

New Hampshire State Board of Education
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Thursday, April 9, 2020



REVISED AGENDA

- I. **CALL TO ORDER – 9:00 AM**
- II. **PLEDGE OF ALLEGIANCE**
- III. **PUBLIC COMMENT** ~ Please submit written commentary to Angela.Adams@doe.nh.gov to be published with the monthly meeting materials.
- IV. **COUNCIL for TEACHER EDUCATION (CTE)** ~ LAURA STONEKING, NHDOE, Administrator, Bureau of Educator Preparation and Higher Education
 - A. Granite State College and the University of New Hampshire ~ One-Year Extension for Approved Educator Preparation Programs in Response to the COVID-19 State of Emergency
- V. **CHARTER SCHOOL REPORTS/UPDATES** ~ JANE WATERHOUSE, NHDOE, Charter School Administrator
 - A. Compass Classical Academy Charter School ~ Six-Month Charter Extension in Response to the COVID-19 State of Emergency
 - B. North Country Charter Academy ~ Six-Month Charter Extension in Response to the COVID-19 State of Emergency
- VI. **COMMISSIONER'S UPDATE**
- VII. **TABLED ITEMS**
 - A. Capital City Public Charter School Status Change
- VIII. **CONSENT AGENDA**
 - A. ADOPT ~ Confidentiality and Record Retention (Ed 1102.04 h & Ed 1119.01)
 - B. FINAL PROPOSAL ~ Requirements for Specific Educator Endorsements (Ed 506 to Ed 508)
 - C. FINAL PROPOSAL ~ Renewal and Denial of Credentials (Ed 509, Ed 512 and Ed 513)
 - D. EMERGENCY RULE ~ Alternative Pathways (Ed 505)
 - E. EMERGENCY RULE ~ Special Education Teacher and Early Childhood Special Education Teacher (Ed 507.40 & Ed 507.41)
 - F. EMERGENCY RULE ~ School Year – Amend Ed 401.03(e) to address Remote Instruction policies
 - G. Meeting Minutes of March 12, 2020
- IX. **ADJOURNMENT – 2:00 PM**



Frank Edelblut
Commissioner

Christine M. Brennan
Deputy Commissioner

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
Division of Educator Support & Higher Education
101 Pleasant Street
Concord, NH 03301
TEL. (603) 271-3495

Submitted to the State Board of Education for the April 2020 meeting.

A. ACTION NEEDED

The State Board of Education (Board) is, by statute, responsible for the licensure of educational personnel. Additionally, the Board grants final approval of all New Hampshire professional preparation programs that result in gaining educational licensure through the completion of a professional educator preparation program (PEPP).

Granite State College (GSC) and the **University of New Hampshire (UNH)** are two of thirteen institutions of higher education with approved educator preparation programs in New Hampshire. The Bureau of Educator Preparation (NHDOE) in conjunction with the two institutions as well as the Council for Teacher Education (CTE) co-chairs are requesting the Board formally approve a one-year extension for these two institutions with impending program educator preparation program reviews.

Granite State College:	Current Expiry	Proposed Expiry
Ed 612.02 Reading and Writing Program (Post Bac)	8/30/2020	8/30/2021
Ed 612.03 Early Childhood Education (BS, BA, Post Bac)	8/30/2020	8/30/2021
Ed 612.04 Elementary Education (K-8) (K-6) (BA, Post Bac)	8/30/2020	8/30/2021
Ed 612.07 General Special Education (BA, Post Bac)	8/30/2020	8/30/2021
Ed 612.071 Early Childhood Special Education (BS, BA, Post Bac)	8/30/2020	8/30/2021
Ed 612.08 Intellectual or Developmental Disabilities (Post Bac)	8/30/2020	8/30/2021
Ed 612.09 Deaf and Hearing Disabilities (Post Bac)	8/30/2020	8/30/2021
Ed 612.10 Emotional and Behavioral Disabilities (Post Bac)	8/30/2020	8/30/2021
Ed 612.11 Specific Learning Disabilities (Post Bac)	8/30/2020	8/30/2021
Ed 612.13 Blind and Vision Disabilities (Post Bac)	8/30/2020	8/30/2021
Ed 612.17 Mathematics for Grades 5-8 (BA, Post Bac)	8/30/2020	8/30/2021
Ed 612.18 Secondary Mathematics for Grades 7-12 (BA, Post Bac)	8/30/2020	8/30/2021
Ed 612.19 Education Technology Integrator (Post Bac)	8/30/2020	8/30/2021
Ed 614.02 Reading & Writing Specialist (Post Bac)	8/30/2020	8/30/2021

University of New Hampshire:	Current Expiry	Proposed Expiry
Ed 612.01 Visual Arts (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.04 Elementary Education (K-8) (K-6) (M.ED)	5/30/2021	5/30/2022
Ed 612.05 English Language Arts for Grades 5-12 (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.06 English for Speakers of Other Languages (ESOL) (M.ED, MAT, Conversion)	5/30/2021	5/30/2022

Ed 612.14 Modern Languages (French) Education (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.14 Modern Languages (German) Education (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.14 Modern Languages (Russian) Education (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.14 Modern Languages (Spanish) Education (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.15 Classical Languages (Latin) Education (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.16 Health and Ed. 612.21 Physical Education Integrated (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.17 Mathematics (5-8) (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.18 Mathematics (7-12) (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.20 Music (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.28 Social Studies for Grades 5-12 (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.21 Physical Education (not integrated with Health) (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.22 Middle Level Science for Grades 5-8 (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.24 Earth Space Science for Grades 7-12 (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.25 Life Sciences for Grades 7-12 (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.26 Chemistry for Grades 7-12 (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.27 Physics (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.30 Theatre (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.31 Career and Technical Education (Agriculture) (M.ED, MAT)	5/30/2021	5/30/2022
Ed 612.32 Dance Education (M.ED, MAT)	5/30/2021	5/30/2022

B. RATIONALE FOR ACTION

Due to changes in campus availability and capacity of reviewers and co-chairs to engage in Program Review processes at this time, the Bureau of Educator Preparation in collaboration with the Council for Teacher Education (CTE) has suspended the April 9, 2020 review team visit to **Granite State College** and any work for the Program Review. The NHDOE is working with **GSC** on processes to reschedule its program review. Additionally, the review co-chairs, NHDOE, and **GSC** will meet again on May 15, 2020 to discuss developments regarding campus availability, capacity of reviewers, and the State Board of Education response to the extension request.

After consult with **UNH**, our plan is to continue to move forward with the scheduled review in November 2020 in anticipation that we are able to proceed as planned. However, in the event of limited availability of PEPP reviewers and CTE members, this would provide flexibility in adjusting the schedule should circumstances merit a change in the timeframe.

C. EFFECTS OF THIS ACTION

The extension for both **GSC** and the **UNH** review will provide the CTE the time, and the flexibility, it needs to conduct each review. Due to current circumstances with distance learning and closed campuses, our reviewers are addressing current needs through remote learning environments and an increased responsibility to their schedules. The best case scenario is the extension will not be necessary, however, we would like to plan accordingly to accommodate both PK-12 individuals and PEPP individuals that are vital to the review team process if situations warrant.

D. HISTORICAL BACKGROUND

The current circumstances surrounding the availability of our review team members, and access to on-site campus resources as a result of closed campuses in addition to remote learning environments has significantly impacted our ability to schedule on-site reviews in the immediate future.

E. POSSIBLE MOTION

The State Board of Education moves to grant a change a one-year extension from August 30, 2020 to August 30, 2021 for the following **Granite State College** approved educator Preparation programs:

Granite State College (14):	
Ed 612.02 Reading and Writing Program (Post Bac)	8/30/2021
Ed 612.03 Early Childhood Education (BS, BA, Post Bac)	8/30/2021
Ed 612.04 Elementary Education (K-8) (K-6) (BA, Post Bac)	8/30/2021
Ed 612.07 General Special Education (BA, Post Bac)	8/30/2021
Ed 612.071 Early Childhood Special Education (BS, BA, Post Bac)	8/30/2021
Ed 612.08 Intellectual or Developmental Disabilities (Post Bac)	8/30/2021
Ed 612.09 Deaf and Hearing Disabilities (Post Bac)	8/30/2021
Ed 612.10 Emotional and Behavioral Disabilities (Post Bac)	8/30/2021
Ed 612.11 Specific Learning Disabilities (Post Bac)	8/30/2021
Ed 612.13 Blind and Vision Disabilities (Post Bac)	8/30/2021
Ed 612.17 Mathematics for Grades 5-8 (BA, Post Bac)	8/30/2021
Ed 612.18 Secondary Mathematics for Grades 7-12 (BA, Post Bac)	8/30/2021
Ed 612.19 Digital Learning Specialist (Post Bac)	8/30/2021
Ed 614.02 Reading & Writing Specialist (Post Bac)	8/30/2021

F. POSSIBLE MOTION

The State Board of Education moves to grant a change a one-year extension from 5/30/2021 to August 30, 2021 for the following **University of New Hampshire** approved educator Preparation programs:

University of New Hampshire (23):	
Ed 612.01 Visual Arts (M.ED, MAT)	5/30/2022
Ed 612.04 Elementary Education (K-8) (K-6) (M.ED)	5/30/2022
Ed 612.05 English Language Arts for Grades 5-12 (M.ED, MAT)	5/30/2022
Ed 612.06 English for Speakers of Other Languages (ESOL) (M.ED, MAT, Conversion)	5/30/2022
Ed 612.14 Modern Languages (French) Education (M.ED, MAT)	5/30/2022
Ed 612.14 Modern Languages (German) Education (M.ED, MAT)	5/30/2022
Ed 612.14 Modern Languages (Russian) Education (M.ED, MAT)	5/30/2022
Ed 612.14 Modern Languages (Spanish) Education (M.ED, MAT)	5/30/2022
Ed 612.15 Classical Languages (Latin) Education (M.ED, MAT)	5/30/2022
Ed 612.16 Health and Ed. 612.21 Physical Education Integrated (M.ED, MAT)	5/30/2022
Ed 612.17 Mathematics (5-8) (M.ED, MAT)	5/30/2022

Ed 612.18 Mathematics (7-12) (M.ED, MAT)	5/30/2022
Ed 612.20 Music (M.ED, MAT)	5/30/2022
Ed 612.28 Social Studies for Grades 5-12 (M.ED, MAT)	5/30/2022
Ed 612.21 Physical Education (not integrated with Health) (M.ED, MAT)	5/30/2022
Ed 612.22 Middle Level Science for Grades 5-8 (M.ED, MAT)	5/30/2022
Ed 612.24 Earth Space Science for Grades 7-12 (M.ED, MAT)	5/30/2022
Ed 612.25 Life Sciences for Grades 7-12 (M.ED, MAT)	5/30/2022
Ed 612.26 Chemistry for Grades 7-12 (M.ED, MAT)	5/30/2022
Ed 612.27 Physics (M.ED, MAT)	5/30/2022
Ed 612.30 Theatre (M.ED, MAT)	5/30/2022
Ed 612.31 Career and Technical Education (Agriculture) (M.ED, MAT)	5/30/2022
Ed 612.32 Dance Education (M.ED, MAT)	5/30/2022

The Council for Teacher Education is charged with monitoring the implementation of the new process and making yearly reports to the State Board. The State Board of Education reserves the right to modify its approval determination if it receives documentation that program graduates are not achieving the levels of skill and knowledge that would entitle them to educational credentials authorized by the State Board under RSA 186: 11 X.

Amend Ed 1102.04(h), effective 3-24-17 (Document #12141), cited and to read as follows:

Ed 1102.04 Definitions N-R.

(h) “Parent” means a biological or adoptive parent, surrogate parent, or a guardian pursuant to 34 CFR 300.30. Parent does not mean the state when the state has legal guardianship.

Readopt with amendment Ed 1119.01, Effective 3-24-17 (Document #12141) to read as follows:

Ed 1119.01 Confidentiality Requirements.

(a) For the purposes of this section “adult student” means “adult student” as defined in 20 USC 1232g(d).

(b) Each participating agency shall comply with 34 CFR 300.610-300.627, relative to confidentiality of information, including compliance with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232G, (FERPA) and its implementing regulations in 34 CFR Part 99.

(c) Each LEA and private provider of special education shall adopt a policy regarding the retention and destruction of special education records pursuant to RSA 186-C:10-a.

(d) An LEA may retain and store the student’s special education records in electronic form or any other form. An LEA shall provide a parent or adult student a written notice of its document destruction policies upon the student’s graduation with a regular high school diploma or at the transfer of rights or whichever occurs first. The LEA shall provide public notice of its document destruction policy at least annually.

(e) A private provider of special education may destroy a student’s special education records prior to the student’s 26th birthday if the private provider of special education has sent all of the student’s records or copies of such records to the most recent LEA of record. A private provider of special education may retain and store the student’s special education records in electronic form or any other form. A private provider of special education shall provide a parent or adult student a copy of its document destruction policy upon the student’s discharge from the private provider of special education.

(f) Each participating agency shall comply with the safeguard provisions of 34 CFR 300.623. The department or the LEA shall provide notice to parents in accordance with 34 CFR 300.612.

Appendix I

Rule	Statute
Ed 1102.04(h)	RSA 186-C:16, VIII
Ed 1119.01	RSA 186-C:10-a

Readopt with amendment and renumber Ed 507.01, effective 2-22-13 (Document #10276), as Ed 506.09, and hold Ed 507.01 in reserve so that Ed 506.09 reads as follows:

Ed 506.09 Career and Technical Education Director.

(a) An individual shall have the following entry level requirements to be licensed as a career and technical education director:

(1) Have completed at least 3 years of successful paid and progressively responsible experience as a career and technical educator, with experience within the 5 years prior to the application as an administrator, supervisor, or teacher; and

(2) One of the following:

a. Completed a master’s program in educational leadership or a related area; or

b. Completed a master’s program in education, and demonstrated:

1. The competencies, skills, and knowledge as listed in (c) below; or

2. Experience in comparable leadership positions in career and technical education or other professions as specified in Ed 505.03.

(b) Candidates shall file the following materials and documents with the bureau of credentialing:

(1) ~~Completed application forms containing the information required in Ed 508.04~~ ***Application forms and materials pursuant to Ed 505.07 through Ed 505.09;***

(2) Previous work record;

(3) Education record; and

(4) A minimum of 3 confidential references from persons who can attest to the candidate’s proficiencies in the required leadership area.

(c) Qualifications for career and technical education director shall include the following skills, competencies, and knowledge in the following areas:

(1) The principles and techniques of effective human resource management, including the following relating to career and technical education personnel:

a. Recruitment and selection;

b. Assignment and deployment of personnel;

c. Supervision;

d. Instructional leadership and support; and

e. Evaluation;

- (2) Fiscal management in the development and administration of a budget;
- (3) Preparation and management of local, state and federal fund budgets;
- (4) Preparation of state and federal applications and proposals;
- (5) Maintenance of records and inventory of all buildings, equipment and supplies;
- (6) Preparation and submittal of all state and federal reports as required by law;
- (7) Solicitation of input from students, parents, school administrators at the secondary and postsecondary level, teachers at the secondary and postsecondary level, and the business community in the region served by a career and technical education center and consideration of that input in the development of:
 - a. Data collection;
 - b. School calendars;
 - c. Scheduling;
 - d. Transportation; and
 - e. Budgets;
- (8) Leadership of career and technical education competency-based programs at a center designated as a regional center under RSA 188-E, including:
 - a. Regional agreements;
 - b. Program promotion and marketing;
 - c. Student recruitment and retainment;
 - d. Admissions policies;
 - e. Regional and program advisory committees; and
 - f. Career and technical student organizations;
- (9) The principles and techniques of leadership for learners including:
 - a. Theories of human development, adult learning, and motivation and the ability to apply this knowledge to conduct effective professional development for beginning and experienced educators;
 - b. Theories, principles, and best practices of staff supervision and evaluation and their link to effective implementation of competency-based instruction and assessment;
 - c. A variety of theories, principles, and best practices for needs-based professional development programs that support the goals of the school district's improvement plan;

- d. The value of assessing, using, and conducting research to improve student learning;
- e. The development of comprehensive systems of education that foster success for all students, including students with disabilities as well as gifted and talented students;
- f. Planning and facilitating the implementation of a developmentally appropriate competency-based comprehensive curriculum, instruction, and assessment program that includes the effective use of data to improve student learning;
- g. The reporting and use of assessment results to:
 - 1. Inform the school community;
 - 2. Develop school action plans, and;
 - 3. Modify school programs; and
- h. The integrated use of technology, telecommunications and information systems to support curriculum, instruction, and assessment;

(10) In-depth understanding of the relevancy between career and technical program offerings and the needs of business and industry on a regional and state-wide basis that includes:

- a. An understanding of the up-to-date employment needs of business and industry with an ability to direct program outcomes to align with these needs;
- b. An understanding of utilizing labor market data to direct program outcomes and consistent communication with business and industry to ensure relevance; and
- c. Rigor in all career and technical education programs;

(11) Solicitation of input from students, parents, school administrators at the secondary and postsecondary level, teachers at the secondary and postsecondary level, and the business community in the region served by a career and technical education center and consideration of that input in the development and implementation of:

- a. Competency-based curriculum;
- b. State performance indicators relating to data-driven curriculum and student assessment;
- c. Formulation of short- and long-range improvement plans;
- d. Use of technology in support of all school operations; and
- e. Providing customized training programs for teachers in the areas of businesses, industry, labor and government as they relate to economic trends and programming at the center;

(12) Relationship of career and technical education to all other curricular areas, integrating these areas consistent with RSA 193-C:3, III and all aspects of industry into the career and technical program curriculum;

(13) Management of career and technical programs which includes purchasing of equipment and supplies and supervising and maintaining laboratory facilities;

(14) Implementation of the federal, state, and local laws and policies relating to legal requirements for schools, contract management and safe environments and incorporating appropriate safety standards in all learning areas; and

(15) Participation in professional organizations relating to career and technical education and career and technical administration.

Readopt with amendment Ed 507.06, effective 2-20-15 (Document #10785), as Ed 506.10, and hold Ed 507.06 in reserve, so that Ed 506.10 reads as follows:

Ed 506.10 School Counseling Director.

