

HB 1804-FN - AS INTRODUCED

2026 SESSION

26-3251

04/08

HOUSE BILL            ***1804-FN***

AN ACT                consolidating school administrative units, making chief school administrator jobs an elected position, and defining education roles.

SPONSORS:            Rep. D. McGuire, Merr. 14; Rep. Packard, Rock. 16; Rep. Osborne, Rock. 2; Rep. Kofalt, Hills. 32; Rep. Drye, Sull. 7; Rep. Layon, Rock. 13; Rep. Peternel, Carr. 6; Rep. Pauer, Hills. 36; Sen. Murphy, Dist 16; Sen. Sullivan, Dist 18; Sen. Ward, Dist 8

COMMITTEE:          Education Policy and Administration

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ANALYSIS

This bill:

- I. Consolidates the authority and duties of school administrative units.
- II. Empowers school boards to develop, evaluate, and implement school curriculums.
- III. Makes chief school administrators elected officials.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT                    consolidating school administrative units, making chief school administrator jobs an elected position, and defining education roles.

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

1            1 Counties; County Conventions; Members. Amend RSA 24:1 to read as follows:

2            24:1 Members. The county convention consists of the state representatives of the representative  
3 districts of the county. ***The county school convention is the county convention except in***  
4 ***Hillsborough County it is the county's state representatives whose districts are primarily***  
5 ***outside Manchester and Nashua.***

6            2 Counties; Powers, Buildings, and Payment of Salaries; Establishing Compensation. Amend  
7 RSA 23:7 to read as follows:

8            23:7 Establishing Compensation. Every county convention shall have the power to establish  
9 salaries, benefits and other compensation paid to elected county officers including the county  
10 attorney, sheriff, register of deeds, treasurer, and county commissioners. ***Every county school***  
11 ***convention shall have that power for county chief school administrators.*** For the purposes of  
12 this section, "compensation" shall include salary, longevity pay, vacation and sick pay, allowances,  
13 and all other payments made by the county to its officers, plus the fair market value of any  
14 compensation paid in kind if reportable as income for federal income tax purposes, plus all fringe  
15 benefits that may be provided including health insurance and retirement, and may also include an  
16 upper limit on the amount of mileage and out-of-pocket expenditures reimbursable to each officer.  
17 Said compensation shall be established biennially by the county convention prior to the filing date  
18 required under RSA 655:14 for the elected offices listed in this section, upon recommendation of the  
19 executive committee which shall remain in effect during their term of office. Notwithstanding any  
20 other provision of law to the contrary, in counties in which any of the officers listed in this section  
21 receive fees or mileage, or both, for services performed by them as part of their compensation, the  
22 county convention may put such officer on a salary and expenses basis. Such officer may be required  
23 to continue to collect the usual fees and mileage for the service performed and to pay over all such  
24 fees and mileage to the county treasurer for the use of the county. In such event, the amount such  
25 officer received in fees and mileage, less expenses, shall be included in determining the minimum at  
26 which his salary may be established unless a lesser amount is agreed upon by the incumbent officer  
27 at that time. In no case shall the salary or other compensation of any of such officers be established  
28 at a lesser amount than that which was in effect December 31, 1972.

29            3 Counties; County Commissioners; Competitive Bidding on Purchases. Amend RSA 28:8, I to  
30 read as follows:

1 I. The provisions of this section shall apply to all counties in the state and the offices of  
2 county sheriff, county attorney, county treasurer, ~~and~~ register of deeds, **and county chief school**  
3 **administrators.**

4 4 Counties; Annual Reports of County Officers; Reports; Publication; Penalty. Amend RSA 30:1  
5 to read as follows:

6 30:1 Reports; Publication; Penalty. The sheriff, the superintendent of the county department of  
7 corrections, the county attorney, the treasurer, the county commissioners, ~~and~~ the superintendents  
8 of the county farms, **and the county chief school administrators** shall make up their several  
9 reports to the close of the county's fiscal year annually, and the same shall be printed together in  
10 pamphlet form before or during the sixth month following the close of the county's fiscal year.  
11 Whoever violates any provision of this section shall be guilty of a violation, and the fine shall be paid  
12 to the treasurer of the county of which said person is an official.

13 5 Towns, Cities, Village Districts, and Unincorporated Places; Powers and Duties of Towns;  
14 Liability for Damages Limited, Indemnification, Insurance. Amend RSA 31:105 to read as follows:

15 31:105 Indemnification for Damages. A city, town, county, village district or precinct, school  
16 district, chartered public school, school administrative unit, or any other municipal corporation or  
17 political subdivision may by a vote of the governing body indemnify and save harmless for loss or  
18 damage occurring after said vote any person employed by it and any member or officer of its  
19 governing board, administrative staff or agencies including but not limited to selectmen, school  
20 board members, chartered public school trustees, city councilors and aldermen, town and city  
21 managers, regional planning commissioners, town and city health officers, overseers of public  
22 welfare, and ~~superintendents of schools~~ **chief school administrators** from personal financial loss  
23 and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit,  
24 or judgment by reason of negligence or other act resulting in accidental injury to a person or  
25 accidental damage to or destruction of property if the indemnified person at the time of the accident  
26 resulting in the injury, damage, or destruction was acting in the scope of employment or office.

