



APPLICATION GUIDELINES & ADMINISTRATION MANUAL
FOR THE
QUALITY SCHOOLS GRANT PROGRAM
2019 Biennium

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CHAPTER I: APPLICATION FOR AND AWARD OF QUALITY SCHOOLS PROJECT GRANTS

I. Introduction

QUALITY SCHOOLS GRANT PROGRAM

The 61st Montana Legislature, through the Quality Schools Facility Grant Program Act (HB 152) signed into law by Governor Schweitzer on April 28, 2009 (§ 90-6-801 et seq., MCA), established the Quality Schools Grant Program at the Montana Department of Commerce. Quality Schools Grant Program applications, grant application guidelines, the project grant administration manual, and other relevant information and resources are available on the Department of Commerce website at comdev.mt.gov/Programs/QualitySchools. Interested persons can also e-mail Quality Schools Program staff at DOCQualitySchools@mt.gov or call the Quality Schools Team at (406) 841-2770 regarding any questions they may have about the Quality Schools Grant Program.

K-12 PUBLIC SCHOOLS FACILITY CONDITION ASSESSMENT

Following the Montana Supreme Court's decision in *Columbia Falls Elementary School District No. 6 v. State*, 2005 MT 69, the 2005 Legislature directed that a school funding system providing a "basic system of free quality public elementary and secondary schools" must include, among other things, consideration of funding for school facilities. In its December 2005 Special Session, the Legislature appropriated \$2.5 million from the general fund to the Department of Administration for the completion of a condition and needs assessment and energy audit of K-12 public school facilities, and in its May 2007 Special Session established a school facility improvement account in the state special revenue fund and provided for the transfer of money into the account to be used as determined by the 2009 Legislature. The school facility account funds come from the timber harvest on common school trust lands, mineral royalties transferred from the guarantee account in Section 20-9-622, MCA, and rental income received from power site leases as provided in Section 77-4-208, MCA.

The Department of Administration completed its conditions and needs assessment and energy audit of Montana's K-12 public schools in July 2008, which included recommendations for improvements related to safety and energy conservation and to extend the life of school facilities. The Executive Summary of the report can be viewed [here](#). As instructed by the Legislature in May 2007, the 2009 Legislature determined that the money in the school facility improvement account should be used to address the recommendations in the school facility assessment as set forth in HB 152, through establishment of a competitive grant program administered by the Department of Commerce.

The Quality Schools statute provides that program grant funds will be appropriated by the Montana Legislature for each two-year period or "biennium." Applications for Quality Schools Project Grant funds will be accepted each spring. The Legislature will have final approval of those projects, and all Quality Schools grants approved are dependent upon the availability of

funding. Funds will be distributed by the Department according to the conditions set forth in Chapter Two.

SCHOOL FACILITY CONDITION ASSESSMENT

The use of the Facilities Condition Inventory (FCI) software program can be an important instrument for use to identify, prioritize, and request funding for a school facility or technology improvement project through the Quality Schools Grant Program. Developed by Montana State University, the FCI Program is based on the Model for Facilities Audits developed by the Association of Higher Education Facilities Officers (APPA) and is designed to provide facilities managers with a tool for evaluating and communicating data about their physical assets. FCI is an audit tool that uses a comparative cost database built upon numbers from a nationally recognized cost estimating system (R.S. Means) to manage facilities operations, maintenance, and expansion across the MSU campus.

The FCI program was adopted as the fundamental methodology for the state of Montana's 2007-2008 K-12 Facility Assessment of public schools. The Microsoft Access-based, desktop-compatible system is available to all state, local government and public school entities that may be interested, and is now in almost universal use throughout State government as a valuable facility management tool. For information on the FCI system, please contact Victoria Drummond at Montana State University's Facilities Planning, Design & Construction Department at Victoria.drummond@montana.edu or call (406)994-7914. MSU provides a software CD, regular updates, a training manual and a training session. Because the success of any ongoing facility assessment process depends on the use of the data collected, and the regular updating and management of new data as repair projects are completed or new concerns become evident with building age, it is highly recommended that districts continue to perform FCI observations on a 2-4 year recurring basis to achieve maximum benefit from this powerful and worthwhile tool in the overall management of their facility maintenance operations.

II. Application Process

ELIGIBLE APPLICANTS

Quality Schools Grants are available for any public school district located in the State of Montana which serves Montana K-12 students, including elementary school districts, high school districts, and K-12 school districts, as those entities are defined in Title 20, Chapter 6, MCA. Each public school district (LE#) may apply for one Quality Schools Project Grant per funding cycle.

The submission of a Quality Schools grant application must be approved by the district, either through formal resolution of approval by the school board or through delegation of authority to submit the application to an authorized officer or employee of the district. The trustees of an applicant school district are solely responsible for ensuring that the district follows all applicable federal, state, and local laws or regulations in applying for a grant and engaging in any activity funded thereby.

Non-public school districts are not eligible for Quality Schools grants. Article V, Section 11 and Article X, Section 6 of the Montana Constitution prohibits the appropriation of state funds for religious, charitable, industrial, educational, or benevolent purposes to any private individual, private association, or private corporation not under the control of the State.

All applicants must have the management capacity to undertake and satisfactorily complete the project applied for, and assure proper management of Quality Schools funds. Grant recipients must be in compliance with all applicable auditing and financial reporting requirements, and have the capability to specifically assure proper tracking and recording of funds.

APPLICATION SUBMISSION

To apply for a Quality Schools Project Grant, a public school district must complete the application process found online at comdev.mt.gov/Programs/QS/ProjectGrants/Applying. Each application submitted must include all of the information required in the application instructions. MDOC reserves the right to reject ineligible, incomplete, or otherwise improper applications. The submission of an application for Quality Schools project grant funding confers no right upon any applicant.

Quality Schools Grant Project Applications will be accepted on June 26, 2014. **All applicants must submit one hard copy and one electronic copy of the application to Department. These copies must be postmarked by March 1, 2016.**

Please send your complete application to:

Quality Schools Grant Program
Attn: Project Grants
301 S Park Avenue
PO Box 200523
Helena, MT 59620

A District that previously submitted a project grant application in 2014 that was considered for funding during the 2015 legislative session for 2017 Biennium funding, can submit a letter to the Department of Commerce no later than March 1, 2016, requesting the Department include the previously submitted application as part of the March 1, 2016 Quality Schools application pool. These applicants can also submit updated or new information to be considered during the ranking process; this information would need to be submitted with the letter and no later than March 1, 2016. Substantial changes to the project will require a new application from the District that would need to be submitted no later than March 1, 2016 and follow all of the application requirements. Please contact the Quality Schools staff for more information.

All approved projects must be completed by June 30, 2019 (the end of the 2019 Biennium). The Department, in its sole discretion, may grant an extension to this deadline if the project is near completion but will not be fully completed by the end of the biennium, and the grant

recipient can demonstrate a good faith effort to complete the project on time according to the implementation schedule and within the original budget.

Applicants are encouraged to contact Quality Schools Program staff with any questions they have concerning application submittal and requirements related thereto. The Montana Department of Commerce is committed to assisting all school districts applying for Quality Schools Grant funding.

III. Environmental Review

A. OVERVIEW

Quality Schools grants are a state action subject to the Montana Environmental Policy Act (MEPA). MEPA specifies three different levels of environmental review, based on the significance of the potential impacts. The levels are: (1) exempt or excluded from MEPA review; (2) environmental assessment (EA); and (3) environmental impact statement (EIS). The following outlines the environmental review process that must be completed by the applicant for each project proposed for Quality Schools funding. For detailed information on MEPA, see *A Guide to the Montana Environmental Policy Act*, or *A Citizen's Guide to Public Participation in Environmental Decision making*, at:

<http://leg.mt.gov/css/Services%20Division/Lepo/mepa/default.asp>

All necessary environmental review of the proposed project must be completed prior to submission of the application for grant funding. Any application received without documentation that the environmental review process has been completed may be rejected by the Department.

Statutory or Categorical Exemptions

Certain actions are exempt from MEPA review, either because they have been specifically exempted by the statute or, because of their special nature, do not normally have a significant effect on the environment. The following types of actions are statutorily exempt from MEPA review under ARM 8.2.304(5):

- Administrative actions (routine clerical or similar functions, including but not limited to administrative procurement, contracts for consulting services, or personnel actions);
- Minor repairs, operations, and maintenance of existing equipment or facilities;
- Investigation and enforcement; data collection activities; inspection of facilities or enforcement of environmental standards;
- Ministerial actions (in which the agency exercises no discretion and rather acts upon a given state of facts in a prescribed manner);
- Actions that are primarily social or economic in nature and that do not otherwise affect the human environment;

The following types of actions are categorically exempted from MEPA review under ARM 8.2.328(2):

- Projects that will be partially funded by, or for which the applicant must obtain a permit from, a state or federal agency which, by reason of its funding or permitting function, has primary responsibility to consider the environmental impacts of the project under MEPA or the National Environmental Policy Act;
- Activities which do not involve or lead directly to construction, such as planning studies, scientific research and analysis, surveys, or engineering;
- Projects primarily involving the acquisition of capital equipment;
- Projects that involve only minor repairs or rehabilitation to an existing facility, including functional replacement of an existing facility or facility components;
- Projects where the footprint of the proposed structures, pipelines, or other infrastructure would be substantially unchanged from existing conditions, and there is no increase in the population served by the facility; or
- Emergency repairs, reconstruction, restoration, retrofitting, or replacement of an existing facility that is in operation or under construction when damaged and the action:
 - (i) occurs within the existing facility footprint and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and
 - (ii) is commenced within six months after the date of the emergency.

