

**REGULAR CALENDAR**

**October 24, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Education to which was referred HB  
1499,**

**AN ACT relative to chartered public school eligibility  
for state school building aid. Having considered the  
same, report the same: NOT RECOMMENDED FOR  
FUTURE LEGISLATION.**

**Rep. Rick Ladd**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>Education</b>
Bill Number:	<b>HB 1499</b>
Title:	<b>relative to chartered public school eligibility for state school building aid.</b>
Date:	<b>October 24, 2022</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>NOT RECOMMENDED FOR FUTURE LEGISLATION</b>

### **STATEMENT OF INTENT**

This bill adds chartered public schools to the procedures for consideration, approval, plan requirements, and determination of grants for school building aid. The importance of building aid can't be understated. This is a program authorized by RSA 198:15-a through which the state provides financial assistance to local school districts for the construction or substantial renovation for educational facilities, grades K-12. Most charter schools currently lease space and the ability to own their buildings or secure financing is cost prohibitive. The intent of this bill is understandable; however, the bill lacks specific details relative to financing, bonding, state obligation amounts per facility (30% to 60%?), governance, local revenue source(s), and more.

Vote 18-0.

Rep. Rick Ladd  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Education

**HB 1499**, relative to chartered public school eligibility for state school building aid.**NOT RECOMMENDED FOR FUTURE LEGISLATION .**

Rep. Rick Ladd for Education. This bill adds chartered public schools to the procedures for consideration, approval, plan requirements, and determination of grants for school building aid. The importance of building aid can't be understated. This is a program authorized by RSA 198:15-a through which the state provides financial assistance to local school districts for the construction or substantial renovation for educational facilities, grades K-12. Most charter schools currently lease space and the ability to own their buildings or secure financing is cost prohibitive. The intent of this bill is understandable; however, the bill lacks specific details relative to financing, bonding, state obligation amounts per facility (30% to 60%?), governance, local revenue source(s), and more. **Vote 18-0.**

Original: House Clerk

Cc: Committee Bill File

**CONSENT CALENDAR**

**March 8, 2022**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Education to which was referred HB  
1499,**

**AN ACT relative to chartered public school eligibility  
for state school building aid. Having considered the  
same, report the same with the recommendation that  
the bill be REFERRED FOR INTERIM STUDY.**

**Rep. Deborah Hobson**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Education</b>
Bill Number:	<b>HB 1499</b>
Title:	<b>relative to chartered public school eligibility for state school building aid.</b>
Date:	<b>March 8, 2022</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>REFER FOR INTERIM STUDY</b>

### STATEMENT OF INTENT

This bill adds chartered public schools to the procedures for consideration, approval, plan requirements, and determination of grants for school building aid. The importance of building aid can't be understated. This is a program authorized by RSA 198:15-a through which the state provides financial assistance to local school districts for the construction or substantial renovation for educational facilities for grades K-12. Most charter schools currently lease space and the ability to own their buildings or secure financing is cost prohibitive. Lack of facilities funding hurts students in that they won't have access to kitchens, libraries, and science labs. Additionally, lack of funding forces chartered public schools to use operational funding to pay for the building, therefore taking away from program funding. Adding Charter schools to building aid statutes needs additional research before we change statutes and for this reason we seek an Interim Study.

Vote 19-0.

Rep. Deborah Hobson  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Education

**HB 1499**, relative to chartered public school eligibility for state school building aid. **REFER FOR INTERIM STUDY.**

Rep. Deborah Hobson for Education. This bill adds chartered public schools to the procedures for consideration, approval, plan requirements, and determination of grants for school building aid. The importance of building aid can't be understated. This is a program authorized by RSA 198:15-a through which the state provides financial assistance to local school districts for the construction or substantial renovation for educational facilities for grades K-12. Most charter schools currently lease space and the ability to own their buildings or secure financing is cost prohibitive. Lack of facilities funding hurts students in that they won't have access to kitchens, libraries, and science labs. Additionally, lack of funding forces chartered public schools to use operational funding to pay for the building, therefore taking away from program funding. Adding Charter schools to building aid statutes needs additional research before we change statutes and for this reason we seek an Interim Study. **Vote 19-0.**

Original: House Clerk

Cc: Committee Bill File

**HOUSE COMMITTEE ON EDUCATION**

**EXECUTIVE SESSION on HB 1499**

**BILL TITLE:** relative to chartered public school eligibility for state school building aid.

**DATE:** October 24, 2022

**LOB ROOM:** 305-307

**MOTION:**

Interim Study (2nd yr)      Not Recommended for Future Legislation

Moved by Rep. Ladd

Seconded by Rep. Boehm

Vote: 18-0

Respectfully submitted,

Rep Melissa Litchfield, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on bill # HB 1489

