

# 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

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

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.

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

AN ACT           relative to innovation schools.

**FISCAL IMPACT:**    [ ] State           [ ] County           [ ] Local           [X] None

**METHODOLOGY:**

The Department of Education states this bill would allow public schools to create innovation schools, which would not be subject to certain state laws and administrative rules which regulate public schools. This bill does not impose any new requirements on local school districts, rather it would allow schools to waive certain requirements which are currently in law. There is no fiscal impact to this bill as any impacts would be a result of a local decision made that is permitted by the bill, and not the bill itself.

**AGENCIES CONTACTED:**

Department of Education



LBA  
21-0285  
Revised 3/22/21

**HB 609-FN-LOCAL FISCAL NOTE  
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Department of Education

CHAPTER 27  
HB 609-FN-LOCAL - FINAL VERSION

9Apr2021... 1125EBA

2021 SESSION

21-0285  
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HOUSE BILL            **609-FN-LOCAL**

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CHAPTER 27  
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3 CHAPTER 194-E

4 INNOVATION SCHOOLS

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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.

**CHAPTER 27**  
**HB 609-FN-LOCAL - FINAL VERSION**  
**- Page 2 -**

1           II. A local school board may initiate and collaborate with one or more public schools of the  
2 school district or other districts to create one or more innovation plans, under paragraph III, or one  
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29 expects to achieve by implementing the innovations.

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

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

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

**CHAPTER 27**  
**HB 609-FN-LOCAL - FINAL VERSION**  
**- Page 3 -**

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

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

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18           (b) Accountability measures, including but not limited to expanding the use of a variety  
19 of accountability measures to more accurately present a complete measure of student learning and  
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24 and support services provided by the department of health and human services or county social  
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26           (d) Teacher recruitment, training, preparation, and professional development.

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

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

31           (h) Preparation and counseling of students for transition to higher education or the work  
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33           VI. Each public school and each local school board may seek and accept public and private  
34 gifts, grants, and donations to offset the costs of developing and implementing innovation plans and  
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36           194-E:3 State Approval.

**CHAPTER 27**  
**HB 609-FN-LOCAL - FINAL VERSION**  
**- Page 4 -**

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

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

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

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13 department of education and a representative of the proposing local board shall be present at the  
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22           I. Upon the designation of an innovation school or school zone, the state board shall waive  
23 compliance with any administrative rules specified in the local district plan.

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

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

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

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

32           194-E:5 Innovation School and School Zone Reviews.

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

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

**CHAPTER 27**  
**HB 609-FN-LOCAL - FINAL VERSION**  
**- Page 5 -**

1           III. If a local school board finds that the academic performance of students enrolled in the  
2 innovation school is not improving at a sufficient rate or that the plan is not achieving the planned  
3 results, the local school board may notify the department and state board that they wish to revoke  
4 the innovation status.

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

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

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

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

15          194-E:7 Reporting.

16          I. The department of education shall provide an annual report on innovation schools and  
17 school zones to the governor, the president of the senate, the speaker of the house of representatives,  
18 the chairpersons of the senate and house committees with jurisdiction over education, and the state  
19 board of education.

20          II. The report shall include:

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

23           (b) The number of innovation schools and the number of schools within each innovation  
24 school zone.

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

27           (d) An overview of innovations implemented.

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

32           (f) A list of administrative rules waived.

33          194-E:8 Rulemaking. The state board of education shall adopt rules, pursuant to RSA 541-A,  
34 relative to innovation schools and innovation zones.

35  
36  
37

**CHAPTER 27**  
**HB 609-FN-LOCAL - FINAL VERSION**  
**- Page 6 -**

1        27:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 06, 2021  
Effective Date: July 05, 2021



# Committee Minutes

# SENATE CALENDAR NOTICE

## Education

Sen Ruth Ward, Chair  
Sen Erin Hennessey, Vice Chair  
Sen Denise Ricciardi, Member  
Sen Jay Kahn, Member  
Sen Suzanne Prentiss, Member

Date: March 10, 2021

### HEARINGS

	Tuesday	03/16/2021
	(Day)	(Date)
Education	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	<b>HB 110</b>	relative to the distribution of adequate education grants.
9:15 a.m.	<b>HB 242</b>	relative to the content of an adequate education.
9:30 a.m.	<b>HB 304</b>	establishing a committee to study the funding of tuition and transportation for career technical education.
9:45 a.m.	<b>HB 513</b>	relative to the degree granting authority of Signum university and relative to the authority of the higher education commission.
10:00 a.m.	<b>HB 609-FN-LOCAL</b>	relative to innovation schools.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To join the webinar: <https://www.zoom.us/j/92186197877>

2. Or Telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799, or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799,

or 1-669-900-6833

3. Or iPhone one-tap: +13126266799, 92186197877# or +19292056099, 92186197877#

4. Webinar ID: 921 8619 7877

5. To view on YouTube, click here: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: [remotesenate@leg.state.nh.us](mailto:remotesenate@leg.state.nh.us) or call (603-271-6931).