If the proposed project qualifies for an exemption then the applicant should submit documentation that the environmental process is complete and the applicant has formally approved its determination that the project qualifies for an exemption. An exemption may not be appropriate if significant public controversy exists over the project's potential effect on the quality of the human environment; the proposed project shows some potential for causing a significant effect on the quality of the human environment; or the project might possibly affect sensitive environmental or cultural resource areas or endangered or threatened species and their critical habitats.

Environmental Assessment (EA)

An EA is a written analysis of a proposed action to determine whether an EIS is required or is needed to serve one or more of the other purposes described in ARM 8.2.304(2). Normally, a thoroughly completed Environmental Checklist will suffice as the draft EA for public review and comment, and may then be revised as necessary to constitute the final EA. A sample Environmental Checklist is included as an exhibit in these guidelines. Anyone authorized to perform work on behalf of the school district may prepare the draft EA, using all available information and evidence. The grantee's authorized representative must sign the draft EA, and the final environmental determination must be made by the school district's representatives or board. Preparation of an EA ensures the fullest appropriate opportunity for public review and comment on a proposed action, including alternatives and planned mitigation, and examines and documents the effects of a proposed action on the quality of the human environment. The EA also allows the project proponent to determine the need to prepare an EIS through an initial evaluation and determination of the significance of impacts associated with a proposed action.

In addition, a school district may prepare an EA whenever the proposed action is one that

might normally require an EIS, but the significant effects of the project appear to be mitigated below the level of significance through design, enforceable controls, and/or conditions imposed by the agency or other government agencies. For an EA to suffice in this instance, the grant recipient must determine that all of the impacts of the proposed action have been accurately identified, that they will be mitigated below the level of significance, and that no significant impact is likely to occur. The grant recipient may not consider compensation for purposes of determining that impacts have been mitigated below the level of significance.

An EA is a public document and may be inspected upon request. Any person may obtain a copy of an EA by making a request to the school district. **The district shall submit a copy of each completed EA to the Department as a part of the complete grant application.** The grant recipient is responsible for providing public review of an EA as necessary to match the complexity and seriousness of environmental issues associated with a proposed action and the level of public interest in the action. Methods of accomplishing public review include publishing a news release or legal notice to announce the availability of an EA, summarizing its content and soliciting public comment; holding public meetings or hearings; maintaining mailing lists of persons interested in a particular action or type of action and notifying them of the availability of EAs on such actions; and distributing copies of EAs for review and comment. Where an action is one that normally requires an EIS, but effects that otherwise might be deemed significant are mitigated in the project proposal or by controls imposed by the grant recipient, public involvement must include the opportunity for public comment, a public meeting or hearing, and adequate notice. The school district is responsible for determining appropriate methods to ensure adequate public review on a case-by-case basis.

The grant recipient shall consider all substantive comments received in response to a draft EA and decide, at a public meeting, that either:

1. that an EIS is necessary;
2. that the EA did not adequately reflect the issues raised by the proposed action and must be revised; or
3. (3) that an EIS is not necessary, and make a final decision on the proposed action (executing the contract with the Department to receive Quality Schools funds for the grantee's project).

The grant recipient must provide a copy of the Final EA to the Department with documentation of public review, opportunity for public comment, and a final decision on the EA at a public meeting.

Any time the school district proposes substantial changes to the project affecting the original EA, the grant recipient must repeat its environmental review for the revisions to the project, assuring the environmental impacts of the revised project are adequately identified, addressed by the grantee, and any necessary public review provided. When completed, the school district must follow the original process and again provide environmental documents to Department.

Environmental Impact Statement (EIS)

An EIS is required whenever an EA indicates that an EIS is necessary, or a grant recipient proposes an action that may significantly affect the quality of the human environment (a “major action”).

MEPA and Department’s rules require that a draft EIS circulated for public review must contain all of the following:

1. a description of the proposed action, including its purpose and benefits;
2. a listing of any state, local, or federal agencies that have overlapping or additional jurisdiction and a description of their responsibility for the proposed action;
3. a description of the current environmental conditions in the area affected by the proposed action or alternatives, including maps and charts, whenever appropriate;
4. a description of the impacts on the quality of the human environment of the proposed action, including: direct, indirect, and cumulative impacts; potential growth-inducing or growth-inhibiting impacts; irreversible and irretrievable commitments of environmental resources, including land, air, water and energy; economic and environmental benefits and costs of the proposed action; and the relationship between local short-term uses of man's environment and the effect on maintenance and enhancement of the long-term productivity of the environment;
5. an analysis of reasonable alternatives to the proposed action, including the alternative of no action and other reasonable alternatives that may or may not be within the jurisdiction of the agency to implement, if any;
6. a discussion of mitigation, stipulations, or other controls committed to and enforceable by the grant recipient or other government agency;
7. a discussion of any compensation related to impacts stemming from the proposed action;
8. an explanation of the tradeoffs among the reasonable alternatives;
9. the grant recipient’s preferred alternative on the proposed action, if any, and its reasons for the preference;
10. a section on consultation and preparation of the EIS that includes the names of those individuals or groups responsible for preparing the EIS; a listing of other agencies, groups, or individuals who were contacted or contributed information; and a summary list of source materials used in the preparation of the draft EIS;

11. a summary of the draft EIS; and
12. other sections that may be required by other statutes in a comprehensive evaluation of the proposed action, or by the National Environmental Policy Act or other federal statutes governing a cooperating federal agency.

Following preparation of a draft EIS, the grant recipient must distribute copies to the Governor; the Department; the Environmental Quality Council; appropriate state and federal agencies; and all persons who have requested copies. The grant recipient must allow 30 days for public comment on the EIS, which may be extended an additional 30 days at the discretion of the grant recipient or upon application of any person for good cause. When preparing a joint EIS with a federal agency or agencies, the grant recipient may also extend this period in accordance with time periods specified in regulations that implement the National Environmental Policy Act.

After the time for public comment and review has expired, the grant recipient must prepare a Final EIS for approval at a public meeting, which must also contain:

1. a summary of major conclusions and supporting information from the draft EIS and the responses to substantive comments received on the draft EIS, stating specifically where such conclusions and information were changed from those which appeared in the draft;
2. a list of all sources of written and oral comments on the draft EIS, including those obtained at public hearings, and, unless impractical, the text of comments received by the grant recipient (in all cases, a representative sample of comments must be included);
3. the grant recipient's responses to substantive comments, including an evaluation of the comments received and disposition of the issues involved;
4. data, information, and explanations obtained subsequent to circulation of the draft; and
5. the grant recipient's recommendation, preferred alternative, or proposed decision together with an explanation of the reasons.

The grant recipient must distribute copies of the Final EIS to the Governor; the Department; the Environmental Quality Council; appropriate state and federal agencies; all persons who submitted comments on or received a copy of the draft EIS; and all other members of the public upon request.

The grant recipient may not make a final decision on the proposed action being evaluated in a Final EIS (executing the contract with the Department to receive Quality Schools funds for the grantee's project) until 15 days from the date of transmittal of the Final EIS to the Governor and Environmental Quality Council. Until the grant recipient reaches its final decision on the proposed action, no action concerning the proposal may be taken that would have an adverse environmental impact or limit the grant recipient's choice of reasonable alternatives, including the no-action alternative.

Any time the grant recipient proposes substantial changes to the project affecting the original EIS, the grant recipient must repeat its environmental review for the revisions to the project, assuring the environmental impacts of the revised project are adequately identified, addressed by the grantee, and any necessary public review provided. When completed, the grant recipient must follow the original process and again provide environmental documents to Department.

Quality Schools grant recipients are responsible for compliance with all applicable state environmental requirements. Some of the other state environmental requirements that *may* apply to Quality Schools projects include:

- Stream Protection Act*, Title 87, Chapter 5, Part 5, MCA
- Montana Solid Waste Management Act*, Title 75, Chapter 10, Part 2, MCA
- Clean Air Act of Montana*, Title 75, Chapter 2, MCA
- Water Quality Act*, Title 75, Chapter 5, MCA
- Public Water Supplies, Distribution and Treatment*, Title 75, Chapter 6, MCA
- Floodplain and Floodway Management*, Title 76, Chapter 5, MCA
- The Montana State Antiquities Act*, Title 22, Chapter 3, MCA
- The Montana Sage Grouse Habitat Conservation Program and Conservation Strategy*, Executive Orders 10-2014 and 12-2015 and Chapter 445, Laws 2015 (SB 261)

B. PERMITS

Some of the environmental permits that may be required on your project from other state agencies include the following:

- Asbestos Control Program:** Contact the Department of Environmental Quality (DEQ).
- Montana Stream Protection Act (SPA 124 Permit):* Contact the Montana Department of Fish, Wildlife and Parks at 444-2449.
- Montana Floodplain and Floodway Management Act (Floodplain Development Permit):* Contact the Montana Department of Natural Resources and Conservation at 444-0860 or the local floodplain administrator.
- Federal Clean Water Act (404 Permit):* Contact the U.S. Army Corps of Engineers in Helena at 441-1375.
- Short-Term Water Quality Standard for Turbidity (318 Authorization):** Contact the Montana Department of Environmental Quality at 444-3080.
- Montana Water Use Act (Water Right Permit and Change Authorization):* Contact the Montana Department of Natural Resources and Conservation at 444-6667.

