



**NH Department of Education
Division of Educator Support and Higher Education**

Public Higher Education Task Force

**December 21, 2023
Task Force Meeting Packet**

Public Higher Education Task Force

December 21, 2023: Meeting

Table of Contents

Agenda..... pg. 3

Statutory Changes to Quorum..... pg. 4

Executive Order 2023-06..... pg. 6

2024 Task Force Meeting Dates..... pg. 9

NH Statement of Financial Interests – RSA 15-A Form..... pg. 10

Public Higher Education Task Force

December 21, 2023: Meeting

Meeting Agenda

Date & Time: Thursday, December 21st, 2023 | 8:00am – 2:00pm

Location: 25 Hall Street | Concord, NH 03301 | Granite State College Building | Event Center

Virtual Options:

Phone Number: +1 646 518 9805 US (New York) or +1 646 558 8656 US (New York)

ID & Passcode: 840 2387 0856

Zoom Link: <https://us02web.zoom.us/j/84023870856>

- 1) Call to Order and Opening Remarks (Chair Appleby)
- 2) Review of Statutory Changes to Quorum – 91-A (attachment)
Action Requested: Approval as recommended
- 3) Review of Executive Order 2023-06 (attachment)
- 4) Briefings from CCSNH and USNH on current state
- 5) Discussion of approaches to the work and logistics
- 6) Discussion of organization of information and resources on Public Higher Education Task Force web page
- 7) Confirmation of Meeting Dates (attachment)
- 8) Review of Public Comment(s) (if applicable)
- 9) NH Statement of Financial Interests – RSA 15-A (attachment)
- 10) Other Business
- 11) Adjourn

Statutory Change to Quorum: Access to Governmental Records and Meetings; Meetings Open to Public; Remote Meetings. Amend RSA 91-A:2 by inserting after paragraph III the following new paragraph:

IV. The provisions of this paragraph allowing for less than a quorum to be physically present for meetings shall apply only to boards, committees, councils, advisory committees and like bodies of state government, not including the general court or either house thereof or any committee of either house, nor the governor and council, the composition of which is permitted by law or regulation to be drawn from individuals who may reside throughout the state of New Hampshire.

This paragraph does not apply to boards, committees, councils, advisory committees, or any other components or instrumentalities of county or municipal government.

For purposes of this paragraph only the boards, committees, councils, and like bodies to which this paragraph is applicable shall be referred to as "state boards."

- (a) A state board covered by this paragraph may vote to allow one or more members to participate in a meeting remotely only when physical attendance at the meeting site is not reasonably practicable.

Any reason that such attendance is not reasonably practicable shall be stated in the minutes of the meeting.

The authority granted under this paragraph may be revoked, renewed, or modified in the same manner as it is approved.

- (b) At least one-third of the total membership of the state board shall be present at the physical location of the meeting.

Each member participating electronically or otherwise shall be able to contemporaneously and throughout the meeting see and hear, and be seen and heard by, the other members of the public body attending the meeting and members of the public in attendance at the meeting site.

A member participating in a meeting remotely as described in this paragraph is deemed to be present for all purposes, including for determination of a quorum and voting.

Each member participating remotely shall identify the persons present in the location from which the member is participating.

All votes taken during such a meeting shall be by roll call vote.

Members of the public shall be permitted to participate remotely in remotely held state board meetings, including testifying or asking questions as the rules and procedures of the board allow.

- (c) No meeting shall be conducted by electronic mail or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously at the meeting location specified in the meeting notice.

- (d) In an emergency, when immediate action is imperative and the physical presence requirement is not reasonably practicable within the period of time requiring action, the minimum physical presence required under subparagraph (b) shall not apply.

The determination that an emergency exists shall be made by the chair or presiding officer of the state board, and the facts upon which that determination is based shall be included in the minutes of the meeting.

- (e) Any meeting held pursuant to the terms of this paragraph shall comply with all other requirements of this chapter relating to public meetings not inconsistent with this paragraph, and shall not circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1.

188:2 Effective Date. **effective October 3, 2023**

188:1 New Paragraph; Access to Governmental Records and Meetings; Meetings Open to Public; Remote Meetings. Amend RSA 91-A:2 by inserting after paragraph III the following new paragraph:

IV. The provisions of this paragraph allowing for less than a quorum to be physically present for meetings shall apply only to boards, committees, councils, advisory committees and like bodies of state government, not including the general court or either house thereof or any committee of either house, nor the governor and council, the composition of which is permitted by law or regulation to be drawn from individuals who may reside throughout the state of New Hampshire. This paragraph does not apply to boards, committees, councils, advisory committees, or any other components or instrumentalities of county or municipal

government. For purposes of this paragraph only the boards, committees, councils, and like bodies to which this paragraph is applicable shall be referred to as "state boards."

