REGULAR CALENDAR

March 8, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Education to which was referred HB 1132,

AN ACT relative to applications for a charter conversion school. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Alicia Lekas

FOR THE MAJORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MAJORITY
COMMITTEE REPORT

Committee:	**Education**
Bill Number:	**HB 1132**
Title:	**relative to applications for a charter conversion school.**
Date:	**March 8, 2022**
Consent Calendar:	**REGULAR**
Recommendation:	**OUGHT TO PASS WITH AMENDMENT 2022-0970h**

STATEMENT OF INTENT

This bill, as amended, removes certain vote requirements for conversion of a public school to a chartered public school and adds the requirement for a two-thirds vote of the school district at a regular annual meeting. The original bill requires a majority vote. The amendment changes it to a two-thirds vote.

Vote 11-8.

Rep. Alicia Lekas
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Education

HB 1132, relative to applications for a charter conversion school. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alicia Lekas for the **Majority** of Education. This bill, as amended, removes certain vote requirements for conversion of a public school to a chartered public school and adds the requirement for a two-thirds vote of the school district at a regular annual meeting. The original bill requires a majority vote. The amendment changes it to a two-thirds vote. **Vote 11-8.**

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

March 8, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Education to which was referred HB 1132,

AN ACT relative to applications for a charter conversion school. Having considered the same, and being unable to agree with the Majority, report with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Arthur Ellison

FOR THE MINORITY OF THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

MINORITY
COMMITTEE REPORT

Committee:	**Education**
Bill Number:	**HB 1132**
Title:	**relative to applications for a charter conversion school.**
Date:	**March 8, 2022**
Consent Calendar:	**REGULAR**
Recommendation:	**INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

The minority believes that this bill provides for the opportunity to dismantle public schools by taking away the responsibility for local schools from locally-elected school boards. This bill allows a local school district to convert their public school(s) to public charter schools without any input from the teaching/administrative staff of the existing public school. Such action would immediately terminate any existing contracts between teachers, administrators, and other school employees and the local school district. New agreements would have to be negotiated between these employees and the charter school trustees. Since only 50% of the teachers in the new charter conversion school need to be certified by the Department of Education, the quality of the educational experience for students in those schools is an open question.

Rep. Arthur Ellison
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Education

HB 1132, relative to applications for a charter conversion school. **INEXPEDIENT TO LEGISLATE.**

Rep. Arthur Ellison for the **Minority** of Education. The minority believes that this bill provides for the opportunity to dismantle public schools by taking away the responsibility for local schools from locally-elected school boards. This bill allows a local school district to convert their public school(s) to public charter schools without any input from the teaching/administrative staff of the existing public school. Such action would immediately terminate any existing contracts between teachers, administrators, and other school employees and the local school district. New agreements would have to be negotiated between these employees and the charter school trustees. Since only 50% of the teachers in the new charter conversion school need to be certified by the Department of Education, the quality of the educational experience for students in those schools is an open question.

Original: House Clerk

Cc: Committee Bill File

Rep. Luneau, Merr. 10
March 4, 2022
2022-0970h
07/08

Amendment to HB 1132

Amend RSA 194-B:3, VI(a) as amended by section 1 of the bill by replacing it with the following:

VI.(a) Any existing public school may by a vote of the school board ***and a 2/3 majority vote taken by the school district at a regular annual meeting pursuant to RSA 195, RSA 197, or the governing charter, called for the purpose and provided that an article is inserted in the warrant for said meeting to*** become a charter conversion school[, ~~provided that, in addition to all other requirements of this chapter for establishment of a chartered public school:~~

~~(1) A majority of its prospective teachers vote by ballot to approve such conversion in a district with more than one school, or 2/3 of the teachers so vote in a single school district.~~

~~(2) The school superintendent and principal both provide their approval in writing~~].

2022-0970h

AMENDED ANALYSIS

This bill removes certain vote requirements for conversion of a public school to a chartered public school and adds the requirement for a two-thirds majority vote of the school district at a regular annual meeting.

