

CHAPTER 190
HB 349 - FINAL VERSION

05/11/2023 1437s

2023 SESSION

23-0279
10/08

HOUSE BILL

349

AN ACT relative to a special purpose school district for Bridgewater, Hebron, and Groton.

SPONSORS: Rep. Ladd, Graf. 5; Rep. Cordelli, Carr. 7; Sen. Innis, Dist 7; Sen. Ward, Dist 8

COMMITTEE: Education

ANALYSIS

This bill allows the establishment of a special purpose school district for the towns of Hebron, Bridgewater, and Groton to form a new multi-town single school district.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to a special purpose school district for Bridgewater, Hebron, and Groton.

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

1 190:1 Establishment of Special Purpose School District.

2 I. Having established by law in 1997 a special purpose village district to construct, own and
3 maintain a public school facility; and having already built and owned outright with no debt the Bridgewater-
4 Hebron Village School (K-5) whose maintenance and capital costs are paid for by the towns of
5 Bridgewater and Hebron and overseen by 3 elected commissioners; and notwithstanding any other
6 provision of law to the contrary, the towns of Bridgewater, Hebron, and Groton are hereby authorized to
7 withdraw from the Newfound Area School District and establish a public school district comprised of the
8 geographical limits of the aforementioned 3 towns. Subsequent to formation, the school district shall
9 operate in accordance with the provisions contained in RSA 194 and except as modified herein, the laws
10 pertaining to operating a newly formed cooperative school district as set forth in RSA 195 and operating
11 school administrative units as set forth in RSA 194-C. The new district shall be named the Bridgewater-
12 Hebron-Groton Special Purpose School District, or such other name as is subsequently approved by the
13 elected school board of the district. The creation of this new public school district shall be contingent
14 upon a majority vote in each of the 3 towns at their 2024 annual meetings, adopting the provisions of this
15 act; whereupon the effective operational date of this district shall be July 1, 2025.

16 II. The state board of education shall issue a certificate of withdrawal from the Newfound Area
17 School District after the initial vote by the towns to adopt the provisions of this act. A special meeting of
18 the voters in the withdrawing district for the election of board members and officers shall be held at a time
19 set by the state board of education after consultation with the selectmen of the 3 towns. The warrant for
20 this special meeting shall be proposed by the selectmen of the 3 towns, approved by the state board of
21 education and signed by the commissioner of the department of education, shall provide for the election of
22 officers in the newly created school district. The commissioner of education shall have authority to
23 appoint such officers pro tem as may be necessary pending the district special meeting held to elect
24 officers. In addition, the special meeting shall have the same power and authority as an annual meeting
25 to raise and appropriate money, but it may defer the process of adopting a budget for the first operational
26 fiscal year until the next annual meeting or such annual meeting as may be appropriate for adoption of a
27 budget for the first operational fiscal year. The school district officers elected at said meeting shall take
28 office and organize promptly such that they carry out the duties of their office and take any action
29 necessary to carry out the provisions of this law. The initial board shall consist of 3 elected members, with
30 one member from the town of Bridgewater, one member from the town of Hebron, one member from the
31 town of Groton. The initial term of the member from Bridgewater shall be for a 2-year term, with the other
32 initial members and all subsequent members serving 3-year terms.

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1 III. The elected school board for the Bridgewater-Hebron-Groton Special Purpose School District
2 shall have the responsibility and authority granted to a school board of a cooperative school district. It
3 shall have the responsibility to effectuate plans and policies for the ensuing operation of the district, hold
4 the necessary budgetary hearings and if not adopted at the special meeting, propose the initial operating
5 budget to the legislative body of the created district at an annual meeting of the district to be held in the
6 same manner as an operating school district under RSA 195, RSA 197, and RSA 198 for adoption of an
7 operating budget for the fiscal year commencing on the effective date of operation. This annual meeting
8 shall have the same power and authority as the annual meeting of a fully operating school district
9 including, but not limited to the raising or appropriating money for the ensuing fiscal year.

10 IV. The school district may rent or lease a facility from the Bridgewater-Hebron Village District
11 and notwithstanding any law to the contrary, may, subject to any state design, safety, and space
12 requirements, vote to expand the grades served by a school within the district up to twelfth grade. The
13 Bridgewater-Hebron Village District shall give priority in any lease or rental agreement to the students
14 within the Bridgewater-Hebron-Groton Special Purpose School District. The school district may educate
15 students in grades 9 and above outside the district pursuant to tuition agreements. The school district
16 may make all other contracts necessary to carry out the purposes of a public school district, and may
17 exercise any other power conferred upon single school districts under RSA 194:2, RSA 194:3 and any
18 other applicable laws. The department of education shall work collaboratively with the new district to
19 ensure that grant funds and adequacy aid are properly allocated to the Bridgewater-Hebron-Groton
20 Special Purpose School District.

