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NHSBA Legislative Update – May 5, 2017

SB 191: As reported in last week's NHSBA Legislative Update, SB 191 is Governor Sununu's KIDS grant initiative. This bill seeks to provide additional funding for property-poor school districts that offer full-day kindergarten programs. While Governor Sununu initially proposed \$9 million annually of targeted aid for the Program, the House Education Committee recommended fully funding full-day kindergarten for all school districts that offer full-day kindergarten at a cost of \$14.5 million annually.

On Thursday May 4, 2017, the NH House of Representatives passed SB 191 by a vote of 247-116. The bill was referred to the House Finance Committee.

SB 43: An act relative to nonacademic surveys, questionnaires, or evaluations administered by a public school to its students. As introduced, this bill provided that no student shall be required to volunteer or submit to a non-academic survey or questionnaire without written consent of a parent or legal guardian.

NHSBA testified in opposition to SB 43, as introduced, based on a newly adopted Resolution (2017) that states while NHSBA recognizes and respects the right of parents to opt-out their child(ren) from various school assignments, NHSBA opposes "opt-in" requirements. NHSBA raised concerns that the phrase "nonacademic surveys, questionnaires or evaluations" was significantly vague such that "surveying" students about what the prom theme should be or what food to order for an activity would require parental authorization.

An amendment was offered and changes the bill significantly. The amended version now requires school boards to adopt a policy that requires school districts, in part, to: (1) notify a parent or legal guardian of a nonacademic survey, questionnaire, or evaluation and its purpose at least 10 days prior to distribution to students; (2) make such surveys, questionnaires, or evaluations available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students; and (3) allows parents to opt-out their child(ren) from taking the survey or questionnaire.

On Tuesday May 2, 2017, the House Education Committee voted OUGHT TO PASS WITH AMENDMENT by a vote of 19-0.

While NHSBA still has reservations about the bill as amended, the amended version represents a workable compromise regarding these matters.

SB 44: An act prohibiting the state from requiring implementation of common core standards. As introduced, this bill prohibits the department of education and the state board of education from requiring the implementation of the common core standards in any school or school district in this state.

An amendment was offered that states in part that, “Neither the department of education nor the state board of education shall by statute or rule require that the common core standards developed jointly by the National Governors Association and the Council of Chief State School Officers be implemented in any school or school district in this state.” The bill also allows for local school boards to not adopt common core standards, but rather local school boards may “determine, approve, and implement alternative academic standards.”

On May 2, 2017, the House Education Committee voted OUGHT TO PASS WITH AMENDMENT by a vote of 16-2.

NHSBA did not testify on this bill and has no position regarding this matter.

SB 101: An act relative to enrollment eligibility for regional career and technical education programs. This bill, as amended, allows high school students to enroll in a CTE program after one year of high school. Current law requires students to have completed two years of high school before they are eligible to enroll in a CTE program. The bill also establishes a statewide NH dual and concurrent enrollment program. It assures all NH 11th and 12th grade students the opportunity to enroll in and complete quality post-secondary college credit in science, technology, engineering, and math (STEM) courses regardless of where students live in NH and at no cost to the student.

On Thursday May 4, 2017, the NH House of Representatives voted to adopt the House Education Committee’s recommendation of OUGHT TO PASS WITH AMENDMENT.

HB 460: An act relative to minutes under the Right to Know law. This bill, as amended by the Senate Judiciary Committee, adds language to the Right to Know law stating that if a member of a public body believes that the public body is having improper communications, that member may raise an objection to the communication/conversation, and that objection shall be included in the minutes. The intent of HB 460 is to provide immunity from personal liability under the Right to Know law for a board member who raises such an objection, presuming there is a Right to Know law violation.

NHSBA opposed HB 460 as introduced. However, there was strong indication that the bill would move forward. As such, NHSBA worked with the New Hampshire Municipal Association and the Senate Judiciary Committee to draft compromise language. One of NHSBA's primary concerns was that the description of the objection may inadvertently disclose private or confidential information, especially if the board was in non-public session. While NHSBA still has concerns about HB 460, the amended version is a better compromise than the bill as introduced.

On May 2, 2017, the Senate Judiciary Committee voted OUGHT TO PASS AS AMENDED by a vote of 5-0.