HB 1452-FN - AS INTRODUCED

2024 SESSION

24-2640
12/05

HOUSE BILL ***1452-FN***

AN ACT relative to credentials for the position of superintendent of schools and school business officer.

SPONSORS: Rep. Luneau, Merr. 9

COMMITTEE: Education

ANALYSIS

This bill establishes required credentials for school superintendents and school business officers.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

24-2640
12/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to credentials for the position of superintendent of schools and school business officer.

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

1 New Sections; School Superintendent and School Business Officer; Required Credentials. Amend RSA 186 by inserting after section 8 the following new sections:

186:8-a School Superintendent; Credentials Required.

I. An individual shall have the following entry level requirements to be certified as superintendent:

(a) Have completed at least 3 years of experience as an education administrator in a k-12 setting;

(b) Have completed a state board of education approved educational administration collegiate program at the post-master's certificate of advanced graduate study (CAGS), educational specialist, or doctoral level; and

(c) Have acquired the competencies, skills, and knowledge itemized in (d) below through experience in comparable leadership positions in education or other professions.

II. The application procedures for certification shall be as follows:

(a) The candidate may obtain the necessary forms and information from the bureau of credentialing; and

(b) The candidate shall file the following materials and documents with the bureau of credentialing:

(1) Completed application forms containing the information required in Ed 508.04;

(2) Previous work record;

(3) Education record; and

(4) A minimum of 3 confidential references from persons who can attest to the candidate's proficiencies in the required leadership area.

III. If the bureau of credentialing determines that the materials described in subparagraph (b) attest to the candidate's successful completion of the requirements for certification, the candidate shall receive initial certification as superintendent from the bureau of credentialing. This certification shall enable the holder to apply for employment as a New Hampshire superintendent.

IV. Qualifications for superintendent shall include the following skills, competencies, and knowledge:

(a) As relating to vision, mission and goals, the candidate shall understand and demonstrate knowledge of, or competency in, promoting the success of all students by facilitating the

development, articulation, implementation, and stewardship of a vision of learning and strong organization mission setting high expectations for every student that is shared and supported by the school community, including but not limited to:

(1) Creating a vision that establishes high, measurable goals for all students and educators;

(2) Creating shared commitments in that the process of creating and sustaining the vision, mission, and goals is inclusive, building common understandings and genuine commitment among all school community members to implement vision and goals; and

(3) Monitoring and evaluating progress toward the vision, mission, and goals, based on systematic evidence to foster continuous improvement and ensure that the vision, mission, goals and implementation plans are realized.

(b) As relating to district culture and instructional programs, the candidate shall understand and demonstrate knowledge of, or competency in, promoting the success of all students by advocating, nurturing, and sustaining a district organizational culture and instructional program conducive to student learning and staff professional growth including, but not limited to:

(1) Promoting achievement and success of all students by monitoring and continuously improving teaching and learning, establishing a strong professional culture of growth, openness and collaboration wherein educators engage in analyzing student data and planning program improvements that result in closing achievement gaps;

(2) Providing support, time, and resources for leaders and staff to examine their own beliefs, values, and practices in relation to the vision and goals for teaching and learning;

(3) Developing shared understanding of rigorous curriculum and standards-based instructional programs, working with teams to analyze student work, monitor student progress, and redesign curricular and instructional programs to meet diverse needs; and

(4) Promoting assessment and accountability by using various kinds of information and assessments such as test scores, work samples, and teacher judgment, to evaluate student learning, effective teaching, and program quality resulting in communication of progress toward vision, mission, and goals.

(c) As relating to district management, the candidate shall understand and demonstrate knowledge of, or competency in, promoting the success of all students by ensuring effective management of the organizational systems, finances, operations, and resources for a safe, efficient, high performing and positive learning environment, including, but not limited to:

(1) Using effective problem solving strategies to plan and maintain physical plant safety and student access, and evaluate and revise processes to continuously improve operational systems;

(2) Aligning fiscal and human resources by establishing an infrastructure for finance and personnel that directs resources toward teaching and learning, within federal and state rules,

that recruits and retains quality personnel, addresses the diverse needs of students, and conducts personnel evaluation processes in keeping with state and local policies;

(3) Overseeing and directing labor relations, conflict resolution, collective bargaining, budget preparation, and budget administration; and

(4) Protecting the welfare and safety of students and staff by proactively involving parents, teachers, community members, and students to ensure a safe environment, and by addressing challenges to the physical and emotional safety and security of students and staff that interfere with teaching and learning.

