

REGULAR CALENDAR

November 13, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Education to which was referred HB 628-FN, requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

WITHOUT RECOMMENDATION

COMMITTEE REPORT

Committee:	Education
Bill Number:	HB 628-FN
Title:	requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.
Date:	November 13, 2023
Consent Calendar:	Regular Calendar
Recommendation:	WITHOUT RECOMMENDATION

Statement in support of Ought to Pass with Amendment: This bill, as amended, is a bill that would require federal criminal background checks for all employees and designated volunteers at non-public schools and other educational services that accept taxpayer resourced, public funding. As amended, this bill does not apply to traditional in home schooling. Under current law, non-public schools and educational entities that provide instructional services may, but are not required to, obtain criminal background checks on all employees. Only public schools and charter schools are required by law to acquire comprehensive, federal criminal background checks on all employees and designated volunteers that include specific areas like domestic abuse, child abuse, child pornography, and sexual assault. Non-government checks used by educational services and non-public schools are often internet searches by a third party. The state has a compelling interest in ensuring the safety of all children. This bill will require, within the state's expanded educational opportunities, the same public school requirements for criminal background checks designed to help protect children from grievous harm and abuse.

Amendment: 2023-2300h

Rep. Linda Tanner

Statement in support of Inexpedient to Legislate: This bill requires background checks for employees and volunteers of any non-public school, education service provider, or home education program that accepts students receiving Education Freedom Accounts (EFA). Though non-public schools are currently not required by statute to perform back ground checks, they are already doing them due to accreditation requirements, policy requirements, or insurance requirements. These background checks are the same record checks performed by public schools. Home education program requirements in the bill are contradictory. If a parent accepts EFA funds, the original bill required a parent to have a background check for educating their own child. The amendment seems to exclude parents, but not others, such as a music teacher or parents in a cooperative. This bill is unworkable. Individuals cannot get Federal Bureau of Investigation (FBI) background checks like public schools and records can only be sent to a state agency. This bill is unenforceable. Who would monitor compliance? This effort to protect children is already done by non-public schools and unworkable for home education parents.

Amendment:

Rep. Margaret Drye

Original: House Clerk

Cc: Committee Bill File

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Education

HB 628-FN, requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers. **WITHOUT RECOMMENDATION**
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Rep. Linda Tanner

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Rep. Margaret Drye

Original: House Clerk

Cc: Committee Bill File

Amendment to HB 628-FN

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 New Section; Contractors; Nonpublic Schools; Education Service Providers; Department of
4 Education; Criminal History Background Checks. Amend RSA 21-N by inserting after section 9 the
5 following new section:

6 21-N:9-a Department Contracts; Nonpublic Schools; Education Service Providers; Criminal
7 History Background Checks. Any employee or designated volunteer of a nonpublic school, education
8 service provider, or other entity contracted or paid tuition either under the education freedom
9 account program or by a children's scholarship organization for educational services by the
10 department or state board of education, that provides in-person instruction to students, shall comply
11 with the submission of a criminal history background check as described under RSA 189:13-a. This
12 shall not apply to parents providing at home school education.

13 2 New Paragraph; Education Tax Credit; Department of Education; Nonpublic Schools;
14 Education Service Providers; Criminal History Checks. Amend RSA 77-G:7 by inserting after
15 paragraph II the following new paragraph:

16 II-a. The department of education shall require that all employees and designated
17 volunteers of nonpublic schools or non profit entities offering an educational program that are under
18 the department's Learn Everywhere program, the education freedom accounts program, or are
19 children's scholarship organization funded programs shall provide the department a criminal history
20 records check policy that include a statement affirming that the sponsoring entity shall not allow
21 instruction or student contact by a person who has been charged pending disposition for, or convicted
22 of, any violation or attempted violation of any of the offenses as outlined in RSA 189:13-a, V
23 pursuant to a criminal history records check conducted by the department of safety as outlined in
24 administrative rules Saf-C 5703.06 through Saf-C 5703.11.

25 3 New Subparagraph; Education Freedom Accounts Program; Requirements for Education
26 Service Providers; Criminal History Background Checks. Amend RSA 194-F:6, II by inserting after
27 subparagraph (c) the following new subparagraph:

28 (d) Submit the results of a criminal history records check which complies with the
29 requirements of RSA 189:13-a for any employee or selected designated volunteer providing
30 instruction in person to an EFA student. This section shall not pertain to a parent giving a non-EFA
31 home education program to their children.

32 4 Effective Date. This act shall take effect 60 days after its passage.

HOUSE COMMITTEE ON Education

BILL NUMBER: HB 628-FN

BILL TITLE: requiring certain non-public schools or education
service providers that accept public funds to perform
background checks on all employees and volunteers.

DATE: March 6, 2023

THE COMMITTEE HAS VOTED TO RETAIN THIS BILL.

Rep. Ladd, Chair

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 628-FN

BILL TITLE: requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

DATE: November 13, 2023

LOB ROOM: 205-207

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Drye

Seconded by Rep. Peternel

Vote: 10-10

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Tanner

Seconded by Rep. Myler

AM Vote: 10-10

Amendment # 2023-2300h

Moved by Rep. Myler

Seconded by Rep. Tanner

Vote: 10-10

☒ **WITHOUT RECOMMENDATION**

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Arlene Quaratiello, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 628-FN

BILL TITLE: requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

DATE: March 6, 2023

LOB ROOM: 205-207

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. A. Lekas

Seconded by Rep. McDonnell

Vote: 10-10

MOTIONS: RETAINED

Moved by Rep. Tanner

Seconded by Rep. Myler

Vote: 13-7

Respectfully submitted,

Rep Arlene Quaratiello, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/6/2023 12:35:36 PM
Roll Call Committee Registers
Report

2023 SESSION

Education

Bill #: HB 128 Motion: OTP AM #: _____ Exec Session Date: 11/13/23

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman		10	
Cordelli, Glenn Vice Chairman		1	
Lekas, Alicia D.		2	
Ford, Oliver J. Clerk		3	
Belcher, Mike S		4	
Drye, Margaret M.		5	
McDonnell, Valerie E		6	
Noble, Kristin		7	
Peternel, Katy		8	
Quaratiello, Arlene		9	
Myler, Mel	1		
Cornell, Patricia	2		
Tanner, Linda L.	3		
Luneau, David J.	4		
Ellison, Arthur S. <i>Heath, Mary</i>	5		
Woodcock, Stephen L.	6		
Hall, Muriel C.	7		
Balboni, Peggy	8		
Cascadden, Corinne E	9		
Damon, Hope	10		
TOTAL VOTE:	10	10	



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/6/2023 12:35:36 PM
Roll Call Committee Registers
Report

2023 SESSION

Education

Bill #: HB 628 FN Motion: Adopt Amendment AM #: 2300h Exec Session Date: 11/13/23

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman		10	
Cordelli, Glenn Vice Chairman		1	
Lekas, Alicia D.		2	
Ford, Oliver J. Clerk		3	
Belcher, Mike S		4	
Drye, Margaret M.		5	
McDonnell, Valerie E		6	
Noble, Kristin		7	
Peternel, Katy		8	
Quaratiello, Arlene		9	
Myler, Mel	1		
Cornell, Patricia	2		
Tanner, Linda L.	3		
Luneau, David J.	4		
Ellison, Arthur S. <i>Heath, Mary</i>	5		
Woodcock, Stephen L.	6		
Hall, Muriel C.	7		
Balboni, Peggy	8		
Cascadden, Corinne E	9		
Damon, Hope	10		
TOTAL VOTE:	10	10	



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/6/2023 12:35:36 PM
Roll Call Committee Registers
Report

