

SB 50 - AS INTRODUCED

2021 SESSION

21-0855

06/04

SENATE BILL **50**

AN ACT relative to the renomination of teachers following certification as experienced educator.

SPONSORS: Sen. Kahn, Dist 10; Sen. Rosenwald, Dist 13

COMMITTEE: Education

ANALYSIS

This bill provides that teachers who have earned an experienced educator certificate from the department of education and have taught for a minimum of 2 consecutive years in their current district may request a hearing upon receiving a notice of nonrenomination.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the renomination of teachers following certification as experienced educator.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Failure to be Renominated or Reelected. RSA 189:14-a is repealed and reenacted to read as
2 follows:

3 189:14-a Failure to be Renominated or Reelected.

4 I.(a) Any teacher who has a professional standards certificate from the state board of
5 education and who has taught for one or more years in the same school district shall be notified in
6 writing on or before April 15 or within 15 days of the adoption of the district budget by the
7 legislative body, whichever is later, if that teacher is not to be renominated or reelected, provided
8 that no notification shall occur later than the Friday following the second Tuesday in May.

9 (b) School boards shall have a teacher performance evaluation policy.

10 (c) Any such teacher who has obtained an experienced educator certificate from the state
11 board of education and who has also taught for 2 consecutive years or more in his or her current
12 school district, may request in writing within 10 days of receipt of said notice a hearing before the
13 school board and may in said request ask for reasons for failure to be renominated or reelected. For
14 those teachers who obtain for the first time an experienced educator certificate after July 1, 2021,
15 experienced educator certificate shall be as defined in RSA 186:11, XXXVIII. The notice shall advise
16 the teacher of all of the teacher's rights under this section. The school board, upon receipt of said
17 request, shall provide for a hearing on the request to be held within 15 days. The school board shall
18 issue its decision in writing within 15 days of the close of the hearing. For purposes of this section
19 only, a leave of absence shall not interrupt the consecutive nature of a teacher's service, but neither
20 shall such a leave be included in the computation of a teacher's service. Computation of a teacher's
21 service for any other purposes shall not be affected by this section.

22 II. In cases of nonrenomination or nonreelection because of reduction in force, the reduction
23 in force shall not be based solely on seniority.

24 III. In all proceedings before the school board under this section, the burden of proof for
25 nonrenewal of a teacher shall be on the superintendent of the local school district by a
26 preponderance of the evidence. Except as provided in paragraph II, the grounds for
27 nonrenomination and nonreelection shall be determined at the sole discretion of the school board.

28 IV. "Teacher" means any professional employee of any school district whose position
29 requires certification as a professional engaged in teaching. The term "teacher" shall also include
30 principals, assistant principals, librarians, and guidance counselors.

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- Page 2 -

1 2 New Paragraph; Duties of State Board of Education. Amend RSA 186:11 by inserting after
2 paragraph XXXVII the following new paragraph:

3 XXXVIII. Experienced Educator Certificate. The state board of education shall issue an
4 experienced educator certificate to an individual who has at least 3 years of full-time experience as
5 an educator at the elementary through secondary levels of education, has been deemed effective or
6 above according to a local evaluation system for 2 consecutive years, and has completed successfully
7 a 3 year renewal cycle pursuant to rules of the department as of July 1, 2021 and according to the
8 state master plan as of July 1, 2021 or a local professional development master plan as determined
9 by the local superintendent or district administrator or nonpublic school administrator. An
10 experienced educator credential shall be valid for 3 years.

11 3 Effective Date. This act shall take effect upon its passage.