### EXECUTIVE SESSION MAY FOLLOW

#### Sponsors:

##### **HB 110**

Rep. Steven Smith  
Rep. Potucek  
Rep. True

Rep. Aron  
Rep. Hill  
Sen. Ward

Rep. Baldasaro  
Rep. Thomas

Rep. Love  
Rep. Greene

##### **HB 242**

Rep. Ladd  
Rep. Boehm

Rep. Hobson  
Rep. Umberger

Rep. Steven Smith

Rep. Cordelli

##### **HB 304**

Rep. Ladd  
Rep. Hill  
Sen. Reagan

Rep. Cordelli  
Rep. Umberger  
Sen. Kahn

Rep. Shaw  
Sen. Bradley

Rep. Allard  
Sen. Hennessey

##### **HB 513**

Rep. Allard  
Rep. Boehm

Rep. Ladd

Rep. Cordelli

Rep. A. Lekas

##### **HB 609-FN-LOCAL**

Rep. Cordelli  
Rep. Hill  
Sen. Ward

Rep. Ladd  
Rep. Mooney

Rep. Pitre  
Rep. A. Lekas

Rep. Shaw  
Sen. Reagan

Ava Hawkes 271-4151

Ruth Ward  
Chairman

# Senate Education Committee

*Ava Hawkes 271-4151*

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

**Hearing Date:** March 16, 2021

**Time Opened:** 10:40 a.m.

**Time Closed:** 11:19 a.m.

**Members of the Committee Present:** Senators Ward, Hennessey, Ricciardi, Kahn and Prentiss

**Members of the Committee Absent :** None

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

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**Sponsors:**

Rep. Cordelli

Rep. Ladd

Rep. Pitre

Rep. Shaw

Rep. Hill

Rep. Mooney

Rep. A. Lekas

Sen. Reagan

Sen. Ward

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**Who supports the bill:** Senator Ruth Ward, Senator John Reagan, Representative Jody Underwood, Representative John Potucek, Representative Rick Ladd, Seth Rau

**Who opposes the bill:** Please refer to sign-in sheet.

**Who is neutral on the bill:** None.

**Summary of testimony presented:**

**Senator Ruth Ward – Senate District 8**

- Senator Ward introduced HB 609-FN in absence of the prime sponsor, Representative Cordelli.

**Megan Tuttle - President, NEA-NH**

- Opposed to this bill.
- They have serious concerns.
- This bill subverts the spirit of the Every Student Succeeds Act, also known as ESSA, which indicates that stakeholders should be consulted and have meaningful involvement in improvement plans of public schools and districts.
- In this bill, meaningful involvement seems to be bypassed entirely.

- Lacks provisions to ensure public comment, review and participation in the development of innovation schools, especially since educators are not listed as a primary stakeholder.
- After bypassing valuable education participation, the bill invites the waiving of rules directly impacting educators.
- On page three of the bill, the description of what elements can be waived is both extraordinarily broad and includes specific aspects of employment and working conditions that are often covered at the bargaining table.
- On page two of the bill, it takes one step further by asking about collective bargaining agreement specifics for waiving purposes and is starkly similar to a legislative model previously drafted by ALEC.
- NHDOE lacks this authority to waive collective bargaining agreements.
- Additional concerns include but are not limited to overly broad language, which leads to questions about the waiving of special education, English as a second language, dropout prevention services, graduation policies, etc.
- On page four, there are concerns about the waiving of compliance regulations.
- Innovation can and does already happen in NH public schools.

#### **Representative Glenn Cordelli - Carrol, District 4**

- Supports this bill as the prime sponsor.
- He has heard previously that this is model legislation from ALEC. It is not true. He drafted this bill by looking at Colorado legislation.
- Charter schools are laboratories of innovation as they have an advantage by not having to follow administrative rules that traditional public schools do.
- The table of contents for administrative rules is 23 pages long.
- This bill is the ultimate in local control.
- Local school and districts coming up with ideas for innovation by going before the local school board with public input.
- From the local passage, it then goes to NHDOE where they can suggest changes. When ready, the local school board would submit to the state board of education where they would pass or reject plan.
- There is follow-up and monitoring of the plan. The state board is responsible for their review every two years. NHDOE also crafts a report that's submitted to the Governor and the legislature.
- Senator Prentiss asked Representative Cordelli why there is no fiscal note.
  - Rep. Cordelli said he is not aware of anything related to a fiscal note.
- Senator Prentiss asked Representative Cordelli about local school funds being utilized to fund this initiative.
  - Representative Cordelli said it depends on what the plan is. For instance, if it is a simple rule change, may not require any funding at all.
- Senator Prentiss asked Representative Cordelli what his experience with innovation schools in Colorado were.

