

# NEW HAMPSHIRE

OVERALL RANK: 30TH<sup>1</sup>  
TIER 3 (AVERAGE)

STRONGER  WEAKER

OVERALL			30	
1. RESOURCES AND MEMBERSHIP			24	
2. INVOLVEMENT IN POLITICS				40
3. SCOPE OF BARGAINING	14			
4. STATE POLICIES		17		
5. PERCEIVED INFLUENCE				40

## AREA 1: RESOURCES AND MEMBERSHIP TIED FOR 24TH

The Granite State’s financial resources, unionized teaching force, and funding for education all nudge its state teacher unions toward the middle of the national pack. With 84.4 percent of public school teachers unionized, the Granite State posts the 22nd-highest membership rate of 51 jurisdictions, and the state’s NEA and AFT affiliates bring in \$504 per teacher in the state (23rd). State dollars for education are roughly average, with 21.1 percent of New Hampshire’s budget directed to K-12 education (18th). It ranks higher on overall spending—local, state, and federal funds combined amount to annual per-pupil expenditures of \$13,519 (11th), and teachers see 55.6 percent of those dollars go toward their salaries and benefits (16th).

## AREA 2: INVOLVEMENT IN POLITICS<sup>2</sup> TIED FOR 40TH

Compared to their counterparts elsewhere, New Hampshire’s teacher unions were relatively uninvolved in the past decade of state politics. Their contributions amounted to just 0.28 percent of all donations received by candidates for state office (37th), and 0.45 percent of donations to state-level political parties (39th). Further, they did not have a significant presence at Democratic and Republican national conventions: just 7.1 percent of the delegates from New Hampshire were teacher union members (42nd).<sup>3</sup>

*AREA 3: SCOPE OF BARGAINING  
14TH*

New Hampshire's teacher unions enjoy relatively permissive bargaining laws. It is one of twenty-one states that both require collective bargaining *and* allow unions automatically to collect agency fees from non-member teachers (a key source of union revenue). The scope of bargaining is also wide: Of twenty-one items examined in our metric, New Hampshire requires that six be negotiated: wages, hours, terms and conditions of employment, dismissal, leave, and extra-curricular duties. The state only excludes one provision—management rights—and implicitly permits the remaining fourteen items by taking no position. However, state law does not allow teacher strikes.

*AREA 4: STATE POLICIES  
17TH*

New Hampshire's teacher employment policies generally align with traditional union interests. It does not support performance pay, does not require student achievement data to factor into teacher evaluations or tenure decisions, and does not articulate consequences for unsatisfactory evaluations. Further, districts do not have to consider teacher performance when making layoffs (although they do not have to consider seniority, either). On the other hand, it takes teachers five years to earn tenure versus the national norm of three. Moreover, the state's charter policies are somewhat more opposed to typical union positions. While there is a cap on the number of charters, it leaves ample room for growth, and charters get partial automatic exemptions from state certification rules and full exemptions from collective bargaining agreements and most other state laws.

*AREA 5: PERCEIVED INFLUENCE  
40TH*

Stakeholders in New Hampshire perceive teacher union strength to be more limited than in most other states. Not a single survey respondent said that the teacher unions were among the influential entities in education policy; only in Florida did stakeholders say the same. They instead report that the state school board, association of school administrators, and association of school boards were influential. They also note that the unions often rely on compromise to see their preferred policies enacted, that they are unable to ward off proposals with which they disagree (although that may be less true lately—see sidebar), and that the positions of state education leaders are not particularly aligned with those of the teacher union.

*OVERALL  
30TH*

While New Hampshire's teacher unions are not very involved in state politics and do not garner a strong reputation, they do enjoy many favorable state-level policies. Perhaps it is *because* current state policies already align with traditional union interests that they are not more involved politically.