BILL TITLE: Charter School Eligibility for State Aid

DATE: 10/24/22

LOB ROOM: ~~205-207~~ 307

MOTION:  Recommended for Future Legislation  
 Not Recommended for Future Legislation

Moved by Rep. Ladd      Seconded by Rep. Boehm      Vote: \_\_\_\_\_

Respectfully submitted,

Rep. M. A. Moffett  
Committee Clerk



OFFICE OF THE HOUSE CLERK



1/10/2022 8:57:50 AM  
 Roll Call Committee Registers  
 Report

2022 SESSION

Education

Bill #: HB 1499 Motion: not recommended AM #: \_\_\_\_\_ Exec Session Date: 10-24-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman	Y		
Cordelli, Glenn Vice Chairman	Y		
<del>Litchfield, Melissa A. Clerk</del> <u>Hill, Greg</u>	Y		
Boehm, Ralph G.	Y		
Lekas, Alicia D.	Y		
Moffett, Michael	Y		
Hobson, Deborah L.	Y		
Ford, Oliver J.	Y		
Soti, Julius F.	Y		
<del>Nelson, Bill G.</del>			
<del>Myler, Mel</del> <u>Walz, Mary Beth</u>	Y		
Luneau, David J.	Y		
Cornell, Patricia	Y		
Tanner, Linda L.	Y		
Ellison, Arthur S.	Y		
Mullen, Sue M.	Y		
Woodcock, Stephen L.	Y		
<del>Porter, Marjorie</del> <u>Heach M</u>	Y		
A. Hall, Muriel C.	Y		
<b>TOTAL VOTE:</b>	<b>18</b>	<b>0</b>	

**HOUSE COMMITTEE ON EDUCATION**

**EXECUTIVE SESSION on HB 1499**

**BILL TITLE:** relative to chartered public school eligibility for state school building aid.

**DATE:** March 8, 2022

**LOB ROOM:** 205-207

**MOTIONS: REFER FOR INTERIM STUDY**

Moved by Rep. Hobson

Seconded by Rep. A. Lekas

Vote: 19-0

**CONSENT CALENDAR: YES**

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

Respectfully submitted,

Rep Melissa Litchfield, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on Bill # 1499

BILL TITLE: ...

DATE: 3/8/22

LOB ROOM:

MOTION: (Please check one box)

*Withdrawn*

- OTP
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year)
- (if offered)

Moved by Rep. Hobson      Seconded by Rep. LeKes      Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- ~~OTP/A~~
- ITL
- ~~Retain (1<sup>st</sup> year)~~
- ~~Adoption of Amendment # 1001 h~~
- ~~Interim Study (2nd year)~~
- ~~(if offered)~~

Moved by Rep. Hobson      Seconded by Rep. LeKes      Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year)
- (if offered)

Moved by Rep. Hobson      Seconded by Rep. LeKes      Vote: 19-0

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1<sup>st</sup> year)
- Adoption of Amendment # \_\_\_\_\_
- Interim Study (2nd year)
- (if offered)

Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

CONSENT CALENDAR:  YES       NO

Minority Report?  Yes       No      If yes, author, Rep: \_\_\_\_\_      Motion \_\_\_\_\_

Respectfully submitted: Ball Nelson  
Rep. Melissa Litchfield, Clerk

OFFICE OF THE HOUSE CLERK



1/10/2022 8:57:50 AM  
 Roll Call Committee Registers  
 Report

2022 SESSION

Education

Bill #: 1499 Motion: OTR AM #: 1001 Exec Session Date: 3/8/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman	19		
Cordelli, Glenn Vice Chairman	1		
Litchfield, Melissa A. Clerk <i>Notter</i>	2		
Boehm, Ralph G. <i>Dawn Johnson</i>	3		
Lekas, Alicia D.	4		
Moffett, Michael <i>Benshtein</i>	5		
Hobson, Deborah L.	6		
Ford, Oliver J.	7		
Soti, Julius F.	8		
Nelson, Bill G.	9		
<del>Myler, Mel</del> -Walz, Mary Beth <i>M. Jack</i>	11		
Luneau, David J.	10		
Cornell, Patricia	12		
Tanner, Linda L.	13		
Ellison, Arthur S.	14		
Mullen, Sue M.	15		
Woodcock, Stephen L.	16		
Porter, Marjorie	17		
A. Hall, Muriel C.	18		
<b>TOTAL VOTE:</b>	<b>19</b>	<b>0</b>	

**HOUSE COMMITTEE ON EDUCATION**

**PUBLIC HEARING on Bill #HB1499**

**BILL TITLE:** relative to chartered public school eligibility for state school building aid.

**DATE:** 1/26/22

**ROOM:** 207

**Time Public Hearing Called to Order: 3:33 pm**

**Time Adjourned: 4:17 pm**

**Committee Members: Reps. Ladd, Cordelli, Boehm, A. Lekas, Moffett, Hobson, Ford, Soti, B. Nelson, Litchfield, Myler, Luneau, Cornell, Tanner, Ellison, Mullen, Woodcock, Hall and Porter**

**\*Rep Maureen Mooney**

The bill adds chartered public schools to the procedures for consideration, approval, plan requirements, and determination of grants for school building aid.

