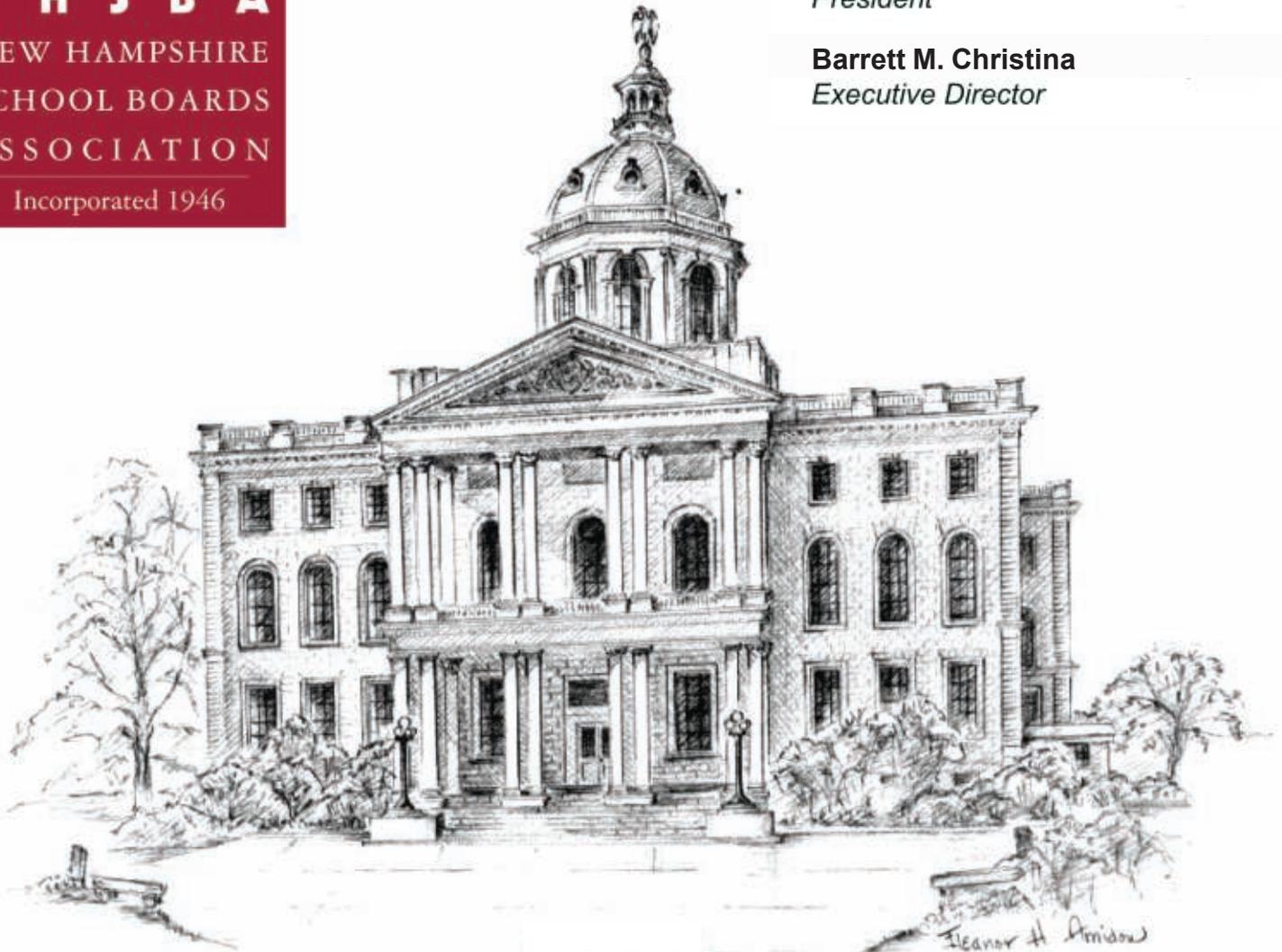


# New Hampshire School Boards Association

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**2018**

# LEGISLATIVE SUMMARY

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**DISCLAIMER**

*THE 2018 LEGISLATIVE SUMMARY IS INTENDED TO HIGHLIGHT MAJOR EDUCATION-RELATED BILLS OF THE 2018 LEGISLATIVE SESSION. THE SUMMARY ALSO AIMS TO PROVIDE A SYNOPSIS OF NEW LAWS IMPACTING SCHOOL DISTRICT OPERATIONS AND SCHOOL BOARD GOVERNANCE. THIS SUMMARY IS NOT INTENDED TO COVER SPECIFIC CIRCUMSTANCES AND IS NOT INTENDED TO IMPART LEGAL ADVICE. PRIOR TO TAKING ANY ACTION WITH RESPECT TO A NEW LAW, NHSBA RECOMMENDS ITS MEMBER SCHOOL BOARDS TO CONTACT NHSBA OR THE DISTRICT'S LEGAL COUNSEL FOR A FULL LEGAL ANALYSIS.*

**2018 NHSBA Legislative Summary**  
 A Resource Guide for School Districts and Local Boards of Education

**Part I - Bills That Have Become Law**

Bill Number	Analysis
<b>Academics &amp; Programming</b>	
<b>HB 1499</b> Kindergarten	<p><b>Summary</b>            This bill amends the substantive educational content of an adequate education by offering a statement of purpose for kindergarten programs and specifying a set of components that should be of focus for all NH kindergarteners. Those components include: child-directed experiences, play-based learning comprised of movement, creative expression, exploration, socialization, and movement.  <i>Effective date, August 17, 2018</i></p>
	<p><b>Legal/Practice Impact</b>            The NHDOE intends to engage in rule-making including these components for Kindergarten programming in the administrative rules for minimum school approval standards. The timeline of this work is unknown. The NHSBA will closely monitor the timing and outcomes of the rulemaking process. In the interim the NHDOE has released a technical advisory for districts regarding play-based programming.  <a href="https://www.education.nh.gov/standards/documents/play-based-kindergarten.pdf">https://www.education.nh.gov/standards/documents/play-based-kindergarten.pdf</a></p> <p>For most districts the practice and implementation implications of this bill will be minimal. In an effort to ensure alignment districts should review their locally developed kindergarten curriculum ensuring there is space and time within the daily routine for the defined essential components. All and all, this bill represents what is best practice and most districts already provide these experiences for students.</p>
	<p><b>Policy Impact for School Boards</b>            Districts should review any policies they may have regarding either general educational philosophy/mission (e.g., NHSBA sample AD), or specific philosophy regarding kindergarten, to assure there are no language conflicts. NHSBA's sample AD is general enough so as not to require revision.</p>