(a) An individual shall have the following entry level education and employment experiences to be licensed as a school counseling director:

(1) Completion of a state board of education approved school counseling program at the master's degree level or higher;

(2) Current possession of New Hampshire ~~certification~~ **license** as a school counselor; and

(3) At least 3 years of successful paid and progressively responsible experience in the field of school counseling, with recent leadership experience that encompasses comprehensive knowledge of school operations.

(b) A candidate for ~~certification~~ **licensure** as a school counseling director shall have the following skills, competencies, and knowledge through a combination of academic and supervised practical experiences:

(1) The skills, competencies, and knowledge required under Ed ~~507.07~~ **508.01** for a school counselor; and

(2) Skills, competencies, and knowledge relative to the principles and techniques of effective staff and program management as they relate to school counseling in the areas of:

a. Recruitment and selection;

b. Assignment and deployment of personnel;

c. Supervision;

d. Leadership and support;

e. Development and implementation of a comprehensive program;

- f. School equity and civil rights issues;
- g. Integrated use of technology and information systems;
- h. State and national laws, rules, policies, and ethical guidelines; and
- i. Individual and program evaluation.

Change the part heading for Ed 508 to read as follows:

Part Ed 508 REQUIREMENTS FOR EDUCATIONAL SPECIALISTS AND INSTRUCTIONAL SPECIALISTS

Readopt with amendment and renumber Ed 507.07, effective 2-20-15 (Document #10785), as Ed 508.01, and hold Ed 507.07 in reserve, so that Ed 508.01 reads as follows:

Ed 508.01 School Counselor.

(a) An individual shall have the following entry level requirements to be a licensed school counselor:

- (1) Have completed a state board of education approved school counseling collegiate program at the master's degree level or higher; or
- (2) Have acquired the competencies, skills, and knowledge of a school counselor through:
 - a. Completion of courses related to school counseling at the master's degree level or higher and completion of a counseling internship in a public school setting; or
 - b. Experience in comparable positions in school counseling or other master's level or higher professions closely related to school counseling.

(b) A candidate for ~~certification~~ **licensure** as a school counselor shall have ~~the following~~ skills, competencies, and knowledge in the following areas:

- (1) In the area of comprehensive school counseling programs, ~~skills that the candidate demonstrates to~~ **the ability to**:
 - a. Align the school counseling program with school district mission and goals;
 - b. Design, develop, implement, and evaluate a school counseling program based on state and national models;
 - c. Include and implement career, academic, and personal-social competencies for student learning;
 - d. Integrate the program into a total school curriculum;
 - e. Develop and implement a school counseling calendar;
 - f. Use data for program design to be responsive to school needs; and

g. Apply knowledge of state standards to program goals;

(2) In the area of foundations of school counseling, knowledge and skills that include:

a. Legal and professional standards, including: ~~the national American School Counselor Association (ASCA) standards;~~

(i) The American School Counselor Association (ASCA) Ethical Standards for School Counselors, revised 2016, as referenced in Appendix II;

(ii) ASCA 2019 School Counselor Professional Standards & Competencies, as referenced in Appendix II; and

(iii) ASCA 2014 Mindsets and Behaviors for Student Success: K-12 College- and Career-Readiness Standards for Every Student, as referenced in Appendix II;

b. ~~ASCA ethical standards including~~ eConfidentiality in a school setting;

c. Collaboration, teamwork and supervision and the ability to apply self-awareness;

d. Basic counseling skills and techniques;

e. The ability to translate counseling theory into the practice of school counseling;

f. The ability to apply a knowledge of human growth & development to the school counseling program;

g. The ability to build a school counseling program that includes the student domains of academic, career, and personal-social; and

h. Multicultural counseling competencies;

(3) In the area of management of school counseling, the ability to:

a. Use data to analyze current program needs;

b. Use technology in school counseling, record-keeping, and student information systems;

c. Formulate, follow, and evaluate student, school, and community needs;

d. Manage and address the cyclical needs of students, including the cyclical nature of the school year;

e. Gather data and translate data into understandable reports for others including state, colleges, town, teachers, students, and teams;

f. Communicate about the counseling program to students, teachers, school boards, administrators, and parents;

- g. Participate in, ~~and~~ or build and implement a counselor evaluation system;
 - h. Build leadership skills in self and others; and
 - i. Develop and participate in an advisory committee to the school counseling program;
- (4) In the area of delivery of the school counseling program, the skills and abilities to:
- a. Develop and implement curriculum that is for all students;
 - b. Apply effective short-term individual and group counseling;
 - c. Develop and apply crisis prevention and response;
 - d. Understand and utilize current research and practices in counseling theories, family systems, human development, and community needs;
 - e. Address student needs for college and career readiness knowledge and skills; and
 - f. Apply presentation skills and group management; and
- (5) In the area of accountability, knowledge, skills, and application in:
- a. Research and assessment;
 - b. Scheduling and graduation requirements;
 - c. Counselor-to-student ratios;
 - d. Data-gathering for accountability;
 - e. Advocacy of the role of school counselor;
 - f. Advocacy of the school counseling program including the ability to report yearly, to relevant partners, on the effect of the school counseling program on attendance, behavior, and student learning outcomes;
 - g. Self-reflection and peer supervision; and
 - h. Management of one's own continuing professional development.

Readopt with amendment and renumber Ed 507.08, effective 2-20-15 (Document #10785), as Ed 508.02, and hold Ed 507.08 in reserve, so that Ed 508.02 reads as follows:

Ed 508.02 School Psychologist.

(a) The following shall be the entry level requirements for an individual to be licensed as school psychologist:

(1) Completion of any state board of education approved doctoral certificate of advanced graduate study/specialist, or master’s level program in school psychology; or

(2) Meeting both of the following requirements:

a. Completion of at least 60 semester hours or the equivalent of graduate study culminating in at least a master’s degree, of which at least 54 hours are exclusive of credit for the supervised internship experience as described in b.; and

b. Experience in a supervised internship in a general school setting for 1,200 clock hours, full-time over one year or half time over 2 consecutive years in a general school setting, provided that if additional experiences are provided in mental health clinics, psychiatric hospitals, and other institutions for children, such experiences shall not replace the supervised internship in a general school setting for more than 600 of the 1,200 hours.

(b) A candidate for ~~certification~~ **licensure** as a school psychologist shall have the skills, competencies, and knowledge ~~through a combination of academic and supervised practical experiences~~ in the following areas:

(1) Practices that permeate all aspects of service delivery through:

a. Data-based decision making and accountability; and

b. Consultation and collaboration;

(2) Direct and indirect services for children, families and schools which include:

a. Student-level services including:

1. Conducting, interpreting, and communicating the findings of assessments of students, including but not limited to their:

(i) Intellectual ability;

(ii) Cognitive processing;

(iii) Academic achievement;

(iv) Behavior;

(v) Social and emotional functioning;

(vi) Learning environments; and

(vii) Adaptive functioning;

2. Designing, implementing, monitoring, and adapting instructional and behavioral supports and interventions; **and**

3. Creating, implementing, and evaluating mental health interventions and direct services to develop social/emotional and life skills;

b. Systems-level services including:

1. Interacting effectively in a school setting by understanding systems, roles, curriculum, instruction, and assessment to promote socialization, learning, and mental health; and

2. Implementing and evaluating school wide practices that promote learning; and

c. Preventative and responsive services including:

1. Applying principles of resilience and risk factors in learning and mental health;

2. Promoting multi-tiered systems of support; and

3. Formulating evidence-based strategies for effective crisis preparation, response, and recovery; and

(3) Foundations of professional school psychological services which include:

a. Understanding and analyzing the diversity in human development and learning including culture, context, and individual differences;

b. Explaining typical and atypical psychological and educational development in children and youth;

c. Synthesizing, evaluating, and applying theories and models of research, empirical findings, and techniques related to student learning;

d. Utilizing research design, statistics, measurement, and varied data collection and analysis techniques;

e. Designing and implementing program evaluation to support evidence-based practices at the individual, group, and ~~or~~ systems levels;

f. Integrating the history and foundations of psychology into a professional identity and practice as a school psychologist; and

g. Adhering to ethical, legal, and professional standards including:

1. Ethical and professional decision making; and

2. Professional work characteristics and disposition that reflect personal integrity.

Readopt with amendment and renumber Ed 507.14, effective 3-24-17 (Document #12144), as Ed 508.03, and hold Ed 507.14 in reserve, so that Ed 508.03 reads as follows:

Ed 508.03 School Social Worker.

(a) For an individual to be licensed as a school social worker, the individual shall:

(1) Have completed a master's level specialist program in school social work. ~~Specialist-level programs shall consist~~**ing** of a full time, or its equivalent in part-time, coordinated sequence of specifically focused study at the graduate level, culminating in at least a master's degree in the area of social work from an accredited institution; or

(2) Have earned a master's degree in social work and one of the following:

a. Have completed an approved conversion program in school social work which shall include a 2-year internship supervised by a ~~certified or~~ licensed school social worker; or

b. Have acquired the knowledge and skills of a school social worker under Ed 505.04, or 505.05.

(b) A candidate for ~~certification~~ **licensure** as a school social worker shall have ~~the following~~ skills, competencies, and knowledge ~~through a combination of academic experiences and competencies to be demonstrated by evidence such as, but not limited to, college course work, documented professional experience, letters of recommendation, professional development hours or CEU's, and artifacts of professional practice~~**in the following areas:**

(1) Social welfare and educational policy, including:

a. History of education, social work, and human services systems;

b. Role of policy at local, state, and national levels in education and school social work practice;

c. Process of policy formation and implementation and its impact on student and family systems, schools, organizations, and communities;

d. Use of policy practice to analyze, influence, and advocate; and

e. State and federal laws related to school social work practice, such as education, special education, 504, child welfare, homeless and displaced students, mental health, and juvenile justice;

(2) Social work values and ethics, including:

a. Mission of public education;

b. Mission of school social work to insure student learning, educational equity, and social justice for every student by reducing or eliminating the social, economic, and environmental barriers;

c. Demonstration and promotion of the values of the profession as delineated in the National Association of Social Workers (NASW) Code of Ethics (~~2008~~**2017**), as specified in Appendix II;

d. Professional school social work and pupil services standards as stated in the NASW Standards for School Social Work Services (2012), as specified in Appendix II; and

e. Ability to use an ethical decision-making model to guide practice;

(3) Social and economic justice and populations at risk, including:

a. Understanding risk/resiliency factors for populations at risk;

b. Understanding the dynamics of risk factors for school failure and the strategies to address them;

c. Understanding how group membership and various forms of oppression affect access to resources and educational opportunities;

d. Strategies to combat discrimination, oppression, institutional racism, and economic deprivation;

e. Advocacy for non-discriminatory social and economic systems; and

f. Identification of inequities in access to school and community programs and services for children, youth, and families;

(4) Skills in systematic assessments, data gathering, and interpretation at multiple levels using a variety of methods to assess the needs, characteristics, and interactions of students, families, and school personnel;

(5) Effective prevention and intervention with individuals, families, schools, and communities including:

a. Utilization of a strength-based approach to enhance students' capacities, with special emphasis on students in populations at risk;

b. Design and implementation of practice strategies with persons from diverse backgrounds;

c. Partnership with families and others to resolve challenges in the home, school, and community;

d. Counseling;

e. Crisis intervention and other mental health services;

f. Casework and case management;

g. Group work;

h. Mediation and conflict resolution;

i. Advocacy;

j. Development of positive behavioral intervention strategies for all students;

k. Program development and management;

l. Provision of professional development and community education;

m. Collaboration, consultation, and coordination as leaders or members of interdisciplinary teams and community partnerships; and

n. Community organization, including mobilization of school and community resources;

(6) Human behavior and social environment, including:

a. Biological, psychological, and sociological variables affecting development, learning, and educational achievement; and

b. Application of theoretical frameworks to understand the interaction among individuals and between individuals and social systems such as families, groups, organizations, and communities;

(7) Diversity, including:

a. Cultural factors in race, gender, ethnicity, sexual orientation, and social class and how culture affects individual, family, group, organizational, and community behavior;

b. Understanding of, and affirmation and respect for, people from diverse backgrounds and recognition of diversity within and between groups;

c. Development of trust, open communication, mutual respect, and ongoing collaboration with members of diverse populations; and

d. Ability to take cultural and other diversity factors into account in assessments and interventions; and

(8) Research, including:

a. Qualitative and quantitative methodologies; and

b. Use of practice literature and empirically-based knowledge in the areas of children, youth, families, and schools to:

1. Provide school social work services and educational interventions;

2. Monitor and assess programs and services;

3. Monitor and assess academic and social progress; and

4. Initiate change and improve practice, policy, and programs.

c. For the purposes of Ed 507.14, populations at risk shall include, but not be limited to:

1. Children with special educational needs;
2. School age parents;
3. Homeless youth and families;
4. Students affected by mental health and substance misuse issues;
5. Lesbian, gay, bisexual, transgender, and questioning youth;
6. Abused and neglected students;
7. Students living in poverty;
8. Children of color;
9. Adjudicated and incarcerated youth;
10. English language learners;
11. Students whose families are in crisis; and
12. Other marginalized groups of students.

Readopt with amendment and renumber Ed 507.19, effective 5-31-18 (Document #12539), as Ed 508.04, and hold Ed 507.19 in reserve, so that Ed 508.04 reads as follows:

Ed 508.04 Specialist in Assessment of Intellectual Functioning (SAIF).

(a) To be licensed as a specialist in assessment of intellectual functioning (SAIF), an individual shall:

(1) Hold a master's degree and a valid:

- a. ~~Certification~~ **Beginning educator or experienced educator license** from the ~~department~~ **state board** in education, school counseling, administration, or speech language specialist;
- b. License as a psychologist from the New Hampshire board of psychologists;
- c. License as an occupational therapist from the governing board of occupational therapists; or
- d. License as a speech-language pathologist from the governing board of speech-language pathologists;

(2) Have at least 4 years of documented school experience in education, school counseling, administration, speech therapy, or occupational therapy; and

(3) Either:

- a. Have successfully completed a SAIF program approved by the state board of education; or
- b. Have acquired the competencies, skills and knowledge described in (b) below through other experiences and training so as to qualify under Ed 505.036, ~~Alternative 3: Demonstrated Competencies and Equivalent Experiences~~ ***Demonstrated Competencies.***

(b) To qualify as a SAIF, an individual shall have the following:

(1) Knowledge of:

- a. Relevant local, state, and federal laws, policies, regulations, and procedures pertaining to education;
- b. General principles of learning and research-validated teaching strategies;
- c. Human development theory, including application to children in a school setting;
- d. The learning characteristics of individuals with disabilities;
- e. Statistics, research methods, and professional literature pertinent to the processes of assessment and program development; and
- f. Those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights of individuals as set forth in the *National Association of School Psychologists Principles for Professional Ethics* (2010) as referenced in Appendix II; and

(2) Competency and skill in:

- a. Developing professional interactions for the purpose of obtaining and communicating information;
- b. Consulting with staff members and parents regarding students' current and future needs;
- c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;
- d. Administering, scoring, and interpreting assessments of individual intelligence and cognitive processing, assessments of academic achievement, and assessments of functional achievement;
- e. Conducting a test session with sufficient proficiency to ensure fluent administration and adding meaningful clinical observation concerning the test session, as well as having sufficient expertise to reflect on the student's performance and its implication for further assessment;

- f. Integrating background information and assessment results into a description of how the child learns;
- g. Developing appropriate recommendations based upon assessments and best practices;
- h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; *and*
- i. Assisting the administration in planning and facilitating professional development and improvement efforts; and

(3) Expertise in:

- a. The nature, uses, and limitations of a variety of psychological educational assessments; and
- b. Research-validated educational accommodations, modification, supports, and interventions.

Readopt with amendment and renumber Ed 507.23, effective 9-20-17 (Document #12384), as Ed 508.05, and hold Ed 507.23 in reserve, so that Ed 508.05 reads as follows:

Ed 508.05 School Speech-Language Specialist.

(a) To be licensed as a speech-language specialist, a candidate shall meet the following entry level requirements ~~relative to education and experience~~:

- (1) The general education requirements specified in Ed 505.0602, if applicable;
- (2) The professional education requirements specified in *Ed* 505.0703, if applicable; and
- (3) Hold a master's degree in speech-language pathology or communication sciences and disorders and meet the speech-language specialist competencies.

(b) A candidate for licensure as a speech-language specialist shall have skills, competencies, and knowledge in the following areas:

(1) In the area of core competencies in communication:

- a. A knowledge of professional conduct including how to understand and respect student and family confidentiality;
- b. A knowledge of basic communication science, which for this field shall include:
 - 1. Normal language acquisition and implications for multi-cultural application;
 - 2. Phonetics and phonology;
 - 3. Speech and hearing science;

4. Basic audiology;
5. Anatomy and physiology of the speech and hearing mechanism;
6. Neurology of speech and language; and
7. Swallowing;

c. A knowledge of assessment and intervention techniques related to a broad range of disabilities students might exhibit, any one or combination of which might affect their academic performance and thus place them at risk in terms of their receiving a free and appropriate public education in the least restrictive environment. ~~Disabilities~~, including the following:

1. Fluency disorders such as stuttering;
2. Organic pathologies such as cerebral palsy and traumatic brain injury;
3. Articulation and phonological disorders;
4. Language disorders, including expressive, receptive, and social pragmatic language disorders;
5. Phonological awareness in relation to literacy disorders;
6. Auditory perception, including central auditory processing disorders;
7. Voice and resonance disorders;
8. Augmentative and alternative communication (AAC) modalities such as sign language and speech generating devices; and
9. Autism spectrum disorders;

d. The ability to evaluate existing research, conduct and interpret applied research, and utilize evidence-based practices in assessment and intervention;

e. The ability to administer and interpret the results of a variety of formal and informal screening tools and diagnostic instruments in the areas of:

1. Phonology and articulation; including motor speech disorders;
2. Early childhood and school age language;
3. Oral language as it relates to expressive and receptive language;
4. Dysphagia;
5. Fluency;
6. Hearing and auditory processing disorders;

7. Voice and resonance; and

8. Augmentative and alternative communication (AAC);

f. A knowledge of diagnostics and evaluation to identify the presence of a communication disorder and identify an educational disability in the area of speech, language, or hearing impairment which shall include the ability to:

1. Collect quantitative and qualitative data to assist in identifying:

(i) Student learning strengths and needs;

(ii) Learning styles; and

(iii) Interpersonal skills; and

2. Demonstrate the ability to synthesize data and to develop individualized education programs and methods of assessing progress as described in Ed 1109 and 34 CFR 300.320; and

g. A knowledge of and skills necessary to implement various evidence-based models of service delivery such as individual and group; direct, collaborative and consultative relative to specific communication disorders listed in Ed 5078.2305(b)(1)(c.) which shall include the ability to:

1. Coordinate the provision of services with other school personnel who provide non-speech and language services to students;

2. Apply evidence-based practices in developing and integrating therapeutic goals within the classroom, curriculum or both;

3. Demonstrate the ability to evaluate the attainment of treatment goals in relation to the curriculum using:

(i) Qualitative methods, including but not limited to educator reports, student reports, and observations, and;

(ii) Quantitative methods, including but not limited to the use of standardized tests; and

4. Modify individual student programs based on on-going assessment; and

(2) Concerning school-based delivery systems:

a. A knowledge of educational systems including school operations and administrative organizations;

b. A knowledge of general and special education laws, including but not limited to federal statutes and regulations, state statutes and rules, and related case law;

- c. The ability to participate in the development of individualized education programs and accommodation plans as outlined in Section 504 of the Rehabilitation Act of 1973;
- d. The ability to analyze, evaluate, and employ curriculum and classroom-based teaching techniques and materials to support speech and language development;
- e. The ability to understand the relationship between communication, language, and reading and writing in classroom-based instruction;
- f. The ability to develop, evaluate, and modify curriculum and monitor student progress in academic areas as related to speech, language, and communication;
- g. A knowledge of school, community, state and federal resources to support students and their families in the school setting;
- h. A knowledge of methods and activities for integrating life skills into specific subject areas and related services to promote independent living, social and interpersonal skills;
- j. The ability to supervise paraeducators, tutors, or speech-language assistants in targeting and generalizing speech and language goals; and
- k. The ability to utilize augmentative and alternative communication systems and technology to foster the participation, interaction, and inclusion of children for whom speech is not their primary mode of communication.

