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Introduction to NHSBA

NHSBA is a private, non-profit member driven organization

- Members comprise more than 90% of New Hampshire school boards
- We provide a variety of services to assist local school boards and districts governance and legal responsibilities
  - District/board-specific or statewide training modules or workshops
    - Subscription allows for registration at no additional cost to all NHSBA webinars & access to all materials and recordings of previous webinars
  - **General** legal or operational inquiries
  - Superintendent searches
  - Legislative advocacy
  - Policy services subscription
    - Sample policy data base 2 formal policy updates per year

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District and SAU Basics

Political and administrative frameworks for NH Public School Districts

- Each school district is a political subdivision of the state with elected officers
- An SAU (school administrative unit) is a municipal corporation whose purpose is to provide administrative "superintendent" services to one or more school districts
- Most districts governed by Annual Meeting form of government
  - voters = legislative body (in most cities, the city council is the legislative body)
  - legislative body regulate overall spending (approval of appropriations)
  - school board = governing body
  - school board retains authority for decision making re directing and overseeing fiscal management and operations

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District and SAU Basics

- One town can belong to two different school districts, e.g., K-4, and 5-12 coop
- SAU 1= single district SAU
  - Contoocook Valley Regional School District
  - 9 constituent towns (pre-existing districts)
  - 1 school board, 1 budget, 1 annual meeting
- SAU 29 = seven separate districts
  - 6 districts are lower grade only, Keene operates K-12
  - 6 district have AREA agreements to send students to Keene Middle and High
  - 7 school boards (plus SAU joint board),
  - 7 annual meetings and 7 budgets
- SAU 102 = Goshen School District - K-12 but no schools, all tuitioned

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District and SAU Basics

- Cooperative School District - two or more "pre-existing" districts join together – by vote of the legislative bodies (*RSA Chapter 195*)
  - *"regional"* school districts are cooperatives
  - can be K-12 or specific grade grouping (e.g., 5-12, or 9-12)
- Tuition contracts ~ between
  - a sending district and a receiving district for one, some or all (exclusivity) of the sending district's students (*see, e.g., RSA 194:22, 193:4)*
  - a school district and a parent (*RSA 193:3)*
- Area agreement (*RSA 195-A)* ~ a form of tuition contract, statute requires exclusivity
- Joint Maintenance Agreement – two or more districts jointly operate a school
- Public Charter School – A "public" non-profit school operating under a charter from the state, "open" to all, governed by a Board of Trustees, can't charge tuition

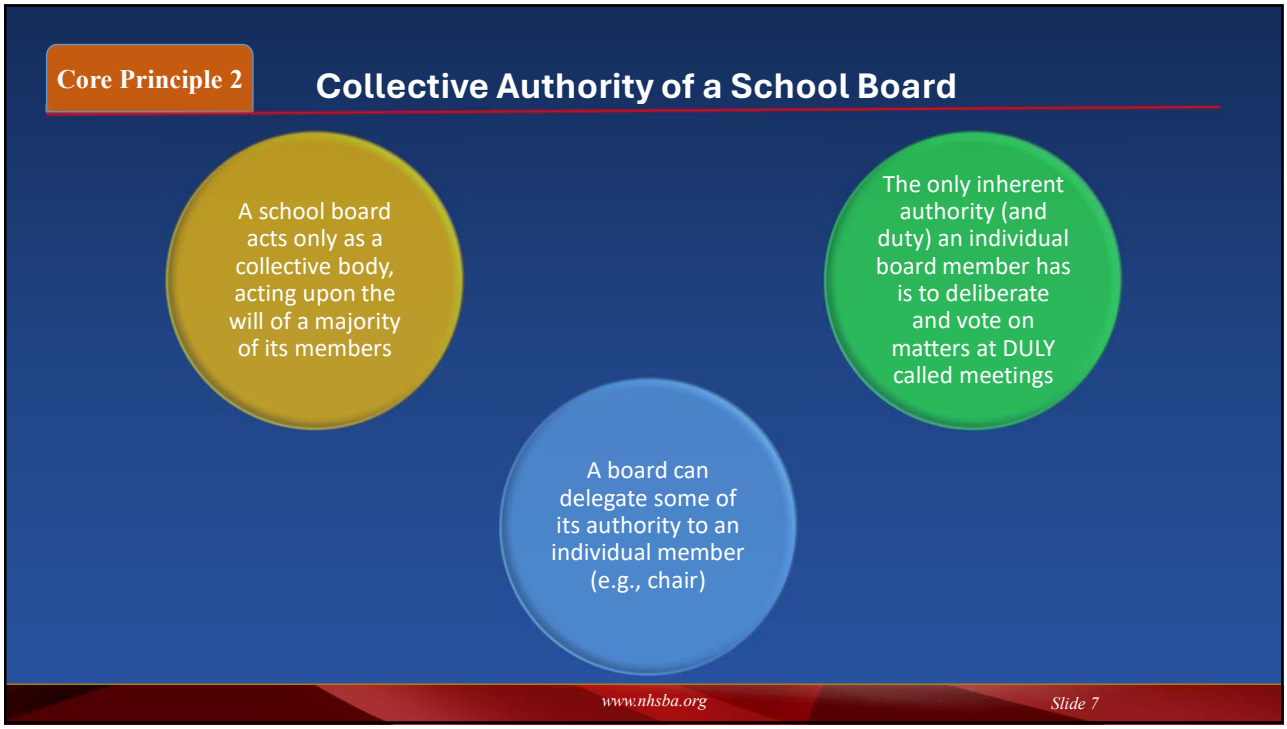
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Three Core Principles