2023 SESSION

Education

Bill #: HB 628^{FN} Motion: ITL AM #: _____ Exec Session Date: 11/13/23

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman	10		
Cordelli, Glenn Vice Chairman	1		
Lekas, Alicia D.	2		
Ford, Oliver J. Clerk	3		
Belcher, Mike S	4		
Drye, Margaret M.	5		
McDonnell, Valerie E	6		
Noble, Kristin	7		
Peternel, Katy	8		
Quaratiello, Arlene	9		
Myler, Mel		1	
Cornell, Patricia		2	
Tanner, Linda L.		3	
Luneau, David J.		4	
Ellison, Arthur S. <i>Heath, Mary</i>		5	
Woodcock, Stephen L.		6	
Hall, Muriel C.		7	
Balboni, Peggy		8	
Cascadden, Corinne E		9	
Damon, Hope		10	
TOTAL VOTE:	10	10	

OFFICE OF THE HOUSE CLERK



1/6/2023 12:35:36 PM
Roll Call Committee Registers
Report

2023 SESSION

Education

Bill #: HB 628 Motion: Retain AM #: _____ Exec Session Date: 3/6/23

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman	13		
Cordelli, Glenn Vice Chairman	1		
Lekas, Alicia D.		2 1	
Ford, Oliver J. Clerk		3 2	
Belcher, Mike S.		4 3	
Drye, Margaret M. <i>Notter</i>	2	5	
McDonnell, Valerie E.		6 4	
Noble, Kristin		5	
Peternel, Katy		6	
Quaratiello, Arlene		7	
Myler, Mel	3		
Cornell, Patricia	4		
Tanner, Linda L.	5		
Luneau, David J.	6		
Ellison, Arthur S.	7		
Woodcock, Stephen L.	8		
Hall, Muriel C. <i>Morton</i>	9		
Balboni, Peggy	10		
S Cascadden, Corinne E.	11		
Damon, Hope	12		
TOTAL VOTE:	13	7	

HOUSE COMMITTEE ON EDUCATION

SUBCOMMITTEE WORK SESSION on HB 628-FN

BILL TITLE: requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

DATE: October 17, 2023

Subcommittee Members: Reps. Cordelli, Quaratiello, Peternel, Luneau, Damon and Myler

Comments and Recommendations: Discussed proposed amendment that would clarify bill does not pertain to home school. No action taken.

Respectfully submitted,

Rep. Arlene Quaratiello
Subcommittee Clerk

HOUSE COMMITTEE ON EDUCATION

SUBCOMMITTEE WORK SESSION on HB 628-FN

BILL TITLE: requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

DATE: September 26, 2023

Subcommittee Members: Reps. Cordelli, Quaratiello, Noble, Cornell, Tanner and Luneau

Comments and Recommendations: Subsequent meeting to discuss amendments.

Respectfully submitted,

Rep. Arlene Quaratiello
Subcommittee Clerk

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 628-FN

BILL TITLE: requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

DATE: February 10, 2023

LOB ROOM: 205-207

Time Public Hearing Called to Order: 1:45pm

Time Adjourned: 2:45 pm

Committee Members: Reps. Ladd, Cordelli, O.Ford Belcher, Drye, McDonnell, Noble, Peternel, Myler, Cornell, Tanner, Ellison, Woodcock, Hall, Balboni, Cascadden and Damon

Bill Sponsors:

Rep. Tanner

Rep. Heath

Rep. Luneau

Rep. Cornell

Rep. Fellows

Rep. Damon

Sen. Prentiss

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

***Rep. Tanner - Prime Sponsor**

- Background checks on people working with students are important. The Health Everywhere program and EFAs expose students to some who may not have had background checks.

***Michelle Levell - Granite State Home Educators**

- Oppose
- Reminded the committee of previous bills that extended the reach of the background checks to traditional, 193-A home education programs. NH already has a long list of mandatory reporters of suspected abuse. There is no empirical evidence that suggests home education should be included simply because they may use co-ops when home schooling.
- Emailed testimony.

Christy Whipple - Newport Montessori School

- Opposes
- Does do background checks on all employees but does not do them on volunteers, as they are never alone with any child not their own without that child's parents permission.

Emily VanPatten

- Opposes
- Finds the idea of checking home educating parents ridiculous.

Abigail Bellemore

- Opposes
- Runs an unfunded home-schooling coop and is also a traditional home-schooling parent.
- (No public funds involved) Feels collaboration between home schoolers should not be subject to background checks

Kenneth Rantree

- Opposes
- Doesn't define home school program and the language is vague as to how one person accepting funds might affect home school coops, and might discourage participation by families.

***Kate Shea**

- Opposes
- Mother of 4 children who has children in different programs who use scholarships.
- Described this bill as a slippery-slope that adds burdens and expense. No group is asking for this.
- Will send electronic testimony

***Jenn Pedone**

- Opposes
- Background checks aren't required for any other tax credit situation - why this one?
- Submitted written testimony

Michelle Rohrbacher

- Opposes
- Participates in Ed. Tax Credit program and is not a tax-funded program.
- There is no funding mechanism for this bill nor any advise about what to do if someone fails a background check.

Russan Chester

- Opposes
- Had a child who was abused by a public school teacher and was forced to remove her child to private school. Believes this is more than a slippery-slope; it is discriminatory.

Respectfully submitted,

Rep. Margaret Drye, Clerk

House Remote Testify

Education Committee Testify List for Bill HB628 on 2023-02-10

Support: 93 Oppose: 91 Neutral: 0 Total to Testify: 0

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<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Pelletier, Jess	Plaistow, NH jesspell19@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/1/2023 12:24 PM
AXELMAN, ELLIOT	Hooksett, NH alu.axelman@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2023 12:11 AM
Bobolia, James and Jennifer	Derry, NH jjbobolia@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/2/2023 4:36 PM
McLeod, Martha	Franconia, NH mmcleod823@gmail.com	A Member of the Public	Myself	Support	No	No	2/5/2023 8:56 PM
Damon, Claudia	Concord, NH cordsdamon@gmail.com	A Member of the Public	Myself	Support	No	No	2/5/2023 9:36 PM
Coon, Kate	Peterborough, NH kate2coon@gmail.com	A Member of the Public	Myself	Support	No	Yes	2/5/2023 10:13 PM
Bergevin, Leslie	Loudon, NH Leslie.bergevin@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 8:44 AM
Lurie, Elizabeth	Plainfield, NH ehlurie@comcast.net	A Member of the Public	Myself	Support	No	No	2/6/2023 8:46 AM
Rohrbacher, Michelle	Barrington, NH Michellerohrbacher777@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/6/2023 9:12 AM
Alexander, Christine	Cornish, NH calex8@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 9:19 AM
Platt, Liz-Anne	CONCORD, NH lizanneplatt09@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 10:26 AM
Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Support	No	No	2/6/2023 10:38 AM
Devore, Gary	Pembroke, NH torin_asheron@yahoo.com	A Member of the Public	Myself	Support	No	No	2/6/2023 10:51 AM

