

SB 580-FN - AS AMENDED BY THE SENATE

02/19/2026 0510s

2026 SESSION

26-2273

12/09

SENATE BILL **580-FN**

AN ACT relative to establishing a school cooperative purchasing program.

SPONSORS: Sen. Sullivan, Dist 18; Sen. McGough, Dist 11; Sen. Pearl, Dist 17; Rep. Layon, Rock. 13

COMMITTEE: Education

AMENDED ANALYSIS

This bill:

I. Establishes a school cooperative purchasing program to allow multiple school districts or school administrative units (SAUs) the ability to enter into joint agreements for the procurement of specific goods and services in schools.

II. Authorizes the state board of education to place schools and SAUs into a receivership in limited circumstances.

III. Requires school boards and the board of trustees of chartered public schools to adopt policies relative to their schools.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to establishing a school cooperative purchasing program.

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

1 1 New Section; School Cooperative Purchasing Program. Amend RSA 21-I by inserting after
2 section 17-d the following new section:

3 21-I:17-e School Cooperative Purchasing Program.

4 I. The director of procurement and support services, in consultation with the department of
5 education, shall establish and administer a cooperative purchasing program for the benefit of school
6 districts, school administrative units (SAUs), and chartered public schools. Under this program, the
7 division shall periodically solicit competitive bids or proposals for goods and services that represent
8 major expenses for K–12 education, including but not limited to student transportation services,
9 school food service management or food supplies, curriculum materials and textbooks, heating fuel,
10 and other high-cost items commonly purchased by school districts. The solicitations may be
11 structured to allow for regional or statewide contracts, multiple recipients, or other formats as
12 deemed in the best interest of the state and participating schools.

13 II. For each solicitation under this program, the director shall endeavor to secure favorable
14 pricing and terms by leveraging the anticipated combined purchasing volume of multiple schools and
15 districts. Any contract awarded as a result shall include provisions enabling any school district,
16 SAU, or chartered public school in New Hampshire to purchase goods or services under the contract.
17 Such purchases by local education agencies shall be on the same or substantially similar terms and
18 pricing extended to state agencies or as otherwise set forth in the contract, in accordance with the
19 usage provisions of the contract. Participation by a school district, SAU, or charter school in any
20 state-awarded contract under this section shall be voluntary. Nothing in this section shall compel a
21 school or district to utilize the state contract. The decision to opt into a given state procurement
22 contract shall rest with the governing school board of the district or the board of trustees of the
23 chartered public school, as applicable.

24 III. A purchase made by a school district, SAU, or chartered public school through a contract
25 established under this section shall be deemed to satisfy any requirement for competitive bidding or
26 solicitation of quotations that might otherwise apply to that purchase under law or local policy, in
27 order to streamline procurement for participating schools by utilizing contracts that have already
28 been competitively bid by the state. Each participating school or district shall remain responsible for
29 ensuring payment and compliance with any reporting or contractual obligations for its own
30 purchases. The department of administrative services shall assume no liability for the performance
31 of any local entity using the contract, beyond administering the contract itself.

1 IV. The commissioner of administrative services is authorized to adopt rules, pursuant to
2 RSA 541-A, as necessary to implement the provisions of this section, including procedures for schools
3 to join or leave contracts, and guidelines for contract vendors extending pricing to non-state entities.

4 2 New Section; Cooperative School Purchasing Agreements. Amend RSA 194 by inserting after
5 section 3:e the following new section:

6 194:3-f Cooperative School Purchasing Agreements.

7 I. In order to combine purchasing power and achieve cost savings or administrative
8 efficiencies in the acquisition of products or services used by the participating schools, two or more
9 school districts may enter into an agreement to jointly procure specific goods or services for their
10 schools. Such cooperative purchasing agreements may also include one or more school
11 administrative units (SAUs) acting on behalf of their component districts. Chartered public schools
12 as defined in RSA 194-B:1 may likewise participate in cooperative purchasing agreements with one
13 or more school districts or SAUs.