Rep Ford, Who would own the building?

Response: It varies.

Amy Clark, DOE NH, in charge of the building aid program.

Rep Ladd, Is this rate similar to what we have for public schools.

Response: Charter schools qualify for 30%, but they are prohibited from applying. For district public schools it is 30 to 60%.

Rep Ladd, Where does the Charter school go to get the authorization to raise the rest locally (ie. 70%). For example, public school one would go to the Town Meeting to raise the funds.

Response: She would have to defer to others. Currently the Charter schools would have to come up with 100% of the money themselves.

Rep Porter, How do capital improvements work for a Charter school that does not own the building.

Response: There is lease aid that Charter schools do qualify for. Charter schools can apply for the lease aid. Yet, a Charter school that owns a building, cannot apply for building or lease aid.

Rep Moffett; Is there only one Charter school that owns its own building.

Response: She is not sure, but the number of Charter schools is growing.

Building aid is capped at a certain amount of money. Let's say there is 40 million available for building aid, she currently has applications for 260 million in building aid. The Charter schools would be one of the schools vying for a portion of the 40 million dollars. There are five common reasons for applying for building aid: To build a brand new building, substantial renovation, adding on, purchasing energy efficient building, and purchasing land.

Rep Tanner, Are there federal funds available for building aid for Charter schools.

Response: She is not comfortable answering because this does not come through her department, but due to COVID there are ESSER funds and ARP funds. Otherwise, there is no federal aid for building Charter schools.

Rep Ladd, if someone walks away after receiving building aid in less than 20 years, then money is due back.

Response: Yes, watch the penalty section. If a school leaves the project within twenty years, they must pay it back. Typically this happens at year 18 or 19. So they handled these situations by not paying building aid after year 18.

Look at lines 3 through 6 on page 2, this proposal leaves this up to DOE what they do. It may be a recommendation that this committee determine what the rate will be.

#### **Nate Green- DOE- technical assistance**

Rep Boehm, A Charter school gets a new license every five years. Who owns the property if the Charter school goes out of business or does not get their license renewed?

Response: Charter schools are required to have a plan of dissolution if any of this happens, and this plan must be signed off on by the DOE. If anything is not spelled out in the plan, those assets would go to the local school district.

Rep Luneau, If these assets revert back to local districts. Would the local district assume any of the liabilities?

Response: He does not believe so, but he needs to check back on this.

Rep Luneau, So the state could be left holding the bag on this?

Response: Yes, but I would have to check on this.

Amy Clark, suggestions if we Amend, Lines 7 and 21 reference an RSA, this is the formula for the local school districts, you would want to reference the rate for the Charter school systems.

#### **Kim Lavalley - Supports**

Will defer her time to others to speak to this bill.

#### **Attorney Bob Best - Supports**

Has always felt getting building funding has been a big barrier for more Charter schools to begin.

For a long time there was a law that prohibited Charter schools from carrying long term debt. This bill has been repealed, but still very difficult for Charter schools to get a loan.

Every Charter school is a 501c3 overseen by the AG.

Is relying on generosity really the way to support public schools? These are public schools.

#### **Bill Phillips, VP of State Advocacy and Support for the National Alliance for Public Charter Schools**

He is here in support of HB 1499. They are forced to use their operational funding on a building, which cuts into programming.

Charters serve about 7% of children in poverty, as opposed to 3.5% of children in poverty in public schools. We may want to consider the building aid at a median number, such as 40%. Typically, the bonding is private. The building aid would make it easier to get private funding. The reason most of the Charters are leasing, they literally cannot afford to purchase a building. Dissolution process suggestion would be to sell off the building, and once the asset (building) is sold that is how you pay back the loan and the state.

You have to put the bond holder in front and the state second or the Charters will still never get bonds/loans.

#### **Matt Southerton, NH Alliance for Public Charter Schools**

We have 3 schools that currently own their own buildings. One school owns property and would like to build. Two other schools have their own, but lease back from the organizations.

