

# Bill as Introduced

SB 372 - AS INTRODUCED

2010 SESSION

10-2772  
04/01

SENATE BILL

**372**

AN ACT

requiring school board members to receive annual training.

SPONSORS:

Sen. Kelly, Dist 10; Sen. Fuller Clark, Dist 24; Sen. Cilley, Dist 6; Rep. Rous, Straf 7

COMMITTEE:

Public and Municipal Affairs

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ANALYSIS

This bill requires each person elected to a school district or cooperative school district school board to complete a minimum of 3 hours of training and instruction annually in the education laws of this state and a minimum of 3 hours of training and instruction in education policy.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT requiring school board members to receive annual training.

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

1 1 New Section; School Boards: Training Required. Amend RSA 189 by inserting after section 1-e  
2 the following new section:

3 189:1-f School Board Members; Training and Instruction.

4 I. Each person elected to a school district or cooperative school district school board shall  
5 complete a minimum of 3 hours of training and instruction annually in the education laws of this  
6 state and a minimum of 3 hours of training and instruction in education policy. Such training and  
7 instruction may be obtained from an institution of higher education, an online provider, or a training  
8 program approved by the New Hampshire School Boards Association and the department of  
9 education.

10 II. The school board member shall provide the New Hampshire School Boards Association  
11 with evidence of completion of the required training and instruction. Upon receipt of satisfactory  
12 evidence, the New Hampshire School Boards Association shall issue a certificate of completion to the  
13 school board member. The school board member shall furnish a copy of this certificate to the state  
14 board of education.

15 2 Effective Date. This act shall take effect 60 days after its passage.

# Committee Minutes

# SENATE CALENDAR NOTICE PUBLIC AND MUNICIPAL AFFAIRS

- Senator Betsi DeVries Chairman
- Senator Matthew Houde V Chairman
- Senator Kathleen Sgambati
- Senator Sheila Roberge
- Senator John Barnes, Jr.

For Use by Senate Clerk's  
Office ONLY

Bill Status

Docket

Calendar

Proof:  Calendar  Bill Status

*Take Attendance*  
*Start 9:15*  
*Stop 9:49*

**Date: January 15, 2010**

## HEARINGS

**Thursday**

**1/28/2010**

**PUBLIC AND MUNICIPAL AFFAIRS**

**LOB 103**

**8:30 AM**

(Name of Committee)

(Place)

(Time)

### EXECUTIVE SESSION MAY FOLLOW

8:30 AM SB448

~~8:45 AM SB419~~

~~9:00 AM SB372~~

9:10 AM SB378

relative to alternate members of land use boards.

relative to conversion of convertible lands under the condominium act.

requiring school board members to receive annual training.

relative to the New Hampshire public works mutual aid program.

#### Sponsors:

##### **SB448**

Sen. Sheila Roberge  
 Rep. Ken Hawkins  
 Sen. Bob Odell

Rep. Anne Grassie  
 Sen. Amanda Merrill  
 Rep. Robert Theberge

Sen. Bette Lasky  
 Sen. John Barnes, Jr.

Rep. John Graham  
 Sen. Jeb Bradley

##### **SB419**

Sen. John Gallus  
 Rep. Gene Chandler

Sen. Sharon Carson

Sen. Sheila Roberge

Rep. Paul Ingersoll

##### **SB372**

Sen. Molly Kelly

Sen. Martha Fuller Clark

Sen. Jacalyn Cilley

Rep. Emma Rous

##### **SB378**

Sen. Martha Fuller Clark  
 Sen. Amanda Merrill

Sen. Bob Odell

Rep. Betsey Patten

Rep. Mary Cooney

*SB 372*

Claire Emery 271-1403

Sen. Betsi DeVries

Chairman

# Public and Municipal Affairs Committee Hearing Report

**TO:** Members of the Senate

**FROM:** Shannon Whitehead, *Legislative Aide*

**RE:** Hearing report on **SB 372 – AN ACT** requiring school board members to receive annual training.

**HEARING DATE:** January 28, 2010

**MEMBERS OF THE COMMITTEE PRESENT:** Senator DeVries, Senator Houde, Senator Sqambati, Senator Roberge and Senator Barnes.

**MEMBERS OF THE COMMITTEE ABSENT:** n/a

**Sponsor(s):** Sen. Kelly, Dist 10; Sen. Fuller Clark, Dist 24; Sen. Cilley, Dist 6; Rep. Rous, Straf 7

**What the bill does:** This bill requires each person elected to a school district or cooperative school district school board to complete a minimum of 3 hours of training and instruction annually in the education laws of this state and a minimum of 3 hours of training and instruction in education policy

**Who supports the bill:** Senator Fuller Clark, Senator Kelly, and Commissioner Barry of Department of Education.

**Who opposes the bill:** Dean Michener (NH School Board Association) Senator Bragdon.

**Summary of testimony received:**

**Senator Kelly (Prime Sponsor of the bill)**

- School Board members play a key influential role. Education itself holds a stronger role. We need a system in place for the 21st century to prepare an essential set for the future.