- Representative Cordelli said he attended an education conference and talked with folks about their innovation project work. He'd be happy to send one of their annual reports.
- Senator Kahn asked Representative Cordelli about President Tuttle's testimony regarding page two of the bill and matters typically covered in collective bargaining agreements.
  - Rep. Cordelli said he would expect that any plan created locally would need to be renegotiated with that bargaining unit.
  - The lawyer from NHDOE would not have any authority to make unilateral changes that would impact a collective bargaining agreement.
  - Reports from Colorado indicated that one plan put in place resulted in negotiations that led to an increase in salary for teachers.
- Senator Kahn asked Representative Cordelli about the fiscal note and if there is a waiving procedure in the House.
  - Representative Cordelli does not recall if there was a fiscal note attached. It would be an indeterminable cost, therefore, not sent to Finance by leadership.
- Sen. Hennessey noted that NHDOE may be able to answer Senator Kahn's question about the fiscal note.
- Senator Kahn asked Representative Cordelli about this bill being the ultimate in local control. He asked if there are parallels that he might find in other statutes.
  - Rep. Cordelli said nothing comes to mind off the top of his head, however, local initiative to brainstorm and advance it through local school boards.

**Attorney Diana Fenton – Chief of the Office of Governance, NH Department of Education**

- Senator Kahn asked Ms. Fenton about the status of the fiscal note from NHDOE.
  - Ms. Fenton said she recalls a fiscal note being prepared by the department. It was very difficult to anticipate the fiscal impact of this bill as they are unsure where changes and costs will be.
  - If these innovative schools were to pass, similar to the charter school bill, the department would anticipate a need for a staff person to oversee it.
- Senator Kahn reiterated that he would understand how the Senate would treat a fiscal note if there ends up being one.

**Barrett Christina – Executive Director, NH School Boards Association**

- Opposed to this bill.
- They would certainly entertain a study committee.
- There are about 12-14 states currently practicing similar state law. We should look at how other states are treating innovation schools.
- Their opposition isn't so much in concept, but it is too broad and vague.
- On page one, there need to be clarity on what is defined as a public school.
- On page one, collaboration by public schools is already permitted.

- On page two, the language covering the submission of plan(s) to the department of what rules they are seeking to waive is too broad and should be narrowed down to certain rules that may be waivable. For instance, health and safety regulations should not be waivable.
- They share concerns regarding collective bargaining agreements and NHDOE not having authority to waive agreements.
- They appreciate the idea of looking at innovative ways to provide education in NH.
- This bill seems to be creating another program where we already have a charter school program that meets these needs.
- RSA 194:B already allows for local creation of charter schools. Charter schools were introduced to relax some of the regulatory requirements.
- Rather than replicate charter schools, we should look at what regulations might be impeding school districts. The legislature can control that.
- If there are rules by NHDOE in place that are impeding school districts, we should look at that as well.

**Michael O'Brien – Government Affairs Advisor, Preti Strategies**

- Opposed to this bill.
- Representing their client, American Federation of Teachers-NH.
- Agreed with President Tuttle's testimony, especially around the collective bargaining piece.
- A simple Google search of ALEC and innovation schools' results in this bill's language listed line for line on their website. It is possible that Colorado pulled from ALEC for their state law.
- A recent Denver Post article noted that test scores in innovation schools are static as compared to those of normal public schools. There has not been an increase in outcomes.
- As a husband to a school teacher, she innovated every level of her classroom over the last year due to the COVID-19 pandemic.
- In the last seven years, his wife has taken advantage of a program three times, through her collective bargaining agreement, to create a new class that is not available currently.
- Just this year, his wife and another teacher are putting together a plan to present to school administration, school board, etc. to offer another unique class.
- We see innovation in schools already. This bill is offensive to teachers who spend their time making this innovation happen locally.