- ❑ Stormwater Discharge General Permits and/or Montana Pollutant Discharge Elimination System (MPDES Permit): Contact the Montana Department of Environmental Quality at 444-3080.
- ❑ Please check the DNRC website for a copy of “A Guide to Stream Permitting in Montana.” http://dnrc.mt.gov/permits/stream_permitting/default.asp.
- ❑ Cultural Resource Survey: You may need to perform a cultural resource survey for your project. The State Historic Preservation Office (SHPO) can be reached at 444-7715 for more information.

IV. Eligible Projects and Statutory Priorities

Quality Schools grants are available on a competitive basis for a project that involve construction of a new school facility; major repairs or deferred maintenance to an existing school; major improvements or enhancements to an existing school; or information technology infrastructure, including installations, upgrades, or improvements, to an existing school (§ 90- 6-803(7), MCA).

The department will rank projects according to the Statutory Priorities for school facility projects in the listed order of priority giving preference to school facility projects involving repairs to existing facilities over projects involving construction of new facilities (§ 90-6-811(1), MCA).

1. projects that solve urgent and serious public health or safety problems or that enable public school districts to meet state or federal health or safety standards;
2. projects that address deferred maintenance by repairing or replacing existing building components that are inoperable or difficult to service or lack minimum integrity;
3. projects that enhance a public school district's ability to offer specific services related to the requirements of the accreditation standards provided for in 20-7-111, MCA;
4. projects that provide long-term, cost-effective benefits through energy-efficient design;
5. projects that incorporate long-term, cost-effective benefits to school facilities, including the technology needs of school facilities; and
6. projects that enhance educational opportunities for students (§ 90-6-811(1), MCA).

V. Statutory Attributes and Factors

Quality Schools grant applications are evaluated first based upon the extent to which the proposed project relates to each of six statutory priorities set forth above (§ 90-6-811(1), MCA). After the applications are prioritized, the Department considers, without preference or priority, the following five Statutory Attributes of each proposed project (§ 90-6-811(2), MCA):

1. the need for financial assistance;
2. the fiscal capacity of the public school district to meet grant conditions required by the Department;
3. past efforts to ensure sound, effective, long-term planning and management of the school facility and attempts to address school facility needs with local resources;
4. the ability to obtain funds from sources other than the funds provided by the Quality Schools grant program; and
5. the importance of the project and support for the project from the community.

The total score, taking into account both the priority of the project and its attributes, will establish the Department's preliminary ranking. The Department may then adjust the ranking of applications based on whether and to what extent the proposed project meets the educationally relevant factors established in Section 20-9-309, MCA (§ 90-6-811(3), MCA):

1. The number of students in a district;
2. The needs of isolated schools with low population density;
3. The needs of urban schools with high population density;
4. The needs of students with special needs, such as a child with a disability, an at-risk student, a student with limited English proficiency, a child who is qualified for services under 29 U.S.C. 794, and gifted and talented children;
5. The needs of American Indian students; and
6. The ability of school districts to attract and retain qualified educators and other personnel.

Once the Department has finalized its ranking, the statute requires the Department to recommend a list of projects for Quality Schools funding to the Governor, who in turn will submit to the Legislature a list of recommendations as to projects and the form and amount of financial assistance for each project (§90-6-810(2), MCA). In the following session, the Legislature must consider the Governor's recommendation; approve grants for school facility projects, and appropriate money to fund the approved grants.

VI. Application Scoring

STATUTORY PRIORITIES

Statutory Priority #1

5pts (x40)

Projects that solve urgent and serious public health or safety problems, or that enable public school district to meet state or federal health or safety standards.

This priority includes projects that solve urgent and serious public health or safety problems or that enable public school districts to meet state or federal health or safety standards. Examples of these types of projects may include remedying items of serious life safety or building integrity; or improvements to facilities or facility components that address high priority public health and safety problems, such as inadequate fire protection, water supply, heating systems, food storage, etc.

Priority Narrative Points:

- a. Does a serious health or safety deficiency exist in a critical facility component that is necessary to providing a basic school service? If so, please describe. Does the school lack the service entirely, and will the deficiencies be corrected by the proposed project?
- b. Does the applicant provide adequate documentation that a serious public health and safety issue is present, or that it violates a federal public health and safety standard? (Report from Fire Marshal, DPHHS, offices, Water Testing, Asbestos, etc.)
- c. Is the applicant addressing a need to meet local, state or federal code(s) or standard(s)? If so, please describe the need for upgrades in detail, and include the applicable code issue that the proposed project will remedy.
- d. Is the proposed project necessary to comply with a court order or a state or federal agency directive? Has the applicant included documentation of this?
- e. Have serious public health or safety problems that are clearly attributable to a deficiency occurred, or are they likely to occur? (Ex: illness, disease outbreak, substantial property loss, environmental pollution, or safety problems or hazards)
- f. Is the problem existing, continual, and long-term, as opposed to occasional, sporadic, probable or potential? What portion of students are affected by the problem?
- g. Are there any reliable and long-term management practices that would reduce the school health or safety problems? (If yes, describe the practice(s) and the school's use of such practice(s). If the school has not adopted such practice(s), explain why not.)

Statutory Priority #2

5 pts (x36)

Projects that address deferred maintenance by repairing or replacing existing building components that are inoperable or difficult to service or lack minimum integrity.

This priority includes projects that address deferred maintenance by repairing or replacing existing building components that are inoperable or difficult to service or lack minimum

integrity. This Priority includes projects that address deferred maintenance to and extend the life of existing school buildings. Examples of these types of projects include infrastructure repairs or updates such as boiler replacement or roof repairs. The proposed projects' building component should be identified as the highest priority need for repair or replacement in the district's facility master plan or maintenance plan, or be expected to fail or reach the end of its useful life in the near-term as determined by a qualified third party.

- a. Please describe the needed repair or replacement and the degree to which the existing component is inoperable or difficult to service or lacks minimum integrity.
- b. When is the building component expected to fail or reach the end of its useful life?
- c. Is the applicant addressing a need to meet local, state or federal code(s) or standard(s)? If so, please describe the need for upgrades in detail, and include the applicable code that the proposed project will remedy.
- d. Will the proposed project protect and extend the life of the facility? (*Deteriorated components that may have a ripple effect on other building components if not addressed constitute a higher priority, in order to not "lose ground" with a district's overall capital investment.*)
- e. Are there operation and management practices that would reduce the school's need for deferred maintenance project? Explain.

Statutory Priority #3

5 pts (x32)

Projects that enhance a public school district's ability to offer specific services related to the requirements of the accreditation standards provided for in Section 20-7-111, MCA.

The accreditation standards set forth in Administrative Rules of Montana 10.55 et seq. include standards for school leadership, educational opportunities, academic requirements, and program area standards for communication, arts, health, mathematics, science, social studies, vocational arts, libraries, counseling, and world languages. Quality Schools grants are available to fund projects that enhance a district's ability to offer specific services related to these accreditation standards.

Facility accreditation standards for The State of Montana are set by the Board of Public Education, upon the recommendation of the state Superintendent of Public Instruction. Current accreditation standards for K-12 schools in Montana are provided in section 20-7-11, MCA.

- a. What specific service or area of accreditation will be met or enhanced by this project? Please describe, in detail, the service the district offers or will offer, how the district's ability to offer that service will be enhanced by the proposed project, and how that service relates to the requirements or an accreditation standard in ARM 10.55. Cite the specific accreditation standard or standards.
- b. Has the district received an accreditation status letter from the Office of Public Instruction showing a deviation in the area of accreditation that will be remedied by the project?

- c. Is the applicant addressing a facility accreditation standard requiring the district to meet local, state or federal code(s) or standard(s)? If so, please describe the need for upgrades in detail, and include the applicable code that the proposed project will remedy.
- d. Is the project necessary in order for the district to meet a new or expanded accreditation standard, or to continue to meet an existing accreditation standard? Explain.
- e. Is the school facility of sufficient size and arrangement to meet all programs' educational goals in relation to accreditation standards set forth in ARM 10.55 *et seq.*? Explain.
- e. Has the applicant taken into consideration any recommendations from national educational facility planning organizations, such as CEFPI (Council of Educational Facility Planners) when planning the project?

Statutory Priority #4

10 pts (x14)

Projects that provide long-term, cost-effective benefits through energy-efficient design.