Respectfully submitted,

Rep. Melissa Litchfield, Clerk





# House Remote Testify

## Education Committee Testify List for Bill HB1499 on 2022-01-26

Support: 3 Oppose: 18 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Ward, Senator Ruth	Stoddard, NH ruth.ward@leg.state.nh.us	An Elected Official	Senate District 8	Support	No	No	1/6/2022 12:18 PM
Fenner-Lukaitis, Elizabeth	Warner, NH glukaitis@mcttelecom.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 6:07 AM
Bates, David	Warner, NH dbates3@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 9:48 AM
O'Neill, Nan	Salisbury, NH Raptorko@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 11:23 AM
O'Neill, Kevin	Salisbury, NH raptornan@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/18/2022 9:14 AM
Humphrey, Patricia	Chichester, NH pghu@comcast.net	A Member of the Public	Myself	Support	No	No	1/22/2022 3:52 PM
Nardino, Marie	Andover, NH mdnardino@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/22/2022 4:06 PM
Best, Robert	Merrimack, NH RobertLBest@Comcast.net	A Member of the Public	Myself	Support	No	No	1/23/2022 7:08 PM
Zaenglein, Barbara	Amherst, NH bzaenglein@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/23/2022 11:37 PM
Zaenglein, Eric	Amherst, NH henley11@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/23/2022 11:38 PM
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 7:41 AM
Vogt, Robin	PORTSMOUTH, NH robin.w.vogt@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 7:52 AM
Kendrick, Michelle	Warner, NH michb16@aol.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 12:34 PM

Hirai, Barbara	Lebanon, NH BPHirai@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 5:32 PM
St Pierre, Melissa	Warner, NH rmbtsaints@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/24/2022 7:25 PM
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/24/2022 8:28 PM
Campbell, Karen	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/25/2022 11:26 PM
Mott-Smith, Wiltrud	Loudon, NH wmottsm@worldpath.net	A Member of the Public	Myself	Oppose	No	No	1/26/2022 9:30 AM
Fraysse, Michael	Epsom, NH mikefraysse@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/26/2022 9:50 AM
Frew, Jerome	Concord, NH jerry@nhsaa.org	A Lobbyist	NHSAA	Oppose	No	No	1/26/2022 2:10 PM
Howes, Debrah	Bow, NH president@aft-nh.org	A Lobbyist	American Federation of Teachers - NH	Oppose	No	No	1/26/2022 3:33 PM

**Archived:** Friday, January 28, 2022 9:23:08 AM  
**From:** [JESSICA WACHSMAN](#)  
**Sent:** Tuesday, January 25, 2022 4:13:02 PM  
**To:** [~House Education Committee](#)  
**Subject:** Building Aid Bill HB1499  
**Importance:** Normal

---

Hello-

I am writing to show my support for HB1499 relative to including Charter Schools to be eligible for Building Aid. Charter Schools have long had a place in NH education and will continue to do so for years. Allowing them access to apply for this money can have lifetime benefits for the students in these programs. These schools don't have access to local money when they want to build a permanent home for the amazing programs that have been created and continue to thrive.

Thank you

Jessica Wachsman

Salem, NH



*Barrett M. Christina, Executive Director*  
*Brenda Willis, President, Derry Cooperative*  
*Holly Kennedy, First Vice-President, Hinsdale*  
*Travis Thompson, Past-President, Exeter Regional Cooperative*

*25 Triangle Park Drive, Suite 101*  
*Concord, NH 03301*  
*Phone: (603) 228-2061*  
*www.nhsba.org*

January 25, 2022

Dear Chairman Ladd and members of the House Education Committee,

On behalf of the New Hampshire School Boards Association, please accept this correspondence as NHSBA's written testimony relative to the multitude of bills listed below, related to the provision of special education services and related to general education in charter schools:

**HB 1047:** relative to the chartered public school joint legislative oversight committee.

**HB 1074:** relative to notice to a chartered public school of a special education services meeting.

**HB 1132:** relative to applications for a charter conversion school.

**HB 1141:** relative to special education services for children in chartered public schools.

**HB 1193:** relative to chartered public school fees and enrollment policies.

**HB 1212:** relative to charges for chartered public school transportation.

**HB 1402:** relative to inclusion of chartered public schools in school district bond issuance votes.

**HB 1428:** relative to the provision of special education services by chartered public schools.

**HB 1453:** relative to transportation to a chartered public school.

**HB 1499:** relative to chartered public school eligibility for state school building aid.

There are also two Senate bills related to charter schools:

**SB 238:** relative to special education services in chartered public schools.

**SB 386:** relative to the determination of state adequate education grants and chartered public school tuition amounts.

It should be noted that local districts have attempted to gain clarity around the provision of special education services in public charter schools, offering information and fiscal impacts, as well as providing additional data to, and gathering additional information from, the New Hampshire Department of Education.