<p style="text-align: center;"><b>HB 1761</b> Mathematics Remediation</p>	<p><b>Summary</b></p> <p>This bill requires the Commissioner of Education to establish and implement a supplemental mathematics program for high school students who require a deeper understanding of requisite math knowledge and skills to be college and career ready. The Commissioner’s implementation of the program must occur by July 1, 2019. The program is known as <i>Math Learning Communities</i>. The program focuses on two types of student experiences: Course 1 which offers a review of math foundations and application of algebra, geometry, probability and statistics. Course 2 is a college level mathematics course that can be taken through dual and concurrent enrollment programs. Course 2 also satisfies the math requirement for high school graduation. Placement in either of the two courses occurs through a recommendation and a student’s score on the <i>Next Generation Acuplacer QAS Exam</i>.</p> <p>As a critical element of the establishment and implementation of this program the Commissioner is also charged with the creation of a task force for the purpose of implementation, recommendations, program administration, and evaluation. The NHSBA will monitor the creation and outcomes of this task force.</p> <p style="text-align: right;"><i>Effective date, June 25, 2018</i></p>
	<p><b>Legal/Practice Impact</b></p> <p>The full impact of this bill on local school districts is unknown. The Commissioner’s task force charged with program implementation will provide further guidance and answers to substantive matters dealing with implementation at the state and local levels. A sampling of substantive questions that have surfaced include: Who pays for the exam and or implementation of Acuplacer? Who pays for the cost of the course and staff required to implement the course? Who assesses student progress and provides student feedback as individuals progress through the program?</p>
	<p><b>Policy Impact</b></p> <p>NHSBA believes notwithstanding language of the statute the impact on policies is unknown until (a) the implementation by the Commissioner and (b) the work of the task force. NHSBA will continue to monitor the development of this program.</p>

<p style="text-align: center;"><b>SB 349</b> CTE Programming &amp; Graduation Requirements</p>	<p><b>Summary</b> SB 349 amends RSA 186:6 VIII by expanding the flexibility local school districts have in identifying the coursework that satisfies the mathematics high school graduation requirement of 4 years.</p> <p>In current law students may satisfy the graduation requirement with 3 math courses and one non-math content course in which math knowledge, skills, and application are embedded. SB 349 expands/clarifies the list of courses that qualify under the non-mathematics coursework to CTE programming. Such coursework must be approved by the local school board.</p> <p>In response to this bill the NHDOE plans to enter rulemaking. NHSBA will monitor and update membership as necessary. <i>Effective date, July 24, 2018</i></p> <p><b>Legal/Practice Impact</b> High schools may now award credit in the area of mathematics for CTE courses students successfully complete. Local boards should develop a defined process for identifying non-mathematics coursework that satisfies the high school mathematics graduation requirement.</p> <p><b>Policy Impact</b> In addition to establishing a process for identifying non-mathematics coursework that satisfies the high school graduation requirement school districts should also re-examine their policies on earning credit and interdisciplinary credits (<b>NHSBA sample policies IK and ICAA</b>) ensuring they are in compliance with this new law. <b>NHSBA will include sample language with its 2018 Fall Policy Update.</b></p>
<p style="text-align: center;"><b>SB 435</b> Alternative Learning Programs</p>	<p><b>Summary</b> SB 435 advances the state’s vision of expanding alternative learning opportunities for all students. This bill requires the NH State Board of Education to design and adopt rules for approving alternative learning programs for granting high school credit leading to graduation. <i>Effective date, August 7, 2018</i></p> <p><b>Legal/Practice Impact</b> The overall impact of this bill is unclear and highly dependent on the nature of rules the SBE passes. NHSBA will closely monitor the rulemaking process supporting the implementation of SB 435.</p>

	<p><b>Policy Impact</b> Local school districts should ensure they have the necessary local policies in place supporting alternative and experiential learning opportunities for students. Such policies include: IHBH, IHBI, IHCD and IMBC. NHSBA will provide further guidance once the SBE has adopted rules as required by this law.</p>
<p><b>SB 437</b> Robotics Program</p>	<p><b>Summary</b> The robotics bill repeals and reenacts a bill passed during the 2017 legislative session designed to increase participation and awareness of STEM-based learning opportunities and future interest in such careers. The bill establishes eligibility criteria for grants to schools from the robotics fund. All public and chartered public schools are eligible for the competitive grant funds. Minimum eligibility requirements include: a developed budget for the robotics team, a partnership with one sponsor, and identification of one competitive event the team will participate in.</p> <p>This bill also prioritizes the allocation of funds if applications exceed the available amount of funding from the state.</p> <p style="text-align: right;"><i>Effective date, August 31, 2018</i></p>
	<p><b>Legal/Practice Impact</b> This bill makes state funding available to school districts for robotics programs. This is a new funding stream for such programs over the last two years.</p>
	<p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>
<b>Assessment &amp; Accountability</b>	
<p><b>HB 1493</b> Statewide Assessment System</p>	<p><b>Summary</b> HB 1493 amends RSA 193-C:3 by clarifying that the statewide education improvement and assessment program shall be designed to measure <u>both academic achievement and growth</u>.</p> <p style="text-align: right;"><i>Effective date, July 14, 2018</i></p>
	<p><b>Legal/Practice Impact</b> The impact of this bill is rather minimal and places into law what has been practice for several years. The bill simply reinforces the notion that the statewide assessment examines student achievement relative to state standards, in addition to individual growth within a defined period of time. This bill has a greater impact at the state level in how they design, implement and report on student, school, district, and state performance results.</p>
	<p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>

<p style="text-align: center;"><b>HB 1494</b> Academic Standards</p>	<p><b>Summary</b> HB 1494 amends RSA193-E:2a, VI(b) by expanding the definition of academic standards to include “a course.” “Academic standards means what a student should know and be able to do in a course or at each grade level.” <i>Effective date, August 20, 2018</i></p>
	<p><b>Legal/Practice Impact</b> This small yet substantive change offers increased flexibility to school districts. Academic standards are no longer defined by a single grade level, the definition expands standards to the course level in an attempt to not limit content and skill by age or grade.</p>
	<p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>
<p style="text-align: center;"><b>HB 1495</b> Standards for Determining an Adequate Education</p>	<p><b>Summary</b> This bill repeals and reenacts RSA 193-E:3, I which defines the standards for determining an adequate education. More specifically HB 1495 offers three significant changes to the field. First, the bill expands the list of indicators that school districts are required to report each year regarding the delivery of an adequate education. Second, the bill creates a rating scale for school districts regarding their performance (School District Profiles). Last, the bill collects data and indicators from the state’s public higher education institutions with the intent of integrating all data collected for the purpose of conducting studies, tracking longitudinal pupil outcomes, and improving post-secondary preparedness and outcomes.  For all data collected the reporting shall not include any personally identifiable information.  <i>Effective date, August 24, 2018</i></p>
	<p><b>Legal/Practice Impact</b> HB 1495 has several implications for local school districts. Immediately, districts should familiarize their organizations with the newly expanded list of indicators for determining an adequate education. A total of 14 indicators now exists that districts will be required to report annually. While the NHDOE will provide a collection portal for the 14 indicators, districts should ensure they have the necessary internal systems in place to collect and monitor the compilation of data on the 14 indicators, many of which are new (i.e. teacher and administrator turnover rates).</p>