Quality Schools grants can be used by school districts to implement energy efficiency improvements to a school facility or a portion thereof. Energy efficiency projects must be based on prior evaluation of the facility to determine the degree of deficiency, cost savings, and relative payback. An acceptable form of evaluation includes an energy audit performed no more than five (5) years prior to the date of the grant application, or, Quality Schools will accept the K-12 School Facility Condition Assessment (FCI Report, 2008) as the basis for an energy-efficiency improvement if the proposed improvements are specifically identified in the report and show more than 50% deficiency.

- a. Please describe the proposed energy improvement deficiency. Is the proposed energy-efficiency improvement project based on an energy audit completed within the last 5 years? Or, is the issue addressed in the K-12 School Facility Condition Assessment or in a recent FCI Report? Does the applicant provide the audit or FCI report?
- b. Is the proposed project identified in the audit as a priority energy conservation measure (ECM)? Or is the measure more than 50% deficient in the FCI report? What is the current level of efficiency for the building component or components being addressed?
- c. Is the proposed project expected to achieve measurable energy efficiency savings to the facility? Over what period of time? What is the estimated useful life of the materials or equipment installed for each proposed improvement?
- d. What are the total cost savings to the school district resulting from proposed project? What is the estimated payback period for the district to realize those savings?
- e. Is the project making use of green materials or alternative energy sources?

Statutory Priority #5**10 pts (x12)****Projects that incorporate long-term, cost-effective benefits to school facilities, including the technology needs of school facilities.**

Technology in education represents a fundamental change in the traditional methods of teaching and learning. Education delivery strategies utilizing technology provide new opportunities for school districts to offer academic courses and professional development opportunities to every school across the state. Statutory priority #5 supports projects that integrate technology into Montana's educational framework will support a variety of student educational needs for the 21st Century. The Montana Office of Public Instruction (OPI) and the State Board of Public Education have put in place rules and guidelines aimed to establish learning standards and increase technological aptitude of students at all levels. These types of projects may include information technology infrastructure, including installations, upgrades, or improvements to existing school facilities.

- a. Describe how the proposed project will incorporate long-term, cost-effective benefits to the school district?
- b. What technology resources does the school facility currently have, and how will the facility, its current resources benefit from the proposed project?
- c. Will the project enhance or support student's needs for the 21st century, according to those set forth by OPI?

Statutory Priority #6**10 pts (x10)****Project that enhance educational opportunities for students.**

Schools provide a wide range of educational opportunities that can be enhanced through alternative forms or types of instructional, experiential, or performance programs. This priority includes projects that enhance educational opportunities for students or alternative methods to instruction through school facility improvements.

This priority supports projects that reduce deferred maintenance to existing school buildings and extend the life of Montana's existing school facilities. These projects include critical infrastructure updates, as well as provide for the administration and day-to-day running of school districts (Ex: Lunch rooms, administration buildings, etc.).

- a. Please describe the proposed project and its needed improvements.
- b. Please describe how the proposed project will enhance the educational opportunities of the district.
- c. Please discuss how the proposed project will extend the life of the current facility or how the project will add to the infrastructure of the district?
- d. Please describe how the project is fiscally responsible, considering both long-term and short-term needs of the public school district, the local community, and the state.

STATUTORY ATTRIBUTES

After the Department has allotted points to each proposed project in accordance with the above priority ranking, it will consider the following attributes of each project, without preference or priority, and assign points from the project's score in accordance with the following guidelines. **Each attribute is worth up to a maximum of 60 additional points.**

Statutory Attribute #1

5 pts (x12)

The project's need for financial assistance.

This criterion will assess the applicant's need for financial assistance by examining each applicant's financial need. The information necessary to score this priority may be taken from the financial information submitted in the application and public records retained by the Office of Public Instruction.

- a. Please describe the district's need for financial assistance with the proposed project. *(Address issues such as taxable base, bonding capacity, etc.).*
- b. Please include a detailed description of holdings in the following accounts: Building Reserve, Deferred Maintenance, Impact Aid, Flex Fund, Building Fund, and Technology Fund, and how these funds have been allocated or accrued for future investments within the past 5 years. Include documentation, such as relevant section of school budget, school board minutes, etc to support the statements made. *(The Department may consult with the Office of Public Instruction on this attribute).*
- c. Please provide the District Median Household income, District Mill Value, and Percentage of students eligible for free and/or reduced cost lunch.

Statutory Attribute #2

5 pts (x12)

The fiscal capacity of the public school district to meet grant conditions required by the Department.

- a. Please describe the district's previous experience with grant management. (Identify individual district personnel and their experience with grant management and administration).
- b. Has the district previously secured and administered other sources of grant funding? (Please give examples of prior grants and funding).
- c. Please describe and give examples of past projects that have been successfully managed by the district within a given timeframe.

Statutory Attribute #3

5 pts (x12)

Past efforts to ensure sound, effective, long-term planning and management of the school facility and attempts to address school facility needs with local resources.

- a. Is a long-range master plan or comprehensive facility plan in place for the district? Is the proposed project identified as a priority in the master plan? How was this project

selected as the top priority over other projects? (Please include the sections of the master plan or comprehensive master plan that are relevant).

- b. Have all reasonable alternatives to the project been considered? (Please explain how the project is the most efficient, cost-effective and appropriate option for the district).
- c. Please describe all necessary planning tools and resources that were used to ensure a sound and successful project? (Please include documentation such as a PER, PAR, tests, reports, environmental assessment, etc.).
- d. Please describe the fiscal measures the district has taken over the past 10-15 years to address school facility issues with local resources. Include a discussion of capital improvement planning, budgeting, and bonding history.

Statutory Attribute #4

5 pts (x12)

The ability to obtain funds from sources other than the funds provided by the Quality Schools Grant Program.

Each applicant will be scored based upon their proposed level of local, state, or federal financial participation in the project relative to their ability to finance the project without Quality Schools funding.

- a. Describe the district's effort to build a viable funding package for the project. Discuss your efforts to seek out, secure, and firmly commit additional funds from all appropriate public or private sources to finance the project. *(Please discuss all programs, loans, and grants that are currently a part of the funding package. If applications are awaiting review, please mention their status. Refer to Section D for additional information).*
- b. Is the project financially viable without funding from the Quality Schools Grant Program? Has the district pursued all avenues for alternative funding and conducted all financial planning necessary to create a viable funding package? If Quality Schools funding is not awarded what alternatives will the district pursue?
- c. Does the district receive Oil and Gas Production Tax, Coal Gross Proceeds Tax, Metal Mines License Tax, other such sources of revenue? What is the amount received in FY2013-2014? Is the source reserved for a specific purpose?
- d. What is the District's bonding capacity and current percentage of bond capacity remaining?
- e. Please describe all of your District's bond election failures and successes in the last 10-15 years and the purpose for each bond election.

Statutory Attribute #5

5 pts (x12)

The importance of the project and support for the project from the community.

- a. Describe the community's involvement and awareness of the project. If a Master Plan or Comprehensive Facility Plan exists, was the community involved in its formation? *(Discuss and include documentation of any form of public participation, such as public meetings, community events, websites, etc.)*
- b. Describe the community's support for the project. *(Discuss financial support, volunteering, etc. Include documentation such as letters of support, surveys, petitions, letters to the editor, etc.)*

EDUCATIONALLY RELEVANT FACTORS

After the Department has established the preliminary ranking for all applications, the Department may adjust the ranking based on whether and the extent to which the applicant district has demonstrated that the proposed project relates to one of more the educationally relevant factors established in Section 20-9-309, MCA (§ 90-6-811(3), MCA).

VII. Award of Quality Schools Project Grants

Applications for the Quality Schools Grant Program will be submitted in the spring of even years. The Department will review the applications for completeness and rank them according to the process set forth in these guidelines. After completing the scoring process, the Department will report its ranking and recommendations for project grant awards to the Governor's office, who in turn will submit to the Legislature a list of recommendations as to projects and the form and amount of financial assistance for each project. The Legislature will then consider the Governor's recommendation, approve grants for school facility projects, and appropriate money to fund the approved grants. After the Quality Schools project grant bill has been signed by the Governor, the Department will issue a Notice of Award Letter to each successful applicant and begin the process of project start-up.

CHAPTER 2: PROJECT START-UP REQUIREMENTS

I. Overview

A project's approval by the Legislature does not, by itself, authorize the Quality Schools grant recipient to begin incurring costs that would be paid for with Quality Schools funds. School Districts selected for funding must meet a variety of start-up requirements and receive permission from the Department in order to have authorization to obligate Quality Schools funds for project activities. Quality Schools funds may only be used to reimburse project activities incurred from the project award date, and cannot be used to reimburse a Quality Schools grant recipient for costs incurred prior to Department approval of the Quality Schools project, unless the Department has specifically approved expenditures associated with application preparation or previous engineering studies or plans.

Quality Schools funds for reimbursing eligible expenditures will not become available until all Quality Schools start-up requirements have been complied and a contract with the Montana Department of Commerce has been negotiated and executed. At this time, the Quality Schools Grant recipient will have received both a Notice of Award letter and a Notice to Proceed letter from the Department. In the event that a school district is unable to meet any portion of start-up requirements, including contract execution, any costs incurred will be the responsibility of the school.

Quality Schools grant recipients have the option of arranging interim financing in order to advance before receiving a "Notice to Proceed." However, Quality Schools grant recipients do so at their own risk; Quality Schools can reimburse the grant recipient only if and when all project start-up requirements are met.

