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Newport School District
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April 19, 2022

Dr. Jody Underwood
Chair, Croydon School Board
Croydon School District
PO Box 389
Croydon, NH 03773

Dear Dr. Underwood:

I am in receipt of your letter dated April 10, 2022 requesting that the Newport School Board meet with the members of the Croydon School Board to discuss a change in the terms of the current tuition agreement between the two communities. After consulting with the Newport School Board and our legal counsel, we do not believe that the reduction in the overall budget allocation to the Croydon educational expenses requires or allows for a nullification of our current contract.

Specifically, per our legal counsel, the 53% reduction in the Croydon School District operating budget is not a reduction in the line item for the Tuition Agreement, and when combined with line item transfer authority, the Croydon School District still has an appropriation for the Agreement.

Similarly, there is no doubt that in adopting the operating budget, the Croydon School District and raised and appropriated the money necessary to carry the contract into effect. The 53% reduction in the proposed operating budget does not constitute a reduction in the line item for the Tuition Agreement. Thus, the Croydon School District's citation to RSA 194:22 provides no basis for excusing its contractual performance.

In sum, the Croydon School District remains under the obligation to provide a high school education to its students, and it remains obligated by the Tuition Agreement. In light of the fact that the Agreement is not subject to a non-appropriation clause, and in fact there was no event of non-appropriation, there is no legal occasion for the School District to reduce Croydon's obligation under the contract.

Thank you for reaching to us. We are sorry for the current budget challenges faced by Croydon, yet we look forward to serving the students of Croydon in the upcoming school year.

Sincerely

Dr. Brendan Minnihan
Superintendent of Schools

Mission Statement

The mission of the Newport School District is to inspire, prepare and challenge ALL students with a relevant, rigorous curriculum, driven by outstanding instructional leaders in partnership with our families, businesses, and community, consistent with our core values

Equal Opportunity Employer/Equal Educational Opportunities