(a) A state board covered by this paragraph may vote to allow one or more members to participate in a meeting remotely only when physical attendance at the meeting site is not reasonably practicable. Any reason that such attendance is not reasonably practicable shall be stated in the minutes of the meeting. The authority granted under this paragraph may be revoked, renewed, or modified in the same manner as it is approved.

(b) At least one-third of the total membership of the state board shall be present at the physical location of the meeting. Each member participating electronically or otherwise shall be able to contemporaneously and throughout the meeting see and hear, and be seen and heard by, the other members of the public body attending the meeting and members of the public in attendance at the meeting site. A member participating in a meeting remotely as described in this paragraph is deemed to be present for all purposes, including for determination of a quorum and voting. Each member participating remotely shall identify the persons present in the location from which the member is participating. All votes taken during such a meeting shall be by roll call vote. Members of the public shall be permitted to participate remotely in remotely held state board meetings, including testifying or asking questions as the rules and procedures of the board allow.

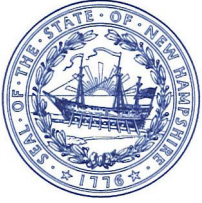
(c) No meeting shall be conducted by electronic mail or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously at the meeting location specified in the meeting notice.

(d) In an emergency, when immediate action is imperative and the physical presence requirement is not reasonably practicable within the period of time requiring action, the minimum physical presence required under subparagraph (b) shall not apply. The determination that an emergency exists shall be made by the chair or presiding officer of the state board, and the facts upon which that determination is based shall be included in the minutes of the meeting.

(e) Any meeting held pursuant to the terms of this paragraph shall comply with all other requirements of this chapter relating to public meetings not inconsistent with this paragraph, and shall not circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1.

188:2 Effective Date. This act shall take effect 60 days after its passage.

(effective October 3, 2023)



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Executive Order 2023-06

**An Order Establishing the Public Higher Education Task Force to Study the Strategic
Alignment of Public Higher Education in New Hampshire**

WHEREAS, the Community College System of New Hampshire and the University System of New Hampshire, collectively known as New Hampshire public higher education, serve a vital role in creating access to high-quality education that benefits individuals, communities, the state's economy and quality of life; and

WHEREAS, the benefits of New Hampshire public higher education include: accessible and diverse opportunities for learning and meaningful participation in the State's workforce; economic, cultural, and civic wellbeing in each community throughout New Hampshire; and academic research that enhances learning with regional and global significance; and

WHEREAS, significant changes in demographic and workforce trends, the expectations of students, and downward pressure on enrollment require optimizing public higher education for New Hampshire's future; and

WHEREAS, net revenue has been declining in both component systems of New Hampshire public higher education since 2018. And, while significant and ongoing efforts to find efficiencies and control expenses have yielded results, concerns remain about the long-term sustainability of the current model of public higher education in the state; and

WHEREAS, the performance and financial sustainability of New Hampshire public higher education is critical to ensure that students have opportunities that correspond to workforce needs and that bolster economic, competitive, civic, and cultural strength throughout the State and our local communities.

NOW, THEREFORE, I, CHRISTOPHER T. SUNUNU, GOVERNOR of the State of New Hampshire, by the authority vested in me by Part II, Article 41 of the New Hampshire Constitution, do hereby order, effective immediately, that:

1. There is hereby established the Public Higher Education Task Force to Study the Strategic Alignment of Public Higher Education in New Hampshire (the Task Force) to identify the long-term needs of the citizenry and to recommend changes needed to meet those needs.
2. The Task Force shall:
 - a. Investigate the strategic alignment of the Community College System of New Hampshire, the University System of New Hampshire and the State's anticipated needs for how postsecondary education will drive timely advancements for NH citizens.
 - b. Conduct meaningful due diligence on identified relevant issues inclusive of exploring and identifying models and methods to:
 - Increase opportunities to raise education attainment levels, in part, to meet workforce needs;
 - Improve accessibility and compatibility for students;
 - Avoid duplication of academic programs, where appropriate, while optimizing access;
 - Create potential for economies of scale and synergy;
 - Enhance regional growth and development; and
 - Streamline administrative costs and obligations.
 - c. Solicit input from a variety of stakeholders impacted by New Hampshire public higher education to identify strengths and weaknesses measured against current and projected demands and to inform decisions about necessary changes and investments.
3. The Task Force shall consist of the following:
 - a. The Governor, or designee
 - b. The Chancellor of the Community College System of NH
 - c. The Chief Administrative Officer of the University System of NH
 - d. The Commissioner of Education, or designee
 - e. One member of the Senate, appointed by the President of the Senate
 - f. Two members of the House of Representatives, one from each political party, appointed by the Speaker of the House of Representatives

