

New Hampshire School Boards Association

Resolutions for 2009

Adopted by the 2009 NHSBA Delegate Assembly – January 17, 2009

Education Funding:

1. The **NHSBA** opposes any constitutional amendment that vacates the spirit and intent of the Claremont and Londonderry lawsuits and attempts in any way to limit or redirect funding in a manner that is contrary to the New Hampshire Supreme Court's ruling and present interpretation of the New Hampshire Constitution. (2008)
2. **NHSBA** opposes transfer of the responsibility to provide and fund a free and appropriate education (FAPE) for special education students from resident districts to attending districts when a non-resident student is placed in a district by a parent. (2008)

Accountability:

3. **NHSBA** supports a review of NH's accountability and performance measures as well as standards established for the NH state assessment program. (2009)

Local Control and School District Autonomy:

4. The **NHSBA** supports the NH Legislature amending the "SB 2" process to allow a legislative body to specifically vote by a supermajority of 60% on a Warrant Article to create and fund a program that would then continue beyond the single year and its costs would be included as part of the following years default budget. (2008)
5. **NHSBA** opposes the 2008 change in statute implementing an "Evergreen Clause" in all negotiated contracts. This new requirement mandates the continuation of any pay plan after the expiration of a contract when a successor agreement has not been reached. Such provision exceeds previous standards and usurps local control, significantly tipping the balance of negotiations. NHSBA calls for the repeal of this new requirement, RSA 273-A:12, VII. (2009)
6. **NHSBA** opposes any mandated teacher salary schedule requiring all districts in the state to pay salaries based on a common state schedule. (2009)
7. **NHSBA** urges the NH Legislature to make changes in the language of NH RSA 189:1 and NH RSA 189:24 that will allow local school districts the authority to make their own decisions in defining a school calendar that complies with both the spirit and the letter of the law. The recommended changes are as stated below:

189:1 Days of School. – The school board of every district shall provide standard schools for at least 180 days in each year, or the equivalent number of hours if approved by the commissioner of the department of education *as required by the New Hampshire Department of Education Regulations*, at such places in the district as will best serve the interests of education and give to all the pupils within the district as nearly equal advantages as are practicable.

189:24 Standard School. – A standard school is one approved by the state board of education, and maintained for at least 180 days in each year, or the equivalent number of hours if approved by the commissioner of the department of education *as required by the New Hampshire Department of Education Regulations*, in a suitable and sanitary building, equipped with approved furniture, books, maps and other necessary appliances, taught by teachers, directed and supervised by a principal and a superintendent, each of whom shall hold valid educational credentials issued by the state board of education, with suitable provision for the care of the health and physical welfare of all pupils. A standard school shall provide instruction in all subjects prescribed by statute or by the state board of education for the grade level of pupils in attendance. (2009)

State Board of Education:

8. **NHSBA** supports a Department of Education funded study on the impact on performance of extended learning opportunities and those extended learning opportunities' relationship to the funding formula. (2009)

Federal Legislation:

No Child Left Behind

9. The New Hampshire School Boards Association (**NHSBA**) supports and applauds the stated objectives of the federal No Child Left Behind Act. While welcoming the interest of the federal government in joining school boards in the effort to improve public education, **NHSBA** objects to several key provisions in NCLB that are unworkable, too costly and inconsistent with effective efforts to raise student achievement. Specifically, **NHSBA** supports amendments to NCLB and revisions to Department of Education regulations that will provide full funding as well as flexibility in order to address the barriers facing local educational agencies (LEAs) in the successful and effective implementation of NCLB, including:
 - provide federal funding consistent with the levels authorized for education programs and the expanded information systems that are needed;
 - permit alternative methodology for determining AYP targets and progress for students with disabilities, and for students with limited English proficiency;
 - authorize alternative assessments for students with limited English proficiency and for students with disabilities beyond that of "significant

- cognitive disability”, and provide flexibility to states as to the number of students whose alternative assessments may be counted for AYP purposes;
- allow students with disabilities to take tests at their actual reading level and then include their scores for calculation with the corresponding grade level;
 - provide states more flexibility in measuring AYP in smaller districts with small subgroups. In calculating AYP, students identified in more than one group may be represented in the count for each group as an equal fraction totaling one student, ensuring that a small number of students are not over-represented.
 - provide states flexibility to adopt gain score or value-added measures for determining AYP;
 - provide for waivers and extensions for LEAs in meeting the qualification requirements for teachers and paraprofessionals;
 - when public funds under Title II, Part A are provided by LEAs to private school children, teachers, and other educational personnel for educational services on an equitable basis and in a timely manner, those private schools should be held to the same accountability standards that apply to public schools;
 - ensure that the current law and subsequent revisions recognize that education is primarily a state and local responsibility.

If the Congress and the Department of Education do not make the proposed revisions to NCLB and its regulations, then Congress should suspend implementation of the relevant aspects of the law until the changes are made. (2003-2009)

Individuals with Disabilities Education Act (IDEA)

10. Should the special education mandates of the state of New Hampshire exceed the federal special education requirements, then the state of NH should fully fund those mandates that exceed federal requirements to the local school districts. (2009)