(d) As relating to district, school and community, the candidate shall understand and demonstrate knowledge of, or competency in, promoting the success of all students by collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources to improve teaching and learning, including, but not limited to:

(1) Collaborating with families and community members by using effective communication strategies to engage parents, staff, families, and community members to participate in achieving the mission, vision, and goals for teaching and learning;

(2) Promoting community interests and needs by being actively involved with aspects of the greater district community using a variety of media, including various digital formats, to communicate with the community and capitalizing on diversity as an asset of the district community; and

(3) Building on community resources by developing mutually beneficial partnerships to secure community support to sustain existing resources and add new resources that address the emerging needs of students.

(e) As relating to integrity and ethics, the candidate shall understand and demonstrate knowledge of, or competency in, promoting the success of all students by acting with integrity, fairness, and in an ethical manner, including, but not limited to:

(1) Following ethical and legal standards, behaving in a trustworthy manner consistent with legal standards, and using professional influence and authority to enhance education and the common good;

(2) Examining personal values and beliefs; assessing personal assumptions and practices that guide improvement of student learning; and modeling those behaviors in day to day practice; and

(3) Maintaining high standards for self and others, modeling lifelong learning by continually deepening understanding and practice related to content, standards, assessment, data, teacher support, evaluation, and professional development strategies.

(f) As relating to social and cultural contexts, the candidate shall understand and demonstrate knowledge of, or competency in, promoting the success of all students by understanding, responding to, and influencing the larger interrelated systems of political, social,

economic, legal, and cultural contexts affecting education to advocate for their teachers' and students' needs including, but not limited to:

(1) Exerting professional influence, improving the broader political, social, economic, legal, and cultural context of education for all students and families through active participation in the local community and the larger educational policy environment;

(2) Contributing to the educational policy environment and political support for excellence and equity in education, striving to uphold and influence federal, state, and local laws, policies, regulations, and statutory requirements, and effectively communicating with key decision makers in the community and in broader political contexts to support student learning; and

(3) Working with policymakers to inform and improve education policymaking and effectiveness of the publics' efforts to improve education.

186:8-b School Business Administrator; Credentials Required.

I. An individual shall have the following entry level requirements to be certified as a business administrator:

(a) Have completed a state board of education approved program in the area of business administration at the bachelor's or master's degree level; or

(b) Have completed a bachelor's or master's degree in business, and:

(1) Have acquired the competencies, skill, and knowledge as itemized in paragraph III through experience in comparable business management positions; or

(2) Have demonstrated the equivalent of completing an approved program in business administration through experience in comparable business management positions and having successfully completed an individualized professional development plan.

II. The candidate shall file the following materials and documents with the bureau of credentialing:

(a) Completed application forms.

(b) Previous work record;

(c) Education record; and

(d) A minimum of 3 confidential references from persons who can attest to the candidate's proficiencies in the required leadership area.

III. Qualifications for business administrators shall include the following skills, competencies, and knowledge in the following areas:

(a) Educational organization;

(b) Financial resource management;

(c) Human resource management;

(d) Facility and property management;

(e) Information management;

(f) Risk management;

(g) Pupil transportation; and

(h) Food service.

IV. In the area of educational organization, the candidate shall have knowledge and the ability to administer and organize, including the ability to:

(a) Identify and apply management and leadership styles including, but not limited to, concepts of behavioral science and organizational structure theory;

(b) Develop and maintain positive organizational culture; and

(c) Manage organizational change;

(d) Knowledge of and ability to manage public policy and intergovernmental relations, including the ability to:

(1) Assist in the development and application of policies and rules of local boards of education, state educational authorities, state legislatures, and the federal government;

(2) Develop a financial model to monitor a school district's financial health; and

(3) Select professional advisors and contractors, including, but not limited to attorneys.

(e) Knowledge of and ability to manage legal issues, including familiarity with:

(1) RSAs 32, 33, 35, and others relating to budget, debt, and capital reserve funds;

(2) Laws around various state aid programs including adequate education aid, building aid, and catastrophic aid;

(3) Laws relating to federal aid and program requirements including RSA 94-142, IDEA, and ESEA grant programs;

(4) State reporting requirements including department and revenue administration forms and reporting requirements;

(5) State and federal constitutional rights that apply to individuals within the public education system;

(6) Appropriate statutory and constitutional authority regarding the administration of public schools and significant statutory and case law relative to:

(A) Financial resource management;

(B) Human resource management;

(C) Facility and property management;

(D) Information management; and

(E) Management of ancillary services; and

(7) Practice and application of ethical standards as they relate to the entire profession of school business administration.