II. Start-Up Requirements

In order to execute a contract with the Department, the grantee must submit the following items:

- A certificate of liability insurance for \$1,000,000 per occurrence and \$2,000,000 aggregate per year, naming the Montana Department of Commerce as Additional Insured and a Certificate Holder
- Proof of the School District's Worker's Compensation Insurance
- A revised project budget that is acceptable to all of the funding sources identified. The budget should clearly identify the portion of the project being funded by the Quality Schools project grant, as described in the grantee's award letter
- An updated version of the project implementation schedule to reflect current conditions at the time of contract execution.
- A letter stating the firm commitment of other funding sources for the Quality schools

project, including adequate documentation if necessary. Acceptable documentation could include a letter assuring us that the funding is available in the district budget, an award letter from another grant program, a commitment letter from private donors or trusts, etc.; and

- A completed grant management plan describing the responsibilities of those individuals who will be involved in the administration of the grant, including the processing and approval of requests for grant funds. The Management Plan Template is available on the Quality Schools website.
- A completed and notarized Signature Certification Form for those individuals to be authorized to process and approve requests for grant funds. The Signature Certification Form is included as an exhibit to this Manual.
- A complete description of the scope of work to be completed by the project

III. Quality Schools Contract

When the start-up requirements have been met and received by the department, a contract will be executed. This contract is the legal document that governs the administration of the grant and includes the following items, some of which may be incorporated from the application:

- the amount of Quality Schools funds to be provided;
- the scope of work;
- a preliminary project budget for the use of Quality Schools funds and any other funds involved in the project;
- the preliminary implementation schedule for the project;
- any special conditions associated with the grant; and
- the general terms and conditions associated with the grant.

Project Budget

It is important that the project budget at the time of contract execution is acceptable to all of the funding sources identified. If the project begins construction at a later date, the budget will need to be revised to reflect the actual amount in the construction bid and submitted to the Department. **In the event that the construction bid is less than the budgeted amount, the construction line item must be revised to reflect the reduced costs.** The amount budgeted for construction in the project budget may be reduced by an amount in proportion to the reduction in the amount required for construction. For example, if the overall savings were 20 percent, the amount to be provided by Quality Schools for

construction activities would be reduced by 20 percent. Any savings would then be added to the contingency line item amount.

If there are any savings upon completion of the project, the Department reserves the right to share proportionately in those savings with all funding sources. The Quality Schools grant recipient may request to use the difference between the final actual project costs and the original grant award to fund additional work that further enhances the facility or facility component. However, the Department will not approve the request until the original project is completed or at least close to completion and the total cost can be determined. The Quality Schools grant recipient should submit a written request to use remaining Quality Schools funds for the additional work activities, including full rationale and cost details, for Department review and approval. The decision to allow additional work activities to be funded with remaining Quality Schools funds is strictly at the sole discretion of the Department.

PROJECT IMPLEMENTATION SCHEDULE

The project implementation schedule submitted in the grant recipient's application must be updated to reflect current conditions at the time of contract execution, and will be attached to and incorporated by reference into the contract. The final implementation schedule for the Quality Schools contract should identify all key tasks and more precisely define, if possible, when each must be accomplished to complete the overall project.

OBTAINING FIRM COMMITMENT OF OTHER FUNDING SOURCES

As a condition of project start-up, the Quality Schools grant recipient must provide adequate documentation of the firm commitment of all non-Quality Schools funds. This is to prevent a situation where a project is started but cannot be finished, or payment to contractors is delayed because the necessary project funds are not available.

If the Quality Schools grant recipient changes one of its sources of funding after the Department issues the Notice of Award letter, or if the cost of the project increases substantially after obtaining the firm commitment of non-Quality Schools funds and additional funding is required from existing or new sources, the Department may, at its sole discretion, withdraw the Notice of Award to the grant recipient, suspending distribution of Quality Schools funds until there is once again a firm commitment of funds for the project.

ESTABLISHED FINANCIAL ACCOUNTING SYSTEM

The grant recipient is responsible for demonstrating that it has an established financial accounting system in place that the Department can reasonably ensure conforms to generally accepted accounting principles (GAAP).

REGULATORY DESIGN STANDARDS OR GENERALLY ACCEPTED INDUSTRY STANDARDS

The grant recipient must demonstrate that the proposed project in final design adheres to all design standards required by applicable regulatory agencies. Recipients of program funds for

projects that are not subject to any design standards must demonstrate that the final project design complies with generally accepted industry standards.

SPECIAL PROJECT CONDITIONS

The Legislature may subject Quality Schools grant awards to additional or special project conditions. The grant recipient will have to comply with any such additional requirements in order to complete project start-up requirements.

The process of finalizing the contract will include fine-tuning the project budget and implementation schedule and incorporating the scope of work to be completed by the school district. The district's implementation schedule and budget will be incorporated in the contract as an exhibit. The Quality Schools liaison will send the original contract to the grant recipient to be executed by the District Superintendent or Authorized Representative, in accordance with the grant recipient's requirements. The contract must then be returned to the Department for the Director's signature. A copy of the final executed contract will be returned to the Quality Schools grant recipient for its records, and the original retained by the Department.

IV. Notice to Proceed

Once the Department determines that all of the above project start-up conditions have been satisfied, the Department will issue a Notice to Proceed letter to the grant recipient. The letter will notify the grant recipient that it may begin to submit draw-down requests for funding for its Quality School project.

CHAPTER 3: PROJECT MANAGEMENT

I. Overview

This chapter provides information about the management of the project including: project administration, budget amendments, scope changes, expenses eligible for reimbursement, ineligible expenses, and what is required to receive your Quality Schools funds.

II. Project Lifespan

All approved projects will need to be completed by June 30th of the year of the biennium in which they were awarded. For example, projects awarded for the 2019 Biennium must be completed by June 30, 2019. The Department, in its sole discretion, may grant an extension to this deadline if the project is near completion but will not be fully completed by the end of the biennium, and the grant recipient can demonstrate a good faith effort to complete the project on time and within the original budget.

III. Project Amendments

At some point during the project, the scope, budget, or implementation schedule may need to be changed.

BUDGET

Modifications to the budget of less than \$5000 to any one line item of the budget can be submitted as part of the grantee's drawdown request, and the Department approval of the drawdown will constitute approval of the modification. For budget amendments of \$5,000 or more to any one line item of the budget, the grantee must provide a written justification to the Department that clearly demonstrates the appropriateness and necessity of the modification. The Department must agree in writing to any significant changes in the budget before such changes may be implemented by the grantee.

The amount budgeted for construction in the project may be reduced by an amount in proportion to the reduction in the amount required for construction. For example, if the overall savings were 20%, the amount to be provided by Quality Schools for construction activities would be reduced by 20%. Any savings would then be added to the contingency line item amount.

If there are any considerable savings upon completion of the project, the Department reserves the right to share proportionately in those savings with all funding sources. The Quality Schools grant recipient may request an amendment to use the difference between the actual final project costs and the original grant award to fund additional work that further enhances the facility or facility component. However, the Department will not approve the request until the original project is completed or at least close to completion and the total cost can be determined.

IMPLEMENTATION SCHEDULE

The grantee may modify the implementation schedule as necessary to reflect the timeline as the project moves forward, so long as the completion date is within the appointed biennial deadline. The grantee must submit details regarding these changes as part of the grantee's next drawdown request, and the Department approval of the drawdown will constitute approval of modification.

If the grantee wishes to extend the completion date of the project beyond the end of the biennium in which the project was awarded, the grantee must contact the Department. The Department, in its sole discretion, may grant an extension to this deadline only if the grantee can demonstrate a good faith effort to complete the project on time and within the original budget.

SCOPE OF WORK

Before the Department makes a determination to allow any significant modifications to the scope of work or the project budget at any time, the Quality Schools grant recipient must provide a written justification that clearly demonstrates that the modification is appropriate and necessary, including full rationale and cost details, for Department review and approval. The Department, in its sole discretion, may grant a modification to the project scope of work that does not materially alter the ranking priority, intent, or circumstances under which the project was ranked and approved for funding.

IV. Eligible Project Expenses

Eligible project expenses that can be reimbursed with Quality Schools funds are those reasonable expenses incurred after the Quality Schools award letter date that directly relate to the planning, design, construction, erection, acquisition, or improvements, alteration, modernization, reconstruction, or expansion of facility infrastructure.

Project expenses that **cannot** be reimbursed with Quality Schools funds include:

- a. Grant administration expenses, including but not limited to personnel costs, office rent, office equipment, supplies, telephone, postage, travel, audit fees, procurement related costs, legal costs including bond counsel, etc., and financial costs such as loan origination, administrative fees, debt service reserves, and capitalized interest;
- b. Direct financial assistance for religious, charitable, industrial, educational, or benevolent purposes to any private individual, private association, or private corporation not under the control of the state;
- c. Operation and maintenance costs;
- d. Costs related to acquiring debt or refinancing existing debt; and
- e. Costs that are considered 'cost-plus' billing. This could include percentage-based or flat

rate increases above actual project costs (mark-up fees, multipliers, etc.), including costs commonly labeled as “profit and overhead”;

- f Preliminary design work performed by professional services;
- g Any unauthorized costs incurred prior to receipt of the Notice of Award letter.