- The way a “message” gets passed and acted on is from student to teacher, teachers to principle, principle to superintendant, then superintendant to the school board. Lets raise the bar for our school boards, for our students.
- There are 21 other states that are acting on this with similar legislative language.
- The learning curve is so great to make policy and financial decisions. We need to provide the message and value them with these resources and more.
- You can receive the education policy online, with easy access. Requiring in training and education, this is accessible with no cost to school board members.
- Senator Barnes stated that he was on the school board in Raymond for 1 year and there were tremendous amount of issues especially learning updates in Federal Laws. On line 6 of the bill, there was a concern for a fee for the training. Senator Kelly responded that there was no cost to communities or members who receive information.
- Senator Barnes asked, how do we keep track of these participants for training and instruction learning for 3 hours on policy? Senator Kelly responded that we would coordinate certificates of completion to establish accountability.
- Senator DeVries had concern on cost to the communities. What about on the state level? Senator Kelly responded that we will work and integrate. We are not going out creating a new baseline of knowledge and for the newly elected.
- The School Board Association puts through a lot more than a base line of information.
- There is new information moving that has seen continuance in the development process.

**Dean Michener, Associate Director: N.H. School Boards Association**

- While NHSBA supports the intent and effort of the sponsors, and the basic premise of the legislation, we cannot support the bill as written.
- We agree that school board member training and instruction is a very good practice, and we have committed ourselves to that wholeheartedly as an Association. School board training is a major function of NHSBA: we pride ourselves on the scope and quality of this service and have committed extensive time and resources to its development and delivery to our members. However, we cannot support legislation that would make such training an annual state mandate for all school board members.
- Many states do mandate training for local school board members. Based on a September 2008 survey of the states (44 responses), twenty (20) states require such training and specifically have the State School

Board Association provide the education. Of those 20 states, six (6) make the requirement apply only to new school board members, while 14 states apply the requirement to both new and veteran board members. Funding is predominantly a local district responsibility, but most states participate in some manner either through direct funding or state grants.

- We believe that focused and targeted training and professional development is a good practice and worthy of consideration by all involved. Indeed, most elected officials would agree. School board members have long participated in the training sessions that NHSBA offers. Our fellow municipal officials regularly avail themselves of training offered by NHMA. In areas of mutual interest, we have worked cooperatively with NHMA in training and the dissemination of information to school board members and selectmen. And you our legislators also take advantage of Continuing Education programs that are offered for your benefit.
- However, these are not state mandated obligations, but rather represent opportunities that individuals may choose to take advantage of as time and circumstances permit. NHSBA has a long tradition in support of local control and school district autonomy. We have consistently opposed any legislative proposals that would mandate a cost on local districts in violation of NH Constitution Part First, Article 28-a. We have also adopted resolutions at our annual meetings of the membership specifically opposing any direct or indirect state imposition of costs onto local school districts, and this was specifically addressed again this year at our January Delegate Assembly.
- NHSBA is supported by nearly all of the state's 175 school districts. There are close to 1,000 school board members statewide, with approximately 935 on NHSBA member boards (65 non-member people).
- In any given year, approximately one third of those school board 'seats' are up for election. Of those ~330 candidates, experience suggests that roughly half or even more are re-elected and not 'new' to the school board. Thus, we could assume that there may be approximately 150-175 new school board members.
- NHSBA offers annual training for our members. We have historically offered at least two regional training programs; one centrally located in the lower part of the state, and one located in the north country. These two programs have generally attracted a combined attendance of between 125 – 150 members. We also offer at various times, on-site training where specific circumstances call for such additional help. We distribute an "*Information and Orientation Manual*" and our training covers such areas as a review of school finance, the Access to Governmental Records and Meetings Law (RTK), collective bargaining,



policy development, and the roles and responsibilities of school board members. We have included various 'experts' in providing this training, such as the collaboration and participation of the Dept. Education. It is important to note that this training is offered at no cost to our members; it is one of their benefits of membership in the Association.

- Summarized by noting our commitment to school board training and those we provide it as a free service to our members. "Mandated" training raises the issue of unfunded state mandates and Article 28-a violations. It may also have the unintended consequence of inhibiting people running for school board seats. These volunteers have jobs and families, and school board work is time consuming. Imposing additional obligations may result in more people being reluctant to participate in this important public office.
- Senator Barnes: Cost to community, membership dues, based on formula in our delegate back in the eighties.
- 75 to 100 annual basis all training is part of the dues that towns pay.
- Dean Michener stated that the NHBA have 2-3 Regional meetings. Information can disseminate. We do not have the resources to provide. We have indicated that we are so involved in training and willing to work with.

#### **Senator Bragdon (opposed)**

- Is a 13 year member on the Town of Milford School Board and has served chair for 11 years.
- For the NHSBA, there are tremendous benefits and trainings already provided.
- These are volunteer positions but there are some districts paid and some that are not.
- There are education sessions, policy information, and practices for instructors. It is a personal process for hiring a superintendant.
- Senator Bragdon stated he had concern on line 8 of the bill. The approval of obligation is basically being a competitor for this. Senator Bragdon continued to say that line 7 of the bill doesn't have to be approved
- Senator Bragdon raised the question of what if members don't do the training required? In short, these issues are already available, there are options available. This is unnecessary.

#### **Senator Fuller Clark**

- Asked the committee to look carefully at the bill. It is well informed plan for the state for the changes to the federal and local level. The bill would provide assistance and strength through the state.

- Senator Barnes asked Senator Kelly if she had address all members and their school boards.
- Senator Kelly said no not, all.

**Commissioner of Department of Education**

- In support of the bill. What we have in place doesn't reach enough out to our school board members. There are key aspects to understanding rules, if not there are implications.
- We are seeking to identify additional resources to support the projects.

**Funding:** *Not Applicable*

**Future Action:** pending



Preparing students for the 21<sup>st</sup> century is essential. And because of that, we have been developing many new innovative programs and initiatives so that we're prepared for the future and our students are prepared for the future.

