

## ARTICLES OF AGREEMENT

Articles of Agreement by and between the towns of Bridgewater, Hebron and Groton, having approved the adoption of House Bill 349 of the 2023 Legislative Session (“House Bill 349”) and having adopted these articles at their 2024 Annual Meeting to establish a special purpose school district.

### **1. Withdrawal, Formation and Operative Date.**

The Towns of Bridgewater, Hebron and Groton hereby withdraw from the Newfound Area School District effective June 30, 2025, by virtue of House Bill 349 and the majority vote of each Town (Bridgewater, Hebron and Groton) to adopt the provisions of House Bill 349 at their 2024 annual town meetings.

The Towns of Bridgewater, Hebron and Groton hereby form the Bridgewater-Hebron-Groton Special Purpose School District (“District”) with an effective operational date of July 1, 2025. The geographical bounds of the District shall be coterminous with the geographic bounds of the three towns. The withdrawal shall be subject to any obligations set forth in House Bill 349 and RSA 195:27 as they pertain to both the withdrawing towns and the remaining district.

The legal name of the District shall be the “Bridgewater-Hebron-Groton Special Purpose School District” or such other name as is approved by the elected school board of the District.

### **2. Corporate Status, Powers and Responsibility.**

The District shall be deemed a cooperative school district and shall have all the powers, authorities and responsibilities as set forth in House Bill 349 as well as those of a cooperative school district and general school district. Where there is an inconsistency between House Bill 349 and the statutory law pertaining to Cooperative School Districts [RSA Chapter 195], House Bill 349 shall control. The primary responsibility shall be to provide a public education to those students residing within the Towns of Bridgewater, Hebron and Groton. The District shall be responsible for educating its resident students (K-12 grade) in accord with federal and state law.

The event of withdrawal shall not result in the District acquiring any real property from the three towns. However, the District may rent or lease a facility from the Bridgewater-Hebron Village District and notwithstanding any law to the contrary, may, subject to any state design, safety, and space requirements, vote to expand the grades served by the Bridgewater-Hebron Village District School up to twelfth grade. The Bridgewater-Hebron Village District shall give priority in any lease or rental agreement to the students within the Bridgewater-Hebron-Groton Special Purpose School District. The District may educate students in grades 9 and above outside the District pursuant to tuition agreements. The District may make all other contracts necessary to carry out the purposes of a public school district and may exercise any other power conferred upon single school districts under RSA 194:2, RSA 194:3 and any other applicable laws. The department of education shall work collaboratively with the District to ensure that

grant funds and adequacy aid are properly allocated to the Bridgewater-Hebron-Groton Special Purpose School District.

On and after its establishment, the Bridgewater-Hebron-Groton Special Purpose School District shall be deemed to be a duly organized school district for purposes of its eligibility to apply for and receive all forms of aid, grants, and guarantees with respect to the school building including, but not limited to, school building aid under RSA 198 and the state guarantee of bonds or notes under RSA 195-C. The amount of school building aid shall be based on the calculations applicable to a cooperative school district comprised of the 3 towns.

The enabling legislation, House Bill 349, shall be construed to authorize the District to staff and operate such school district, to otherwise provide public education to any pupil from preschool through grade twelve, to exercise any other power reserved to school districts. The District is granted such powers as are expressly stated in House Bill 349 or necessary by implication to effectuate the purposes authorized by House Bill 349. In addition, the Bridgewater-Hebron-Groton Special Purpose School District shall seek to offer employment opportunities to the existing public school staff and faculty in the same manner as the pre-existing district. Further, the Bridgewater-Hebron-Groton Special Purpose School District shall work closely with the Newfound Area School District to offer parents school choice and to accommodate students already enrolled in the new district's school. The District shall provide student transportation and special education services in a manner consistent with state and federal law.

### **3. The School Board, members, authority, budget and annual meeting.**

There shall be three (3) members of the Bridgewater-Hebron-Groton Special Purpose School District Board ("School Board"). The voters of each town shall be entitled to elect one member of the School Board at the organizational special meeting and thereafter to elect their successors, by voting separately by ballot at the official ballot session of the organizational Special Meeting and at later annual School District meetings. The ballot shall be a nonpartisan ballot consistent with RSA 669. Each town shall coordinate its own official ballot voting session for election of its school board member.

The members of the School Board shall assume office at the close of the organizational meeting and thereafter at the close of the annual meeting at which they are elected.