14 II. A cooperative purchasing agreement under this section shall be in writing and shall be
15 approved by the school board of each participating school district and the board of trustees of any
16 participating chartered public school. The agreement may provide for joint solicitation of bids or
17 proposals, the award and management of shared contracts, and any necessary arrangements for one
18 district or a joint committee to act as the lead purchasing agent for the group. The agreement shall
19 specify at minimum the following:

20 (a) The duration of the agreement;

21 (b) The identity of a lead agency or fiscal agent, if any, and the organizational structure
22 for administering the joint purchases;

23 (c) The categories of goods or services to be procured jointly;

24 (d) The method by which participating entities will approve and fund their respective
25 purchases; and

26 (e) The process for a district or school to withdraw from the agreement.

27 III. A cooperative purchasing agreement under this section shall also be structured
28 pursuant to the requirements of RSA 53-A:3, II to the extent applicable. Any separate legal or
29 administrative entity or joint committee created to manage purchasing efforts shall have
30 representation from each participating district or school, and its authority shall be limited to the
31 purposes defined in the agreement.

32 IV. All competitive bidding or quotation processes conducted pursuant to a cooperative
33 purchasing agreement shall adhere to the same standards required of an individual school district
34 under state law. By entering a joint procurement, a school district does not relinquish any oversight
35 of the expenditure of its funds; rather, the districts are exercising their power jointly for greater
36 efficiency. An agreement under this section may, but is not required to, be submitted for review to
37 the New Hampshire attorney general under RSA 53-A:3, V, as an inter-municipal agreement. If not

1 formally reviewed under RSA 53-A, the participating entities shall ensure the agreement remains on
2 file with each district and available for public inspection, and that all transactions are accounted for
3 in each district's records in accordance with department of education financial reporting guidelines.

4 V. In order to preserve local control, nothing in this section shall be construed to mandate
5 participation by any school district, SAU, or charter school in a cooperative purchasing arrangement.
6 Participation is at the sole discretion of each local school board or charter school board. Likewise, a
7 participating district or school may separately procure any goods or services on its own if it chooses,
8 regardless of the existence of a joint contract, to meet educational needs or policy preferences.

9 VI. This section shall be interpreted to facilitate cooperative efforts consistent with RSA 53-
10 A and other applicable laws. It does not supersede the authority of school districts under RSA 194:3
11 or other statutes, but rather provides an additional option for how those powers may be exercised
12 jointly. All other laws concerning public purchases, conflicts of interest, and the prudent use of
13 taxpayer funds continue to apply to any purchasing done under a cooperative agreement.

14 3 New Paragraph; School Boards; Duty to Provide Education; Duties Added. Amend RSA 189:1-
15 a by inserting after paragraph V the following new paragraph:

16 VI. School boards and the board of trustees of chartered public schools shall adopt policies
17 relative to the:

18 (a) Recruitment, employment, evaluation and dismissal of teachers and other employees;

19 (b) Purchase of equipment, supplies, or services;

20 (c) Requirement to provide transportation of students as described in RSA 189:6;

21 (d) Preparation of an annual budget;

22 (e) Training of all school members on fiduciary responsibility;

23 (f) Holding of meetings for the transaction of business at least once in 2 months and
24 requiring the attendance of the superintendent or designee;

25 (g) Implementation of educational programs in consultation with the superintendent for
26 the purposes of the development of long-term plans and identification of attainable short-term
27 objectives;

28 (h) Exercising of all powers and performance of all duties vested in and imposed upon
29 the school board or board of trustees;

30 (i) Prohibition of unlawful discrimination on the basis of sex, race, age, creed, color,
31 marital status, national origin, or disability in educational programs or activities consistent with
32 local standards which may be stricter in specific areas than the broader statewide standards;

33 (j) Prevention of sexual harassment, written in age appropriate language and published
34 and available in written form to all those who must comply, which includes, at a minimum:

35 (1) A statement that sexual harassment is against the law and against school
36 district policy;

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1 (2) A definition of sexual harassment with examples of actions that might constitute
2 sexual harassment;

3 (3) The names and roles of all persons involved in implementing the procedures;

4 (4) A description of the process so all parties know what to expect, including time
5 frames and deadlines for investigation and resolution of complaints;

6 (5) A prohibition against retaliation toward anyone involved in a complaint;

7 (6) A description of possible penalties including termination;

8 (7) A requirement that a written factual report be produced regardless of the
9 outcome of the investigation;

10 (8) At least one level of appeal of the investigators recommendation; and

11 (9) A clear statement that someone can bypass the internal process and proceed
12 directly to the New Hampshire commission on human rights, with address and phone number, or
13 office of civil rights, with address and phone number; and

14 (k) Annual evaluation of the superintendent based on written criteria established by the
15 school board or board of trustees.