V. Requests for Payment

DRAWDOWN REQUESTS

The Drawdown Request Form is used by Quality Schools grant recipients to request Quality Schools funds for reimbursement of eligible project costs. The Project Progress Report provides the Department with information on the use of the funds requested and the progress and status of the project. The grant recipient must provide documentation supporting each claim for expenses to be reimbursed. In order to process a request for payment, the grantee must provide, at minimum, the following. The Department may request additional information as necessary to determine the eligibility of costs:

- Drawdown Request Form (included as an exhibit in this Manual, and available on the Quality Schools website)
- Project Progress Report (included as an exhibit in this Manual, and available as the Quality Schools website)
- Invoice Documentation, including:
 - Invoice number
 - A description of work performed
 - The number of hours to accomplish each item
 - The hourly rate being billed for the service, or the cost for each item
 - Beginning and ending billing period dates
 - A description of any other eligible expenses incurred during the billing period; and
 - The total amount being billed
 - Contractor signature, and if relevant, the signature of the architect, engineer, or other party providing the project administration or construction oversight

The Quality Schools Grant recipient can only be reimbursed for costs that have been incurred.

PROJECT PROGRESS REPORTS

The Grantee must submit a Project Progress Report, included in these guidelines as an exhibit, (available on the Quality Schools website) to the Department in conjunction with each Drawdown Request Form. These reports will describe the status of all activities in the scope of work, including, at a minimum, the percentage complete; costs incurred, funds remaining, and projected completion date. The report must also describe any significant problems encountered in carrying out the Project and the scope of any necessary modifications the Grantee is requesting in the scope of work, budget, or implementation schedule.

The Drawdown Request Form and Project Progress Report may be faxed or mailed to the grantee's Quality Schools staff liaison, with all supporting invoices and other documentation, at the Department of Commerce, Quality Schools Grant Program, 301 South Park Avenue, PO Box 200523, Helena, MT 59620-0549

VII. Accounting and Auditing Requirements

The Quality Schools grant recipient must maintain all receipts and expenditures of Quality Schools Grant funds in accordance with generally accepted accounting principles (GAAP) and be in compliance with the auditing requirements of Section 2-7-503, MCA, as provided for in Section 20-9-213, MCA.

VIII. Records Retention

The Quality Schools grant recipient must maintain all records of the Project activities funding with Quality Schools grant funds, including but not limited to financial records, supporting documents, and such other records as are required by law or other authority. The Department must be allowed access to all Project records, which must be retained by the grantee for three (3) years after either the completion of the project or the conclusion of any claim, litigation, or exception relating to the Project taken by the State of Montana or any third party, whichever is later.

IX. Ethics and Code of Conduct

Sections 2-2-104, 2-2-105, 2-2-201, 20-1-201, and 20-9-204, MCA govern the code of conduct and conflicts of interest by all school districts and public employees and, including the school superintendent, the trustees of a school district, and district employees. These laws must always be followed by school districts, regardless of their participation in the Quality Schools Grant Program.

X. Procurement Procedures

Sections 20-9-204 and 20-9-205, MCA govern the procurement of construction and purchasing contracts by all schools districts. These laws must always be followed by school districts, regardless of their participation in the Quality Schools Grant Program. Districts receiving Quality Schools grant funds should be prepared to provide information to the Department about how they intend to procure or procured both grant administration and construction services, including but not limited to the list of vendors to be or that were solicited, a copy of any advertisements, a copy of the request for proposals, or the information detailing the scope of work if price is the only consideration, such as certified bid tabs. Such information may be requested as additional documentation to support a Drawdown request for such activities.

Costs resulting from a "Cost plus" contract are not eligible for reimbursement from a Quality Schools grant (see the section on Eligible Project Expenses) but may be paid from another source of funding.

XI. Public Notice and Participation

Sections 8 and 9 of Article II of the Montana Constitution, and Sections 2-3-101, 2-3-201, and 20-3-322, MCA, require school districts to hold regular and special public meetings, provide public notice of those meetings, and allow the public the opportunity to participate in the district's decision-making process. These laws must always be followed by school districts, regardless of their participation in the Quality Schools Grant Program. Districts receiving Quality Schools grant funds should be prepared to provide information to the Department about the public process for approving an application to the Quality Schools Grant Program, including but not limited to a copy of the public meeting agenda and any comments submitted by the public during the decision-making process.

XII. Non-Discrimination Laws

A school district receiving a Quality Schools grant must fully comply with all applicable federal, state, or local non-discrimination laws, rules and regulations, including the Montana Human Rights Act, the Civil Rights Act of 1964, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973, in performing any project or portion thereof using Quality Schools funds. All subcontractors performing work on the project are subject to the same provision. The hiring of all persons to perform the project must be made on the basis of merit and qualifications, and the district shall not discriminate based upon the race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin of the persons performing the project.

XIII. Prevailing Wage Requirements

Montana's Prevailing Wage Act (Section 18-2-401, et seq., MCA) applies to all public works contracts let by a school district (all construction contracts and non-construction contracts in excess of \$25,000). These laws must always be followed by school districts, regardless of their participation in the Quality Schools Grant Program. Districts receiving Quality Schools grant funds should be prepared to document the payment of prevailing wages in all applicable contracts for services.

XIV. Property Acquisition

The federal Uniform Relocation Assistance Acts and amendments thereto, and Sections 70-31-101 et seq. MCA, provide uniform policies for the treatment of persons displaced as a result of federally assisted programs, and applies to any projects for which federal financial assistance will pay all or any part of the cost of the project. Sections 70-30-101, et seq., MCA provides the policies and procedures for exercising the right of eminent domain for public uses. These laws must always be followed by school districts when applicable, regardless of their participation in the Quality Schools Grant Program. Districts receiving Quality Schools grant funds should be prepared to document their use of eminent domain to obtain property as part of a Quality Schools project, and demonstrate compliance with state and federal uniform relocation assistance requirements if federal funds are available for relocation costs.

XV. Project Monitoring

Recipients of Quality Schools financial assistance are responsible for administering their Quality Schools projects in accordance with all applicable state statutory and regulatory requirements, unless they are superseded by federal requirements. The Department has the responsibility to ensure that Quality Schools grant recipients are carrying out their projects in accordance with these requirements, and to assist and support grantees in successfully implementing their project activities from start-up through closeout of the project.

To accomplish these goals, in addition to reviewing information submitted with progress reports and requests for Quality Schools funds, the Department will schedule monitoring visits for each Quality Schools grant recipient. A monitoring visit usually involves a visit to the school to review records, to inspect the school's progress in completing the project activities, and to meet with school officials. The Quality Schools liaison will contact the school staff concerning the timing and scope of the monitoring visit. After a monitoring visit, the Quality Schools liaison may provide written monitoring comments to the grant recipient. A letter will be sent the school officials advising the Grantee of any specific areas of concern and providing the Grantee an opportunity to take corrective actions to address any concerns.

XVI. Project Close-Out

Project Close-out is the process by which the Department determines that all activities to be funded by the grant have been completed in accordance with the terms and conditions of the Quality Schools Program grant.

Within 60 days of completion of the final Project, the Grantee must submit a final Project Completion Report for approval by the Department, included as an exhibit in these guidelines. The Project Completion Report must describe the total costs incurred for the Project, and identify the final completion date, summarize any significant problems encountered in carrying out the Project. In order for the Department to process project close out, the grantee must provide the following:

- Final Drawdown Request (using the Drawdown Request Form included as an exhibit in this Manual, and available on the Quality Schools website)
- Project Completion Report (included as an exhibit in this Manual, and available on the Quality Schools website)
- Invoice Documentation (Including material cost/hourly rate break downs)

Within 15 days of approving the Project Completion Report, the Department will issue the Notice of Project Close-out. Once the Notice of Project Close-Out is issued, the Quality Schools Grant project is considered complete and the file is closed. No more Drawdown Requests will be accepted on the project after the project is closed. The completion of the project will be reported to the Legislature the following session.