QUISUMBING-KING, Cora	Dover, NH coraq@comcast.net	A Member of the Public	Myself	Support	No	No	2/6/2023 11:06 AM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	2/6/2023 11:14 AM
Vincent, Laura	Loudon, NH lvlauravincen5@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 11:21 AM
Straiton, Marie	Pembroke, NH m.straiton@comcast.net	A Member of the Public	Myself	Support	No	No	2/6/2023 11:22 AM
HALLOCK, LINDA	Cornish, NH lindash@mail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 11:30 AM
Koch, Helmut	Concord, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 11:54 AM
Spielman, Kathy Sue	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	No	2/6/2023 11:56 AM
Satterfield, Peter	Pembroke, NH psatterfield@comcast.net	A Member of the Public	Myself	Support	No	No	2/6/2023 11:57 AM
Keeler, Margaret	New London, NH peg5keeler@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 12:05 PM
Lindpaintner, Lyn	Concord, NH lynlin@bluewin.ch	A Member of the Public	Myself	Support	No	No	2/6/2023 12:54 PM
Podlipny, Ann	chester, NH apodlipny57@comcast.net	A Member of the Public	Myself	Support	No	No	2/6/2023 1:42 PM
Raspiller, Cindy	Mont Vernon, NH raspicl@hotmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 2:00 PM
Brown, Howard	Mont Vernon, NH hobro39@hotmail.com	An Elected Official	Myself	Support	No	No	2/6/2023 2:02 PM
Mattlage, Linda	Concord, NH l.mattlage@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 2:41 PM
Moore, Susan	Franconia, NH susan.moore.franconia@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 2:56 PM
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Support	No	No	2/6/2023 3:20 PM
Bissex, Hannah	Rindge, NH hannahinrindge@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 3:31 PM
Thomas, A	Rindge, NH annekerosie@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 3:31 PM

Merlone, Lynn	Rindge, NH prulone@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 3:31 PM
Hershey, Jane	Rindge, NH janelhershey@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 3:31 PM
Martin, Patricia	Rindge, NH pmartin2894@yahoo.com	A Member of the Public	Myself	Support	No	No	2/6/2023 3:31 PM
Wessels, Susan	RINDGE, NH slwessels2010@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 3:31 PM
Hamer, Gary	Manchester, NH grhamer@aol.com	A Member of the Public	Myself	Support	No	No	2/6/2023 7:00 PM
Parshall, Lucius	Marlborough, NH lucius.parshall@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/6/2023 7:46 PM
Meuse, David	Portsmouth, NH David.Meuse@leg.state.nh.us	An Elected Official	Rockingham 37	Support	No	No	2/6/2023 7:59 PM
Smith, Sara	Pembroke, NH sara.rose.ssmith@gmail.com	A Member of the Public	Myself	Support	No	No	2/6/2023 9:13 PM
Bishop, Nancy	Plaistow, NH nanbis71@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 12:09 AM
Campbell, Karen	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 7:40 AM
Friedman, Jennifer	Keene, NH Jennifer@friedman.org	A Member of the Public	Myself	Support	No	No	2/7/2023 7:43 AM
Spier, Carry	Nashua 03064, NH carry.spier@hotmail.com	An Elected Official	Myself	Support	No	No	2/7/2023 7:49 AM
Corell, Elizabeth	Concord, NH Elizabeth.j.corell@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 8:55 AM
Medeiros, Jesse	Plainfield, NH bgtrck458@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/7/2023 9:42 AM
Taylor, Frances	Holderness, NH eggglady5@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 9:55 AM
Redmond-Scura, Maureen	Concord, NH mscura@comcast.net	A Member of the Public	Myself	Support	No	No	2/7/2023 10:17 AM
Walker, Deborah Klein	Meredith, NH deb.publichealth@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 10:53 AM
Wikstrom, Kathleen	Exeter, NH kjwtikstrom@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/7/2023 12:21 PM

Karney, Stephen	Amherst, NH stephenakarney@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/7/2023 12:33 PM
Blanchard, Sandra	Loudon, NH sandyblanchard3@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 1:26 PM
Black, William	Hanover, NH billblacknh@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 3:15 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 4:12 PM
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 6:50 PM
DeMark, Harriet	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 6:51 PM
Koch, Laurie	Concord, NH kochlj@aol.com	A Member of the Public	Myself	Support	No	No	2/7/2023 7:02 PM
Riel, Jennifer	Barnstead, NH Jenniferriel@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/7/2023 7:17 PM
Heath, Ruth	Canterbury, NH ruthmheath@comcast.net	A Member of the Public	Myself	Support	No	No	2/7/2023 8:21 PM
Anderson, Sarah-Elizabeth	Concord, NH sarah_elizabeth@mac.com	A Member of the Public	Myself	Support	No	No	2/7/2023 9:50 PM
Baucom, Pam	Walpole, NH ptubridybaucom@gmail.com	A Member of the Public	Myself	Support	No	No	2/7/2023 9:52 PM
Schuett, Dianne	Pembroke, NH dianne.schuett@leg.state.nh.us	An Elected Official	Myself and my constituents	Support	No	No	2/7/2023 11:44 PM
Bellemare, Bridey	Concord, NH bbellemare@nhasp.org	A Lobbyist	The New Hampshire Association of School Principals	Support	No	No	2/8/2023 11:19 AM
Millett, Ruth	Rumney, NH rem1752nh@gmail.com	An Elected Official	Myself	Oppose	No	No	2/8/2023 11:44 AM
Murray, Kate	New Castle, NH dr.karma2000@gmail.com	An Elected Official	Myself	Support	No	No	2/8/2023 11:52 AM
VanPatten, Emily	Deering, NH Emily.b.vanpatten@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/8/2023 3:29 PM
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/8/2023 4:08 PM
Laker-Phelps, Gail	Chichester, NH lpsart@tds.net	A Member of the Public	Myself	Support	No	No	2/8/2023 4:52 PM

Almy, Susan	Lebanon, NH susan.almy@comcast.net8	An Elected Official	Myself	Support	No	No	2/8/2023 4:52 PM
Steel, Laura	Plainfield, NH lfsteel@verizon.net	A Member of the Public	Myself	Support	No	No	2/8/2023 6:14 PM
Lane, Connie	Concord, NH connie.lane@leg.state.nh.us	An Elected Official	Constitutents	Support	No	No	2/8/2023 6:41 PM
Moore, Michael	Rochester, NH Mcmiore0824@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/8/2023 9:08 PM
Brennan, Nancy	Weare, NH burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2023 9:13 PM
Keegan, John	Boscawen, NH peoresnada@tds.net	A Member of the Public	Myself	Support	No	No	2/8/2023 10:06 PM
Timmons, Gloria	Nashua, NH ldygt@comcast.net	An Elected Official	Myself	Support	No	No	2/8/2023 10:24 PM
Gathright, Jahmar	NASHUA, NH gathrightjahmar@gmail.com	A Member of the Public	Myself	Support	No	No	2/8/2023 10:51 PM
Ealy, Elven	Litchfield, NH r_ealy@msn.com	A Member of the Public	Myself	Support	No	No	2/8/2023 11:03 PM
Caton, Mark	Merrimack, NH markcaton55@outlook.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 1:44 AM
Altura, Laura	Rochester, NH Llaltura@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 1:51 AM
MacGregor, Leslie	Grantham, NH lsmacgregor@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2023 8:16 AM
Meeserve, Barbara	Jackson, NH Allsnowdays@yahoo.com	A Member of the Public	Myself	Support	No	No	2/9/2023 8:18 AM
Doherty, David	Pembroke, NH, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2023 8:36 AM
Lamphier, Regan	Nashua, NH reganburkelamphier@gmail.com	An Elected Official	Myself	Support	No	No	2/9/2023 8:55 AM
Groft, Lisa	Somersworth, NH lisagroft@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 9:11 AM
Sullivan-Harrington, Barbee	Barrington, NH sully@gsinet.net	A Member of the Public	Myself	Oppose	No	No	2/9/2023 9:38 AM
Rettew, Annie	Concord, NH abrettew@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2023 10:09 AM

