

# Committee Report

**REGULAR CALENDAR**

**February 16, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on Education to which  
was referred HB 609-FN-LOCAL,**

**AN ACT relative to innovation schools. Having  
considered the same, report the same with the  
recommendation that the bill OUGHT TO PASS.**

**Rep. Alicia Lekas**

**FOR THE MAJORITY OF THE COMMITTEE**

## **MAJORITY COMMITTEE REPORT**

Committee:	<b>Education</b>
Bill Number:	<b>HB 609-FN-LOCAL</b>
Title:	<b>relative to innovation schools.</b>
Date:	<b>February 16, 2021</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>OUGHT TO PASS</b>

### **STATEMENT OF INTENT**

With this bill, a public school can request a waiver from state regulations which may interfere with a wonderful innovative idea to better provide the opportunity for an adequate education for all students. The process to initiate and implement an innovation plan begins with the local school and is enacted by that school if approved by the school board, the public, and the Department of Education. This process must follow local collective bargaining agreements. If the proposed plan does not follow the local agreement, the school must renegotiate the agreement in order to implement the plan for creating an innovation zone. In summary, this legislation will provide districts and schools support in meeting challenges resulting from declining student demographics and related program and funding issues.

Vote 11-9.

Rep. Alicia Lekas  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Education

**HB 609-FN-LOCAL**, relative to innovation schools. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Alicia Lekas for the **Majority** of Education. With this bill, a public school can request a waiver from state regulations which may interfere with a wonderful innovative idea to better provide the opportunity for an adequate education for all students. The process to initiate and implement an innovation plan begins with the local school and is enacted by that school if approved by the school board, the public, and the Department of Education. This process must follow local collective bargaining agreements. If the proposed plan does not follow the local agreement, the school must renegotiate the agreement in order to implement the plan for creating an innovation zone. In summary, this legislation will provide districts and schools support in meeting challenges resulting from declining student demographics and related program and funding issues. **Vote 11-9.**

Original: House Clerk  
Cc: Committee Bill File

**REGULAR CALENDAR**

**February 10, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on Education to which  
was referred HB 609-FN-LOCAL,**

**AN ACT relative to innovation schools. Having  
considered the same, and being unable to agree with  
the Majority, report with the following resolution:  
RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

**Rep. Stephen Woodcock**

**FOR THE MINORITY OF THE COMMITTEE**

## **MINORITY COMMITTEE REPORT**

Committee:	<b>Education</b>
Bill Number:	<b>HB 609-FN-LOCAL</b>
Title:	<b>relative to innovation schools.</b>
Date:	<b>February 10, 2021</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### **STATEMENT OF INTENT**

The minority believes that this bill is not needed. The bill presents itself as legislation that would provide the opportunity for innovation in public schools, which currently already exists in every NH public school. As recently as this fall, NH has been the incubator for many innovative schools; we call them charter schools, and 33 currently exist. This bill lacks clear definition in many places regarding terminology such as "each public school that would be affected by the plan shall have an opportunity to participate" what does that mean actually? Furthermore, during testimony, the prime sponsor clearly indicated that the bill would not authorize waiving the collective bargaining agreement provisions, but indicated that the issue could be taken up with the bargaining agent. The bill provides little, if any, oversight, lacks local control, except for the initial approval by the local school board, it doesn't include a fiscal note, and has no mention of teacher involvement in the development of the Innovative School Plan.

Rep. Stephen Woodcock  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Education

**HB 609-FN-LOCAL**, relative to innovation schools. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Woodcock for the **Minority** of Education. The minority believes that this bill is not needed. The bill presents itself as legislation that would provide the opportunity for innovation in public schools, which currently already exists in every NH public school. As recently as this fall, NH has been the incubator for many innovative schools; we call them charter schools, and 33 currently exist. This bill lacks clear definition in many places regarding terminology such as "each public school that would be affected by the plan shall have an opportunity to participate" what does that mean actually? Furthermore, during testimony, the prime sponsor clearly indicated that the bill would not authorize waiving the collective bargaining agreement provisions, but indicated that the issue could be taken up with the bargaining agent. The bill provides little, if any, oversight, lacks local control, except for the initial approval by the local school board, it doesn't include a fiscal note, and has no mention of teacher involvement in the development of the Innovative School Plan.

Original: House Clerk

Cc: Committee Bill File

# Voting Sheets



**HOUSE COMMITTEE ON EDUCATION**  
**EXECUTIVE SESSION on HB 609-FN-LOCAL**

**BILL TITLE:** relative to innovation schools.

**DATE:** February 9, 2021

**LOB ROOM:** 201/203

**MOTIONS:** OUGHT TO PASS

Moved by Rep. A. Lekas

Seconded by Rep. Layon

Vote: 11-9

**CONSENT CALENDAR: NO**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep Barbara Shaw, Clerk

STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/22/2021 9:56:47 AM  
Roll Call Committee Registers  
Report



2021 SESSION

Education

Bill #: 609-FN-2 Motion: OTP AM #: \_\_\_\_\_ Exec Session Date: 2-9-2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman	✓		
Cordelli, Glenn Vice Chairman	✓		
Boehm, Ralph G.	✓		
Allard, James C.	✓		
Lekas, Alicia D.	✓		
Moffett, Michael	✓		
Hobson, Deborah L.	✓		
Andrus, Louise	✓		
Ford, Oliver J.	✓		
Layon, Erica J.	✓		
Soti, Julius F.	✓		
Myler, Mel		✓	
Luneau, David J.		✓	
Shaw, Barbara E. Clerk		✓	
Cornell, Patricia		✓	
Tanner, Linda L.		✓	
Ellison, Arthur S.		✓	
Mullen, Sue M.		✓	
Ley, Douglas A.		✓	
Woodcock, Stephen L.		✓	
<b>TOTAL VOTE:</b>	<b>11</b>	<b>9</b>	

# Hearing Minutes

**HOUSE COMMITTEE ON EDUCATION**  
**PUBLIC HEARING ON HB 609-FN-LOCAL**

**BILL TITLE:** relative to innovation schools.

**DATE:** January 26, 2021

**LOB ROOM:** 201/203                      **Time Public Hearing Called to Order:** 1:00 PM

**Time Adjourned:** 2:45 PM

**Committee Members:** Reps. Ladd, Cordelli, Shaw, Boehm, Allard, A. Lekas, Moffett, Hobson, Andrus, Ford, Layon, Soti, Myler, Luneau, Cornell, Tanner, Ellison, Mullen, Ley and Woodcock

**Bill Sponsors:**

**Rep. Cordelli**  
**Rep. Shaw**  
**Rep. A. Lekas**

**Rep. Ladd**  
**Rep. Hill**  
**Sen. Reagan**

**Rep. Pitre**  
**Rep. Mooney**  
**Sen. Ward**

**TESTIMONY**

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. Cordelli – Bill Sponsor**

- Establishes a process to get permission to allow innovations in public schools
- Checked out many states' legislation to develop this bill
- Definitions include specific terms regarding "innovation"
- Local board is involved directly
- Lists specific documents to innovation, economy, benefits and areas included for innovation
- Entities included in the process – numerous
- Public hearing required
- Accountability 0 reviews innovation plan ever two years from local boards thru state
- DOE must provide an annual report on every innovative school
- Provisions of waivers that can assist the schools in this endeavor
- If accountability is not shown, the innovated plan can be terminated

//Rep. Ley has indicated he will file a declaration of Intent on behalf of the AFT in New Hampshire regarding this bill

//Rep. Tanner objects to not knowing a fiscal note as it may impact local budget and taxes

**Caitlin David – DOE**

- Fiscal note will be forthcoming
- So far HB 609 the fiscal note is 0 as it is not required
- At some point may need a new fill till tome position to oversee the innovations

**Chris Bond – DOE**

- Department does not believe they have authority regarding collective bargaining
- Bill does not state any comments or suggestions regarding collective bargaining or state or federal laws
- Only state regulations, waivers from administrative rules

**Janet Ward**

- Feels this bill is going to affect many tax base and public schools
- To this underlying to circumvent public schools and create devastating results
- Public school system is America
- America is an innovation, so let happen transparently

**Barrett Christina – Opposed**

- Lessening regulatory conditions is a good thing
- Language needs cleaning up
- Who drafts this? Principal? Teachers?
- Who files the complaints regarding this application?
- Too many “mays” maybe more “shalls”
- List of administrative rules is so extensive that maybe should be narrowed – i.e.: Special education rules, building codes
- Concern with collective bargaining with rules
- “Reasonable discretion” should be higher standard for Board of Education reasons to accept or deny
- No waiver should include state-wide obligations, federal or in law
- Local board can revoke at any time? And if school is approved by specific process – what would constitute denial down the road? A revocation?
- Maybe study over the summer if possible
- Appreciates the effort to lessen regulatory burdens (can be done through legislative actions without this bill)

**Rhonda Thomas – Parent**

- See them as collecting more data on our students. Tracking them alone lines of the innovations
- Are we going to have access to the data of our children and where would that data be going?

**Jim Donchess – Mayor of Nashua**

- Fears cut in funding in public schools
- Not a huge decline in students but loss of revenue to the public schools occurs
- Would encourage innovation schools if funded thru a specific allocation
- Loss of revenue is a viable concern regarding with this bill

**\*Brian Hawkins – NHEA**

- Provisions in bill call for public hearings but we don’t see educators as participants in this process
- Conditions of improvement of working conditions not mentioned in regard to collective bargaining provision that could be modified

Respectfully submitted,

Rep. Barbara Shaw, Clerk

HOUSE COMMITTEE ON EDUCATION

BILL TITLE: PUBLIC HEARING on Bill # HB 609  
relative to innovation schools  
DATE: 1-26-2021

ROOM: 207-203 Time Public Hearing Called to Order: 1:00 PM

Time Adjourned: 2:45 PM

(please circle if present) (all present)

**Committee Members:** Reps. Ladd, Cordelli, Shaw, Boehm, Allard, A. Lekas, Moffett, Hobson, Andrus, Ford, Layon, Soti, Myler, Luneau, Cornell, Tanner, Ellison, Mullen, Ley and Woodcock

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

- ① Rep Glenn Cordelli - sponsor
- establishes a process to get permission to allow ~~to~~ innovations in public schools
  - checked out many states' legislation to develop this bill
  - Definitions include specific terms regarding "innovation"
  - local board is involved directly
  - lists specific documents to innovation, economy, benefits & areas included for innovation
  - entities included in the process - numerous
  - public hearing required
  - accountability - reviews innovation plan every two years from local boards thru state board
  - DOE must provide an annual report on every innovative school,
  - provisions of waivers that can assist the schools in this endeavor.

- if accountability is not shown, the innovation plan can be terminated.
- \* Representative Ley has indicated he will file a Declaration of Intent on behalf of the AFT in New Hampshire regarding this bill.
- \* Representative Linda Tanner objects <sup>not</sup> knowing a fiscal note as it may impact local budgets and taxes.