The system that we currently have on accountability with the role, and this is where I want to explain where the role of the school board members play, is that we start with students. And they answer to the teacher and the teacher answers to the principal and the principal answers to the superintendent and the superintendent answers to the school board members. So you can see what an essential and important role that they play.

And what I'd like to do is to raise the bar. And I'd like the school board members to know how important they are, how much respect that we have. And in doing so, want to support their efforts by coordinating an effort between the New Hampshire School Board Association, the Department of Education and other educational entities in our community to provide school board members with education and training.

There are 21 other states that currently have legislation that is very close in language to what I'm proposing and brought forth to you today. I meet with different school board members in all the towns in my district. And one of things they often say is, oh my lord, the learning curve is so great. How am I ever going to get caught up? Am I going to get up to where I need to be to make the decisions that ask them to make. We ask them to make financial decisions. We ask them to make policy decisions. They play in integral part in our education system. And my concern is that we are not supporting them enough. And that this bill is a message to those school board members that we do understand, we do value the work that they're doing. And in fact we value it so much, we're going to provide the resources for them.

Dean Michener from the association, he is going to be speaking as you know here today from the School Board Association as well, and he'll be able to explain I think a few things that are and speak for the association.

But, if you look at all the school board members in our state, they are not all members of the New Hampshire School Board Association. And it costs to be a member of the School Board Association. The Department of Education, in my communication with them in regard to this bill, had expressed to me that they're online currently many of the regulation that the school board members work with and are responsible for implementing and education policy is accessible online. And we all know that in most of our communities there's access to additional information about school boards, about education and especially some of the newer initiatives that we have, that we are moving and developing through the state. So the goals truly of this legislation, I

think, is to raise the bar. And you raise the bar by requiring the school board members to participate in training and education. And our message to them is one of respect and support.

The other goal is easy access to that information so there's no additional time that we don't ask them to spend additional time traveling, spending a day evenings outside of their homes. Most of this information is online, if they so choose to go to somewhere and leave their homes, but it would be accessible. And in so doing, there's no cost to the member, to a school board member. So what this bill really is intending to do is to provide, by requiring school board members to have training and education, and that the state raises that bar with respect to those members and we do this by a no cost and easy access because time is always the issue for those who volunteer. We know that well.

So, I ask for your support in this legislation and I'm happy to take any questions. **See written testimony of Dean Michener attached hereto and hereafter referred to as Attachment 1.**

Senator Betsi DeVries, D. 18: Senator Barnes, first.

Senator John S. Barnes, Jr., D. 17: Thank you, Madam Chair. I guess I'd like to start out with a comment. I served on the school board in Raymond for a year and I did it because I only had one issue, I was interested in one issue. And as I sat there and I've sat on the board of selectmen for a good number of years, and I found that sitting on the board of selectmen was one heck of a lot easier than sitting on the school board. Tremendous amount of issues came up and here again I was swimming. And thank God it was only a one year term that I was filling.

Senator Betsi DeVries, D. 18: Would you believe?

Senator John S. Barnes, Jr., D. 17: Would you believe? Kindergarten got built and I was on my way. But I see on line six on there, annually in the education laws of this state. But what about the federal laws, shouldn't that also be included in this bill because there's so many federal laws that come into effect on what you can and can't do as a school board member. Should that be maybe included in this?

Senator Molly Kelly, D. 10: I think that's an excellent point. Because you know when we discuss and school board members have to on special education issues are federal regulation, so I agree. No, I wouldn't have any problem. I mean the intent obviously is to give support in those decisions that the school board members have to make and you point out, it's a very good point.

Senator John S. Barnes, Jr., D. 17: You'd be happy with that, okay. I heard you mention that there would no cost to the community or to the school board members to get this training.

Senator Molly Kelly, D. 10: No, because what I see we can do is we have the information available, we just need to make it accessible. And between the State Association and the Department of Education, and so much of this is online today.

Senator John S. Barnes, Jr., D. 17: One last issue. You're requiring three hours of training and instruction annually in the laws. , I go online or I'm on the school board and I say, oh, I've gone online, I've done it, so, how do we keep this, is it an honor system on you keep track of who does and who doesn't?

Senator Molly Kelly, D. 10: Right.

Senator John S. Barnes, Jr., D. 17: How does that work?

Senator Molly Kelly, D. 10: Right. And again in conversations with the Association and also with the Department of Education, it was my understanding that we would be able to coordinate to put a system together that there would actually be a certificate that you would complete. So, I think, I go back to some of the other legislation that we worked on in having some accountability and say yes, I did this. And if you inspected, I worked on a school, inspection of schools, we had a form that came right down on the internet on the computer and you put what you did and you signed it. You could have, those are set up. I don't even know how it all works on the computer, but I know that we can set up systems that you sign and validate and that you did. And I don't think that that's an issue. We set those up everywhere for accountability and I think that we could work that through with the Department.

Senator John S. Barnes, Jr., D. 17: I just have an evil mind, Senator. Thank you very much.

Senator Molly Kelly, D. 10: Okay. Thank you.

Senator John S. Barnes, Jr., D. 17: Appreciate it.

Senator Betsi DeVries, D. 18: Thank you, Senator. I have a couple questions myself. And you indicated there's no costs to school board members

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or community. How about to the state, if they are, and I see we have Department of Ed that will be speaking after you...

Senator Molly Kelly, D. 10: Right.

Senator Betsi DeVries, D. 18: ...maybe better able to address it.