# Speakers



# Senate Remote Testify

## Education Committee Testify List for Bill HB609 on 2021-03-16

Support: 6 Oppose: 192 Neutral: 0 Total to Testify: 5

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>
Ladd, Carl	carl@nhsaa.org	603.225.3230	A Lobbyist	New Hampshire School Administrators Association	Oppose	Yes
Cahill, Michael	michael.cahill@leg.state.nh.us	603.380.1736	An Elected Official	Myself	Oppose	Yes
Coon, Kate	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Delahanty, Michael	mdelahanty@sau57.org	Not Given	A Member of the Public	Myself	Oppose	No
Duncan, Reuben	r.duncan@sau47.org	603.852.8521	A Member of the Public	SAU 47	Oppose	No
Casey, Gail	GailRCasey@gmail.com	603.493.9012	A Member of the Public	Myself	Oppose	No
Potucek, John	potucek1@comcast.net	16034329049	An Elected Official	Myself	Support	No
Cassily, Shaleen	scassily@sau72.org	603.875.7500	A Member of the Public	Myself	Oppose	No
York, Sam	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Straiton, Marie	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Rist, Helen	hrist@sau16.org	603-775-8646	A Member of the Public	Myself	Oppose	No
Hope, Lucinda	lmhope46@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No
Andrews, Nikki	dandn4evah@tds.net	Not Given	A Member of the Public	Myself	Oppose	No
McMann, Heather	heather.mcmann1201@gmail.com	603.408.8201	A Member of the Public	Myself	Oppose	No
Kruihof, Leslie	lesliekruihof@gmail.com	201.725.4641	A Member of the Public	Myself	Oppose	No
Holden, Russell	rholden@sunapeeschools.org	603.763.4627	A Member of the Public	Myself	Oppose	No
Beauchamp, Meg	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Wilson, Kristin	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Paludi, Gail	cpaludi@gsinet.net	16034951291	A Member of the Public	Myself	Oppose	No
Chauvette, Jude	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Cascadden, Dean	dcascadden@bownet.org	603.455.3691	A Member of the Public	SAU 67	Oppose	No
Wormald, Randy	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Underwood, Jody	Not Given	Not Given	An Elected Official	Myself	Support	No
Ward, Senator Ruth	Not Given	Not Given	An Elected Official	Senate District 8	Support	No
Cook, Amy	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
McNamee, Brigid	brigidmcnamee@yahoo.com	603.223.0139	A Member of the Public	Myself	Oppose	No
Jones, Nora	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Balke, Brian	Brian.balke@sau19.org	Not Given	A Member of the Public	Myself	Oppose	No
Melanson, Laurie	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Fitzgerald, Paulette	pfitzgerald@sau8.org	Not Given	A Member of the Public	Myself	Oppose	No
Mitchell, Theodore	chipper@myfairpoint.net	603.435.6573	An Elected Official	Myself	Oppose	No
Huter, Amy	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Mason, Michelle	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Gregoire, Jerry	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Witte, Lisa	lwitte@mrsd.org	207.671.2712	A Member of the Public	Monadnock Regional School District	Oppose	No
McKinney, Garth	mckinneyg@nashua.edu	603.966.1003	A Member of the Public	Myself	Oppose	No
Wilke, Mary	wilke.mary@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No
Rankin, Don	diggindawgsgw@gmail.com	603.732.2783	A Member of the Public	Myself	Oppose	No
Lewis, Samantha	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Newton, Jay	Jjnewt@gmail.com	508.254.1286	A Member of the Public	Myself	Oppose	No
Langlois, Lori	liselori1993@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No
Lemoui, Claude	Claude.lemoui@gmail.com	603-523-2224	A Member of the Public	Myself	Oppose	No
Keeler, Margaret	peg5keeler@gmail.com	603-491-4689	A Member of the Public	Myself	Oppose	No
Rich, Martha	martha.rich@thet.net	802.338.0777	A Member of the Public	Myself	Oppose	No
Black, Debra	blackd@newmarket.k12.nh.us	603.659.5020	A Member of the Public	Myself	Oppose	No
Culliton, Penny	pculliton@comcast.net	603.554.5509	A Member of the Public	Myself	Oppose	No