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Core Principle 1
RSA 189:1-a, I: Purpose of School Boards
"It shall be the duty of the school board to provide, at district expense, elementary and secondary education to all pupils who reside in the district…"
• Fulfilling that duty is the sole PURPOSE of a public school board
➢ Multiple constituencies
➢ Different understandings of how best to accomplish
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Core Principle 2
Collective Authority of a School Board
A school board acts only as a collective body, acting upon the will of a majority of its members
The only inherent authority (and duty) an individual board member has is to deliberate and vote on matters at DULY called meetings
A board can delegate some of its authority to an individual member (e.g., chair)
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Core Principle 3

Governance – Not Management

School Board

The Board's job is NOT to run the schools, but to see that they are run well!

- The Board sets the policies and goals of the district, and helps fulfill them through oversight of the administration
- Adjust policies and directives as needs arise
- Primarily legislative, but also limited executive and "quasi-judicial" functions

Superintendent

- Implements the policies and goals of the board
- Manages all operations of the district and its schools
- Advises the board re: legal obligations, practical considerations re: policy, budget, etc
- **Superintendent's job is to run the schools well as framed by the Board's policies, etc**

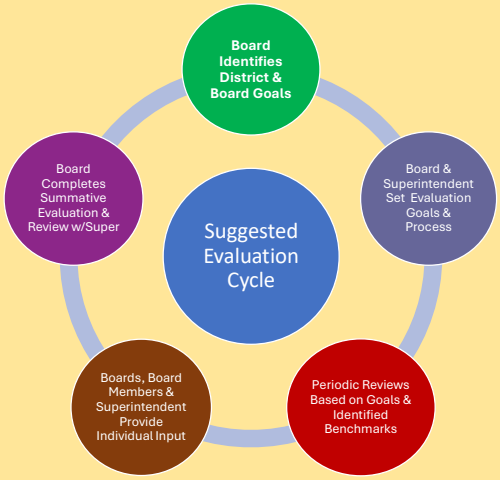
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Governance & Management: Relationship of the Two Domains

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Executive Functions - Hire & Evaluate the Superintendent

- **Key if not most important aspect of "seeing that the district is run well"**
- RSA 189:24 & 194-C:4 require schools to have a certified person to provide superintendent services
- Under RSA 194-C, the school/SAU board is charged with hiring the superintendent. *No prescribed process*
- The board's oversight of a superintendent comes through constant communication, annual evaluation and policy adjustments
- Under Ed 303.01(k), the school board is required to evaluate the superintendent annually. *No prescribed tool,* and the process differs greatly in multi-district SAUs



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Governance & Management

	SCHOOL BOARD (Governance)	SUPERINTENDENT (Management)
GENERAL	Governs the District, establishes goals and mission for the District, hires and evaluates the Superintendent	Serves as chief executive officer of the District, manages the schools and administrative staff, makes recommendations to the Board
POLICY & DECISION MAKING	Develops and Adopts	Implements, monitors legal requirements, recommends policy needs/changes.
BOARD MEETINGS	Conducts all business in accordance with the Right to Know Law and establishes internal governance and meeting rules.	Prepares agenda, advises of upcoming needs for future meetings, serves as a resource
BUDGET & FISCAL MATTERS	Proposes to legislative body*, establishes longer term goals, monitors current year revenues & expenditures, reviews audits	Prepares and recommends draft budget, administers current year, provides fiscal reports to Board
INSTRUCTION & CURRICULUM	Establishes criteria, approves, and monitors	Recommends, develops, oversees staff implementation
STUDENT SERVICES	Adopt policies for instruction, safety, discipline, and health	Recommends, implements & supervises all student related matters (discipline, retention, class/school assignments, etc.)
PERSONNEL	Establishes criteria for approved positions, elects certified staff, sets general hiring process for non-certified staff	Recommends staffing needs, hires, evaluates, trains, supervises, administers necessary corrective action/discipline
COMMUNITY RELATIONS & COMMUNICATIONS	Establishes comprehensive communications plan with goals of ensuring transparency and timely flow of information to appropriate constituencies	Implements the communications plan and maintains a positive image for the District and its schools
LABOR RELATIONS	Negotiates (through team) agreements with bargaining units, ratifies contracts	Recommends contract needs, provides negotiation support, manages contracts
SUPPORT SERVICES (Transportation, Facilities, IT, Food Service)	Adopts policies relative to support service framework	Establishes administrative controls, procedures, implements board frameworks
LEGAL	Takes such actions necessary to comply with legal requirements, makes decisions relative to litigation/dispute objectives	Advises as to legal compliance, oversees investigations, manages litigation and disputes

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School Board Legislative Functions

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Governance Through Policy & "Policy" Decisions

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Governance Through Policy and Policy Decisions

Policies...

