

**CONSENT CALENDAR**

**January 31, 2023**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Education to which was referred HB  
365,**

**AN ACT relative to a statewide facility condition  
assessment for school buildings. Having considered the  
same, report the same with the recommendation that  
the bill OUGHT TO PASS.**

**Rep. Rick Ladd**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Education</b>
Bill Number:	<b>HB 365</b>
Title:	<b>relative to a statewide facility condition assessment for school buildings.</b>
Date:	<b>January 31, 2023</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>OUGHT TO PASS</b>

### STATEMENT OF INTENT

This bill encourages school districts to provide the Department of Education (DOE) with long-range capital improvement program reports that identify current projected school facility goals and needs for the 10-year plan as stated in RSA 198:15-a, V. Both the department and the legislature will use report information to better plan, prioritize, and project anticipated capital construction and renovation expenditures relative to the state building aid program. It is understood that NH's student population has decreased significantly in the past 15 years, from a population over 210,000 to a population approximating 164,000; however, the need for new construction or renovation projects remains a high priority for many districts. Over 50% of NH's school buildings are over 60 years old. Seven of these schools are over 68 years old and have not had a major renovation in more than 50 years. Student achievement is also linked or associated with schools that have appropriate and adequate space: nursing, science labs, cafeteria space, gym, storage, conferencing, media/library, special education, and more. The state has also just finished a prolonged 10-year school building moratorium that has resulted in a backlog of districts anticipating state school building aid support. To compound the issue, most of the older schools and schools with significant health, safety, and access concerns are located in areas of greatest poverty. For the upcoming biennium, the DOE has received 17 building aid requests that total \$564.3M, of which the state's share would be \$227.7M. School building aid needs legislative attention, and this bill is a step forward in providing a more thorough understanding of statewide school building construction and renovation projects that require legislative focus and support in the next 10 years. This bill is supported by DOE and has the unanimous, bipartisan support of the Education Committee.

Vote 20-0.

Rep. Rick Ladd  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### Education

**HB 365**, relative to a statewide facility condition assessment for school buildings. **OUGHT TO PASS.**

Rep. Rick Ladd for Education. This bill encourages school districts to provide the Department of Education (DOE) with long-range capital improvement program reports that identify current projected school facility goals and needs for the 10-year plan as stated in RSA 198:15-a, V. Both the department and the legislature will use report information to better plan, prioritize, and project anticipated capital construction and renovation expenditures relative to the state building aid program. It is understood that NH's student population has decreased significantly in the past 15 years, from a population over 210,000 to a population approximating 164,000; however, the need for new construction or renovation projects remains a high priority for many districts. Over 50% of NH's school buildings are over 60 years old. Seven of these schools are over 68 years old and have not had a major renovation in more than 50 years. Student achievement is also linked or associated with schools that have appropriate and adequate space: nursing, science labs, cafeteria space, gym, storage, conferencing, media/library, special education, and more. The state has also just finished a prolonged 10-year school building moratorium that has resulted in a backlog of districts anticipating state school building aid support. To compound the issue, most of the older schools and schools with significant health, safety, and access concerns are located in areas of greatest poverty. For the upcoming biennium, the DOE has received 17 building aid requests that total \$564.3M, of which the state's share would be \$227.7M. School building aid needs legislative attention, and this bill is a step forward in providing a more thorough understanding of statewide school building construction and renovation projects that require legislative focus and support in the next 10 years. This bill is supported by DOE and has the unanimous, bipartisan support of the Education Committee. **Vote 20-0.**

Original: House Clerk

Cc: Committee Bill File

**HOUSE COMMITTEE ON EDUCATION**

**EXECUTIVE SESSION on HB 365**

**BILL TITLE:** relative to a statewide facility condition assessment for school buildings.

**DATE:** January 31, 2023

**LOB ROOM:** 207

**MOTIONS:** **OUGHT TO PASS**

Moved by Rep. Ladd

Seconded by Rep. Myler

Vote: 20-0

**CONSENT CALENDAR: YES**

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

Respectfully submitted,

Rep Arlene Quaratiello, Clerk

HOUSE COMMITTEE ON EDUCATION  
EXECUTIVE SESSION on Bill # HB 3165

BILL TITLE: ... Statewide Facility Assessment  
DATE: 1/31/23  
LOB ROOM: 205-207