Itse, Daniel	Manchester, NH itsenh@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/9/2023 10:39 AM
Daves, Amber	Deerfield, NH Amberdaves08@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 11:46 AM
Nelson, Deborah	Hanover, NH dbaconnelson@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2023 12:20 PM
Lancotot, Jennifer	Amherst, NH ccjenny91@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 1:13 PM
Zuech, Sarah	Laconia, NH loeb_sarah@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 1:14 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/9/2023 2:09 PM
Fudge, Kim Marie	NORTH CONWAY, NH kimfudge20@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2023 2:47 PM
Groft, Michael	SOMERSWORTH, NH M.groft@live.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 4:50 PM
Brisson, Angel	Manchester, NH Angelbrisson72@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 5:07 PM
Brisson, David	Manchester, NH Overmann@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/9/2023 5:07 PM
Dunn, Robert	Manchester, NH rdunn@rcbm.org	A Lobbyist	Roman Catholic Bishop of Manchester	Oppose	No	No	2/9/2023 5:41 PM
Craig, Lauren	Hollis, NH laurenthebee@aol.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 5:46 PM
Craig, Derek	Hollis, NH derekcraig72@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 5:47 PM
Markey, Carrie	Rumney, NH cmarkey99@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 6:16 PM
Collins, Kelly	Hancock, NH kellyanncollins@live.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 6:48 PM
Staples, Monica	Nashua, NH monica.staples@gmail.com	A Member of the Public	Myself	Support	No	No	2/9/2023 7:49 PM
Cote, Lois	Manchester, NH, NH lcote06@outlook.com	A Member of the Public	Myself	Support	No	No	2/9/2023 9:02 PM
Perencevich, Ruth	Concord, NH rperence@comcast.net	A Member of the Public	Myself	Support	No	No	2/9/2023 9:16 PM

Banfield, Ann Marie	North Hampton, NH banfielddannmarie@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 9:18 PM
Kensey, Tara	Meredith, NH GiveGrace@Duck.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 9:43 PM
Landis, Devon	Warren, NH devonlandis@mac.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 10:10 PM
Billingham, Carla	Salem, NH billingham2@comcast.net	A Member of the Public	Myself	Support	No	No	2/9/2023 10:27 PM
Petrusewicz, Carol	Rochester, NH clmcc2befree@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/9/2023 10:43 PM
Burnham, Claudine	Milton, NH Claudine.Burnham@leg.state.nh	An Elected Official	Myself	Oppose	No	No	2/9/2023 11:15 PM
Boudman, Roberta	Wolfeboro, NH boudwoman2@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 12:58 AM
Istel, Claudia	Acworth, NH cistel79@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 3:34 AM
Freeman, Honorable Lisa M	Tilton, NH lisamfreeman@protonmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 6:00 AM
Kelley, Natalie	Sanbornville, NH natalielkelley@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 6:36 AM
Chase, Karen	Hanover, NH kpchase@verizon.net	A Member of the Public	Myself	Oppose	No	No	2/10/2023 6:47 AM
Bowley, Bonnie	Danville, NH, NH gracepaul517@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 7:28 AM
Rohrbacher, Ian	Barrington, NH mirohr2001@yahoo.com	A Member of the Public	Myself/family	Oppose	No	No	2/10/2023 8:36 AM
Romito, Susan	Hollis, NH Susanromito@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:03 AM
Romito, Christopher	Hollis, NH Chris.romito@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:06 AM
Weber, Jill	Mont Vernon, NH jill@frajilfarms.com	A Member of the Public	Myself	Support	No	No	2/10/2023 9:10 AM
Condon, Laura	Bedford, NH lauracondon49@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:17 AM
PHILLIPS, EMILY	FREMONT, NH emily.phillips@state.leg.nh.us	An Elected Official	Myself	Oppose	No	No	2/10/2023 9:18 AM

DePierre, Cassaundra	Fremont, NH cassaundra.janvrin@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:22 AM
Miles, Nancy	Hanover, NH nmiles3342@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 9:49 AM
Ufford, Letitia	Hanover, NH letitia.ufford@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 10:09 AM
Caudill Slosberg, Margaret	Hanover, NH margarets08@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 10:11 AM
Holcombe, Susan	Hanover, NH shholcombe@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 10:20 AM
Wilke, Mary	CONCORD, NH wilke.mary@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 10:31 AM
HoeH, Sandra	Hanover, NH SuhoeH@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 10:41 AM
Martin, Lucretia	Hanover, NH Lucretia.L.Martin@Dartmouth.EDU	A Member of the Public	Myself	Support	No	No	2/10/2023 10:42 AM
Bellemore, Abigail	Chester, NH Lavenderbellemore7@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 10:48 AM
Rand, Cindy	Hanover, NH cynthiarand@comcast.net	A Member of the Public	Myself	Support	No	No	2/10/2023 11:20 AM
Racusin, Sharon	Hanover, NH sdracusin@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 11:37 AM
Clock, Crystal	Candia, NH cclock44@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 11:47 AM
Bass, Patricia	Concord, NH pattybass@comcast.net	A Member of the Public	Myself	Support	No	No	2/10/2023 11:48 AM
White, Sara	Hillsboro, NH goscorwin@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 12:18 PM
Nugent-Mullarkey, Patricia	Nottingham, NH mamacita45@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 12:23 PM
Mullarkey, Jr., William	Nottingham, NH bmllrky@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 12:24 PM
Parks, Sharon	Hanover, NH sharondalozparks@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 12:25 PM
Stoughton, Beverly	Salem, NH bevstoughton@ gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 12:32 PM

M Patterson, Amanda	New Ipswich, NH mrspatterson111811@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 1:39 PM
LaMontagne, Jessica	Dover, NH finnlamontagne@gmail.com	An Elected Official	Myself	Support	No	No	2/10/2023 2:25 PM
Gildersleeve, Darlene	Hopkinton, NH dmcote88@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 2:32 PM
LeVasseur, Nicole	Chester, NH elocin432@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/10/2023 2:58 PM
Kishinevsky, Rebecca	Wilton, NH rp.kishinevsky@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 3:02 PM
Covatis, Kristen	Londonderry, NH kcovatis@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 3:41 PM
Jones, Molly	Hampton Falls, NH molly.patricia.jones@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 3:53 PM
Turcotte, Angela	Dover, NH daredfam217@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 4:33 PM
morgan, meredith	hanover, NH meredithm@kahres.org	A Member of the Public	Myself	Support	No	No	2/10/2023 4:49 PM
McCullough, Kristina	Concord, NH cosmiclord111@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 5:42 PM
Schmitt, Jamie	Salem, NH Ganj33@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 6:23 PM
Micheli, Victoria	Laconia, NH swensonkids3@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 7:04 PM
Maily, Douglas	Mont Vernon, NH Dmailly@protonmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 7:42 PM
Schmitt, John	Salem, NH Demmacstogu@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 7:50 PM
Sinclair, Claudia	Nashua, NH claudia.sinclair01@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 8:05 PM
Coughlin, Kimberly	Bedford, NH Kimberlycoughlin10@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 8:23 PM
Hall, Angela	Chester, NH Angelahall8298@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 8:51 PM
Horsley, Susan	Hudson, NH Endodoc91@aol.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 8:57 PM

Simmonds, Richard	Manchester, NH skillinie11@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:00 PM
Canavan, James	Nashua, NH Betty0230@aol.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:00 PM
Humboldt, Kristin	Manchester, NH krourke83@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:01 PM
Powell, Margaret	Hanover, NH mepbox1@gmail.com	A Member of the Public	Myself	Support	No	No	2/10/2023 9:03 PM
Zorawowicz, Kyle	Goffstown, NH kzorawowicz@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:06 PM
Zorawowicz, Laura	Goffstown, NH L.Zorawowicz@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:06 PM
Lewis, Manario	Manchester, NH Demekolewis@icloud.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:09 PM
Flynn, Andre	Milford, NH AndreFlynn687@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:09 PM
Crossfield, Michael	Manchester, NH Michael.pumba27@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:09 PM
Simmonds, Caroline	Manchester, NH Csico43@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:09 PM
Duncanson, Neco	Manchester, NH necoduncanson13@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:10 PM
Kumar, Amar	Newton, MA Amarkumar81@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:13 PM
Shea, Katherine	Goffstown, NH klynshea4618@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:18 PM
Andujar, Hector	Manchester, NH handujar74@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:21 PM
Rose, Kathryn	Goffstown, NH Krosebetteredu@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:23 PM
Paduani-Andujar, Carmen	Manchester, NH luzcp4212@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:25 PM
Willobee, Kathryn	Rochester, NH kathrynlhunter3@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:26 PM
Kolias, Ron	Goffstown, NH chillamanilla@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:31 PM