Senator Molly Kelly, D. 10: And they could. My discussion with the Department of Education was that they felt this was important and would like to be able to work that out so there is no cost. And they would be able to integrate that because they already truly have the information available to them. We're not going out and creating new information. Somebody has to have a job to put this information together, it's accessible.

Senator Betsi DeVries, D. 18: Thank you, Senator, because it's always a question asked nowadays.

Senator Molly Kelly, D. 10: Sure.

Senator Betsi DeVries, D. 18: As well the, are you looking...if you're looking for baseline knowledge when you become a school board member, do you agree that maybe applicability to newly elected might make sense, where there could be a very seasoned, 10, 20 year school board member that wouldn't benefit as greatly from the requirement, but a newly elected might?

Senator Molly Kelly, D. 10: I think that's a good point. My only concern is that I am looking for more than just baseline. I think that there are orientation, different programs that the Association puts through. But I think as Senator Barnes had mentioned it is a lot more than baseline information that I think school board members need. And I would argue, I mean, I will work with whatever I think between the Department and the Association and myself, where we can come to agreement maybe on some of those limitations. But I would argue that anyone who was on the school board two years ago and is there now today is going to be seeing new information, because of what we are doing and how we have really been working for a more innovative ideas in schools as well. So I don't think it's just a baseline and then all of the sudden there's no new knowledge. I mean, this is a moving, this is moving we have seen and continue to hear the importance of this in our economic development and all of those pieces are going to play even a stronger part in education.

Senator Betsi DeVries, D. 18: Thank you, Senator. It sounds like the Department of Ed or the, actually the New Hampshire School Boards Association might help fill in some of that for me.

C/N

Senator Molly Kelly, D. 10: Sure.

Senator Betsi DeVries, D. 18: I appreciate your testimony. Further questions from the Committee? Seeing none, I see that Senator Bragdon has also signed up wishing to speak, but Senator Fuller Clark, you have not? Just checking.

Senator Martha Fuller Clark, D. 24: I support the bill. I'm here because I think it's a very good idea but I don't need to speak.

Senator Betsi DeVries, D. 18: Thank you. We'll hold you in ready reserve. Thank you, Senator, for your testimony.

Senator Peter E. Bragdon, D. 11: Madame Chair, I defer to after the School Board Association in the State. I'm curious to hear the information they're going to present.

Senator Betsi DeVries, D. 18: We thank you as well and we'll call on you again. Then I would call on Dean Michener with the New Hampshire School Boards Association.

Dean Michener: Thank you, Madam Chair. My name is Dean Michener and I'm with the New Hampshire School Boards Association and I have indicated our opposition to this bill.

Senator Betsi DeVries, D. 18: Oh, I'm sorry I missed that.

Mr. Michener: On the...

Senator Matthew Houde, D. 5: It is opposition.

Senator Betsi DeVries, D. 18: I did miss that.

Mr. Michener: Okay.

Senator Matthew Houde, D. 5: We have it designated properly.

Mr. Michener: Thank you.

Senator Betsi DeVries, D. 18: I just didn't see it.

Mr. Michener: It was actually a very difficult position for us to take, due to our strong commitment and belief in training for school board members.



We do support the intent and the effort of the sponsors of this bill and basic premise of the legislation. But we cannot support it as written. We agree that school board member training and instruction is very good practice. And we've committed ourselves to that wholeheartedly as an association. School board training is a major function of our School Board Association and we pride ourselves on the scope and quality of that service. And we've committed extensive time and resources to its development and delivery.

However, we cannot support legislation that would mandate or require annual state training for school board members. As Senator Kelly mentioned, there are just over 20 states that do require or mandate training for school board members. Of those states, six make the requirement apply to only new school board members and 15, I believe it is, apply the requirements to both new and veteran board members. Funding for that is predominately a local district responsibility, but most of the states that have the requirement participate in some manner, either through direct funding to the district or through state grants that help support some of the function.

We do believe that focused and targeted training professional development is a good practice and worthy of consideration by all involved, and indeed, most of our elected officials agree. School board members have long participated in training sessions that we offer. Our fellow municipal officials regularly avail themselves of training offered by the municipal association. In areas of mutual interest, we have worked cooperatively with municipal association and training and dissemination of the information to our members.

You are legislators. You can take advantage of continuing education programs that are available to you. However, they are not mandated obligations, but they rather represent opportunities that individuals may choose to take advantage of as time and circumstances permit. We have a long tradition in our association in support of local control and school district autonomy. We have consistently opposed any legislative proposals that would mandate a cost on local districts and what we see as a violation of Part 1<sup>st</sup>, Article 28A of our Constitution. We have adopted resolutions at our annual meetings of the membership specifically opposing any direct or indirect state imposition of costs or responsibilities onto local districts. And this was just reaffirmed in discussions at our most recent delegate assembly just two weeks ago.

I think it's important to know that the School Boards Association is supported by nearly all of the state's 175 school districts. Statewide there are just under, it's approximately 1,000 school board members statewide. Our association covers about 935. So 935 of the state's total school board members

are in districts that belong to our Association. So, we have roughly 65 school board members who are in non-NHSBA member school districts.

In any given year, approximately a third of those school board seats are up for election. So of those roughly 330 candidates, experience suggests that roughly half or even more are reelected and not new to the school board. Thus we could assume that there may be approximately 150, maybe 175 new school board members in any given year. Please understand that we offer annual training for our members. We have historically offered at least two regional training programs. One is centrally located in the lower part of the state and one's located in the North Country. These two programs have generally attracted a combined attendance of between 125 to 150 members.