	<p>In addition to collecting data on the defined indicators SAU’s will be required to publicly post the SAU’s School District Profiles which detail the outcomes of the rating scales for districts on the performance standards defined within the bill. In the past, required posting was at the NHDOE level only. As these profiles are published each year districts should consider a plan for communications.</p>
	<p><b>Policy Impact</b>  No current NHSBA sample policies are affected by this Bill. NHSBA is reviewing the statute to determine suitability/benefit of including modification of current sample(s), or adoption of one or more new sample policies.</p>
<p><b>HB 1496</b>  Accountability System for an Adequate Education And Civics Competency Assessment</p>	<p><b>Summary</b>  HB 1496 collapsed two independent bills into a single piece of legislation that offer significant changes for schools in the areas of assessment and accountability.</p> <p>In the area of accountability districts will now need to meet the requirements of two accountability systems in their demonstration of providing for an adequate education. In the past districts only needed to meet the requirements of one of the two systems. The systems are the Input Based Accountability System (IBAS) and the Performance Based Accountability System (PBAS). Given this bill establishes two criteria districts now need to meet, it is expected that the number of schools and districts not meeting the minimum threshold will increase.</p> <p>In the area of assessment HB 1496 expands RSA 189:11, II to not only require a locally developed competency assessment in United States Government and Civics be administered as part of a high school course in history and government of the United States and New Hampshire but also mandate reporting requirements of the assessment results to the state annually. By June 30<sup>th</sup> of each year each school district will submit the results of their locally developed competency assessment or the United States Citizenship and Immigration Services test to the NHDOE.</p> <p style="text-align: right;"><i>Effective date, August 31, 2018</i></p>

	<p><b>Legal/Practice Impact</b>  As a part of the assessment requirements of HB 1496 school districts should communicate with their high schools ensuring enrolled students complete a locally developed competency assessment as a part of their US history and government course or the United States Immigration test. A system should also be developed for collecting, tracking, and reporting student results on either of the two assessments. No data reported should be personally identifiable.</p> <p><b>Policy Impact</b>  No current NHSBA sample policies are affected by this Bill. NHSBA is reviewing the statute to determine suitability/benefit of including modification of current sample(s), or adoption of one or more new sample policies.</p>
<p><b>HB 1497</b>  Accountability System</p>	<p><b>Summary</b>  This bill ushers in considerable change to NH’s system of accountability for school performance. Most notably, certain definitions have been modified or added relating to school performance and accountability. Those definitions include but are not limited to: competencies, <i>Comprehensive Support &amp; Improvement School</i>, <i>Targeted Support &amp; Improvement School</i>, and <i>Work-Study Practices</i>.</p> <p>The bill changes the designations of <i>Priority School</i> to <i>Comprehensive Support &amp; Improvement School</i> and <i>Focus School</i> to <i>Targeted Support &amp; Improvement School</i>. This change in terminology moves away from language used under No Child left Behind and the state waiver to new language used in the state’s ESSA plan. In addition to these new designations the bill also details a process for improvement and remedy for each of the two designations. The NHDOE will produce initial determinations of such schools in the fall of 2018 utilizing the data from the 2017-2018 school year.</p> <p>Last, HB 1497 requires schools to meet performance-based indicators and statewide targets approved by legislative oversight committee. The goal is to bring together the PBAS system that is used to determine an adequate education and the ESSA determinations. The state will be looking to align these designations with the PBAS designations which determine the threshold for providing an adequate education.</p> <p style="text-align: right;"><i>Effective date, August 7, 2018</i></p>

	<p><b>Legal/Practice Impact</b> The impact of this bill on local school districts is mainly informational and preparational. Nearly all the burden is on the state in preparing to execute this law. School districts should become familiar with the system of accountability and be prepared to examine and analyze year one determinations this fall.</p> <p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>
<p><b>HB 1744</b> Parent Exemption</p>	<p><b>Summary</b> This bill authorizes parents or legal guardians to exempt their child or children from participating in the statewide assessment program. School districts are required to develop forms to be signed by the parent/guardian exempting their child or children. Further a school district may not penalize an exempted student, nor the State Board of Education a school district for having a low rate of participation.</p> <p>Additionally, the school district is required to provide an appropriate alternative educational activity for the exempted student agreed upon by the district and the parent/legal guardian.</p> <p>Last, the name of the parent/legal guardian and reasons for exemption shall not be public information and will be excluded from access under RSA 91-A.</p> <p style="text-align: right;"><i>Effective date, July 24, 2018</i></p> <p><b>Legal/Practice Impact</b> School districts should become very familiar with the new requirements allowing parent exemption of a student from the statewide assessment. School districts should develop the required form at the local level allowing for the exemption. Further, they should have a defined process and internal timeline for determining an appropriate alternative educational activity for exempted students.</p> <p><b>Policy Impact</b> Districts should adopt a policy reflecting the requirements of 1744. In many respects, such a policy would resemble NHSBA's earlier policy ILDA, and form ILD-R, which set out the former opt-out requirements of RSA 186:11, XI-d pertaining to non-academic surveys (the statute has since been modified to require opt-in, so NHSBA withdrew ILDA from its policy manual). Form 2 of current ILD-R would provide a good starting point for the creation of a form based upon the requirements of HB 1744. NHSBA will include a new sample policy, or will modify an</p>

	existing policy, along with a supporting form, to be released with the 2018 Fall Policy Update.
<b>Cooperative School Districts</b>	
<p style="text-align: center;"><b>HB 1598</b> Withdrawal Vote</p>	<p><b>Summary</b> This bill changes the process for withdrawing from a cooperative school district. The exact change allows for voters from the withdrawing pre-existing district to cease the withdrawal process if a majority of those voters’ present vote against the withdrawal. In previous practice, once the withdrawal process had begun there was no opportunity to cease the course of withdrawal. <i>Effective date, July 24, 2018</i></p>
	<p><b>Legal/Practice Impact</b> Recent legislative sessions have seen multiple bills seeking to amend the process for withdrawing from a cooperative school district. HB 1598 amends RSA 195:29 to now include a provision that the vote on withdrawal must receive a majority in both the town seeking to withdraw and co-op wide.</p>
	<p><b>Policy Impact</b> Cooperative school districts should review their cooperative agreements for inclusion of a withdrawal process.</p>
<p style="text-align: center;"><b>HB 122</b> Withdrawal from a District</p>	<p><b>Summary</b> HB 122 amends the procedure for withdrawal from a cooperative school district by offering clarifying language to the process, detailing specific procedural steps and establishing an expectation for a published report if a review of withdrawal is pursued. The most substantive change brought forward in this new law is the expectation of a “withdrawal plan” if a committee finds one or more towns should withdraw from the district. <i>Effective date, March 27, 2018</i></p>
	<p><b>Legal/Practice Impact</b> This bill makes significant changes to RSA 195:25 relative to initiating the process to review possible withdrawal from a cooperative school district. HB 122 allows withdrawal committees to now review whether or not withdrawal is feasible without having to review, study and prepare a withdrawal plan. HB 122 also specifically allows for minority reports to be filed by dissenting members of the withdrawal committee.</p>
	<p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>