27 6 Towns, Cities, Village Districts, and Unincorporated Places; Powers and Duties of Towns;  
28 Indemnification; Civil Rights Suits. Amend RSA 31:106 to read as follows:

29 31:106 Indemnification; Civil Rights Suits. All cities, towns, counties, village districts and  
30 precincts, school districts, chartered public schools, school administrative units, and other municipal  
31 corporations and political subdivisions shall indemnify and save harmless any person employed by it  
32 and any member or officer of its governing board, administrative staff, or agencies including but not  
33 limited to selectmen, school board members, chartered public school trustees, city councilors and  
34 aldermen, town and city managers, regional planning commissioners, town and city health officials,  
35 overseers of public welfare, and ~~superintendents of schools~~ **chief school administrators** from  
36 personal financial loss and expense including reasonable legal fees and costs, if any, arising out of  
37 any claim, demand, suit, or judgment by reason of any act or omission constituting a violation of the

1 civil rights of an employee, teacher or student, or any other person under any federal law if such act  
2 or omission was not committed with malice, and if the indemnified person at the time of such act or  
3 omission was acting within the scope of employment or office.

4 7 Towns, Cities, Village Districts, and Unincorporated Places; Municipal Budget Law; Other  
5 Communities. Amend RSA 32:24 to read as follows:

6 32:24 Other Committees. Nothing in this subdivision shall prevent a municipality [~~or school~~  
7 ~~administrative unit~~] from establishing advisory budget or finance committees, with such duties and  
8 powers as the municipality [~~or school administrative unit~~] sees fit, but no such committee's  
9 recommendations shall have any limiting effect on appropriations, as set forth in RSA 32:18, unless  
10 all the procedures in this subdivision are followed.

11 8 Towns, Cities, Village Districts, and Unincorporated Places; Agreement Between Government  
12 Units; Joint Exercise of Powers. Amend the introductory paragraph of RSA 53-A:3 to read as  
13 follows:

14 Any power or powers, privileges or authority exercised or capable of exercise by a public agency  
15 of this state may be exercised jointly with any other public agency of this state. Such authority shall  
16 include, but not be limited to, the power to enter into agreements to share tax revenues resulting  
17 from local economic development efforts and with respect to cities, towns, **counties**, school districts,  
18 and school administrative units, the power to form the entities and conduct the activities provided  
19 for in RSA 162-G and RSA 31:134 through RSA 31:149, and/or the appropriate activities, including  
20 but not limited to, conducting financial, human resource, information technology, and other  
21 managerial and administrative functions related to the operation of the participating agencies as  
22 provided for in RSA 31, RSA 37, and RSA 194-C:4 as well as city charters adopted under RSA 49-C  
23 and town charters adopted under RSA 49-D.

24 9 Public Officers and Employees; New Hampshire Retirement System; General Conditions for  
25 Participation. Amend RSA 100-A:20, I to read as follows:

26 I. The governing board of any county, city, town, school district, [~~school administrative~~  
27 ~~unit~~] or other political subdivision of the state may, by resolution legally adopted, in form approved  
28 by the board of trustees, elect to have its officers and employees become eligible to participate in the  
29 retirement system. After such election, such body shall be known as an employer for purposes of  
30 this chapter. The board of trustees shall set the date when the participation of the officers and  
31 employees of any employer shall become effective, and then such officers and employees may become  
32 members and participate herein, as provided in this subdivision. Notwithstanding anything to the  
33 contrary, employees of any employer who are members of one or more of the predecessor systems  
34 and who have not elected, pursuant to RSA 100-A:3, to become members shall not be entitled to  
35 become members; and employees who are members of any local retirement system other than a local  
36 retirement system for teachers shall be entitled to become members only as provided in RSA 100-  
37 A:21. "Local retirement system" for purposes of this subdivision shall mean any retirement system

1 or other arrangement for the payment of retirement benefits in existence at the time of passage of  
2 this chapter, which is supported wholly or in part by public funds, exclusive of the predecessor  
3 systems as defined in RSA 100-A:1.

4 10 Public Officers and Employees; Old Age and Survivors' Insurance; Definitions. Amend RSA  
5 101:2, VI to read as follows:

6 VI. The term "political subdivision" includes an instrumentality of a state, of one or more of  
7 its political subdivisions, or of a state and one or more of its political subdivisions, but only if such  
8 instrumentality is a juristic entity which is legally separate and distinct from the state or  
9 subdivision and only if its employees are not by virtue of their relation to such juristic entity  
10 employees of the state or subdivision[~~Said term also includes a school administrative unit~~];

11 11 Education; Pre-Engineering and Technology Curriculum and Pre-Engineering and  
12 Technology Advisory Council; Membership and Terms. Amend RSA 188-E:16, I(f) to read as follows:

13 (f) Three ~~superintendents from school administrative units in which at least one school~~  
14 ~~offers~~ ***principals, teachers, or other employees of schools which offer*** a pre-engineering and  
15 technology curriculum to its students, appointed by the governor and council.