Blackburn, Ginger	Nashua, NH gingerblackburn@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:32 PM
Rose, Wayne	Nashua, NH wrose420@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:34 PM
Canavan, Ian	Derry, NH Ian.canavan614@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 9:42 PM
Hedderly, Amy	Francestown, NH amyhedderly@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 10:03 PM
Fanslau, Megan	STRAFFORD, NH megan.fanslau@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 10:23 PM
Tsai, Jennie	Bedford, NH jttivoli@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 11:01 PM
Levell, Michelle	Auburn, NH Mlevell@hotmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 11:06 PM
Schag, Stephanie	Rochester, NH schaggy7@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 11:08 PM
Sandford, Wendy	Goffstown, NH rwsandford@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/10/2023 11:46 PM

HB 628 Representative Linda Tanner

HB 628 requires non public schools and education service providers that accept public funds to comply with requirements for criminal background checks for employees and volunteers.

The most important responsibility of providing education to our children is to keep them safe. One of the ways we can achieve that goal is to make sure that any persons working for contracted services or in a non public school that receives public funding undergo the same criminal background checks required for certified teachers.

Most contracted services and non public school do require background checks. Some may only require the usual employment checks that do not include crimes like child pornography or human trafficking. We do not know if all services and non public schools do run background checks especially in on line situations. This bill would ensure background checks will be required for all those entities working with students and receiving public funding.

There is often a question about defining the volunteers needing the background checks.

Designated volunteers for the extensive background check are :

those who have unsupervised time by a certified employee

Those who volunteer on a regular basis like an assistant coach

Those who working alone in a one to one situation

Those who would be working with 2 or 3 students in a private setting

The policy on who meets a designated volunteer status is the responsibility of the school or service.

February 10, 2023

To: Honorable members of the House Education Committee

From: Michelle Levell on behalf of Granite State Home Educators

Re: HB 628 requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers

My name is Michelle Levell and I am the Director of Granite State Home Educators, a NH-based 501c4, all-volunteer statewide support group. We currently have over 14,000 members across the state.

Last year, this committee considered an identical bill, HB 1664 and had a subcommittee meeting in October that expanded the bill to traditional homeschoolers, those that follow RSA 193-A, families who do not receive taxpayer-sourced financial support.

This is why I am here today to oppose HB 628 and urge the committee to not allow over-reach into traditional home-educating families.

Early in their deliberation, the subcommittee's discussion veered off topic and pulled unfunded homeschoolers into the pool of "bad actors" who supposedly may use home education to hide child abuse.

This is an unfounded accusation of families and reaches far beyond the scope of last year's HB 1664 and HB 628 that is before you today.

Traditional homeschooling families who follow RSA 193-A do not receive public funding even if they utilize Prenda, KaiPod Learning groups, or classes through the Virtual Learning Academy Charter School. Traditional homeschooling families do not have funds deposited to an account in their names so HB 628 would not and should not apply to them.

It is also an unfounded witch hunt to suggest that homeschoolers are "hiding" or using the educational option to remove their children from society's long list of mandated reporters.

In New Hampshire, every adult is a mandatory reporter of suspected child abuse. RSA 169-C requires any person who suspects child abuse or neglect to report it to authorities. This is not limited to the long list of professionals who encounter children on a regular basis – physicians, dentists, healthcare workers, and school personnel. The law expressly says "any other person." This extends the responsibility to coaches, friends, neighbors, tutors, play-group parents, librarians, and anyone else who might encounter a child who may be endangered.

The National Home Education Research Institute (NHERI) released a study in March 2022 to examine research of abuse associated with public, private, and home educated students. While there are very few studies, and several are quite old, the organization compiled results of all available research and found there is no empirical evidence to suggest that home-educated children are abused more or less than students in other educational environments.

Child abuse is abhorrent and a tragedy, regardless of where a child is enrolled.

While the goal to protect all children is universally supported, expanding HB 628 to 193-A homeschooling families simply because they home educate their children is absurd and misdirected.

If parents mistreat their children, New Hampshire law has mechanisms to remove their parental rights, and that includes their authority regarding education choices.

If this bill applies to homeschooling families who are not mistreating their children, this is entirely absurd, unfounded, and a gross over-reach of HB 628 and government intrusion.

If HB 628 is extended to 193-A homeschool families who do not receive taxpayer money, as suggested by members of the subcommittee who are on the House Education Committee today, it amounts to a baseless inquisition of homeschoolers and presumes they are guilty until proven innocent.

Granite State Home Educators urges this committee to oppose HB 628 and not involve 193-A homeschoolers in this legislation.

Good afternoon,

My name is Emily VanPatten. I am a resident of Deering, New Hampshire. Please include this testimony in the bills permanent record.

My husband and I believe so strongly in the benefits of homeschooling that in addition to having full time jobs, we have chosen to homeschool our three children. I only mention that we work full time to underscore that I oppose HB 628 so much that I was willing to rearrange my schedule and to take time off to be here today.

As you consider HB 628, please reflect on the absurdity that I should have to undergo a background check to be able to educate my children, when my number one priority is to protect them.

I didn't need a background check to have them, I shouldn't need one to be able to support their education and to nurture their learning.

HB 628 should instead mandate that government contracts shoulder the responsibility of background checks for personnel who are in direct contact with children, if it is not already required. In conclusion, I oppose HB 628. Thank you for your time.



2/8/23

Rep. Rick Ladd, Chair
House Education Committee
Legislative Office Building
Concord, NH 03301

RE: HB 628

Dear Members of the House Education Committee,

I am writing on behalf of the members of the New Hampshire Association of School Principals (NHASP) to ask that you please vote in support of [House Bill 628](#), which would require education service providers that accept public funds, and approved Learn Everywhere programs, to comply with background check laws on employees providing in-person instruction to students. We support this legislation for the following reasons:

- NHASP strongly supports legislation that increases student safety.
- HB 628 would require Learn Everywhere providers to comply with state background check laws on employees or volunteers that provide in-person instruction to students.
- NHASP strongly believes that all employees and volunteers that have direct contact with students should undergo criminal background checks to improve student safety.

We thank you in advance for your consideration. Please reach out to the New Hampshire School Principals Association (NHASP) if you have any questions, or if we can be of further assistance.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Bridey Bellemare".

Bridey Bellemare,
Executive Director, NHASP

HB628 AN ACT requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

Honorable Members of the House of Representatives Committee on Education,

For the record, I am Daniel C. Itse. I represented the town of Fremont from 2001 to 2018. I served as Chairman of Constitutional Review and Statutory Recodification in 2011/2012, and I rise in opposition to HB628.

HB628 contains logical faults as well as a misunderstanding of the premises upon which government of New Hampshire is founded. These flaws make inexpedient-to-legislate the only lawful outcome.