EXHIBITS

Exhibits are also provided as separate documents on the Quality Schools website

EXHIBIT A – ENVIRONMENTAL CHECKLIST

NAME OF PROJECT:	
PROPOSED ACTION:	
LOCATION:	____, Montana

Key Letter:

N – No Impact; **N/A** –Not Applicable; **B** – Potentially Beneficial; **A** – Potentially Adverse; **P** –Approval/Permits Required;

M – Mitigation Required

PHYSICAL ENVIRONMENT

Key	1	Soil Suitability, Topographic and/or Geologic Constraints (e.g., soil slump, steep slopes, subsidence, seismic activity) <i>Response and source of information:</i>
Key	2	Hazardous Facilities (e.g., power lines, hazardous waste sites, acceptable distance from explosive and flammable hazards including chemical/petrochemical storage tanks, underground fuel storage tanks, and related facilities such as natural gas storage facilities & propane storage tanks) <i>Response and source of information:</i>
Key	3	Effects of Project on Surrounding Air Quality or Any Kind of Effects of Existing Air Quality on Project (e.g., dust, odors, emissions) <i>Response and source of information:</i>
Key	4	Groundwater Resources & Aquifers (e.g., quantity, quality, distribution, depth to groundwater, sole source aquifers) <i>Response and source of information:</i>
Key	5	Surface Water/Water Quality, Quantity & Distribution (e.g., streams, lakes, storm runoff, irrigation systems, canals) <i>Response and source of information:</i>
Key	6	Floodplains & Floodplain Management (Identify any floodplains within one mile of the boundary of the project.) <i>Response and source of information:</i>

Key	7	Wetlands Protection (Identify any wetlands within one mile of the boundary of the project.) <i>Response and source of information:</i>
Key	8	Agricultural Lands, Production, & Farmland Protection (e.g., grazing, forestry, cropland, prime or unique agricultural lands) (Identify any prime or important farm ground or forest lands within one mile of the boundary of the project.) <i>Response and source of information:</i>
Key	9	Vegetation & Wildlife Species & Habitats, Including Fish and sage grouse (e.g., terrestrial, avian and aquatic life and habitats) <i>Response and source of information:</i>
Key	10	Unique, Endangered, Fragile, or Limited Environmental Resources, Including Endangered Species (e.g., plants, fish or wildlife) <i>Response and source of information:</i>
Key	11	Unique Natural Features (e.g., geologic features) <i>Response and source of information:</i>
Key	12	Access to, and Quality of, Recreational & Wilderness Activities, Public Lands and Waterways, and Public Open Space <i>Response and source of information:</i>
HUMAN ENVIRONMENT		
Key	1	Visual Quality – Coherence, Diversity, Compatibility of Use and Scale, Aesthetics <i>Response and source of information:</i>
Key	2	Nuisances (e.g., glare, fumes) <i>Response and source of information:</i>
Key	3	Noise -- suitable separation between noise sensitive activities (such as residential areas) and major noise sources (aircraft, highways & railroads) <i>Response and source of information:</i>

Key	4	Historic Properties, Cultural, and Archaeological Resources <i>Response and source of information:</i>
Key	5	Changes in Demographic (population) Characteristics (e.g., quantity, distribution, density) <i>Response and source of information:</i>
Key	6	General Housing Conditions - Quality, Quantity, Affordability <i>Response and source of information:</i>
Key	7	Displacement or Relocation of Businesses or Residents <i>Response and source of information:</i>
Key	8	Public Health and Safety <i>Response and source of information:</i>
Key	9	Lead Based Paint and/or Asbestos <i>Response and source of information:</i>
Key	10	Local Employment & Income Patterns - Quantity and Distribution of Employment, Economic Impact <i>Response and source of information:</i>
Key	11	Local & State Tax Base & Revenues <i>Response and source of information:</i>
Key	12	Educational Facilities - Schools, Colleges, Universities <i>Response and source of information:</i>
Key	13	Commercial and Industrial Facilities - Production & Activity, Growth or Decline. <i>Response and source of information:</i>
Key	14	Health Care – Medical Services <i>Response and source of information:</i>

Key	15	Social Services – Governmental Services (e.g., demand on) <i>Response and source of information:</i>
Key	16	Social Structures & Mores (Standards of Social Conduct/Social Conventions) <i>Response and source of information:</i>
Key	17	Land Use Compatibility (e.g., growth, land use change, development activity, adjacent land uses and potential conflicts) <i>Response and source of information:</i>
Key	18	Energy Resources - Consumption and Conservation <i>Response and source of information:</i>
Key	19	Solid Waste Management <i>Response and source of information:</i>
Key	20	Wastewater Treatment - Sewage System <i>Response and source of information:</i>
Key	21	Storm Water – Surface Drainage <i>Response and source of information:</i>
Key	22	Community Water Supply <i>Response and source of information:</i>
Key	23	Public Safety – Police <i>Response and source of information:</i>
Key	24	Fire Protection – Hazards <i>Response and source of information:</i>
Key	25	Emergency Medical Services <i>Response and source of information:</i>

Key	26	Parks, Playgrounds, & Open Space <i>Response and source of information:</i>
Key	27	Cultural Facilities, Cultural Uniqueness & Diversity <i>Response and source of information:</i>
Key	28	Transportation Networks and Traffic Flow Conflicts (e.g., rail; auto including local traffic; airport runway clear zones - avoidance of incompatible land use in airport runway clear zones) <i>Response and source of information:</i>
Key	29	Consistency with Local Ordinances, Resolutions, or Plans (e.g., conformance with local comprehensive plans, zoning, or capital improvement plans) <i>Response and source of information:</i>
Key	30	Is There a Regulatory Action on Private Property Rights as a Result of this Project? (consider options that reduce, minimize, or eliminate the regulation of private property rights.) <i>Response and source of information:</i>

Environmental Review Form

On a separate piece of paper, please answer the following as they apply to your proposed project:

1. **Alternatives:** Describe reasonable alternatives to the project.
2. **Mitigation:** Identify any enforceable measures necessary to reduce any impacts to an insignificant level.
3. **Is an EA or Environmental Impact Statement (EIS) required?** Describe whether or not an EA or EIS is required, and explain in detail why or why not.
4. **Public Involvement:** Describe the process followed to involve the public in the proposed project and its potential environmental impacts. Identify the public meetings, where and when, the project was considered and discussed, and when the applicant approved the final environmental assessment.
5. **Person(s) Responsible for Preparing:** Identify the person(s) responsible for preparation of this checklist.
6. **Other Agencies:** List any state, local, or federal agencies that have over-lapping or additional jurisdiction or environmental review responsibility for the proposed action and the permits, licenses, and other authorizations required; and list any agencies or groups that were contacted or contributed information to this Environmental Assessment (EA).

Authorized Representative

Date

EXHIBIT B – SIGNATURE CERTIFICATION FORM

Montana Department of Commerce
Quality Schools Program
301 S Park Avenue
PO Box 200523
Helena, Montana 59620-0523

This is to certify the following officials authorized to sign requests for payment of Montana Quality Schools Program funds for the (name of grantee: _____,) FY 2019 Biennium Quality Schools grant:

1. _____
Signature _____ Title _____

Typed Name
2. _____
Signature _____ Title _____

Typed Name
3. _____
Signature _____ Title _____

Typed Name

It is understood that any two of the above signatories must sign each request for payment submitted.

I hereby certify that I have witnessed the signing of the above named signatures.

Signature of Witness Date: _____

Typed Name

SUBSCRIBED AND SWORN TO, before me, a Notary Public for the State of Montana, on the _____ day of _____, 20 .

(Notary Seal)

Notary Public for the State of Montana
Residing at _____

My Commission expires: _____

EXHIBIT C – PRELIMINARY PROJECT BUDGET

This form is available in Excel format on the Quality Schools website

Completed by: _____		For: _____				Date: _____	
QUALITY SCHOOLS ELIGIBLE COSTS:		SOURCE: <u>Quality Schools Grant Program</u>	SOURCE:	SOURCE:	SOURCE:	SOURCE:	TOTAL
Land Acquisition							\$0.00
Engineering/Architectural Design							\$0.00
Construction Engineering Services							\$0.00
Construction							\$0.00
Materials							\$0.00
Contingency							\$0.00
TOTAL ELIGIBLE COSTS		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
OTHER (INELIGIBLE) COSTS:							
Personnel Costs		NA					\$0.00
Office Costs		NA					\$0.00
Preliminary Engineering/Architecture		NA					\$0.00
Project Administration		NA					\$0.00
Legal Costs (including Bond Counsel)		NA					\$0.00
Audit Fees		NA					\$0.00
Travel & Training		NA					\$0.00
Loan Fees & Reserves		NA					\$0.00
Other Ineligible Costs		NA					\$0.00
TOTAL OTHER COSTS		NA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL PROJECT COSTS		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

EXHIBIT D – PROJECT IMPLEMENTATION SCHEDULE

This form is available in Excel format on the Quality Schools website

TASK	QUARTERS, 2015									QUARTERS, 2016												QUARTERS, 2017					
	2nd			3rd			4th			1st			2nd			3rd			4th			1st			2nd		
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<u>START-UP</u>																											
Receive Notice of Award (estimated)																											
Secure Approval of Other Funding																											
Finalize Project Budget																											
Execute Quality Schools Contract																											
<u>PROJECT DESIGN</u>																											
Advertise for and Select Engineer																											
Begin Project Design																											
Complete Project Design																											
Prepare Bid Documents																											
<u>BID ADVERTISEMENT</u>																											
Public Bid Advertisement																											
Open Bids and Examine Proposals																											
Select Contractor, Award Bid																											
<u>PROJECT CONSTRUCTION</u>																											
Begin Construction																											
Conduct Labor Compliance Reviews																											
Submit Project Progress Reports																											
Final Inspection																											
<u>CLOSE-OUT</u>																											
Submit Final Drawdown Request																											
Submit Project Close-Out Report																											