<b>SB 382</b> Dissolution	<p><b>Summary</b>  This bill requires cooperative school districts established after August 11, 2018 to include in their articles of agreement a plan for dissolution of the cooperative school district.</p> <p style="text-align: right;"><i>Effective date, August 11, 2018</i></p>
	<p><b>Legal/Practice Impact</b>  SB 382 adds to the list of topics which must be included in proposed cooperative school district articles of agreement. For cooperative districts formed hereafter, a method or plan for dissolution of the cooperative district, the process for ongoing education following dissolution, maintenance of student records, employment, ongoing liability, capital issues, and bond issues must be included in the articles of agreement.</p>
	<p><b>Policy Impact</b>  No NHSBA sample policies are affected by this Bill.</p>
<b>Funding &amp; Adequacy</b>	
<b>HB 1674</b> Computer Science & Adequate Education	<p><b>Summary</b>  This bill both replaces and adds new educational content to the school approval standards for an adequate education. Technology education, and information and communication technologies have been eliminated and replaced with engineering technologies, computer science, and digital literacy standards have been added as a new subset of the minimum standards for school approval standards.</p> <p>Furthermore, this bill modifies the input-based accountability system for technical education requirements. School districts will need to demonstrate how they provide the opportunity for an adequate education in engineering technologies, computer science, and digital literacy.</p> <p style="text-align: right;"><i>Effective date, August 17, 2018</i></p>
	<p><b>Legal/Practice Impact</b>  In response to this bill districts should review their locally developed programs and curriculum. An examination of old/current curriculum should be facilitated (technology education and information/communication technologies) contrasting it with the new standards of engineering technologies, computer science and digital literacy. Most districts will find alignment to the digital literacy expectations but may see gaps in programming related to engineering and computer science.</p>

	<p><b>Policy Impact</b>  Districts should review their own local policies to assure that there are no local policies which conflict with the language of HB 1674.  <u>Generally</u>, NHSBA does not recommend that specific curriculum content be included in policy except to the extent required by law.</p>
<p><b>SB 539</b>  Appropriations to the NHDOE for Adequate Education Grants</p>	<p><b>Summary</b>  This bill provides additional adequate education monies to most municipalities for each third-grade pupil in the ADMA with a score below the proficient level on the reading component of the state assessment. SB 539 corrects a calculation oversight from the 2016-2017 instructional year.</p> <p>SB 539 also modifies certain provisions of Medicaid waivers under the NH health protection program.</p> <p style="text-align: right;"><i>Effective date, April 18, 2018</i></p>
	<p><b>Legal/Practice Impact</b>  This bill does not have any specific legal impact on school boards or school districts.</p>
	<p><b>Policy Impact</b>  No NHSBA sample policies are affected by this Bill.</p>
<b>Governance &amp; Operations</b>	
<p><b>HB 1307</b>  Annual Meetings</p>	<p><b>Summary</b>  HB 1307 offers clarifying language to RSA 40:4, 40:4-a, 40:4-b, 40:4-f, and 40:6-40:10 which are concerned with the operations of deliberative sessions. The bill requires explanation and debate of warrant articles including the operating and default budgets at deliberative session.</p> <p style="text-align: right;"><i>Effective date, August 11, 2018</i></p>
	<p><b>Legal/Practice Impact</b>  This bill will have minimal impact in the manner in which SB2 school districts conduct their deliberative sessions. HB 1307 amends RSA 40:13 (the SB2 statute) to state that the deliberative session must consist “explanation, discussion, and debate” of all warrant articles, including the proposed budget and default budget. NHSBA believes that most SB2 districts were already conforming to the requirements of HB 1307. For those which were not, this amendment should help clarify the district's responsibilities relative to discussion of default budgets during the first session of the annual meeting.</p>

	<p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill</p>
<p><b>HB 1340</b> Absences of Officers at Elections</p>	<p><b>Summary</b> This bill authorizes the appointment of a school board <i>member pro tem</i> if a school board member is absent from or unable to perform his or her duties for all or any part of the day at any school district election. The school board member is authorized to appoint a <i>pro tem</i> or the moderator is authorized to appoint if the school board member has not done so.  <i>Effective date, August 7, 2018</i></p>
	<p><b>Legal/Practice Impact</b> Ideally, this bill will not impact general school district operations. However, for those instances when one or more school board members are unable to be present during district elections, the bill establishes both the authority and process for appointing members pro tem to assure that election duties are fulfilled.</p>
	<p><b>Policy Impact</b> No current NHSBA sample policies are affected by this Bill. NHSBA is reviewing the new statute to determine suitability/benefit of including modification of current sample(s), or adoption of one or more new sample policies.</p>
<p><b>HB 1347</b> Right to Know &amp; Meeting Minutes</p>	<p><b>Summary</b> This bill modifies what information must be recorded in minutes under the provisions of the right to know law. As a new requirement minutes must now reflect the names of the members who made and seconded each motion.  <i>Effective date, January 1, 2019</i></p>
	<p><b>Legal/Practice Impact</b> School districts should ensure that individuals recording minutes be trained and up to date on their responsibilities for complying with the law as they take and capture the minutes of a meeting of any governing body.</p>
	<p><b>Policy Impact</b> Districts should review/revise their own local policies regarding minutes (NHSBA's sample policy is BEDH) to reflect the new requirements of HB 1347. NHSBA will include an update to BEDH in its 2018 Fall Policy Update.</p>

<p style="text-align: center;"><b>HB 1370</b> <b>Emergency</b> <b>Management Plans</b></p>	<p><b>Summary</b> HB 1370 modifies requirements for both the NHDOE and school districts concerning the development and filing of a school’s emergency management plan. The bill establishes a new expectation that the NHDOE has to now file school level emergency plans to the Director of Homeland Security, Emergency Management, and Department of Safety.</p> <p>School districts are now required to provide and coordinate their emergency management plans with local emergency authorities. <i>Effective date, July 14, 2018</i></p> <hr/> <p><b>Legal/Practice Impact</b> School districts must ensure they file their local emergency management plans with local emergency authorities. Legislative discourse on this bill left the impression that many local emergency authorities do not receive their school’s plan for a critical incident.</p> <hr/> <p><b>Policy Impact</b> NHSBA will include revisions to EBC and/or EBCA with the 2018 Fall Policy Update to reflect the modified requirements set out in HB 1370.</p>
<p style="text-align: center;"><b>HB 1392</b> Vote Tallies on Budgets &amp; Warrants</p>	<p><b>Summary</b> This bill allows a budget committee to require that tallies of its votes be printed next to each article if the legislative body (school board) has not voted otherwise. <i>Effective date, August 11, 2018</i></p> <hr/> <p><b>Legal/Practice Impact</b> School districts should ensure this is a topic for discussion at a meeting of the school board during the fall.</p> <hr/> <p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>
<p style="text-align: center;"><b>HB 1612</b> Data Security in Schools</p>	<p><b>Summary</b> HB 1612 was a widely discussed and revised bill of the 2018 session. This bill requires several actions at both the state and local school district level.</p> <p>At the state level the NHDOE will develop minimum standards for the privacy and security of student and employee data. The state will publish this in the form of a <i>Technical Assistance Advisory</i> and publicize via their website. The timeline and process for this to occur will be monitored closely.</p>