In 2021, the NH State Board of Education was scheduled to hold two “retreat” days, to discuss special education in charter schools, stating that experts, as well as those in the field, would be presenting to the state board, in a collaborative effort to potentially revise the charter school rules to reach a better understanding between charter schools and local districts. While the state board did hold one day of “retreat” to discuss general education in charter schools, the days dedicated to addressing special education in charter schools were never held.

It is also important to recognize that New Hampshire is the only state which handles special education in public charter schools in our current format. There are no other states to look to, in regards to implementation of special education services by multiple districts based on the student’s district of residence in one charter school, and to address the complexities of this model.

NHSBA would support the possibility of a Memorandum of Understanding being developed by the Department of Education, to be used between public charter schools and local school districts, which would encapsulate the concerns brought forth in the charter school bills filed this session. Additional topics addressed could include, but not be limited to such topics as what is considered the least restrictive environment, rate setting by the Department of Education for charter schools to bill back to local districts for special education or related services, transportation of students to charter schools, meeting notification, etc. All of these concerns are currently left to local districts now, to negotiate with each separate charter school where students attend. For some districts, this can mean trying to meet with between 5-10 charter schools, some far from the district of residence.

Please do not hesitate to reach out with any further questions or if NHSBA can be of any further assistance.

Respectfully submitted,

Rebecca R. Wilson, NHSBA, Director of Governmental Relations

**Archived:** Thursday, February 10, 2022 11:15:54 AM  
**From:** [Rick Bartle](#)  
**Sent:** Wednesday, January 26, 2022 9:07:03 AM  
**To:** [~House Education Committee](#)  
**Cc:** [Matt Southerton](#); [Jennifer Cava](#)  
**Subject:** HB1499 - Academy for Science & Design  
**Importance:** Normal

---

Members of the House Education Committee,

I am writing to you on behalf of the **Academy for Science & Design (ASD)** to express our support for **HB1499**. The passage of this Bill would open up access to state building aid to the 29 Public Charter Schools in NH.

Located in Nashua, ASD serves over 500 students from 34 communities around the state. Since 2007 ASD has provided a rigorous, STEM focused curriculum to students in grades 6 through 12.

NH's charter schools often struggle to find and maintain facilities that are ideally suited for the best educational outcomes. Access to additional sources of funding for building and facility needs would directly benefit NH's students and future workforce.

The ASD community urges the House Education Committee to approve HB1499 for today's students and tomorrow's leaders.

Most Sincerely,

Richard Bartle  
Chair - Board of Trustees  
The Academy for Science & Design  
Nashua, NH

**Archived:** Thursday, February 10, 2022 11:15:55 AM

**From:** [Pamela Sarantis](#)

**Sent:** Tuesday, January 25, 2022 6:59:20 PM

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

**Subject:** HB1499

**Importance:** Normal

---

House Education Committee,

I am a Trustee at The Birches Academy of Academics and Art in Salem, NH. I am writing in support of adding Public Charter Schools to HB1499 in order to make charter schools eligible to apply for Building Aid.

As you know, charter schools don't receive funding equivalent to traditional public schools. The Birches Academy just celebrated its 10 Year Anniversary. We have seen almost 1000 students go through our school since inception. We have a waiting list of over 100 students! Our school currently leases space but we are looking to find a permanent home to continue providing the unique educational opportunities that have been created. It is vital that we have the ability to apply for funding to make this possible.

Please vote in favor of this bill.

Thank you,

Pamela Sarantis

The Birches Academy of Academics and Art



**Archived:** Friday, January 28, 2022 9:23:08 AM  
**From:** [Mike Gendreau](#)  
**Sent:** Tuesday, January 25, 2022 6:31:17 PM  
**To:** [~House Education Committee](#)  
**Subject:** Support for HB 1499  
**Importance:** Normal

---

Committee Members -

My wife Denise and I are residents in Pelham NH. We have 4 sons and over the past decade have had to make tough choices on our sons education. We were blessed that in NH there were options other than the traditional public school and not expensive just private schools. We checked out and fell in love with the Birches Academy. It was a perfect fit for our sons. We had no idea what a charter school was but learned quickly it was a public school and free to residents of NH. What we also learned was that these schools are not fully funded which is puzzling. Luckily there are motivated parents who are willing to pay the thousands of dollars we spend on property taxes but still find resources to help our charter school(s) to give them all that they need to educate our precious children.

Again we ask that you please support and vote YES for HB 1499 so when charter schools. Charter schools get no access to local funds when they want to build a permanent home to keep their amazing programs going. Our children are our future and we need to give them educational choice. There is nothing more important than understanding not all children can fit in the same box.