I have long held that position that any agent of the government which deals with children can, and ought to, require background checks. The State, its political subdivisions and agents must never be the instruments of harm. However, if you look at concluding phrase of section 3, I, it clearly states that subjects of this section of law are not agents of the State. Furthermore, if one follows the development of the system of scholarships, grants and tax credits, it is premised that such money in the hands of the families is not State money when it is ultimately used. This is especially true for the tax credits which would not otherwise pass constitution muster. Therefore, imposing this requirement is irrational and tyrannous.

I would further point out that the alternative programs under section 4, do not include nonpublic school or homes education. This language was pursuant to raising the mandatory attendance to 18, and requiring a system for those public school students for whom traditional public school was no longer appropriate.

Finally, I would point out that the fundamental structure of our society is that the first guarantor of children's rights are their parents, that the children have the right to the protection of their parents in the control of their health, education and welfare, and parents have the duty to provide that protection. This is all laid out in Locke's chapter on parental power. Choosing in nonpublic, or home education is the exercise of that power, and not a failure. Therefore, the State has no legitimate cause to impose such requirement, or make any investigation unless there is first an established probable cause to believe that the parents are failing in their duty of protection. Using nonpublic or home education does not constitute such probable cause.

I further submit, as the Supreme Court of New Hampshire has found, that these right are among those unenumerated rights in our Bill of Rights, Article 2. Please do your duty pursuant to House Rule 45 (d), protect the rights and powers of the families of New Hampshire, and determine HB628 inexpedient-to-legislate.

Hon. Daniel C. Itse

Tyranny is government in defiance of reality
(603) 702-0381



DIOCESE OF MANCHESTER

February 9, 2023

The Honorable Rick Ladd, Chair
And Members of the House Education Committee
Legislative Office Building, Room 207
Concord, New Hampshire 03301

Re: HB 628 (requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers)

Dear Mr. Chair and Members of the Committee:

As the Director of the Office of Public Policy of the Roman Catholic Diocese of Manchester, and on behalf of Bishop Peter Libasci, I write to respectfully register our **opposition to HB 628**, a bill that is identical to last year's HB 1664, which was voted out by a majority of this Committee as being not recommended for future legislation.

As a threshold matter, we disagree with the fundamental premise of the bill (set out in the title itself) that nonpublic schools become recipients of public funds when they receive tuition payments from families who are paying with scholarships under RSA 77-G or with EFAs under RSA 194-F. We think that this premise is at odds with the statutory frameworks. Indeed, RSA 77-G:9, I and RSA 194-F:7, IV expressly state that a school accepting a student that utilizes these funds is not to be considered "an agent of the state or federal government." It is worth noting that the question of the non-public nature of these funds when used as tuition was one of the reasons given by the House Education majority for its ITL recommendation on 2018 HB 1432 (a piece of legislation roughly analogous to this one.) 2018 HOUSE JOURNAL 8, p.60.

Looking at the substantive provisions of HB 628, we believe that this bill seeks to place mandates on nonpublic schools that are both unworkable and unnecessary, and which in some respects exceed the mandates the legislature has enacted for public schools.

First, HB 628 requires nonpublic schools to follow RSA 189:13-a, which names with specificity the officials who are authorized to review and to act on the results of these checks. All of these are officials of school districts, SAUs, chartered public schools or public academies. Thus, although RSA 189:13-a, I(b) states that nonpublic schools may use the statute, the very text of RSA 189:13-a renders the RSA 189:13-a process inaccessible to nonpublic schools. This is why the fingerprint-based checks for Diocese of Manchester schools are carried out by the Division of State Police pursuant to the federal Adam Walsh Act (and specifically the Schools SAFE Act, 34 U.S.C. 20962.)

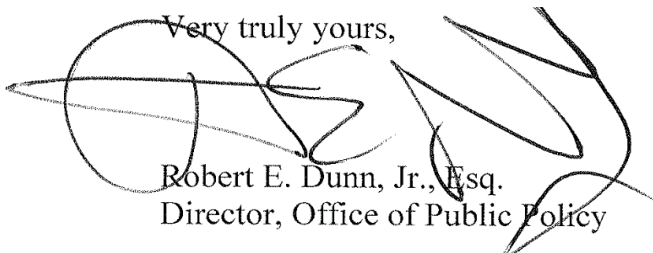
Second, HB 628 goes beyond what the law requires for public schools. RSA 189:13-a mandates fingerprint-based criminal background checks (as you know, the most costly and time-consuming form of the criminal background checks done through the Division of State Police) for public school employees and “designated volunteers”. RSA 189:13-a, VII expressly states that SAUs, school districts, chartered public schools and public academies are not required to perform a background check on volunteers, except for those who have been designated by those entities.

By contrast, Section 2 of HB 628 states that all employees and *all* volunteers of nonpublic schools that accept RSA 77-G scholarship students are required to undergo a fingerprint-based background check. The other sections of HB 628 likewise require checks for all employees and all volunteers under those sections if they are providing in-person instruction. Thus, at least for schools that take RSA 77-G scholarship students or which provide in-person instruction under the EFA program, *all* volunteers would be required to undergo the fingerprint-based checks that the legislature has declined to require for all public school volunteers.

Finally, I want to note that the Diocese of Manchester already has a robust criminal background check process in place for all of its school employees and volunteers. Each and every school employee has a fingerprint-based FBI check done through NHSP. Each and every school volunteer regularly working with students has a state criminal background check run through NHSP, and if the volunteer has resided outside New Hampshire the criminal records in those other states are checked through a consumer reporting agency and in some instances are investigated further by the Diocesan Safe Environment Office, which oversees all of these efforts. The Diocese of Manchester has of course instituted these procedures even without the mandate that HB 628 would impose.

Accordingly, I respectfully ask the Committee to recommend ITL on HB 628.

Thank you as always for your kind consideration of our views.

Very truly yours,

Robert E. Dunn, Jr., Esq.
Director, Office of Public Policy

ELLIOT AXELMAN

Let families and private institutions educate children how they see fit. If you don't like it, don't send your kids to those schools. If you support CHOICE, you should be happy to allow each parent to CHOOSE how to educate their children. Placing burdens on educators by forcing them by law to conduct background checks on each person who comes into contact with their kids is onerous and does not seem to be proposed in good faith. Interestingly, conservatives proposed a similar bill this year, which I also oppose. Due to fear about transgender people, drag queens, and child predators, some of your colleagues proposed HB107, which would force any entity that may have employees or volunteers in the vicinity of minors (nearly all businesses and institutions in NH) to conduct background checks to ensure that they are not sexual criminals. Both bills violate freedom of association and should be rejected. Thank you.

James and Jennifer Bobolia

As homeschooling parents, we object to HB 628. While HB 628 states it applies to education providers that accept public funds, an identical bill from 2022, HB 1664, revealed the sponsors' intentions of targeting every education alternative, including homeschoolers. Sponsors of last year's bill accused parents of being "bad actors" and using homeschooling to hide child abuse.

Instead of attacking families, HB 628 should mandate that the Department of Education contracts require providers to perform background checks on personnel with direct contact with children, if it does not already do so. Put constraints on government, not families.

To clarify homeschooling in NH, members should be aware that New Hampshire has four education pathways defined in RSA 193:1. Home education is a separate educational option from the Education Freedom Account (EFA) program. The vast majority of traditional, 193-A homeschoolers (such as ourselves) do not accept public funds or use taxpayer-funded education services. The Education Tax Credit Scholarship program is funded by private donations, not taxpayer funds. The NH DOE is responsible for negotiating contracts with education service providers and can require background checks as part of their arrangements, if it is not already required.

Please vote ITL for this bill as it is not in the best interest of homeschooling families in the state of NH.

Marie Straiton

Describe definition of obscene!

Sara Smith

Jennifer Lanctot

As a homeschool mother of 4 children, I oppose this bill. It presumes that parents choosing to educate their children at home need a background check. It assumes that parents who make the decision to homeschool are untrustworthy--guilty until proven innocent. In my experience of knowing hundreds of homeschool families, this could not be further from the truth.