MOTION: (Please check one box)

OTP       ITL       Retain (1<sup>st</sup> year)       Adoption of Amendment # \_\_\_\_\_  
 Interim Study (2nd year)      (if offered)  
Moved by Rep. Ladd      Seconded by Rep. Myler      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. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

MOTION: (Please check one box)

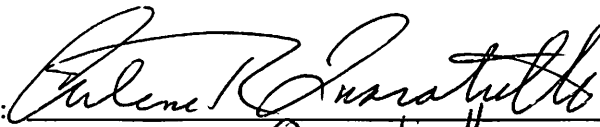
OTP       OTP/A       ITL       Retain (1<sup>st</sup> year)       Adoption of Amendment # \_\_\_\_\_  
 Interim Study (2nd year)      (if offered)  
Moved by Rep. \_\_\_\_\_      Seconded by Rep. \_\_\_\_\_      Vote: \_\_\_\_\_

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

CONSENT CALENDAR:  YES       NO

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

Respectfully submitted:   
Rep. Quaratiello, Clerk



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/6/2023 12:35:36 PM  
Roll Call Committee Registers  
Report

2023 SESSION

Education

Bill #: HB 365 Motion: OTP AM #: \_\_\_\_\_ Exec Session Date: 1/31/23

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman	20		
Cordelli, Glenn Vice Chairman	1		
Lekas, Alicia D.	2		
Ford, Oliver J. Clerk	3		
Belcher, Mike S	4		
Drye, Margaret M.	5		
McDonnell, Valerie E	6		
Noble, Kristin	7		
Peternel, Katy	8		
Quaratiello, Arlene	9		
Myler, Mel	10		
Cornell, Patricia	11		
Tanner, Linda L.	12		
Luneau, David J.	13		
Ellison, Arthur S.	14		
Woodcock, Stephen L.	15		
Hall, Muriel C.	16		
Balboni, Peggy	17		
Cascadden, Corinne E	18		
Damon, Hope	19		
<b>TOTAL VOTE:</b>	<b>20</b>	<b>0</b>	

**HOUSE COMMITTEE ON EDUCATION**

**PUBLIC HEARING ON HB 365**

**BILL TITLE:** relative to a statewide facility condition assessment for school buildings.

**DATE:** January 19, 2023

**LOB ROOM:** 205-207                      **Time Public Hearing Called to Order:** 1:00 pm

**Time Adjourned:** 1:30 pm

**Committee Members:** Reps. Cordelli, Ladd and O. Ford, Belcher, Drye, McDonnell, Noble, Quaratiello, Myler, Cornell, Tanner, Woodcock, Hall, Damon

**Bill Sponsors:**

**Rep. Ladd**

**TESTIMONY**

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

**\*Rep Ladd**

- Prime sponsor of bill
- Research shows students in poor condition buildings perXXX 15+ percent lower than students inadequate condition. Most poor schools are in poor communities.
- 1961 State Building Aid established. Back off time lines to enable data needed, 10 yr. plan etc.

**Rep. Myler**

- Intent is to gain necessary information to know what is needed and hoe to rank order.

**Rep. Woodcock**

- Question: Why not mandate?
- Response: To avoid "unfunded"

**Respectfully Submitted,**

**Rep. Oliver Ford, Clerk**





# House Remote Testify

## Education Committee Testify List for Bill HB365 on 2023-01-19

Support: 5 Oppose: 0 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>
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Support	No	No	1/14/2023 9:53 AM
Wilson, Becky	Concord, NH bwilson@nhsba.org	A Lobbyist	NHSBA	Support	No	No	1/18/2023 2:20 PM
Cahill, Michael	Newmarket, NH michael.cahill@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/19/2023 7:42 AM
Bellemare, Bridey	Concord, NH bbellemare@nhasp.org	A Lobbyist	The New Hampshire Association of School Principals (NHASP)	Support	No	No	1/19/2023 11:45 AM
Tentarelli, Liz	Newbury, NH LWV@kenliz.net	A Member of the Public	Myself	Support	No	No	1/19/2023 1:19 PM