	<p>At the local district level, each LEA will design a data and privacy security plan. The plan shall include 5 components detailed within the law. Those include:</p> <ul style="list-style-type: none"> <li>▪ A district inventory of all applications and digital tools including assurances;</li> <li>▪ A review of all applications and digital tools;</li> <li>▪ Development or revision of policies and procedures for access to data and protection of privacy for staff and students;</li> <li>▪ A response plan for any data breach;</li> <li>▪ A requirement for service providers to at a minimum meet the state’s standards for data and privacy protection.</li> </ul> <p>Each district’s plan must be presented and reviewed by the local school board for adoption. Adoption must occur on or before June 30, 2019. <i>Effective date, August 11, 2018</i></p> <hr/> <p><b>Legal/Practice Impact</b> Districts are now required to have well-developed governance plans grounded in the state’s minimum standards for data and privacy. The timeline is yet to be determined on when the state will roll out their standards for data and privacy.</p> <p>The National School Boards Association has created a knowledge center and toolkit supporting districts in this work. <a href="https://www.nsba.org/cyber/tools">https://www.nsba.org/cyber/tools</a></p> <hr/> <p><b>Policy Impact</b> This law has implications with respect to NHSBA sample policies EHAA and EHB. Although substantive standards have yet to be established by the state, in the meantime, the new statute does impose upon the LEA the obligation to have a plan approved by the local board no later than June 30, 2019. To meet base requirements of the statute, NHSBA will include a new policy with the 2018 Fall Policy Update, with appropriate cross-references to existing samples.</p>
<p><b>HB 1593</b> Trust Funds &amp; Capital Reserve Funds</p>	<p><b>Summary</b> This bill permits a school district meeting to adopt an article authorizing the trustees of trust funds to charge expenses incurred in employing trust departments of certain financial institutions against the capital reserve funds. This authority remains in effect until rescinded by a vote of the school district meeting. Such vote may not occur within 5 years of the original adoption.</p> <p style="text-align: right;"><i>Effective date, August 7, 2018</i></p>

	<p><b>Legal/Practice Impact</b>  The provisions of HB 1593 are optional for districts and require approval by the Legislative body prior to implementation. Accordingly, there is no impact on districts, unless and until the option is approved at annual meeting.</p>
	<p><b>Policy Impact</b>  There are no current NHSBA sample policies which would be impacted should a district adopt the provisions of HB 1593. However, districts should review any locally developed policies regarding capital reserve, expendable trust, or other approved trust funds, to determine whether any such policies require amendment in order to be in concert with the new provisions.</p>
<p><b>SB 359</b>  Out of Home Placements</p>	<p><b>Summary</b>  SB 359 clarifies and enhances requirements for the Department of Health and Human Services and the local education agency when addressing out of home placements for students. This bill requires DHHS to notify the school district of a change in an out of home placement as soon as possible. Further it establishes an expectation of collaboration among DHHS and the LEA in assuring educational stability is in place for the affected student. Last, when a transition occurs of a child to a different school or district DHHS and the LEA must develop a transition plan for the child.</p> <p style="text-align: right;"><i>Effective date, July 14, 2018</i></p>
	<p><b>Legal/Practice Impact</b>  This bill now establishes the requirement for a transition plan when a student in an out of home placement is moved to a different school or district. The local districts is required to establish this plan in coordination with DHHS.</p>
	<p><b>Policy Impact</b>  No NHSBA sample policies are affected by this Bill.</p>
<p><b>SB 433</b>  Filing of Statistical Records</p>	<p><b>Summary</b>  SB 433 allows chief executive officials (superintendents) to submit annual statistical reports to the NHDOE with an electronic signature certifying the reports. This bill also removes the requirement that a paper printout of pupil registers maintained electronically be retained. The computer record is sufficient.</p> <p style="text-align: right;"><i>Effective date, July 14, 2018</i></p>
	<p><b>Legal/Practice Impact</b></p>

	<p>Superintendents are now able to file their annual statistical reports digitally with an electronic signature.</p> <p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>
<b>Legislative Studies</b>	
<p><b>SB 360</b> Criminal History Records Check</p>	<p><b>Summary</b> SB 360 legislates a study committee to investigate the matter of requiring the NHDOE to conduct all criminal records and history checks on applicants for educator certification prior to the issuance of an educator license in NH. A legislative study committee is enabled through legislation to study an issue. Study committees frequently meet and engage in their work when the legislature is not in session. The study committee commissioned in SB 360 must complete their work and report findings and recommendations on or before November 1, 2018. NHSBA has a seat on this study committee. <i>Effective date, May 25, 2018 and Section 2 November 1, 2018</i></p>
	<p><b>Legal/Practice Impact</b> While the outcomes of this committee are unknown, the intent of this group is to explore the feasibility and added benefits of requiring the NHDOE to run criminal records and background checks on educators prior to the state issuing a credential.</p>
	<p><b>Policy Impact</b> While the NHDOE may run criminal records checks prior to issuing a candidate certification to teach in NH, local districts may wish to retain their right to information and require a locally run records check. NHSBA will continue to monitor the committee's progress and make future recommendations as appropriate.</p>
<p><b>HB 1100</b> Study Commission on Workforce &amp; Job Training</p>	<p><b>Summary</b> HB 1100 establishes a legislative study commission to review and evaluate workforce and job training programs in the state of NH. The purpose of the commission is to review and evaluate all government funded workforce and job training programs in the state ensuring they are effective, not duplicative, and contributing to the needs of the workforce and labor market. The legislation outlines that the commission must review and make recommendations on the consolidation of job training programs inclusive of 7 that are facilitated by the NHDOE. The Commissioner of Education has a seat on the study commission along with one representative from organized labor that includes AFT-NH and NEA-NH. The commission must complete their work and report findings and recommendations on or before November 1, 2018.</p>

	<i>Effective date, July 2, 2018 and Section 2 November 1, 2018</i>
	<p><b>Legal/Practice Impact</b> The impact of this commission is unknown at this time. The purpose of the commission is to use findings and recommendations to propose new legislation for the 2019 session.</p>
	<p><b>Policy Impact</b> To be determined as a result of the study commission and 2019 legislative session.</p>
<b>Personnel and Retirement</b>	
<p><b>HB 1319</b> Discrimination based on Gender Identity</p>	<p><b>Summary</b> HB 1319 prohibits discrimination based on gender identity with respect to certain matters, including, <u>employment</u>, housing, and access to public accommodations. "Gender Identity" is defined as "a person's gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth."  <i>Effective date, July 8, 2018</i></p>
	<p><b>Legal/Practice Impact</b> HB 1319 extends gender identity protections to employees only. Local school districts should review current policies (NHSBA samples are AC, GBA), as well as employment forms, and posted anti-discrimination statements to include "gender identity as a protected class for purposes of employment.  HB 1319 does not, however, apply to students. Rather, protections for transgender students are less clear, except to the extent embedded in the more general provisions against discrimination based upon sex, sexual orientation, bullying, etc. However, while the law is unsettled with respect to the exact nature of protections for transgender students, the U.S. D.O.E. Office of Civil Rights ("OCR") maintains the position that "schools must ensure that all students, including LGBT students, are able to learn and thrive in a safe environment." It is NHSBA's position that under the current legal framework, the specific protections offered to transgender students (e.g., name usage, bathrooms, records, etc.) are a topic for local board policy. NHSBA currently has a sample <i>optional</i> policy that addresses many of the issues relating to gender identity issues. Before adopting or modifying any policies regarding students, local boards should consult with local counsel, and/or contact NHSBA for any developments in this emerging area of law.</p>
	<p><b>Policy Impact</b></p>