State leaders and unions in the Granite State have been playing hardball for most of 2012. First, lawmakers considered three constitutional amendments that would reduce (or eliminate) the state's obligations to fund public education—no surprise in a state with no sales or personal income tax. CACR 12 would permit the state to give fewer dollars to districts that could afford to raise money locally. CACR 8 would eliminate the state's obligation to give local districts any funds (while also granting districts complete autonomy over curricula, hiring, and budget). And CACR 6 would require a legislative supermajority to pass new taxes, essentially freezing state revenues.<sup>4</sup> NEA-New Hampshire came out hard against all three amendments; on CACR 12, president Rhonda Wesolowski lambasted that “schoolchildren lose when politicians play favorites and that is exactly what this amendment allows.”<sup>5</sup> The House approved CACR 6 and 12, but not with enough votes to place them on the November ballot; CACR 8 died before lawmakers voted on it.<sup>6,7</sup> Three failed amendments mean three strikes, one out, for legislators.

Early 2012 also found New Hampshire's unions battling three measures that AFT-New Hampshire called “union-busting bills and more attacks on our public employees and middle class families.”<sup>8</sup> Senators tabled a proposal to make New Hampshire a right-to-work state after it didn't gain enough momentum to prevail against a likely veto by Democrat Governor John Lynch. Next, they tabled a measure requiring employees and districts share the cost of any health insurance increases should a contract expire while a new one is being negotiated. A third proposal, allowing districts to ask that their local union be decertified as a legal bargaining unit if its membership became small enough, is locked in Senate committee.<sup>9,10</sup> Three more strikes, two outs.

In June 2012, however, school-choice proponents almost knocked one out of the park. The legislature passed a bill giving tax credits to businesses for donations to scholarship funds for private- and religious-school vouchers. The law also provided grants to parents who choose to home-school their children. Governor Lynch made a diving catch at the wall, vetoing the bill on the grounds that public money should not pay for private schools, and proponents couldn't raise enough votes in the House to overturn the veto.<sup>11</sup> That makes three outs for reformist lawmakers, and so, for the time being, New Hampshire's teacher unions are safe at home.

# NEW HAMPSHIRE RANKINGS BY AREA AND INDICATOR

OVERALL RANK: 30TH			
Area and Rank <sup>a</sup>	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status <sup>b</sup>
<b>AREA 1: RESOURCES &amp; MEMBERSHIP</b>  24*	Membership	By rank, what percentage of public-school teachers in the state are union members?	22nd
	Revenue	By rank, what is the total yearly revenue (per teacher in the state) of the state-level NEA and/or AFT affiliate(s)?	23rd
	Spending on education	By rank, what percentage of state expenditures (of state general funds, state restricted funds, state bonds, and federal "pass-through" funds) is directed to K-12 education?	18th
		By rank, what is the total annual per-pupil expenditure (of funds from federal, state, and local sources) in the state?	11th
		By rank, what percentage of total annual per-pupil expenditures is directed to teacher salaries and benefits?	16th
<b>AREA 2: INVOLVEMENT IN POLITICS</b>  40*	Contributions to candidates and political parties	By rank, what percentage of the total contributions to state candidates was donated by teacher unions?	37th
		By rank, what percentage of the total contributions to state-level political parties was donated by teacher unions?	39th
	Industry influence	By rank, what percent of the contributions to state candidates from the ten highest-giving sectors was donated by teacher unions?	29th
	Status of delegates	By rank, what percentage of the state's delegates to the Democratic and Republican conventions were members of teacher unions?	42nd
<b>AREA 3: SCOPE OF BARGAINING</b>  14	Legal scope of bargaining	What is the legal status of collective bargaining?	Mandatory
		By rank, how broad is the scope of collective bargaining?	10th*
	Automatic revenue streams	What is the unions' legal right to automatically collect agency fees from non-members and/or collect member dues via automatic payroll deductions?	Permitted
	Right to strike	What is the legal status of teacher strikes?	Prohibited
<b>AREA 4: STATE POLICIES</b>  17	Performance pay	Does the state support performance pay for teachers?	State does not support
	Retirement	By rank, what is the employer- versus employee-contribution rate to the teacher pension system?	27th
	Evaluations	What is the maximum potential consequence for veteran teachers who receive unsatisfactory evaluation(s)?	No consequences articulated
		Is classroom effectiveness included in teacher evaluations? If so, how is it weighted?	Not required
	Terms of employment	How long before a teacher earns tenure?	Five years
		Is student/teacher performance considered in tenure decisions? If so, how is it weighted?	Not included
		Is seniority considered in teacher layoff decisions? If so, how is it weighted?	Optional; May be considered among other factors
		Is teacher performance included in teacher layoff decisions? If so, how is it weighted?	Not required
	Class size	By rank, what percentage of the teaching workforce was dismissed due to poor performance?	37th
Is class size restricted for grades 1-3? If so, is the restriction higher or lower than the national average (20)?		Yes; Higher	