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 1132

BILL TITLE: relative to applications for a charter conversion school.

DATE: March 8, 2022

LOB ROOM: 205-207

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Luneau	Seconded by Rep. Ladd	AM Vote: 19-0

Amendment # 2022-0970h

Moved by Rep. A. Lekas	Seconded by Rep. Cordelli	Vote: 11-8

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Melissa Litchfield, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on Bill # 1132

BILL TITLE: ...

DATE: 3/8/22

LOB ROOM:

MOTION: (Please check one box)

☒ OTP ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # B
☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. LeKas Seconded by Rep. Gadd Vote: _____

MOTION: (Please check one box)

☒ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # 0970H
☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. Gilmour Seconded by Rep. Gadd Vote: 19-0

MOTION: (Please check one box)

☐ OTP ☒ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # 0970H
☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. LeKas Seconded by Rep. ~~Luneau~~ Cordelli Vote: 11-8

MOTION: (Please check one box)

☐ OTP ☐ OTP/A ☐ ITL ☐ Retain (1st year) ☐ Adoption of Amendment # _____
☐ Interim Study (2nd year) *(if offered)*

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ____ YES ☒ NO

Minority Report? X Yes ____ No If yes, author, Rep: Ellson Motion ITL

Respectfully submitted: Bill Nelson
Rep. Melissa Litchfield, Clerk

OFFICE OF THE HOUSE CLERK

1/10/2022 8:57:50 AM
Roll Call Committee Registers Report

2022 SESSION

Education

Bill #: 1132 **Motion:** OTP/A **AM #:** 970 **Exec Session Date:** 3/8/22

Members	YEAS	Nays	NV
Ladd, Rick M. Chairman	1		
Cordelli, Glenn Vice Chairman	1		
Litchfield, Melissa A. Clerk NoTTer	2		
Boehm, Ralph G. DawN JohnsoN	3		
Lekas, Alicia D.	4		
Moffett, Michael Bershtein	5		
Hobson, Deborah L.	6		
Ford, Oliver J.	7		
Soti, Julius F.	8		
Nelson, Bill G.	9		
~~Myler, Mel~~ Walz, Mary Beth M, JACK		1	
Luneau, David J.	10		
Cornell, Patricia		2	
Tanner, Linda L.		3	
Ellison, Arthur S.		4	
Mullen, Sue M.		5	
Woodcock, Stephen L.		6	
Porter, Marjorie		7	
A. Hall, Muriel C.		8	
TOTAL VOTE:	11	8	

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING on Bill # HB1132

BILL TITLE: **relative to applications for a charter conversion school**
DATE: **1/26/22**

ROOM: **207** **Time Public Hearing Called to Order: 11:05 am**

Time Adjourned: 11:55 am

Committee Members: Reps. Ladd, Cordelli, Boehm, A. Lekas, Moffett, Hobson, Ford, Soti, B. Nelson, Litchfield, Myler, Luneau, Cornell, Tanner, Ellison, Mullen, Woodcock, Hall and Porter

Rep Ladd
This bill removes certain vote requirements for conversion of a public school and adds the requirement for a majority vote of the school district at a regular annual meeting or special meeting. The school district still controls and funds the Charter school.