## ② Caitlin Davis - DOE

- fiscal notes will be forthcoming.
- so far on H0609 the fiscal note is 0 as it is not required.
- At some point may need a new full time position to oversee the innovation.

## ③ Chris Bond - DOE

- Dept does not believe they have authority regarding collective bargaining
- bill does not state any comments or suggestions regarding collective bargaining or state or federal laws
- \* only state regulations, waivers from administrative rules.

## ④ Janet Ward -

- feels this bill is going to affect many tax bases and public schools.
- Is this an underlying to circumvent public schools and create devastating results
- public school system is America's
- America is an innovation, so let it happen transparently

⑤ Barrett Christina - opposed -

- lessening regulatory conditions is a good thing
- language needs cleaning up
- who drafts this? Principal? Teachers?
- who files the complaints regarding this application?
- too many "mays" maybe more "shalls".
- list of administrative rules are so extensive that maybe should be narrowed i.e.: special ed rules, building codes.
- concern with collective bargaining with rules
- "reasonable discretion" should be higher standard for B of Ed reasons to accept or deny.
- no waiver should include state wide obligations, Federal or in law.



- local bd can revoke at any time? And if school is approved by specific process what would constitute denial down the road? or revocation?
- maybe study over the summer if possible.
- appreciates the effort to lessen regulatory burdens. Can be done through legislative action without this bill.

### ⑥ Rhonda Thomas - parent

- see them as collecting more data on our students. Tracking them along lines of the innovations
- are we going to have access to the data of our children and where would that data be going?

### ⑦ Jimi Donchess - Mayor of Nashua

- fears cut in funding in public schools
- not a huge decline in students by but loss of revenue to the public schools occurs.

- would encourage innovation schools if funded thru a specific allocation
- loss of ~~an~~ revenue is a ~~a~~ viable concern regarding with this bill

### ⑧ Brian Hawkins - NHEA

- provisions in bill call for public hearings but we don't see educators as participators in this process.
  - conditions of improvement of working conditions not mentioned in regards to collective bargaining provision that could be modified.
- \* Sent written testimony via email.

Respectfully submitted,  
Rep Barbara Shaw,  
Clerk

- ③ Melissa White - DOE assessments
- available for any questions
  - K-8 - assessment Math, LA
  - 5, 8, 11 Science
  - alternative 6-8 & 11
  - K-12 language assessment

Respectfully submitted,  
Rep. Barbara Shaw,  
Clerk

# House Remote Testify

## Education Committee Testify List for Bill HB609 on 2021-02-09

Support: 1 Oppose: 46 Neutral: 0 Total to Testify: 0

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Johnson, Dawn	Dawn.Johnson@leg.state.nh.us	603.305.8466	An Elected Official	Myself	Support	No	2/3/2021 5:06 PM
Bartholomew, Kenneth	kbartholomew9@gmail.com	603.491.5933	A Member of the Public	Myself	Oppose	No	2/5/2021 2:13 PM
Dow, Timothy	tdow@gm.sau18.org	603.998.1720	An Elected Official	Franklin School Board	Oppose	No	2/6/2021 6:52 AM
Duggan, Marie	Mduggan@keene.edu	603.831.4386	A Member of the Public	Myself	Oppose	No	2/6/2021 1:13 PM
Blanchard, Sandra	sandyblanchard3@gmail.com	603.724.3768	A Member of the Public	Myself	Oppose	No	2/7/2021 7:36 PM
hatch, sally	sallyhatch@comcast.net	603.724.7448	A Member of the Public	Myself	Oppose	No	2/7/2021 7:51 PM
Hinebauch, Mel	melhinebauch@gmail.com	603.224.4866	A Member of the Public	Myself	Oppose	No	2/7/2021 9:23 PM
Damon, Claudia	cordsdamon@gmail.com	603.226.4561	A Member of the Public	Myself	Oppose	No	2/7/2021 10:59 AM
Torpey, Jeanne	jtorp51@comcast.net	603.493.8262	A Member of the Public	Myself	Oppose	No	2/8/2021 5:22 AM
Garen, June	jzanesgaren@gmail.com	603.393.8134	A Member of the Public	Myself	Oppose	No	2/8/2021 6:59 AM
Torpey, H. Robert	hrtorpj@comcast.net	603.493.9118	A Member of the Public	Myself	Oppose	No	2/8/2021 7:31 AM
Osherson, Sam	sam@osherson.com	603.313.3153	A Member of the Public	Myself	Oppose	No	2/8/2021 10:08 AM
Reed, Barbara	moragmcp83@outlook.com	603.352.5015	A Member of the Public	Myself	Oppose	No	2/8/2021 11:39 AM
Anderson, Keryn	kerynlanderson@gmail.com	603.731.6425	A Member of the Public	Myself	Oppose	No	2/8/2021 12:43 PM
Cahill, Kathy	kathyhigginscahill@gmail.com	603.731.3246	A Member of the Public	Myself	Oppose	No	2/8/2021 12:53 PM
Corell, Elizabeth	Elizabeth.j.corell@gmail.com	603.545.9091	A Member of the Public	Myself	Oppose	No	2/8/2021 4:46 PM
Raff, Alan	araff9@gmail.com	603.714.0258	A Member of the Public	Myself	Oppose	No	2/8/2021 2:34 PM
Crichton, Lucy	Lucycrichton@comcast.net	603.491.7839	A Member of the Public	Myself	Oppose	No	2/8/2021 3:22 PM
Brennan, Nancy	burningnan14@gmail.com	5291969	A Member of the Public	Myself	Oppose	No	2/8/2021 3:27 PM
Ramachandran, Sushmita	Sushi12481@gmail.com	802.363.7874	A Member of the Public	Myself	Oppose	No	2/8/2021 3:32 PM
Carter, Lilian	lcarter0914@gmail.com	603.560.7047	A Member of the Public	Myself	Oppose	No	2/8/2021 4:03 PM
LÓPEZ BURLINGAME, TERRY	mexicananh@gmail.com	603.387.7761	A Member of the Public	Myself	Oppose	No	2/8/2021 6:14 PM
BURLINGAME, TERRY	tburlingame@hotmail.com	603.387.7761	A Member of the Public	Myself	Oppose	No	2/8/2021 6:15 PM
Reynolds, Cathryn	clreynolds1@yahoo.com	603.327.7180	A Member of the Public	Myself	Oppose	No	2/8/2021 6:34 PM

Jachim, Geri	heartlandrfd123@gmail.com	603.863.5187	A Member of the Public	Myself	Oppose	No	2/8/2021 6:44 PM
Hampton, Sharon	shampton.nh11@gmail.com	603.393.7845	A Member of the Public	Myself	Oppose	No	2/8/2021 7:55 PM
Mark, Hampton	khampton_nh@yahoo.com	603.393.7846	A Member of the Public	Myself	Oppose	No	2/8/2021 7:57 PM
Collins, Callie	callie.marie.h@gmail.com	603.393.0404	A Member of the Public	Myself	Oppose	No	2/8/2021 8:00 PM
Richman, Susan	susan7richman@gmail.com	603.343.6314	A Member of the Public	Myself	Oppose	No	2/8/2021 8:01 PM
Hampton, Alexander	ahampton.nh@gmail.com	603.393.7844	A Member of the Public	Myself	Oppose	No	2/8/2021 8:05 PM
Hall-Nilsen, Elizabeth	bnt.lh3@gmail.com	603.444.6474	A Member of the Public	Myself	Oppose	No	2/8/2021 8:08 PM
Nilsen, Erik	thermalmassinc@gmail.com	603.444.6474	A Member of the Public	Myself	Oppose	No	2/8/2021 8:10 PM
Osherson, Julie	snowsongs@hotmail.com	603.313.1703	A Member of the Public	Myself	Oppose	No	2/8/2021 9:16 PM
Betz, Charlene	mcesbs@comcast.net	603.225.6680	A Member of the Public	Myself	Oppose	No	2/8/2021 9:34 PM
Penney, Jason	jpenney@jczorkmid.net	603.722.0785	A Member of the Public	Myself	Oppose	No	2/9/2021 5:49 AM
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Oppose	No	2/8/2021 11:45 PM
Neville, Betsey	betsey2003@tds.net	603.867.8175	A Member of the Public	Myself	Oppose	No	2/9/2021 6:31 AM
blakeney, gordon	rbplease@aol.com	603.340.0186	A Member of the Public	Myself	Oppose	No	2/9/2021 6:43 AM
Michelson, Barbara	highlylikely@gmail.com	603.847.3414	A Member of the Public	Myself	Oppose	No	2/9/2021 7:00 AM
Platt, Elizabeth-Anne	lizanneplatt09@gmail.com	603.715.8191	A Member of the Public	Myself	Oppose	No	2/9/2021 7:34 AM
Petruccelli, Maxine	maxinepet@gmail.com	203.313.3893	A Member of the Public	Myself	Oppose	No	2/9/2021 7:47 AM
Petruccelli, Charles	chasmaxpet@gmail.com	203.400.3178	A Member of the Public	Myself	Oppose	No	2/9/2021 7:49 AM
Ellermann, Maureen	ellermannf@aol.com	603.545.5878	A Member of the Public	Myself	Oppose	No	2/9/2021 7:55 AM
Spielman, Kathy	jspielman@comcast.net	603.397.7879	A Member of the Public	Myself	Oppose	No	2/9/2021 8:10 AM
Spielman, James	jspielman@comcast.net	603.868.1626	A Member of the Public	Myself	Oppose	No	2/9/2021 8:10 AM
Taylor, Gale	galeforcefacilitators@gmail.com	603.321.7160	A Member of the Public	Myself	Oppose	No	2/9/2021 10:12 AM
Dontonville, Roger	rdontonville@gmail.com	603.632.7719	An Elected Official	Myself	Oppose	No	2/9/2021 10:52 AM

# Testimony

HB609

This bill undermines New Hampshire public education and will not only effectively reduce the educational excellence our state has achieved, but abandon our long tradition of remaining independent of frameworks promoted by non-educational organizations.

New Hampshire has always taken pride in supporting, if not demanding, local control! This bill would remove control from locally ELECTED school boards and transfer decision making to unelected, appointed state officials!

This bill would give total authority to the State Board of Education to approve waivers throughout our state education system which could undo certain collective bargaining provisions, negatively affect education certification standards, weaken workplace safety practices and generally hinder the measures placed and APPROVED locally to support and protect our children in their school environment.

Lets be clear, this bill does NOT reflect our traditional New Hampshire values which enable local taxpaying citizens the voice and control of their own public schools!

I ask that you consider our longstanding New Hampshire values and OPPOSE HB609.

Gail Laker-Phelps  
Chichester, NH  
603 798-5394

NEW HAMPSHIRE SCHOOL ADMINISTRATORS  
ASSOCIATION

CHAMPIONS FOR CHILDREN



January 30, 2021

Rep. Rick Ladd, Chair  
House Education Committee  
Legislative Office Building  
Concord, NH 03301

RE: HB609

Dear Chairman Ladd and Members of House Education,

I am writing on behalf of the members of the New Hampshire School Administrators Association to **oppose HB609** as it is currently written.