	See discussion under "Legal/Practice Impact", above. Additionally, NHSBA will include with the 2018 Fall Policy Update revisions to AC, GBA and possibly others, to reflect the new protection found under HB 1319.
<p style="text-align: center;"><b>SB 334</b></p> <p style="text-align: center;">Temporary Licenses for Allied Health Professionals</p>	<p><b>Summary</b></p> <p>SB 334 creates a new tier of license for allied health professionals entering NH from CT, RI, MA, ME, NY, and VT. This new tier is a temporary license which is good for 120 days while the individual submits an application for a regular license from the necessary governing body. Professional roles in school districts eligible for a temporary license include: Occupational therapists, Occupational therapist assistants, speech pathologists, physical therapists, and physical therapist assistants. Other professionals are included within this bill but are roles that are not typically seen in schools. To be eligible for a temporary license individuals must hold an active, unencumbered license in the field and have committed no acts or omissions that are grounds for disciplinary action.</p> <p style="text-align: right;"><i>Effective date, January 1, 2019</i></p>
	<p><b>Legal/Practice Impact</b></p> <p>School districts shall review and revise contract templates/forms for any faculty and staff entering a school district with a temporary license from the state of NH to offer protection in the event that a staff member does not secure a regular, full time license from the state of NH.</p>
	<p><b>Policy</b></p> <p>Although NHSBA's sample policies (e.g., GCB and GCF) do not require modification, Districts should review their own local policies to determine whether the policies (or employment forms, etc.) should be modified to allow hiring of Allied Health Professionals with temporary license status, and if so, to include protections/terminations should the employee fail to obtain full licensure within the allotted time.</p>
<p style="text-align: center;"><b>SB 561</b></p> <p style="text-align: center;">Part-time Employment and Retirement</p>	<p><b>Summary</b></p> <p>SB 561 amends the New Hampshire Retirement System (NHRS) statutes for part-time employment of a NHRS retiree. This bill specifically changes the limit on part-time employment of a retirement system retiree to an annual limit of 1,352 hours and prohibits part-time employment in the first 28 days after retirement. Furthermore, the bill also establishes a penalty for retired members' exceeding the annual part-time hourly limits. Such penalty involves the forfeiture of the</p>

	<p>state annuity portion of the retiree’s allowance, and any cost of living adjustments. The forfeiture would span for 12 months.</p> <p>Retirees working in a part-time position as of January 1, 2019 will be grandfathered with a limit of 1,664 hours per calendar year while working in that specific position.</p> <p style="text-align: right;"><i>Effective date, January 1, 2019</i></p> <p><b>Legal/Practice Impact</b> Employers must report annually by February 15 (rather than monthly) the hours worked by and compensation paid to each retiree and report separately by the same date the names and part-time position titles of those retirees falling under the grandfather provision.</p> <p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>
<b>School Safety &amp; Wellness</b>	
<p><b>SB 247</b> Lead Testing</p>	<p><b>Summary</b> <b>Summary</b> SB 247 increases the requirements on testing for the presence of lead in children, as well as requiring the testing of led in drinking water in childcare facilities and schools. While the bill outlines other requirements and programs, the impact to school districts is the <u>mandatory</u> testing of water for the presence of lead and possible contamination. The bill was in response to the water contamination crisis in Flint, MI, and is intended to provide a more proactive response to water quality within schools across NH. The new requirements, codify and enhance recommendations that were issued by the Department of Environmental Services (DES) in the Spring of 2016.</p> <p>DES has issued a technical assistance advisory for childcare facilities and schools which clearly outlines the requirements and offers tools and resources for district compliance. <a href="https://www.des.nh.gov/organization/divisions/water/dwgb/documents/leadbill-ltr-schools-childcare.pdf">https://www.des.nh.gov/organization/divisions/water/dwgb/documents/leadbill-ltr-schools-childcare.pdf</a></p> <p>As a result of communications between NHSBA regarding some of the specific provisions of SB 247, it is our understanding that DES will issue revised technical assistance in October primarily concerning when parental notice is required, as well as guidance for districts which might not be able to meet the July 1, 2019 deadline for completing all of the required tests.</p> <p style="text-align: right;"><i>Effective date, July 1, 2019</i></p> <p><b>Legal/Practice Impact</b></p>

	<p>This revised statute has significant implications to school districts. Those implications include: testing, budgetary, communications, and possible remediation if levels exceed the minimum standards.</p> <ul style="list-style-type: none"> <li>▪ Testing – this law requires all schools and childcare facilities to test lead levels in drinking water at all locations where water is available for consumption by children. This generally means any location within district facilities from which water can be drawn. The first round of testing is required to be completed by July 1, 2019, and every 5 years thereafter, until at least 3 rounds are below the standard. Testing that has been completed from 2016 forward is acceptable for the first round of testing.</li> <li>▪ It is important that all districts which have not already done so, begin the testing process, or, at the very least, take substantial steps to develop testing plans and budgets.</li> <li>▪ Communication – results of testing* must be posted on your website and/or sent home to families (via hard mail or otherwise). <ul style="list-style-type: none"> <li>* <i>For districts which will not have completed testing by mid-October, please review any notices / technical assistance letters from DES generated after September 1, 2018 to determine whether the parental notice requirements have changed.</i></li> </ul> </li> <li>▪ Remediation – Any locations that demonstrate lead levels are at 15 ppb or higher must be remediated. Remediation plans shall be submitted to NHDES and implemented within 30 days of receipt of the test results. Alternative water must be provided if test levels are at 15 ppb or higher. Remediation plans will have budget implications to school districts and the cost will vary dependent on the interventions needed to resolve the high lead levels.</li> </ul>
	<p><b>Policy Impact</b>  No current NHSBA policies are impacted by this bill. However, due to the specific requirements of new RSA 485:17-a, NHSBA is likely to issue a new policy in Spring 2019 once DES has finalized some of the procedural aspects of the testing/notice/remediation requirements.</p>
<p style="text-align: center;"><b>SB 357</b>  Safe School Zones</p>	<p><b>Summary</b>  SB 357 makes two changes of importance with respect to Safe School Zones (RSA 193-D) and Drug-Free School Zones (RSA 193-B). Minor amendments to RSA 193-D change the definition of “Act of theft, destruction, or violence” within a Safe School Zone and expands the definition section of offenses that place child safety at risk.</p>