21 V. On and after its establishment, the Bridgewater-Hebron-Groton Special Purpose School
22 District shall be deemed to be a duly organized school district for purposes of its eligibility to apply for and
23 receive all forms of aid, grants, and guarantees with respect to the school building including, but not
24 limited to, school building aid under RSA 198 and the state guarantee of bonds or notes under RSA 195-
25 C. The amount of school building aid shall be based on the calculations applicable to a cooperative
26 school district comprised of the 3 towns. The operating costs and any capital outlay costs for the district
27 shall be apportioned between the 3 towns in accordance with the following formula:

28 (a) One hundred percent of all such costs shall be apportioned on the basis of the average
29 daily membership from each town for the preceding year; or

30 (b) Such other formula as is recommended and proposed by the school, adopted by majority
31 vote of the district meeting, and approved by the state board of education.

32 VI. This act shall be construed to authorize such school district to staff and operate such school
33 district, to otherwise provide public education to any pupil, to exercise any other power reserved to school
34 districts. The district is granted such powers as are expressly stated in this act or necessary by
35 implication to effectuate the purposes authorized by this section. In addition, the Bridgewater-Hebron-
36 Groton Special Purpose School District shall seek to offer employment opportunities to the existing public
37 school staff and faculty in the same manner as the pre-existing district. Further, the Bridgewater-Hebron-
38 Groton Special Purpose School District shall work closely with the Newfound Area School District to offer
39 parents school choice and to accommodate students already enrolled in the new district's school.

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VII. Upon the adoption of this act by all 3 towns, the towns in the Bridgewater-Hebron-Groton Special Purpose School District shall be deemed to have effectuated withdrawal from the Newfound Area School District on July 1, 2025, subject to any obligations set forth in RSA 195:27. The newly formed school board may enter into long and short-term tuition agreements with the Newfound Area School District or any other public school district, public academy, or school pursuant to RSA 193:3, VI for the education of those resident students in middle or high school who enroll in the Bridgewater-Hebron-Groton Special Purpose School District and may also vote to build additions or a separate school.

VIII. Upon adoption of this act by all 3 towns at their 2024 annual school meetings, the Newfound Area School District board members and budget committee members representing Bridgewater, Hebron, and Groton may continue to serve until July 1, 2025. They may participate in matters involving the operation of the Newfound Area School District during the 2024-2025 fiscal year. However, such board members shall be disqualified from voting on any matters involving the proposed budget for the 2025-2026 fiscal year, or any matters involving capital improvements to the Newfound Area School District, or on any contractual agreements with other school districts or towns. Because the Bridgewater-Hebron-Groton Special Purpose School District will be holding its own annual meeting, the voters of Bridgewater, Hebron and Groton shall be disqualified from participating in the 2025 annual meeting of the Newfound Area School District. Likewise, upon the passage of this act, the towns of Bridgewater, Hebron, and Groton shall not be liable for subsequent borrowing by the Newfound Area School District unless they fail to adopt this act at their 2024 annual meetings.

IX. Notwithstanding the provisions of RSA 195:30 and RSA 194-C:2, the newly formed district shall be deemed to have withdrawn from School Administrative Unit Number 4, as of the specified effective operational date of the Bridgewater-Hebron-Groton Special Purpose School District, and shall be its own school administrative unit with a number assigned by the department of education and may provide for superintendent services in accord with those options available to single school districts, including contracting for such services. The unassigned fund balance of the SAU shall be allocated between the two districts as of June 30, 2024, in accord with the apportionment percentages of the Newfound Area School District budget for the prior fiscal year. The newly formed district may enter into agreements with Newfound Area School District regarding the disposition of school administrative unit assets and liabilities.

X. The select boards of the towns of Bridgewater, Hebron, and Groton may appoint such committees and engage in such study as they deem appropriate in planning for the new district prior to the adoption vote. However, if the select boards of the 3 towns wish to proceed further with this legislation they shall warn the question of adoption of this act for the 2024 annual meeting of the legal voters residing in the towns to see if they will vote to adopt the provisions of this act and create the new school district.

190:2 Effective Date. This act shall take effect upon its passage.

Approved: August 04, 2023
Effective Date: August 04, 2023