(d) Any person who is licensed in the state of New Hampshire as a speech-language pathologist by the governing board of speech-language pathologists shall be considered to have met the requirements of Ed 507.2305.

Readopt with amendment and renumber Ed 507.20, effective 2-22-13 (Document #10276), as Ed 508.07 and hold Ed 507.20 in reserve, so that Ed 508.06 reads as follows:

Ed 508.06 Library Media Coordinator.

(a) A candidate shall have the following entry level requirements to be licensed as a library media coordinator:

- (1) Have completed a minimum of 3 years' experience as a library media specialist as documented by positive recommendations or evaluations from the candidate's supervisor(s) which demonstrate that the candidate has acquired the competencies outlined in Ed 507.21; and
 - (2) Have at least completed a master's degree program in library science, library and information studies, or a closely related field such as education.
- (b) Candidates shall file the following materials and documents with the bureau of credentialing:
- (1) Completed application forms containing the information required in Ed 508.04;
 - (2) Previous work record;
 - (3) Education record; and

(4) A minimum of 3 confidential references from persons who can attest to the candidate's proficiencies in the required leadership area.

(c) Candidates for licensure as a library media coordinator shall have ~~the following~~ skills, competencies, and knowledge *in the following areas*:

(1) In the area of program management and leadership, the ability to:

- a. Provide effective leadership and coordination in developing, implementing, and evaluating a comprehensive, system-wide school library media program;
- b. Develop and implement a strategic plan for the school library media program to meet system-wide goals while allowing for differences of individual schools;
- c. Communicate the school library media program's vision, goals, and priorities to the educational system and the community;
- d. Coordinate collection development and programming for system-wide libraries;
- e. Plan and manage information literacy instruction efforts for students and teachers;
- f. Plan and manage virtual and physical resources, systems, and services to support teaching and learning;
- g. Coordinate the planning and design of new, renovated, and existing school library media facilities and system-wide infrastructure;
- h. Develop policy recommendations and implement established adopted policies and procedures; and
- i. Advocate for the centrality of the library media program to the learning of students;

(2) In the area of fiscal management, the ability to:

- a. Prepare budgets in collaboration with school leaders, departments, or agencies to ensure equitable services and resources;
- b. Maintain accurate records and inventories to prepare reports; and
- c. Research grants and other external funding opportunities for the support and enhancement of student learning resources and results;

(3) In the area of information management, the ability to:

- a. Provide trustworthy information on promising and proven practices keyed to system-wide priorities to improve student achievement as well as educator and school leader effectiveness;
- b. Collaborate with other libraries and agencies to share resources and enhance the system's learning climate, learning opportunities, and learning results;

c. Advise all school system personnel regarding the importance of the principles of intellectual freedom and ethical behavior, and advocate for the integration of these principles in system policies and programs; and

d. Work with system and school leaders as well as educators to ensure standardization of equipment and equity of resources across programs and buildings; and

(4) In the area of personnel management, the ability to:

a. Advocate for the American Association of School Librarians (AASL) recommended level of staffing for school library media centers;

b. Collaborate with principals and site-based committees in the selection and placement of school library media personnel; and

c. Work with school leaders to supervise, support and evaluate the system's school library media personnel in the operation of their school library media program.

Readopt with amendment and renumber Ed 507.21, effective 6-22-12 (Document #10151), as Ed 508.07, and hold Ed 507.21 in reserve, so that Ed 508.07 reads as follows:

Ed 508.07 Library Media Specialist.

(a) To be ~~certified~~ **licensed** as a library media specialist, the candidate shall have a bachelor's degree; ~~and~~.

(b) A candidate for licensure as a library media specialist shall have skills, competencies, and knowledge in the following areas:

(1) In the area of teaching for learning, the ability to:

a. Demonstrate that she or he is a skilled instructional specialist who ensures that learners become effective and ethical users and creators of ideas and information, through:

1. Applying knowledge of learners and learning, including:

(i) Learning styles;

(ii) Stages of human development;

(iii) Cultural influences; and

(iv) Physical and intellectual abilities and needs;

2. Providing instruction in multiple literacies;

3. Promoting inquiry-based learning; and

4. Providing authentic learning experiences;

b. Design and implement instructional strategies that engage students' interests and develop their ability to:

1. Inquire;
2. Think both critically and creatively; and
3. Ethically gain and share knowledge;

c. Utilize the assessment of student learning to inform practice;

d. Model, share, and promote effective principles of teaching and learning as collaborative partners with other educators;

e. Collaborate with students, other educators, and administrators to efficiently access, interpret, and communicate information;

f. Design and provide professional development which enables other educators and administrators to:

1. Locate research-based information relevant to their professional practice; and
2. Integrate best practices into their curricula; and

g. Integrate the use of current technologies as a means for effective and creative teaching and to support students' conceptual understanding, critical thinking, and creative processes;

(2) In the area of literacy and reading, the ability to:

a. Demonstrate knowledge of children's, young adult, and professional literature to guide and support reading for information, reading for pleasure, and reading for lifelong learning in multiple languages and formats such as but not limited to materials in print, e-book, digital, audio, and braille;

b. Use a variety of strategies to promote reading, viewing, and listening, for learning, personal growth, and enjoyment;

c. Develop a collection of reading and information materials in print and digital formats that support the diverse developmental, cultural, social, and linguistic needs of the learning community;

d. Collaborate with staff to design and implement authentic and engaging instructional strategies that reinforce reading instruction to ensure students are able to create meaning from text;

e. Model personal enjoyment of reading in order to motivate lifelong reading in students; and

f. Integrate the use of current technologies that support literacy and reading;

(3) In the area of information and knowledge, the ability to:

- a. Model multiple strategies for students, teachers and administrators and other members of the school community to locate, evaluate, and ethically use information;
- b. Identify physical, socioeconomic, and intellectual barriers to equitable school, home and community access to learning resources and services;
- c. Develop and promote solutions to address barriers to equitable access to learning resources and services;
- d. Provide a variety of learning resources and services to support the needs of diverse learners;
- e. Support flexible, open access to library services, including, but not limited to 24/7 access to online databases, library websites, and related instructional support resources;
- f. Model and communicate the legal and ethical principles of the profession;
- g. Demonstrate proficiency in the use of 21st century tools to continuously improve their professional practice; and
- h. Interpret and use a variety of data, including evidence-based action research, to create and share new knowledge to improve practice in school libraries;

(4) In the area of advocacy and leadership, the ability to:

- a. Utilize evidence-based practice and research to communicate the centrality of the library program to a school's ability to:
 1. Meet and exceed local, state and national content standards;
 2. Improve student learning;
 3. Meet the challenges of the learners, the skills, and the learning environments of the 21st century; and
 4. Integrate the use of current technologies as a means for effective and creative teaching and learning;
- b. Advocate for intellectual freedom, equity of access, and privacy rights;
- c. Educate the school community on the ethical use of information and ideas;
- d. Establish connections with other libraries and strengthen cooperation among library colleagues for resource sharing, networking, and facilitating access to information;
- e. Plan for and participate in ongoing professional growth and leadership opportunities, informed by reflective practice;

f. Engage in school improvement processes, such as but not limited to curriculum development; and

g. Document and communicate the impact of collaborative instruction on student learning; and

(5) In the area of program management and administration, the ability to:

a. Communicate and collaborate with students, staff, administrators, and community members to design and develop a library program that aligns resources and services with the school's mission, in accordance with New Hampshire school approval standards Ed 306.08, instructional resources, and Ed 306.42, ~~information and communication technology~~ *digital literacy program*;

b. Manage, organize, and evaluate school library physical resources such as facilities, fiscal resources such as budgets, and human resources such as personnel, including volunteers, to enhance the use of information resources and services and to ensure equitable access to all resources for all users;

c. Make use of data to evaluate and improve the school library program;

d. Develop, implement, and evaluate policies and procedures consistent with:

1. School, district, state, and national standards;

2. Relevant laws and legislation;

3. Privacy rights;

4. Equity of access; and

5. The tenets of intellectual freedom;

e. Create and implement a collection development policy that demonstrates knowledge of principles related to selection, acquisition, organization, evaluation, and reconsideration of library resources;

f. Evaluate and select print, non-print, and digital resources using professional selection tools and evaluation criteria to develop a relevant, balanced collection designed to meet the diverse curricular, personal, and professional needs of students, staff, and administrators;

g. Organize a school library collection according to current library cataloging and classification principles and standards; and

h. Ensure integration of current research findings and best practices into the school library program by keeping up to date with local, state, and national education, technology, and information initiatives.

Readopt with amendment and renumber Ed 507.22, effective 11-9-18 (Document #12662), as Ed 508.08, and hold Ed 507.22 in reserve, so that Ed 508.08 reads as follows:

Ed 508.08 Digital Learning Specialist. The following requirements shall apply to the ~~certification~~ *licensure* of a digital learning specialist:

(a) To be ~~certified~~ *licensed* as a digital learning specialist, the candidate shall have:

(1) At least a bachelor's degree; and

(2) Qualify for ~~certification~~ *licensure* under one of the credentialing pathways in Ed 505.01 – Ed 505.05 having also met the requirements of (c) below.

(b) ~~a~~ A candidate for licensure as a digital learning specialist shall have skills, competencies, and knowledge as a digital designer, digital learner, digital citizen, collaborative coach, and visionary leader as follows:

(1) As a digital designer, effectively use technology with differentiation, rigor, relevance, and engaging learning experiences in his or her practice of teaching, learning, and assessment by the ability to:

a. Design and implement digitally-based learning experiences with multiple and varied formative and summative assessments;

b. Model and promote the use of adaptive and assistive technologies and other digital tools and resources to personalize and differentiate activities for all learners;

c. Collaborate with other educators to help design and implement the student digital portfolio processes and procedures as specified in Ed 306.42; and

d. Promote student reflection using collaborative tools to reveal and clarify students conceptual understanding;

(2) As a digital learner, continue to deepen knowledge and expertise with technological concepts and pedagogy as follows:

a. Use knowledge of digital tools to model, promote, and facilitate experiences that advance learner competency, creativity, and innovation in both face-to-face and virtual environments;

b. Collaborate with other educators to promote innovative and creative thinking using digital tools to engage learners in real-world problem solving;

c. Collaborate with other educators to model, design, and implement technology-enhanced learning experiences addressing both technology and content standards; and

d. Illustrate how state and national standards are implemented within the curriculum;

(3) As a digital citizen, model responsible and safe participation in the digital world with the ability to:

a. Model and promote safe, ethical, and legal practices related to digital tools and resources;

b. Model and promote digital etiquette, awareness of digital identity and privacy, and responsible social interactions related to the use of digital tools and resources; and

c. Model and promote diversity, cultural understanding, and global awareness using digital communication and collaborative tools and resources to interact locally and globally;

(4) As a collaborative coach, develop innovative professional learning opportunities and evaluate the impact on instructional practice and learner competencies with the ability to:

a. Model and promote effective management and use of digital tools and resources to support technology rich learning environments;

b. Evaluate, adapt, and reflect on digital tools, resources, and emerging trends by participating in local and global learning communities and by reviewing current research and evidence-based innovative practices; and

c. Promote the role of digital media literacies to best equip learners to succeed in a globally interconnected, multicultural world; and

(5) As a visionary leader, promote and participate in the development and implementation of collaborative strategies for the comprehensive integration of technology to foster excellence to support transformational change throughout the instructional environment with the ability to:

a. Promote and participate in the development and implementation of a shared vision for the comprehensive integration of technology to support learning opportunities for all learners and educators;

b. Promote and participate in the planning, development, communication, implementation, and evaluation of technology-infused strategic plans and adoption of new digital resources and tools at the district and school levels; and

c. Promote and participate in the implementation strategies for initiating and sustaining technology innovations and manage the change process in schools and classrooms.

Readopt with amendment and renumber Ed 507.12, effective 3-24-17 (Document #12142), as Ed 508.09, and hold Ed 507.23 in reserve, so that Ed 508.09 reads as follows:

Ed 508.09 Reading and Writing Specialist.

(a) A candidate for licensure as a reading and writing specialist for grades K-12 shall meet the following entry level requirements:

(1) At least a master's degree in literacy or a related field;

(2) The general education requirements specified in Ed 505.062;

(3) The professional education requirements specified in Ed 505.073 if applicable; and

(4) Completed at least 3 years of classroom teaching;

(b) A candidate for licensure as a reading and writing specialist for grades K-12 shall *have* skills, competencies, and knowledge in the following areas:

(1) In the area of knowledge of the theoretical and evidence-based foundations of reading and writing processes and instruction, the ability to:

- a. Demonstrate knowledge of cognitive, sociocultural, and diverse linguistic foundations of reading and writing processes and instruction;
- b. Demonstrate knowledge of current practices, research, and historical developments in reading and writing;
- c. Demonstrate knowledge of language development as it relates to acquisition of reading and writing, the variations related to sociocultural and linguistic diversity, and the basics of second language acquisition;
- d. Demonstrate knowledge of the major components of reading instruction and curriculum, including the ability to:
 1. Understand the relationship between print and sounds, including phonemic awareness, phonics, and other word identification strategies, and their role in fluent reading;
 2. Explain how background knowledge, vocabulary knowledge, text comprehension strategies, and motivation are integrated in reading; and
 3. Describe how reading strategies are taught across all content areas, including but not limited to English, ESOL, mathematics, science, and social studies; and
- e. Demonstrate knowledge of major components of writing instruction, including the ability to:
 1. Demonstrate knowledge of the development of spelling, its instruction, and its relationship to word recognition and word meaning;
 2. Demonstrate the knowledge of the mechanics of writing, including punctuation, grammar, spelling, and letter formation;
 3. Understand recursive strategies for planning, drafting, revising, and editing writing; and
 4. Describe models for integrating writing across the curriculum;

(2) In the area of instructional strategies and curriculum materials in reading and writing, the ability to recognize the importance of, demonstrate, and facilitate professional learning and leadership by:

- a. Selecting and implementing instructional approaches and materials that utilize evidence-based rationale, consider student needs, and support classroom teachers and paraeducators in their use of instructional strategies and grouping; and
- b. Using a wide range of evidence-based curriculum materials including structured literacy approaches in effective reading and writing instruction for struggling reluctant learners, including those identified through the screening required by RSA 200:59, I as having potential indicators or risk factors of dyslexia and related disorders at different stages of literacy development and from different sociocultural and linguistic backgrounds;

(3) In the area of assessment and evaluation of reading and writing, the ability to:

- a. Understand the terminology, processes, and procedures used in formal and informal assessments, including English language learners' proficiency levels;
- b. Use a variety of formal and informal assessment tools and practices to plan, evaluate and communicate effective reading and writing instruction by:
 - 1. Supporting the classroom teacher in the assessment of the reading and writing abilities of individual students; and
 - 2. Extending the assessment further to determine proficiencies and difficulties for appropriate services;
- c. Use assessment information to plan, evaluate, differentiate, and revise effective instruction that meets the needs of all students, including those identified through the screening required by RSA 200:59, I as having potential indicators or risk factors of dyslexia and related disorders by:
 - 1. Assisting teachers, specialists, and paraeducators in using assessments to plan and implement instruction for all students;
 - 2. Engaging students in using assistive technology to address their needs in learning and communicating; and
 - 3. Collaboratively collecting, analyzing, and using school-wide assessment data to improve school and district literacy instruction and programs;
- d. Communicate results of assessments and screenings to a variety of audiences, including students, families, administrators, teachers, specialists, and policymakers; and
- e. Demonstrate knowledge of current issues, practices, and policies related to the assessment, evaluation, and instruction of reading and writing;

(4) In the area of creating a literate environment that fosters reading and writing, the ability to:

- a. Use students' interests, backgrounds, and abilities in reading and writing, as foundations for the reading and writing program, including the ability to:

1. Assist the classroom teacher in demonstrating a respectful attitude toward all learners and understand the roles of choice, motivation, and scaffolded instructional support in creating positive and supportive environments;
 2. Assist the classroom teacher and paraeducator in selecting literature, materials, and activities that match the reading levels and writing development of all students;
 3. Demonstrate models of teaching that provide authentic purposes for reading and writing; and
 4. Help the classroom teacher to use evidence-based rationale to make and monitor flexible instructional grouping options for students;
- b. Select books, technology-based information, and non-print materials representing multiple levels, broad interest, and cultural and linguistic backgrounds;
 - c. Provide opportunities for learners to write for personal, social, academic, and vocational, or professional purposes;
 - d. Collaborate with building and district administrators to establish and to manage a literacy budget; and
 - e. Provide educational opportunities, information, and support for families and the community; and
- (5) In the area of viewing professional development as a career-long effort and responsibility, the ability to:
- a. Participate in, initiate, implement, and evaluate professional development programs;
 - b. Support, demonstrate, and assist professional development in the teaching of reading and writing to paraeducators, teachers, and administrators;
 - c. Engage in collaboration and dialogue with teachers and reading specialists to reflect on teaching practices and improve instruction;
 - d. Display positive habits related to the candidate's own reading and writing and the teaching of reading and writing, and pursue the development of individual professional knowledge and behaviors; and
 - e. Advocate for important professional needs with administrators, school boards, and local, state, and federal policymaking bodies.

