HB 1169 - AS INTRODUCED

2022 SESSION

22-2068
10/04

HOUSE BILL ***1169***

AN ACT relative to public comment and inquiry during school board meetings.

SPONSORS: Rep. Aron, Sull. 7; Rep. Johnson, Belk. 3; Rep. Potucek, Rock. 6; Rep. Harley, Rock. 20; Rep. Cushman, Hills. 2; Rep. Lanzara, Hills. 28; Rep. Thomas, Rock. 5; Rep. Baldasaro, Rock. 5; Rep. Moffett, Merr. 9; Rep. Sheehan, Hills. 23; Sen. Giuda, Dist 2

COMMITTEE: Education

ANALYSIS

This bill establishes requirements for public meetings held by a school board to include a designated time period for questions from the public and answers from the board. The bill also allows an attendee of a meeting of the school board to demand which New Hampshire statute or administrative rule gives the school board the authority described in a school policy or operational procedure.

- -

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1169 - AS INTRODUCED

22-2068
10/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to public comment and inquiry during school board meetings.

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

1 New Subdivision; Public Comment and Inquiry During School Board Meetings. Amend RSA 189 by inserting after section 73 the following new subdivision:

Public Comment and Inquiry During School Board Meetings

189:74 Public Comment and Inquiry During School Board Meetings.

I. During any public meeting held by a school board there shall be a designated time period for interactive questions from the public and answers from the board, with sufficient time allotted to hear comments, questions, and complaints from members of the public. The public must be able to sign up to speak at the meeting, or otherwise be given time to speak during the meeting, where they may comment or ask questions.

II. During any public meeting held by a school board, the elected members of the school board, and any other school administrators present, shall hear from and shall respond to such direct questions, with as much detail as known at the time relative to a direct question, by one or more of the assembled elected school board members or school administrators, to such comments, questions, and complaints by members of the public assembled at the meeting.

III. During any public meeting held by a school board, an attendee may demand which New Hampshire statute or administrative rule gives the school board the authority described in a school policy or operational procedure. The school board shall immediately respond with a citation to its authority. If the school board is unable to respond affirmatively that there is such a New Hampshire statute or administrative rule, the school policy or operational procedure shall be immediately withdrawn until such time that the school board can show it does have such authority.

IV. If any public question remains unanswered by the end of the public meeting, the school board shall be responsible for obtaining the answer and responding to the questioner within 5 business days. Additionally, members of the public may also file a request pursuant to the right-to-know law under RSA 91-A:4 to the school board to obtain answers.

V. Members of the public may file a complaint to the commissioner of the department of education if the school board refuses to answer questions regarding school policy directly. School board meeting minutes shall specifically state the names of the school board members or school administrators who refused to answer a specific question or questions posed to them by a member of the public, as well as specify the question asked of them regarding school policy or any other school matters.

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