Rep Porter, She is not really familiar with rules around conversion schools, but in Charter schools only need 50% of teachers to have credentialing. If a school district decides to go to a Charter conversion, could these certified teachers be let go and replaced with uncertified teachers?
Response: He does not have this information.
Rep Ellison, Stated he has Brought this up before. What would happen to labor agreements that are in place?
Response: This would be a good technical question for the DOE.
Rep Tanner: What is the basic intent of this bill?
Response: Charter schools are an option that we ought to have available. We have folks that are not necessarily certified, but they are excellent excellent teachers.
Rep Tanner: Back to original question. What if the town decides they want to convert the local elementary school to a charter school? What is your intent in taking out the input of the professional educators that are already there?
Response: Change is difficult, and it benefits all. We are here for the children. If the community sees it as a better offer for their children, it should be up to the majority of the voters to make that decision. It is not the job of the employee. Our education system is here for the students and not the employees.
Rep Mullen, when you talk about D.C., you are talking about urban schools. With this bill though, what are the benefits if a town has one elementary school, and you convert to a Charter School?
Rep Ladd, you could have services provided by people that are maybe not licensed. I understand not all agree with that, but it would be a community choice.
Rep Mullen, NH schools are highflyers.
Response, Rep Ladd, we like to boast that in that state that our children are always in the top 5. Wow, the bar is a low bar, look at our proficiency levels. It has been a declining line for years, and it is not all Covid. It is not always the dollar that equals the net achievement, it will be the leadership, involvement of parents, and attitude of the schools. The high achieving schools, the common denominator is good teaching.

Rep Ladd, He is not saying this is for everyone. It is good for some. We will never get there if we require a 2/3rds vote.
Rep Woodcock, It sounds like you are cost sharing.
Rep Ladd, It is a benefit to save money for some of these towns.
Rep Moffett, Is it correct that 51% of voters could vote in a Conversion school and override the objections of the staff and Superintendent?
Rep Ladd, Yes that is correct.
Rep Porter, Several technical questions.
Rep Ladd, has stated that we will have some testifying with technical answers.
Rep Cornell, How would this go about happening in Manchester? They do not have annual meetings?
Rep Mullen, Have you given any thought to what the tenor to what a school district would be like when a Supt, Principal and teachers would be employed in a conversion school the following year. What if there is a mass exodus? Someone would have to give up their NH retirement, collective bargaining agreement, etc.
Jane Bergeron, NH Association Special Education Administration, The special education field has many questions.
Nate Green, NH DOE, here for technical assistance. There is a section in law that covers Chartered Public Schools and Collective Bargaining Unit. The Charter School Teachers may start a new collective bargaining unit. There is a local school board and board of trustees, you can have membership across both of those.
Rep Luneau, How are conversion Charter Schools funded as compared to State Board authorized.
Response: A charter Conversion school is funded at no less than 80% of the local district funding for students. You would use local funding for residents, and a stream of state funding for non-resident students.
Non-resident- base adequacy aide for state. Local resident students at no less than 80% of state aid plus differential payments.
Rep Porter, The school would no longer have a school board, but a board of trustees with appointed members. Are residents able to vote on the budget?
Response: Any district that runs a charter school, there is a contract between the local school district and the charter school. The budget would be on a Town Warrant article.
Rep Porter, Why would we go this route and not make our public school a magnet school?
Response: This pathway already exists in Statute. This just allows a public school to become a charter school.
Rep Tanner, who oversees Charter schools? What about property taxes? What about the SAU and the local school board?
Response: The SAU and school board have to exist, this would be very similar to Coe Brown and Pinkerton. The local school board has to oversee the tax base. In terms of special education, this is another reason that the SAU and school board must exist. The SAU and school board must oversee special education.
Rep Tanner, She is not sure if this has been clearly thought through. Where in Statute does it state that you have to have an SAU without a school.
Response: Well, you would definitely at least need a school board due to the funding and tax aspects.
Rep Mullen, Wants to go back to eliminating teachers, Supt,etc from having a say. It is her understanding that the teachers could unionize, but could not be a part of NEA or AFT.
Response: They could still be a part of NEA or AFT, they just cannot be a part of the old collective bargaining unit.
Rep Mullen, Teachers that are part of the Charter school are not part of the NH retirement system.