16 12 New Paragraphs; Education; School Boards, Transportation, and Instruction of Pupils; Duty  
17 to Provide Education. Amend RSA 189:1-a by inserting after paragraph V the following new  
18 paragraphs:

19 VI. School boards shall oversee the provision and administration of:

20 (a) Development, review, and evaluation of curricula, and coordination of the  
21 implementation of various curricula;

22 (b) Educational services to students at school facilities, including the designation of  
23 number, grade, and age levels, and, as applicable, other information about students to be served;

24 (c) The on-going assessment of district needs relating to student population, program  
25 facilities and regulations;

26 (d) Pupil governance and discipline, including age-appropriate due process procedures;  
27 and

28 (e) Dealing with citizens at large.

29 VII. School boards, with input from school principals, shall be responsible for:

30 (a) Election and supervision of school principals; election of all other school  
31 administrators;

32 (b) Development, amendment, and adoption of school district policies; and

33 (c) School calendar arrangements and the number and duration of days pupils are to be  
34 served pursuant to RSA 189:1.

35 VIII. Under the direction of the school board, school principals shall have the following  
36 duties in their schools:

1 (a) School principals shall nominate all other school administrators, which shall be  
2 subject to election by the school board;

3 (b) Implementation of various curricula;

4 (c) Provisions and implementation of staff training and professional development;

5 (d) Compliance with laws, regulations, and rules regarding special education, Title IX,  
6 the Americans with Disabilities Act, and minimum standards;

7 (e) Pupil achievement assessment through grading and state and national assessment  
8 procedures, using the methods of assessment approved by the school board; and

9 (f) Daily administration and provision of educational services to students at their school  
10 facility.

11 IX. School boards together with chief school administrators shall oversee:

12 (a) Local fiscal affairs;

13 (b) Staff, student, and parental safety;

14 (c) Maintenance and building issues, including on-going assessment of district facility  
15 needs; and

16 (d) Development of the annual and special meeting warrants; development of the annual  
17 budget, except when the provisions of RSA 32:14 are adopted.

18 13 Education; School Boards, Superintendents, Teachers, and Truant Officers; School Census;  
19 School Employee and Designated School Volunteer Criminal History Records Check. Amend RSA  
20 189:13-a to read as follows:

21 I.(a) The employing school administrative unit, school district, or chartered public school  
22 shall ~~[complete]~~ **ensure** a criminal history records check **is completed** on every selected applicant  
23 for employment in any position in the school administrative unit, school district, or chartered public  
24 school prior to a final offer of employment. **For school districts, the supporting school**  
25 **administrative unit shall complete the criminal history records check.** A public academy  
26 approved by the New Hampshire state board of education shall submit a criminal history records  
27 check on applicants for employment pursuant to this section to the division of state police. ~~[The~~  
28 ~~superintendent of the school administrative unit]~~ **The chief school administrator, school**  
29 **principal,** or the chief executive officer of the chartered public school or public academy may extend  
30 a conditional offer of employment to a selected applicant, with a final offer of employment subject to  
31 a successfully completed criminal history records check. No selected applicant may be extended a  
32 final offer of employment unless the school administrative unit, school district, chartered public  
33 school, or public academy has completed a criminal history records check. The school administrative  
34 unit, school district, chartered public school, or public academy shall not be held liable in any lawsuit  
35 alleging that the extension of a conditional or final offer of employment to an applicant, or the  
36 acceptance of volunteer services from a designated volunteer, with a criminal history was in any way

1 negligent or deficient, if the school administrative unit, school district, chartered public school, or  
2 public academy fulfilled the requirements of this section.

3 (b) A nonpublic school may elect to require a criminal history records check on selected  
4 applicants for employment or selected volunteers. A nonpublic school that elects to conduct a  
5 criminal history records check shall comply with the procedures and requirements set forth in this  
6 section.

7 (c) A school administrative unit, school district, chartered public school, or nonpublic  
8 school shall not hire any individual whose credential issued by the department of education is  
9 currently suspended or revoked, except:

10 (1) Currently suspended educators may be hired for prospective employment that  
11 would begin after the educator's credential is no longer suspended; and

12 (2) Educators whose credential was suspended or revoked in a particular  
13 endorsement area, but who maintains an active endorsement in another area, may be employed  
14 solely in the endorsement area which is not suspended or revoked.