Readopt with amendment and renumber Ed 507.251, effective 1-17-14 (Document #10506), as Ed 508.10 to read as follows:

Ed 508.10 Elementary Mathematics Specialist for Grades K-6.

(a) A candidate for licensure as a mathematics specialist for grades K-6 shall meet the following entry level requirements:

- (1) ~~The candidate shall have a~~At least a master's degree in mathematics, education, or a related field and can document a passing score on the Praxis II Middle School Mathematics test or equivalent;
- (2) The general education requirements specified in Ed 505.062;
- (3) The professional education requirements specified in Ed 505.073;
- (4) Hold a valid experienced educator endorsement; and
- (5) Completed at least 3 years of successful classroom teaching of mathematics within grades pk-6.

(b) A candidate for licensure as an elementary mathematics specialist for grades pk-6 shall have skills, competencies, and knowledge ~~through a combination of academic and supervised practical experiences (three semester hours or equivalent in a supervised practicum or school-based internship)~~ in the following areas:

- (1) In the area of content knowledge, ~~have~~ the ability to:
 - a. Apply knowledge of major ~~pk~~**pre-K-6** mathematical concepts, algorithms, procedures and connections;
 - b. Demonstrate an understanding of the sequential nature of mathematics and the mathematical structures and connections inherent in the following content domains:
 1. In the domain of number and operations have the ability to:
 - (i) Demonstrate knowledge of pre-number and early number concepts;
 - (ii) Interpret and represent number systems including whole numbers, integers, rationals, irrationals, reals and the application of their properties;
 - (iii) Demonstrate knowledge of concepts and applications of number theory including multiplicative arithmetic;
 - (iv) Demonstrate a variety of interpretations of the 4 operations of arithmetic and of the common ways they can be applied; and
 - (v) Use proportional reasoning demonstrating connections to fractions, ratios, rates, and scaling;
 2. In the domain of functions and algebra have the ability to:
 - (i) Analyze and generalize a wide variety of patterns and functions for example linear, quadratic, and exponential moving fluently among representations including tables, graphs, written word, and symbolic rules;

(ii) Analyze change and rates of change in various contexts including proportional and inversely proportional relationships;

(iii) Model and solve problems, both mathematical and “real world,” using algebraic methods; and

(iv) Apply the conventions of algebra that is the order of operations and the properties of real numbers commutative, associative, distributive, identity, inverse, and zero properties to algebraic expressions, equations, and inequalities;

3. In the domain of measurement have the ability to:

(i) Utilize non-standard and standard units of measure using appropriate units, techniques, and tools;

(ii) Model and use common units of geometric measures for: angles, perimeter, area and volume, through mathematical and practical contexts;

(iii) Employ estimation as a way of understanding measurement units and processes of measuring those attributes;

(iv) Apply measurement conversion strategies; and

(v) Connect proportionality to measurement including similar figures;

4. In the domain of Geometry have the ability to:

(i) Build and manipulate representations of ~~two~~2- and ~~three~~3-dimensional objects using concrete models, perspective drawings, projections, and dynamic geometry software;

(ii) Analyze properties and relationships among geometric shapes and structures;

(iii) Specify locations and describe spatial relationships using coordinate geometry;

(iv) Apply transformations and compositions of transformations including dilations, translations, rotations, and reflections with symmetry, congruence, and similarity; and

(v) Use geometric constructions and axiomatic reasoning to make and prove conjectures about geometric shapes and relations;

5. In the domain of data analysis and probability have the ability to:

(i) Use data from a random sample to draw inferences about a population;

(ii) Construct and interpret graphical displays of univariate data distributions for example, box plots and histograms;

(iii) Summarize and describe univariate data in relation to its context by using measures including the mean, median, mode, interquartile range, and mean absolute deviation;

(iv) Use scatterplots to analyze bivariate data and utilize lines of best fit to model the relationship between the variables; and

(v) Determine the empirical and theoretical probability for both simple and compound events; and

c. Demonstrate knowledge of the history of mathematics, including the contributions of different individuals and cultures toward the development of mathematics and the role of mathematics in culture and society;

(2) In the area of mathematical practices have the ability to:

a. Communicate and demonstrate the importance of problem solving and its use in developing conceptual understanding;

b. Represent and model mathematical ideas;

c. Reason abstractly, reflectively, and quantitatively including constructing viable arguments and proofs;

d. Attend to precision;

e. Identify elements of structure and express regularity in patterns of mathematical reasoning;

f. Utilize appropriate mathematical vocabulary and symbols to communicate mathematical ideas; and

g. Demonstrate the interconnectedness of mathematical ideas including making connections across various content areas and real-world contexts;

(3) In the area of mathematical pedagogy have the ability to:

a. Plan and assist others in planning instruction incorporating a variety of strategies including mathematics-specific instructional technologies to build all students' conceptual understanding and procedural proficiency;

b. Analyze and consider research in planning for mathematics instruction;

c. Select and apply instructional techniques that assist in identifying and addressing student misconceptions;

d. Use mathematical content and pedagogical knowledge to select, use, adapt and determine the suitability of mathematics curricula and teaching materials for particular learning goals;

e. Understand students’ development in mathematics using holistic, analytical, and diagnostic tools; and

f. Demonstrate developmentally appropriate use of assessments in their practice and train classroom teachers to administer and interpret assessment results; and

(4) In the area of professional knowledge and skills have the ability to:

a. Demonstrate mathematics-focused instructional leadership;

b. Plan, develop, implement and evaluate mathematics-focused professional development programs;

c. Evaluate the alignment of state mathematical standards, district curricula, *and* state and local assessments and recommend appropriate adjustments;

d. Support teachers in systematically reflecting on and learning from their mathematical practice;

e. Collaborate with school-based professionals to develop evidence-based interventions for high-and low-achieving students; and

f. Analyze and interpret mathematics assessment data and communicate results to appropriate and varied audiences.

Appendix I

Rule	Specific State Statute the Rule Implements
Ed 506.09	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 506.10	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.01	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.02	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.03	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.04	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.05	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.06	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.07	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.08	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.09	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.10	RSA 21-N:9, II(s); RSA 186:11, X(a)

Appendix II

Rule	Title	Obtain at:
Ed 508.01(b)(2)a.(i)	The American School Counselor Association (ASCA) <i>Ethical Standards for School Counselors</i> , revised 2016	https://www.schoolcounselor.org/school-counselors/standards Free
Ed 508.01(b)(2)a.(ii)	ASCA 2019 <i>School Counselor Professional Standards & Competencies</i>	https://www.schoolcounselor.org/school-counselors/standards Free
Ed 508.01(b)(2)a.(iii)	ASCA 2014 <i>Mindsets and Behaviors for Student Success: K-12 College- and Career-Readiness Standards for Every Student</i>	https://www.schoolcounselor.org/school-counselors/standards Free
Ed 508.03(b)(2)c.	National Association of Social Workers (NASW) <i>Code of Ethics</i> (2017)	https://www.socialworkers.org/about/ethics/code-of-ethics/code-of-ethics-english Available for purchase for \$6.99
Ed 508.03(b)(2)d.	NASW <i>Standards for School Social Work Services</i> (2012)	https://www.socialworkers.org/LinkClick.aspx?fileticket=1Ze4-9-Os7E%3d&portalid=0 Free
Ed 508.04(b)(1)f.	<i>National Association of School Psychologists Principles for Professional Ethics</i> (2010)	https://www.nasponline.org/standards-and-certification/professional-ethics Free



Frank Edelblut
Commissioner

Christine M. Brennan
Deputy Commissioner

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
101 Pleasant Street
Concord, N.H. 03301
TEL. (603) 271-3495
FAX (603) 271-1953

April 9, 2020

Michael Morrell
Sr. Committee Attorney
Office of Legislative Services, Admin. Rules
State House Annex, Room 219
Concord, NH 03301

Dear Michael,

Attached please find the final proposal for Notice #2019-206, Requirements for Specific Educator Endorsements. The State Board of Education (Board) approved this proposal at its emergency meeting held on April 9, 2020. In addition to the annotated rule text, this letter serves to inform you that two of your substantive comments are not addressed by amendments to the rule.

On page 1 of the rule in your IP comments dated 2-28-2020, and throughout, the Board's authority is questioned as follows: "The education statutes refer to certification, not licensure. See for example, RSA 21-N:9, II(s) and RSA 186:11, X(a). (Applies here and subsequently)."

RSA 21-N:9 is cited and underlined "as authorized by RSA 186:8 and RSA 186:11, X, professional credentials including beginning educator credentials, experienced educator credentials, and intern license,..." That sentence goes on to say "...and other classifications of educators, administrators, specialists and paraprofessionals necessary to address educational needs as determined by the state board upon the recommendation of the professional standards board pursuant to RSA 186:60." This part of the sentence which contemplates "other classifications" is what the Department and Board believe grants authority to classify educator credentials as proposed and as approved by both the Professional Standards Board (PSB) and the Board.

The only statutory reference to a "license" in all of the statutes cited is an "intern license". This has been a concern for the Department in managing reciprocity of licenses. This proposal changes "intern license" to "intern authorization" because an intern has not met all of the competencies required to earn a "beginning educator license", and an individual on an "intern license" could be mistaken for a fully licensed educator when transferring to another state.

In the final proposal for Notice #2019-204, Credential Standards for Educational Personnel, the term "credential" still exists and means "any authorization, statement, or license issued by the state board including, but not limited to..." and goes on to list every credential offered, including full-licensure. In

short, a license is one of many types of credentials issued by the Board. For this reason the Department and Board believe, even without amending the statutes, the proposal complies with RSA 21-N:9, II(s), RSA 186:8, IV and VI, and RSA 186:11, X(a).

On page 7 of the rule text, Ed 508.02(a)(1) your comment states “Unclear: What is the connection or conflict between these words that warrants using a slash? How does ‘specialist’ relate to ‘doctoral certificate’ or advanced graduate?”” This specific endorsement rule, and all other specific endorsement rules in this proposal, are being readopted with amendment and renumbered in order to categorize them as either administrator or specialist endorsements. None of these endorsement rules have gone through the rigorous review process of the Professional Standards Board (PSB) at this time, as they are not due to expire for a number of years. The Department has preserved the original expiration date of these rules and will open them up for review and substantive changes two years prior to their original expiration date. The only substantive change to these specific endorsement rules is the term “license”. All other amendments are deemed editorial. Addressing this comment would be deemed a substantive change at this time. With the Committee’s approval, the Board will make note of this comment and pass it along to the PSB review committee for their input when that time comes.

Please let me know if you have any further questions.

Sincerely,

Amanda Phelps
Administrative Rules Coordinator

CC: State Board of Education

NOV 14 2019

2/28

MM

RULEMAKING NOTICE FORM

Notice Number	2019-206	Rule Number	Ed 506.09, Ed 506.10 and Ed 508
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<p>1. Agency Name & Address:</p> <p>State Board of Education NH Department of Education 101 Pleasant Street Concord, NH 03301</p>	<p>2. RSA Authority: RSA 21-N:9, II(s); RSA 186:8, IV; RSA 186:11, X(a)</p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u> X </u></p>
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5. Short Title: **Requirements for Specific Educator Endorsements**

6. (a) Summary of what the rule says and of any proposed amendments:

This proposal appropriately categorizes endorsements based on the definitions of “administrator”, “teacher”, “educational specialist” and “instructional specialist”.

Ed 507.01, Career and Technical Education Director, and Ed 507.06, School Counseling Director are being readopted with amendment and renumbered as Ed 506.09 and Ed 506.10, respectively. The numbers Ed 507.01 and Ed 507.06 are being held in reserve.

The current Part Ed 508 contains the rules for applying for credentials, which, in another proposal are moved to Ed 505. The proposed Part Ed 508 is for the requirements for educational specialists and instructional specialists. The following endorsement rules are being moved into Ed 508 by being readopted with amendment and renumbered:

- Ed 507.07, School Counselor as Ed 508.01;
- Ed 507.08, School Psychologist as Ed 508.02;
- Ed 507.12, Reading and Writing Specialist as Ed 508.09;
- Ed 507.14, School Social Worker as Ed 508.02;
- Ed 507.19, Specialist in Assessment of Intellectual Functioning (SAIF) as Ed 508.04;
- Ed 507.20, Library Media Coordinator as Ed 508.06;
- Ed 507.21, Library Media Specialist as Ed 508.07;
- Ed 507.22, Digital Learning Specialist as Ed 508.08;
- Ed 507.23, School Speech-Language Specialist as Ed 508.05; and
- Ed 507.251, Elementary Mathematics Specialist for Grades K-6 as Ed 508.10.

The amendments to the list above are for consistency in language and use of defined terms as a result of changes in the rest of Part Ed 500 contained in other proposals.

6. (b) Brief description of the groups affected:

Public and chartered public schools and their students, participating no-public schools, licensed educators, and applicants for NH licensure are affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State Statute the Rule Implements
Ed 506.09	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 506.10	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.01	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.02	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.03	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.04	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.05	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.06	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.07	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.08	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.09	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.10	RSA 21-N:9, II(s); RSA 186:11, X(a)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**

Title: **Administrative Rules
Coordinator**

Address: **NH Department of Education
101 Pleasant Street
Concord, NH 03301**

Phone #: **(603) 271-2718**

Fax#: **(603) 271-3830**

E-mail: **Amanda.phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **December 19, 2019**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **December 12, 2019 at 10:00 a.m.**

Place: **NH Department of Education, State Board Room, 101 Pleasant Street,
Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 19-192, dated 10-28-19

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

These proposed rules are part of large restructuring of Ed 500. The proposed changes in these rules (Ed 506 through Ed 508) include the deletion of the Bureau of Credentialing fee schedule in Ed 508.06. The Board of Education is proposing changes to the fee schedule, as well as relocating it to Ed 505.08. An analysis of these changes is included in the fiscal impact statement for the proposed Ed 505 rules.

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the N.H. Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide the requirements for the educator credentialing process which is already in place and self-funded activities of the NH Department of Education from the credentialing fee revenue. Therefore, there is no violation of Part I, Article 28-a.

Edit: Place AARL in bold. (here and subsequently)

Readopt with amendment and renumber Ed 507.01, effective 2-22-13 (Document #10276), as Ed 506.09, and hold Ed 507.01 in reserve so that Ed 506.09 reads as follows:

Ed 5076.019 Career and Technical Education Director.

(a) An individual shall have the following entry level requirements to be ~~certified~~ **licensed** as a career and technical education director:

(1) Have completed at least 3 years of successful paid and progressively responsible experience as a career and technical educator, with experience within the 5 years prior to the application as an administrator, supervisor, or teacher; and

Authority/Legis. Intent: The education statutes refer to certification, not licensure. See, for example, RSA 21-N:9, II(s) and RSA 186:11, X(a). (Applies here and subsequently.)

(2) One of the following:

a. Completed a master’s program in educational leadership or a related area; or

b. Completed a master’s program in education, and demonstrated:

1. The competencies, skills, and knowledge as listed in (c) below; or

2. Experience in comparable leadership positions in career and technical education or other professions as specified in Ed 505.03.

Unclear: What forms?

(b) Candidates shall file the following materials and documents with the bureau of credentialing:

(1) Completed application forms containing the information required in Ed 508.04;

(2) Previous work record;

(3) Education record; and

Unclear: Does this refer to the existing Ed 508.04, or to Ed 507.19 which is being renumbered in this proposal as Ed 508.04? Regardless, neither version of Ed 508.04 appears to be relevant to an application for a career and technical education director.

(4) A minimum of 3 confidential references from persons who can attest to the candidate’s proficiencies in the required leadership area.

(c) Qualifications for career and technical education director shall include the following skills, competencies, and knowledge in the following areas:

(1) The principles and techniques of effective human resource management, including the following relating to career and technical education personnel:

a. Recruitment and selection;

b. Assignment and deployment of personnel;

c. Supervision;

d. Instructional leadership and support; and

e. Evaluation;

(2) Fiscal management in the development and administration of a budget;

- (3) Preparation and management of local, state and federal fund budgets;
- (4) Preparation of state and federal applications and proposals;
- (5) Maintenance of records and inventory of all buildings, equipment and supplies;
- (6) Preparation and submittal of all state and federal reports as required by law;
- (7) Solicitation of input from students, parents, school administrators at the secondary and postsecondary level, teachers at the secondary and postsecondary level, and the business community in the region served by a career and technical education center and consideration of that input in the development of:
 - a. Data collection;
 - b. School calendars;
 - c. Scheduling;
 - d. Transportation; and
 - e. Budgets;
- (8) Leadership of career and technical education competency-based programs at a center designated as a regional center under RSA 188-E, including:
 - a. Regional agreements;
 - b. Program promotion and marketing;
 - c. Student recruitment and retainment;
 - d. Admissions policies;
 - e. Regional and program advisory committees; and
 - f. Career and technical student organizations;
- (9) The principles and techniques of leadership for learners including:
 - a. Theories of human development, adult learning, and motivation and the ability to apply this knowledge to conduct effective professional development for beginning and experienced educators;
 - b. Theories, principles, and best practices of staff supervision and evaluation and their link to effective implementation of competency-based instruction and assessment;
 - c. A variety of theories, principles, and best practices for needs-based professional development programs that support the goals of the school district's improvement plan;

- d. The value of assessing, using, and conducting research to improve student learning;
 - e. The development of comprehensive systems of education that foster success for all students, including students with disabilities as well as gifted and talented students;
 - f. Planning and facilitating the implementation of a developmentally appropriate competency-based comprehensive curriculum, instruction, and assessment program that includes the effective use of data to improve student learning;
 - g. The reporting and use of assessment results to:
 - 1. Inform the school community;
 - 2. Develop school action plans, and;
 - 3. Modify school programs; and
 - h. The integrated use of technology, telecommunications and information systems to support curriculum, instruction, and assessment;
- (10) In-depth understanding of the relevancy between career and technical program offerings and the needs of business and industry on a regional and state-wide basis that includes:
- a. An understanding of the up-to-date employment needs of business and industry with an ability to direct program outcomes to align with these needs;
 - b. An understanding of utilizing labor market data to direct program outcomes and consistent communication with business and industry to ensure relevance; and
 - c. Rigor in all career and technical education programs;
- (11) Solicitation of input from students, parents, school administrators at the secondary and postsecondary level, teachers at the secondary and postsecondary level, and the business community in the region served by a career and technical education center and consideration of that input in the development and implementation of:
- a. Competency-based curriculum;
 - b. State performance indicators relating to data-driven curriculum and student assessment;
 - c. Formulation of short- and long-range improvement plans;
 - d. Use of technology in support of all school operations; and
 - e. Providing customized training programs for teachers in the areas of businesses, industry, labor and government as they relate to economic trends and programming at the center;

(12) Relationship of career and technical education to all other curricular areas, integrating these areas consistent with RSA 193-C:3, III and all aspects of industry into the career and technical program curriculum;

(13) Management of career and technical programs which includes purchasing of equipment and supplies and supervising and maintaining laboratory facilities;

(14) Implementation of the federal, state, and local laws and policies relating to legal requirements for schools, contract management and safe environments and incorporating appropriate safety standards in all learning areas; and

(15) Participation in professional organizations relating to career and technical education and career and technical administration.