Thank you for taking the time to read our email.

Sincerely,

Michael & Denise Gendreau

978-764-0309

[email4mike@comcast.net](mailto:email4mike@comcast.net)

**Archived:** Thursday, February 10, 2022 11:15:55 AM  
**From:** [Bradley Stamp](#)  
**Sent:** Tuesday, January 25, 2022 10:26:40 AM  
**To:** ~House Education Committee  
**Cc:** [Tom Dougherty](#); [abottomley@macsnh.org](mailto:abottomley@macsnh.org)  
**Subject:** Support for HB1499 - Eligibility for charter school building aide  
**Importance:** Normal

---

Dear House Education Committee Members,

As a board trustee at the Microsociety Academy Charter School in Nashua NH, I wanted to express my support for the pending HB1499 bill along with Tom Dougherty, our Chairman of the Board. Tom previously emailed a letter expressing his support for the bill and outlined his reasoning and some of our past expenses that could have been supported by this legislation. I wanted to add that like most facilities maintenance is an ongoing activity. Currently we are in need of additional roof repairs, driveway resurfacing (estimates of \$60k - \$100k), siding and window repairs to name just a few such projects. Passing this legislation would go a long way towards assisting us with all of our goals to provide our kids with the best education possible.

The House Education Committee knows the importance of providing our kids a great education and the need to ensure that the facilities can be supported without taking away from the educational resources required to adequately support the programs. We appreciate your support in passing this important legislation. Thank you for your attention and support.

Sincerely,

Bradley Stamp  
Board of Trustees  
Chairperson Facilities Committee  
MicroSociety Academy Charter School Foundation  
[bstamp@macsnh.org](mailto:bstamp@macsnh.org)



**Archived:** Thursday, February 10, 2022 11:15:55 AM

**From:** [Christine Miele](#)

**Sent:** Tuesday, January 25, 2022 4:48:41 PM

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

**Subject:** Supporting HB1499

**Importance:** Normal

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Good afternoon -

I am emailing to support HB1499 on behalf of The Birches Academy of Academics and Art. I, as a founder of that school, support adding Charter Schools to be eligible to apply for Building Aid. Charter Schools, which are public schools, are funded at a lower level and don't have access to local funds when wanting to build a permanent home for the amazing programs that have been created. Thank you for consideration in this critical legislation.

Christine Miele

Founder and Board Member

The Birches Academy of Academics and Art

**Rep. Maureen C. Mooney**  
*Town of Merrimack (Hillsborough #21)*

<b><u>Testimony:</u></b>	<b>HB 1499 AN ACT relative to chartered public school eligibility for state school building aid</b>
<b><u>Hearing:</u></b>	<b>House Committee on Education ~ January 26, 2022 at 3:00pm</b>
<b><u>Position:</u></b>	<b>In <u>Support</u> as Prime Sponsor</b>

My name is Maureen Mooney, a State Representative for the Town of Merrimack in Hillsborough County, district #21. I am the prime sponsor of **HB 1499 AN ACT** relative to chartered public school eligibility for state school building aid. I am **in support** of this bill.

HB 1499 adds chartered public schools to a series of references within the statutes for school building aid eligibility. Additionally, in section 10 of the bill there is a repeal of RSA 194-B:11, VII which prohibits chartered public schools from receiving school building aid.

School building aid is defined on the NH Department of Education's website as "... *a program authorized by RSA 198:15-a, through which the State of New Hampshire provides financial assistance to local school districts for the construction or substantial renovation of educational facilities for grades K-12.*" The passage of HB 1499 will fully complete this definition by adding chartered public schools that are and continue to be great contributors as K-12 New Hampshire public schools.

Thank you for your attention to this matter and service to our State.

Respectfully Submitted,  
Rep. Maureen Mooney

January 26, 2022

My name is Bill Phillips. I am the Vice President of State Advocacy and Support for the National Alliance for Public Charter Schools. I am here to testify in support of HB 1499, AN ACT relative to chartered public school eligibility for state school building aid.

The rationale behind this bill is straightforward: Once the state determines that a charter school is sufficiently established, the school typically needs a building that better matches the program goals in the charter. Moreover, the school needs to do that in a way that doesn't force facilities payments to compromise programming.

Said another way, they need help from the state with their facilities costs. As building aid is essentially a grant, it's one of the best ways to help.

A survey of New Hampshire charter facilities was performed in 2018.<sup>1</sup> Key takeaways at the programmatic level were that the majority of New Hampshire charter schools lack amenities and specialized instructional spaces required to best implement their educational programs.