The District shall utilize the Supervisors of the Checklist from each town and shall, when deemed feasible by its Board, coordinate its elections of board members, officers and official ballot questions with the towns' voting sessions for their annual meetings. The adoption of these Articles of Agreement shall be deemed a vote that the supervisors of each town, acting as the supervisors of the cooperative school district, shall make, correct and post in each pre-existing district a checklist of the voters in each pre-existing district and shall certify to the same acting as supervisors of the cooperative school district and shall attend the cooperative school

district meeting. At each cooperative school district election, the checklists prepared by the supervisors in each of the towns in accordance with this section shall be used.

The members of the School Board from Groton and Hebron shall serve a term of three years. The term of the initial member of the School Board from Bridgewater shall be for two years, with subsequent members from Bridgewater serving a term of three years. The initial member from Bridgewater shall serve until the 2026 annual meeting of the District. The initial members from Hebron and Groton shall serve until the 2027 annual meeting of the District.

The elected School Board shall have all the powers, authority and responsibilities of a cooperative school district board. It shall have the responsibility to effectuate plans and policies for the ensuing operation of the district, hold the necessary budgetary hearings and propose the initial operating budget to the legislative body of the created district at an annual meeting of the district to be held in the same manner as an operating school district under RSA 195, RSA 197 and RSA 198 for adoption of an operating budget for the fiscal year commencing on the effective date of operation. This annual meeting shall have the same power and authority as the annual meeting of a fully operating school district including, but not limited to the raising or appropriating money for the ensuing fiscal year.

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 194:22 or 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.

The District may vote to amend these Articles to expand or change the membership on its Board in accord with the provisions and limitations of RSA 195:19-a (2023 session version).

#### **4. Apportionment of capital and operating expenses. (V5)**

The operating costs and any capital outlay costs for the District shall be apportioned between the three (3) towns comprising the District in accordance with the following formula:

One hundred percent of all such costs shall be apportioned on the basis of the average daily membership (ADM) from each town for the preceding two-year period. The apportionment percentage contribution of each town shall be adjusted each year, as determined by the Department of Education, or Department of Revenue Administration, as applicable. The ADM apportionment shall be subject to a 5 year review process set forth in RSA 195:18. The district's transportation cost shall be separate from the district's operating costs.

##### **4a. Transportation Costs**

Transportation costs and related expenses incurred shall be the responsibility of each Town based on usage and billed distinctly, unless otherwise agreed to by the district during an apportionment formula review.

4b. Apportionment formula review and changes

At each subsequent five-year period, the apportionment formula shall be eligible for review in accordance with RSA 195:18. III(i). Any apportionment modifications will be presented to the district voters the following year and adopted by a 2/3 district majority vote and approved by the state board of education.

4c. Apportionment formula minimum base ratio.

Upon successful withdrawal from School Administrative Unit Number 4, as of June 30, 2025, and as of the operating date of July 1, 2025 the initial total student enrollment from each town in the Newfound Area School District during the previous 2024-2025 school year as of \_\_\_\_\_, \_\_\_, 2024, ("initial total student enrollment number") shall be the basis for setting and apportioning a minimum percentage contribution to the annual district apportionment between the Towns of Bridgewater, Groton and Hebron and shall be considered the benchmark for setting a minimum contribution floor. A member town's enrollment may drop by up to 15% below the initial total student enrollment number, however, a minimum contribution floor shall be set at the initial student enrollment number, less 15% and that number shall be used to determine the ADM ratio. This minimum number may only be modified on a five-year cycle by a 2/3 majority vote of the current district school board and the district voters. The following table illustrates this formula:

| TOWN         | 2022 ADM Initial Students | 2022 ADM % Initial | Minimum Student Threshold <sub>1</sub> @ 15% | Scenario 1<br>Groton falls -5 students under threshold |             |                   |             | Scenario 2<br>Hebron falls -5 students under threshold |             |                   |             | Scenario 2<br>Bridgewater falls -5 students under threshold |             |                   |             |
|--------------|---------------------------|--------------------|--|--|-------------|-------------------|-------------|--|-------------|-------------------|-------------|---|-------------|-------------------|-------------|
|              |                           |                    |  | Actual Students  | ADM %       | Credited Students | ADM %       | Actual Students  | ADM %       | Credited Students | ADM %       | Actual Students   | ADM %       | Credited Students | ADM %       |
| Groton       | 36                        | 22%                | 24   | 19   | 13%         | 24                | 16%         | 36   | 27%         | 36                | 26%         | 36  | 35%         | 36                | 33%         |
| Hebron       | 48                        | 30%                | 24   | 48   | 33%         | 48                | 32%         | 19   | 14%         | 24                | 18%         | 48  | 46%         | 48                | 44%         |
| Bridgewater  | 78                        | 48%                | 24   | 78   | 54%         | 78                | 52%         | 78   | 58%         | 78                | 56%         | 19  | 19%         | 24                | 22%         |
| <b>TOTAL</b> | <b>161</b>                | <b>100%</b>        |  | <b>144</b>   | <b>100%</b> | <b>149</b>        | <b>100%</b> | <b>133</b>   | <b>100%</b> | <b>138</b>        | <b>100%</b> | <b>103</b>  | <b>100%</b> | <b>108</b>        | <b>100%</b> |