We have also offered various times on-site training where we go directly to a school district and work with the school board, where the specific circumstances may call for such help. We distribute our information and orientation manual. Our training covers such areas as a review of school finance in general, our right-to-know law, the access to governmental records and meetings law, collective bargaining, policy development and the roles and responsibilities of school board members. We cover our model policy programs, so we have a model policy program that school board members can look to model policies that we have. Then they can take those and work on them and adjust them to what might work best for them.

We have included various experts in providing our training. We have collaborated with and have the participation of the Department of Education and Department of Ed staff have traveled to some of our regional meetings as we cover these topics. And it is important to note that this training is offered at no cost to our members. It is one of their benefits of membership in the Association.

So in closing I would just summarize by noting our commitment to school board training and that we provide it as a free service. The proposed legislation raises the issue of mandated training, which raises the issue of Article 28-A violations. It may also have the unintended consequence of inhibiting people running for school board seats. These volunteers have jobs and families and school board work is time consuming. There are often subcommittees of boards and subcommittees of subcommittees, and imposing an additional obligation may result in more people being reluctant to participate in this important public office.

And with that I close my comments, and I would be glad to answer any questions.

Senator Betsi DeVries, D. 18: Thank you. I would ask if you are willing to share your written notes with the Committee as well? If they're in a format ready for distribution?

Mr. Michener: They're not really in a format...

Senator Betsi DeVries, D. 18: Maybe, you could email...

Mr. Michener: ...they have a lot of pencil notes on them.

Senator Betsi DeVries, D. 18: If I could ask you if you might...

Mr. Michener: I would be glad to...

Senator Betsi DeVries, D. 18: ...email me for follow up to share?

Mr. Michener: ...edit this by tomorrow morning you could have it.

Senator Betsi DeVries, D. 18: We thank you. Senator Barnes, you had a question.

Senator John S. Barnes, Jr., D. 17: Yes, thank you, Madam Chair. Can you tell the Committee how much it costs the community for membership in your organization?

Mr. Michener: We have, our dues for membership in our Association is based on a formula that was adopted at one of our delegate assemblies many years ago. The formula, the last change to the formula I believe was in the '80s, but I'm not positive of that. And it's a formula that is tied to the, what was then the MS 25, now it's the DOE 25 the school district financial report year end, year end financial report that is submitted to the Department of Education. An average size district would pay probably about \$3,500 a year to belong to our Association. I peg that as somewhere around.

Senator John S. Barnes, Jr., D. 17: Follow up?

Senator Betsi DeVries, D. 18: Follow up if you would, Senator.

Senator John S. Barnes, Jr., D. 17: Does that get raised every year? The Municipal Association has frozen their increase for the times, for the last two years. Have you folks done the same thing?

Mr. Michener: We have not frozen, but I can tell you that the history of how that formula has worked, the typical increase over the last two to three

years is what I recollect most well. The average increase in a school district's dues was between \$75 and \$100 on an annual basis.

Senator John S. Barnes, Jr., D. 17: And for that... Could I continue for just a second?

Senator Betsi DeVries, D. 18: Follow up, if you would.

Senator John S. Barnes, Jr., D. 17: Yes, thank you. So, all this training which is free is part of the dues that the towns pay and the cities pay?

Mr. Michener: Yes.

Senator John S. Barnes, Jr., D. 17: Obviously, that's what goes with that.

Mr. Michener: Yes, that is one of the benefits of membership in the Association.

Senator John S. Barnes, Jr., D. 17: One last question. I think I heard you mention, correct me if I'm wrong because I might have heard you incorrectly. I think I heard you say a couple of times that there would be a cost to this and I think I heard Senator Kelly say there would be no cost to this. Help me out with that. Who...

Mr. Michener: Sure. There, we provide training, if you look at this as a mandate on every school board member in the state. Well, we're probably hitting almost all of all the newly elected board members. Now, as the bill is written it would apply to all board members, and that would probably require us to be offering more training. Currently, as I said, between two and three regional meetings that we offer free of charge, and that's hitting roughly a 150 school board members. If suddenly 1,000 of them are coming, we're going to have to be offering training at more sites. The issue of do they belong to the Association, should we be, should the School Boards Association be providing free training to non-member school boards? Well, that's an issue, there may be a cost associated with that.

In addition, Senator Kelly was also talking about what is probably something that we should be working toward and would like to achieve. But she was talking about information that's available that can be disseminated perhaps online. That a school board member could simply turn on their computer in the evening and look at a module on, let's say, the right-to-know law, or something and sit there at their desk and do it. We don't have the resources to provide it that way. Right now, we require school board members to come to a regional meeting. They have to drive and get there. I suppose you could

say they, and to get free training from us, they have to be a member of our Association. So, I think there are costs that are associated with the bill the way it's written.

We would love, we have indicated to Senator Kelly that we are so committed to training that we would be glad to work with her and cooperate on any way to look at how we can expand training and education to school board members. But we don't think that a bill that requires mandated annual trainings is necessarily the way to go.

Senator Betsi DeVries, D. 18: And Senator Barnes, I'm hoping that you can wrap up.

Senator John S. Barnes, Jr., D. 17: Yeah. I will, but that really wasn't my question.

Mr. Michener: Oh, sorry.

Senator John S. Barnes, Jr., D. 17: I'm hearing about the expense to you guys. Senator Kelly, in this piece of legislation, Senator Kelly, and the question was asked of this bill. She had said there is no cost to this bill. And, you're going on saying how it's going to cost you folks money in your Association, which I can understand. But I don't understand why there's a cost to this bill. I mean, you said there was, and she said there isn't. So, that's why I'm confused.