- g. Two members of the Community College System Board of Trustees, appointed by the Chair of the Board of Trustees
 - h. Two members of the University System Board of Trustees, appointed by the Chair of the Board of Trustees
 - i. Two representatives of business and industry, appointed by the Governor.
4. The Governor shall select the Chair of the Task Force from the members of the Task Force.
 5. Each of the appointed members shall serve until the work of the Task Force is complete or until replaced in accordance with the above.
 6. A majority of the members shall constitute a quorum.
 7. Task Force members shall perform their duties without additional compensation and shall not be entitled to reimbursement for expenses incurred in attending meeting of the Task Force.
 8. The Task Force may, as it deems appropriate, appoint subcommittees for the purpose of examining specific topics within the charge of the Task Force.
 9. The first meeting shall occur on or before thirty days after the issuance of this Order and as frequently as the Chair determines thereafter.
 10. All meetings of the Task Force shall be open to the public and be subject to the requirements of RSA Chapter 91-A.
 11. The Task Force shall provide a report of its findings no later than March 31, 2024.
 12. The Task Force shall disband and discontinue its charge thirty days after delivery of filing its report of findings, unless such term is extended or modified by subsequent duly issued Executive Order or as otherwise required by law.

Given under my hand and seal at the Executive Chambers in Concord, this 25th day of October, in the year of Our Lord, two thousand and twenty-three, and the independence of the United States of America, two hundred and forty-six.


GOVERNOR OF NEW HAMPSHIRE

Public Higher Education Task Force

2024 Task Force Meeting Dates



2024 Task Force Meeting Dates:			
Date:	Day:	Time:	Location:
January 5, 2024	Friday	9:00am – 2:00pm	25 Hall St. Concord, NH 03301
January 12, 2024	Friday	9:00am – 2:00pm	25 Hall St. Concord, NH 03301
January 26, 2024	Friday	9:00am – 2:00pm	25 Hall St. Concord, NH 03301
February 2, 2024	Friday	9:00am – 2:00pm	25 Hall St. Concord, NH 03301
February 23, 2024	Friday	9:00am – 2:00pm	25 Hall St. Concord, NH 03301
March 1, 2024	Friday	9:00am – 2:00pm	25 Hall St. Concord, NH 03301
March 8, 2024	Friday	9:00am – 2:00pm	25 Hall St. Concord, NH 03301

The Task Force shall provide a report of its findings no later than March 31, 2024.

Snow Dates:			
Date:	Day:	Time:	Location:
<i>February 16, 2024</i>	<i>Friday</i>	<i>9:00am – 2:00pm</i>	<i>25 Hall St. Concord, NH 03301</i>
<i>March 15, 2024</i>	<i>Friday</i>	<i>9:00am – 2:00pm</i>	<i>25 Hall St. Concord, NH 03301</i>

2024 NEW HAMPSHIRE STATEMENT OF FINANCIAL INTERESTS - RSA 15-A

Type or Print Clearly

Full Name Work Address

Primary Occupation e-mail Work Phone

Name the office, position, board or commission, board of directors, etc. or employment with state or county government held by you. NO ACRONYMS

A. List below the name, address, and type of any profession, business, or other organization in which you or a family member was an officer, director, associate, partner, proprietor, or employee, or served in any other professional or advisory capacity, and from which any income in excess of \$10,000 was derived during the preceding calendar year. *Sources of retirement benefits other than federal retirement and/or disability benefits shall be included. (Use additional sheets as necessary.)*

1.

2.

If you have no qualifying income indicate by writing your initials next to the following statement. My income does not qualify

B. Indicate below whether you or a family member has a special interest in any of the following businesses, professions, occupations, groups, or matters. A person has a reportable special interest in an item on this list if a change in law, a change in administrative rule, a decision whether or not to award a contract, grant a license or permit, discipline a licensee or permittee, or other decision by government affecting the listed business, profession, occupation, group, or matter would potentially have a greater financial effect on you or a family member than it would on the general public:

<input type="checkbox"/> 1. Any profession, occupation, or business licensed or certified by the State of New Hampshire. List each such profession, occupation, or category of business: <input type="text"/>					
<input type="checkbox"/> 2. Health Care	<input type="checkbox"/> 3. Insurance	<input type="checkbox"/> 4. Real Estate, including brokers, agent, developers, and landlords	<input type="checkbox"/> 5. Banking or financial services	<input type="checkbox"/> 6. State of New Hampshire, county, or municipal employment	
<input type="checkbox"/> 7. N.H. Retirement System	<input type="checkbox"/> 8. Current use land assessment program	<input type="checkbox"/> 9. Restaurants/ lodging	<input type="checkbox"/> 10. Sale and distribution of alcoholic beverages	<input type="checkbox"/> 11. Practice of law	
<input type="checkbox"/> 12. Any business regulated by the Public Utilities Commission		<input type="checkbox"/> 13. Horse or dog racing, or other legal forms of gambling		<input type="checkbox"/> 14. Education	<input type="checkbox"/> 15. Water Resources
<input type="checkbox"/> 16. Agriculture	17. N.H. taxes: <input type="checkbox"/> Business Profits Tax <input type="checkbox"/> Business Enterprise Tax <input type="checkbox"/> Interest and Dividends Tax	<input type="checkbox"/> 18. <i>Optional:</i> Specify any other area in which you have a special interest ---			

I have read RSA 15-A and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief. **RSA 15-A:9 Penalty.** Any person who knowingly fails to comply with the provisions of this chapter or knowingly files a false statement shall be guilty of a misdemeanor.

Date Signature of Filer

page 4
FINANCIAL DISCLOSURE
RSA CHAPTER 15-A

15-A Financial Disclosure. The general court finds that many public spirited citizens perform volunteer service for the state each year under circumstances where their service does not create any appreciable opportunity to influence the setting of public policy, the expenditure of state funds, or the selection of vendors for the state. Recognizing that the purpose of financial disclosure is to ensure the public has access to information about the financial interests of those who act on the public's behalf when setting public policy, spending state funds, or choosing vendors to do work for the state, requiring volunteers who do not perform such actions to file statements of financial interests does not advance the purpose of the statute and may chill volunteerism. The general court intends to exempt from financial interest disclosure requirements those individuals who serve the state solely in a volunteer capacity and whose service does not afford any appreciable opportunity to influence public policy or spending, including but not limited to individuals who assist with search and rescue, teach hunter safety, work on recreational trails, stock fish, or assist with the annual Easter egg hunt.

15-A:1 Purpose. The purpose of this chapter is to ensure that the performance of official duties does not give rise to a conflict of interest, by requiring the following persons to file a statement of financial interests with the secretary of state. This chapter shall be liberally construed to effect this purpose.

15-A: 2 Definitions. In this chapter:

- I. "Agency" means the executive branch and any department, division, board, commission, or equivalent entity of the executive branch.
- II. "Agency head" means the commissioner or equivalent leader of any department, and the highest ranking member of any commission, board, institution, bureau, or office, which is not a subordinate component of a department or equivalent agency, by whatever name called, other than the legislative and judicial branches of state government.
- III. "Family member" shall mean any person related to and living in the same domicile as the elected official, public official, public employee, constitutional official, or legislative employee who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.
- IV. "Income" means any money or thing of value received.
- V. "Primary occupation" means any business, business association, public sector employment, nonprofit employment, or self-employment which provides the largest source of income for the candidate.

15-A:3 Persons Required to File. I. The following persons shall file a statement of financial interests as required by this chapter:

- (a) All candidates who file for state or county office.
- (b) All persons filing an acceptance of nomination form for state or county office.
- (c) Every person appointed by the governor, governor and council, president of the senate, or the speaker of the house of representatives to any board, commission, committee, board of directors, authority, or equivalent state entity whether regulatory, advisory, or administrative in nature.
- (d) All agency heads.
- (e) Any public official designated, due to the responsibilities of the position, by the agency head.
- (f) The secretary of state and the treasurer, and any of their subordinates designated, due to the responsibilities of the position, by the secretary of state or treasurer.
- (g) All persons elected to state or county office, and all persons appointed to such elective office to fill a vacancy.

(h) Any person, not employed by or working under contract for the state, who is acting on behalf of the governor or an agency while engaged in state business.

II. The filing of a financial disclosure form by an elected member of the house of representatives or senate pursuant to RSA 14-B:8 shall satisfy the requirement for filing a statement of financial interest pursuant to this chapter.

II-a. The filing of a financial disclosure form by a judge pursuant to the New Hampshire code of judicial conduct, rule 3.15 shall satisfy the requirement for filing a statement of financial interest pursuant to this chapter

III. Any person who is otherwise subject to the filing requirement-s of subparagraph I(h) shall be exempt from filing a statement of financial interests provided the individual volunteering:

- (a) Does not directly or indirectly influence the setting of public policy;
- (b) Does not directly or indirectly influence decisions on how state funds will be expended; and
- (c) Does not directly or indirectly influence the selection of vendors for the state.