While NHSAA certainly applauds the effort to allow public schools more flexibility in their attempts to meet the needs of all students, this bill as written as several serious flaws, including:

- 1) the lack of a definition of "innovation";
- 2) the lack of metrics to adequately assess whether the schools or zones are actually improving student outcomes;
- 3) the potential fiscal impact on the state, local school districts, and local taxpayers; and
- 4) the open-ended waivers the bill would afford.

1) The first section of proposed RSA194-E:1 includes definitions. **While there are several vague definitions in this section, the term "innovation" is never defined.** Perhaps innovation is to be defined locally, but that is never clearly stated. Having worked in education for 30 years, I have seen many "innovations" during that time period. What one district might consider an innovation may simply be best practice in another, and that practice was developed within existing statutes and regulations. Innovation is often in the eye of the beholder.

Without a clear definition and explanation of what constitutes innovation, we are concerned that it will be defined as, "I will know it when I see it". That makes determining goals and metrics for assessment problematic at best, impossible at worst.

2) **There is a clear lack of accountability in this proposed legislation.** Throughout the wording of RSA194-E, proposals *may* submit a plan for assessment. There is no clear explanation or definition of what metrics



would be used to assess the effectiveness of the plan or, more importantly, student outcomes.

The sponsor indicated that this bill is founded on Colorado's Innovation School Act of 2008. There has been significant concern from residents and parents of Colorado regarding the effectiveness of these innovation schools and whether they truly succeed over "traditional" public schools (*Denver Post, Nov. 24, 2019* - attached). Part of the concern is that, once students were evaluated based on statewide assessment measures, they are not achieving at the rates or the consistency of their peers.

There are clear recommendations in place, but no concrete way in which to apply the brakes if issues such as this arise. In addition, as we have seen with failing charter schools, parents and students are reluctant to "give up" what they perceive as successful, regardless of the objective data.

3) As was noted during the hearing, **there is no fiscal note attached to this legislation.** While there are many questions about the impact on local budgets and taxpayers, one area of concern would be the notion of an "Innovation Zone", which could be created by multiple schools across a region. While there is a certain appeal to combining resources where possible and appropriate, upon which community would the burden of instruction and facility costs lie? Would the local community be responsible for an influx of special needs students (if they were to be included), or would the costs fall upon their sending districts? Would the "Innovation School" district be responsible for transportation, or would that add to the "sending" districts' overall costs?

Another area of concern is the capacity of the Department of Education to review and monitor these programs. The Department currently does not have the manpower or resources to effectively review the existing public schools across the state, not to mention the charter schools and institutes of higher education. Additional bureaucracy would need to be created at the state level to oversee this program.

These are just a few of the many fiscal questions and concerns that this bill raises, with no clear answers.

4) Regarding the waiver provisions outlined in the bill, **it is unclear which regulations could be waived and under what circumstances.** Would this legislation allow "Innovation Schools" to waive Ed306 – Minimum Standards for School Approval? Or ED317 – Standards for Suspension & Expulsion? Ed500 – Certification of Professional Staff? Or perhaps Ed1200 – Seclusion? The sponsor indicated that regulations based on statute could

not be waived. However, all state regulations are based on statute, so does that mean that there would actually be no waivers granted?

Finally, we are also deeply concerned that this bill is yet another step toward the privatization of public education in New Hampshire.

The bill sponsor indicated that HB609 is not patterned after the American Legislative Exchange Council (ALEC) model policy but rather Colorado's Innovation School model. I would respectfully submit that Colorado's Innovation Schools Act of 2008 is the exact replica of ALEC's model legislation, except that Colorado education terms were inserted ([COStatute](#)).

I have attached a side-by-side comparison of the [ALEC model policy](#) and HB609. Even though the comparison document is four (4) pages (in table format), there is little of substance that separates the two. Often where there is a separation, HB609 is not always "better" than the model legislation.

ALEC has made it a goal to privatize public education, and this bill would open the door for this type of expansion into New Hampshire. With this bill as currently written, what would prevent a for-profit company contracting with an "Innovation School" to provide education for students? With the appropriate waivers in place, public schools could become corporate extensions.

Given that New Hampshire ranks among the highest states in the country for student achievement, and that we have a robust Public Charter School system to serve as incubators of innovation, I am unsure why we need to have a national agenda thrust upon New Hampshire's public education system. This bill appears to be a solution in search of a problem.

We would respectfully request that, given all the policy and fiscal questions this proposed legislation raises, as well as the unnecessary complexity it creates, that you vote to oppose HB609.

Respectfully submitted,



Dr. Carl M. Ladd  
Executive Director of NHSAA

## A Comparison between HB 609 and the American Legislative Exchange Council’s Model Legislation: Innovation Schools and School Districts Act

This document only includes differences in HB 609 and ALEC’s model legislation. If a difference is not cited, then the presumption should be made that the exact or remarkably similar language is used in both documents.

HB 609-FN: Relative to Innovation Schools	ALEC Model Legislation: Innovation Schools and School Districts Act
<b>Legislative Declarations</b>	<b>Section 2 – Legislative Declarations</b>
HB 609 does not include a preamble, statement of purpose, or declaration.	ALEC’s model legislation provides five declarations and seven purpose statements focused on providing greater local flexibility to parents, principals and teachers to meet the needs of students. <i>(There are built in assumptions.)</i>
<b>194-E:1 – Definitions</b>	<b>Section 3 – Definitions</b>
HB 609 <u>does not</u> include a definition for <i>District of Innovation</i> as written in the ALEC model. HB 609 proposes to allow a singular school to become an <i>Innovation School</i> . It also proposes to allow groups of schools within a school district or groups of schools in multiple school districts to form an <i>Innovation School Zone</i> .	A <i>District of Innovation</i> is included to allow for an entire district to apply for the designation which presumably would include all of the schools within the district.  ALEC’s model does not contemplate a group of schools in multiple districts. It is either a school, a group of schools within a school district or the district in its entirety that would be eligible for “innovation” status.
Please note distinction described above can be found in various places of HB 609 and ALEC’s model bill. For this comparative document, it is only called out here in the definitions section.	
<b>194-E:2(I-IV) – Local Planning and Approval</b>	<b>Section 4 – Innovation Plans – Submission - Contents</b>
HB 609 requires a public hearing by the local school board when a plan is received.	No public hearing is provided.
HB 609 provides a list of items that <b>MAY</b> be included in an innovation plan.  ✓ Only allows for waiver to the NH Department of Education’s administrative rules (however, rule are supposed to be based in legislation, so it is unclear how a rule could be waived and not the law).	ALEC’s model provides a list of items that <b>SHALL</b> be included in the innovation plan.  ✓ Allows for waivers on statutes and regulations.

<ul style="list-style-type: none"> <li>✓ A statement of the level of support for the designation only has been demonstrated by students, parents of students and the community surrounding the public school.</li>   <li>✓ When creating an <i>Innovation School Zone</i> (multiple schools), HB 609 provides a list of other information that MAY be provided in the innovation plan. This again includes limiting the statement of the level of support to only students, parents of students and the school community. It also, unlike the plan for just one school's designation, allows for the plan to only include a statement for the level of support shown at the local school board's public hearing.</li> </ul>	<ul style="list-style-type: none"> <li>✓ A statement of the level of support for the designation must be by those listed in HB 609, but also by <u>a majority of the administration, teachers and other person employed at the public school</u>. It also lists a majority of the school advisory council, but those do not exist formally in NH.</li>   <li>✓ Again, the model requires (using <b>SHALL</b>) evidence of administrator, teacher and other people employed at <u>each</u> public school to be supportive of the <i>Innovation School Zone</i> plan.</li> </ul>
<p><b>194-E:2(V) – Local Planning and Approval</b></p> <p>HB 609 states that each local school board MAY consider innovations in particular areas.</p>	<p><b>Section 5 – Suggested Innovation</b></p> <p>ALEC's model states that each local school board is <b>strongly encourages</b> to consider innovations in particular areas. This is not much different than "may," but noted as a difference.</p> <p>HB 609 does not include the following that is included in ALEC's model:</p> <ul style="list-style-type: none"> <li>✓ specific accountability measures to be considered; and</li> <li>✓ "innovations" in compensation and retirement.</li> </ul>
<p><b>194-E:2(VI) – Local Planning and Approval</b></p> <p>The only difference here is really no difference at all. HB 609 uses <b>may</b> seek and accept public and private gifts, grants and donations, and ALEC's model uses the terms "<b>authorized and encouraged.</b>"</p>	<p><b>Section 6 – Innovation Planning – Financial Support</b></p>
<p><b>194-E:3 – State Approval</b></p> <p>HB 609 requires state approval for <i>Innovation Schools</i> and <i>Innovation School Zones</i>.</p>	<p><b>Section 7 – District of Innovation</b></p> <p>It appears that ALEC's model only provides for approval at the state level for <i>District of Innovation</i> designation. However, the designation approval process is the same except for:</p> <ul style="list-style-type: none"> <li>• the timeline;</li> <li>• initial department review provided in HB 609;</li> <li>• a required public hearing provided in HB 609; and</li> <li>• specified reasons for rejection.</li> </ul>

<ul style="list-style-type: none"> <li>✓ HB 609 requires the local school board to submit their innovation plan to the department before submitting to the State Board of Education (SBE).</li> <li>✓ HB 609 provides the department 45 days for an initial review and to provide suggestions for further innovations or measurements. The local school board can resubmit then to the SBE. It is not clear if the department's recommendations are required to be included in the resubmission.</li> <li>✓ The SBE has 60 days to review and approve/reject the plan. This is then a total of 105 days of review by the state.</li> <li>✓ Unlike ALEC's model, the state board must hold a public hearing on the plan (this is in addition to the local public hearing).</li> <li>✓ Approval or rejection of the plan in HB 609 is at the reasonable discretion of the SBE.</li> </ul>	<ul style="list-style-type: none"> <li>✓ ALEC's model allows the plan to go to both the Commissioner and the SBE at the same time.</li> <li>✓ There is only 60 days for the Commissioner and the SBE to review and approve/reject the innovation plan.</li> <li>✓ Rejection of a plan can only be if the SBE concludes that the plan is likely to result in a decrease in academic achievement or is not fiscally feasible.</li> </ul>
<p><b>194-E:4 – Innovations Plans: Waiver of Regulatory Requirements</b></p>	<p><b>Section 8 – District of Innovation – Waiver of Statutory and Regulatory Requirements</b></p>
<ul style="list-style-type: none"> <li>✓ HB 609 does not include a provision to allow statute to be waived. However, administrative rules are typically grounded in statute, so it is unclear how the sponsors are separating the two types of policies.</li> <li>✓ There are no protections for a district's level of state funding (or federal funding). It does match the ALEC model by stating that ESSA requirements cannot be waived, but there is no mention (in HB 609 or ALEC's model) of protecting the requirement under IDEA or civil rights.</li> </ul>	<ul style="list-style-type: none"> <li>✓ ALEC's model allows for waivers to statutes and regulations except the following which <u>are not included</u> in HB 609: <ul style="list-style-type: none"> <li>• Teacher retirement and pension plans; and</li> <li>• Established regs and procedures for administration of (states can fill in their own context here).</li> </ul> </li> <li>✓ A <i>District of Innovation</i> cannot waive the state assessment program, school accountability reporting, or anything related to ESSA (NCLB in the model). It also protects the school district's total program funding and eligibility for funding.</li> </ul>