16 4 New Paragraph; School Administrative Unit Boards; Duties Added. Amend RSA 194-C:5 by
17 inserting after paragraph III the following new paragraph:

18 IV. The school board of each school administrative unit shall adopt the policies described in
19 RSA 189:1-a, VI.

20 5 New Section; State Board of Education; Receivership of Schools and School Administrative
21 Units. Amend RSA 186 by inserting after section 8 the following new section:

22 186:8-a Receivership of Schools and School Administrative Units.

23 I. The state board of education may place into a receivership any school or school
24 administrative unit (SAU) for the purposes of intervening in the development or monitoring of:

25 (a) School improvement plans;

26 (b) Changes in staffing;

27 (c) The closure of a school;

28 (d) Implementation of financial incentives or interventions;

29 (e) Reforming the day-to-day operations of the school or SAU; or

30 (f) Changes related to the entity that governs or operates the school.

31 II. Upon a school or SAU being placed into a receivership pursuant to paragraph I, the
32 administrative body of said school or SAU shall develop a turnaround plan for the school or SAU in
33 cooperation with the state board of education.

34 III. The chairperson of the state board of education shall designate a receiver to be
35 principally involved in the implementation of the turnaround plan described in paragraph II. A
36 receiver shall not have a financial interest in or any affiliation with the school or SAU that is the
37 subject of the receivership.

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1 6 New Paragraph; State Board of Education; Rulemaking Authority; Receivership of Schools
2 and SAUs. Amend RSA 186:8 by inserting after paragraph IX the following new paragraph:

3 X. The placement of schools and SAUs into a receivership and the development of
4 turnaround plans as stated in RSA 186:8-a.

5 7 Effective Date. This act shall take effect 60 days after its passage.

SB 580-FN- FISCAL NOTE
 AS AMENDED BY THE SENATE (AMENDMENT #2026-0510s)

AN ACT relative to establishing a school cooperative purchasing program.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	Indeterminable Increase		
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	Indeterminable		
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable		

METHODOLOGY:

This bill directs the Director of Procurement and Support Services, in consultation with the Department of Education to establish the School Cooperative Purchasing Program, which enables school districts, school administrative units (SAUs), and chartered public schools to collaborate in the procurement of goods and services such as student transportation services, school food service management or food supplies, curriculum materials and textbooks, heating fuel, and other high-cost items commonly purchased in order to achieve cost savings and administrative efficiency. Additionally, the bill authorizes the State Board of Education to place a school or SAU into receivership in cases of significant operational or performance issues, including financial mismanagement or persistent under performance. Under receivership, the state would assist in developing a turnaround plan and appoint a receiver to oversee its implementation. Participation in the cooperative purchasing program remains voluntary, and local school boards retain full authority over their procurement decisions.

The Department of Administrative Services (DAS) indicates that this bill could lead to an indeterminable increase in state expenditures, as it may strain existing staff resources within the Division of Procurement and Support Services. The extent of the impact cannot be determined at this time, since it is unknown which schools would choose to enter into agreements or how frequently such needs would arise.

Additionally, DAS states that the bill overlooks current actions of the Division of Procurement and Support Services which already has applicable contracts established and managed by DAS containing access for eligible participants. The provision allows the following participants:

Eligible Participants: Political subdivisions (counties, cities, towns, school districts, special district or precinct, or any other governmental organization), or any nonprofit agency under the provisions of section 501c of the federal internal revenue code, are eligible to participate under this contract whenever said sub-division or nonprofit agency so desires. These entities are autonomous and may participate at their sole discretion. In doing so, they are entitled to the prices established under the contract. However, they are solely responsible for their association with the successful Vendor. The State of New Hampshire assumes no liability between the successful Vendor and any of these entities.

The Department of Education states that this bill will have an indeterminable, yet potential significant, increase in expenditures in the event receivership occurs as the Department would be required to take control of a school or district. Depending on the circumstances the Department could require dedicated personnel, contracted receiver services, legal support, financial support, and administrative support. Because the bill places no limits on how many receiverships can happen or how long they can be, the state could face large, ongoing, and unpredictable costs.

AGENCIES CONTACTED:

Department of Administrative Services and Department of Education