STATE OF NEW HAMPSHIRE

OFFICE OF LEGISLATIVE SERVICES
ADMINISTRATIVE RULES

STATE HOUSE ANNEX
25 CAPITOL STREET, ROOM 234
CONCORD, NH 03301

Rulemaking Notice Form

Notice Number: 2026-247

Rule Number: Ed 321.36

1. **Agency:** Board of Education

   Agency Address: c/o Department of Education
   25 Hall St.
   Concord, NH 03301

2. **RSA Authority:** RSA 21-N:9, II(c)
3. **Federal Authority:**
4. **Action(s):** Readopt w/Amendment
5. **Short Title:** Confidentiality of School Building Aid Applications
6. **(a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:**

   The Board is proposing to readopt with amendment Ed 321.36, adopted as an emergency rule effective 8-13-26. This rule outlines the process of designating certain portions of an applicant's building aid application as confidential during the ranking order review by the state board and school building authority. The proposed amendment revises (a) to clarify that specific portions of the building aid application shall be considered confidential when they fall within the listed categories.

   Does this rule implement a state statute for the first time?

   This proposal does not implement a statute for the first time.

6. **(b) Brief description of the groups affected:**

   SAUs, district, and chartered public schools applying for school building aid.

6. **(c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:**

Rule	**Statute**
Ed 321.36	RSA 91-A:3, II(i) and III; RSA 91-A:5, VI; RSA 198:15-c, II(a)

7. **Contact person for copies and questions including requests to accommodate persons with disabilities:**

Name: Julie Shea	**Title:** Administrative Rules Coordinator
Address: Department of Education 25 Hall St. Concord, NH 03301	**Phone Number:** (207) 446-3829
	FAX Number:
	Email: julie.r.shea@doe.nh.gov

8. **Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified:**

   Thursday, December 17, 2026

   _ **Fax**

   X **Email** julie.r.shea@doe.nh.gov

   _ **Other**

9. **Public hearing scheduled for:**

   Date: Thursday, December 10, 2026

   Time: 12:00 PM

   Place: Department of Education Event Center
   25 Hall St.
   Concord, NH 03301

   Electronic Access, if applicable: N/A

10. **Fiscal Impact Statement (Prepared by Legislative Budget Assistant):**

    FIS #: 26:240, dated: Tuesday, October 13, 2026

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**

   There is no difference in costs when comparing the proposed rules to the existing rules.

2. **Cite the Federal mandate. Identify the impact on state funds:**

   No federal mandate, no impact on state funds.

3. **Cost and benefits of the proposed rule(s):**

   A. To State general or State special funds:

   None.

   B. To State citizens and political subdivisions:

   None.

   C. To independently owned businesses:

   None.

11. **Statement Relative to Part I, Article 28-a of the N.H. Constitution:**

This proposal does not mandate any new, expanded, or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivisions, and therefore does not violate Part I, Article 28-a of the New Hampshire Constitution.