<p><b>N/A</b></p> <p>HB 609 does not address collective bargaining except in the section related to what a school district may include in their innovation school or school zone application.</p> <p>➤ <i>194-E:2(III)(h) A description of any provision of the collective bargaining agreement in effect for the personnel at the public school that would need to be waived or modified for the public school to implement its identified innovations.</i></p>	<p><b>Section 9 – District of Innovation – Collective Bargaining Agreement</b></p> <p>Section 9 describes the process working with the local union/collective bargaining agreement.</p>
<p><b>194-E:5 – Innovation School and School Zone Reviews</b></p> <p>A local school board must review an approved plan and progress toward the plan objectives including academic performance every <b>two</b> years. HB 609 also includes a review of cost saving or increased efficiencies or both which is not included in ALEC’s model.</p>	<p><b>Section 10 – District of Innovation – Reviews of Innovation Schools and Innovation School Zones</b></p> <p>A local school board must review an approved plan and progress toward the plan objectives including academic performance every <b>three</b> years.</p>
<p><b>194-E:6 – Department of Education Review</b></p> <p>HB 609 requires the NH Department of Education to review each of the local school board’s innovation plan reviews. It also allows for the department to conduct its own review at any time. The SBE can revoke the innovation status at any time with notification.</p>	<p><b>N/A</b></p> <p>Once a <i>District of Innovation</i> is approved, no further reviews by the department or SBE is required in ALEC’s model.</p>
<p><b>194-E:7 – Reporting</b></p> <p>HB 609 adds a requirement not in the ALEC model to compare academic performance with similar schools and to include a list of administrative rules waived (collectively one would assume).</p>	<p><b>Section 11 - Reporting</b></p> <p>ALEC’s model includes a requirement to include any recommendations for legislative changes based on the innovations implemented in the annual report.</p> <p>ALEC’s model requires the posting of the report on the department’s website. This is not included in HB 609.</p>
<p><b>194-E:8 - Rulemaking</b></p> <p>HB 609 proposes to require the SBE to adopt rules for <i>Innovation Schools</i> and <i>Innovation School Zones</i>.</p>	<p><b>Section 12 – Safety Clause</b></p> <p>ALEC’s model proposes to include a safety clause stating the legislature finds that the act is necessary for the immediate preservation of the public peace, health, and safety. This is not included in HB 609.</p>



Hon. Rick Ladd  
Chairman  
House Education Committee

January 26, 2021

Dear Chairman Ladd and members of the House Education committee,

I come before you today to testify in opposition to House Bill 609, relative to innovation schools. NEA-NH maintains several serious concerns with respect to this piece of legislation, but I will focus my testimony today on 2 aspects in particular.

First, at a minimum this piece of legislation subverts the spirit of the Every Student Succeeds Act (ESSA) - which holds that stakeholders should be consulted and meaningfully participate in improvement planning and implementation in our public schools and districts. At each stage of the process laid out in this proposal, meaningful involvement seems to be bypassed entirely.

HB 609 also lacks adequate provisions for public comment, review, and participation in the development of the innovation school or district plan, especially since educators are not named as a stakeholder in a single part of this proposed legislation.

Second, this bill does more than subvert the spirit of ESSA and educator participation. It also appears to supersede educators' collective bargaining rights through these proposed innovation school plans.

Some of the examples of this are referenced in the plan components allowed by the legislation including on:

- Page 2, line 8: "A description of the innovations the public school would implement, which may include, but not be limited to, innovations in school staffing, curriculum and assessment, class scheduling, use of financial and other resources, and faculty recruitment, and employment, evaluation, and compensation.
- Page 3, line 24: "(d) Teacher recruitment, training, preparation, and professional development. (e) Teacher employment. (f) Performance expectations and evaluation procedures for teachers and principals

The description of what can be waived here is both extraordinarily broad and includes specific aspects of employment and working conditions that are mandatory subjects of bargaining.

On page 2, line 33 the legislation goes further and asks for: “(h) A description of any provision of the collective bargaining agreement in effect for the personnel at the public school that would need to be waived or modified for the public school to implement its identified innovations.”

This provision is so far reaching that it undermines New Hampshire educators’ voices and the collective bargaining process as a whole. Empowering the state board of education to authorize a plan containing provisions such as this, seems to be tremendous expansion of their power and overreach of their authority.

Additional concerns for us include, but are not limited to, the overly broad language which leaves questions around whether this bill allows the waiver of:

- Important special education, English as a Second Language, and dropout prevention services
- Curriculum and academic standards that allow the drawdown of federal funds.
- A school’s assessment plan which must meet federal requirements, or the federal government would have grounds to place schools/districts on At Risk status and withhold federal funds.
- Graduation policies which cannot conflict with federal reporting requirements or policies.

Innovation in our schools can and does happen when you engage with the stakeholders who are part of public education in our state. The text of this bill does not indicate this has been done and probably why it leaves many unanswered questions as to the scope of authority the proposed legislation would give to the state board.

I strongly urge this committee to find HB 609 Inexpedient to Legislate.

Respectfully submitted,



Megan Tuttle  
President  
NEA-NH



## Testimony submitted in Opposition to

### HB 609

In May of 2018 a School Voucher Bill, SB 193, was killed. Now here we are in January 2021 and a flurry of American Legislative Exchange Council-patterned bills are coming through the NH Legislature. All of these bills reflect an anti-public school bias cloaked in all kinds of language such as “innovation” which is meant to deflect and deny such anti-public school bias.

HB 609 is one of those bills. Supposedly it is meant to establish “innovation schools.” Taxpayers can reasonably ask, Are innovation schools necessary given that we are already providing support for many charter schools which already provide a variety of avenues for “innovation” and our state recently accepted a federal grant to establish many more charter schools.

What HB 609 is really seeking to accomplish is to siphon yet more money away from public schools and to place it in the hands of those who will establish programs which will NOT be subject to rigorous public scrutiny or regulation. As with school vouchers, MY public tax dollars could then be used by private entities with seriously limited public oversight.

Moreover, the diversion of additional public tax dollars to unnecessary “innovation schools” will inevitably force towns to raise property taxes to support their financially struggling public schools.

Thomas Jefferson was convinced that “locally controlled public schools were key democratic institutions” and Adlai Stevenson remarked that “The free public school system [is] the most American thing about America.”

America itself was, and is an INNOVATION. If the framers of HB 609 want to see innovation happen, let it happen transparently and with taxpayer oversight in our public and public charter schools.

**Rebecca B. MacKenzie, LICSW**  
**7 Glenwood Drive, Claremont, New Hampshire 03743**  
**(603) 504-2851 [reb178@myfairpoint.net](mailto:reb178@myfairpoint.net)**

House Education Committee  
Re: **Opposition to HB 609**  
January 25, 2021

Dear Members of the House Education Committee:

**I am opposed to HB 609: Relative to innovation schools due to its deleterious effects on public education: the subversion of funding for public schools.**

I was a school social worker for many years and saw firsthand what defunding public education did in our public schools. I am opposed to any legislation whose adoption would reduce the financial support and quality of public education for those who are most vulnerable in our society, those living in poverty, many people of color, those with educational differences and disabilities, and those whose families are struggling economically though not considered poverty level.

Though New Hampshire is one of the states with the highest per capita income, it is also the state where many reel from the effects of poverty and struggle financially. In 2019, the United States census reported that the poverty rate in the nation was 10.5%, New Hampshire was reported to be 6.4%, and in my community, Claremont, the poverty rate was 16.4%. Our public schools cannot do their job without appropriate public funding, and our community is taxed beyond its ability to thrive under the current economic pressures. Claremont residents are not the only citizens in New Hampshire who struggle with economic disadvantage.

Additionally, relaxing the oversight of the district and the rights of the employees of such “innovative schools” is offensive to my sensibilities as one who supports a strong and well-coordinated democratic educational system. This bill would undercut those institutional strengths of our public school system.

**Please oppose HB 609 and find other ways to fund non-public education.**

Sincerely,

Rebecca MacKenzie, LICSW  
Claremont, NH

I have signed up to express my interest in voting down this bill. Public schools struggle with financing as it is—extracting money to pay for private schools will only widen the divide between the haves and have nots. Dividing the country even more is not the fair way to educate our students.

Julie Smith  
[rocksmithj@comcast.net](mailto:rocksmithj@comcast.net)

Dear House Education Members,

As retired educators who taught in public schools in Manchester, we strongly oppose HB 609.

Based on what we have learned, we believe this bill is being pushed by organizations outside of N.H. such as the American Legislative Exchange Council (ALEC), Koch Industries, and by ultraconservatives such as Betsy DeVoss and her billionaire family.

As teachers, we learned that the Koch Brothers, and two wealthy family foundations, the Walton and Bradley ones, and the DeVoss Family Foundation have been using their money and power to undermine public education, one of the pillars of our democracy.

These far-right organizations and their leaders seek to weaken, even destroy what they call "government schools," the public schools we taught in for a combined 67 years. Moreover, these ultraconservatives also focus on weakening NH's two teacher unions.

Furthermore, HB 609 would end local school boards authority to grant the creation of charter schools and transfers that authority to certain state officials such as the Commissioner of Education and possibly members of the State Board of Education, thus removing the power of local boards being able to determine the suitability of proposed new charter schools. These State officials will be able to approve of such new charter schools that do NOT have to follow the legal obligations that public schools have.

Finally, quoting from a message we received from current teacher union leadership:

"This bill is, in essence, a way to **create charter schools within the public school system and again**, like many ALEC corporate proposals, targets changing worker's rights and the rules for teacher pay, pensions, hours, and other conditions of employment. The bill would give chartering authority for these so-called "innovative schools" to state-level officials, even though the bill purports to respect the tradition of local administration of school systems."

We urge you to think about the consequences for teachers, students, parents, and school boards should this bill pass. "Live Free from Outside Forces or Lose Your Autonomy."

Thank you.

William & Wendy Thomas, Auburn, NH



**Archived:** Thursday, March 25, 2021 3:59:59 PM

**From:** Sharon Rice

**Sent:** Tuesday, February 9, 2021 2:07:21 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Replaces Neighborhood Schools With State Schools

**Importance:** Normal

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Sharon Rice  
5 pine bluff  
Derry, NH 03038

February 9, 2021

Dear House Education Committee,

HB609 subverts the spirit of the Every Student Succeeds Act (ESSA) - which is that stakeholders should be consulted and meaningfully participate in improvement planning and implementation in schools and districts. At each stage of the process described in HB609, that kind of meaningful involvement is bypassed entirely.

