

## Board Proceedings

The Board of Directors for the New Hampton Community School District met in regular session, Monday, December 18, 2023, in the High School FCS Room. President Matthews called the meeting to order at 6:00 pm with Directors Matthews, Ayers, A. Schwickerath, N. Schwickerath, Denner, Superintendent Jurrens, and Board Secretary Roethler present.

Director Ayers moved to approve the agenda. Director N. Schwickerath seconded the motion. Ayes: Matthews, Ayers, A. Schwickerath, Denner and N. Schwickerath. Nays: none.

Director Denner moved to approve the consent agenda. Approve minutes of the November 20, 2023, regular session. Approve the November monthly financial report and the December 2023 bill listing. Approve the resignation of Areli Valdez as a middle school paraeducator. Approve Stephanie Egan-Holtz from ½ time Title 1 teacher to ¾ time Title 1 teacher retroactive to October 16<sup>th</sup>. John Bear recommends Steven Slick as a high school custodian and Nadiezha Daula as an Elementary Custodian. Eric Olson and Ryan Anderson will split the boys' and girls' varsity golf duties. Josh Holthaus as a volunteer girls' wrestling coach. All new hires are pending obtaining suitable licensure and passing appropriate background checks.

First reading of board policies 411-415 Support Employee – General, Support Employee Defined, Support Employee Qualifications, Recruitment, Selection, Support Employee Contracts, Support Employee Licensing/Certification, Support Employee Assignment, Support Employee Transfers, Support Employee Evaluation, Support Employee Probationary Status, Support Employee Compensation and Benefits, Support Employee Compensation, Support Employee Wage and Overtime Compensation, Support Employee Group Insurance Benefits, Support Employee Tax Shelter Programs, Support Employee Termination of Employment, Support Employee Resignation, Support Employee Retirement, Support Early Retirement, Support Employee Suspension, Support Employee Dismissal, Support Employee Reduction in Force, Support Employee Vacations and Leaves of Absence, Support Employee Vacations-Holidays-Personal Leave, Support Employee Personal Illness Leave, Support Employee Family and Medical Leave, Support Employee Family and Medical Leave Notice to Employees, Support Employee Family and Medical Leave Request Form, Support Employee Family and Medical Leave Certification Form, Support Employee Family and Medical Leave Regulation, Support Employee Family and Medical Leave Definitions, Support Employee Discretionary Leave, Support Employee Political Leave, Support Employee Jury Duty Leave, Support Employee Military Service Leave, Support Employee Unpaid Leave, Support Employee Professional Purposes Leave, Support Employee Substitutes.

Director A. Schwickerath seconded the motion. Ayes: Matthews, Ayers, A. Schwickerath, Denner and N. Schwickerath. Nays: none.

Superintendent Jurrens presented Bus bids from School Bus Sales and Hogle Bus. Director Denner moved to approve the purchase of a 2025 Blue Bird Diesel – 65 Passenger from School Bus Sales in the amount of \$123,400.00 Director Ayers seconded the motion. Ayes: Matthews, Ayers, A. Schwickerath, Denner and N. Schwickerath. Nays: none.

High School Principal Mr. Manson presented information regarding the Registered Apprenticeship Program. Director A. Schwickerath moved to approve the program. Director Denner seconded the motion. Ayes: Matthews, Ayers, A. Schwickerath, Denner and N. Schwickerath. Nays: none.

Superintendent Jurrens presented information on the termination of Sue Mahoney's paraeducator contract. Director N. Schwickerath moved to approve the termination of the contract. Director A. Schwickerath seconded the motion. Ayes: Matthews, Ayers, A. Schwickerath, Denner and N. Schwickerath. Nays: none.

Superintendent Jurrens presented information on the purchasing of a new dryer for the high school. Director Denner moved to approve the purchase of a dryer from RJ Kool in the amount of \$6,415.00 with SAVE Funds. Director N. Schwickerath seconded the motion. Ayes: Matthews, Ayers, A. Schwickerath, Denner and N. Schwickerath. Nays: none.

### Director Denner moved to approve the First Reading of Board Policy 705.1R(2) PURCHASING-BIDDING-USING FEDERAL FUNDS IN PROCUREMENT CONTRACTS

In addition to the District's standard procurement and purchasing procedures, the following procedures for vendors/contractors paid with federal funds are required. When federal, state, and local requirements conflict, the most stringent requirement will be followed.

2 CFR Part 200, Subpart D Subsection §200.318 (c)(1)

No District employee, officer, or agent may participate in the selection, award and administration of contracts supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. District officers, employees, and agents may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, for situations where the financial interest is not substantial or the gift is an unsolicited item of nominal value, district employees must abide by all relevant board policies. Violation of this requirement may result in disciplinary action for the District employee, officer, or agent.

2 CFR Part 200, Subpart D Subsection §200.320 (e)(1-4)

Procurement for contracts paid with federal funds may be conducted by noncompetitive (single source) proposals when one or more of the following circumstances apply: (1) the item is only available from a single source; (2) public exigency or emergency will not permit the delay resulting from competitive bids; (3) the Federal awarding agency or pass-through entity expressly authorizes

noncompetitive proposals in response to a written request from the non-Federal entity; or (4) after solicitation of a number of sources, competition is inadequate.

