

**New Hampshire School Boards Association  
Legislative Bulletin  
February 8, 2008**



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***A Weekly Update of Important Activity in the Legislature***

***NHSBA and Federal Issues***

This week, NHSBA President Susan Allen, First VP Clint Hanson and Second VP Jon Steiner attended the National School Boards Association's annual Federal Relations Network Conference in Washington, DC. While in Washington, your NHSBA officers met with education staff of Congresswoman Shea-Porter and Congressman Hodes, and education staff for Senator Sununu. The conversation focused on Medicaid reimbursement as well as IDEA and NCLB funding levels. In addition to funding, concerns with current provisions of NCLB were also discussed, with special emphasis on the modifications highlighted in NHSBA's resolution. A House Bill, HR 648, has been introduced by Representative Young (R, Alaska) which contains much needed improvements to be included in the reauthorization of NCLB. The bill incorporates more flexibility into the law, specifically in terms of measuring AYP, established goals for AYP, and participation rates, as well as more flexibility for students with disabilities and limited-English-proficient students. State flexibility is provided by allowing states to alter the federal framework to align with the state's own accountability system. In addition, school districts could not be denied the opportunity to provide supplemental services solely because they did not make AYP or are in improvement or corrective action status. Support for this bi-partisan bill is needed to help achieve necessary reforms to NCLB.

***And at the New Hampshire State House  
Discipline and Nonrenewal Changes Proposed in House Education***

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***HB 1328 - requires that all school employees receive due process protections as part of any disciplinary action***

This bill amends RSA 189:14 by adding the provision that schools "shall provide all employees with due process protections as part of any disciplinary action and shall not discipline any employee without just cause." The bill is scheduled for a public hearing on Feb. 12 at 11:00 pm.

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***HB 1330 - changing the procedures for nonrenewal of a teacher contract***

This bill amends RSA 189:14-a and requires the burden of proof for nonrenewal of a teacher to be on the superintendent of the local school district, who must show just cause for nonrenomination by a preponderance of the evidence. If the nonrenewal is appealed by the employee, the state board of education standard for review of the local school board's decision is changed from "clearly erroneous" to "unjust or unreasonable". The bill is scheduled for a public hearing on Feb. 12 at 11:30 am.

***ACTION ITEM***

Please contact your local representative and members of the House Education Committee (see <http://www.gencourt.state.nh.us/house/committees/committeedetails.aspx?code=H05>), urging defeat of these bills that require "due process protections" and "just cause" for all discipline of school employees. Extending due process requirements to all forms of discipline would negatively impact employees' day-to-day performance and misconduct issues. The bills also would require just cause for non-renewal of tenured teachers, and would allow them to arbitrate any non-renewal.

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**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](mailto:deanm@nhsba.org).