V. In the area of financial resource management, the candidate shall have the following abilities and knowledge:

(a) Knowledge of and the ability to apply the principles of school finance, including ability to:

(1) Explore alternative available revenue sources;

(2) Interpret the state funding model; and

(3) Analyze the impact of shifts in local, state, and federal funding, and the effect on local spending plans;

(b) Knowledge of and ability to implement budgeting and financial planning, including ability to:

(1) Prepare a budget calendar to meet the time constraints of budget preparation; and

(2) Prepare revenue projections and estimates of expenditures for school and district-wide budgets;

(c) Knowledge of and ability to manage purchasing including:

(1) Ability to apply the following:

(A) Generally accepted ethical concepts, as identified in the 2nd Edition of the International School of Business Management Professional Standards and Code of Ethics as referenced in Appendix II; and

(B) Computerized procedures in the bidding and purchasing process.

(2) Use of regional or cooperative purchasing with other school districts, municipalities, counties, and the state purchasing bureau;

(3) Specification and competitive bidding;

(4) Contracting and contract administration;

(5) Performance contracting;

(6) Insurance and bonding; and

(7) Lease purchasing;

(d) Knowledge of and ability to manage supply and fixed asset management including the ability to:

(1) Manage and control inventories;

(2) Plan and implement a program for the maintenance and repair of equipment;

(3) Oversee the development and management of inventories; and

(4) Monitor and distribute supplies and equipment;

(e) Knowledge of real property management including the ability to apply legal and ethical management policies, procedures, and practices;

(f) Knowledge of and ability to implement accounting, auditing, and financial reporting, including ability to:

(1) Develop and monitor systems to account for, control, and report school district revenue and expense;

(2) Prepare and analyze interim and annual financial reports for school board, community, and other appropriate entities;

(3) Determine revenues and expenditures by fund, using state-approved charts of accounts;

(4) Establish and verify compliance with finance-related legal and contractual provisions; and

(g) Facilitate management control of all financial operations and funds, using appropriate technology;

(h) Ability to manage a school district's cash, investments, and debt, including ability to:

(1) Comprehend procedures and legal constraints for cash collection and disbursement;

(2) Select professional advisors/contractors, including, but not limited to:

(A) Bond counsel;

(B) Accountants and auditors;

(C) Actuaries;

(D) Financial advisors;

(E) Underwriters; and

(F) Banking institutions.

(3) Analyze the legal constraints and methods of issuing long-term general obligation bonds and lease purchasing, including:

(A) The bond rating process;

(B) Role of the bonding attorney; and

(C) Rating services; and

(i) Knowledge of and ability to evaluate technology available for school finance operations, including ability to:

(1) Keep current with technology applications;

(2) Maintain a working knowledge of the technology and software that are available for business and financial operations;

(3) Evaluate and apply various technology tools for use in the business office;

(4) Promote and assist in the development of staff training in technology for the business office;

(j) Determine and advocate for the allocation of appropriate resources toward the purchase and installation of technology and technology infrastructures in the school and business office; and

(k) Participate in the development and issuance of specifications for technology purchasing and technology infrastructure for school and business office functions.

VI. In the area of human resource management, the candidate shall have the following abilities and knowledge:

(a) Knowledge of and ability to manage human relations including ability to:

(1) Identify and apply management theory and leadership styles including concepts of behavioral science and organizational structure theory;

(2) Develop and maintain organizational culture; and

(3) Manage organizational change;

(b) Knowledge of and ability to manage the administration of personnel and benefits, including:

(1) Knowledge of federal and state laws, rules and regulations including, but not limited to, wage and hour requirements, Family Medical Leave Act, Fair Labor Standards Act, Comprehensive Omnibus Budget Reconciliation Act, Americans with Disabilities Act, workers compensation;

(2) Ability to coordinate the development and management of an appropriate personnel information management system; and

(3) Ability to administer collective bargaining agreements and personnel policies;

(4) Procurement and contract management for employee benefits such as workers compensation, unemployment compensation, medical and disability insurance; and

(5) Coordination of efforts relating to various employee committees such as safety committees, and wellness committees;

(c) Knowledge of and ability to manage business office staff development, including ability to assist district staff in determining their professional development needs for the enhancement of employee training and development programs; and

(d) Knowledge of and ability to manage labor relations and collective bargaining, including:

(1) Knowledge of NH RSA 273, the public sector collective bargaining law, as well as case law pertaining to labor relations; and

(2) Ability to analyze and review jurisdictional, state, rules and federal laws and regulations with respect to collective bargaining and impasse procedures, including, but not limited to mediation and fact finding.

