IDEA and the regulations in 34 C.F.R. § 300.226 permit an LEA to use not more than 15 percent of the amount the LEA receives under Part B for any fiscal year (<i>i.e.</i> , the aggregate of the LEA's section 611 and section 619 amounts for both the regular formula IDEA awards and the supplemental IDEA awards made available by the ARP), less any amount reduced by the LEA pursuant to 34 C.F.R. § 300.205, to develop and provide CEIS for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are currently not identified as needing special education or related services but who need additional academic and behavioral support to succeed in a general education environment.	
Comprehensive CEIS (CCEIS)	Under section 618(d)(2)(B) of the IDEA and the regulations in 34 C.F.R. § 300.646(d), the State or the Secretary of the Interior shall require any LEA identified under 34 C.F.R. § 300.646(a) and (b) to reserve the maximum amount of funds under section 613(f) of the IDEA	

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
	<p>(i.e., 15 percent of the amount the LEA receives under Part B for any fiscal year) to provide CCEIS to address factors contributing to the significant disproportionality. The 15 percent is calculated based on the aggregate of the LEA's section 611 and section 619 amounts for both the regular formula IDEA awards and the supplemental IDEA awards made available by the ARP.</p>	
<p>Reporting</p>	<p>All prime recipients of IDEA Part B funds must report subaward information as required by the Federal Funding Accountability and Transparency Act of 2006 (FFATA), as amended in 2008. First-tier subaward information must be reported by the end of the following month from when the award was made or obligated. FFATA guidance is found at https://www.fsr.gov/. The supplemental IDEA awards made available by the ARP will be assigned separate Catalog of Federal Domestic Assistance (CFDA) numbers, allowing the funds to be tracked separately from the regular IDEA awards.</p>	<p>All prime recipients of IDEA Part C funds must report subaward information as required by the Federal Funding Accountability and Transparency Act of 2006 (FFATA), as amended in 2008. First-tier subaward information must be reported by the end of the following month from when the award was made or obligated. FFATA guidance is found at https://www.fsr.gov/. The supplemental IDEA awards made available by the ARP will be assigned separate Catalog of Federal Domestic Assistance (CFDA) numbers, allowing the funds to be tracked separately from the regular IDEA awards.</p>
<p>Audit</p>	<p>Under 2 C.F.R. § 200.501(a), a non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit</p>	<p>Under 2 C.F.R. § 200.501(a), a non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit</p>

Topic	IDEA Part B, Sections 611 and 619	IDEA Part C
	<p>conducted for that year in accordance with the Uniform Guidance provisions.</p> <p>Under 2 C.F.R. § 200.501(b), a non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with the scope of the audit requirements in § 200.514 except when it elects to have a program-specific audit conducted in accordance with 2 C.F.R. § 200.501(c).</p>	<p>conducted for that year in accordance with the Uniform Guidance provisions.</p> <p>Under 2 C.F.R. § 200.501(b), a non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with the scope of the audit requirements in § 200.514 except when it elects to have a program-specific audit conducted in accordance with 2 C.F.R. § 200.501(c).</p>



FIS 21 289

Max

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF LONG TERM SUPPORTS AND SERVICES

Lori A. Shibanette
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Nancy L. Rollins
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September 22, 2021

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI authorize the Department of Health and Human Services, Division of Long Term Supports and Services to accept and expend Individuals with Disabilities Education Act/ARP grant funds from the US Department of Education in the amount of \$1,218,273 effective upon Fiscal Committee and Governor and Executive Council approval through September 30, 2022, and further authorize the allocation of these funds in the accounts below. 100% Federal Funds.