Area and Rank	General Indicator	Sub-Indicator	Sub-Indicator Rank/Status
<b>AREA 4: STATE POLICIES</b>  <b>17</b>  (cont.)	Charter school structural limitations	Is there a cap (limit) placed on the number of charter schools that can operate in the state (or other jurisdiction) and/or on the number of students who can attend charter schools?	State cap with ample room for growth
		Does the state allow a variety of charter schools: start-ups, conversions, and virtual schools?	Yes
		How many charter authorizing options exist? How active are those authorizers?	Single option; No or limited activity
	Charter school exemptions	Are all charter schools automatically exempt from state laws and state/district regulations (except those that safeguard students and fiscal accountability)? If not, are they eligible for exemptions?	Yes
		Are all charter schools automatically exempt from state teacher-certification requirements? If not, are they eligible for exemptions?	Partially; All schools receive automatic exemptions for some teachers
		Are all charter schools automatically exempt from collective bargaining agreements (CBAs)? If not, are they eligible for exemptions?	Yes

<b>AREA 5: PERCEIVED INFLUENCE<sup>c</sup></b>  <b>40</b>	Relative influence of teacher unions	How do you rank the influence of teacher unions on education policy compared with other influential entities?	Fourth- or fifth-most influential
	Influence over campaigns	On a scale from always to never, how often do Democratic candidates need teacher-union support to get elected?	Often
		On a scale from always to never, how often do Republican candidates need teacher-union support to get elected?	Rarely
	Influence over spending	To what extent, from strongly agree to strongly disagree, do you agree that even in times of cutbacks, teacher unions are effective in protecting dollars for education?	Neutral
		Given recent budgetary constraints, would you say that teacher unions generally make concessions to prevent reductions in pay and benefits or fight hard to prevent those reductions?	Generally concede
	Influence over policy	To what extent, from strongly agree to strongly disagree, do you agree that teacher unions ward off proposals in your state with which they disagree?	Neutral
		On a scale from always to never, how often do existing state education policies reflect teacher-union priorities?	Sometimes/Often
		To what extent, from totally in line to not at all in line, were state education policies proposed by the governor during your state's latest legislative session in line with teacher-union priorities?	Somewhat/Mostly in line
		To what extent, from totally in line to not at all in line, were legislative outcomes of your state's latest legislative session in line with teacher-union priorities?	Mostly not in line/Somewhat in line
	Influence over key stakeholders	On a scale from always to never, how often have the priorities of state education leaders aligned with teacher-union positions in the past three years?	Sometimes/Often
Would you say that teacher unions typically compromise with policymakers to ensure that their preferred policies are enacted, or typically need not make concessions?		Generally compromise	

\* Tied with another state

<sup>a</sup> Area ranks are calculated using a weighted average of sub-indicators. For a more detailed description, see Appendix A.

<sup>b</sup> Where possible, we report a state's rank as compared to other states on a given metric. For example, out of 51 states, New Hampshire has the 22nd-highest percentage of teachers who are union members. Otherwise, we report a status: New Hampshire has mandatory collective bargaining, and union agency fees are permitted. For a more detailed description of our metrics and methodology, see Appendix A. To request the raw data for your state, send an email to [uniondata@edexcellence.net](mailto:uniondata@edexcellence.net).

<sup>c</sup> For all survey questions, stakeholders were asked specifically about teacher unions, candidates, policies, and leaders in their state. In addition, we asked about unions and policies in the "current legislative session," but because legislative calendars vary from state to state, responses refer to policies proposed and enacted within the 2010-11 window.