VII. In the area of facility and property management, the candidate shall have the following abilities and knowledge:

(a) Knowledge of and ability to manage facilities planning, including ability to assist in developing and implementing a strategic plan for facilities;

(b) Knowledge of and ability to manage maintenance and operations, including ability to understand the steps and procedures required to keep schools clean, energy efficient, and well-kept through routine custodial services, preventive maintenance and energy management; and

(c) Knowledge and ability to manage facility construction, reconstruction, and renovation projects, including the ability to enter into:

(1) Contracts for architectural, engineering, and construction;

(2) Bonding and insurance;

(3) Construction contract management and administration;

(4) Permitting; and

(5) School building approval and state construction aid programs.

VIII. In the area of information management, the candidate shall have a knowledge of and ability to manage business office technology, including ability to:

(a) Oversee the technical aspects of information management;

(b) Direct, protect, analyze, and update the information managed by the business office; and

(c) Understand how district information is used in state and federal funding models.

IX. In the area of risk management, the candidate shall have the following abilities and knowledge:

(a) Ability to assure that a comprehensive risk management program is in place;

(b) Anticipate and manage risks, taking into consideration the individual nature of each situation;

(c) Develop strategies and action plans to reduce exposure to risks;

(d) Knowledge of legal requirements for insurance; and

(e) Ability to direct the process of selecting/employing an insurance consultant or risk manager.

X. In the area of transportation, the candidate shall have the following abilities and knowledge:

(a) Knowledge of state requirements for a student transportation program;

(b) Knowledge of and ability to analyze the methods available for providing transportation;

(c) Ability to assure that a school bus maintenance and replacement program is established and maintained;

(d) Ability to develop, implement, and maintain an efficient and comprehensive routing and bus stop plan; and

(e) Ability to develop and implement a comprehensive human resource plan to include recruiting, training, and retention of bus drivers.

XI. In the area of food service, the candidate shall have the following abilities and knowledge:

(a) Knowledge of state and federal requirements of the food service program;

(b) Knowledge of and ability to analyze the methods available for providing food service and;

(c) Knowledge of food safety and sanitation.

186:8-c Rulemaking Authority. The commissioner of the department of education shall adopt rules, after public hearing and pursuant to RSA 541-A, relative to requirements to be certified as superintendent and requirements to be certified as a business administrator.

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

LBA
24-2640
11/27/23

HB 1452-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to credentials for the position of superintendent of schools and school business officer.

FISCAL IMPACT: [X] State [ ] County [ ] Local [ ] None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	**FY 2025**	**FY 2026**	**FY 2027**
Revenue	$0	$12,840	Indeterminable Increase - Likely Less Than $3,000 Per Year	
Revenue Fund(s)	Restricted - Department of Education Credentialing Revenue			
Expenditures	$0	$0	$0	$0
Funding Source(s)	None			
Appropriations	$0	$0	$0	$0
Funding Source(s)	None			

- Does this bill provide sufficient funding to cover estimated expenditures? [X] N/A
- Does this bill authorize new positions to implement this bill? [X] N/A

METHODOLOGY:

This bill, assumed to be effective for the 2024-2025 school year, defines certification requirements for the positions of school superintendent and school business officer. The Department of Education states the Board of Education currently requires superintendents to be licensed and has defined licensure requirements for this position (there are approximately 107 superintendent positions statewide). Currently, there is no license requirement for business administrators, therefore this bill would cost individuals seeking a license $120 each, which would result in a total licensure revenue of $12,840 (107 individuals X $120), assuming one per school administrative unit (SAU). This credential would last three (3) years, so it is assumed $12,840 in revenue would be received in FY 2025, with lesser amounts received in FY 2026 and FY 2027, should new individuals apply during those years. Fee income would be credited as restricted credentialing revenue to the Department. The Department has identified no costs to implement this bill.

AGENCIES CONTACTED:

Department of Education