15 II. The selected applicant for employment or designated volunteer with a school  
16 administrative unit, school district, chartered public school, or public academy shall submit to the  
17 employer a criminal history records release form, as provided by the division of state police, which  
18 authorizes the division of state police to conduct a criminal history records check through its state  
19 records and through the Federal Bureau of Investigation and to release, for the purposes of  
20 paragraph V, a report of the applicant's criminal history and record information, including  
21 confidential criminal history record information, to the [~~superintendent~~] **chief school**  
22 **administrator** or designee of the school administrative unit or the chief executive officer of the  
23 chartered public school or public academy. For the purposes of this section, a designee may be the  
24 assistant [~~superintendent~~] **chief school administrator**, the head of human resources, the  
25 personnel director, the business administrator, or the finance director. The applicant shall submit  
26 with the release form a complete set of fingerprints taken by a qualified law enforcement agency or  
27 an authorized employee of the school administrative unit, school district, chartered public school, or  
28 public academy. In the event that the first set of fingerprints is invalid due to insufficient pattern  
29 and a second set of fingerprints is necessary in order to complete the criminal history records check,  
30 the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints  
31 is invalid due to insufficient pattern, the school administrative unit, school district, chartered public  
32 school, or public academy may, in lieu of the criminal history records check, accept police clearances  
33 from every city, town, or county where an applicant has lived during the past 5 years.

34 III. The department of education shall conduct training concerning the reading and  
35 interpretation of criminal history records. The [~~superintendent~~] **chief school administrator** or  
36 designee of the school administrative unit or the chief executive officer of the chartered public school  
37 or public academy shall complete such training and maintain the confidentiality of all criminal

1 history records information received pursuant to this paragraph. The [~~superintendent~~] **chief school**  
 2 **administrator** of the school administrative unit, or chief executive officer of the chartered public  
 3 school or public academy shall review the criminal history records information in accordance with  
 4 paragraph V. If the criminal history records information indicates that the applicant has been  
 5 convicted of any crime or has been charged pending disposition for or convicted of a crime listed in  
 6 paragraph V, the [~~superintendent~~] **chief school administrator** or designee of the school  
 7 administrative unit or the chief executive officer of the chartered public school or public academy  
 8 shall review the information for a hiring decision. If the applicant's criminal history records  
 9 information indicates that the applicant has been charged pending disposition for or has been  
 10 convicted of a crime listed in paragraph V, the [~~superintendent~~] **chief school administrator** of the  
 11 school administrative unit or the chief executive officer of the chartered public school or public  
 12 academy shall notify the department of education.

13 III-a. The [~~superintendent~~] **chief school administrator** of the school administrative unit  
 14 or chief executive officer of the chartered public school or public academy shall destroy any criminal  
 15 history record information within 60 days of receipt. The [~~superintendent~~] **chief school**  
 16 **administrator** of the school administrative unit or chief executive officer of the chartered public  
 17 school or public academy shall destroy any criminal history record information that indicates a  
 18 criminal record within 60 days of receiving said information.

19 IV. The school administrative unit, school district, chartered public school, or public  
 20 academy may require the selected applicant for employment or designated volunteer to pay the  
 21 actual costs of the criminal history records check.

22 V. Any person who has been charged pending disposition for or convicted of any violation or  
 23 attempted violation of RSA 318-B:2 for possession of a controlled drug with the intent to sell, felony  
 24 level, within the last 10 years; RSA 630:1; 630:1-a; 630:1-b; 630:2; 631:1; 632-A:2; 632-A:3; 632-A:4;  
 25 633:1; 633:7; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4;  
 26 or any violation or any attempted violation of RSA 650:2 where the act involves a child in material  
 27 deemed obscene; in this state, or under any statute prohibiting the same conduct in another state,  
 28 territory, or possession of the United States, shall not be hired by a school administrative unit,  
 29 school district, chartered public school, or public academy. The [~~superintendent~~] **chief school**  
 30 **administrator** of the school administrative unit, **school principal**, or the chief executive officer of  
 31 the chartered public school or public academy may deny a selected applicant a final offer of  
 32 employment if such person has been convicted of any crime, misdemeanor or felony, in addition to  
 33 those listed above. The governing body of a school district, chartered public school, or public  
 34 academy shall adopt a policy relative to hiring practices based on the results of the criminal history  
 35 records check and report of misdemeanors and felonies received under paragraph II. Such policy  
 36 may include language stating that any person who has been convicted of any misdemeanor, or any of

1 a list of misdemeanors, may not be hired. Such policy may also include language stating that any  
2 person who has been convicted of any felony, or any of a list of felonies, shall not be hired.

3 VI. In accordance with paragraphs I-V, this section shall apply to any employee, including  
4 substitute teachers, selected applicant for employment, designated volunteer, volunteer  
5 organization, or individual or entity which contracts with a school administrative unit, school  
6 district, chartered public school, or public academy to provide services, including but not limited to  
7 cafeteria workers, school bus drivers, transportation monitors, custodial personnel, or any other  
8 service where the contractor or employees of the contractor provide services directly to students of  
9 the district, chartered public school, or public academy. Substitute teachers who have undergone a  
10 criminal history records check under this section for a ~~[school administrative unit]~~ **school district**  
11 shall not be required to undergo an additional criminal history records check, if working for a school  
12 district within the same school administrative unit~~[- unless required by the superintendent or by~~  
13 ~~policies of the other school districts within that same school administrative unit].~~ Criminal history  
14 records checks for substitute teachers within the same school administrative unit, shall be valid for a  
15 period of 3 years. The employing school administrative unit, school district, or chartered public  
16 school shall be responsible for completing the criminal history records check on the people identified  
17 in this paragraph, except for school bus drivers, as provided in RSA 189:13-b. The cost for criminal  
18 history records checks for employees or selected applicants for employment with such contractors  
19 shall be borne by the contractor.