	<p>More significant amendments to RSA 193-B are made that <u>now</u> allow local boards to make exceptions to the Drug Free School Zones statute if a “syringe service program” is seeking to establish a needle-exchange program within a Drug-Free School Zone.</p> <p style="text-align: right;"><i>Effective date, August 11, 2018</i></p> <p><b>Legal/Practice Impact</b> School districts should review their memorandums of understanding that are required under RSA 193-D to ensure that appropriate definitions are up-to-date. With respect to changes under RSA 193-B, NHSBA encourages school boards to maintain communication with local law enforcement, city/town officials, and health care providers within the community.</p> <p><b>Policy Impact</b> Districts choosing to adopt the exception should review/revise their own local policies regarding Safe School Zones (NHSBA's sample policies include ADB and GBEC (and an older version of JICD). NHSBA will include an update to ADB and GBEC with the optional language in the 2018 Fall Policy Update.</p>
<p style="text-align: center;"><b>HB 1415</b> Death Benefit for an Employee Killed in the Line of Duty &amp; School Infrastructure Fund</p>	<p><b>Summary</b> HB 1415 initiates two separate programs. The bill was originally designed to enact a death benefit for a public-school employee killed in the line of duty. The death benefit totals \$100,000 and eligibility requirements must be met to receive the benefit. In addition to creating a death benefit HB 1415 also appropriates money to the state’s school infrastructure fund for school emergency readiness programs. \$10,000,000 has been added to the state biennium budget ending June 30, 2019. Said funding is designed to improve security in public schools</p> <p style="text-align: right;"><i>Effective date, January 1, 2019 (death benefit) &amp; July 2, 2018 (infrastructure fund)</i></p> <p><b>Legal/Practice Impact</b> There is no direct impact on school boards or school districts. This bill relates to state programs.</p> <p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>
<b>Special Education</b>	
<p style="text-align: center;"><b>HB 1698</b> Foster Children and Special Education Services</p>	<p><b>Summary</b> This bill clarifies the financial responsibilities of a sending district for any child placed in a home for children or health care facility who is receiving special education services. The sending district shall pay the actual prorated cost of the special education and related services</p>

	<p>provided to the student. Payment will be made to the receiving public school district. Prior to this bill, sending districts were expected to pay the average per pupil cost of the receiving district as estimated by the state board of education.</p> <p style="text-align: right;"><i>Effective date, July 24, 2018</i></p>
	<p><b>Legal/Practice Impact</b>  Superintendents and members of the board should ensure this new requirement is shared with the districts Special Education Administrator and Business Administrator ensuring student needs are budgeted for appropriately and with compliance.</p>
	<p><b>Policy Impact</b>  No NHSBA sample policies are affected by this Bill.</p>
<p style="text-align: center;"><b>HB 1551</b>  Records Retention  for IEP's</p>	<p><b>Summary</b>  The purpose of HB 1551 was to address the unwieldy records retention of a student's IEP. This bill modifies the time period for retention of such record from the student's 60<sup>th</sup> birthday to their 26<sup>th</sup> birthday. A parent may request that a record be retained for a lengthier period of time maxing out at the student's 30<sup>th</sup> birthday. This request must be made in writing and initiated prior to the student's 26<sup>th</sup> birthday.</p> <p><b>Legal/Practice Impact</b>  In response to this bill districts should review and revise locally developed special education policies and procedures to comply with the change in law. In the short-term, districts should be designing and facilitating a plan for the destruction of students' IEP records as detailed in this change of law.</p> <p>Schools and districts may want to consider a notification process to families detailing this change in law and the retention of their student's special education record.</p> <p><b>Policy Impact</b>  Although the language of HB 1551 presents some ambiguities, Districts should nonetheless should review/revise their own local policies and schedule regarding records retention (NHSBA's samples are EHB and EHB-R respectively) to reflect the statutory changes. NHSBA will include updates to EHB and EHB-R in the 2018 Fall Policy Update.</p>
<p style="text-align: center;"><b>SB 313</b>  Expanded Medicaid  Program Extended</p>	<p><b>Summary</b>  This bill extends the state's expanded Medicaid program through 2023. The NH Department of Health and Human Services (DHHS) has announced that the Department has implemented temporary administrative rules to expand the "Medicaid To Schools Program". The</p>

	<p>Medicaid to Schools Program allowed participating schools to be reimbursed by DHHS for certain Medicaid services provided in the school for children with an Individual Education Plan (IEP). Under the temporary rules, the Medicaid to Schools Program expands in two important ways: (1) DHHS can now reimburse schools for services provided to any student with a plan of care established by a school district such as a 504 educational plan, as well as students with an IEP; and (2) the Program will allow schools to be reimbursed for services such as children's behavioral health and the Early and Periodic Screening, Diagnostic and Treatment (EPSDT) benefit. NHSBA will continue to monitor the any developments related to the expanded Medicaid program.</p>
	<p><b>Legal/Practice Impact</b> NHSBA is monitoring the impact related to schools.</p>
	<p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>
<p><b>School Choice</b></p>	
<p><b>HB 1686 &amp; HB 1819</b> Education Tax Credits</p>	<p><b>Summary</b> HB 1686 expands on “education tax credit” program established in 2012. Initially, this program allowed business enterprises or business organizations to make contributions to the scholarship program; and in return, the business would receive a tax credit. HB 1686 expands this program to allow individuals to make scholarship contributions; and in return, the individual can receive a tax credit against interest and dividend earnings under RSA 77.</p> <p>HB 1819 makes changes relative to the oversight, accounting, and administration of the education tax credit program.</p> <p><b>Legal/Practice Impact</b> This Bill does not directly impact school board or district operations.</p> <p><b>Policy Impact</b> No NHSBA sample policies are affected by this Bill.</p>

## Part II – Bills Referred to Interim Study

### What is Interim Study?

Several bills were referred for interim study this year. That’s a lot of studying—or maybe not.

Interim study is often referred to as a “polite death,” and in fact, it does result in the bill’s eventual death. When a bill is referred for interim study (which can happen only in the second year of a legislative term), the responsible committee is supposed to study the bill between sessions and issue a report about whether it is recommended for future legislation. In reality, the study is often perfunctory, although in some cases it is performed diligently.

In any case, the committee’s only options are to recommend or not recommend the matter for future legislation. The bill itself dies. Further, the committee recommendation has no binding effect: even if legislation is recommended, nothing happens unless someone takes the initiative to file a bill the following year. And if legislation is not recommended, that does not prevent someone from filing a bill—it could even be an identical bill—the following year.

Interim study is different from retaining or re-referring a bill, which can happen only in the first year of a legislative term. When a bill is retained or re-referred, it remains alive into the second year, and the committee makes a recommendation at the beginning of the second year, which is then acted upon by the full House or Senate. It is possible that a bill could be retained in the first year, then referred for interim study in the second year, which is a bit like spending two years in purgatory.

### Interim Study Bills NHSBA is Monitoring

**HB 1439**, relative to requirements for private schools that contract with school districts.

**HB 1492**, relative to a course of action when a child's attendance at a school has resulted in a manifest educational hardship.

**HB 1552**, requiring school districts to submit an annual report concerning gifted students.

**HB 1353**, establishing a commission to study equal access and opportunity for students with disabilities to participate in athletics.

**HB 1749** revises the law on the state’s authority to prohibit or regulate firearms, firearm components, ammunition, firearm supplies, and knives.