This bill lacks adequate provisions for public comment, review, and participation in the innovation schools or districts, especially from educators who are not named as a stakeholder in a single part of this proposed legislation.

HB609 seeks to supersede educators' collective bargaining rights in these proposed innovation schools - even rights that have already been mutually agreed to by both educators and schools boards. The description of what can be waived is both extraordinarily broad and includes specific aspects of employment and working conditions that are mandatory subjects of bargaining.

The provision to supersede educators' collective bargaining rights is so far reaching that it undermines New Hampshire educators' voices and the collective bargaining process as a whole. Giving the state board of education to authorize a plan containing provisions such as this, seems to be tremendous expansion of their power and overreach of their authority.

Innovation in our schools can and does happen when you engage with the professional educators of our state, not silence and exclude them as this bill would do.

Sincerely,  
Sharon Rice

**Archived:** Thursday, March 25, 2021 3:59:59 PM

**From:** [Mike Brown](#)

**Sent:** Tuesday, February 9, 2021 9:52:44 AM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Replaces Neighborhood Schools With State Schools

**Importance:** Normal

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Mike Brown  
53 Pine Avenue  
Keene, NH 03431

February 9, 2021

Dear House Education Committee,

Please know that I, as a voter in NH, totally oppose this bill on its merit.

This bill will do nothing more than subsidize private school funding at the expense of public education.

This is a subsidy to the wealthiest parents who are not entitled to a subsidy at the expense of others.

Sincerely,  
Mike Brown

**Archived:** Thursday, March 25, 2021 3:59:59 PM  
**From:** [Stephanie Wright](#)  
**Sent:** Tuesday, February 9, 2021 9:18:31 AM  
**To:** ~House Education Committee  
**Subject:** [CAUTION: SUSPECT SENDER] HB609 Silences Innovation  
**Importance:** Normal

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Stephanie Wright  
7 Gary Drive  
Londonderry, NH 03053

February 9, 2021

Dear House Education Committee,

I oppose HB609, and respectfully ask you to do the same. Thank you for your time and consideration.

Sincerely,  
Stephanie Wright



**Archived:** Thursday, March 25, 2021 3:59:59 PM

**From:** Marilyn Strom

**Sent:** Tuesday, February 9, 2021 8:03:13 AM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Replaces Neighborhood Schools With State Schools

**Importance:** Normal

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Marilyn Strom  
75 Hinsdale Heights  
Hinsdale, NH 03451

February 9, 2021

Dear House Education Committee,

1. You are asking me to give my tax dollars to a private profit making company?
2. You are asking me to give my tax dollars to an alleged school that I have no control over their curriculum?
3. You are asking me to give my tax dollars to a family for home schooling that does not require any accountability, let alone make public what they are teaching or who is doing the teaching?
4. Public education was set up to provide education for all students, accountability for progress, transparency of multifaceted inclusive beliefs and values, insurance of credible, certified teachers held to high standards, and provide a healthy environment both physically and mentally.
5. This voucher system not only does none of these, it also undermines the very foundation of public education.

Sincerely,  
Marilyn Strom

**Archived:** Thursday, March 25, 2021 3:59:59 PM

**From:** Tracey McLaughlin

**Sent:** Monday, February 8, 2021 9:51:04 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Replaces Neighborhood Schools With State Schools

**Importance:** Normal

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Tracey McLaughlin  
89 Harvest Rd.  
Chichester, NH 03258

February 8, 2021

Dear House Education Committee,

This bill lacks adequate provisions for public comment, review, and participation in the innovation schools or districts, especially from educators who are not named as a stakeholder in a single part of this proposed legislation.

HB609 seeks to supersede educators' collective bargaining rights in these proposed innovation schools - even rights that have already been mutually agreed to by both educators and schools boards. The description of what can be waived is both extraordinarily broad and includes specific aspects of employment and working conditions that are mandatory subjects of bargaining.

The provision to supersede educators' collective bargaining rights is so far reaching that it undermines New Hampshire educators' voices and the collective bargaining process as a whole. Giving the state board of education to authorize a plan containing provisions such as this, seems to be tremendous expansion of their power and overreach of their authority.

Innovation in our schools can and does happen when you engage with the professional educators of our state, not silence and exclude them as this bill would do.

Sincerely,  
Tracey McLaughlin

**Archived:** Thursday, March 25, 2021 3:59:59 PM  
**From:** [Noelle Dearborn](#)  
**Sent:** Monday, February 8, 2021 9:01:01 PM  
**To:** ~House Education Committee  
**Subject:** [CAUTION: SUSPECT SENDER] HB609 Removes Decades of Local Control  
**Importance:** Normal

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Noelle Dearborn  
1 Brickfield Way  
Mirror Lake, NH 03853

February 8, 2021

Dear House Education Committee,

HB609 subverts the spirit of the Every Student Succeeds Act (ESSA) - which is that stakeholders should be consulted and meaningfully participate in improvement planning and implementation in schools and districts. At each stage of the process described in HB609, that kind of meaningful involvement is bypassed entirely.

This bill lacks adequate provisions for public comment, review, and participation in the innovation schools or districts, especially from educators who are not named as a stakeholder in a single part of this proposed legislation.

HB609 seeks to supersede educators' collective bargaining rights in these proposed innovation schools - even rights that have already been mutually agreed to by both educators and schools boards. The description of what can be waived is both extraordinarily broad and includes specific aspects of employment and working conditions that are mandatory subjects of bargaining.

The provision to supersede educators' collective bargaining rights is so far reaching that it undermines New Hampshire educators' voices and the collective bargaining process as a whole. Giving the state board of education to authorize a plan containing provisions such as this, seems to be tremendous expansion of their power and overreach of their authority.

Innovation in our schools can and does happen when you engage with the professional educators of our state, not silence and exclude them as this bill would do.

Sincerely,  
Noelle Dearborn

**Archived:** Thursday, March 25, 2021 4:00:00 PM

**From:** Margaret Poznanski

**Sent:** Monday, February 8, 2021 7:10:54 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Replaces Neighborhood Schools With State Schools

**Importance:** Normal

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Margaret Poznanski  
158 Twin Bridge Rd  
Weare, NH 03281

February 8, 2021

Dear House Education Committee,

The parameters of this bill are immoral. To ask taxpayers to fund schools that have no accountability regarding students' programs, curriculum, and progress is unconscionable! Proposals can look great on paper but results are what is important.

How does the state intend to fund these schools without putting a burden on property tax payers?

Sincerely,  
Margaret Poznanski

**Archived:** Thursday, March 25, 2021 4:00:00 PM

**From:** [Judith Lindsey](#)

**Sent:** Monday, February 8, 2021 6:21:54 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Replaces Neighborhood Schools With State Schools

**Importance:** Normal

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Judith Lindsey  
822 North Road  
Candia, NH 03034

February 8, 2021

Dear House Education Committee,

We must make our public schools the best ever - and not divert money to private schools.

Sincerely,  
Judith Lindsey

**Archived:** Thursday, March 25, 2021 4:00:00 PM

**From:** [Laura Lee](#)

**Sent:** Monday, February 8, 2021 4:51:42 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Removes Decades of Local Control

**Importance:** Normal

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Laura Lee  
11 Birchwood Circle  
Bedford, NH 03110

February 8, 2021

Dear House Education Committee,

Dear Representative,

I kindly request that the Committee vote HB609 as Inexpedient to Legislate.

HB609 subverts the spirit of the Every Student Succeeds Act (ESSA) - which is that stakeholders should be consulted and meaningfully participate in improvement planning and implementation in schools and districts. At each stage of the process described in HB609, that kind of meaningful involvement is bypassed entirely.

HB609 seeks to supersede educators' collective bargaining rights in these proposed innovation schools - even rights that have already been mutually agreed to by both educators and schools boards. The description of what can be waived is both extraordinarily broad and includes specific aspects of employment and working conditions that are mandatory subjects of bargaining.

The provision to supersede educators' collective bargaining rights is so far reaching that it undermines New Hampshire educators' voices and the collective bargaining process as a whole. Giving the state board of education to authorize a plan containing provisions such as this, seems to be tremendous expansion of their power and overreach of their authority.

Innovation in our schools can and does happen when you engage with the professional educators of our state, not silence and exclude them as this bill would do.

I am beyond disappointed with the direction this state towards education.

Sincerely,  
Laura Lee

**Archived:** Thursday, March 25, 2021 4:00:00 PM

**From:** [Catherine Kaplan](#)

**Sent:** Monday, February 8, 2021 4:41:42 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] Include Educators - Don't Silence Them

**Importance:** Normal

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Catherine Kaplan  
9 Essex Street  
Concord, NH 03301

February 8, 2021

Dear House Education Committee,

Dear Members of the House Education Committee,

I write to express my opposition to HB609. I am both a public school educator and a parent of children who attended public schools in NH through grade 12. This bill must not pass.

HB609 subverts the spirit of the Every Student Succeeds Act (ESSA) - which is that stakeholders should be consulted and meaningfully participate in improvement planning and implementation in schools and districts. At each stage of the process described in HB609, that kind of meaningful involvement is bypassed entirely.

This bill lacks adequate provisions for public comment, review, and participation in the innovation schools or districts, especially from educators who are not named as a stakeholder in a single part of this proposed legislation.

HB609 seeks to supersede educators' collective bargaining rights in these proposed innovation schools - even rights that have already been mutually agreed to by both educators and schools boards. The description of what can be waived is both extraordinarily broad and includes specific aspects of employment and working conditions that are mandatory subjects of bargaining.

The provision to supersede educators' collective bargaining rights is so far reaching that it undermines New Hampshire educators' voices and the collective bargaining process as a whole. Giving the state board of education to authorize a plan containing provisions such as this, seems to be tremendous expansion of their power and overreach of their authority.

Innovation in our schools can and does happen when you engage with the professional educators of our state, not silence and exclude them as this bill would do.

Please vote HB609 as Inexpedient to Legislate.

Sincerely,  
Catherine Kaplan

**Archived:** Thursday, March 25, 2021 4:00:00 PM

**From:** [Aimee Krauss](#)

**Sent:** Monday, February 8, 2021 4:31:43 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] Include Educators - Don't Silence Them

**Importance:** Normal

---

Aimee Krauss  
47 Governors Rd  
Rochester, NH 03867

February 8, 2021

Dear House Education Committee,

HB609 subverts the spirit of the Every Student Succeeds Act (ESSA) - which is that stakeholders should be consulted and meaningfully participate in improvement planning and implementation in schools and districts. At each stage of the process described in HB609, that kind of meaningful involvement is bypassed entirely.

This bill lacks adequate provisions for public comment, review, and participation in the innovation schools or districts, especially from educators who are not named as a stakeholder in a single part of this proposed legislation.

