

**Croydon School District  
School Administrative Unit #99**

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April 10, 2022

Brendan Minnihan  
Newport School District Superintendent  
86 N. Main Street  
Newport, NH 03773

Dear Dr. Minnihan,

We are sure you have heard the news of Croydon School District's budget being unexpectedly reduced by 53%. We apologize for not reaching out sooner. Please understand that we have been working hard to determine what the district would be able to afford given the new budget limitations.

As you might imagine, we would like to request an adjustment to our contracted terms, as the Croydon School District can no longer meet the tuition payments as outlined in the May 13, 2020 contract.

Pursuant to RSA 32:8 (Limitation on Expenditures) the Croydon School District cannot be obligated to make tuition payments prior to the appropriation of the funds needed for the payments:

*No board of selectmen, school board, village district commissioners or any other officer, employee, or agency of the municipality acting as such shall pay or agree to pay any money, or incur any liability involving the expenditure of any money, for any purpose in excess of the amount appropriated by the legislative body for that purpose, or for any purpose for which no appropriation has been made, except as provided in RSA 32:9-11.*

See also RSA 194:22 (contracts between school districts are effective when the districts "raise and appropriate money to carry the contract into effect."). In fact, the risk of voter failure to raise and appropriate money for the contract was a concern captured in the May 13, 2020 Contract. Specifically, the May 13, 2020 Contract expressly provides a mechanism for the Newport School District to adjust tuition should Croydon School District's voters fail to fund the Contract. See *Contract*, ("Any action by the legislative body that impacts the budget shall allow Newport the option of adjusting the tuition rate.").

For these reasons, and assuming that no further appropriations are made by the town, our contract dated May 13, 2020 will need to be adjusted. We would very much appreciate the opportunity to meet in person and discuss this matter to determine next steps forward. We would also appreciate you holding seats for existing students in the interim.

Regards,

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