Mr. Michener: Well, I don't want to speak for Senator Kelly, but I think I was hearing her discuss the ability of the Department of Ed to disseminate information and that it can be done in a manner that would likely not cost school board members.

Senator John S. Barnes, Jr., D. 17: Okay, thank you very much. I appreciate it.

Mr. Michener: Thank you.

Senator Betsi DeVries, D. 18: Thank you, Senator. Further questions from the Committee? Seeing none, Dean, we thank you, and I appreciate your assistance whenever available in following up with something in writing.

Mr. Michener: Thank you.

Senator Betsi DeVries, D. 18: That would take me back to Senator Bragdon. Do you still have the need to speak?

Senator Peter E. Bragdon, D. 11: Sure. I don't know if I'd call it need to speak.

Senator Betsi DeVries, D. 18: I'm sorry to phrase it that way. Are you still speaking?

Senator Peggy Gilmour, D. 12: I would still like to speak, yes, so. Thank you, Madam Chair, members of the Committee. For the record, Senator Bragdon, serving the ten towns in District 11. I come to you as a thirteen year member finishing just now my thirteenth year on the Milford School Board, eleven of those years as Chairman, partly because I can't convince anybody else to do it sometimes. But it's been a great experience, I enjoy it a lot and I appreciate the relationship that our school board has with the New Hampshire School Boards Association. They provide a tremendous resource. There is a cost associated with it.

Those of you who know me well won't be surprised to see that one of the first things I did was coming on the school board is to get a better feel of the school board budget, the school district budget and I looked at the line item for the NHSBA dues, and I said to myself, what are we getting for this? And one of the things we're getting is discounted worker's comp insurance that saves us much more money than it costs us to actually be a member of the School Board Association. And I think probably every district in the state can see that the same way. So, you can be a member of the New Hampshire School Board Association really at no cost to the district and it provides some tremendous benefits.

As was indicated, the training that's indicated here is already being provided and to implement a mandate that it has to be provided I think is really pushing things a bit too far. Being a school board member is a volunteer position. In some districts there is no pay and some districts it may be a \$1,000 a year. In some larger districts they do nice things like provide insurance, but I think there's probably only one school district in the State that does that. It's a volunteer position. People are very busy, and I can tell you that every single school board meeting is an education session on education laws of the state, education policy and instructional practices. Issues come up that not only cover what's mentioned here, but issues like school finance, school construction, working as a team, personnel issues, legislative issues and most importantly, I think, the process of hiring a new superintendent. School board members aren't necessarily expert on a lot of these issues which is why you pay your superintendent a hundred thousand dollars a year or so to run the school district and provide that information.

A few parts of the bill concern me as well. One piece is probably on line eight, is that the training program has to be approved by the New Hampshire School Boards Association. I had a bit of a problem with requiring approval of an organization who is basically a competitor to some other group, having the program to be approved by them. As I said, the School Boards Association is a great resource, but they provide this, they should not be responsible for approving what other people are providing as well.

I also note that the lines above, in line seven, any instruction obtained from an institution of higher education or online provider doesn't have to be approved by anybody. So, the, it's a mix of things there in terms of the approval, there's no guarantee on what you're getting in terms of quality. There's obviously the issue of what if, what if a school board member doesn't do this? Are we going to throw them out of office? The voters of a district elect people based on what they feel that candidate's background is and qualifications, and maybe somebody's an expert in finance. And maybe they will take advantage of the opportunities in the School Boards Association. I will tell you, I have taken advantage of those, both in Concord at their training center and at various regional things across the State. And the School Boards Association has also come to our district to provide training as well.

So, in short, I'd say the issues presented here are issues that are already available to school board members. School board members do want to learn and maybe we need to do a better job of letting them know these options are available to them. But I really think to require it and to require it in such a manner is really unnecessary. And I'd be happy to answer any questions.

Senator Betsi DeVries, D. 18: Questions from the Committee? Thank you very much, Senator, for your testimony.

Senator Peter E. Bragdon, D. 11: Alright. Thank you.

Senator Betsi DeVries, D. 18: Senator Fuller Clark, I think you are the last person, you did not indicate the need to speak this morning.

Senator Martha Fuller Clark, D. 24: I would just briefly say that oh, I believe that the intention of this bill is something that the Committee should look at very carefully. What I think we're trying to do is make sure that we have ongoing educated and well informed school board members across the state. And that they are aware of the changes that are going on at the state level and the changes that are going on at the federal level. I believe that this can be done both through a conference where you could bring everyone together for one day, which would also provide a lot of excellent networking

and exchange of ideas, as well as background information provided over the internet.

And I think that whatever we can do to provide assistance and strengthen the self-confidence and background of our school board members, in addition to what is provided by the School Boards Association, would be very meritorious. Thank you.

Senator Betsi DeVries, D. 18: Thank you, Senator. And, I'm hoping you can be extremely brief. We have one more bill we need to hear and that would be very nice.

Senator John S. Barnes, Jr., D. 17: I'll be very brief and the question is for Senator Kelly if she'll take it.

Senator Molly Kelly, D. 10: And I just wanted to point out, the Commissioner, I'm not sure ...

Senator Betsi DeVries, D. 18: I don't think she was here for the sign-in and absolutely. Senator Kelly, I think Senator Barnes has indicated a quick question and...