1/19/23

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

**RE: HB 365**

Dear Members of the House Education Committee,

I am writing on behalf of the members of the New Hampshire Association of School Principals (NHASP) to ask that you please vote in support of [HB 365](#), which would encourage school districts to submit long-range capital improvement plans to the NH Department of Education. NHASP supports this legislation for the following reasons:

- This bill would encourage school districts to provide the NHED with a long-range capital improvement plan that identifies school facility goals, provides projected expenditures, and outlines procedures and guidelines to be followed to accomplish goals.
- The bill also requires the NHED to use this information to better plan, prioritize, and project new anticipated capital construction and renovation expenditures relative to the state building aid program.
- NHASP members seek adequate resources and formulas to ensure that all students and families have access to robust and equitable systems for learning and opportunity. Requiring the NHED to use data directly from school districts to develop capital improvement plans may give lawmakers a better understanding of community needs when talking about the state's school building aid program.

We thank you in advance for your consideration. Please reach out to the New Hampshire School Principals Association (NHASP) if you have any questions, or if we can be of further assistance.

Respectfully Submitted,

*Bridey Bellemare*

Bridey Bellemare,  
Executive Director, NHASP

Daniel Richardson

This should be modified for 10-year look-ahead to require inclusion of school district's factual rationale/basis for it's projected changes to facilities.

Michael Cahill

Yes, we and the school districts should work to identify the school facilities in need of renovation so as to plan for and share the expense.

**House Education Committee – January 19, 2023**  
**Testimony – HB365 – Rep Rick Ladd, Grafton 5, Haverhill**  
*“Relative to statewide facility condition assessment for school buildings”*

**Purpose of Bill:** In support of the 10-year school facilities plan, districts are encouraged to submit projected long-range capital needs, to include the identification of school renovation or construction goals, associated projected expenditures, and procedures to accomplish stated needs. The department shall use this information to better plan, prioritize, and project new anticipated capital construction and renovation expenditures relative to the state building aid program.

*“The success of our whole system depends as much on a thorough reform in the construction and care of school-houses as upon any other single circumstance whatever.”*

From the Report of the Commissioner of Common Schools to the NH Legislature, June 1847

Recommendations, Committee on Public School Districts and Supervisory Unions, 1961

*“It is recommended that a State School Building Aid Authority be established to provide financial assistance standard plans and insurance for the schools and school districts of New Hampshire.”*

### **Why a Need for School Building Aid?**

- 50% of school buildings in NH are over 60 years old
- 6% built prior to 1900
- 26% built prior to 1950
- 7 schools are over 68 years old have NOT had a major renovation in more than 50yrs.
- 196 schools (60%) originally built.....50+ years ago
- 15% of schools are using portables (5% are using 4 or more portables)
- Numerous HVAC systems in fair, poor or in need of replacement (Covid Relief Funds have helped. Prior to Covid, 19% identified as fair, poor or needing replacement)
- 10 year building aid moratorium
- New construction or renovation funds minimal due to state debt (tail). Approximately 50% of biennium appropriation.

### **Educational learning associated with school facilities:**

- Students in poor buildings (needing significant renovations/ upgrades) perform less well than students in functional buildings
- Research indicates that student in poor buildings score 5 to 10 percentile points below students in functional facilities
- The difference in achievement scores can be as high as 17 percentile points
- Older buildings generally do not have:
  - Control of thermal environment
  - Acceptable lighting
  - Acoustical control
  - Functional equipment
  - Appropriate space (nurse, sciences, cafeteria, storage, gym, conference, special education, etc.)
- To compound the issue, MOST of the older schools and those in poor conditions are located in areas of Greatest Poverty
- There is a strong link between school building aid and the delivery of an adequate education

- **10 Year Plan Needed:** Method to identify, enhance, cost and prioritize school facilities... in a safe, healthy and efficient manner. Considerations: Security, connectivity, instructional space, energy use, technology, community poverty, etc.