Advise students, families, staff and the larger community of legal and district requirements, expectations, opportunities, procedures, etc.

Support strategic direction by aligning district goals with educational priorities and community values

Enable institutional continuity by establishing a consistent framework within which the superintendent manages the district, and the staff discharge their assigned duties.





Big "P" & Little "p"

- Coded policies & policy decisions
- A single decision or series of decisions by the government's authorized decisionmakers to adopt or direct a particular course of action
- Standing policy vs. one-off/ad hoc

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NHSBA Sample Policies

12 Broad subject matter subject matter categories – letter codes

- **E.g., A = General, B = Board, I = Instruction, J = Students, etc.**

3 General classifications

Priority/Required by Law
"Local board shall adopt a policy…"

Recommended
"The LEA shall do…"

Optional

- NHSBA ***SAMPLE*** policies are just that
- Starting points for individual districts
- Modifiable, but check legal references (or contact NHSBA)

- If adopting own policy ("district specific"), contact NHSBA to request a policy code
- We will enter a placeholder code in our database
- NHSBA will use same code if adopting a with same subject,

Regulations & Procedures

- Generally administrative
- If essential, NHSBA embeds in policy
- Should not require board prior approval
- If separating out, or creating, designate with AP

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Establish Budget = Fiscal Expression of Policy & Provide Financial Oversight & As Needed Redirection of Resources

Legislative Body (voters or city councils) ultimately approve the budget, but laws and regulations require the board to propose an operating budget. RSA 32 & Ed 303.01 (e)

Administration "develops" and "recommends" budget - Ed 302.02 (d)

Board "prepares" an annual budget & Estimate of Funds Needed – RSA 198:4 & Ed 303.01 (e)

- In districts with "official" budget committees, the bud-com is responsible for the "proposed" budget presented to voters (legislative body)
- Board must still prepare a budget according to the board's estimate of what is needed for the education of the district's students

Once a budget is passed, the board provides oversight, and prioritization of spending relying on

- Regular monthly, quarterly, annual & other as needed records / reports
- Annual audit – review and establish a corrective plan
- Requests for information



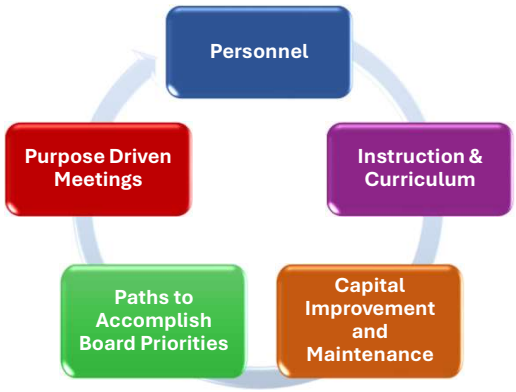
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Goal Setting & Strategic Planning

- Ed 303.01(g) *Imposes a duty upon boards to "develop long-range plans and identify measurable and attainable short-term objectives"*
- Strategic planning is vital to effective and efficient school board governance
- Important to follow up, develop and rework to execute



Goals & Plans Assist Boards With



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COMMUNICATION



Develop Comprehensive Communication Plans that Address:	Various Legal Requirements Communications:	Effective Communication Necessary for:
• *Sample EG – guides development of plan* • School Groups (parents, students, etc.) • General Public • Who speaks on behalf of the District? • Who speaks on behalf of the Board? – Majority Expression • Who's responsible for communication in a crisis? • Resources • Community Engagement – listening?	• Annual Report • Annual Report - RSA 198:4 • Family Engagement -Ed 306.04(b)(11) • Various Policies, Parent or Pupil Rights • Meeting Notices & Minutes Under the Right to Know Law • Student's First Act	• Student Achievement • Administrative Success • District & Board Credibility • Crisis Management

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RSA 273-A Collective Bargaining

The board as the district's governing body is the party and signatory for collective bargaining agreements.

The board designates a representative negotiating team, usually, but not always, consisting at least one board member.



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Quasi Judicial Function
Board as Judge & Jury

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Board as Quasi Judicial Body

- Under various statutes, contracts and/or a board's own policies, board at times serves a "*quasi-judicial*" function
- Board is determining facts and applying legal (incl. policy/rules) to specific individuals

Students – e.g.
- Expulsion
- Manifest Hardship
- Others by policy*

Employees – e.g.
- Dismissal
- Non-Renewal
- Labor Grievances
- Others by policy*

- Board is responsible for meeting standards of due process
- *Don't recommend too many – better to use BAAA "waiver of policy"

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W/training/R&R 2026.4.9 Orientation

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