Senator John S. Barnes, Jr., D. 17: A real quick question, because there is something that I'm going to do. Have you talked to all members of your school boards in the towns you represent? Because, I'm going to be doing that. I haven't, I'm just seeing this unfortunately, I'm going to send this bill out to each one of my school boards and get their input. Have you done that?

Senator Molly Kelly, D. 10: I have not done that with all the school board members. I've talked with some, but not all. But I think that's an excellent idea.

Senator John S. Barnes, Jr., D. 17: And those some that have talked to you are in favor of this?

Senator Molly Kelly, D. 10: Yes. Right. Well, yes, because it would, as I said earlier, the learning curve. And I think there are issues where how can we do this in a timely manner so we're not asking more time of them.

Senator John S. Barnes, Jr., D. 17: I appreciate that and before I vote I'm going to have to get back to my school boards.

Senator Molly Kelly, D. 10: Thank you.



Senator Betsi DeVries, D. 18: Thank you very much, Senator Kelly. And, Commissioner, did you indicate you would like to speak with us this morning?

Commissioner: Thank you very much for the opportunity.

Senator Betsi DeVries, D. 18: We thank you and if you could identify yourself for the record.

Commissioner I do want to...

Senator Betsi DeVries, D. 18: Commissioner, I'm sorry, for the record, if you might identify yourself.

Commissioner Barry: Yes, I'm Commissioner Barry from the Department of Education.

Senator Betsi DeVries, D. 18: Thank you.

Commissioner Barry: What I'd like to be able to do is support this bill. I've had a number of opportunities to meet with School Boards Association. I believe there is extensive work going on currently to provide opportunities for school board members to get information. The School Boards Association works very closely with the Department of Education to disseminate information to provide a strong partnership.

Currently, I think one of the questions is that it doesn't reach enough school board members. Although, many, many efforts are made to support people which we believe is a really critical and essential role in effective decision making for education in the state. That school board members are key to understanding the rules, understanding the interpretation of the law and being able to make decisions within the community that support our schools.

So, I would like to say that I do support the bill. I realize the implications in terms of resources. I have met with the School Boards Association to see if we would be able to identify resources within the Department to support it and while that is very difficult, I think that we would be able to continue to work hard to be able to provide the training and the instruction.

Senator Betsi DeVries, D. 18: Thank you very much, Commissioner. And if I could ask, just to be more specific. When you say that you are seeking to identify resources, you are saying that you agree there could be a cost to the Department of Ed, however slight, but you're looking for an opportunity to offset that?

Commissioner Barry: Well, currently the way the process works is that the School Boards Association and any individual superintendent can seek support for expert advice or training on any topic. And it's been incorporated. Over a time the Department has lost a number of resources, so the difficulty exists is identifying those individuals that would be able to commit to the time. So, yes, that's difficult. But we are interested in trying to find additional resources to support the project.

Senator Betsi DeVries, D. 18: Thank you very much, Commissioner.

Commissioner Barry: Thank you.

Senator Betsi DeVries, D. 18: Questions from the Committee. Seeing none, we thank you.

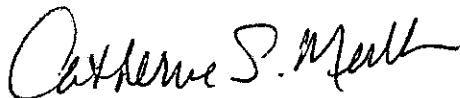
Commissioner Barry: Thank you.

Senator Betsi DeVries, D. 18: Thank you for coming today. I think this could be a first, at least since I've been here. Thank you. Thank you, Senators. With that, I will close the hearing for SB 372.

Hearing concluded at 9:49 a.m.

Respectfully submitted,

Recorded by:  
Claire D. Emery  
Senate Secretary



Transcribed by:  
Catherine S. Mullen  
Senate Secretary  
3/22/10

1 Attachment

**SB 372- requiring school board members to receive annual training****NHSBA Talking Points in Opposition to the Bill as Introduced**

While NHSBA supports the intent and effort of the sponsors, and the basic premise of the legislation, we cannot support the bill as written.

We agree that school board member training and instruction is a very good practice, and we have committed ourselves to that whole-heartedly as an Association. School board training is a major function of NHSBA: we pride ourselves on the scope and quality of this service and have committed extensive time and resources to its development and delivery to our members. However, we cannot support legislation that would make such training an annual state mandate for all school board members.

Many states do mandate training for local school board members. Based on a September 2008 survey of the states (44 responses), twenty (20) states require such training and specifically have the State School Board Association provide the education. Of those 20 states, six (6) make the requirement apply only to new school board members, while 14 states apply the requirement to both new and veteran board members. Funding is predominantly a local district responsibility, but most states participate in some manner either through direct funding or state grants.

We believe that focused and targeted training and professional development is a good practice and worthy of consideration by all involved. Indeed, most elected officials would agree. School board members have long participated in the training sessions that NHSBA offers. Our fellow municipal officials regularly avail themselves of training offered by NHMA. In areas of mutual interest, we have worked cooperatively with NHMA in training and the dissemination of

information to school board members and selectmen. And you our legislators also take advantage of Continuing Education programs that are offered for your benefit.

However, these are not state mandated obligations, but rather represent opportunities that individuals may choose to take advantage of as time and circumstances permit. NHSBA has a long tradition in support of local control and school district autonomy. We have consistently opposed any legislative proposals that would mandate a cost on local districts in violation of NH Constitution Part First, Article 28-a. We have also adopted resolutions at our annual meetings of the membership specifically opposing any direct or indirect state imposition of costs onto local school districts, and this was specifically addressed again this year at our January Delegate Assembly.