Readopt with amendment Ed 507.06, effective 2-20-15 (Document #10785), as Ed 506.10, and hold Ed 507.06 in reserve, so that Ed 506.10 reads as follows:

Ed 5076.106 School Counseling Director.

(a) An individual shall have the following entry level education and employment experiences to be certified *licensed* as a school counseling director:

(1) Completion of a state board of education approved school counseling program at the master's degree level or higher;

(2) Current possession of New Hampshire certification as a school counselor; and

(3) At least 3 years of successful paid and progressively responsible experience in the field of school counseling, with recent leadership experience that encompasses comprehensive knowledge of school operations.

(b) A candidate for certification as a school counseling director shall have the following skills, competencies, and knowledge through a combination of academic and supervised practical experiences:

(1) The skills, competencies, and knowledge required under Ed 507.07 for a school counselor; and

Edit: This is being renumbered as "508.01"

(2) Skills, competencies, and knowledge relative to the principles and techniques of effective staff and program management as they relate to school counseling in the areas of:

a. Recruitment and selection;

b. Assignment and deployment of personnel;

c. Supervision;

d. Leadership and support;

e. Development and implementation of a comprehensive program;

f. School equity and civil rights issues;

- g. Integrated use of technology and information systems;
- h. State and national laws, rules, policies, and ethical guidelines; and
- i. Individual and program evaluation.

Change the part heading for Ed 508 to read as follows:

Part Ed 508 ~~APPLICATION FOR CERTIFICATION~~ **REQUIREMENTS FOR EDUCATIONAL SPECIALISTS AND INSTRUCTIONAL SPECIALISTS**

Readopt with amendment and renumber Ed 507.07, effective 2-20-15 (Document #10785), as Ed 508.01, and hold Ed 507.07 in reserve, so that Ed 508.01 reads as follows:

Ed 5078.071 School Counselor.

(a) An individual shall have the following entry level requirements to be a ~~certified~~ **licensed** school counselor:

- (1) Have completed a state board of education approved school counseling collegiate program at the master's degree level or higher; or
- (2) Have acquired the competencies, skills, and knowledge of a school counselor through:
 - a. Completion of courses related to school counseling at the master's degree level or higher and completion of a counseling internship in a public school setting; or
 - b. Experience in comparable positions in school counseling or other master's level or higher professions closely related to school counseling.

(b) A candidate for certification as a school counselor shall have the following skills, competencies, and knowledge in the following areas:

- (1) In the area of comprehensive school counseling programs, skills that the candidate demonstrates to:
 - a. Align the school counseling program with school district mission and goals;
 - b. Design, develop, implement and evaluate a school counseling program based on state and national models; Edit: comma
 - c. Include and implement career, academic, and personal-social competencies for student learning;
 - d. Integrate the program into a total school curriculum;
 - e. Develop and implement a school counseling calendar;
 - f. Use data for program design to be responsive to school needs; and

g. Apply knowledge of state standards to program goals;

(2) In the area of foundations of school counseling, knowledge and skills that include:

Unclear/Legis. Intent:
Incorp. by reference statement required w/ FP, along with a specific date or edition and listing in Appendix II and a reference to the Appendix here.

a. Legal and professional standards, including the national American School Counselor Association (ASCA) standards;

b. ASCA ethical standards including confidentiality in a school setting;

c. Collaboration, teamwork and supervision and the ability to apply self-awareness;

d. Basic counseling skills and techniques;

e. The ability to translate counseling theory into the practice of school counseling;

f. The ability to apply a knowledge of human growth & development to the school counseling program;

g. The ability to build a school counseling program that includes the student domains of academic, career, and personal-social; and

h. Multicultural counseling competencies;

(3) In the area of management of school counseling, the ability to:

a. Use data to analyze current program needs;

b. Use technology in school counseling, record-keeping, and student information systems;

Edit: comma

c. Formulate, follow and evaluate student, school, and community needs;

d. Manage and address the cyclical needs of students, including the cyclical nature of the school year;

e. Gather data and translate data into understandable reports for others including state, colleges, town, teachers, students, and teams;

f. Communicate about the counseling program to students, teachers, school boards, administrators, and parents;

Edit: Delete.

g. Participate in, and or build and implement a counselor evaluation system;

h. Build leadership skills in self and others; and

i. Develop and participate in an advisory committee to the school counseling program;

(4) In the area of delivery of the school counseling program, the skills and abilities to:

a. Develop and implement curriculum that is for all students;

- b. Apply effective short-term individual and group counseling;
 - c. Develop and apply crisis prevention and response;
 - d. Understand and utilize current research and practices in counseling theories, family systems, human development, and community needs;
 - e. Address student needs for college and career readiness knowledge and skills; and
 - f. Apply presentation skills and group management; and
- (5) In the area of accountability, knowledge, skills, and application in:
- a. Research and assessment;
 - b. Scheduling and graduation requirements;
 - c. Counselor-to-student ratios;
 - d. Data-gathering for accountability;
 - e. Advocacy of the role of school counselor;
 - f. Advocacy of the school counseling program including the ability to report yearly, to relevant partners, on the effect of the school counseling program on attendance, behavior, and student learning outcomes;
 - g. Self-reflection and peer supervision; and
 - h. Management of one's own continuing professional development.

Readopt with amendment and renumber Ed 507.08, effective 2-20-15 (Document #10785), as Ed 508.02, and hold Ed 507.08 in reserve, so that Ed 508.02 reads as follows:

Ed 5078.082 School Psychologist.

(a) The following shall be the entry level requirements for an individual to be certified **licensed** as school psychologist:

(1) Completion of any state board of education approved doctoral certificate of advanced graduate study/specialist, or master's level program in school psychology; or

(2) Meeting both of the following requirements:

Unclear: What is the connection or conflict between these words that warrants using a slash? How does "specialist" relate to "doctoral certificate" or "advanced graduate"?

a. Completion of at least 60 semester hours or the equivalent of graduate study culminating in at least a master's degree, of which at least 54 hours are exclusive of credit for the supervised internship experience as described in b.; and

b. Experience in a supervised internship in a general school setting for 1,200 clock hours, full-time over one year or half time over 2 consecutive years in a general school setting, provided that if additional experiences are provided in mental health clinics,

psychiatric hospitals, and other institutions for children, such experiences shall not replace the supervised internship in a general school setting for more than 600 of the 1,200 hours.

Edit: comma

(b) A candidate for certification as a school psychologist shall have the skills, competencies and knowledge through a combination of academic and supervised practical experiences in the following areas:

(1) Practices that permeate all aspects of service delivery through:

- a. Data-based decision making and accountability; and
- b. Consultation and collaboration;

(2) Direct and indirect services for children, families and schools which include:

a. Student-level services including;

Edit: Replace semi-colon with a colon.

1. Conducting, interpreting, and communicating the findings of assessments of students, including but not limited to their:

- (i) Intellectual ability;
- (ii) Cognitive processing;
- (iii) Academic achievement;
- (iv) Behavior;
- (v) Social and emotional functioning;
- (vi) Learning environments; and
- (vii) Adaptive functioning;

2. Designing, implementing, monitoring and adapting instructional and behavioral supports and interventions;

Edit: "and"

3. Creating, implementing and evaluating mental health interventions and direct services to develop social/emotional and life skills;

b. Systems-level services including:

Edit: comma

1. Interacting effectively in a school setting by understanding systems, roles, curriculum, instruction and assessment to promote socialization, learning, and mental health; and

2. Implementing and evaluating school wide practices that promote learning; and

c. Preventative and responsive services including:

1. Applying principles of resilience and risk factors in learning and mental health;
 2. Promoting multi-tiered systems of support; and
 3. Formulating evidence-based strategies for effective crisis preparation, response, and recovery; and
- (3) Foundations of professional school psychological services which include:
- a. Understanding and analyzing the diversity in human development and learning including culture, context and individual differences;
 - b. Explaining typical and atypical psychological and educational development in children and youth; Edit: comma
 - c. Synthesizing, evaluating and applying theories and models of research, empirical findings, and techniques related to student learning;
 - d. Utilizing research design, statistics, measurement, and varied data collection and analysis techniques; Edit: Delete.
 - e. Designing and implementing program evaluation to support evidence-based practices at the individual, group, and/or systems levels;
 - f. Integrating the history and foundations of psychology into a professional identity and practice as a school psychologist; and Edit: comma
 - g. Adhering to ethical, legal and professional standards including:
 1. Ethical and professional decision making; and
 2. Professional work characteristics and disposition that reflect personal integrity.

Readopt with amendment and renumber Ed 507.14, effective 3-24-17 (Document #12144), as Ed 508.03, and hold Ed 507.14 in reserve, so that Ed 508.03 reads as follows:

Ed 5078.1403 School Social Worker.

- (a) For an individual to be certified **licensed** as a school social worker, the individual shall: Edit: "consisting"
- (1) Have completed a master's level specialist program in school social work. **Specialist-level programs shall consist** of a full time, or its equivalent in part-time, coordinated sequence of specifically focused study at the graduate level, culminating in at least a master's degree in the area of social work from an accredited institution; or
 - (2) Have earned a master's degree in social work and one of the following:

a. Have completed an approved conversion program in school social work which shall include a 2-year internship supervised by a certified or licensed school social worker; or

b. Have acquired the knowledge and skills of a school social worker under Ed 505.04, or 505.05.

Edit: comma

(b) A candidate for certification as a school social worker shall have the following skills, competencies and knowledge through a combination of academic experiences and competencies to be demonstrated by evidence such as, but not limited to, college course work, documented professional experience, letters of recommendation, professional development hours or CEU's, and artifacts of professional practice:

(1) Social welfare and educational policy, including:

Edit: comma

a. History of education, social work and human services systems;

b. Role of policy at local, state, and national levels in education and school social work practice;

c. Process of policy formation and implementation and its impact on student and family systems, schools, organizations, and communities;

d. Use of policy practice to analyze, influence, and advocate; and

e. State and federal laws related to school social work practice, such as education, special education, 504, child welfare, homeless and displaced students, mental health, and juvenile justice;

(2) Social work values and ethics, including:

a. Mission of public education;

Unclear/Legis. Intent: Appendix II is not included in the proposal. (Applies here and subsequently.)

b. Mission of school social work to insure student learning, educational equity, and social justice for every student by reducing or eliminating the social, economic, and environmental barriers;

c. Demonstration and promotion of the values of the profession as delineated in the National Association of Social Workers (NASW) Code of Ethics (2008), as specified in Appendix II;

d. Professional school social work and pupil services standards as stated in the NASW Standards for School Social Work Services (2012), as specified in Appendix II; and

e. Ability to use an ethical decision-making model to guide practice;

(3) Social and economic justice and populations at risk, including:

a. Understanding risk/resiliency factors for populations at risk;

- b. Understanding the dynamics of risk factors for school failure and the strategies to address them;
 - c. Understanding how group membership and various forms of oppression affect access to resources and educational opportunities;
 - d. Strategies to combat discrimination, oppression, institutional racism, and economic deprivation;
 - e. Advocacy for non-discriminatory social and economic systems; and
 - f. Identification of inequities in access to school and community programs and services for children, youth, and families;
- (4) Skills in systematic assessments, data gathering, and interpretation at multiple levels using a variety of methods to assess the needs, characteristics, and interactions of students, families, and school personnel;
- (5) Effective prevention and intervention with individuals, families, schools, and communities including:
- a. Utilization of a strength-based approach to enhance students' capacities, with special emphasis on students in populations at risk;
 - b. Design and implementation of practice strategies with persons from diverse backgrounds;
 - c. Partnership with families and others to resolve challenges in the home, school, and community;
 - d. Counseling;
 - e. Crisis intervention and other mental health services;
 - f. Casework and case management;
 - g. Group work;
 - h. Mediation and conflict resolution;
 - i. Advocacy;
 - j. Development of positive behavioral intervention strategies for all students;
 - k. Program development and management;
 - l. Provision of professional development and community education;
 - m. Collaboration, consultation, and coordination as leaders or members of interdisciplinary teams and community partnerships; and

n. Community organization, including mobilization of school and community resources;

(6) Human behavior and social environment, including:

a. Biological, psychological, and sociological variables affecting development, learning, and educational achievement; and

b. Application of theoretical frameworks to understand the interaction among individuals and between individuals and social systems such as families, groups, organizations, and communities;

(7) Diversity, including:

a. Cultural factors in race, gender, ethnicity, sexual orientation, and social class and how culture affects individual, family, group, organizational, and community behavior;

b. Understanding of, and affirmation and respect for, people from diverse backgrounds and recognition of diversity within and between groups;

c. Development of trust, open communication, mutual respect, and ongoing collaboration with members of diverse populations; and

d. Ability to take cultural and other diversity factors into account in assessments and interventions; and

(8) Research, including:

a. Qualitative and quantitative methodologies; and

b. Use of practice literature and empirically-based knowledge in the areas of children, youth, families, and schools to:

1. Provide school social work services and educational interventions;

2. Monitor and assess programs and services;

3. Monitor and assess academic and social progress; and

4. Initiate change and improve practice, policy, and programs.

c. For the purposes of Ed 507.14, populations at risk shall include, but not be limited to:

1. Children with special educational needs;

2. School age parents;

3. Homeless youth and families;

4. Students affected by mental health and substance misuse issues;

5. Lesbian, gay, bisexual, transgender, and questioning youth;
6. Abused and neglected students;
7. Students living in poverty;
8. Children of color;
9. Adjudicated and incarcerated youth;
10. English language learners;
11. Students whose families are in crisis; and
12. Other marginalized groups of students.

Readopt with amendment and renumber Ed 507.19, effective 5-31-18 (Document #12539), as Ed 508.04, and hold Ed 507.19 in reserve, so that Ed 508.04 reads as follows:

Ed 5078.1904 Specialist in Assessment of Intellectual Functioning (SAIF).

(a) To be ~~certified~~ **licensed** as a specialist in assessment of intellectual functioning (SAIF), an individual shall:

(1) Hold a master's degree and a valid:

Edit: "or"

Edit: "as a"

- a. Certification from the department in education, school counseling, administration, or speech language specialist;
- b. License as a psychologist from the New Hampshire board of psychologists;
- c. License as an occupational therapist from the governing board of occupational therapists; or
- d. License as a speech-language pathologist from the governing board of speech-language pathologists;

(2) Have at least 4 years of documented school experience in education, school counseling, administration, speech therapy, or occupational therapy; and

(3) Either:

a. Have successfully completed a SAIF program approved by the state board of education; or

Edit: comma

b. Have acquired the competencies, skills, and knowledge described in (b) below through other experiences and training so as to qualify under Ed 505.03, **Alternative 3: Demonstrated Competencies and Equivalent Experiences.**

(b) To qualify as a SAIF, an individual shall have the following:

Edit: Currently an interim rule expiring 4-8-20, but is to be amended and renumbered as Ed 505.06 in IP 2019-205.

(1) Knowledge of:

- a. Relevant local, state, and federal laws, policies, regulations, and procedures pertaining to education;
- b. General principles of learning and research-validated teaching strategies;
- c. Human development theory, including application to children in a school setting;
- d. The learning characteristics of individuals with disabilities;
- e. Statistics, research methods, and professional literature pertinent to the processes of assessment and program development; and
- f. Those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights of individuals as set forth in the National Association of School Psychologists Principles for Professional Ethics (2010) as referenced in Appendix II; and

(2) Competency and skill in:

- a. Developing professional interactions for the purpose of obtaining and communicating information;
- b. Consulting with staff members and parents regarding students' current and future needs;
- c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;
- d. Administering, scoring, and interpreting assessments of individual intelligence and cognitive processing, assessments of academic achievement, and assessments of functional achievement;
- e. Conducting a test session with sufficient proficiency to ensure fluent administration and adding meaningful clinical observation concerning the test session, as well as having sufficient expertise to reflect on the student's performance and its implication for further assessment;
- f. Integrating background information and assessment results into a description of how the child learns;
- g. Developing appropriate recommendations based upon assessments and best practices;
- h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; ← Edit: "and"
- i. Assisting the administration in planning and facilitating professional development and improvement efforts; and

(3) Expertise in:

- a. The nature, uses, and limitations of a variety of psychological educational assessments; and
- b. Research-validated educational accommodations, modification, supports, and interventions.

Readopt with amendment and renumber Ed 507.23, effective 9-20-17 (Document #12384), as Ed 508.05, and hold Ed 507.23 in reserve, so that Ed 508.05 reads as follows:

~~Ed 507.23~~ **508.05** School Speech-Language Specialist.

(a) To be ~~certified~~ **licensed** as a speech-language specialist, a candidate shall meet the following entry level requirements relative to education and experience:

- (1) The general education requirements specified in Ed 505.06, if applicable;
- (2) The professional education requirements specified in 505.07, if applicable; and
- (3) Hold a master's degree in speech-language pathology or communication sciences and disorders and meet the speech-language specialist competencies.