EXHIBIT E – PROJECT PROGRESS REPORT

<i>Project Progress Reports must be submitted in conjunction with each Drawdown Request Form during the term of the contract agreement.</i>		
Date Submitted:	Report Period: _____ to _____	
A. Grantee (School):		
B. Primary Contact		
C. Phone & Email		
D. County, City, Zip Code		
E. MDOC Contract Number		
F. Objective		
G. Name and location of all primary contractors, subcontractors, and sub-recipient entities engaged in any of the activities described in Section 6 SCOPE OF WORK of CONTRACT #	Contractor Name	City, State
H. Current Status of the Project	i. Percentage Complete _____ %	
	ii. Is the project on track with the implementation schedule? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>(If "No," explain any issues in Section M.)</i>	
I. Anticipated Project Completion Date		
J. Amount Requested with this Progress Report		

K. Description of funds requested for activity costs in this drawdown are for the following tasks, i.e., Supplies Delivered and the Services Performed	
L. Project Narrative of Work Completed to Date	
M. Problems Encountered and Necessary Modifications in the Scope of Work, Budget, or Implementation Schedule	
N. Any Additional Comments	
<p><i>To the best of my knowledge and belief, the information provided on this form is true and correct.</i></p> <p>Signature: _____</p> <p>Title: _____</p> <p>Date: _____</p>	

EXHIBIT F – DRAW REQUEST FORM

This form is available in Excel format on the Quality Schools website

PART 1	Grantee:		DRAW NUMBER:		
	DOC Contract #:		(1, 2, 3, etc) DRAW AMOUNT:	\$ -	
PART 2: QUALITY SCHOOLS GRANT	COST CATEGORIES	A. BUDGET FROM CONTRACT	B. BALANCE PRIOR TO THIS DRAW	C. AMOUNT REQUESTED THIS DRAW	D. GRANT FUNDS REMAINING
	Land Acquisition:				
	Final Engineering/ Architectural Design:				
	Construction Engineering Services:				
	Construction:				
	Materials:				
	Contingency:				
	TOTAL:				
Percent Remaining:					
PART 3: OTHER FUNDS	COST CATEGORIES	A. BUDGET FROM CONTRACT	B. BALANCE PRIOR TO THIS DRAW	C. AMOUNT EXPENDED THIS DRAW	D. GRANT FUNDS REMAINING
	Land Acquisition:				
	Preliminary Engineering/ Architectural Design:				
	Final Engineering/ Architectural Design:				
	Construction Engineering Services:				
	Construction:				
	Materials:				
	Contingency:				
	Personnel Costs:				
	Office Costs:				
	Project Administration:				
	Legal Costs (including Bond Counsel):				
	Audit Fees:				
	Travel & Training:				
	Loan Fees & Reserves:				
Other Ineligible Costs:					
TOTAL:					
Percent Remaining:					
PART 4	A request is hereby made for a draw of funds from the above Quality Schools grant. I certify that the information presented in this draw request is a true and accurate reflection of costs related to the Scope of Work described in the above contract with the Montana Department of Commerce.				
	Signature:		Date:		
	Counter Signature:		Date:		
COMMERCE APPROVAL					
_____ Expenditures are reasonable and appropriate _____ Financial numbers, signatures correct _____ Consistent with preceding draw, SABHRS _____ Budget amendment approved			Approved by: Name: _____ Title: _____ Date: _____		

EXHIBIT G – PROJECT COMPLETION REPORT

<i>Project Completion Reports must be submitted for approval by the Department of Commerce within 90 days of completion of the project.</i>		
A. Grantee (School):		
B. Primary Contact		
C. Phone & Email		
D. County, City, Zip Code		
E. DOC Contract Number		
F. Objective		
G. Name and location of all primary contractors, subcontractors, and sub-recipient entities engaged in any of the activities described in Section 6 SCOPE OF WORK of <i>CONTRACT #</i>	Contractor Name	City, State
H. Current Status of the Project	Finished	
I. Project Completion Date		
J. Cumulative Costs Incurred over Life of Project		
K. Grant Funds Remaining (if any)		

L. Project Accomplishments	
M. Problems Encountered in Carrying out the Project	
N. Any Additional Comments	
<p><i>To the best of my knowledge and belief, the information provided on this form is true and correct.</i></p> <p>Signature: _____</p> <p>Title: _____</p> <p>Date: _____</p>	

EXHIBIT H – GRANT MANAGEMENT PLAN TEMPLATE

This is a sample format. It is provided as an example to help a school district create its own plan, and may be modified as necessary to reflect the actual procedures utilized by the district and specific nature of the project being undertaken.

I. Administrative Structure

The Grant Recipient, _____, LE # _____, has been awarded funds through the Quality Schools Grant Program for the 2015 Legislative Biennium. The following individuals will have responsibility for administering the Quality Schools grant:

- A. The District Superintendent, _____, will have ultimate authority and responsibility for the management of project activities and expenditure of Quality Schools funds, including the approval of all contracts and drawdown requests. (Telephone _____ and Email _____); or
- B. The District Superintendent has authorized _____ to serve as the Grant Manager for this project, responsible for overall grant management and assuring compliance with applicable federal and state requirements for the Quality Schools project. The Grant Manager will serve as the School District's liaison with the Montana Department of Commerce for the project. One-fourth of this position's time will be devoted to administration of the Quality Schools grant during the term of the project. (Telephone _____ and Email _____).
- C. The District Clerk or Business Manager, as the District's chief financial officer, will be responsible for management of, and record keeping for, the Quality Schools funds and other funds involved in the financing of the project. (Telephone _____ and Email _____).
- D. _____, as the School District's legal counsel, will review and advise the School District regarding any proposed contractual agreements associated with the Quality Schools project and provide any other legal guidance as requested. (Telephone _____ and Email _____).

II. Grant Management

- A. The Grant Manager will be responsible for:
 1. Compliance with any applicable environmental requirements, if not already complete as a part of the grant application process.
 2. Assist the School District with all requirements related to effective project start-up and implementation and developing a contract with Commerce.
 3. Preparing any legal notices required to be published, and processing and conducting any required public hearings or informational meetings.
 4. Establishing and maintaining complete and accurate project files and preparing all documentation and reports incidental to administration of the grant.

5. Assisting the School District with selection of the Project Engineer or Architect, in conformance with applicable procurement requirements, including the preparation of requests for proposals for publication or other distribution.
6. Reviewing all proposed project expenditures or requests for payment to ensure their propriety and proper allocation of expenditures to the Quality Schools budget.
7. In cooperation with the District Clerk or Business Manager, processing payment requests and preparing drawdown requests to Commerce, including the Draw Request and the Project Progress Report.
8. Monitoring the contractor selection process, including the bid advertising, tabulation and award process. The Grant Manager will review the construction contract provisions for compliance with the Quality Schools Program.
9. Attending the preconstruction conference and monthly construction progress meetings.
10. Monitoring contractor compliance with applicable requirements.
11. Assuring compliance with all state labor standards requirements. Responsibilities will include the review of weekly payroll reports to assure compliance with state prevailing wage requirements; periodic visits to the construction site to assure that required equal opportunity, labor standards, and prevailing wage determinations have been posted; and conducting on-site interviews with construction personnel to assure prevailing wage compliance.
12. Assuring compliance with applicable equal opportunity requirements.
13. Preparing the Project Completion Report for submittal to Commerce.

III. Financial Management

- A. The responsibilities of the District Clerk or Business Manager will be as follows:
 1. Managing the receipt of Quality Schools grant funds to the School District's bank account and disbursing Quality Schools funds on applicable and eligible claims.
 2. Maintaining a record of all project transactions, and preparing checks/ warrants for approved expenditures.
 3. With the assistance of the Grant Manager, preparing the Drawdown Request to be submitted to Commerce. **All drawdown requests will be signed by two of the three persons designated on the Quality Schools Signature Certification Form.**
- B. The Grant Manager, and District Clerk or Business Manager, will review all proposed expenditures of Quality Schools funds and will prepare drawdown requests, which will be signed by the officials cited above. All disbursements will be handled in accordance with the Grant Recipient's established claim review procedures. Before submitting the claim to the District Clerk, the Grant Manager will attach a certification to each claim stating that the proposed expenditure is an eligible expense of the Grant Recipient's Quality Schools project and consistent with the project budget.

- C. Financial record keeping will be done in conformance with generally accepted accounting principles. The original financial documents (claims with attached supporting material) will be retained in the School District's offices.

This management plan has been approved by the School District, and the individuals named within have been informed of the responsibilities stated within this plan.

Signed,

District Superintendent

Date

EXHIBIT I – SAMPLE BOARD RESOLUTION

Be it resolved that:

The Board of Trustees of the _____ School District (LE # _____) authorizes _____ to submit an application to the Quality Schools Grant Program at the Montana Department of Commerce, for the purpose of funding _____.

The Board has reviewed the draft Environmental Assessment (EA) checklist, prepared in order to meet requirements of the Quality Schools Grant program through the Montana Department of Commerce, for the purpose of funding the proposed _____ project at _____. A copy of the draft EA checklist was made available from _____ through _____ for public review and comment. The Board has considered all substantive comments received in response to the Draft EA. The Board has determined that an EIS is not necessary and that no changes to the Draft EA are required. The Board approves the Final EA for submission with the Quality Schools Grant Application.

Signed: _____ Date: _____

_____, Board Chair
Print name

Signed: _____ Date: _____

_____, District Clerk
Print name