Response: Teachers in the charter school can in fact be a member of the NH Retirement System.
Who pays may need to be part of the contract that they set up?
Rep Porter, Can a special meeting be called for a vote. For example, can you get 25 voters to sign on for the special meeting and have 51% pass the conversion school?
Response: He i not sure, this is not his field of expertise (requirements for town meeting).
Rep Nelson, If a town makes a switch, can they switch back to the following year.
Response: Yes

Respectfully submitted,

Rep. Melissa Litchfield, Clerk

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB1132 Date 1/26/22

Committee EDU

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
Rep Kay Wray Cox			Rock CB	✓	
MATT SOUTHERTON			CHARTER SCHOOL ALLIANCE	✓	
Alvin See	Loudon		Self	✓	
Rep Jasmine Potter			Hills 21	✓	

House Remote Testify

Education Committee Testify List for Bill HB1132 on 2022-01-26

Support: 9 Oppose: 5 Neutral: 0 Total to Testify: 0

Export to Excel

Name	City, State Email Address	Title	Representing	Position	Testifying	Non-Germane	Signed Up
Reagan, Senator John	Deerfield, NH kathryn.cummings@leg.state.nh.us	An Elected Official	Senate District 17	Support	No	No	1/5/2022 3:29 PM
Ward, Senator Ruth	Stoddard, NH ruth.ward@leg.state.nh.us	An Elected Official	Senate District 8	Support	No	No	1/6/2022 12:14 PM
Staude, Sally	Dover, NH Shstaude@comcast.net	A Member of the Public	Myself	Support	No	No	1/23/2022 5:01 PM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Support	No	No	1/23/2022 9:38 PM
Vogt, Robin	PORTSMOUTH, NH robin.w.vogt@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 7:51 AM
Domenico, William	Manchester, NH bill@resunltd4u.com	A Member of the Public	Myself	Support	No	No	1/24/2022 9:54 AM
Beaudoin-Friede, Forrest	Peterborough, NH forrestvader@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 11:59 AM
Reed, Sarah	Concord, NH stubbs.saraha@gmail.com	A Member of the Public	Myself	Support	No	No	1/24/2022 12:46 PM
chapman, kevin	marlborough, NH denoct103@yahoo.com	A Member of the Public	Myself	Support	No	No	1/24/2022 5:28 PM
Ferrantello, Anthony	Keene, NH ajfnino@gmail.com	A Member of the Public	Myself	Support	No	No	1/25/2022 6:19 PM
Howes, Debrah	Bow, NH president@aft-nh.org	A Lobbyist	American Federation of Teachers - NH	Oppose	No	No	1/26/2022 8:47 AM
Raff, Alan	Manchester, NH araff9@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/26/2022 10:44 AM
Brackett, Glenn	Hooksett, NH communications@nhaflcio.org	A Lobbyist	NH AFL-CIO	Oppose	No	No	1/26/2022 2:29 PM

goodwin, shawn	Manchester, NH sgoody2221@aol.com	A Member of the Public	Myself		Support	No	No	1/26/2022 10:15 PM

New Hampshire School Boards Association

Barrett M. Christina, Executive Director
Brenda Willis, President, Derry Cooperative
Holly Kennedy, First Vice-President, Hinsdale
Travis Thompson, Past-President, Exeter Regional Cooperative

25 Triangle Park Drive, Suite 101
Concord, NH 03301
Phone: (603) 228-2061
www.nhsba.org

January 25, 2022

Dear Chairman Ladd and members of the House Education Committee,

On behalf of the New Hampshire School Boards Association, please accept this correspondence as NHSBA's written testimony relative to the multitude of bills listed below, related to the provision of special education services and related to general education in charter schools:

HB 1047: relative to the chartered public school joint legislative oversight committee.

HB 1074: relative to notice to a chartered public school of a special education services meeting.

HB 1132: relative to applications for a charter conversion school.

HB 1141: relative to special education services for children in chartered public schools.

HB 1193: relative to chartered public school fees and enrollment policies.

HB 1212: relative to charges for chartered public school transportation.

HB 1402: relative to inclusion of chartered public schools in school district bond issuance votes.

HB 1428: relative to the provision of special education services by chartered public schools.