05-095-093-930010-NEW XXXX HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS;
HHS: DLSS-DEVELOPMENTAL SVCS; DIV OF DEVELOPMENTAL SVCS, NEWXXXX

Class/Object	Class Title	Current Adjusted Authorized Budget	Requested Change	Adjusted Budget
SFY22				
Revenue				
000-400146	Federal Funds	\$ -	\$ 1,218,273	\$ 1,218,273
	General Funds	\$ -	\$ -	\$ -
Total Revenue:		\$ -	\$ 1,218,273	\$ 1,218,273
Expense				
020-500217	Current Expense	\$ -	\$ 112,555	\$ 112,555
021-500211	Food Institutions	\$ -	\$ 18,500	\$ 18,500
022-500258	Rents-Leases	\$ -	\$ 32,000	\$ 32,000
041-500801	Audit Set Aside	\$ -	\$ 1,218	\$ 1,218
068-500562	Remuneration	\$ -	\$ 84,000	\$ 84,000
074-500585	Grants for Public Assst & Relief	\$ -	\$ 970,000	\$ 970,000
Total Expense:		\$ -	\$ 1,218,273	\$ 1,218,273

EXPLANATION

This request is being made to accept and expend grant funds available for SFY 2022-2023 to administer Individuals with Disabilities Education Act (IDEA)/American Rescue Plan Act of 2021 (ARP) grant funds from the US Department of Education. Part C Family Centered Early Supports and Services (FCESS) provides support and services to eligible infants and toddlers birth through 2 years who demonstrate a developmental delay, are at risk for developmental delay, or have a diagnosed disability and their families throughout New Hampshire (NH). The US Census April 1, 2010 to July 1, 2019 identified 37,205 infants and toddlers (birth - 3 years) in NH. Part C FCESS served 5.66% of this population and 84% served self-identified as white race.

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
September 22, 2021
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During the COVID-19 State Emergency, Part C FCESS referrals decreased by 40% and enrollment decreased by 700 infants and toddlers. FCESS received 71% of referrals from medical providers (PCPs, Hospitals, and NICU) and 18% from families/relatives. Referrals from childcare centers, schools, and soup kitchens make up approximately 2% of referrals. Families and children spend time in many other locations such as libraries, shelters, and WIC programs within their local communities. Outreach to these and other community services will increase awareness and referrals to FCESS resulting in increased access to these important services for New Hampshire families with young children.

The ARP funds will be used to carryout IDEA Part C Public Awareness and Child Find activities, which requires the state to identify and evaluate all infants and toddlers eligible for Part C FCESS. This funding will increase awareness, enhance access and provide equity for all eligible infants and toddlers and their families by developing and implementing a statewide Marketing Campaign. The Marketing Campaign will increase awareness and understanding of what FCESS provides to the infants and toddlers and their families of NH. The marketing materials will include a statewide brochure, videos, and presentations to community agencies, which will be provided by specially trained local FCESS providers across the state. Local FCESS providers will participate in workgroups with the selected marketing vendor to develop materials and conduct local community presentations.

Informational and marketing documents will be translated into languages as recommended by the Office of Health and Equity (OHE). The translation of documents will increase equity and awareness of the Part C FCESS System among non-English readers and increase referrals and access. Local FCESS providers will participate in workgroups to ensure statewide FCESS documents and materials are up-to-date, accurate, and ready for translation and printing.

Additionally, ARP funds will be used to purchase ASQ 4th Edition developmental screening materials from Brookes Publishing for distribution to and use by local Family Resources Centers and Early Childhood Care and Education programs. These materials will increase referrals to FCESS and increase families' awareness and access to supports and services needed to enhance their infant's or toddler's development.

In collaboration with local programs and parent agencies, an Educational Surrogate Parent training will be developed to increase the Part C Surrogate Parent pool of individuals for children involved with the Division for Children, Youth, and Families. Educational Surrogate Parents are vital in providing consent for FCESS evaluation and services for children when a biological parent cannot be accessed. This project will include the establishment of workgroups to develop the training and materials.

Finally, staff learned through the COVID-19 Emergency that many families lack the technology needed to participate in remote services. Local programs will submit documentation requesting ARP funds to increase families' ability to benefit from FCESS. The use of technology for families will increase access to important needed services.

