CHRISTOPHER T. SUNUNU
Governor

STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR

Emergency Order #71 Pursuant to Executive Order 2020-04

Temporary Suspension of Penalty for Failure to File Financial Report Pursuant to RSA 198:4-f

WHEREAS, on Friday, March 13, 2020, the President of the United States declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on Friday, March 13, 2020, the Governor issued Executive Order 2020-04, An order declaring a state of emergency due to the Novel Coronavirus (COVID-19); and

WHEREAS, experts indicate that COVID-19 is most commonly spread from an infected symptomatic person to others through respiratory droplets, including:

- Through the air by coughing and sneezing;
- Close personal contact, such as touching or shaking hands;
- Touching an object or surface with the virus on it, then touching your mouth, nose, or eyes before washing your hands.

WHEREAS, the CDC reports that COVID-19 may be spread before an infected person shows symptoms of the virus; and

WHEREAS, in the days since the Governor declared a State of Emergency, the COVID-19 outbreak in New Hampshire has expanded significantly; and

WHEREAS, school districts and school boards are facing unprecedented challenges in continuing to operate and provide educative services to students across the state; and

WHEREAS, school districts and school boards are operating pursuant to the New Hampshire Department of Education K-12 Back-to-School Guidance (the "Guidance") that sets forth mitigation strategies to assist school districts in safely re-opening schools for the 2020-2021 school year, which places novel demands on school staff and administration; and

WHEREAS, these additional challenges resulting from the pandemic require school districts and school boards to have additional flexibility in meeting state reporting

obligations; and

WHEREAS, RSA 198:4-d, III requires school districts, cities, or public academies to file a financial report showing a summary of receipts and expenditures, according to uniform classifications during the preceding fiscal year, and balance sheet showing assets and liability at the close of the year, on or before September 1 of each year; and

WHEREAS, Pursuant to RSA 198:4-f the Commissioner of the Department of Education may, for just cause, grant a school district, city, or public academy up to a 30-day extension to file the report due under RSA 198:4-d, III. The Commissioner may "further extend the deadline when unusual or unforeseen circumstances prevent a school district, city, or public academy from submitting the required report before the expiration" of the extension; and

WHEREAS, RSA 198:4-f requires the Department of Education to notify schools districts, cities, or public academies that all state aid to education shall be withheld until complete and accurate information required by RSA 198:4-d, III has been submitted.

Now therefore, pursuant to Section 18 of Executive Order 2020-04 as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17, 2020-18, and 2020-20, it is hereby ordered, effective immediately, that:

1. The requirement in RSA 198:4-f that the Commissioner "notify the governing body of the school district, city, or public academy that all state aid to education shall be withheld until complete and accurate information is submitted" is hereby waived for the duration of the state of emergency.

2. For the duration of the state of emergency, the Department of Education shall not be required to withhold the November 1 state aid payment to a school district, city, or public academy pursuant to RSA 198:4-f so long as the Commissioner of Education has duly approved an extension of the reporting deadline as set forth in RSA 198:4-f and the scheduled state aid payment falls within such approved extension period.

Given under my hand and seal at the Executive Chambers in Concord, this 27th day of October, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.

Chris T. Sununu

GOVERNOR OF NEW HAMPSHIRE

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