20 VII. The school administrative unit, school district, chartered public school, or public  
21 academy shall not be required to complete a criminal history records check on volunteers, provided  
22 that the governing body of a school administrative unit, school district, chartered public school, or  
23 public academy shall adopt a policy designating certain categories of volunteers as "designated  
24 volunteers" who shall be required to undergo a criminal history records check.

25 VII-a. A ~~[school administrative unit,]~~ school district, chartered public school, or nonpublic  
26 school shall not allow any individual whose credential issued by the department of education is  
27 currently suspended or revoked to serve as a volunteer except:

28 (a) Currently suspended or revoked educators shall maintain the rights afforded all  
29 members of the public to enter onto school grounds and attend school events in accordance with the  
30 law and school district policy; and

31 (b) Currently suspended or revoked educators who are parents and guardians of  
32 students shall maintain all the rights afforded all parents and guardians under law and school  
33 district policy.

34 VIII. A ~~[school administrative unit,]~~ school district, chartered public school, public academy,  
35 or school official acting pursuant to a policy establishing procedures for certain volunteers shall be  
36 immune from civil or criminal liability, provided the ~~[school administrative unit,]~~ school district,  
37 chartered public school, public academy, or school official has in good faith acted in accordance with

1 said policy. Nothing in this paragraph shall be deemed to grant immunity to any person for that  
2 person's reckless or wanton conduct.

3 IX.(a) Upon placement of a candidate, as defined in RSA 189:13-c, as a student teacher, the  
4 receiving ~~[school administrative unit,]~~ school district, or chartered public school shall conduct a  
5 criminal history records check of the candidate and shall follow the same procedures for assessing  
6 the candidate's criminal history background as for applicants for employment.

7 (b) A receiving ~~[school administrative unit,]~~ school district, or chartered public school  
8 may conduct a criminal history records check upon a candidate, as defined in RSA 189:13-c.

9 X. Violations of this section shall be jointly investigated by the state police and the  
10 department of education. Information obtained through such investigations shall remain confidential  
11 and shall not be subject to RSA 91-A.

12 XI. In this section, "public academy" shall have the same meaning as in RSA 194:23, II.

13 XII. The employing ~~[school administrative unit,]~~ school district, or chartered public school  
14 shall provide every school employee whose position requires a criminal background check under this  
15 section with informational materials, training, or other education, either online or in person,  
16 concerning child sexual abuse prevention, sexual assault and harassment policy training, warning  
17 signs of child abuse, and reporting mandates. For the purposes of this paragraph, school employees  
18 include coaches and those enumerated in RSA 189:13-a, I(a), VI, and IX(a). Such training shall be  
19 completed within 30 days of employment and renewed every 2 years for all employees.

20 14 Education; School Boards, Superintendents, Teachers, and Truant Officers; School Census;  
21 How Chosen. Amend RSA 189:39 to read as follows:

22 189:39 How Chosen. ~~[Superintendents]~~ **School principals** shall nominate and school boards  
23 elect all teachers employed in the schools in their school ~~[administrative unit, providing such~~  
24 ~~teachers hold a valid educational credential issued by the state board of education]~~ **district**.

25 15 Education; School Boards, Superintendents, Teachers, and Truant Officers; School Census;  
26 Mandatory Report to Voters. Amend RSA 189:76, I to read as follows:

27 I. Before any meeting at which any school district adopts a school budget, ~~[whether or not~~  
28 ~~the district has adopted the provisions of RSA 194-C:9-b,]~~ a mandatory report to voters ~~[must]~~ **shall**  
29 be posted in at least 3 appropriate places, 2 of which must be places of business or other public  
30 locations, and one of which shall be the local newspaper or, if a local newspaper is not available, the  
31 district's website. The report must be posted at least 7 days, excluding Sundays and legal holidays,  
32 prior to the meeting.

33 16 Education; Pupils; Parents as Teachers Program Established. Amend RSA 193:35, I to read  
34 as follows:

35 I. The department of education shall establish the school district based Parents as Teachers  
36 Program for a rural community in Sullivan county in cooperation with ~~[School Administrative Unit~~  
37 **6] Sullivan County's school administrative unit** and the Parent Information Center. Sullivan

1 county will be the rural site for the program because of its unique demographic profile, including the  
2 high number of risk factors affecting its children, the demonstrated interest of its public officials in  
3 the program, and the capacity to link the program to existing programs within the county including  
4 Good Beginnings, the Parent Information Center, and department of education programs in Sullivan  
5 county. The department shall use the following criteria to measure the effectiveness of the program:

6 17 Education; School Administrative Units; Status. RSA 194-C:1 is repealed and reenacted to  
7 read as follows:

8 194-C:1 Definitions.