Cutshall, Catherine	vivadofamily@aol.com	603.471.9142	A Member of the Public	Myself	Oppose	No	:
O'Rourke, Kristin	kmo@dartmouth.edu	603.481.1981	A Member of the Public	Myself	Oppose	No	:
Mladek, Klaus	klaus.mladek@dartmouth.edu	Not Given	A Member of the Public	Myself	Oppose	No	:
Gallagher, James	Not Given	Not Given	A Member of the Public	SAU47	Oppose	No	:
Everett, Virginia	muireverett@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Reagan, Senator John	Not Given	Not Given	An Elected Official	Senate District #17	Support	No	:
Rau, Seth	srau@empowerschools.org	513.969.8426	A Member of the Public	Myself	Support	No	:
Costa, Lois	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Jakubowski, Deborah	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Graham, Nancy	nancygraham806@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Taylor, Debra	Dtaylor@sau7.org	603.237.5571	A Member of the Public	Myself	Oppose	No	:
jakubowski, dennis	dendeb146@gmail.com	603.496.5749	A Member of the Public	Myself	Oppose	No	:
Garland, Ann	annhgarland@gmail.com	603.678.8143	A Member of the Public	Myself	Oppose	No	:
DeMark, Richard	demarknh114@gmail.com	603.520.5582	A Member of the Public	Myself	Oppose	No	:
FRIEDRICH, ED	erfriedrich@yahoo.com	781.775.9397	A Member of the Public	Myself	Oppose	No	:
Sánchez, Ruth	ruthmaria29@yahoo.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Feneberg, Winfried	Jillwinfen@comcast.net	603.490.2288	A Member of the Public	Myself	Oppose	No	:
Willing, Maura	Maura.Willing@Comcast.net	Not Given	A Member of the Public	Myself	Oppose	No	:
Repucci, Kyle	Repucci.k@sau54.org	603.332.3678	A Member of the Public	SAU 54- Rochester	Oppose	No	:
Fordey, Nicole	nikkif610@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Brake, Sondra	sbrake@plainfieldschool.org	Not Given	A Member of the Public	SAU 32	Oppose	No	:
Saunders, Kimberly	kimberlyarsaunders@yahoo.com	603-490-7236	A Member of the Public	Myself	Oppose	No	:
Chamberlin, Steve	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Larson, Ruth	ruthlarson@msn.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Heath, Ruth	ruthmheath1950@gmail.com	603.783.4401	A Member of the Public	Myself	Oppose	No	:
Vincent, Laura	lvlauravincents@gmail.com	603.783.4849	An Elected Official	Myself	Oppose	No	:
Torpey, Jeanne	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Canotas, Milton	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Falk, Cheri	Falk.cj@gmail.com	603.654.2777	A Member of the Public	Myself	Oppose	No	:
Benson, Jessica	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Damon, Claudia	cordsdamon@gmail.com	603.226.4561	A Member of the Public	Myself	Oppose	No	:
Perencevich, Ruth	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
downing, christine	cdowning@goshenschooldistrictnh.org	603.582.7340	An Elected Official	Myself	Oppose	No	:
Clark, Denise	denise.m.clark03055@gmail.com	603.213.1692	A Member of the Public	Myself	Oppose	No	:
Casino, Joanne	joanecasino@comcast.net	603.746.3491	A Member of the Public	Myself	Oppose	No	:
Fernandes, Abby	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Frew, Jerry	jerry@nhsaa.org	Not Given	A Lobbyist	NHSAA	Oppose	No	:
Garofalo, Austin	agarofalo@sau10.org	603.432.1210	A Member of the Public	Myself	Oppose	No	:
Spielman, Kathy	jspielman@comcast.net	603.397.7879	A Member of the Public	Myself	Oppose	No	:
Rathbun, Jeremy	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Ciance, Heather	Not Given	Not Given	A Member of the Public	Kearsarge School District	Oppose	No	:
Corell, Elizabeth	Elizabeth.j.corell@gmail.com	603.545.9091	A Member of the Public	Myself	Oppose	No	:
Seeley, Kelly	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Merrell, Susan	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Nilsson, Stacey	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Pomykato, Jennifer	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Rowley, Bernadette	browley@pittsfieldnhschools.org	603.455.0306	A Member of the Public	Sau 51	Oppose	No	:
Longman, Petra	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Steiner, Robin	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Moore, Jake	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Caswell, Sue	scaswell@orcsd.org	603.498.7054	A Member of the Public	Myself	Oppose	No	:
DePuy, Charles	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
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Tucker, Steve	stucker@laconiaschools.org	603.455.2972	A Member of the Public	Myself	Oppose	No	:
Zylinski, Cathy	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
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Horn, Jennifer	hrnkoz@yahoo.com	603-320-7435	A Member of the Public	Myself	Oppose	No	:
Davis, Alisha	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Parenteau, Patricia	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Blanchard, Sandra	sandyblanchard3@gmail.com	603.724.3768	A Member of the Public	Myself	Oppose	No	:
Raff, Alan	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Hatcher, Phil	phil.hatcher@gmail.com	603.988.8034	A Member of the Public	Myself	Oppose	No	:
Landry, Anne	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Hackmann, Kent	hackmann@uidaho.edu	16039343225	A Member of the Public	Myself	Oppose	No	:
Pidgeon, Dawna	dawna.pidgeon@comcast.net	603.443.0762	A Member of the Public	Myself	Oppose	No	:
Lynch, Brian	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Reed, Barbara D.	moragmcp83@outlook.com	603.352.5015	A Member of the Public	Myself	Oppose	No	:
Bushueff, Catherine	agawamdesigns@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Harbron, William	w.harbron@dovcr.k12.nh.us	603.516.6802	A Member of the Public	Myself	Oppose	No	:
Koumrian, Timothy	timothy.koumrian@sau57.org	603.893.7040	A Member of the Public	Myself	Oppose	No	:
Kaitlyn, Hills	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Gordon, Margaret	Megord98@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Thomas, Sally	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Mattlage, Linda	lmattlage@gmail.com	16034960172	A Member of the Public	Myself	Oppose	No	:
Zaenglein, Barbara	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Cadarette, Ronna	rfcadarette@gmail.com	603.344.2725	A Member of the Public	Myself	Oppose	No	:
HasBrouck, Derek	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Gazaway, Marion	mcgazaway@comcast.net	Not Given	A Member of the Public	Myself	Oppose	No	:
Gazaway, Daniel	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Upton, Amy	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Byers, Levi	golfking@comcast.net	Not Given	A Member of the Public	Myself	Oppose	No	:
Byers, Ana	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Cadarette, Chayleigh	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Sawicki, Kyle	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
DeWitt, Michael	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Whiting, Jaycie	J_whiting@sau58.org	Not Given	A Member of the Public	Myself	Oppose	No	:
Guay, Lisa	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Sanschagrin, Liane	Not Given	Not Given	A Member of the Public	SAU 58	Oppose	No	:
Woods, Matthew	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Lyon, Jennifer	Not Given	Not Given	A Member of the Public	SAU #58	Oppose	No	:
Bushey, Heather	bushey_heather@yahoo.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Ladd, Carrie	c_ladd@sau58.org	603.230.0909	A Member of the Public	Myself	Oppose	No	:
Vaillancourt-Locke, Alicia	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Cloutier, Wanda	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Brown, Patricia	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Brown, Gary	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Supernois, Kayleigh	kayleighriff@yahoo.com	603.684.8440	A Member of the Public	SAU 58	Oppose	No	:
Crawford, Jennifer	jmc32795@gmail.com	603.493.0979	A Member of the Public	Myself	Oppose	No	:
Borge, Rachel	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Borge, Joshua	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Borge, Samuel	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Vivado, Mauricio	vivadofamily@aol.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Laker-Phelps, Gail	lpsart@tds.net	603.798.5394	A Member of the Public	Myself	Oppose	No	:
Gibbs, Elizabeth	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Mask, Kelly	maskadventures@gmail.com	(603) 236-16	A Member of the Public	Myself	Oppose	No	:
Pattison, Christine	cspattison@comcast.net	603.851.1924	A Member of the Public	Myself	Oppose	No	:
Cuddy-Egbert, Kathleen	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
LaCasse, Liza	l_lacasse@sau58.org	603.915.0984	A Member of the Public	SAU58	Oppose	No	:
Brackett, Glenn	communications@nhaficio.org	Not Given	A Lobbyist	the men & women of the NH AFL-CIO	Oppose	No	:
Ford, Duane	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:

Klein, Ella	kayklein@comcast.net	603.264.9796	A Member of the Public	Myself	Oppose	No	:
Barker, Dean	dbarker@aemseagles.org	Not Given	An Elected Official	Myself	Oppose	No	:
Brennan, Nancy	Not Given	5The 29-1969	A Member of the Public	Myself	Oppose	No	:
Rettew, Annie	abrettew@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Fawson, Michelle	shellyfawson@gmail.com	508.930.6616	A Member of the Public	Myself	Oppose	No	:
Hinebauch, Mel	Not Given	603.224.4866	A Member of the Public	Myself	Oppose	No	:
Taylor, Gale	galeforcefacilitators@gmail.com	603.321.7160	A Member of the Public	Myself	Oppose	No	:
Burdett, Mary	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Ladd, Rick	Not Given	Not Given	An Elected Official	Haverhill, Grafton 4	Support	No	:
Hayes, Randy	rcompostr@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Rosewater, Katherine	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Stimpson, Pamela	pamstimpson@live.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Vogt, Robin	robin.w.vogt@gmail.com	603.969.5720	A Member of the Public	Myself	Oppose	No	:
Pérez, María	mariaeli63@gmail.com	603.801.7867	An Elected Official	Myself	Oppose	No	:
Perez, María	mariaeli63@gmail.com	603.801.7867	An Elected Official	Myself	Oppose	No	:
Packard, Patricia	ptpacka@gmail.com	603.616.9255	A Member of the Public	Myself	Oppose	No	:
Platt, Elizabeth-Anne	lizanneplatt09@gmail.com	603-715-8191	A Member of the Public	Myself	Oppose	No	:
Crawford, Nancy	nancycrawford2@msn.com	Not Given	A Member of the Public	Myself	Oppose	No	:
stonebanks, sandra	sandrastonebanks@yahoo.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Petrucelli, Maxine	maxinepet@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
St Germain, Diane	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Petrucelli, Charles	chasmxpet@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Giroux, Haley	haleyfrizzell@yahoo.com	603.915.1380	A Member of the Public	Myself	Oppose	No	:
Lucas, Janet	janluca1953@gmail.com	16037267614	A Member of the Public	Myself	Oppose	No	:
Goldwater, Catherine	cathy.goldwater@gmail.com	603.860.3756	A Member of the Public	Myself	Oppose	No	:
Wilson, Kathryn	kadiepink@gmail.com	603-986-4104	A Member of the Public	Myself	Oppose	No	:
Sinclair-Pappas, Barbara	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Murray, Tamera	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Gordon, Laurie	Lmgord23@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Vaughan, Elizabeth	lizfvaughan@hotmail.com	603.921.0444	A Member of the Public	Myself	Oppose	No	:
Bickford, Jessica	jbickford@pittsfieldnhschools.org	603.435.6701	A Member of the Public	Myself	Oppose	No	:
Perotti, Frank	Frank.Perotti@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Booth, Jennifer	j.booth@sau47.org	Not Given	A Member of the Public	Myself	Oppose	No	:
Jones, Andrew	arj11718@yahoo.com	Not Given	A Member of the Public	Myself	Oppose	No	:
Heise, Jen	Not Given	603.499.1206	A Member of the Public	Myself	Oppose	No	:
Durkin, James	jdurkin@afscme93.org	978-866-2283	A Lobbyist	AFSCME Council 93	Oppose	No	:
Koburger, Penny	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	:
Bergeron-Beaulieu, Jane	jbergeron@nhasea.org	494-1149	A Lobbyist	NH Association of Special Education Administrators	Oppose	No	:
Hampton, Doris	dandmhamp38@mail.com	603.783.4418	A Member of the Public	Myself	Oppose	No	:
Christina, Barrett	bchristina@nhsba.org	Not Given	A Lobbyist	New Hampshire School Boards Association	Oppose	Yes	:
O'Brien, Michael	mobrien@preti.com	603.724.5981	A Lobbyist	American Federation of Teachers-New Hampshire	Oppose	Yes	:
Tuttle, Megan	mtuttle@nhnea.org	603-209-4090	A Lobbyist	NEA-NH	Oppose	Yes	:

# Testimony

## Ava Hawkes

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**From:** Dean Cascadden <dcascadden@bownet.org>  
**Sent:** Monday, March 15, 2021 11:44 AM  
**To:** Ava Hawkes  
**Subject:** Senate Hearing on HB 609

Dear Senate Education Committee Members,

I am trying to keep my testimony short because I value your time.....

If there are education rules that are onerous to public schools shouldn't we be addressing them and amending them instead of carving out school districts that do not have to follow them? This bill is also very vague and should be inexpedient to legislate.