- 63 percent of charter schools (15/24) reported that their facility did not have the ideal amenities, nor desired specialized classrooms, to best implement their educational program.
- 75 percent of charter schools (18/24) indicated that they are in a facility that was not originally intended to be a school.
- 71 percent of charter schools (17/24) did not have a dedicated library/media center.
- 42 percent of charter schools serving high school students (5/12) did not have access to a dedicated science lab.
- 96 percent of charter schools (23/24) lacked a full-preparatory kitchen facility.
- 50 percent of charter schools (12/24) indicated that they do not have a lunch room.

We understand these facilities issues can't be fixed all at once, which is why we worked with Representative Mooney and the New Hampshire Charter Schools Alliance to present you with multiple ways to help chip away at the problem. It's also why we appreciate your willingness to increase to lease aid last year.

Our hope is that you take this next step to put charters more closely on a par with district schools by granting them access to building aid.

Respectfully,  
Bill Phillips

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<sup>1</sup> An Analysis of the Charter Schools Facilities Landscape in New Hampshire, March 2018, The Charter Schools Facilities Initiative, National Charter Schools Resource Center at Safari Partners.

HB 1499 - AS INTRODUCED

2022 SESSION

22-2713

10/08

HOUSE BILL            **1499**

AN ACT                relative to chartered public school eligibility for state school building aid.

SPONSORS:            Rep. Mooney, Hills. 21; Rep. Cordelli, Carr. 4; Rep. Healey, Hills. 21; Rep. Notter, Hills. 21; Sen. Ward, Dist 8; Sen. Carson, Dist 14

COMMITTEE:          Education

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ANALYSIS

This bill adds chartered public schools to the procedures for consideration, approval, plan requirements, and determination of grants for school building aid.

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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 Two*

AN ACT relative to chartered public school eligibility for state school building aid.

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

1           1 School Building Aid; Grants for School Construction; Chartered Public Schools. Amend RSA  
2 198:15-a, I and II to read as follows:

3           I. To aid local school districts **and chartered public schools under RSA 194-B** in meeting  
4 the costs of school buildings, the department of education shall, from funds appropriated by the  
5 general court to carry out the provisions of this subdivision, pay to the school districts **and**  
6 **chartered public schools** of the state, sums in accordance with the provisions of this subdivision or  
7 the alternative school building aid provisions under RSA 198:15-u through RSA 198:15-w.

8           II. Beginning with construction authorized by a local school district **or chartered public**  
9 **school** on or after July 1, 2013, office facilities for school administrative units and the purchase or  
10 lease-purchase of temporary space for any purpose, including but not limited to modulars, trailers, or  
11 other similar structures to be used as classroom, office, or storage space shall not be eligible for  
12 school building aid grants.

13           2 Amount of Grant; Criteria for Chartered Public Schools. Amend RSA 198:15-b, I(a)(2)(A)-(C)  
14 to read as follows:

15                   (2)(A) For construction authorized by a school district after July 1, 2013, school  
16 building aid grants for new construction shall not exceed the state appropriation for school building  
17 aid for the fiscal year, less any debt service payments due and owing in the fiscal year for  
18 construction or renovation projects approved in a prior fiscal year, less the amount owed for  
19 construction or renovation projects approved prior to July 1, 2013 in accordance with subparagraph  
20 (a)(1), unless otherwise provided by an act of the general court. School building aid grants approved  
21 pursuant to RSA 198:15-u through RSA 198:15-w, shall be disbursed to school districts **and**  
22 **chartered public schools** pursuant to this subparagraph and no state bonds shall be authorized or  
23 issued for the purpose of funding school building aid grants. The amount of the grant to any school  
24 district duly organized, any city maintaining a school department within its corporate organization,  
25 any cooperative school district as defined in RSA 195:1, any receiving district operating an area  
26 school as defined in RSA 195-A:1, or any receiving district providing an education to pupils from one  
27 or more sending districts under a contract entered into pursuant to RSA 194:21-a or RSA 194:22,  
28 shall be calculated based on the criteria set forth in RSA 198:15-v.

29                   (B) The state board of education shall approve the disbursement of 80 percent of the  
30 eligible grant amount upon approval of the application for school building aid grants by the state

HB 1499 - AS INTRODUCED

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1 board of education, and shall disburse the balance of the grant amount upon completion of the  
2 construction and verification of the final cost of construction by the department of education.