**Aspects of Current Building Application and Procedures Needing Consideration:**

- Department and legislative planning, prioritization, anticipated capital appropriations, source of revenue relative to School Building Aid
- Application timelines (letter of intent, preliminary information gathered by district/ building/site, schematic design by architect, waiver considerations, compliance with application elements and requirements, application submittal date, NHED review and ranking, third party (School Building Authority), appeal process, state board approval of rank ordered list, established date for district to submit warrant language to DRA, town deliberative session, spring construction start.
- Purpose of the School Building Authority, RSA-C:1 (State Treasurer, Commissioner Education, State Fire Marshal and 3 Others appointed by Governor (education, finance, construction/engineer.
- Allowable construction costs
- High Performance (energy and resource efficiencies)
- Standards (building and site to include size)
- Land acquisition
- Curricular and cocurricular components

Is a functional 10 year school facilities plan needed? Yes. Reflect on HB214 (last biennium)

# K-12 Public School Buildings

Report highlights

January 2022

## A statewide facility condition assessment of K-12 public school buildings is needed. The last assessment was done in 1993.

School districts are required to submit 10-year building maintenance plans to the Division of Building Safety. Few districts do, and nothing is done with the submitted plans.

School districts are required to allocate 2% of building replacement value on building maintenance annually. The formula used to calculate replacement value is outdated and has not been changed since 2008. Additionally, 2% may not be a sufficient requirement to meet maintenance needs.

It is inconclusive whether the increased use of special property tax levies negatively impacts the passage of school bonds; however, the current two-thirds vote threshold poses a significant barrier to bond approval.

Idaho spends the least on school buildings annually compared to neighboring states. Additionally, Idaho lacks the state-level programs and agencies of neighboring states that assist districts with capital funding and planning of their buildings.

Of the 77 school district administrators that responded to our survey, nearly 60% rated their school buildings in "fair" or "poor" condition across all school types. Responses from charter schools were more positive.

Schools rated "fair" or "poor" have deferred maintenance needs that must be addressed and buildings that may need to be replaced entirely. Schools with "excellent" and "good" assessments have little to no deferred maintenance or needed upgrades.



The gray area represents district administrators that responded with either "not applicable" or "don't know."



## Policy Considerations

The Legislature should consider commissioning a statewide facility condition assessment of school buildings. The assessment would give the Legislature an accurate and complete picture of building conditions and identify schools with the most pressing needs. The Legislature and school districts can use this information to prioritize deferred maintenance, replacement, and construction of additional schools.

View the report:  
[www.legislature.idaho.gov/ope/](http://www.legislature.idaho.gov/ope/)



HB 365 - AS INTRODUCED

2023 SESSION

23-0281

02/05

HOUSE BILL           **365**

AN ACT               relative to a statewide facility condition assessment for school buildings.

SPONSORS:          Rep. Ladd, Graf. 5

COMMITTEE:        Education

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ANALYSIS

This bill encourages school districts to provide the department of education with long range capital improvement program outlines.

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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 Three*

AN ACT relative to a statewide facility condition assessment for school buildings.

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

1 1 School Building Aid; Grant for School Construction.. Amend RSA 198:15-a, V to read as  
2 follows:

3 V. The department of education shall develop and maintain a 10-year school facilities plan of  
4 potential school building grant projects. Potential projects shall include, but not be limited to,  
5 criteria pursuant to RSA 198:15-c, II(b). The 10-year plan is intended to create a method to identify  
6 and enhance school facilities in a safe, healthy, and efficient manner while providing adequate  
7 learning environments for New Hampshire's students. The 10-year plan shall be updated every  
8 biennium to provide the department a summary of projects and school facility capital expenditures  
9 that are anticipated for the next 10 years. ~~[The state board of education shall adopt rules pursuant~~  
10 ~~to RSA 541-A relative to this paragraph.]~~ The plan shall identify new construction, renovation, and  
11 emergency projects, and describe the overall condition of projects contained in the plan. ***In support***  
12 ***of the 10-year plan, it is recommended that each district have in place and provide the***  
13 ***department a long-range capital improvement program that identifies school facility***  
14 ***goals, provides projected expenditures, and outlines procedures and guidelines to be***  
15 ***followed to accomplish goals. Each district is encouraged to review and update the***  
16 ***district's anticipated school facility capital improvement plan on a 2-year recurring basis***  
17 ***or as needed. The department shall use this information to better plan, prioritize, and***  
18 ***project new anticipated capital construction and renovation expenditures relative to the***  
19 ***state building aid program. The state board of education shall adopt rules pursuant to***  
20 ***RSA 541-A relative to this paragraph.***

21 2 Effective Date. This act shall take effect 60 days after its passage.