--

Dr. Dean S. T. Cascadden  
Superintendent, SAU 67  
Bow and Dunbarton School Districts

## Ava Hawkes

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**From:** Mary Wilke <wilke.mary@gmail.com>  
**Sent:** Monday, March 15, 2021 12:41 PM  
**To:** Ruth Ward; Erin Hennessey; Jay Kahn; Denise Ricciardi; Suzanne Prentiss; Ava Hawkes  
**Subject:** Please vote against HB609 (Innovation Schools)

To the Members of the Senate Education Committee,

Please vote against HB609 (Innovation Schools). I just don't understand the need for another category of schools, with its own unique set of rules.

Wasn't the justification for charter schools that they would be 'incubators of innovation', and didn't the Governor just accept a \$46M grant to double the number of available seats in charters? It seems to me that we should see what kind of innovative results those schools achieve, before piling on with additional, alternative - but costly - programs.

And if state regulations are standing in the way of innovation within our public schools, wouldn't it be better to repeal them, to the benefit of all public school children, than to provide a work-around that will only benefit some?

Thank you for your consideration and for your service to the people of NH.

Best wishes,  
Mary Wilke  
Concord

**Ava Hawkes**

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**From:** Michael Cahill  
**Sent:** Tuesday, March 16, 2021 2:31 PM  
**To:** ~Senate Education  
**Subject:** HB609

Dear Senators,

I am too late to speak at the hearing but would like to share some information hopefully before you vote on HB609.

This bill seeks to promote innovation in traditional public schools; the sponsors claim this is stifled by regulation. During the House session, I asked Representative Alicia Lekas for examples of these regulations and the instances where innovation was prevented or discouraged - she had neither. Nor could she offer a fiscal note as "it was new" and the costs were unknown.

Representative Lekas also suggested that perhaps it was due to regulations that Charter schools frequently outperform traditional public schools. This is not borne out in fact but is a myth. In fact, when looking at NH test scores, Charter Schools don't compare favorably. In 11th grade math, a Charter did have the highest score but you have to go to #13 to find another Charter School. There are similar results in the other grades and subjects, yet the Charters are promoted as better and they receive more state funds.

Please vote ITL on HB609.

*Regards,*

*Michael Cahill  
State Representative  
Labor, Industrial and Rehabilitative Services  
Rockingham 17  
Newfields, Newmarket*



## Ava Hawkes

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**From:** Cindy <lmhope46@gmail.com>  
**Sent:** Monday, March 15, 2021 2:43 PM  
**To:** Ava Hawkes  
**Subject:** Constituent OPPOSED to HB609

Members of the Senate Education Committee —

After carefully reading through this bill twice, I am appalled by and very much opposed to what's being proposed in it. It is obvious that this is yet another approach to creating charter schools with no regard to the impact on our public school systems.

The various details mentioned in this bill to create "innovation schools" shamefully are not being extended to the public school systems of NH.

Education is itself about enhancing change in students' awarenesses, and this is accomplished with creativity & innovation. New schools need not be created to try to achieve what's already being done.

I implore you to vote against this bill.

Sincerely,

Lucinda Hope, M.Ed.

ASSOCIATION  
CHAMPIONS FOR CHILDREN



March 16, 2021

Sen. Ruth Ward, Chair Senate  
Education Committee  
Legislative Office Building  
Concord, NH 03301

RE: HB609

Dear Chairwoman Ward and Members of Senate 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



Senator Ward  
Chair, Senate Education Committee

March 16, 2021

Dear Chairwoman Ward and Honorable members of the Senate Education Committee,

I come before you today to testify in opposition to House Bill 609, relative to innovation schools, and would like to highlight several serious concerns among many, with respect to this piece of legislation.

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

Second, after bypassing valuable educator participation in the development and submission of these proposed innovation plans, the bill appears to invite the waiving of rules that directly impact the educators of a particular school district.

Some of the examples of this are referenced in the proposed plan components allowable by the legislation including:

- 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 often subjects covered at the bargaining table.

On page 2, line 33 the legislation goes further by asking 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 should be removed from the bill and is unnecessary and questionable as to why it exists in HB 609 other than the fact that it comes from the model legislation developed by the American Legislative Exchange Council (ALEC). Proponents of HB 609 acknowledged during the House hearing that the NH Department of Education lacks the authority to waive provisions of a collective bargaining agreement, rendering this cookie cutter language from the ALEC bill senseless. If a school district wanted to make a change that required an adaptation in working conditions, there is nothing from stopping them today from seeking a waiver or negotiating a change to a CBA with a school employee bargaining unit.

Additional concerns for NEA-NH 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.

When the bill broadly states on page 4, line 20-21 that "upon the designation of an innovation school or school zone, the state board shall waive compliance with any administrative rules specified in the local district plan," this begs the question as to whether there is any limit as to what rules the board can waive? Can the state board approve the waiver of IDEA compliance? Is this saying the board can waive compliance of Department of Labor rules around building safety or employment? These questions went regrettably unanswered at the hearing in the House.