3 (C) The amount of the grant to any chartered public school established in accordance  
4 with RSA 194-B:3-a shall be *between* 30 percent *and 60 percent* of the eligible cost of construction.  
5 ***The state board of education shall develop criteria to determine an amount that most***  
6 ***closely approximates the formula for school districts.***

7 3 Building Aid; Use of Land, Buildings, or Facilities. Amend RSA 198:15-b, I(b)(1) and (2) to  
8 read as follows:

9 (1) A school district, a city maintaining a school department within its corporate  
10 organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an  
11 area school as defined in RSA 195-A:1, ***a chartered public school***, or a receiving district providing  
12 an education to pupils from one or more sending districts under a contract entered into pursuant to  
13 RSA 194:21-a or RSA 194:22, shall have first priority in the use of such land, buildings, or facilities  
14 for 10 years or the life of any bond or note issued to provide funds for such land, buildings, or  
15 facilities, whichever is greater.

16 (2) A school district, a city maintaining a school department within its corporate  
17 organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an  
18 area school as defined in RSA 195-A:1, ***a chartered public school***, or a receiving district providing  
19 an education to pupils from one or more sending districts under a contract entered into pursuant to  
20 RSA 194:21-a or RSA 194:22, shall submit, when applying for aid under this chapter, the least costly  
21 building plan based on a 20-year life cycle cost analysis that meets minimum state building  
22 standards in this chapter along with any alternative plans that may be proposed.

23 4 Maintenance Plan. Amend the introductory paragraph of RSA 198:15-b, I-a(a) to read as  
24 follows:

25 I-a.(a) In addition to the requirements of paragraph I, each school district ***or chartered***  
26 ***public school***, prior to receipt of any grant moneys, shall submit for review and approval a written  
27 maintenance plan describing in detail how the school district intends to maintain the new facilities  
28 to be constructed with state aid grant moneys. The required maintenance plan shall include, but not  
29 be limited to, the following information:

30 5 Equipment Assurance. Amend RSA 198:15-b, I-a(k) to read as follows:

31 (k) A statement of assurance, signed by the chair of the school board ***or the chair of the***  
32 ***board of trustees of the chartered public school***, which indicates that the district ***or chartered***  
33 ***public school*** intends to maintain and service all installed equipment according to the  
34 manufacturer's instructions.

35 6 Department of Education; Construction Proposal Criteria. Amend RSA 198:15-c, II(b)(5) and  
36 (6) to read as follows:



1 (5) Whether a school district *or chartered public school* has made a reasonable  
2 attempt to accommodate maintenance activities including scheduled and unscheduled repairs,  
3 upkeep, minor alterations, enhancements to buildings, and preventive maintenance necessary to  
4 achieve the design life expectancy of building systems and components. School districts *and*  
5 *chartered public schools* shall be required to provide maintenance records and other  
6 documentation, if necessary, concerning maintenance program activities for scheduled and  
7 unscheduled repairs, upkeep, minor alterations, and enhancements of district buildings.

8 (6) A school district's *or chartered public school's* fiscal capacity based on  
9 measurable criteria such as the percentage of pupils eligible for free and reduced price meals.

10 7 Project Resubmission. Amend RSA 198:15-c, II(c) to read as follows:

11 (c) A school district, a city maintaining a school department within its corporate  
12 organization, a cooperative school district as defined in RSA 195:1, a receiving district operating an  
13 area school as defined in RSA 195-A:1, *a chartered public school*, or a receiving district providing  
14 an education to pupils from one or more sending districts under a contract entered into pursuant to  
15 RSA 194:21-a or RSA 194:22, with projects for which there is insufficient state grant funding may  
16 resubmit those projects to the department pursuant to the provisions of this section.

17 8 Project Manager. Amend RSA 198:15-b, IV to read as follows:

18 IV. A school district *or chartered public school* that accepts school building aid for  
19 construction shall engage the services of a project manager for construction or reconstruction  
20 projects of \$1,000,000 or more, unless the commissioner waives such requirement as unnecessary.  
21 The school district's *or chartered public school's* project manager shall have his or her own  
22 comprehensive liability and auto insurance, worker's compensation coverage, and professional  
23 liability coverage. The state board of education shall adopt rules pursuant to RSA 541-A relative to  
24 the required services, responsibilities, and qualifications for the [school district's] project manager.

25 9 Time of Computation of Grant. Amend RSA 198:15-d to read as follows:

26 198:15-d Time of Computation of Grant. As of January 1 in each year, the department of  
27 education shall cause to be computed the amount of the annual grants for school building aid to be  
28 paid to eligible school districts *and chartered public schools* in the succeeding fiscal year. The  
29 computation shall be based upon the total of eligible costs of construction of school buildings  
30 approved by the *chartered public school or the* legislative body of the school district and the  
31 department of education for which loans are outstanding in each school district for the fiscal year in  
32 which the computations are made.

33 10 Repeal. RSA 194-B:11, VII, relative to the prohibition on chartered public schools receiving  
34 school building aid, is repealed.

35 11 Effective Date. This act shall take effect July 1, 2022.