

# Senate Education Committee

*Peter Mulvey 271-4063*

**HB 530-LOCAL**, relative to withdrawal from a cooperative school district.

**Hearing Date:** April 18, 2023

**Time Opened:** 9:05 a.m.

**Time Closed:** 9:15 a.m.

**Members of the Committee Present:** Senators Ward, Gendreau, Lang, Prentiss and Fenton

**Members of the Committee Absent :** None

**Bill Analysis:** This bill clarifies the process for the vote on withdrawal from a cooperative school district.

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**Sponsors:**  
Rep. Cordelli

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**Who supports the bill:** Representative Rick Ladd (*Grafton, District 5*).

**Who opposes the bill:** Senator Debra Altschiller (*SD-24*), and Brodie Deshaies.

**Who is neutral on the bill:** None.

## **Summary of testimony presented:**

**Representative Rick Ladd**  
*Grafton- District 5*

- Rep. Ladd introduced HB 530 on behalf of Rep. Cordelli.
- Rep. Ladd stated that the bill dealt with the withdrawal process from a cooperative school district. Further stated that as New Hampshire had around 30 cooperative school districts and as he was the chair of the House education committee, many bills related to withdrawal process, dissolution and articles of agreement had come across his desk.
- HB 530-L took a broader approach in trying to address how to support districts that wanted to leave a cooperative for a variety of different reasons.
- Rep. Ladd provided the historical background of cooperative districts as most of those districts formed in the 1960's. Since then, demographics and property values of those regions could have changed, making the aging articles of agreement inadequate. These changes overtime resulted in higher tuition rates for the cooperative districts.
- Rep. Ladd added that leaving a cooperative was currently an exceedingly

difficult process as it required; the development of a feasibility plan, the school board was required to send two competing reports of the cooperative to the State Board of Education, the State Board then had to decide whether to accept the report on withdrawal or the report against withdrawal, then the withdrawal process would begin and the town residents would vote on the final plan.

- HB 530 sought to streamline the process and outlined three or four steps for a small district in a cooperative to opt out.
  - First, during a school board meeting, if the body decided there was a majority of voters who wanted to withdraw and if there was a warrant article for the entire cooperative which was approved, the plan would move forward.
  - Second, if the cooperative disapproved, then the next step would be holding a vote which required a majority from the pre-existing cooperative district in its entirety to move forward.
  - Third, a three-fifths supermajority would move the withdrawal plan forward so long as the voters from the district which wished to withdraw and the voters from the entire cooperative voted in a three-fifths agreement for the district to withdraw.
- Rep. Ladd noted that HB 530 placed the bar high with the three-fifths requirement for both the district wishing to withdraw and the entire cooperative district.
- Rep. Ladd provided that the School Board Association helped with the bill.
- Sen. Fenton asked if there were any other reasons why districts may want to leave a cooperative district.
  - Rep. Ladd responded there were other reasons which included dissatisfaction with educational competencies and stated that there had been plenty of examples that had come through the Senate Education Committee over the last few years.
- Sen. Lang asked if one district wanted to leave a cooperative, if they would require a three-fifths vote within their district to leave, and further the entirety of the other districts would have to vote with a three-fifth majority to reject the community from leaving.
  - Rep. Ladd responded that the example offered by Sen. Lang would be correct.
- Sen. Lang asked if HB 530 put the destiny of children's education within a town's control.
  - Rep. Ladd responded that he would agree that HB 530 gave the districts more control but not total control as it still required a the three-fifths majority vote from the other towns in the pre-existing cooperative district.
- Sen. Ward asked what happened if the vote failed, and asked if the district that voted three-fifths to leave had any recourse.
  - Rep. Ladd responded that if the process failed, that was it.