Part III – State Board of Education Rulemaking and Decisions

Topic	Action	Analysis
<p><b>Student Hearing</b> Manifest Educational Hardship</p>	<p>Student Hearing</p>	<p>The NH State Board of Education has been considering an increased number of <i>Manifest of Educational Hardship</i> hearings. The <i>Manifest of Educational Hardship</i> statute provides custodial parents with an avenue for seeking school reassignment provided the parent demonstrates that continuing in the current school will have a detrimental effect on the student. In April, the NHSBE found in favor of one such parent, requiring the resident school district to send and cover the tuition and transportation expenses of a student to a neighboring public-school district.</p> <p>With the increased number of hearings and a recent ruling in favor of a parent concern exists that this is another avenue to a school choice platform.</p>
	<p>Policy Impact</p>	<p>Districts should review/revise their own local policies and procedures relative to manifest hardship hearings and appeals (NHSBA's sample is JEC) to assure that the policy(ies) conform to the new standards. NHSBA will include updates to JEC in the 2018 Fall Policy Update. NHSBA will continue to monitor student hearings at the State Board.</p>
<p>Code of Ethics</p>	<p>Rulemaking Anticipated Fall 2018</p>	<p>The Code of Ethics for New Hampshire Educators is created as a set of guiding principles which articulate the responsibilities common to all members of the education profession. The Code of Ethics is designed to provide guidance to educators in the decision-making process involving their interactions with students, the school community, colleagues, parents, and the public. The principles set forth in the Code of Ethics for New Hampshire Educators should be interpreted with reference to the context of the classroom, the learning community, and the educational profession.</p> <p>The Code of Ethics for educators establishes guidance for all school personnel and is not intended to be a basis</p>

		<p>for civil liability nor is it designed to be a basis for employment action.</p> <p>Districts should communicate and offer professional learning to all school personnel in the area of ethics highlighting the code as a tool that may proactively prevent questionable decision-making and actions.</p>
<p><b>ED 510</b> Code of Conduct</p>	<p>Rulemaking Final Proposal July 2018</p>	<p><i>Principles of Professional Conduct and Investigations</i> defines behaviors educators must comply with or risk the loss of a NH educator credential. The loss of a credential is an action that would be pursued by the state through the state board of education. As such, Principles of Professional Conduct applies to New Hampshire credential holders only and does not have the broad application of the state’s Code of Ethics.</p> <p>As a result of these rules local school districts will need to develop local reporting procedures concerning violations of the state’s code of conduct. All credential holders now have the responsibility of reporting any suspected violation through local channels and procedures.</p>
<p><b>ED 511</b> Investigations and Disciplinary Proceedings</p>	<p>Rulemaking Final Proposal July 2018</p>	<p>The ED 511 rules detail the state’s process and expectations for investigations involving a violation of the state’s Code of Conduct. Prior to these rules the investigatory process lacked transparency, consistency, and understanding among all stakeholders.</p> <p>Local school boards and superintendents should become familiar with this process in the event of a suspected violation of NH’s Code of Conduct.</p>

## Part IV – Looking Ahead – Anticipated Legislation for 2019

While predictions are not foolproof NHSBA anticipates several topics to be explored or resurfaced during the 2019 legislative session. Most of these issues offer an extension to an existing law or represent a failed attempt at passing a bill on the matter during the 2018 session.

### Charter Schools and Public-School Facilities

One of the most controversial bills proposed late in the 2018 session was a bill that sought the first right of refusal for public school facilities and property to chartered public schools. This bill eventually failed but endured considerable attention and testimony. Additionally, there has been an effort nationally to develop pro-charter school legislation at the expense of public school districts. Between the failed attempt last session, a focus on school choice, and national models for such legislation NHSBA anticipates this matter to resurface during the 2019 session.

### School Choice

Similar to 2018, the Association expects the matter of school choice to be a centerpiece of the 2019 legislative session. The face of proposed LSR's remains to be seen. From a strategy point of view the Association anticipates multiple proposals with the probable goal of creating confusion as different ideas traverse the legislative process. (SB 193)

### Anti-discrimination

During the 2018 session dialogue erupted concerning the application of state and federal anti-discrimination laws to private institutions. This debate was directly related to the discourse concerning efforts to bring school choice/a voucher system to public school students in NH. Conversations centered on the use of public funds going to private schools and their flexibility to discriminate against students.

### Student Discipline

During the 2018 session HB 1637 was proposed in response to state and national statistics concerning the implementation of suspensions and expulsions in schools. There is abundant data and evidence that minority students experience higher rates of suspension and expulsion while leniency for the same or similar behaviors is offered to other segments of the school population. The bill sought to establish criteria making the application of consequences more consistent across the full school population. This bill failed in committee of conference and is expected to resurface.

### School Funding

The state's formula for funding schools continues to be a widely discussed topic for communities, schools, districts, and the legislature. In recent months the topic has seen a resurgence of interest and desire for deeper knowledge. Given widening interest in the topic it is anticipated that more than one bill could surface during the 2019 session.

### Data Security in Schools

HB 1612 (Data Security in Schools) successfully passed the 2018 session with robust conversation and education in the mounting cyber security concerns for schools and districts across the country. HB 1612 marked the launch of such conversations and legislative efforts to influence how schools and districts secure and monitor student and employee data and information. NHSBA believes it is highly probable that this bill is expanded upon during the 2019 session with possible fiscal implications to local districts.

### School Nurse Certification

At present, a growing dispute exists concerning the licensing requirements for school nurse certification. During the 2017 session a bill was successfully passed elevating the requirements for a school nurse certificate. These new requirements have created division within the school nurse community and have initiated some geographical shortages of certified school nurses. During the 2018 session two different bills were proposed rolling back the newly established requirements. One bill offered a full roll back returning the requirements to what they were prior to 2017. The second offered a moderated approach to the difference in opinion proposing a grace period for individuals to meet the new requirements. Both bills failed during the 2018 session. Given the nature of discourse and frustration NHSBA anticipates a new bill attempting to address the requirements to become a school nurse. (SB 434, HB 1217)

### Criminal Records and Background Check

Strong interest has surfaced in requiring the NHDOE to run criminal records and background check on all educators prior to issuing an educator certificate from the state of NH. In the fall a legislative study committee will explore this matter and make recommendations to the legislature for the 2019 session. There may be fiscal implications of this recommendation at the state level.

### Disclosure of Sexual Misconduct and Abuse

With the passage of ESSA states have moved to draft bills addressing the sexual misconduct of educators and the employers' knowledge of such conduct. A handful of state's have either enacted or proposed laws prohibiting schools from aiding and abetting school employees engaged in sexual misconduct in securing positions in other schools through confidentiality agreements aimed at suppressing information about the misconduct. In the last 12-months NH has witnessed high profile and troubling sexual misconduct cases. Given local and national attention on this subject, combined with language in ESSA, NHSBA anticipates legislation addressing this risk.

### Final Grades

SB 441 was unofficially withdrawn from the 2018 session with the goal of a re-work during the 2019 session. The aim of the bill was to require school districts to adopt a local policy that a student's final grade, as determined by his or her teacher, is final. NEA-NH is working with potential sponsoring legislators to recraft this proposal for 2019.

## Part V - Calendar and Planning

Date(s)	Event/Deadline
Summer	Vacation! (The House calendar states that there will be “no legislative activity between June 11 and August 27, unless special circumstances arise” —and except for “ongoing statutory committees,”
Late August - November	Study committees/commissions will meet. Standing committees will meet (in theory, at least) to consider interim study bills. (See separate article below.)
September 10 - September 21	First period for House members to file legislative service requests (LSRs) for bills for the 2019 session.
October 26	Deadline for committees to file interim study reports.
November 1	Deadline for most study committees and commissions to report findings and recommendations for legislation.
November 13 - December 3	Second period for House members to file LSRs for 2019 session.
???	Period for Senate members to file LSRs for 2019 session. We have not seen the Senate deadline yet; it is usually a little later than the House period.
Mid- to late December	First NHSBA Legislative Bulletin for the 2019 session.
January	2019 legislative session begins.

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