15-A:4 Designated Public Officials. The governor shall file with the secretary of state an organizational chart identifying the names and titles of all persons who are acting on behalf of the governor and who are required to file a statement of financial interests. Each agency head shall file with the secretary of state an organizational chart identifying the names, titles, and position numbers of persons in his or her department that are required to file a statement of financial interests. The secretary of state and the state treasurer shall file with the secretary of state an organizational chart identifying the names and titles of all persons in his or her department that are required to file a statement of financial interests.

15-A:5 Form of Disclosure. The secretary of state shall establish a uniform statement of financial interests, which may be in paper or electronic form.

I. The statement of financial interest shall include: (a) The full text of RSA 15-A. (b) The full name, work address, work phone number, primary occupation, and, if different, the office, appointment, or employment with government held by person filing the statement of financial interest. (c) The name, address, and type of any profession, business, or other organization in which the reporting individual or family member was an officer, director, associate, partner, proprietor, or employee, or served in any other professional or advisory capacity, and from which any income in excess of \$10,000 was derived during the preceding calendar year. Sources of retirement benefits other than federal retirement and/or disability benefits shall be included.

If the person filing the financial interest statement has no qualifying income he or she shall report this by writing his or her initials following the statement "My income does not qualify ____."

(d) A statement of whether the person reporting or a family member has a special interest in any of the following businesses, professions, occupations, groups, or matters. A person has a reportable special interest in an item on this list if a change in law, a change in administrative rule, a decision whether or not to award a contract, grant a license or permit, discipline a licensee or permittee, or other decision by government affecting the listed business, profession, occupation, or matter would potentially have a greater financial effect on the person reporting the financial interest or a family member than it would on the general public: (1) Any profession, occupation, or business licensed or certified by the state of New Hampshire, listing each such professional, occupation, or category of business. (2) Health care. (3) Insurance. (4) Real estate, including brokers, agents, developers, and landlords. (5) Banking or financial services. (6) State of New Hampshire, county, or municipal employment. (7) The New Hampshire retirement system. (8) The current use land assessment program. (9) Restaurants and lodging. (10) The sale and distribution of alcoholic beverages. (11) The practice of law. (12) Any business regulated by the

public utilities commission. (13) Horse or dog racing, or other legal forms of gambling. (14) Education. (15) Water resources. (16) Agriculture. (17) New Hampshire taxes, specifying if business profits tax, business enterprise tax, or interest and dividends tax. (18) The reporting official may, but is not required by this chapter to specify any other area for which he or she has a special interest.

(e) The following statement followed by a line for the person filing the form to sign and date the form: "I have read RSA 15-A and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief."

II. The secretary of state may also require information such as home phone numbers, home addresses, and other information pertinent to the administration and enforcement of laws relating to financial disclosure. This information shall be non-public and shall not be subject to the provisions of RSA 91-A.

III. The statement of financial interests, if filed on paper, shall be completed by typewriting or legible hand printing, and shall be verified, dated, and signed by the reporting individual personally.

IV. The secretary of state shall maintain the statement of financial interests for 6 years, after which time the statement may be destroyed. The public information on the forms shall be available to the public in the form of a photocopy or an electronic record. The secretary of state shall, as soon as is practical, implement an electronic record keeping system that makes the public information on statements of financial interest available to the public through the internet.

15-A:6 Deadlines for Filing. All persons subject to this chapter shall file a statement of financial interests annually no later than the third Friday in January. All persons subject to this chapter, except those who are elected, shall file a statement of financial interests within 14 days of assuming the office, position, or appointment that makes the person subject to this chapter, unless the person has previously filed a statement during the calendar year. *No person required to file a statement of financial interest pursuant to RSA 15-A:3, I, shall be eligible to serve in his or her appointed capacity prior to filing a statement in accordance with this section.*

15-A:7 Penalty. Any person who knowingly fails to comply with the provisions of this chapter or knowingly files a false statement shall be guilty of a misdemeanor. It shall be an absolute defense in any prosecution under this chapter that the person acted in reliance upon an advisory opinion on the subject issued under RSA 14-B:3, I(c) or RSA 21-G:30, I(c).

15-A:8 Examination of Disclosures. The attorney general may examine the statement of financial interests which are made under this chapter to the secretary of state and compel such disclosures to be made to comply with the law.

15-A:9 Severability. If any provisions of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

RSA 21-G:28-a, III. Each appointing authority under RSA 15-A:3 shall provide the secretary of state with the name and address and appointment date of any person appointed by him or her to any board, commission, committee, or board of directors after the effective date of this section.