Innovation can and does happen in New Hampshire public schools when you engage with the stakeholders who are part of public education in our state. The text of this bill is lifted from model legislation from a Washington, DC thinktank, which is why it is unsurprisingly broad, confusing and will create more questions than it does solutions.

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

Respectfully submitted,



Megan Tuttle  
President  
NEA-NH

# Voting Sheets

**Senate Education Committee**  
**EXECUTIVE SESSION RECORD**  
 2020-2021 Session

Bill # HB 609.FN.L

Hearing date: 3/23/21

Executive Session date: 3/30/21

Motion of: Revoke Vote: 2-3

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Revoke Vote: 2-3

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: OTP Vote: 3-2

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reported out by: Sen. ward



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

# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Tuesday, March 30, 2021

THE COMMITTEE ON Education

to which was referred **HB 609-FN-LOCAL**

AN ACT relative to innovation schools.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 3-2

Senator Ruth Ward  
For the Committee

Ava Hawkes 271-4151

**EDUCATION**

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

Ought to Pass, Vote 3-2.

Senator Ruth Ward for the committee.

**Docket of HB609****Bill Title:** relative to innovation schools.**Official Docket of HB609.:**

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/14/2021	H	<b>Introduced</b> (in recess of) 01/06/2021 and referred to Education <b>HJ 2 P. 56</b>
1/20/2021	H	Public Hearing: 01/26/2021 01:30 pm Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/91325381640">https://www.zoom.us/j/91325381640</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/3/2021	H	Executive Session: 02/09/2021 09:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/98073405784">https://www.zoom.us/j/98073405784</a>
2/18/2021	H	Majority Committee Report: Ought to Pass (Vote 11-9; RC) <b>HC 12 P. 28</b>
2/18/2021	H	Minority Committee Report: Inexpedient to Legislate
2/25/2021	H	<b>Ought to Pass: MA RC 192-156 02/25/2021 HJ 4 P. 30</b>
2/25/2021	H	Reconsider (Rep. Ladd): MF DV 147-198 02/25/2021 <b>HJ 4 P. 32</b>
3/4/2021	S	Introduced 03/04/2021 and Referred to Education; <b>SJ 7</b>
3/10/2021	S	Remote <b>Hearing:</b> 03/16/2021, 10:00 am; Links to join the hearing can be found in the Senate Calendar; <b>SC 15</b>
3/30/2021	S	Committee Report: Ought to Pass, 04/08/2021; <b>SC 18</b>
4/8/2021	S	Sen. Soucy Moved Laid on Table, <b>RC 10Y-14N, MF; 04/08/2021; SJ 11</b>
4/8/2021	S	<b>Ought to Pass: RC 14Y-10N, MA; OT3rdg; 04/08/2021; SJ 11</b>
4/15/2021	S	Enrolled Bill Amendment <b>#2021-1125e RC 24Y-0N, AA, (In recess of 04/08/2021); SJ 12</b>
4/15/2021	H	Enrolled Bill Amendment <b>#2021-1125e: AA VV (in recess of) 04/09/2021 HJ 7 P. 100</b>
4/29/2021	S	Enrolled <b>RC 24Y-0N, MA, (In recess of 04/22/2021); SJ 13</b>
4/29/2021	H	Enrolled (in recess of) 04/09/2021 <b>HJ 7 P. 101</b>
5/10/2021	H	Signed by Governor Sununu 05/06/2021; Chapter 27; Eff: 07/05/2021

# Other Referrals

## Senate Inventory Checklist for Archives

Bill Number: HB 6009 FN-L

Senate Committee: EDUCATION

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

### Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee  
 All Calendar Notices  
 Hearing Sign-up sheet(s)  
 Prepared testimony, presentations, & other submissions handed in at the public hearing  
 Hearing Report  
 Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

### Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

\_\_\_ - amendment # \_\_\_      \_\_\_ - amendment # \_\_\_

\_\_\_ - amendment # \_\_\_      \_\_\_ - amendment # \_\_\_

Executive Session Sheet

Committee Report

### Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_ - amendment # \_\_\_      \_\_\_ - amendment # \_\_\_

\_\_\_ - amendment # \_\_\_      \_\_\_ - amendment # \_\_\_

### Post Floor Action: (if applicable) {Clerk's Office}

\_\_\_ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

Enrolled Bill Amendment(s) 1125

\_\_\_ Governor's Veto Message

### All available versions of the bill: {Clerk's Office}

\_\_\_ as amended by the senate      \_\_\_ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

\_\_\_\_\_  
Committee Aide

\_\_\_\_\_  
Date

Senate Clerk's Office AK

April 13, 2021  
2021-1125-EBA  
08/05

Enrolled Bill Amendment to HB 609-FN-LOCAL

The Committee on Enrolled Bills to which was referred HB 609-FN-LOCAL

AN ACT relative to innovation schools.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

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Explanation to Enrolled Bill Amendment to HB 609-FN-LOCAL

This enrolled bill amendment deletes a reference to a statutory committee that has been repealed.

Enrolled Bill Amendment to HB 609-FN-LOCAL

Amend RSA 194-E:7, I as inserted by section 1 of the bill by replacing lines 3 and 4 with the following:

the chairpersons of the senate and house committees with jurisdiction over education, and the state board of education.