

New Hampshire School Boards Association
Legislative Bulletin
February 1, 2008



A Weekly Update of Important Activity in the Legislature

Labor Relations

Several proposals before the House Labor Committee seek to change the collective bargaining process:

HB 1469 - relative to public employee terms of employment, bargaining units, and dispute resolution

This bill adds, "matters directly related to safety considerations" as items to be bargained under the terms and conditions of employment, and removes "number of personnel" from managerial policy, making it subject to bargaining. The bill also reduces the minimum number of employees for a bargaining unit from 10 to 3, and requires the continuation of any pay plan if a new agreement is not reached when the contract expires (statutory evergreen clause). The bill is scheduled for a public hearing on Feb. 5 at 1:00 pm.

HB 1436 - requiring inclusion of an automatic continuation clause in collectively bargained agreements

This bill requires agreements under the public employee labor relations act to contain an automatic continuation clause, thereby mandating pay raises without voter approval, circumventing the district meeting process. The bill is scheduled for a public hearing on Feb. 5 at 11:00 am.

HB 1364 - establishing a procedure for resolution of collective bargaining disputes

This bill creates a 3-person "neutral impasse panel" to resolve disputed cost items when mediation fails. The decisions of this outside 3rd party would be final and binding on the district, again by-passing a vote of the legislative body. The bill is scheduled for a public hearing on Feb. 5 at 10:00 am.

ACTION ITEM

Please contact your local representative and members of the House Labor Committee (see <http://www.gencourt.state.nh.us/house/committees/committeedetails.aspx?code=H11>), urging defeat of these bills that tip the balance of negotiations, unilaterally implement pay raises without local voter approval, and creates bargaining units of small groups with only 3 members. The bills foster a more adversarial bargaining process leading to more impasse, with no incentive for labor to bargain a new contract when automatic pay increases are guaranteed. They also raise NH Constitution Article 28-a issues because they modify the current statutes in a way that creates additional costs for local districts.

Education Adequacy Commission

The Commission met again today and adopted a final report. A summary of the major factors: Universal Cost of \$3,334 as the current cost/pupil, with a 5% inflation factor to reach \$3,456 in the year 2009. This is based on 1 teacher per 25 students for grades k-2 and 1 teacher per 30 students for grades 3-12, a principal and administrative assistant for every 500 students, a guidance counselor for every 400 students, a media specialist for every 500 students, a technology coordinator for every 1,200 students, a custodian for every 500 students, and allowances for instructional materials, technology, professional development, facilities operation and maintenance, and transportation. Universal costs represent approximately \$700 million statewide. Additional allowances are recommended for differentiated aid based on English language learners (\$675/pupil) and special education (\$1,789 for a pupil educated in a modified regular classroom or resource room; \$3,610 for a pupil educated in a self-contained program). The report failed to identify a cost for economically disadvantaged students, but recommends using free & reduced price meal eligibility to provide additional aid, specifically that schools with the highest concentrations of these students need additional aid equal to the universal cost amount, so that, combined, the universal and differentiated aid would equal twice the universal amount. The report also recommends creation of a school-based allocation and accounting formula for the distribution of adequacy funds. The total cost should approximate current spending at close to \$900 million. Senator Estabrook indicated that proposed legislation will be introduced shortly, with expectations that the Senate will complete its work by crossover deadline in March to send the bill to the House for consideration.

Please review the ACTION ITEMS above and contact your local representatives, senators, and committee members TODAY to voice your concerns regarding legislative proposals. Remember that you, through NHSBA, are the only locally elected officials that “speak” exclusively for public education in NH.

For the complete text of any bill, go to <http://www.gencourt.state.nh.us/ns/billstatus/quickbill.html> and enter the bill number, e.g. HB1469, SB362 or CACR21 (no spaces!), and make sure the Session Year is 2008.

For more information on specific legislation, please call Dean Michener, NHSBA Director of Governmental Affairs at 603-228-2061, or email: deanm@nhsba.org.