9 I. "Chief school administrator" means the city or county official elected pursuant to RSA  
10 653:1, VII. This term shall replace "superintendent".

11 II. "School administrative unit" means the city or county department overseen by the chief  
12 school administrator together with the school districts they support.

13 III. The corresponding city council or county commissioners are the governing body of the  
14 school administrative unit.

15 18 Education; School Administrative Units; Interstate School Administrative Units; Exemption  
16 RSA 194-C:3 is repealed and reenacted to read as follows:

17 194-C:3 Interstate School Administrative Units; Exemption. Interstate school districts and  
18 compacts created by RSA 200-B and RSA 200-F shall be exempt from this chapter.

19 19 Education; School Administrative Units; Services. RSA 194-C:4 is repealed and reenacted to  
20 read as follows:

21 194-C:4 Services. For each supported school district, the school administrative unit under the  
22 chief school administrator shall provide the following education administrative services to their  
23 school boards, budget committees, other elected and appointed school district officials, school  
24 principals and other administrators, and school district employees:

25 I. Payroll, benefits including procedural requirements, cash flow, bills, records and files,  
26 accounts, reporting requirements, funds management, audits, and coordination with the school  
27 district treasurer and advisory boards on policies necessary for compliance with all state and federal  
28 laws regarding purchasing.

29 II. Support services for recruitment of staff, criminal history records checks, pursuant RSA  
30 189:13-a, labor contract negotiation, processing of grievances, and arrangement for mediation, fact  
31 finding, or arbitration.

32 III. Compliance with laws, regulations, and rules regarding home education, long-term  
33 student records, sexual harassment, and other matters as may from time to time occur. Support  
34 services for compliance with laws, regulations, and rules regarding special education, Title IX, the  
35 Americans with Disabilities Act, short-term student records, and other matters as may from time to  
36 time occur.

1 IV. Writing, receiving, disbursement, and the meeting of all federal, state, and local  
2 compliance requirements.

3 V. Oversight of and legal services for the provision of insurance, appropriate hearings,  
4 litigation, and court issues.

5 VI. Support for pupil transportation contracts and execution, as directed by the school  
6 board.

7 VII. Grant writing, compliance, and administration, as directed by the school board.

8 VIII. Support for annual budget, warrants for annual and special meetings, and any  
9 required public notices, as directed by the school board and budget committee.

10 IX. Support the completion of annual audits pursuant to RSA 21-J:19 of supported school  
11 districts.

12 X. Assist identification of consultants to be used for various services.

13 20 Education; School Administrative Units; Organization and Duties; Federal Assistance RSA  
14 194-C:5 through C:6 are repealed and reenacted to read as follows:

15 194-C:5 Transition.

16 I. No existing school administrative unit shall enter into a contract where the terms, parties  
17 affected, or services provided by the contract extend beyond June 30, 2029.

18 II. Any party harmed by changes to, or consolidation of, school administrative units shall be  
19 entitled only to monetary damages. No party may file suit against this state or any school  
20 administrative unit or district seeking remedies other than monetary damages.

21 194-C:6 Federal Assistance. School administrative units, in cooperation with local school  
22 districts, are hereby authorized to cooperate with the federal government or any agency thereof to  
23 request, receive, distribute and expend federal funds for educational purposes. The receipt and  
24 expenditure of federal funds by a school administrative unit shall be accounted for in the same  
25 manner as established for federal funds processed through local school districts. Each school  
26 administrative unit is hereby directed to establish, separate from its operating budget, a federal  
27 grant account for each supported school district.

28 21 Education; School Administrative Units; Budget RSA 194-C:9 is repealed and reenacted to  
29 read as follows:

30 194-C:9 Budget.

31 I. The city and county property tax rates in Hillsborough county shall be adjusted to reflect  
32 their specific school administrative unit expenses to be raised by property taxes.

33 II. A school administrative unit's annual budget shall be determined in the same manner  
34 and schedule as other city and county department budgets, except that, in the case of the  
35 Hillsborough county's school administrative unit, only members of the county school convention shall  
36 approve that portion of the county budget.

1           III. Chief school administrators, other business administrators, consultants, and the  
2 regularly employed office personnel of a school administrative unit office shall be deemed employees  
3 of a city or county for the purposes of payment of salaries and contributions to an employee's  
4 retirement and workers' compensation. Employee candidate background checks for all employees of  
5 the school administrative unit shall be pursuant to the requirements of RSA 189:13-a and RSA  
6 28:10-c.

7           IV. If a school administrative unit contains one or more cooperative school districts that  
8 cross county boundaries, the county tax rate for the affected towns shall be adjusted to reflect their  
9 portion of the school administrative unit expenses to be raised by property tax, and those towns shall  
10 pay that portion to the appropriate county.

11           V. The commissioner of the department of revenue administration shall adopt rules to  
12 implement this section per RSA 541-A.