NHSBA is supported by nearly all of the state's 175 school districts. There are close to 1,000 school board members statewide, with approximately 935 on NHSBA member boards (65 non-member people).

In any given year, approximately one third of those school board 'seats' are up for election. Of those ~330 candidates, experience suggests that roughly half or even more are re-elected and not 'new' to the school board. Thus, we could assume that there may be approximately 150-175 new school board members.

NHSBA offers annual training for our members. We have historically offered at least two regional training programs; one centrally located in the lower part of the state, and one located in the north country. These two programs have generally attracted a combined attendance of between 125 - 150 members. We also offer at various times, on-site training where specific circumstances call for such additional help. We distribute an "*Information and Orientation Manual*" and

our training covers such areas as a review of school finance, the Access to Governmental Records and Meetings Law (RTK), collective bargaining, policy development, and the roles and responsibilities of school board members. We have included various 'experts' in providing this training, such as the collaboration and participation of the Dept. Education. It is important to note that this training is offered at no cost to our members; it is one of their benefits of membership in the Association.

In closing, I would summarize by noting our commitment to school board training and that we provide it as a free service to our members. "Mandated" training raises the issue of unfunded state mandates and Article 28-a violations. It may also have the unintended consequence of inhibiting people running for school board seats. These volunteers have jobs and families, and school board work is time consuming. Imposing additional obligations may result in more people being reluctant to participate in this important public office.

Dean Michener  
Director of Governmental Affairs  
NH School Boards Association

# Speakers



# Voting Sheets



# Senate Public & Municipal Affairs

## EXECUTIVE SESSION

Bill # SB 372

Hearing date: 01/28/10

Executive session date: 2/18/10

Motion of: ~~ITE~~ *Interim Study* VOTE: 3-1

<u>Made by</u>	DeVries	<input type="checkbox"/>	<u>Seconded</u>	DeVries	<input type="checkbox"/>	<u>Reported</u>	DeVries	<input type="checkbox"/>
<u>Senator:</u>	Houde	<input checked="" type="checkbox"/>	<u>by Senator:</u>	Houde	<input type="checkbox"/>	<u>by Senator:</u>	Houde	<input checked="" type="checkbox"/>
	Sgambati	<input type="checkbox"/>		Sgambati	<input type="checkbox"/>		Sgambati	<input type="checkbox"/>
	Roberge	<input type="checkbox"/>		Roberge	<input checked="" type="checkbox"/>		Roberge	<input type="checkbox"/>
	Barnes	<input checked="" type="checkbox"/>		Barnes	<input type="checkbox"/>		Barnes	<input type="checkbox"/>

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator DeVries, Chairman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Houde, Vice-Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator Sgambati	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Roberge	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Barnes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

\*Amendments: \_\_\_\_\_

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\_\_\_\_\_

Notes: \_\_\_\_\_

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# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Date: February 18, 2010

THE COMMITTEE ON Public and Municipal Affairs

to which was referred Senate Bill 372

AN ACT                      requiring school board members to receive annual  
   training.

Having considered the same, the committee recommends that the Bill:

**BE REFERRED TO INTERIM STUDY**

BY A VOTE OF:    3 - 1

AMENDMENT #            s

Senator Matthew Houde  
For the Committee

Claire Emery 271-1403

## New Hampshire General Court - Bill Status System

**Docket of SB372**

Docket Abbreviations

**Bill Title:** requiring school board members to receive annual training.*Official Docket of SB372:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
01/06/2010	S	Introduced 1/6/2010 and Referred to Public and Municipal Affairs; <b>SJ 1</b> , Pg.7
01/19/2010	S	Hearing; January 28, 2010, Room 103, LOB, 9:00 a.m.; <b>SC4</b>
02/18/2010	S	Committee Report: Referred to Interim Study 3/3/10; <b>SC8</b>
03/03/2010	S	Refer to Interim Study, MA, VV; <b>SJ 8</b> , Pg. 112

NH House

NH Senate

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 107 North Main Street - State House Room 31, Concord NH 03301

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# COMMITTEE REPORT FILE INVENTORY

SB 372 ORIGINAL REFERRAL

RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE SECRETARY AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

DOCKET (Submit only the latest docket found in Bill Status)

COMMITTEE REPORT

CALENDAR NOTICE on which you have taken attendance

HEARING REPORT (written summary of hearing testimony)

HEARING TRANSCRIPT (verbatim transcript of hearing)

List attachments (testimony and submissions which are part of the transcript) by number [1 thru 4 or 1, 2, 3, 4] here: 1

SIGN-UP SHEET

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

\_\_\_ - AMENDMENT # \_\_\_      \_\_\_ - AMENDMENT # \_\_\_  
\_\_\_ - AMENDMENT # \_\_\_      \_\_\_ - AMENDMENT # \_\_\_

ALL AVAILABLE VERSIONS OF THE BILL:

AS INTRODUCED      \_\_\_ AS AMENDED BY THE HOUSE  
\_\_\_ FINAL VERSION      \_\_\_ AS AMENDED BY THE SENATE

\_\_\_ PREPARED TESTIMONY AND OTHER SUBMISSIONS (Which are not part of the transcript)

List by letter [ a thru g or a, b, c, d] here: \_\_\_\_\_

EXECUTIVE SESSION REPORT

\_\_\_ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

IF YOU HAVE A RE-REFERRED BILL, YOU ARE GOING TO MAKE UP A DUPLICATE FILE FOLDER

DATE DELIVERED TO SENATE CLERK

07/27/10

Debra A. Mantone  
COMMITTEE SECRETARY