The provision to supersede educators' collective bargaining rights is so far reaching that it undermines New Hampshire educators' voices and the collective bargaining process as a whole. Giving the state board of education to authorize a plan containing provisions such as this, seems to be tremendous expansion of their power and overreach of their authority.

Innovation in our schools can and does happen when you engage with the professional educators of our state, not silence and exclude them as this bill would do.

Innovation in our schools can and does happen when you engage with the professional educators of our state, not silence and exclude them as this bill would do.

Sincerely,  
Aimee Krauss



**Archived:** Thursday, March 25, 2021 4:00:00 PM  
**From:** [Jon Uhouse](#)  
**Sent:** Monday, February 8, 2021 4:31:40 PM  
**To:** [~House Education Committee](#)  
**Subject:** [CAUTION: SUSPECT SENDER] HB609 Removes Decades of Local Control  
**Importance:** Normal

---

Jon Uhouse  
13 Swan Circle  
Concord, NH 03301

February 8, 2021

Dear House Education Committee,

I oppose this bill.

Sincerely,  
Jon Uhouse

**Archived:** Thursday, March 25, 2021 4:00:00 PM

**From:** [Laura Pouliot](#)

**Sent:** Friday, February 5, 2021 8:26:12 AM

**To:** ~[House Education Committee](#)

**Subject:** [CAUTION: SUSPECT SENDER] Include Educators - Don't Silence Them

**Importance:** Normal

---

Laura Pouliot  
7 Crank Road  
Hampton Falls, NH 03844

February 5, 2021

Dear House Education Committee,

To Whom It May Concern:

I am opposed to HB609 and hereby request that the Committee vote HB609 as Inexpedient to Legislate. There are many reasons for my opposition. I do not agree with the undermining of collective bargaining rights and the provision for many educational standards to be waived by the state. I do not believe Betsy DeVos has our children in her best interest and am suspicious of her private involvement in this legislation.

Sincerely,  
Laura Pouliot

**Archived:** Thursday, March 25, 2021 4:00:00 PM  
**From:** [Anne Calder](#)  
**Sent:** Wednesday, February 3, 2021 10:27:27 AM  
**To:** ~House Education Committee  
**Subject:** [CAUTION: SUSPECT SENDER] HB609 Removes Decades of Local Control  
**Importance:** Normal

---

Anne Calder  
818 Main Street  
Contoocook, NH 03229

February 3, 2021

Dear House Education Committee,

Public schools are here to serve all students. The funds for public schools are already inadequate and schools are struggling to meet all students' needs. Vouchers will take money away from public schools and put it into private schools that do not have the same standards as public schools and do not educate all students.

I agree with Speaker Sherman Packard "we want to "make sure ... our kids have the best education possible" that is why we need to support our public education system and even invest more in the students that are struggling. Taking money away from our schools is not a solution.

Sincerely,  
Anne Calder

**Archived:** Thursday, March 25, 2021 4:00:00 PM

**From:** [Holly Howes](#)

**Sent:** Tuesday, February 2, 2021 9:44:41 AM

**To:** ~[House Education Committee](#)

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Removes Decades of Local Control

**Importance:** Normal

---

Holly Howes  
37 Mascoma St.  
Lebanon, NH 03766

February 2, 2021

Dear House Education Committee,

As a teacher and NH resident, I oppose HB609, which will negatively impact school budgets across the state of NH. Each year it becomes more and more difficult to pass school budgets, with much needed items being postponed or removed. Now with COVID and its impact of towns being able to make their payments to the school districts, it's even more of a strain. I live in one district and teach in another. Both districts are facing the same impacts to their budgets. Where I teach, staff retiring are not being replaced in an effort to free up funds. Increasing funding, particularly beyond even the highest levels in the country, for alternative types of schools, will be the last straw for many districts. Please vote no on HB609. The future of public education is at stake for the children of NH. Thank you.

Sincerely,  
Holly Howes

**Archived:** Thursday, March 25, 2021 4:00:00 PM  
**From:** [Mary Keegan-Dayton](#)  
**Sent:** Tuesday, February 2, 2021 9:26:33 AM  
**To:** ~House Education Committee  
**Subject:** [CAUTION: SUSPECT SENDER] Include Educators - Don't Silence Them  
**Importance:** Normal

---

Mary Keegan-Dayton  
241 County Road  
Bradford, NH 03221

February 2, 2021

Dear House Education Committee,

Dear Sirs,  
I am a public school educator who is opposed to  
House Bill HB609.

I am opposed to the idea of the Education Freedom Accounts being proposed in this legislation. These accounts would negatively impact tax dollars which have improved our public school programs for students with special needs.

Sincerely,  
Mary Keegan-Dayton

**Archived:** Thursday, March 25, 2021 4:00:00 PM

**From:** [sara egan](#)

**Sent:** Tuesday, February 2, 2021 7:14:30 AM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] Include Educators - Don't Silence Them

**Importance:** Normal

---

sara egan  
1686 DOVER ROAD  
Epsom, NH 03234

February 2, 2021

Dear House Education Committee,

To whom it may concern,

I oppose the HB609.

Sincerely,  
Sara Egan

**Archived:** Thursday, March 25, 2021 4:00:01 PM

**From:** [Kelly Bourque](#)

**Sent:** Monday, February 1, 2021 7:31:54 PM

**To:** ~House Education Committee

**Subject:** HB609 Silences Innovation

**Importance:** Normal

---

Kelly Bourque  
6 Upper Craney Hill Rd  
Weare, NH 03281

February 1, 2021

Dear House Education Committee,

I oppose this bill. Educators are grossly underpaid and under appreciated. This bill potentially hurts educators around the state.

Sincerely,  
Kelly Bourque

**Archived:** Thursday, March 25, 2021 4:00:01 PM  
**From:** [Katelyn Doyle](#)  
**Sent:** Monday, February 1, 2021 5:12:06 PM  
**To:** ~House Education Committee  
**Subject:** [CAUTION: SUSPECT SENDER] HB609 Silences Innovation  
**Importance:** Normal

---

Katelyn Doyle  
407 Tri City Rd  
Somersworth, NH 03878

February 1, 2021

Dear House Education Committee,

I am requesting that the Committee vote HB609 as Inexpedient to Legislate.

Innovation in our schools can and does happen when you engage with the professional educators of our state, not silence and exclude them as this bill would do.

The provision to supersede educators' collective bargaining rights is so far reaching that it undermines New Hampshire educators' voices and the collective bargaining process as a whole. Giving the state board of education to authorize a plan containing provisions such as this, seems to be tremendous expansion of their power and overreach of their authority.

Sincerely,  
Katelyn Doyle



**Archived:** Thursday, March 25, 2021 4:00:01 PM  
**From:** [Gail Laker-Phelps](#)  
**Sent:** Tuesday, January 26, 2021 1:32:00 PM  
**To:** [~House Education Committee](#)  
**Subject:** HB609  
**Importance:** Normal

---

HB609

This bill undermines New Hampshire public education and will not only effectively reduce the educational excellence our state has achieved, but abandon our long tradition of remaining independent of frameworks promoted by non-educational organizations.

New Hampshire has always taken pride in supporting, if not demanding, local control! This bill would remove control from locally ELECTED school boards and transfer decision making to unelected, appointed state officials!

This bill would give total authority to the State Board of Education to approve waivers throughout our state education system which could undo certain collective bargaining provisions, negatively affect education certification standards, weaken workplace safety practices and generally hinder the measures placed and APPROVED locally to support and protect our children in their school environment.

Lets be clear, this bill does NOT reflect our traditional New Hampshire values which enable local taxpaying citizens the voice and control of their own public schools!

I ask that you consider our longstanding New Hampshire values and OPPOSE HB609.

Gail Laker-Phelps  
Chichester, NH  
603 798-5394

**Archived:** Thursday, March 25, 2021 4:00:01 PM

**From:** [Susan Seidner](#)

**Sent:** Tuesday, January 26, 2021 12:38:19 PM

**To:** [~House Education Committee](#)

**Subject:** HB609

**Importance:** Normal

---

I am opposed to this Bill as I see the future of my property taxes increasing. Public Charter schools are presently costing tax payers money although many people are unaware. Special Education costs, assumed by the town of origin, now have to be paid for distance learners. Towns must pay for all special services to travel to multiple schools. In addition, services that could have been offered in small groups in the original school setting now must often be offered individually costing more. Transportation costs can be steep. In addition, we now are responsible for some services in private schools.

Now you are asking us to use more of the money taxpayers have spent supporting public schools. No matter what we are promised local taxes will increase with this Bill. During this difficult economic time it is wrong to push ahead with a Bill such as this.

Susan Seidner  
Retired  
Pembroke

Sent from my iPad

**Archived:** Thursday, March 25, 2021 4:00:01 PM

**From:** [Juliet Smith](#)

**Sent:** Sunday, January 24, 2021 9:27:53 PM

**To:** [~House Education Committee](#)

**Subject:** HB609

**Importance:** Normal

---

I have signed up to express my interest in voting down this bill. Public schools struggle with financing as it is—extracting money to pay for private schools will only widen the ivied between the haves and have nots. Dividing the country even more is not the fair way to educate our students.

Julie Smith  
rocksmithj@comcast.net

**Archived:** Thursday, March 25, 2021 3:58:52 PM  
**From:** Mel Myler  
**Sent:** Monday, February 15, 2021 6:46:33 PM  
**To:** ~House Education Committee  
**Subject:** School Funding Briefing  
**Importance:** Normal

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Education Committee Members

In an earlier email, Representative Luneau, Chair – Commission to Study School Funding (CSSF), forwarded to you the Commission’s report “Our Schools, Our Kids”. Due to our committee’s heavy bill schedule, it has not had a chance to be briefed on the Commission’s findings and recommendations. The Commission’s work marked the first comprehensive look at school funding in forty years. With the assistance of the American Institute for Research, there was a review of ten years of NH DOE school data. As members of the Education Committee, it is important that we understand the issues around school funding and student and property tax equity. In the House calendar you will note that a briefing session is scheduled for February 22<sup>nd</sup> (see below). I hope you will take the time to join the briefing session and become informed on an alternative way to fund schools using existing state funds.

“The New Hampshire Commission to Study School Funding invites all Representatives and Senators to attend a briefing on the Commission’s final report, including findings and recommendations. The briefing will be held via Zoom webinar on February 22<sup>nd</sup>, from 2pm to 4pm. The briefing will present information on New Hampshire’s current funding formula, the pandemic impact, and approaches to improve student and taxpayer equity. This meeting will take place by remote conference. To listen in/watch, please follow the instructions below: 1. Dial the call in number: 1-312-626-6799 2. Enter the conference code, followed by the pound sign: 966 6854 3100# Video access is available at: <https://unh.zoom.us/j/96668543100> The following email address will be monitored throughout the meeting by someone who can alert the Commission of any issues: [schoolfunding.commission@unh.edu](mailto:schoolfunding.commission@unh.edu). The following phone number will also be monitored: 360-609-5824 Rep. David Luneau”

**Archived:** Thursday, March 25, 2021 3:58:52 PM

**From:** Sharon Hampton

**Sent:** Monday, February 8, 2021 8:01:01 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Replaces Neighborhood Schools With State Schools

**Importance:** Normal

---

Sharon Hampton  
135 Sunset Dr.  
Belmont, NH 03220

February 8, 2021

Dear House Education Committee,

I oppose HB 609. I taught in a NH private school when I first started teaching. I had no teaching degree, as many of my colleagues, at the time.