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## ENDNOTES

<sup>1</sup> A state's overall rank is calculated as follows: First, we score it on multiple sub-indicators (sub-indicator data and scores for New Hampshire are shown in the table, *New Hampshire Rankings by Area and Indicator*). Second, we take a weighted average of the sub-indicators in each of five areas. In each area, we use that average to place the states in rank order: For example, in Area 1: Resources and Membership, New Hampshire is ranked 24th of 51 based on the weighted average of its sub-indicators. To generate the state's overall rank, we average the five area ranks together, then re-order the states. For a more detailed description of data sources and methodology, see Appendix A.

<sup>2</sup> Readers should note that these figures include only direct donations from unions and union-connected PACs, but not their spending on electioneering/advertising, mobilizing the union's own membership, lobbying, or advocacy. A recent *Wall Street Journal* report found that donations and lobbying activities account for a small share of union political spending compared with their expenditures on member mobilization and advocacy. Even the AFT agreed, making the argument that since its mission is organizing and activism, it will naturally spend significant amounts on these activities. Thus, the percentages we report here are extremely conservative representations of what unions actually spend on politics. For more information, see Appendix A, Area 2; Tom McGinty and Brody Mullins, "Political Spending by Unions Far Exceeds Direct Donations," *Wall Street Journal*, July 10, 2012; and Jeff Hauser, "Wall Street Journal Compares Union Political Spending to Corporate Donations," AFL-CIO, July 10, 2012.

<sup>3</sup> At the time of publication, the 2000 conventions were the most recent for which such detailed data were available in forms that met rigorous standards. However, 2008 data provided by the Democratic National Convention were highly correlated with the reliable figures from 2000.

<sup>4</sup> Matt Murray, "Taxes And Schools: An In-Depth Look Into CACR6, CACR12, and CACR13," Hampton-NorthHamptonPatch.com, June 2, 2012, [http://hampton-northhampton.patch.com/blog\\_posts/taxes-and-schools-an-in-depth-look-into-cacr-6-cacr12-and-cacr13](http://hampton-northhampton.patch.com/blog_posts/taxes-and-schools-an-in-depth-look-into-cacr-6-cacr12-and-cacr13).

<sup>5</sup> "CACR12 Wrong for New Hampshire's Schoolchildren," NEA New Hampshire, May 31, 2012, <http://www.neanh.org/home/29.htm>.

<sup>6</sup> Holly Ramer, "NH Education Amendment Fails In House," *Associated Press*, June 6, 2012, [http://www.boston.com/news/local/new\\_hampshire/articles/2012/06/06/nh\\_school\\_funding\\_amendment\\_faces\\_key\\_vote/](http://www.boston.com/news/local/new_hampshire/articles/2012/06/06/nh_school_funding_amendment_faces_key_vote/).

<sup>7</sup> Laura Hailey, "CACR's 6 And 12 Defeated," *New Hampshire Labor News*, June 7, 2012, <http://nhlabornews.com/2012/06/aft-nh-cacrs-6-and-12-defeated/>.

<sup>8</sup> "AFT-NH Member Action Needed – Defeat House Bills 1667, 1645, 1685, And 1206," AFT New Hampshire, <http://nh.aft.org/index.cfm?action=article&articleID=fca8369c-70b5-43d0-9edd-ec0e800fe39c>.

<sup>9</sup> Jake Berry, "Labor Remains Issue For Legislators," *Nashua Telegraph*, March 18, 2012, <http://www.nashuatelegraph.com/news/953922-196/capitol-watch-labor-remains-issue-for-legislators.html>

<sup>10</sup> Garry Rayno, "House Passes Right To Work Bill, But Well Short Of Votes Needed To Override Likely Veto," New Hampshire Union Leader, March 14, 2012, <http://www.unionleader.com/article/20120314/NEWS06/703149975>.

<sup>11</sup> "Governor's Veto Message Regarding SB 372," Office of Governor John Lynch, June 18, 2012, <http://www.governor.nh.gov/media/news/2012/061812-sb372.htm>.