

# NEW HAMPSHIRE

(Law passed in 1995; last amended in 2011;  
10th weakest of the nation's 42 charter laws)

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11 charters serving 2,431 students.

3 charter schools closed as of December 2011.

## NOTEWORTHY

All three charters that closed in the Granite State closed because of financial reasons. The per pupil funding guaranteed in law is only about half of conventional public schools, making it nearly impossible to operate a successful charter school, which is why currently there are only 11, many of which use blended or online learning. In spite of these obstacles, Great Bay e-Learning Charter School has graduated three classes with a 100 percent graduation rate and a 100 percent college acceptance rate.

## INDEPENDENT OR MULTIPLE AUTHORIZERS - NO

APPROVAL	School board, with three-step approval process involving town votes and a final state board approval. Applicants may bypass this process and apply directly to the state. (Because of limitations on approval process this is not considered an independent authorizing route.)
APPEAL	Yes. Applications denied by the school board may be appealed to the State Board of Education. Appeal is binding.

## OPERATIONAL AUTONOMY

STATE	Yes. Charters receive a blanket waiver from most state rules and regulations governing traditional public schools. Virtual schools are allowed. Management contracts with ESPs are not restricted.
LOCAL	No. There is no general waiver for local rules and regulations.
TEACHER FREEDOM	Yes. Teachers are not covered by the district collective bargaining agreement and may negotiate as a separate unit with the school governing body, or work independently. A charter school may choose to participate in the state teacher retirement system.

## NUMBER OF SCHOOLS ALLOWED

CAP	No cap. However, no more than ten percent of resident pupils shall be eligible to transfer to a charter school in any school year without board approval.
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(Continued)

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## EQUITY

### STUDENT FUNDING

Funds pass through the state. Locally approved charters receive significantly less (almost half) despite language to the contrary. State approved charters funded by separate state appropriation. Funding inequities have forced school closures.

“There shall be no tuition charge for any pupil attending an open enrollment or charter conversion school located in that pupil’s resident district. Funding limitations in this chapter shall not be applicable to charter conversion or open enrollment schools located in a pupil’s resident district. For a charter or open enrollment school authorized by the school district, the pupil’s resident district shall pay to such school an amount equal to not less than 80 percent of that district’s average cost per pupil as determined by the department of education using the most recent available data as reported by the district to the department. (b) For any chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a and RSA 198:40-c directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school.” [NH 194-B:11.1]

### FACILITIES FUNDS

No Additional Funds.

## IMPLEMENTATION POINTS

- 3

Three points are deducted because the state has imposed a de facto cap by not encouraging or working to improve charter environment.

[LINK TO THE NEW HAMPSHIRE CHARTER SCHOOL LAW](#)