**5. School Administrative Unit withdrawal and the creation of a single district SAU.**

Notwithstanding the provisions of RSA 195:30 and RSA 194-C:2, and in accord with House Bill 349, the newly formed district shall be deemed to have withdrawn from School Administrative Unit Number 4, as of June 30, 2025, and July 1, 2025, shall be the specified effective operational date of the Bridgewater-Hebron-Groton Special Purpose School District, it

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 SAU #4 shall be allocated between the two districts as of June 30, 2025 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.

**6. Interim Authority in relation to the Newfound Area School District**

Upon adoption of House Bill 349 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 June 30, 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.

**7. Appointed and elected Officers of the District.**

The elected school board shall appoint a treasurer for a term of three (3) years in a manner consistent with RSA 195:5. The elected school board shall appoint a clerk on an annual basis in a manner consistent with RSA 195:5.

The organization meeting of the District shall be called to order by the Chairperson of the school district planning board, or such other person as is appointed by the Commissioner of Education in accord with House Bill 349, who shall serve as the moderator of the organizational meeting. The first order of business shall be the election of a moderator and or a temporary clerk by ballot, both of whom shall be qualified voters of the District. The moderator shall take office upon the adjournment of the organizational meeting and upon their qualification for office, whichever is later, and shall serve for a term of one year in accord with RSA 671:11 unless and until such time as the District votes to change the term in accord with RSA 671:11-a. The temporary clerk shall be sworn immediately and shall serve for the duration of the special organizational meeting and until such time as the elected school board appoints a clerk.

**8. Amendments to these Articles of Agreement**

These Articles of Agreement may be amended by the District, consistent with the provisions of RSA 195:18 (III) (i) except that no amendment shall be effective unless the question of adopting such amendment is submitted at the town elections in each town of the District to the voters of the District voting by separate School District ballot with the use of the check list, and unless two-thirds (2/3) of the voters of the District voting shall vote in favor of adopting such amendment. Furthermore, no amendment of these Articles of Agreement shall be considered except at annual town elections and unless the text of such amendment is included in the School District warrant for such town elections.

It shall be the duty of the School Board to hold a Public Hearing concerning the adoption of any amendment to these Articles of Agreement at least ten (10) days before the date of the annual town elections in the District and to cause notice of such hearing and the text of the proposed amendment to be published in a newspaper having a general circulation in the District at least fourteen (14) days before such hearing.

A vote to amend these articles to expand the membership of the School Board or to change the number, composition, method of selection, and terms of members of the School Board shall be in accord with RSA 195:19-a, and shall conform with the amendment process herein however such vote shall only require a majority vote of each town.

**Certification**

I, \_\_\_\_\_, do hereby certify in my capacity as Clerk of the Town of Bridgewater that at the \_\_\_\_\_ 2024 Annual Meeting of the Town of Bridgewater, the voters approved of, and adopted these Articles of Agreement for the Bridgewater-Hebron-Groton Special Purpose School District.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk, Town of Bridgewater

**Certification**

I, \_\_\_\_\_, do hereby certify in my capacity as Clerk of the Town of Hebron that at the \_\_\_\_\_ 2024 Annual Meeting of the Town of Hebron the voters approved of, and adopted these Articles of Agreement for the Bridgewater-Hebron-Groton Special Purpose School District.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk, Town of Hebron

**Certification**

I, \_\_\_\_\_, do hereby certify in my capacity as Clerk of the Town of Groton that at the \_\_\_\_\_ 2024 Annual Meeting of the Town of Groton, the voters approved of, and adopted these Articles of Agreement for the Bridgewater-Hebron-Groton Special Purpose School District.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk, Town of Groton