

Amendment to HB 1816-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative to the intervention of the department of education into a school or school  
4 district during a financial emergency and requiring the state school board to  
5 establish rules governing the vetting of school district business administrator  
6 candidates.  
7

8 Amend the bill by replacing section 1 with the following:

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10 1 New Sections; The State School Organization; State Board of Education; State Board Powers  
11 and Duties. Amend RSA 186 by inserting after section 5 the following new sections:

12 186:5-a Financial Emergency Powers of the State Board.

13 I. Nothing in this section shall be construed to permit either the department of education or  
14 the state board of education to take control of the daily operations of any local public school district  
15 or school, unless the financial and operational condition of the local public school district or school is  
16 deemed a financial emergency by the state board of education necessitating department intervention  
17 and oversight. In such an emergency, the commissioner of the department of education shall have  
18 authority to assist the school district or school in developing a recovery plan and to oversee such plan  
19 to leverage resources to address core financial needs. The recovery plan may consider:

20 (a) Altering administrative practices and operating conditions;

21 (b) Reallocating school district or school resources;

22 (c) Renegotiating contracts and agreements; and

23 (d) Department oversight of school district or school governance, organizational  
24 structure, and/or administrative services identified in RSA 194-C:4, II for up to one year.

25 II. For purposes of this section, "school in financial emergency" or "school district in financial  
26 emergency" necessitates that immediate oversight providing corrective and technical assistance by  
27 the department is imperative for the school district or school to meet its financial, operational, and  
28 instructional responsibilities for all school-age children. The state board of education shall adopt  
29 rules, pursuant to RSA 541-A, relative to implementing corrective and technical assistance to a  
30 school district or school in a state of financial emergency.

31 III. The department of education may request up to \$200,000 from the education trust fund  
32 into a nonlapsing reserve fund for the purpose of corrective and technical assistance necessary to  
33 implement a district financial emergency recovery plan pursuant to this section.

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1           186:5-b Rules for Business Administrators.

2           I. The state board of education shall adopt rules under RSA 541-A that establish procedures  
3 school districts shall follow for vetting school district business administrator candidates and  
4 overseeing the work of business administrators.

5           II. Business administrators shall be subject to the educator code of conduct. Any business  
6 administrator found responsible for any outcome under RSA 186:5-a, I(a)-(f) shall be found to have  
7 violated the educator code of conduct.

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AMENDED ANALYSIS

This bill allows the commissioner of the department of education to initiate and implement a district recovery plan if a school district's financial and operational condition is deemed a financial emergency by the state board of education and requires the state school board to establish rules governing the vetting of school district business administrator candidates.