How is this possibility even continuing or feasible to assure an adequate education for students? This option could be detrimental to our youth. It shows no understanding or compliance for accreditation of schools, programming, testing preparation, etc. for them to apply to college.

Sincerely,  
Sharon Hampton

**Archived:** Thursday, March 25, 2021 3:58:52 PM  
**From:** [Lynn Warner](#)  
**Sent:** Monday, February 8, 2021 5:51:47 PM  
**To:** [~House Education Committee](#)  
**Subject:** HB609 Replaces Neighborhood Schools With State Schools  
**Importance:** Normal

---

Lynn Warner  
PO Box 187  
Strafford, NH 03884

February 8, 2021

Dear House Education Committee,

I am disappointed and disheartened that the State of New Hampshire would stoop to such drastic means to gut the public schools under our watch. HB 609 will circumvent the power of local control -- which includes funding, special education needs, opportunities for students who are working hard to be at grade level through Title 1 services, etc.

Shame on you for trying to make such sweeping changes to the structure of our PUBLIC schools. I want to know that the taxes I am paying are going to the local schools, the schools who NEED the funding and do not get it via tuition.

Sincerely,  
Lynn Warner

**Archived:** Thursday, March 25, 2021 3:58:52 PM

**From:** Penny Culliton

**Sent:** Saturday, February 6, 2021 3:58:08 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] HB609 Replaces Neighborhood Schools With State Schools

**Importance:** Normal

---

Penny Culliton  
PO Box 25, 57 Hadley Highway  
Temple, NH 03084

February 6, 2021

Dear House Education Committee,

As a NH resident for over half a century and an educator with over thirty years of experience in NH public schools, I urge you to vote HB 609 as Inexpedient to Legislate.

This bill lacks adequate provisions for public comment, review, and participation in the innovation schools or districts--especially from educators, who are not named as a stakeholder in a single part of this proposed legislation.

HB609 seeks to supersede educators' collective bargaining rights in these proposed innovation schools -- even rights that have already been mutually agreed to by both educators and schools boards. The description of what can be waived is both extraordinarily broad and includes specific aspects of employment and working conditions that are mandatory subjects of bargaining. Passage of this bill would lead to years of legal wrangling, as great costs to local districts.

The provision to supersede educators' collective bargaining rights is so far reaching that it undermines New Hampshire educators' voices and the collective bargaining process as a whole. Giving the state board of education to authorize a plan containing provisions such as this, seems to be tremendous expansion of their power and overreach of their authority.

Innovation in our schools can and does happen when you engage with the professional educators of our state, not silence and exclude them as this bill would do.

Sincerely,  
Penny Culliton

**Archived:** Thursday, March 25, 2021 3:58:52 PM  
**From:** [Duggan, Marie](#)  
**Sent:** Saturday, February 6, 2021 1:17:27 PM  
**To:** [~House Education Committee](#)  
**Subject:** Stop looting public ed  
**Importance:** Normal

---

Dear Legislators,

I write to ask you to oppose HB 609 on Tuesday. Our public educators deserve every penny of taxpayer dollars in the state. I have two kids in school and know that many teachers require more funds. HB 609 is a devious attempt to loot the state for private interests. I would thank you for opposing it in the strongest terms.

Sincerely,

Marie Duggan  
330 Hurricane Road  
Keene NH 03431

Get [Outlook for Android](#)



**Archived:** Thursday, March 25, 2021 3:58:52 PM  
**From:** [cordellig@roadrunner.com](mailto:cordellig@roadrunner.com)  
**Sent:** Tuesday, January 26, 2021 7:24:25 PM  
**To:** [Jan Schmidt](#)  
**Cc:** [~House Education Committee](#)  
**Subject:** RE: HB 609  
**Importance:** Normal

---

Sorry but someone (NEA-NH?) is feeding you the wrong information about this bill.  
Perhaps you want to read it before commenting on it.

-----  
From: "Jan Schmidt"  
To: "~House Education Committee"  
Cc:  
Sent: Monday January 25 2021 10:44:54AM  
Subject: HB 609

Perhaps instead of syphoning off public education monies, you could require that any new program be instituted only after attaining the appropriate funding and that it be attached to local public schools to ensure these would be run for the public good.

Regards,  
Representative Jan Schmidt  
Proud Chair of the Nashua Delegation

At Home: [Tesha4@gmail.com](mailto:Tesha4@gmail.com)  
11 Pope Circle, Nashua NH 03063  
Hillsborough District 28, Ward 1 Nashua

In Concord: [Jan.Schmidt@leg.state.nh.us](mailto:Jan.Schmidt@leg.state.nh.us)  
NH House of Representatives  
Labor, Industrial, and Rehabilitative Services Committee  
Room 307 Legislative Office Building

INBOX19493141fc96c7ae09df9c5ed13b6920d5d

**Archived:** Thursday, March 25, 2021 3:58:52 PM  
**From:** Gary Schnakenberg  
**Sent:** Tuesday, January 26, 2021 12:44:30 PM  
**To:** ~House Education Committee  
**Subject:** HB609  
**Importance:** Normal

---

To the House Education Committee-

I write to express my strong opposition to HB 609.

I was a public school teacher in New Hampshire for a total of 25 years, and also worked in higher education in Michigan before returning to the Granite State. While in Michigan, I witnessed first hand the damage done to local communities, schools, and students through the state's 'emergency manager' laws. Similar to HB 609, these laws stripped duly local elected Boards of their authority and handed it over to a state panel that was not answerable to the local communities.

HB 609 appears to create conditions under which the state can decide what is best for local communities and school districts and disenfranchise their voters. Even aside from the potential deterioration of workplace protections, teacher certification standards, special education programs, and the ability to nullify collective bargaining agreements, the proposed legislation is inimical to the New Hampshire principle of local control over education. It would seem that those in favor of this bill only trust the will of the people when it suits them.

Sincerely,

Gary R. Schnakenberg, Ph.D.

**Archived:** Thursday, March 25, 2021 3:58:52 PM

**From:** [Fawn Gaudet](#)

**Sent:** Tuesday, January 26, 2021 8:56:08 AM

**To:** [~House Education Committee](#)

**Subject:** Oppose: HB 609

**Importance:** Normal

---

Dear Honorable House Education Committee Members,

I am a resident of NH. I oppose HB 609. Sincerely,  
Gaudet Rumney. NH

Fawn

**Archived:** Thursday, March 25, 2021 3:58:53 PM  
**From:** [William Thomas](#)  
**Sent:** Sunday, January 24, 2021 9:16:58 PM  
**To:** [~House Education Committee](#)  
**Subject:** Written Testimony - Opposing HB 609  
**Importance:** Normal

---

SAY NO to HB 609!

Dear House Education Members,

As retired educators who taught in public schools in Manchester, we strongly oppose HB 609.

Based on what we have learned, we believe this bill is being pushed by organizations outside of N.H. such as the American Legislative Exchange Council (ALEC), Koch Industries, and by ultraconservatives such as Betsy DeVoss and her billionaire family.

As teachers, we learned that the Koch Brothers, and two wealthy family foundations, the Walton and Bradley ones, and the DeVoss Family Foundation have been using their money and power to undermine public education, one of the pillars of our democracy.

These far-right organizations and their leaders seek to weaken, even destroy what they call “government schools,” the public schools we taught in for a combined 67 years. Moreover, these ultraconservatives also focus on weakening NH’s two teacher unions.

Furthermore, HB 609 would end local school boards authority to grant the creation of charter schools and transfers that authority to certain state officials such as the Commissioner of Education and possibly members of the State Board of Education, thus removing the power of local boards being able to determine the suitability of proposed new charter schools. These State officials will be able to approve of such new charter schools that do NOT have to follow the legal obligations that public schools have.

Finally, quoting from a message we received from current teacher union leadership:

“This bill is, in essence, a way to **create charter schools within the public school system and again**, like many ALEC corporate proposals, targets changing worker's rights and the rules for teacher pay, pensions, hours, and other conditions of employment. The bill would give chartering authority for these so-called "innovative schools" to state-level officials, even though the bill purports to respect the tradition of local administration of school systems.”

We urge you to think about the consequences for teachers, students, parents, and school boards should this bill pass. "Live Free from Outside Forces or Lose Your Autonomy."

Thank you.

William & Wendy Thomas, Auburn, NH

**Archived:** Thursday, March 18, 2021 11:41:45 AM  
**From:** [kim tucker](#)  
**Sent:** Tuesday, February 2, 2021 11:35:39 AM  
**To:** ~House Education Committee  
**Subject:** [CAUTION: SUSPECT SENDER] HB609 Silences Innovation  
**Importance:** Normal

---

kim tucker  
71 morse circle, Apartment, suite, unit, building, floor  
Henniker, NH 03242

February 2, 2021

Dear House Education Committee,

As an experienced educator, beginning in MA and continuing in NH for over 23 years, I am extremely disheartened by this bill. Silencing the voice of our highly trained educators is unlikely to produce the results this bill seeks to attain. I am against this bill and everything it includes.

Sincerely,  
kim tucker

**Archived:** Thursday, March 18, 2021 11:41:45 AM

**From:** [Jayne Beaton](#)

**Sent:** Monday, February 8, 2021 6:21:51 PM

**To:** ~House Education Committee

**Subject:** [CAUTION: SUSPECT SENDER] Include Educators - Don't Silence Them

**Importance:** Normal

---

Jayne Beaton  
71 Seaverns Bridge Road  
Amherst, NH 03031-2136

February 8, 2021

Dear House Education Committee,

As a Republican, as well as a public school teacher, I am very disappointed and concerned about HB609. Although I typically vote a straight Republican ticket, I will no longer support any Republican that votes for this bill. I am strongly opposed to HB609 as it goes too far by taking needed funds away from our public schools.

I request that the Committee vote HB609 as Inexpedient to Legislate.

It is concerning and disrespectful to NH teachers that we have been excluded from any meaningful involvement at each stage of the process described in HB609. Teachers need to be included and not silenced!

Sincerely,  
Jayne Beaton

Bill as  
Introduced



HB 609-FN-LOCAL - AS INTRODUCED

2021 SESSION

21-0285

06/10

HOUSE BILL            ***609-FN-LOCAL***

AN ACT                relative to innovation schools.