Edit: Will be changed in 2019-205.

Edit: "Ed"

~~(b) For candidates seeking certification through an alternative 3, 4 or 5 pathway, the department of education shall assess the skills, competencies and knowledge of candidates for certification as school speech-language specialists by reviewing evidence, such as, but not limited to, college course work, documented professional experience, letters of recommendation, professional development hours or CEUs, and artifacts of professional practice.~~

(~~eb~~) A candidate for ~~certification~~ **licensure** as a speech-language specialist shall have ~~gained the following skills, competencies, and knowledge through a combination of academic and supervised practical experiences~~ in the following areas:

- (1) In the area of core competencies in communication:
 - a. A knowledge of professional conduct including how to understand and respect student and family confidentiality;
 - b. A knowledge of basic communication science, which for this field shall include:
 1. Normal language acquisition and implications for multi-cultural application;
 2. Phonetics and phonology;
 3. Speech and hearing science;
 4. Basic audiology;
 5. Anatomy and physiology of the speech and hearing mechanism;
 6. Neurology of speech and language; and

7. Swallowing;

c. A knowledge of assessment and intervention techniques related to a broad range of disabilities students might exhibit, any one or combination of which might affect their academic performance and thus place them at risk in terms of their receiving a free and appropriate public education in the least restrictive environment. **Disabilities**, including the following:

Edit: Delete. As worded, this is not correct into language.

1. Fluency disorders such as stuttering;
2. Organic pathologies such as cerebral palsy and traumatic brain injury;
3. Articulation and phonological disorders;
4. Language disorders, including expressive, receptive, and social pragmatic language disorders;
5. Phonological awareness in relation to literacy disorders;
6. Auditory perception, including central auditory processing disorders;
7. Voice and resonance disorders;
8. Augmentative and alternative communication (AAC) modalities such as sign language and speech generating devices; and
9. Autism spectrum disorders;

d. The ability to evaluate existing research, conduct and interpret applied research, and utilize evidence-based practices in assessment and intervention;

e. The ability to administer and interpret the results of a variety of formal and informal screening tools and diagnostic instruments in the areas of:

1. Phonology and articulation; including motor speech disorders;
2. Early childhood and school age language;
3. Oral language as it relates to expressive and receptive language;
4. Dysphagia;
5. Fluency;
6. Hearing and auditory processing disorders;
7. Voice and resonance; and
8. Augmentative and alternative communication (AAC);

f. A knowledge of diagnostics and evaluation to identify the presence of a communication disorder and identify an educational disability in the area of speech, language, or hearing impairment which shall include the ability to:

1. Collect quantitative and qualitative data to assist in identifying:

- (i) Student learning strengths and needs;
- (ii) Learning styles; and
- (iii) Interpersonal skills; and

2. Demonstrate the ability to synthesize data and to develop individualized education programs and methods of assessing progress as described in Ed 1109 and 34 CFR 300.320; and

g. A knowledge of and skills necessary to implement various evidence-based models of service delivery such as individual and group; direct, collaborative and consultative relative to specific communication disorders listed in Ed 507.23(b)(1)(c) which shall include the ability to:

- 1. Coordinate the provision of services with other school personnel who provide non-speech and language services to students;
- 2. Apply evidence-based practices in developing and integrating therapeutic goals within the classroom, curriculum or both;
- 3. Demonstrate the ability to evaluate the attainment of treatment goals in relation to the curriculum using:
 - (i) Qualitative methods, including but not limited to educator reports, student reports, and observations, and;
 - (ii) Quantitative methods, including but not limited to the use of standardized tests; and
- 4. Modify individual student programs based on on-going assessment; and

(2) Concerning school-based delivery systems:

a. A knowledge of educational systems including school operations and administrative organizations;

b. A knowledge of general and special education laws, including but not limited to federal statutes and regulations; state statutes and rules, and related case law;

c. The ability to participate in the development of individualized education programs and accommodation plans as outlined in Section 504 of the Rehabilitation Act of 1973;

d. The ability to analyze, evaluate, and employ curriculum and classroom-based teaching techniques and materials to support speech and language development;

Edit: comma

Edit: "508.05"

Edit: "c."

Edit: Delete semi-colon.

- e. The ability to understand the relationship between communication, language, and reading and writing in classroom-based instruction; Edit: comma
- f. The ability to develop, evaluate, and modify curriculum and monitor student progress in academic areas as related to speech, language and communication;
- g. A knowledge of school, community, state and federal resources to support students and their families in the school setting;
- h. A knowledge of methods and activities for integrating life skills into specific subject areas and related services to promote independent living, social and interpersonal skills;
- j. The ability to supervise paraeducators, tutors or speech-language assistants in targeting and generalizing speech and language goals, and Edit: comma
- k. The ability to utilize augmentative and alternative communication systems and technology to foster the participation, interaction, and inclusion of children for whom speech is not their primary mode of communication.

(d) Any person who is licensed in the state of New Hampshire as a speech-language pathologist by the governing board of speech-language pathology shall be considered to have met the requirements of Ed 507.23. Edit: "508.05" Edit: "pathologists"

Readopt with amendment and renumber Ed 507.20, effective 2-22-13 (Document #10276), as Ed 508.06 and hold Ed 507.20 in reserve, so that Ed 508.06 reads as follows: Edit: "508.07"

Ed ~~507.2006~~ Library Media Coordinator.

(a) A candidate shall have the following entry level requirements to be ~~certified~~ **licensed** as a library media coordinator:

- (1) Have completed a minimum of 3 years' experience as a library media specialist as documented by positive recommendations or evaluations from the candidate's supervisor(s) which demonstrate that the candidate has acquired the competencies outlined in Ed 507.21; and
- (2) Have at least completed a master's degree program in library science, library and information studies, or a closely related field such as education.

(b) Candidates shall file the following materials and documents with the bureau of credentialing:

- (1) Completed application forms containing the information required in Ed 508.04;
- (2) Previous work record;
- (3) Education record; and
- (4) A minimum of 3 confidential references from persons who can attest to the candidate's proficiencies in the required leadership area.

(c) Candidates for ~~certification~~ **licensure** as a library media coordinator shall have the following skills, competencies, and knowledge:

(1) In the area of program management and leadership, the ability to:

- a. Provide effective leadership and coordination in developing, implementing, and evaluating a comprehensive, system-wide school library media program;
- b. Develop and implement a strategic plan for the school library media program to meet system-wide goals while allowing for differences of individual schools;
- c. Communicate the school library media program's vision, goals, and priorities to the educational system and the community;
- d. Coordinate collection development and programming for system-wide libraries;
- e. Plan and manage information literacy instruction efforts for students and teachers;
- f. Plan and manage virtual and physical resources, systems and services to support teaching and learning;
- g. Coordinate the planning and design of new, renovated, and existing school library media facilities and system-wide infrastructure;
- h. Develop policy recommendations and implement established adopted policies and procedures; and
- i. Advocate for the centrality of the library media program to the learning of students;

Edit: comma

(2) In the area of fiscal management, the ability to:

- a. Prepare budgets in collaboration with school leaders, departments or agencies to ensure equitable services and resources;
- b. Maintain accurate records and inventories to prepare reports; and
- c. Research grants and other external funding opportunities for the support and enhancement of student learning resources and results;

Edit: comma

(3) In the area of information management, the ability to:

- a. Provide trustworthy information on promising and proven practices keyed to system-wide priorities to improve student achievement as well as educator and school leader effectiveness;
- b. Collaborate with other libraries and agencies to share resources and enhance the system's learning climate, learning opportunities and learning results;
- c. Advise all school system personnel regarding the importance of the principles of intellectual freedom and ethical behavior, and advocate for the integration of these principles in system policies and programs; and

d. Work with system and school leaders as well as educators to ensure standardization of equipment and equity of resources across programs and buildings; and

(4) In the area of personnel management, the ability to:

- a. Advocate for the American Association of School Librarians (AASL) recommended level of staffing for school library media centers;
- b. Collaborate with principals and site-based committees in the selection and placement of school library media personnel; and
- c. Work with school leaders to supervise, support and evaluate the system's school library media personnel in the operation of their school library media program.

Readopt with amendment and renumber Ed 507.21, effective 6-22-12 (Document #10151), as Ed 508.07, and hold Ed 507.21 in reserve, so that Ed 508.07 reads as follows:

~~Ed 5078.2107~~ Library Media Specialist. The following requirements shall apply to the certification of a library media specialist in grades K-12:

Unclear: It appears different terms are being used for the same thing.

(a) To be certified as a library media specialist, the candidate shall have a bachelor's degree; and

(b) A candidate for certification licensure as a library media specialist shall have the following skills, competencies, and knowledge through a combination of academic and supervised practical experiences in the following areas:

(1) In the area of teaching for learning, the ability to:

a. Demonstrate that she or he is a skilled educator *instructional specialist* who ensures that learners become effective and ethical users and creators of ideas and information, through:

1. Applying knowledge of learners and learning, including:

- (i) Learning styles;
- (ii) Stages of human development;
- (iii) Cultural influences; and
- (iv) Physical and intellectual abilities and needs;

2. Providing instruction in multiple literacies;

3. Promoting inquiry-based learning; and

4. Providing authentic learning experience;

Edit: "s"

b. Design and implement instructional strategies that engage students' interests and develop their ability to:

1. Inquire;
 2. Think both critically and creatively; and
 3. Ethically gain and share knowledge;
- c. Utilize the assessment of student learning to inform practice;
- d. Model, share, and promote effective principles of teaching and learning as collaborative partners with other educators;
- e. Collaborate with students, other educators, and administrators to efficiently access, interpret, and communicate information;
- f. Design and provide professional development which enables other educators and administrators to:
1. Locate research-based information relevant to their professional practice; and
 2. Integrate best practices into their curricula; and
- g. Integrate the use of current technologies as a means for effective and creative teaching and to support students' conceptual understanding, critical thinking, and creative processes;
- (2) In the area of literacy and reading, the ability to:
- a. Demonstrate knowledge of children's, young adult, and professional literature to guide and support reading for information, reading for pleasure, and reading for lifelong learning in multiple languages and formats such as but not limited to materials in print, e-book, digital, audio, and braille;
 - b. Use a variety of strategies to promote reading, viewing, and listening, for learning, personal growth, and enjoyment;
 - c. Develop a collection of reading and information materials in print and digital formats that support the diverse developmental, cultural, social, and linguistic needs of the learning community;
 - d. Collaborate with staff to design and implement authentic and engaging instructional strategies that reinforce reading instruction to ensure students are able to create meaning from text;
 - e. Model personal enjoyment of reading in order to motivate lifelong reading in students; and
 - f. Integrate the use of current technologies that support literacy and reading;
- (3) In the area of information and knowledge, the ability to:

Edit: comma

Edit: comma

- a. Model multiple strategies for students, teachers and administrators and other members of the school community to locate, evaluate, and ethically use information;
- b. Identify physical, socioeconomic and intellectual barriers to equitable school, home and community access to learning resources and services;
- c. Develop and promote solutions to address barriers to equitable access to learning resources and services;
- d. Provide a variety of learning resources and services to support the needs of diverse learners;
- e. Support flexible, open access to library services, including, but not limited to 24/7 access to online databases, library websites, and related instructional support resources;
- f. Model and communicate the legal and ethical principles of the profession;
- g. Demonstrate proficiency in the use of 21st century tools to continuously improve their professional practice; and
- h. Interpret and use a variety of data, including evidence-based action research, to create and share new knowledge to improve practice in school libraries;

(4) In the area of advocacy and leadership, the ability to:

- a. Utilize evidence-based practice and research to communicate the centrality of the library program to a school's ability to:
 1. Meet and exceed local, state and national content standards;
 2. Improve student learning;
 3. Meet the challenges of the learners, the skills, and the learning environments of the 21st century; and
 4. Integrate the use of current technologies as a means for effective and creative teaching and learning;
- b. Advocate for intellectual freedom, equity of access, and privacy rights;
- c. Educate the school community on the ethical use of information and ideas;
- d. Establish connections with other libraries and strengthen cooperation among library colleagues for resource sharing, networking, and facilitating access to information;
- e. Plan for and participate in ongoing professional growth and leadership opportunities, informed by reflective practice;
- f. Engage in school improvement processes, such as but not limited to curriculum development; and

g. Document and communicate the impact of collaborative instruction on student learning; and

(5) In the area of program management and administration, the ability to:

a. Communicate and collaborate with students, staff, administrators, and community members to design and develop a library program that aligns resources and services with the school's mission, in accordance with New Hampshire school approval standards Ed 306.08, instructional resources and Ed 306.42, information and communication technology;

Edit: comma

Edit: "digital literacy program"

b. Manage, organize, and evaluate school library physical resources such as facilities, fiscal resources such as budgets, and human resources such as personnel, including volunteers, to enhance the use of information resources and services and to ensure equitable access to all resources for all users;

c. Make use of data to evaluate and improve the school library program;

d. Develop, implement, and evaluate policies and procedures consistent with:

1. School, district, state, and national standards;
2. Relevant laws and legislation;
3. Privacy rights;
4. Equity of access; and
5. The tenets of intellectual freedom;

e. Create and implement a collection development policy that demonstrates knowledge of principles related to selection, acquisition, organization, evaluation, and reconsideration of library resources;

f. Evaluate and select print, non-print, and digital resources using professional selection tools and evaluation criteria to develop a relevant, balanced collection designed to meet the diverse curricular, personal, and professional needs of students, staff, and administrators;

g. Organize a school library collection according to current library cataloging and classification principles and standards; and

h. Ensure integration of current research findings and best practices into the school library program by keeping up to date with local, state, and national education, technology, and information initiatives.

Readopt with amendment and renumber Ed 507.22, effective 11-9-18 (Document #12662), as Ed 508.08, and hold Ed 507.22 in reserve, so that Ed 508.08 reads as follows:

~~Ed 507.22~~ **508.08 Digital Learning Specialist**. The following requirements shall apply to the certification of a digital learning specialist:

Unclear: Here, and in (a) and (b) below, see comment to Ed 508.07(a) and (b).

(a) To be certified as a digital learning specialist, the candidate shall have:

- (1) At least a bachelor's degree; and
- (2) Qualify for certification under one of the credentialing pathways in Ed 505.01 – Ed 505.05 having also met the requirements of (c) below.

~~(b) For candidates seeking a credential through an alternative 3, 4, or 5 pathway, the department of education shall assess the skills, competencies, and knowledge of candidates for certification as digital learning specialists by reviewing evidence such as, but not limited to, college course work, documented professional experience, letters of recommendation, professional development hours or CEUs, and artifacts of professional practice.~~

Edit: cap

~~(b)~~ *The* ~~a~~ candidate *for licensure as a digital learning specialist* shall have the following skills, competencies, and knowledge, ~~gained through a combination of academic and supervised field-based experience as a digital designer, digital learner, digital citizen, collaborative coach, and visionary leader~~ as follows:

(1) As a digital designer, effectively use technology with differentiation, rigor, relevance, and engaging learning experiences in his or her practice of teaching, learning, and assessment by the ability to:

- a. Design and implement digitally-based learning experiences with multiple and varied formative and summative assessments;
- b. Model and promote the use of adaptive and assistive technologies and other digital tools and resources to personalize and differentiate activities for all learners;
- c. Collaborate with other educators to help design and implement the student digital portfolio processes and procedures as specified in Ed 306.42; and
- d. Promote student reflection using collaborative tools to reveal and clarify students conceptual understanding;

(2) As a digital learner, continue to deepen knowledge and expertise with technological concepts and pedagogy as follows:

- a. Use knowledge of digital tools to model, promote, and facilitate experiences that advance learner competency, creativity, and innovation in both face-to-face and virtual environments;
- b. Collaborate with other educators to promote innovative and creative thinking using digital tools to engage learners in real-world problem solving;
- c. Collaborate with other educators to model, design, and implement technology-enhanced learning experiences addressing both technology and content standards; and
- d. Illustrate how state and national standards are implemented within the curriculum;

(3) As a digital citizen, model responsible and safe participation in the digital world with the ability to:

- a. Model and promote safe, ethical, and legal practices related to digital tools and resources;
- b. Model and promote digital etiquette, awareness of digital identity and privacy, and responsible social interactions related to the use of digital tools and resources; and
- c. Model and promote diversity, cultural understanding, and global awareness using digital communication and collaborative tools and resources to interact locally and globally;

(4) As a collaborative coach, develop innovative professional learning opportunities and evaluate the impact on instructional practice and learner competencies with the ability to:

- a. Model and promote effective management and use of digital tools and resources to support technology rich learning environments;
- b. Evaluate, adapt, and reflect on digital tools, resources, and emerging trends by participating in local and global learning communities and by reviewing current research and evidence-based innovative practices; and
- c. Promote the role of digital media literacies to best equip learners to succeed in a globally interconnected, multicultural world; and

(5) As a visionary leader, promote and participate in the development and implementation of collaborative strategies for the comprehensive integration of technology to foster excellence to support transformational change throughout the instructional environment with the ability to:

- a. Promote and participate in the development and implementation of a shared vision for the comprehensive integration of technology to support learning opportunities for all learners and educators;
- b. Promote and participate in the planning, development, communication, implementation, and evaluation of technology-infused strategic plans and adoption of new digital resources and tools at the district and school levels; and
- c. Promote and participate in the implementation strategies for initiating and sustaining technology innovations and manage the change process in schools and classrooms.

Readopt with amendment and renumber Ed 507.12, effective 3-24-17 (Document #12142), as Ed 508.09, and hold Ed 507.23 in reserve, so that Ed 508.09 reads as follows:

Ed 507.12 **508.09** Reading and Writing Specialist.

(a) A candidate for ~~certification~~ **licensure** as a reading and writing specialist for grades K-12 shall meet the following entry level requirements:

- (1) At least a master's degree in literacy or a related field;
- (2) The general education requirements specified in Ed 505.06;
- (3) The professional education requirements specified in Ed 505.07 if applicable; and
- (4) Completed at least 3 years of classroom teaching;

Edit: semi-colon instead of colon

Edit: Will be changed in 2019-205.