Vote no on HB 628.

Sarah Zuech

I respectfully request that you vote to ITL HB 628, which is a blatant attack on homeschooling families.

Daniel Richardson

This bill cynically wants to make it difficult and expensive for volunteers in non-public schooling. This includes parent volunteers and substitute teacher volunteers, which many non-public schools rely on for help.

Kim Marie Fudge

Please see my email to the committee.

Monica Staples

People who spent time earning degrees in order to become educators should be the ones selecting course material for students. If parents have feeling that are that strong about their children being exposed to material that they object to, private school or homeschooling are always options. An entire school full of children should not be denied the ability to broaden their horizons and expand their knowledge because one parent or a small group of parents objects to it.

Ann Marie Banfield

This will reduce the private school's autonomy. They are equipped to make decisions on background checks. Some of the volunteers could be moms coming in to help on a holiday or to read to the children. It should be up to the district administrators to determine if background checks should be conducted.

There are already laws in place too that they must follow.

Safety is a concern and priority for everyone involved in educating children.

But we must also preserve the autonomy of the private, parochial and home-school communities.

Carol Petruszewicz

I am happy that this committee can clearly see that this bill is unnecessary. Yes, schools already give a background check upon hiring teachers and those that work near students. I am not sure how often, once hired, that these background checks are repeated. Nothing is needed beyond that. This bill proposes to increase these measures exponentially, which years of history has proven is unnecessary. Thank you for wisely voting NO to this unnecessary bill.

Bonnie Bowley

As a homeschool parent-and do NOT make use of any EFA funds-the wording to this new bill is loose-and could potentially place parents of their own children at Risk of their personal freedom and subject to 'background' checks. There is already an extremely LIMITED amount of funds available for homeschool parents-this seems as though our state is making it just that much harder to obtain what tax paying citizens should be awarded..

Ian Rohrbacher

I am against this bill as it oversteps the authority of the state and introduces stumbling blocks to homeschoolers or other educational options, in the form of bureaucracy and potential financial impacts. Parents and guardians should be free to choose whomever they want to teach their children without interference from the state.

Susan Holcombe

Currently there are few means of accountability for non-public schools and education providers who accept public funding. This proposal addresses a major gap by requiring these non-public schools and education service providers to perform background checks on employees and volunteers. This would surface criminal records including records of abuse of children. This is about safety. We should care about our children.

Sandra Hoeh

They should have same requirements as public schools. And it should also keep students safer.

Abigail Bellemore

I oppose this bill. On the basis, as I am a parent, I give birth to my child, and I have every God-given right to educate my child. I do not coparent with the government.

Crystal Clock

I think asking a parent that homeschools to get a background check is the same as asking a parent that sends their child to school to get one. If there is an abuse situation going on, it is found to happen regardless of a child goes to school or is home educated. Should every woman that gets pregnant then be legally obligated to get a background check???

Patricia Bass

All K-12 education providers should be background checked — including those in private settings like home centered learning pods and other voucher users, Patricia Bass, Concord NH

Sara White

I do not support this bill as it will have a negative effect on many private families needing alternative educational choices for their students. Homeschooling families who pay taxes and do not take government funding need to be excluded from the language of this bill.

Beverly Stoughton

I am in opposition to this bill. I urge you to vote against its passage. Sponsors of this bill have discriminated against homeschooling parents in calling them bad actors in one fell swoop. Where is the fact to back up such irresponsible statements. Background checks are already done to the DOE contracts when needed. Parents do not need background checks to raise and educate their children. This is a hateful thought and it should be deemed so.

Darlene Gildersleeve

Dear Chairman Ladd and Honorable Committee

As a homeschool parent I, I oppose HB 628. Background checks on dedicated homeschool parents reeks of government overreach, is invasive and unnecessary. My child, a former Hopkinton public school student, did not do well in that environment. She is thriving now with a bright future due to the investment and dedication of her parents. As a public school student, she experienced several crisis in school, which was humiliating and cost Medicaid over \$50K due to her disabling condition. . As a homeschool student, she has had zero need for any additional Medicaid dollars to be spent! As homeschooling parents not receiving EFA we have saved both the state and school district money, while ensuring the success and health of our child.

Frankly, it is insulting to me and the thousands of homeschool families in NH that background checks were even mentioned. Please oppose HB 628. Please feel free to reach out to me with questions.

Sincerely,
Darlene Gildersleeve
Hopkinton, NH

Kristen Covatis

I do not agree with this at all

Angela Turcotte

To me (after reading the text), it seems like a completely ridiculous bill. It sounds like it would basically require parents to get background checks to school their own children. Even if we go to a friends house to work together, would they be required to have a background check? Privacy issues not with standing-if someone has a criminal background (that might disqualify someone from a paid job), as homeschoolers, we generally know those we are with and know their character and leave their past in the past. There are many excellent people that have criminal backgrounds but have served their sentence and now are wonderful members of their community and great parents. Would this apply to co-ops too? If parents are present would everyone need a background check even if parents are present? Can public funds be SNAP or WIC benefits, unemployment benefits, or any state or federal assistance? This bill is highly intrusive and unnecessary. I strongly oppose this bill.

Kristina McCullough

I oppose. This is government overreach for homeschooling families.

Claudia Sinclair

I am a former high school English teacher from the state of North Carolina as well as an ESL teacher in New York State and presently a homeschooling mother in my husband's home state of New Hampshire. I was drawn to homeschooling long before Covid made many reluctant homeschooling families. As a teacher I saw that the traditional school model was failing and short changing so many, particularly boys who were being forced to sit for long periods of time, learn things antithetical to their interests and nature, and being called a failure or a troublemaker because of they were simply bored or out of their realm, being denied opportunities to advance their innate abilities. Homeschooling has unlimited possibilities and the flexibility of it allows for parents to tailor the education to their specific child, their strengths and interests, as well as dedicate more time to areas that a child struggles. Having immersed myself in the homeschooling community with co-ops, enrichment classes, meet-ups, and through in person and online mentorships I have seen the fruits of this choice that does not come lightly for any parent. The sacrifice of homeschooling parents is immense and the children in these homes are ever curious, entrepreneurial, masterful, and dedicated to a lifetime pursuit of learning. These are traits sadly dulled out of traditional schoolers in the name of standardized measures. The mental health crisis among students today is a scary picture and so many children are falling through the cracks with two working parents and little time spent in pursuit of learning about subjects and skills that would ignite a passion in their lives. Homeschooling is often referred to as a privilege while simultaneously calling our children weird, yet most homeschooling parents I know, my family included, sacrifice a great deal financially and socially to afford our children an education rich in great literature and luxurious in time to become masterful in a subject. No two homeschooling families are alike in style and most, once we've found our footing do not want to replicate a traditional classroom and we cannot rightly be put in a box. This is not an area where New Hampshire tax dollars should be spent; seeking to vilify and curtail countless homeschooling families who are raising and educating granite state children that will one day pour into this great state their incredible talents.

Kimberly Coughlin

As a RSA 193-A homeschool family in NH. I oppose this bill.

Angela Hall

This is ridiculous overreach. Traditional homeschoolers do not accept money from the state to educate their children. To say that homeschooling families are choosing this course to hide abuse is disgusting and totally unfounded.

Andre Flynn

I want to homeschool my kids

Caroline Simmonds

I'm New Hampshire, it's been proven beneficial to offer school choice. Any thing else is tyranny. We pick the way we want our children schooled. As their parents! They are not a child of the state. I do not cooparent with the government!