SPONSORS:            Rep. Cordelli, Carr. 4; Rep. Ladd, Graf. 4; Rep. Pitre, Straf. 2; Rep. Shaw, Hills. 16; Rep. Hill, Merr. 3; Rep. Mooney, Hills. 21; Rep. A. Lekas, Hills. 37; Sen. Reagan, Dist 17; Sen. Ward, Dist 8

COMMITTEE:          Education

---

ANALYSIS

This bill permits schools and school districts to develop a plan for waiving rules to become an innovation school.

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Explanation:          Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to innovation schools.

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

1 1 New Chapter; Innovation Schools. Amend RSA by inserting after chapter 194-D the following  
2 new chapter:

3 CHAPTER 194-E

4 INNOVATION SCHOOLS

5 194-E:1 Definitions. In this section:

6 I. "Innovation school" means a school in which a local school board implements an  
7 innovation plan pursuant to RSA 194-E:2 with the approval of the state board.

8 II. "Innovation school zone" means a group of schools of a school district or multiple school  
9 districts that share common interests, such as geographical location or educational focus, or that  
10 sequentially serve classes of students as they progress through elementary and secondary education  
11 and in which a local school board implements a plan for creating an innovation school zone pursuant  
12 to RSA 194-E:2 with the approval of the state board.

13 III. "State board" means the state board of education established in RSA 21-N:10.

14 194-E:2 Local Planning and Approval.

15 I.(a) A public school of a school district may submit to its local school board an innovation  
16 plan as described in paragraph III. A group of public schools of a school district or in multiple  
17 districts that share common interests, such as geographical location or educational focus, or that  
18 sequentially serve classes of students as they progress through elementary and secondary education  
19 may jointly submit to their local school board or boards a plan to create an innovation school zone as  
20 described in paragraph IV.

21 (b) The local school board shall hold a public hearing on the plan.

22 (c) The local school board shall either approve or reject the innovation plan within 60  
23 days after receiving the plan.

24 (d) If the local school board rejects the plan, it shall provide to the public school or group  
25 of public schools that submitted the plan a written explanation of the basis for its decision. A public  
26 school or group of public schools may resubmit an amended innovation plan or amended plan for  
27 creating an innovation school zone at any time after denial.

28 (e) If the local school board approves the plan, it may proceed to seek designation of the  
29 school as an innovation school or innovation school zone.

30 II. A local school board may initiate and collaborate with one or more public schools of the  
31 school district or other districts to create one or more innovation plans, under paragraph III, or one

**HB 609-FN-LOCAL - AS INTRODUCED**  
**- Page 2 -**

1 or more plans to create innovation school zones, under paragraph IV. In creating an innovation  
2 plan, each public school that would be affected by the plan shall have the opportunity to participate  
3 in creation of the plan. A local school board may approve or create a plan to create an innovation  
4 school zone that includes all of the public schools of the school district.

5 III. Each innovation plan may include the following information:

6 (a) A statement of the public school's mission and why designation as an innovation  
7 school would enhance the school's ability to achieve its mission.

8 (b) A description of the innovations the public school would implement, which may  
9 include, but not be limited to, innovations in school staffing, curriculum and assessment, class  
10 scheduling, use of financial and other resources, and faculty recruitment, employment, evaluation,  
11 and compensation.

12 (c) A listing of department of education's administrative rules from which the schools are  
13 requesting a waiver and rationale for the waiver request including how and why the waiver is  
14 needed to implement its identified innovations.

15 (d) A listing of the programs, policies, or operational documents within the public school  
16 that would be affected by the public school's identified innovations and the manner in which they  
17 would be affected. The programs, policies, or operational documents may include, but need not be  
18 limited to:

19 (1) The research-based educational program the public school would implement.

20 (2) The length of school day and school year at the public school.

21 (3) The student promotion and graduation policies to be implemented at the public  
22 school.

23 (4) The public school's assessment plan.

24 (5) The proposed budget for the public school.

25 (6) The proposed staffing plan for the public school.

26 (e) An identification of the improvements in academic performance that the public school  
27 expects to achieve by implementing the innovations.

28 (f) An estimate of the cost savings or increased efficiencies, or both, if any, the public  
29 school expects to achieve by implementing its identified innovations.

30 (g) A statement of the level of support for designation as an innovation school or school  
31 zone demonstrated by students and parents of students enrolled in the public school, and the  
32 community surrounding the public school.

33 (h) A description of any provision of the collective bargaining agreement in effect for the  
34 personnel at the public school that would need to be waived or modified for the public school to  
35 implement its identified innovations.

36 (i) Any additional information required by the local school board of the school district in  
37 which the innovation plan would be implemented.

1 IV. Each plan for creating an innovation school zone submitted by a local school board  
2 through collaboration with a group of public schools, may include the information specified in  
3 paragraph III for each public school that would be included in the innovation school zone. A plan for  
4 creating an innovation school zone may also include the following additional information:

5 (a) A description of how innovations in the public schools in the school innovation zone  
6 would be integrated to achieve results that would be less likely to be accomplished by each public  
7 school working alone.

8 (b) An estimate of any economies of scale that would be achieved by innovations  
9 implemented jointly by the public schools within the innovation school zone.

10 (c) A statement of the level of support for designation as an innovation school  
11 demonstrated by students and parents of students enrolled in the public school, and the community  
12 surrounding the public school based upon the public hearing.

13 V. In considering or creating an innovation plan or a plan for creating an innovation school  
14 zone, each local school board may consider innovations in the following areas:

15 (a) Curriculum and academic standards and assessments.

16 (b) Accountability measures, including but not limited to expanding the use of a variety  
17 of accountability measures to more accurately present a complete measure of student learning and  
18 accomplishment.

19 (c) Provision of services, including but not limited to special education services, services  
20 for gifted and talented students, services for students for whom English is not the dominant  
21 language, educational services for students at risk of academic failure, expulsion, or dropping out,  
22 and support services provided by the department of health and human services or county social  
23 services agencies.

24 (d) Teacher recruitment, training, preparation, and professional development.

25 (e) Teacher employment.

26 (f) Performance expectations and evaluation procedures for teachers and principals.

27 (g) School governance and the roles, responsibilities, and expectations of principals in  
28 innovation schools or schools within an innovation school zone.

29 (h) Preparation and counseling of students for transition to higher education or the work  
30 force.

31 VI. Each public school and each local school board may seek and accept public and private  
32 gifts, grants, and donations to offset the costs of developing and implementing innovation plans and  
33 plans for creating innovation school zones.

34 194-E:3 State Approval.

35 I. A local school board may seek an innovation school or school zone designation by the state  
36 board.

1 II. A local school board that seeks designation of an innovation school or school zone shall  
2 submit one or more innovation plans to the department for review and comment.

3 III. Within 45 days after receiving a local school board's plan, the department of education  
4 shall respond to the local school board with any suggested changes or additions to the plan, including  
5 but not limited to suggestions for further innovations or for measures to increase the likelihood that  
6 the innovations will result in greater academic achievement and growth within the innovation  
7 schools or innovation school zones. Based on the department's comments, the local school board may  
8 choose to withdraw and resubmit its innovation plan or plan for creating an innovation school zone.

9 IV. The local school board shall forward the innovation plan to the state board for review.

10 V. The state board shall hold public hearing on the plan. A representative of the  
11 department of education and a representative of the proposing local board shall be present at the  
12 hearing.

13 VI. Within 60 days after receiving a local school board's innovation plan or plan for creating  
14 an innovation school or school zone, the state board shall either approve or reject the innovation plan  
15 using reasonable discretion in the assessment of the elements set forth in this chapter and provide  
16 written explanation of the decision to the local board.

17 VII. If the innovation plan is rejected, the local board may resubmit an amended innovation  
18 plan to the department at any time after rejection.

19 194-E:4 Innovation Plans; Waiver of Regulatory Requirements.

20 I. Upon the designation of an innovation school or school zone, the state board shall waive  
21 compliance with any administrative rules specified in the local district plan.

22 II. Each local district shall continue to be subject to all laws and rules that are not waived  
23 by the state board under this chapter.

24 III. No waiver shall be granted from any requirement of the federal Every Student Succeeds  
25 Act (ESSA).

26 IV. The local board may submit a revised innovation plan under RSA 194-E:2 at any time if  
27 it is determined that additional waivers are required.

28 V. Each local district and schools not specified in the innovation plan shall continue to be  
29 subject to all rules that are not waived by the state board.

30 194-E:5 Innovation School and School Zone Reviews.

31 I. Two years after state board approval of the innovation plan and every 2 years thereafter,  
32 the local board shall review the plan and the progress toward the plan objectives including  
33 improvements in academic performance and any cost savings or increased efficiencies, or both.

34 II. The results of the local board review shall be provided to the department of education.

35 III. If a local school board finds that the academic performance of students enrolled in the  
36 innovation school is not improving at a sufficient rate or that the plan is not achieving the planned

**HB 609-FN-LOCAL - AS INTRODUCED**  
**- Page 5 -**

1 results, the local school board may notify the department and state board that they wish to revoke  
2 the innovation status.

3 194-E:6 Department of Education Review.

4 I. The department shall review the results of each local board innovation plan review and  
5 analyze the results based upon data available to the department.

6 II. The department may at any time conduct its own review of the innovation school or  
7 school zone performance.

8 III. If the department finds that innovation plan performance is not satisfactory, they shall  
9 notify the local board and the state board. The local board may respond or provide a revised  
10 innovation plan pursuant to RSA 194-E:2.

11 IV. The state board may revoke the innovation status at any time with notification to the  
12 local board and to the department.

13 194-E:7 Reporting.

14 I. The department of education shall provide an annual report on innovation schools and  
15 school zones to the governor, the president of the senate, the speaker of the house of representatives,  
16 the chairpersons of the senate and house committees with jurisdiction over education, the state  
17 board of education, and the legislative oversight committee established in RSA 193-C:7.

18 II. The report shall include:

19 (a) The number of school districts with innovation schools or school zones and the total  
20 number in the state.

21 (b) The number of innovation schools and the number of schools within each innovation  
22 school zone.

23 (c) The number of students in each innovation school or innovation school zone and a  
24 percentage of students in the local district.

25 (d) An overview of innovations implemented.

26 (e) An overview of the academic performance of the students served in innovation  
27 schools and innovation school zones, including a comparison between the students' academic  
28 performance before and after implementation of the innovations, and a comparison with the  
29 academic performance of similar schools.

30 (f) A list of administrative rules waived.

31 194-E:8 Rulemaking. The state board of education shall adopt rules, pursuant to RSA 541-A,  
32 relative to innovation schools and innovation zones.

33 2 Effective Date. This act shall take effect 60 days after its passage.

LBA  
21-0285  
1/13/21

**HB 609-FN-LOCAL- FISCAL NOTE  
AS INTRODUCED**

AN ACT                    relative to innovation schools.

**FISCAL IMPACT:**

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill, as introduced, as it is awaiting information from the Department of Education. When completed, the fiscal note will be forwarded to the House Clerk's Office.

**AGENCIES CONTACTED:**

Department of Education