(b) A candidate for ~~certification~~ **licensure** as a reading and writing specialist for grades K-12 shall have the following skills, competencies, and knowledge ~~through a combination of academic and supervised practical experiences~~ in the following areas:

- (1) In the area of knowledge of the theoretical and evidence-based foundations of reading and writing processes and instruction, the ability to:

Edit: comma

- a. Demonstrate knowledge of cognitive, sociocultural and diverse linguistic foundations of reading and writing processes and instruction;
- b. Demonstrate knowledge of current practices, research, and historical developments in reading and writing;
- c. Demonstrate knowledge of language development as it relates to acquisition of reading and writing, the variations related to sociocultural and linguistic diversity, and the basics of second language acquisition;
- d. Demonstrate knowledge of the major components of reading instruction and curriculum, including the ability to:

Edit: comma

1. Understand the relationship between print and sounds, including phonemic awareness, phonics and other word identification strategies, and their role in fluent reading;
 2. Explain how background knowledge, vocabulary knowledge, text comprehension strategies, and motivation are integrated in reading; and
 3. Describe how reading strategies are taught across all content areas, including but not limited to English, ESOL, mathematics, science, and social studies; and
- e. Demonstrate knowledge of major components of writing instruction, including the ability to:
 1. Demonstrate knowledge of the development of spelling, its instruction, and its relationship to word recognition and word meaning;
 2. Demonstrate the knowledge of the mechanics of writing, including punctuation, grammar, spelling, and letter formation;
 3. Understand recursive strategies for planning, drafting, revising and editing writing; and
 4. Describe models for integrating writing across the curriculum;

Edit: comma

(2) In the area of instructional strategies and curriculum materials in reading and writing, the ability to recognize the importance of, demonstrate, and facilitate professional learning and leadership by:

- a. Selecting and implementing instructional approaches and materials that utilize evidence-based rationale, consider student needs, and support classroom teachers and paraeducators in their use of instructional strategies and grouping; and
- b. Using a wide range of evidence-based curriculum materials including structured literacy approaches in effective reading and writing instruction for struggling reluctant learners, including those identified through the screening required by RSA 200:59, I as having potential indicators or risk factors of dyslexia and related disorders at different stages of literacy development and from different sociocultural and linguistic backgrounds;

(3) In the area of assessment and evaluation of reading and writing, the ability to:

- a. Understand the terminology, processes, and procedures used in formal and informal assessments, including English language learners' proficiency levels;
- b. Use a variety of formal and informal assessment tools and practices to plan, evaluate and communicate effective reading and writing instruction by:
 1. Supporting the classroom teacher in the assessment of the reading and writing abilities of individual students; and
 2. Extending the assessment further to determine proficiencies and difficulties for appropriate services;
- c. Use assessment information to plan, evaluate, differentiate and revise effective instruction that meets the needs of all students, including those identified through the screening required by RSA 200:59, I as having potential indicators or risk factors of dyslexia and related disorders by:
 1. Assisting teachers, specialists and paraeducators in using assessments to plan and implement instruction for all students;
 2. Engaging students in using assistive technology to address their needs in learning and communicating; and
 3. Collaboratively collecting, analyzing and using school-wide assessment data to improve school and district literacy instruction and programs;
- d. Communicate results of assessments and screenings to a variety of audiences, including students, families, administrators, teachers, specialists, and policymakers; and
- e. Demonstrate knowledge of current issues, practices and policies related to the assessment, evaluation and instruction of reading and writing;

Edit: comma

(4) In the area of creating a literate environment that fosters reading and writing, the ability to:

a. Use students' interests, backgrounds and abilities in reading and writing, as foundations for the reading and writing program, including the ability to:

1. Assist the classroom teacher in demonstrating a respectful attitude toward all learners and understand the roles of choice, motivation and scaffolded instructional support in creating positive and supportive environments;

2. Assist the classroom teacher and paraeducator in selecting literature, materials, and activities that match the reading levels and writing development of all students;

3. Demonstrate models of teaching that provide authentic purposes for reading and writing; and

4. Help the classroom teacher to use evidence-based rationale to make and monitor flexible instructional grouping options for students;

b. Select books, technology-based information, and non-print materials representing multiple levels, broad interest, and cultural and linguistic backgrounds;

c. Provide opportunities for learners to write for personal, social, academic, and vocational or professional purposes;

d. Collaborate with building and district administrators to establish and to manage a literacy budget; and

e. Provide educational opportunities, information, and support for families and the community; and

(5) In the area of viewing professional development as a career-long effort and responsibility, the ability to:

a. Participate in, initiate, implement, and evaluate professional development programs;

b. Support, demonstrate, and assist professional development in the teaching of reading and writing to paraeducators, teachers and administrators;

c. Engage in collaboration and dialogue with teachers and reading specialists to reflect on teaching practices and improve instruction;

d. Display positive habits related to the candidate's own reading and writing and the teaching of reading and writing, and pursue the development of individual professional knowledge and behaviors; and

e. Advocate for important professional needs with administrators, school boards, and local, state, and federal policymaking bodies.

Edit: comma

Edit: comma

Edit: comma

Readopt with amendment and renumber Ed 507.251, effective 1-17-14 (Document #10506), as Ed 508.10 to read as follows:

~~Ed 5078.25110~~ Elementary Mathematics Specialist for Grades K-6.

(a) A candidate for ~~certification~~ **licensure** as a mathematics specialist for grades K-6 shall meet the following entry level requirements:

Edit: Delete. Unnecessary and inconsistent with (2)-(5).

(1) ~~The candidate shall have at least a master's degree in mathematics, education or a related field and can document a passing score on the Praxis II Middle School Mathematics test or equivalent;~~

Edit: comma

(2) The general education requirements specified in Ed 505.06;

Edit: Will be changed in 2019-205.

(3) The professional education requirements specified in Ed 505.07;

(4) Hold a valid experienced educator endorsement; and

(5) Completed at least 3 years of successful classroom teaching of mathematics within grades pk-6.

(b) A candidate for ~~certification~~ **licensure** as an elementary mathematics specialist for grades pk-6 shall have the following skills, competencies, and knowledge through a combination of academic and supervised practical experiences (three semester hours or equivalent in a supervised practicum or school-based internship) in the following areas:

Edit: ", consisting of 3"

Edit: comma

(1) In the area of content knowledge have the ability to:

a. Apply knowledge of major pk-6 mathematical concepts, algorithms, procedures and connections;

Unclear: What does this mean? "pre-k"?

b. Demonstrate an understanding of the sequential nature of mathematics and the mathematical structures and connections inherent in the following content domains:

1. In the domain of number and operations have the ability to:

(i) Demonstrate knowledge of pre-number and early number concepts;

(ii) Interpret and represent number systems including whole numbers, integers, rationals, irrationals, reals and the application of their properties;

(iii) Demonstrate knowledge of concepts and applications of number theory including multiplicative arithmetic;

(iv) Demonstrate a variety of interpretations of the 4 operations of arithmetic and of the common ways they can be applied; and

(v) Use proportional reasoning demonstrating connections to fractions, ratios, rates, and scaling;

2. In the domain of functions and algebra have the ability to:

(i) Analyze and generalize a wide variety of patterns and functions for example linear, quadratic, and exponential moving fluently among representations including tables, graphs, written word, and symbolic rules;

(ii) Analyze change and rates of change in various contexts including proportional and inversely proportional relationships;

Edit: Delete.

(iii) Model and solve problems, both mathematical and "real world," using algebraic methods; and

(iv) Apply the conventions of algebra that is the order of operations and the properties of real numbers commutative, associative, distributive, identity, inverse, and zero properties to algebraic expressions, equations, and inequalities;

3. In the domain of measurement have the ability to:

(i) Utilize non-standard and standard units of measure using appropriate units, techniques, and tools;

(ii) Model and use common units of geometric measures for: angles, perimeter, area and volume, through mathematical and practical contexts;

(iii) Employ estimation as a way of understanding measurement units and processes of measuring those attributes;

(iv) Apply measurement conversion strategies; and

(v) Connect proportionality to measurement including similar figures;

4. In the domain of Geometry have the ability to:

Edit: "2" and "3"

Edit: no cap

(i) Build and manipulate representations of two- and three-dimensional objects using concrete models, perspective drawings, projections, and dynamic geometry software;

(ii) Analyze properties and relationships among geometric shapes and structures;

(iii) Specify locations and describe spatial relationships using coordinate geometry;

(iv) Apply transformations and compositions of transformations including dilations, translations, rotations, and reflections with symmetry, congruence, and similarity; and

(v) Use geometric constructions and axiomatic reasoning to make and prove conjectures about geometric shapes and relations;

5. In the domain of data analysis and probability have the ability to:

- (i) Use data from a random sample to draw inferences about a population;
 - (ii) Construct and interpret graphical displays of univariate data distributions for example, box plots and histograms;
 - (iii) Summarize and describe univariate data in relation to its context by using measures including the mean, median, mode, interquartile range, and mean absolute deviation;
 - (iv) Use scatterplots to analyze bivariate data and utilize lines of best fit to model the relationship between the variables; and
 - (v) Determine the empirical and theoretical probability for both simple and compound events; and
- c. Demonstrate knowledge of the history of mathematics, including the contributions of different individuals and cultures toward the development of mathematics and the role of mathematics in culture and society;
- (2) In the area of mathematical practices have the ability to:
- a. Communicate and demonstrate the importance of problem solving and its use in developing conceptual understanding;
 - b. Represent and model mathematical ideas;
 - c. Reason abstractly, reflectively, and quantitatively including constructing viable arguments and proofs;
 - d. Attend to precision;
 - e. Identify elements of structure and express regularity in patterns of mathematical reasoning;
 - f. Utilize appropriate mathematical vocabulary and symbols to communicate mathematical ideas; and
 - g. Demonstrate the interconnectedness of mathematical ideas including making connections across various content areas and real-world contexts;
- (3) In the area of mathematical pedagogy have the ability to:
- a. Plan and assist others in planning instruction incorporating a variety of strategies including mathematics-specific instructional technologies to build all students' conceptual understanding and procedural proficiency;
 - b. Analyze and consider research in planning for mathematics instruction;
 - c. Select and apply instructional techniques that assist in identifying and addressing student misconceptions;

- d. Use mathematical content and pedagogical knowledge to select, use, adapt and determine the suitability of mathematics curricula and teaching materials for particular learning goals;
 - e. Understand students’ development in mathematics using holistic, analytical, and diagnostic tools; and
 - f. Demonstrate developmentally appropriate use of assessments in their practice and train classroom teachers to administer and interpret assessment results; and
- (4) In the area of professional knowledge and skills have the ability to:
- a. Demonstrate mathematics-focused instructional leadership;
 - b. Plan, develop, implement and evaluate mathematics-focused professional development programs;
 - c. Evaluate the alignment of state mathematical standards, district curricula, state and local assessments and recommend appropriate adjustments;
 - d. Support teachers in systematically reflecting on and learning from their mathematical practice;
 - e. Collaborate with school-based professionals to develop evidence-based interventions for high-and low-achieving students; and
 - f. Analyze and interpret mathematics assessment data and communicate results to appropriate and varied audiences.

Edit: "and"

Appendix I

Rule	Specific State Statute the Rule Implements
Ed 506.09	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 506.10	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.01	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.02	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.03	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.04	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.05	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.06	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.07	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.08	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.09	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 508.10	RSA 21-N:9, II(s); RSA 186:11, X(a)

TITLE I

THE STATE AND ITS GOVERNMENT

CHAPTER 21-N

DEPARTMENT OF EDUCATION

Section 21-N:9

21-N:9 Rulemaking. –

- I. The board of education shall adopt rules, pursuant to RSA 541-A, relative to minimum standards for:
- (a) High schools, as authorized by RSA 186:8.
 - (b) Junior high schools, as authorized by RSA 186:8.
 - (c) Elementary schools, as authorized by RSA 186:8 and 189:25.
- II. The board of education shall adopt rules, pursuant to RSA 541-A, relative to:
- (a) The organization of school administrative units.
 - (b) The duties of school boards.
 - (c) Standards for school building construction.
 - (d) School health policies.
 - (e) Child benefit services grants.
 - (f) Nonpublic school advisory councils.
 - (g) Home study.
 - (h) Dual enrollment, as authorized by RSA 193:1-b.
 - (i) High school equivalency programs, as authorized by RSA 186:61.
 - (j) Adult basic education programs, as authorized by RSA 186:61 and 186:62.
 - (k) Vocational rehabilitation services, as authorized by RSA 186:6 and 200-C.
 - (l) Special education programs affecting all children with disabilities, as authorized by RSA 186-C:5, 186-C:16 and 186-C:18, V.
 - (m) Standards for approval of regional career and technical education centers, as authorized by RSA 188-E:3.
 - (n) Vocational technical education, as authorized by RSA 186:6.
 - (o) Standards for approval of nonpublic schools, as authorized by RSA 186:11, XXIX.
 - (p) Qualifications and duties of school superintendents and principals, as authorized by RSA 186:8.
 - (q) Qualifications and duties of school administrative unit professional employees, as authorized by RSA 186:8.
 - (r) Professional preparation standards and approval of professional preparation programs for educating teachers in post-secondary institutions, as authorized by RSA 186:11, X.
 -  (s) Certification standards for educational personnel, and educator certification fees for granting credentials to educational personnel, including teachers, paraprofessionals, superintendents, assistant superintendents, special education administrators, business administrators, principals, vocational directors, coordinators of comprehensive health education and services, directors of pupil personnel services, guidance directors, guidance counselors, school psychologists, associate school psychologists, speech-language specialists, social workers, health educators, physical education teachers, consumer and family science teachers, elementary teachers, specialists in assessment of intellectual functioning, media supervisors, media generalists, and master teachers as authorized by RSA 186:8 and RSA 186:11, X, professional credentials including beginning educator credentials, experienced educator credentials, and intern licenses, and other classifications of educators, administrators, specialists, and paraprofessionals necessary to address educational needs as determined by the state board upon the recommendation of the professional standards board pursuant to RSA 186:60.
 - (t) Administering the provisions of RSA 193:27 through 193:30 regarding placement of children, as authorized by RSA 193:30.
 - (u) Guidelines for uniform evaluation programs among local school districts.
 - (v) Administering the literacy education and dropout prevention program established in RSA 189:52-58.
 - (w) The exemption of certain students from participation in the statewide education assessment.

- (x) Safe school zones, as provided in RSA 193-D:2.
 - (y) School bus safety, as provided in RSA 189:6-a.
 - (z) Local master plan for staff development and recertification.
 - (aa) Establishing requirements for teachers and teacher preparation programs to ensure that all teachers are prepared to teach to a broad range of students' needs, including, but not limited to, the needs of exceptional learners, using a variety of methods, materials, and instructional techniques.
 - (bb) Establishing the educational credential of master teacher as provided in RSA 189:14-f.
 - (cc)(1) The establishment and enforcement of a code of ethics and a code of conduct for licensed or certified educational personnel. These professional codes shall include a statement of purpose and standards defining each of the 4 primary principles which are:
 - (A) Responsibility to the education profession and educational professionals.
 - (B) Responsibility to students.
 - (C) Responsibility to the school community.
 - (D) Responsible and ethical use of technology as it relates to students, schools, and other educational professionals.
 - (2) The professional code of ethics and the professional code of conduct shall apply to all teachers, specialists, and administrators who are licensed or certified by the department.
- III. [Repealed.]

Source. 1986, 41:1. 1987, 168:3. 1988, 274:2. 1989, 49:5. 1990, 140:2, X. 1992, 48:5. 1993, 290:1. 1994, 355:1. 1996, 19:3; 271:2. 1998, 174:1, 2; 314:1. 1999, 82:1. 2008, 274:31. 2011, 224:127, eff. July 1, 2011. 2013, 164:7, I, eff. June 28, 2013. 2015, 252:11, eff. July 1, 2015. 2017, 22:1, eff. June 24, 2017. 2019, 258:1, eff. Sept. 17, 2019.

TITLE XV EDUCATION

CHAPTER 186 THE STATE SCHOOL ORGANIZATION

State Board of Education

Section 186:11

186:11 Duties of State Board of Education. –

The state board of education shall, in addition to the duties assigned by RSA 21-N:11:

I. [Repealed.]

II. Supervision. Supervise the expenditure of all moneys appropriated for public schools, and inspect all institutions in which or by which such moneys are used.

III. Budget: Information. Prepare a budget for such expenditures, give to the public information as to the educational conditions in different parts of the state and the opportunities open to pupils in the public schools, and all such further information in respect to educational matters as will promote the cause of education. For this purpose it may employ lecturers and publish and distribute books and pamphlets on education and educational subjects.

IV, V. [Repealed.]

VI. School Registers. Prescribe the form of the register to be kept concerning the schools, the form of blanks and inquiries for the returns to be made by the school boards, and seasonably send the same to the clerks of the several cities and towns for the use of the school boards therein.

VII. Public Documents. Keep on file in its office and distribute all state documents in relation to public schools and education.

VIII. District Returns. Preserve in accessible form the returns of school boards and of all other officers required to make returns to the board.

IX. Instruction as to Child Abuse Prevention, Youth Suicide Prevention, Intoxicants, Drugs, HIV/AIDS, and Sexually Transmitted Diseases.

(a) Direct the department to develop academic standards to serve as a guide and reference in health, physiology, and hygiene as they relate to the effects of alcohol and other drugs, child abuse, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system, and which are designed to help students lead longer, healthier lives.

(b) Provide information about HIV/AIDS to all public and private schools to facilitate the delivery of appropriate courses and programs.

(c) Review HIV/AIDS curriculum materials to assure relevancy in assisting students to become health-literate citizens and lead longer, healthier lives.

(d) Provide information about youth suicide prevention to all public and private schools to facilitate the delivery of appropriate courses and programs.

(e) Submit a report no later than December 1, 2010, and biennially thereafter, prepared in conjunction with the commissioner of the department of education, to the chairpersons of the house and senate education committees, the house health, human services and elderly affairs committee, and the senate health and human services committee, detailing the state's efforts in fulfilling the policies relating to health education in kindergarten through grade 12 as set forth in subparagraphs (a)-(d).

IX-a. [Repealed.]

IX-b. Health and Sex Education. Require school districts to adopt a policy allowing an exception to a particular unit of health or sex education instruction based on religious objections. Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.