#### 2 CFR Part 200, Subpart D Subsection §200.321

The District will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include: (1) placing such businesses on solicitation lists; (2) soliciting such businesses whenever they are potential sources; (3) when economically feasible, dividing contracts into smaller tasks or quantities to allow participation from such businesses; (4) establishing delivery schedules that encourage participation by such businesses; (5) when appropriate, utilizing the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and (6) requiring the primary contractor to follow steps (1) through (5) when subcontractors are used. The district will include the following provisions in all procurement contracts or purchase orders include the following provisions when applicable:

#### 2 CFR Part 200 Appendix II

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989

Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials.

§200.216 Prohibition on certain telecommunications and video surveillance services or equipment

(a) The district is prohibited from obligating or expending loan or grant funds to:

1. Procure or obtain;
2. Extend or renew a contract to procure or obtain; or
3. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

i. For purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunication equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

ii. Telecommunications or video surveillance services provided by such entities or using such equipment.

iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence of the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned by or controlled by, or otherwise connected to, the government of a foreign country.

(b) In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (I), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(c) See Public Law 115-232, section 889 for additional information.

(d) See also §200.471.

It was discussed that superintendent Jurrens mid-year evaluation will take place at the end of the January 15, 2024, board meeting in closed session.

Next regular meeting will be Monday, January 15, 2024, at 6:30 pm.

Director Denner moved to adjourn at 6:35 pm. Director N. Schwickerath seconded the motion. Ayes: Matthews, Ayers, A. Schwickerath, Denner and N. Schwickerath. Nays: none.

**Monthly Bills  
December 2023  
General Fund (10)**

<u>Vendor Name</u>	<u>Amount</u>	<u>Vendor Name</u>	<u>Amount</u>
AERUS Electrolux	168.34	NAPA Auto Parts	204.20
AFLAC	90.27	National Science Teachers Association	120.00
Ag Vantage FS	4,921.81	New Hampton Auto Body	78.95
Amazon Capital Services	1,740.02	New Hampton Electric	327.65
Apptegy	7,500.00	New Hampton Schools	100.00
Beast Academy	100.00	New Hampton Tribune	356.36
Bodensteiner Implement Company	944.03	New Horizons-Chamber-Commerce	200.00
BOSSLASER	112.26	NHMU Fiber	300.00
Bowlaway Lanes	200.00	Northeast Iowa Community College Business and	26,750.25
CARQUEST OF NEW HAMPTON	138.84	Office World	1,861.49
Charles City Theatre	135.00	Orkin	80.00
Chickasaw County Auditor	7,897.24	Phillips, Brittany	52.80
Chickasaw Wellness Complex	300.00	Pitney Bowes Inc	287.64
City Laundering Co.	1,074.70	Polk's Lock Service	194.20

City of New Hampton	11,813.14	Postmaster	310.00
College Board AP	402.48	Principal Life Insurance Company	975.63
Crystal Ball Roller Rink	380.00	Rieman Music, Inc	155.12
Dollar General Charged Sales	41.78	Riley's Inc.	119.95
Dollar Tree	103.75	Rise Vision	324.00
EMS Detergent Services	718.55	Schmitt, April	41.00
Fareway	1,468.11	Schnobelen, Richard	32.00
Five Star Cooperative	6,261.09	School Specialty, LLC	86.64
Flinn Scientific Inc.	363.70	Schueth Ace Hardware	4,654.04
FM Controls, Inc.	1,380.00	Swisher & Cohrt, P.L.C.	269.50
Fritcher, Katie	997.50	Teachers Pay Teachers (Teacher Synergy LLC)	235.70
Hanson Tire Service	1,318.00	thyssenkrupp Elevator Corporation	181.05
Iowa Department of Education	1,300.00	Timberline Billing Service LLC	127.82
Iowa Department of Human Services	836.77	Touchpoint Industries	14,867.04
J.W. Pepper & Son Inc.	51.40	Tyler Technologies, Inc.	307.50
Jendro Sanitation Services Inc	1,441.00	United Parcel Service	21.86
John Deere Financial	89.29	Unruly Studios, Inc.	2,880.00
Junior Library Guild	1,665.85	Vern Laures Chev-Buick	602.09
Keystone Area Education	1,044.20	VISA	1,468.20
Kwik Star	7,259.40	Wagoner Bros. Repair	5,205.10
Lectura, Inc	39.95	Walmart.com	39.97
LS Supply & Rental	112.03	Washington National Ins. Co.	864.97
Lunch Fund	290.86	WEX BANK	876.63
Madison National Life Insurance	2,220.54	Wilson Restaurant Supply Inc.	15,340.00
Mercy Medical Center	1,470.00	Windstream	1,783.99

**Fund Total: \$151,075.24**

<b>Capital Projects</b>	<b>(33)</b>
BlueAlly Technology Solutions, LLC	27,700.00
O'Brien Exterior Cleaning	2,900.00

**Fund Total: \$ 30,600.00**

<b>Physical Plant &amp; Equipment</b>	<b>(36)</b>
Geerts Plumbing & Heating	3,388.43
Marco, Inc.	1,789.51
Mick Gage Plumbing	1,418.46
Wagoner Bros. Repair	4,700.95

**Fund Total: \$ 11,297.35**

Attest: December 18, 2023

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Jay Matthews  
Board President

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Christy Roethler  
Board Secretary