Katherine Shea

As per my testimony today I am a volunteer educational advocate for children with special needs and founder of non partisan advocacy team . I have four children who were unable to be helped even with multiple years on IEPs in mainstream education. Now - 2 in vlacs and Kai and 2 Prenda. We cannot qualify for EFA but do utilize educational scholarships.

WHY Oppose HB 628 - asked myself

And question the intent of this bill

Where I arrived? This bill has bad motivations and is Tantamount to harassment

WHO does it impact? Use cases are a wide swath of folks - from parents using our vendors for learning loss, EFA tutors, already vetted program members for alternative education such as Prenda and Kai, and even could include PARENTS

THEIR LOGIC? Safety? When we have even recently found offenders who had background checks in our public schools. Timberlane. Brentwood. Plaistow.

This bill is not reasonable and punitive and really ineffective. This is an added burden. Added expense. And it is adding it in bad faith and reasoning to a population that has already had horrific experiences to get here.

Big difference is that the parent not the state is truly in charge (even in public Ed situations) and for those contracted already are part of this system. Who does this leave? Are the PEOPLE asking for this? Who decides on the activity. Who decides what background check passes. Is the Chinese spy balloon next? This is the proverbial slippery slope

The entire use case doesn't seem reasonable, an issue or even determine what would do if there was a questionable background.

We have mandatory reporting and predator lists. Parents should have choice. This is unnecessary, frivolous and burdensome measure in an effort to undermine much needed resources and options for our most needy kids and families.

I urge you to oppose this bill.

Hector Andujar

My children have benefited greatly from both home schooling and micro schooling. I cannot say enough good things about how well they have done having this option.

Kathryn Rose

I believe parents should have a choice to educate their children how they see fit. Money should follow the child, education should not be institutionalized.

Carmen Paduani-Andujar

Home schooling is much more comfortable. Being in a small group rather than large classrooms.

Ron Kolas

I believe parents should have a choice to educate their children how they see fit. Money should follow the child, education should not be institutionalized.

Wayne Rose

I believe parents should have a choice to educate their children how they see fit. Money should follow the child, education should not be institutionalized.

Amy Hedderly

I oppose this bill in the grounds that it limits, or may limit a parents' right to educate their own child. It's vitally important that parents have the ultimate authority in choosing the proper education of their own children.

Stephanie Schag

Please vote NO on HB628. As a homeschooling mom of 19 years and a certified teacher I am opposed to the idea that a criminal background check should be required to teach my own children or to tutor others in my field of study. If a parent is considered safe, then the parent is safe to homeschool. If a parent is found to be unsafe then the parent should be removed from the child or the child from the parent and parental rights should be terminated. A criminal background check is not required to become a parent, it should not be required to teach your child.

Choosing a tutor or teacher for my child's needs, whether that be a music teacher or a math tutor or horseback riding instructor, etc., may become necessary throughout the course of homeschooling. As a parent, I choose those secondary teachers very carefully because the health and well-being of my child are my highest priority. It is not necessary for them to receive a criminal background check to teach my child because I am the first line of defense for my child. As a parent I do my due diligence before ever putting my child into any outside situation...be that tutor, coach, or music teacher. The state does not have as much diligence. Just because a teacher/coach has had one background check, does that mean they will never commit a crime-even against a child? No. Yet even public school teachers can have one background check, later commit a crime in the state of New Hampshire and still teach children.

Indeed, this bill seems to be governmental overreach intended to overburden and over regulate so that the state may be able to exert more control over families who want to give their children the best education possible. If this bill passes and criminal background checks are required, what will prevent the state from redefining what defines "criminal"? Will it become "criminal" to not use state curriculum? to not teach sex education by the 5th grade? to teach classic literature and traditional American history? This bill, in the wrong hands, could criminalize every parent who wants to homeschool their children. At the very least, this bill would chip away at the rights of every parent and power of every parent over their own children. Here in New Hampshire we are, at this date, free to choose to homeschool without fear of criminalization. New Hampshire should stay free! Parents in the state of New Hampshire should continue to be free to choose to homeschool without fear of criminalization.

Please vote NO on this bill.

HB 628-FN - AS INTRODUCED

2023 SESSION

23-0509

10/08

HOUSE BILL

628-FN

AN ACT requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

SPONSORS: Rep. Tanner, Sull. 5; Rep. Heath, Hills. 41; Rep. Luneau, Merr. 9; Rep. Cornell, Hills. 22; Rep. Fellows, Graf. 8; Rep. Damon, Sull. 8; Sen. Prentiss, Dist 5

COMMITTEE: Education

ANALYSIS

This bill requires nonpublic schools and education service providers that accept public funds to comply with requirements for criminal history background checks for employees and volunteers.

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.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

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

1 1 New Section; Contractors; Department of Education; Criminal History Background Checks.
2 Amend RSA 21-N by inserting after section 9 the following new section:

3 21-N:9-a Department Contracts; Criminal History Background Checks. Any employee or
4 volunteer of an entity contracted for educational services by the department or the state board of
5 education who provides in-person instruction to students shall comply with the submission of a
6 criminal history background check as described under RSA 189:13-a.

7 2 New Paragraph; Education Tax Credit; Department of Education; Criminal History. Amend
8 RSA 77-G:7 by inserting after paragraph II the following new paragraph:

9 II-a. The department of education shall require that all employees and volunteers of
10 nonpublic schools or providers that choose to accept scholarship students under this chapter undergo
11 and provide access to the results of a criminal history background check which complies with RSA
12 189:13-a.

13 3 Education Tax Credit; Reference Added; Criminal History Background Checks. Amend RSA
14 77-G:9, I to read as follows:

15 I. A receiving nonpublic school or home education program that accepts students benefiting
16 from scholarships, grants, or tax credits, **and that complies with criminal history background**
17 **checks under RSA 77-G:8-a**, shall not be considered an agent of the state or federal government as
18 a result of participating in the program established in this chapter.

19 4 Alternative Programs for Granting Credit Leading to Graduation. Amend RSA 193-E:2-a,
20 V(b) to read as follows:

21 (b) The state board of education shall adopt rules, pursuant to RSA 541-A, relative to the
22 approval of alternative programs for granting credit leading to graduation, **which shall include**
23 **the requirement that any employee or volunteer of such alternative program who provides**
24 **in person instruction to students complies with the submission of a criminal history**
25 **background check under RSA 189:13-a.**

26 5 New Subparagraph; Education Freedom Accounts Program; Requirements for Education
27 Service Providers; Criminal History Background Checks. Amend RSA 194-F:6, II by inserting after
28 subparagraph (c) the following new subparagraph:

HB 628-FN - AS INTRODUCED

- Page 2 -

1 (d) Submit the results of a criminal history records check which complies with the
2 requirements of RSA 189:13-a for any employee or volunteer providing instruction in person to an
3 EFA student.

4 6 Effective Date. This act shall take effect 60 days after its passage.

HB 628-FN- FISCAL NOTE
AS INTRODUCED

AN ACT requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	☐ General	☐ Education	☐ Highway	☐ Other

METHODOLOGY:

This bill requires nonpublic schools and education service providers that accept public funds to comply with requirements for criminal history background checks for employees and volunteers. The Department of Education has not identified any on state revenues or expenditures relative to this bill.

The Department of Safety states this bill will likely result an increase in criminal background requests and therefore increase restricted revenue to the criminal records fund, beginning in FY 2024. Since it cannot predict the number of new requests, this bill's impact on criminal records fund revenue and expenditures is indeterminable.

AGENCIES CONTACTED:

Department of Education and Department of Safety

**HB 628-FN FISCAL NOTE
AS INTRODUCED**

AN ACT requiring certain non-public schools or education service providers that accept public funds to perform background checks on all employees and volunteers.

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Department of Education and Department of Safety