The funds will be used as follows:

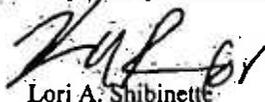
Class 020	Expenses related to printing of revised informational materials.
Class 021	Meeting accommodations for trainings and community presentations.
Class 022	Expenses related to rental of meeting space and audio/visual equipment.
Class 041	Audit costs per state requirements.
Class 068	Stipends for presenters and attendees for trainings and presentations in addition to participation in project workgroups.
Class 074	Contracts for the marketing campaign, translation services, developmental screening tools, technology and the education surrogate program.

Area Served: Statewide.

Source of Funds: 100% Federal from the American Rescue Plan (ARP) Act.

In the event that federal funds become no longer available, general funds will not be requested to support the program expenditures.

Respectfully submitted,


Lori A. Shibanette
Commissioner



US Department of Education
Washington, D.C. 20202

H181X210127

GRANT AWARD NOTIFICATION

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PR/AWARD NUMBER: H181X210127
RECIPIENT NAME: NH DEPT. OF HEALTH & HUMAN SERVICES

TERMS AND CONDITIONS

- (1) The Office of Management and Budget requires all Federal agencies to assign a Federal Award Identifying Number (FAIN) to each of their financial assistance awards. The PR/AWARD NUMBER identified in Block 2 is your FAIN. If subawards are permitted under this grant, and you choose to make subawards, you must document the assigned PR/AWARD NUMBER (FAIN) identified in Block 2 of this Grant Award Notification on each subaward made under this grant. The term subaward means:
 - 1. A legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient. (See 2 CFR 200.331(a))
 - 2. The term does not include your procurement of property and services needed to carry out the project or program (The payments received for goods or services provided as a contractor are not Federal awards, see 2 CFR 200.501(f) of the OMB Uniform Guidance: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards").
 - 3. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract. (See 2 CFR 200.1)
 - (2) The negotiated indirect cost rate or the indirect cost allocation plan approved for the entity identified in Block 1 of this GAN applies to this grant award.
 - (3) WHEN ISSUING STATEMENTS, PRESS RELEASES, REQUESTS FOR PROPOSALS, BID SOLICITATIONS, AND OTHER DOCUMENTS DESCRIBING THIS PROJECT OR PROGRAMS FUNDED IN WHOLE OR IN PART WITH FEDERAL MONEY, ALL GRANTEEES RECEIVING FEDERAL FUNDS, INCLUDING BUT NOT LIMITED TO STATE AND LOCAL GOVERNMENTS, SHALL STATE CLEARLY:
 - 1) THE DOLLAR AMOUNT OF FEDERAL FUNDS FOR THE PROJECT,
 - 2) THE PERCENTAGE OF THE TOTAL COST OF THE PROJECT THAT WILL BE FINANCED WITH FEDERAL FUNDS, AND
 - 3) THE PERCENTAGE AND DOLLAR AMOUNT OF THE TOTAL COST OF THE PROJECT THAT WILL BE FINANCED BY NON-GOVERNMENTAL SOURCES.
- AS OF 07/01/97, FEDERAL FISCAL YEAR (FFY) WILL REFER TO THE YEAR THE FUNDS WERE APPROPRIATED.
- (4) UNDER THE "TYDINGS AMENDMENT," SECTION 421(b) OF THE GENERAL EDUCATION PROVISIONS ACT, 20 U.S.C. 1225(b), ANY FUNDS THAT ARE NOT OBLIGATED AT THE END OF THE FEDERAL FUNDING PERIOD SPECIFIED IN BLOCK 6 SHALL REMAIN AVAILABLE FOR OBLIGATION FOR AN ADDITIONAL PERIOD OF 12 MONTHS.

Validity unknown

Digitally signed by Yvette Thompson

Date: Fri Jul 02 13:19:45 EDT 2021



AUTHORIZING OFFICIAL

DATE