13           22 Education; Withdrawal From Cooperative School Districts; Time of Withdrawal. Amend RSA  
14 195:30 to read as follows:

15           195:30 Time of Withdrawal. The vote to withdraw from a cooperative school district shall take  
16 effect on July 1 of the calendar year one year subsequent to the date on which the withdrawal vote is  
17 passed. ~~[A preexisting school district which withdraws from a cooperative school district shall~~  
18 ~~remain a part of the school administrative unit of which it was a member prior to withdrawal unless~~  
19 ~~the withdrawing district complies with the school administrative unit withdrawal process set forth~~  
20 ~~in RSA 194-C:2.]~~ After passage of the withdrawal vote and the issuance by the state board of  
21 education of its certificate of withdrawal, a special meeting of the voters in the withdrawing district  
22 shall be held at a time set by the state board of education. The warrant for this special meeting,  
23 approved by the state board of education and signed by the commissioner, shall provide for the  
24 election of officers in the withdrawing school district. The commissioner of education shall have  
25 authority to appoint officers pro tem as may be necessary and prepare the warrant for the special  
26 meeting held to elect officers. This meeting shall have the same power and authority as an annual  
27 meeting with reference to the raising or appropriating of money. The district officers elected at said  
28 meeting shall take office immediately and shall carry out the duties of their office and may take any  
29 action otherwise permitted by law which is necessary in order to carry out the provisions of the  
30 withdrawal.

31           23 Education; Schoolhouses; Location and Construction by District. Amend RSA 199:1 to read  
32 as follows:

33           199:1 Location and Construction by District. The district may decide upon the location of its  
34 schoolhouses by vote or by a committee appointed for the purpose, provided, however, that all plans,  
35 specifications, and the selection of site for any new school buildings for any school district within the  
36 state shall be approved by the school board of the district in which it is proposed to construct such a  
37 building. The provisions of this section shall apply to all new construction and substantial

1 renovation of public school buildings, including those constructed by grant or loans of funds from  
2 state, the federal government, or other sources. The district shall investigate feasible options in the  
3 course of deciding to renovate or replace an existing school building. In considering such options, the  
4 district shall hold at least one public hearing and shall seek input from municipal boards and  
5 departments. The district shall also review the municipality's zoning regulations and master plan in  
6 order to maximize best planning practices. ~~[For the purposes of this chapter, in addition to their  
7 usual meanings, the words "schoolhouse" and "school building" also mean educational  
8 administration building, including school administrative unit facilities.]~~

9 24 New Paragraphs; Elections; State and County Officers to be Elected; Elected for 2-Year  
10 Term. Amend RSA 653:1 by inserting after paragraph VI the following new paragraphs:

11 VII. Twelve chief school administrators as follows:

- 12 (a) One for the city of Manchester.
- 13 (b) One for the city of Nashua.
- 14 (c) One for all remaining cities and towns within Hillsborough County.
- 15 (d) One for each remaining county.

16 VIII. Voters in each school administrative unit shall elect their chief school administrator to  
17 2-year terms. In the case of cooperative school districts that include towns from more than one  
18 county, the voters shall elect the chief school administrator of the school administrative unit that  
19 services their school district.

20 IX. Towns that are part of interstate school districts or are subject to RSA 200-B or RSA  
21 200-F shall not be eligible to participate in electing a chief school administrator.

22 25 Elections; Nominations; Qualifications by Office; Incompatible Offices. Amend RSA 655:10, I  
23 to read as follows:

24 I. No person shall file declaration of candidacy or primary petitions for nomination at the  
25 primary for incompatible offices. For the purposes of this section, incompatible offices shall include  
26 the offices of governor, United States senator, United States representative, representative to the  
27 general court, state senator, councilor, county commissioner, county sheriff, county attorney, county  
28 treasurer, **chief school administrator**, register of deeds, and register of probate. If any person  
29 shall file for incompatible offices, the secretary of state shall advise the person of the provisions  
30 hereof and said person shall then advise the secretary of state which of said offices he or she wishes  
31 to retain in order to seek said nomination.

32 26 Elections; Vacancies Among Public Officers Elected at State Elections; County Officers.  
33 Amend RSA 661:9, I to read as follows:

34 I. If a vacancy for a period of one year or longer occurs in the office of county sheriff, county  
35 attorney, **chief school administrator**, register of deeds, or county treasurer, the members of the  
36 county convention, **or county school convention for chief school administrators**, shall fill the  
37 vacancy for the unexpired term by a majority of the ballots cast. If a vacancy for a period of less

1 than a year occurs in any such office, the members of the [county] convention shall, by majority vote  
2 of the [county] convention, vote to either fill the vacancy or to leave the office vacant.

3 27 Transition period.

4 I. Each school district shall be associated with one school administrative unit as follows:

5 (a) Interstate school districts created by RSA 200-B and RSA 200-F shall be unchanged.

6 (b) School districts within the chief school administrator's election district, as specified  
7 by RSA 653:I, VII, shall be associated with that chief school administrator's school administrative  
8 unit.