HB 1453: relative to transportation to a chartered public school.

HB 1499: relative to chartered public school eligibility for state school building aid.

There are also two Senate bills related to charter schools:

SB 238: relative to special education services in chartered public schools.

SB 386: relative to the determination of state adequate education grants and chartered public school tuition amounts.

It should be noted that local districts have attempted to gain clarity around the provision of special education services in public charter schools, offering information and fiscal impacts, as well as providing additional data to, and gathering additional information from, the New Hampshire Department of Education.

In 2021, the NH State Board of Education was scheduled to hold two "retreat" days, to discuss special education in charter schools, stating that experts, as well as those in the field, would be presenting to the state board, in a collaborative effort to potentially revise the charter school rules to reach a better understanding between charter schools and local districts. While the state board did hold one day of "retreat" to discuss general education in charter schools, the days dedicated to addressing special education in charter schools were never held.

It is also important to recognize that New Hampshire is the only state which handles special education in public charter schools in our current format. There are no other states to look to, in regards to implementation of special education services by multiple districts based on the student's district of residence in one charter school, and to address the complexities of this model.

NHSBA would support the possibility of a Memorandum of Understanding being developed by the Department of Education, to be used between public charter schools and local school districts, which would encapsulate the concerns brought forth in the charter school bills filed this session. Additional topics addressed could include, but not be limited to such topics as what is considered the least restrictive environment, rate setting by the Department of Education for charter schools to bill back to local districts for special education or related services, transportation of students to charter schools, meeting notification, etc. All of these concerns are currently left to local districts now, to negotiate with each separate charter school where students attend. For some districts, this can mean trying to meet with between 5-10 charter schools, some far from the district of residence.

Please do not hesitate to reach out with any further questions or if NHSBA can be of any further assistance.

Respectfully submitted,

Rebecca R. Wilson, NHSBA, Director of Governmental Relations

Archived: Thursday, February 10, 2022 11:15:53 AM
From: Mike Chenard
Sent: Wednesday, January 26, 2022 6:39:29 PM
To: ~House Education Committee
Subject: HB1132
Importance: Normal

As part of the education system and a parent I do not support this bill and think it should be either votes against or removed from the schedule

Sent from my iPhone

HB 1132 - AS INTRODUCED

2022 SESSION

22-2439
10/11

HOUSE BILL ***1132***

AN ACT relative to applications for a charter conversion school.

SPONSORS: Rep. Ladd, Graf. 4; Rep. Shaw, Hills. 16; Rep. Boehm, Hills. 20; Rep. Cordelli, Carr. 4; Rep. Hill, Merr. 3; Rep. Weyler, Rock. 13; Rep. Umberger, Carr. 2; Rep. Hobson, Rock. 35; Sen. Reagan, Dist 17; Sen. Ward, Dist 8

COMMITTEE: Education

ANALYSIS

This bill removes certain vote requirements for conversion of a public school to a chartered public school and adds the requirement for a majority vote of the school district at a regular annual meeting or special meeting.

- -

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

22-2439
10/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to applications for a charter conversion school.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Chartered Public Schools; Public School Vote for Charter Conversion. Amend RSA 194-B:3, VI to read as follows:

VI.(a) Any existing public school may by a vote of the school board ***and a majority vote taken by the school district at a regular annual meeting or at a special meeting pursuant to RSA 195, RSA 197, or the governing charter, called for the purpose and provided that an article is inserted in the warrant for said meeting to*** become a charter conversion school[, ~~provided that, in addition to all other requirements of this chapter for establishment of a chartered public school:~~

~~(1) A majority of its prospective teachers vote by ballot to approve such conversion in a district with more than one school, or 2/3 of the teachers so vote in a single school district.~~

~~(2) The school superintendent and principal both provide their approval in writing~~].

(b) All pupils attending a school which successfully converts to charter status shall be eligible for admission to such chartered public school.

2 Effective Date. This act shall take effect 60 days after its passage.