

Amendment to HB 1816-FN

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

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3 1 New Section; The State School Organization; State Board of Education; Financial Emergency
4 Powers of the State Board. Amend RSA 186 by inserting after section 5 the following new section:

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

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

- 13 (a) Altering administrative practices and operating conditions;
14 (b) Reallocating school district or school resources;
15 (c) Renegotiating contracts and agreements; and
16 (d) Department oversight of school district or school governance, organizational
17 structure, and/or administrative services identified in RSA 194-C:4, II for up to one year.

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

24 III. The department of education may request up to \$200,000 from the education trust fund
25 into a non-lapsing reserve fund for the purpose of corrective and technical assistance necessary to
26 implement a district financial emergency recovery plan pursuant to this section.