9 (c) Cooperative school district boards that cross county lines shall choose, prior to  
10 January 1, 2028, which county school administrative unit they will be associated with.

11 II. Existing school superintendents and newly elected chief school administrators under RSA  
12 653:1, VII, shall, for each school district, mutually agree on a date, between March 1, 2029, and July  
13 1, 2029, for when services for that district shall be taken over by the new school administrative unit.  
14 All records, funds, and other property associated within that district shall be transferred to the new  
15 school administrative unit by that date. Employment, transportation, services, and other contracts  
16 shall be offered to the newly elected superintendent, but, if not adopted, shall be terminated.  
17 Existing school administrative units shall be terminated as of their latest transition date.

18 28 New Subdivision; Joint Consolidation Committee. Amend RSA 194-C by inserting after  
19 section 12 the following new subdivision:

20 Joint Consolidation Committee

21 194-C:13 Joint Consolidation Committee.

22 I. There is established a committee to oversee the transition to a reduced number of school  
23 administrative units in the state. The committee shall be known as the Joint Consolidation  
24 Committee.

25 II. The members of the committee shall be as follows:

26 (a) Two members of the senate, appointed by the president of the senate.

27 (b) Five members of the house of representatives, appointed by the speaker of the house  
28 of representatives.

29 III. Members of the committee shall receive mileage at the legislative rate when attending  
30 to the duties of the committee.

31 IV. The committee shall track the issues related to school administrative units and  
32 consolidation. It shall introduce legislation that it determines is necessary or desirable to improve  
33 the consolidation process and correct any errors or oversights.

34 V. The members of the committee shall elect a chairperson from among the members. The  
35 first meeting of the committee shall be called by the first-named senate member. The first meeting  
36 of the committee shall be held within 45 days of the effective date of this section. Four members of  
37 the committee shall constitute a quorum.

1 VI. The committee shall report its findings and any recommendations for proposed  
2 legislation to the president of the senate, the speaker of the house of representatives, the senate  
3 clerk, the house clerk, the governor, and the state library at least annually on or before November 1.

4 29 Prospective Repeal; 2029. The following are repealed:

5 I. RSA 189:75, III, relative to the definition of a "corresponding school administration unit".

6 II. RSA 194:1-a, relative to single district school administrative units.

7 III. RSA 194-C:4-a, relative to the assignment of superintendent services and personnel for  
8 school administrative units.

9 IV. RSA 194-C:7, relative to representation in school administrative units.

10 V. RSA 194-C:8, relative to weighted voting in school administrative units.

11 VI. RSA 194-C:9-a, relative to alternate budget procedures and methods of adopting  
12 alternate budgets.

13 VII. RSA 194-C:9-b, relative to alternative budget procedures for school administrative  
14 units.

15 VIII. RSA-C:10, relative to public hearings for school administrative units.

16 IX. Sections 26 through 30, relative to the Joint Commission on SAU Consolidation.

17 30 Repeal. RSA 194-C:2, relative to the organization, reorganization, withdrawal, or merger of  
18 school administrative units, is repealed.

19 31 Effective Date.

20 I. Section 28 and Section 30 of this act shall take effect upon its passage.

21 II. Sections 24 and 25 of this act shall take effect January 1, 2028.

22 III. Sections 12 and 18 of this act shall take effect July 1, 2028.

23 IV. The remainder of this act shall take effect January 1, 2029.

**HB 1804-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT consolidating school administrative units, making chief school administrator jobs an elected position, and defining education roles.

**FISCAL IMPACT:**

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

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

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

The Office of Legislative Budget Assistant is unable to provide a complete fiscal note for this bill as it is awaiting information from the Department of Education. The Department was initially contacted on 11/20/25 for a fiscal note worksheet, with follow-up contact made on 12/05/25. When completed, the fiscal note will be forwarded to the House Clerk's Office.

**METHODOLOGY:**

The New Hampshire Association of Counties states this bill shifts the administration of schools from local districts to county-level oversight. Counties will elect chief school administrators and manage school administrative units, including payroll, benefits, audits, and compliance. County officials' salaries and benefits are formally set by county conventions. Counties fund these operations primarily through property taxes, though some federal funds and fees can help. The bill also includes a plan for a transition committee to oversee the consolidation of school administrative units.

The Association states this bill creates new responsibilities for county governments, including the election and compensation of chief school administrators, expanded school administrative unit operations, payroll and benefits administration, compliance and legal services, and criminal history checks for employees and volunteers. These changes will result in indeterminable costs to counties, as actual expenses will vary based on county size, the number of school districts served, salaries set by county conventions, and the scope of administrative and oversight duties. Potential revenue sources, including property tax adjustments, fees collected by county officers, fines, and federal grants, are also indeterminable, as they depend on local decisions, participation in federal programs, and the level of fees and fines collected. Consequently, the Association states the net fiscal impact to individual counties cannot be precisely quantified at this time.

**AGENCIES CONTACTED:**

Department of Education and New Hampshire Association of Counties