IX-c. Require School Districts to Adopt a Policy Allowing an Exception to Specific Course Material Based on a Parent's or Legal Guardian's Determination that the Material is Objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The policy shall also require the school district or classroom teacher to provide parents and legal guardians not less than 2 weeks advance notice of curriculum course material used for instruction of human sexuality or human sexual education. The policy shall address the method of delivering notification to a parent or legal guardian. To the extent practicable, a school district shall make curriculum course materials available to parents or legal guardians for review upon request. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.

IX-d. Require School Districts to Adopt a Policy Governing the Administration of Non-academic Surveys or Questionnaires to Students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

X. Adopt rules, pursuant to RSA 541-A, relative to:

(a) Certification of teachers, supervisors, and administrators in the public schools. The state board shall also examine the qualifications of candidates for those positions and issue certificates to those who meet the requirements of said rules.

(b) Fees to be paid to the commissioner of education for the administration of proficiency exams and other competence evaluations and other related fees including, but not limited to, fees for late filing and duplicate credentials, and for the issuance of educational credentials. These fees must bear a reasonable relationship to the actual costs related to such activities. Funds collected from these fees shall be expended only for purposes of fulfilling the requirements of this paragraph. No portion of the funds collected from these fees shall lapse, nor be used for any other purpose than fulfilling the requirements of this paragraph, nor be transferred to any other appropriation.

(c) Approval of professional preparation programs.

(d) Procedures for the electronic certification of educational credentials.

(e) Establishment and enforcement of a code of ethics and a code of conduct for licensed or certified educational personnel as provided in RSA 21-N:9, II(cc).

XI. [Repealed.]

XII. Vocational Education. Cooperate with the U.S. Department of Education for the purpose of carrying the Carl D. Perkins Vocational Education Act of 1984 and its successor acts into effect insofar as that act relates to this state.

XIII. Education for Persons with Disabilities. Prepare, develop and administer plans to provide educational facilities for persons with disabilities.

XIV. Lectures. Lecture on educational subjects in as many cities and towns in this state as the time occupied by the commissioner's other duties will permit.

XV. Truant Officers. Report frequently to the chairman of the several school boards the relative efficiency of the several truant officers in the state.

XVI. [Repealed.]

XVII. District Contracts. Examine contracts made by districts with academies, high schools and other literary institutions, for the purpose of deciding whether they are calculated to promote the cause of education.

XVIII. School Attendance. Enforce the laws relative to school attendance and the employment of minors; and

for this purpose the board and its deputies are vested with the power given by law to truant officers.

XIX. School Laws. Compile and issue, at the close of each session of the legislature, an edition of the school laws.

XX-XXIV. [Repealed.]

XXV. Assistants. Employ as many supervisors, inspectors, stenographers, accountants, clerks and agents as may be necessary to enable it to perform the duties imposed on it by law.

XXVI. Conferences. Hold conferences from time to time with superintendents, other school administrative unit personnel, principals, and teachers, or their representatives, for the purpose of inspiring mutual cooperation in the carrying on of their work and of unifying educational aims and practices.

XXVII. Programs. Prepare, publish and distribute such school programs, outlines of work and courses of study as will best promote education interests of the state.

XXVIII. Health. Have authority to employ a competent person or persons to examine and care for the health of pupils, subject to the provisions of RSA 200.

XXIX. Adopt rules, pursuant to RSA 541-A, relative to reasonable criteria for approving non-public schools for the purpose of compulsory attendance requirements. The rules may contain criteria for conditional approval as specified by the state board. The state board of education may, upon request, designate which schools meet those criteria, and may, upon the request of a non-public school, approve or disapprove its education program and curriculum.

XXIX-a. Adopt rules pursuant to RSA 541-A, relative to establishing a process for receiving, investigating, and resolving complaints from parents or legal guardians concerning school safety and school violence in nonpublic schools.

XXX. [Repealed.]

XXXI. Driver Education. Establish jointly with the department of safety, teacher qualifications, course content and standards, in connection with the driver education program conducted in secondary schools in this state; and adopt such rules as may be necessary to carry out the program and supervise the driver education program in the secondary schools of the state. Driver education instructors shall not be required to be certified as secondary school teachers. Although authority is shared by the departments of safety and education, those regulations, directions and procedures that have a direct or indirect relationship to a life or safety issue shall rest with the department of safety as the final and ultimate authority.

XXXII. Learning Disability Teacher. Establish the qualifications, conditions and exceptions for providing a learning disability teacher in each school district.

XXXIII. Discrimination. Ensure that there shall be no unlawful discrimination in any public school against any person on the basis of sex, race, creed, color, marital status, or national origin in educational programs, and that there shall be no denial to any person on the basis of sex, race, creed, color, marital status, national origin, or economic status of the benefits of educational programs or activities.

XXXIV. Missing Child Education Program. Administer the missing child education program as established in RSA 193:31.

XXXV. Certification Standards for the Credential of Master Teacher. Adopt rules creating the educational credential of master teacher based on the provisions of RSA 189:14-f.

XXXVI. Pupil Safety and Violence Prevention. Develop and distribute to school districts a technical assistance advisory for the purpose of providing guidance to school districts on the implementation of pupil safety and violence prevention policies as required under RSA 193-F.

XXXVII. School Resource Officers. Require each school district in the state to which a school resource officer is assigned to develop and implement a policy which shall include, at a minimum, a requirement for a signed memorandum of understanding between the school district and the law enforcement agency from which the school resource officer is deployed.

Source. 1919, 106:9. 1921, 85, I:8. PL 116:11. 1929, 145:3. 1939, 8:1. RL 134:11. 1953, 243:1-4. RSA 186:11. 1957, 252:1, 2. 1961, 196:1-3. 1963, 117:2; 147:1; 303:7; 305:1-3. 1965, 199:1; 339:4. 1967, 448:1. 1969, 69:1-3. 1971, 371:4, 5; 443:4. 1973, 140:15; 209:2; 242:1. 1974, 28:1. 1975, 23:1; 207:1; 505:6. 1977, 432:1; 452:6. 1979, 53:1; 459:4, 9, 10. 1981, 318:1. 1985, 318:4. 1986, 41:8-10, 29, II. 1987, 161:1. 1988, 262:7. 1989, 266:37. 1990, 28:1; 140:2, III. 1992, 123:1. 1993, 322:9, I, II. 1996, 298:5, I. 1998, 174:4, 5; 314:3; 389:8, 9. 1999, 157:1. 2000, 190:2. 2003, 39:1; 186:2. 2005, 92:1. 2008, 251:1, 4, 5. 2009, 105:1; 280:1. 2011, 271:1.

2014, 62:1. 2015, 161:6. 2016, 14:1; 84:2. 2017, 9:1, eff. June 16, 2017; 22:2, eff. June 24, 2017; 251:1, eff. Sept. 16, 2017. 2019, 258:2, eff. Sept. 17, 2019.

PART Ed 509 CREDENTIAL RENEWAL AND VALIDITY

Readopt with amendment Ed 509.01, effective 11-14-17 (Document #12418), to read as follows:

Ed 509.01 Recommended Renewal; Process for Educators Currently Employed Under a Local NH Professional Development Master Plan.

(a) Educator licenses shall be renewed every 3 years, ~~unless a professional or life certificate was issued prior to 1976.~~ *School nurse I may renew one time after the first 3 years of the initial license.*

(b) In addition to compliance with the requirements of this section, the following shall be required for renewal:

(1) Documentation that the licensed educator has met the requirements of Ed 509.03 and Ed 513.04, or Ed 504.08, 504.09 and 513.07 for school nurse; and

(2) Payment of the renewal fee pursuant to Ed 505.08.

(c) The department shall provide opportunity for electronic submission of the documentation required under Ed 509.03 ~~to~~ *by* the senior educational official.

(d) The senior educational official shall verify that each licensed educator whose license requires renewal has completed professional development as required in Ed 513.04. Verification shall include the name of the licensed educator and the licensed educator's area(s) of endorsement.

(e) ~~The licensed educator shall be the responsibility of the licensed educator to~~ pay the appropriate fee in a timely manner to the department before the expiration of the educator's license.

(f) Verifications under (c) and (d) above shall be made and the fee under (e) above shall be paid no later than June 30 of the year in which the license is required to be renewed. Late filings shall be treated in accordance with Ed 509.04.

Readopt with amendment Ed 509.02, effective 11-14-17 (Document #12418), to read as follows:

Ed 509.02 Department of Education Renewal; Process for Educators Not Currently Employed Under a Local NH Professional Development Master Plan.

(a) Educator licenses shall be renewed every 3 years ~~unless a professional or life certificate was issued prior to 1976.~~ School nurse I may renew one time after the first ~~three~~ 3 years of the initial ~~certification~~ license.

(b) In addition to compliance with the requirements of this section, the following shall be required for renewal:

(1) Documentation that the licensed educator has met the requirements of Ed 509.03 and Ed 513.05, or Ed 504.08, 504.09 and 513.07 for school nurse; and

(2) Payment of the renewal fee pursuant to Ed 505.098.

(c) Any licensed educator not currently employed by an, or teaching in an, approved educational organization with a valid New Hampshire license may submit documentation electronically to the

department or may apply for a renewal directly by following the application procedures outlined in Ed 505.07(b)(3), Ed 505.08, and Ed 505.09(a)-(d).

(d) ~~Any~~ **Every** licensed educator not currently employed by an approved educational organization ~~in New Hampshire~~ **under a professional development master plan** shall comply with Ed 513.05, **Ed 513.06(b)**, or Ed 513.07(b) ~~for school nurses~~ **required by the educator's specific license type**, and:

- (1) Submit documentation electronically to the department of such compliance; or
- (2) Mail documentation directly to the department documenting such compliance.

(e) ~~Licensees~~ **Educators** not employed under the jurisdiction of a state approved local master plan for professional development shall submit to the department evidence of at least 75 hours of approved professional development activities during the 3-year period preceding the application for license renewal **as outlined in Ed 513.05, Ed 513.06, and Ed 513.07 as required by the specific license type**.

(f) A development activity shall be approved by the department for purposes of (e) above if it includes one or more of the activities listed in Ed 5123.02 ~~(dc)~~ **(406)**.

(g) An educator who holds a valid license and is not employed in education for 3 or more years of service shall submit to the department evidence of satisfactory professional growth listed in Ed 509.03 or Ed 5123.05 as a basis for renewal of his/her license.

(h) ~~The same provisions for timely filing shall be the responsibility of the licensed educator pursuant to Ed 509.04~~ **The educator shall file all required documentation and pay the renewal fee, as outlined in Ed 505.08, no later than June 30 of the year in which the license is required to be renewed.**

Readopt with amendment Ed 509.03 through Ed 509.05, effective 6-15-13 (Document #10362), to read as follows:

Ed 509.03 Renewal Documentation.

(a) The school administrative unit shall submit to the department, for each educator whose license is required to be renewed, verification of professional development activities taking place within the 3 years preceding expiration date of the license consistent with the local master plan for professional development pursuant to Ed 513.

(b) Evidence of approved professional development activities in each subject area or field of specialization as required in accordance with Ed 513.04 or Ed 513.05, as applicable, shall be required for each educator who holds a license in more than one endorsement area.

Ed 509.04 Late Filing.

(a) A renewal application shall be considered a late filing if it is received by the department after July 1 of the year of filing, provided that the department provided notice that a license was due for renewal at least 3 months before July 1 to the **licensee**:

- ~~(1) School administrative unit; or~~
- ~~(2) Applicant when the applicant is not employed by school administrative unit.~~

(b) A late filing shall be accepted by the department if the applicant meets renewal requirements and files:

- (1) A late filing fee of \$50.00; and
- (2) The appropriate filing fee pursuant to Ed 505.08, which fee reflects the actual cost of processing the late filing as authorized under RSA 186:11, X(b).

Ed 509.05 Fees. Payment of renewal fees shall be made in accordance with the rules and fee schedule in Ed 505.08.

Readopt with amendment Ed 512.01, effective 11-9-18 (Document #12661), cited and to read as follows:

PART Ed 512 DENIAL OF ~~CERTIFICATION~~**CREDENTIAL**

Ed 512.01 Denial of Credential.

(a) A credential application shall be denied by the board based on the following grounds:

- (1) Failure to meet the conditions for issuance of the license, endorsement, renewal, or reinstatement;
- (2) The applicant has been charged pending disposition for, or convicted, of any violation or attempted violation of ~~any of the crimes enumerated in~~ RSA 189:13-a, V, or has been convicted of any felony in any other state, territory, or country;
- (3) The applicant is under investigation for, under suspension for, or has been revoked for a violation of the principles of professional conduct enumerated in Ed 510.01 through Ed 510.04; or
- (4) The applicant is under investigation, under suspension, or has been revoked in any other state, jurisdiction, territory, or country.

(b) An applicant aggrieved by the decision of the department to deny an application may file a petition for reconsideration along with supporting documentation to the director within 20 days after receipt of the denial decision. If the petition for reconsideration is denied, the applicant may appeal the department's decision pursuant to RSA 21-N:11, III, and Ed 200.

Readopt with amendment Ed 513.01 through Ed 513.06, effective 12-21-12 (Document #10245), cited and to read as follows:

PART Ed 513 PROFESSIONAL DEVELOPMENT MASTER PLAN AND RENEWAL

Ed 513.01 Basic Requirement. Each ~~educational organization~~ ***school administrative unit, local school district, or participating nonpublic school*** shall prepare a 5-year master plan in accordance with requirements of this part.

Ed 513.02 Criteria for State Approval of Local Professional Development Master Plan. The following criteria shall apply to the approval of the master plan:

(a) Each ~~educational organization~~ ***school administrative unit, local school district, or participating nonpublic school*** shall file with the department the 5-year master plan required by Ed 513.01;

(b) The senior educational official shall establish a local professional development committee as follows:

~~(1)~~ ***which shall*** include representation of licensed educators including teachers, paraeducators, certified licensed service professionals, and administrators. This committee may include local school board members, parents, or community lay persons; ~~and~~

~~(2c)~~ ***The local professional development committee shall*** develop and monitor the master plan according to Ed 513.02 ~~(ed)~~ through (g) under the direction of the senior educational official in accordance with local school board policies, state statutes, and state board rules;

~~(ed)~~ The professional development master plan shall include the following:

(1) The process and procedures for establishment of a local professional development committee;

(2) A statement describing the purpose of the master plan that includes but is not limited to:

a. The educational organization's definition of professional development that directs continuous professional learning to increase educator effectiveness and improve results for all students;

b. The role of the plan in increasing educator effectiveness and the relationship between professional learning and the local evaluation system;

c. The role of the plan in increasing student learning and academic achievement;

d. The alignment with local, state, and national professional development standards; and

e. The function and role of the plan for licensure renewal of all educators;

(3) A statement describing the role and function of the local professional development committee which includes, but is not limited to:

a. How the committee will develop, monitor, implement, evaluate, and propose changes to the plan;

b. How the committee will collaborate with other district committees or teams in developing an overarching framework for professional development including, but not limited to:

1. School improvement committees;

2. Local improvement committees; and

3. Leadership teams; and

c. ~~How~~ ~~the committee will~~ **shall** be involved with individual educator license renewal and how appeals of decisions in ~~that~~ **the local** process will be handled;

(4) A description of the needs assessment process that includes a data collection system and how the school or district makes decisions regarding professional development priorities in order to:

- a. Identify student learning needs;
- b. Determine individual licensed educator goals;
- c. Determine educational organization goals;
- d. Evaluate student learning and licensed educator growth;
- e. Measure the effectiveness of an individual professional development plan; and
- f. Evaluate the effectiveness of the master professional development plan on an on-going basis;

(5) Procedures for recommending licensed educators for licensure renewal that provide evidence of each licensed educator's growth in:

- a. Knowledge of content area(s), subject, or field of specialization including requirements of individual endorsement areas in Ed 506, 507, and 508;
- b. Pedagogy and knowledge of learners and learning as defined in Ed 610.02 and Ed 505.03;
- c. Professional standards as referenced in the local evaluation system; and
- d. Effective instructional practices related to school and district goals that increase student achievement as demonstrated by data such as but not limited to:
 1. The education improvement and assessment program, RSA 193-C:3, III;
 2. Portfolios;
 3. Analysis of student work;
 4. Standardized and other local assessment instruments; and
 5. Performance evaluations and portfolios of professional work;

(6) A description of the job-embedded and formal professional development activities that the school or district supports for a comprehensive, sustained, and intensive approach to improving educator effectiveness in raising student achievement such as but not limited to:

- a. Observations;

- b. Independent study;
- c. Study groups and professional learning communities;
- d. Action research;
- e. Educational peer coaching;
- f. Mentoring;
- g. Curriculum, instruction, and assessment development;
- h. Lesson study;
- i. Collegiate or graduate course work; and
- j. Workshops, webinars and professional conferences;

(7) How the activities in (6) shall:

- a. Be facilitated by ~~well-prepared~~ school principals, school-based professional development coaches, mentors, master teachers, or other teacher leaders;
- b. Engage licensed educators in a continuous cycle of improvement;
- c. Foster collective responsibility for improved student performance;
- d. Support coherent, sustained, and evidenced-based learning strategies; and
- e. Provide coaching or other forms of support to transfer new knowledge and skills to the classroom; and

(8) Describe differentiated processes to address the unique professional learning needs of all credential holders;

(~~de~~) The professional development master plan shall comply with state credentialing rules and with federal, state and local laws, **rules**, and regulations, including the local education improvement plan required in federal grant applications;

(~~ef~~) The professional development master plan shall include the following processes for developing comprehensive 3-year individual professional development plans that describe how:

- (1) Individual plans are developed and goals are determined;
- (2) Individual plans and goals are approved;
- (3) Individual plans are formatively assessed and summatively evaluated;
- (4) Progress is documented and recorded by the district;

- (5) Activities and documentation from in-progress plans are accepted and transferred into the school or district including how district requirements are pro-rated for the remainder of the 3 year cycle;
- (6) Requirements for endorsements that are added mid-cycle are pro-rated;
- (7) Disputes are handled including an appeals process;
- (8) Licensed educators reflect on and provide evidence of the impact of professional learning on their own educational practices and on student learning; and
- (9) Recommendations for licensure renewal are determined;

(~~f~~g) The professional development master plan shall allow individuals licensed educators to document and provide evidence that they have met the requirements for licensure renewal as part of the differentiation of professional learning for the unique needs of licensed educators as follows:

(1) For all of the methods, the professional development master plan shall specify how individual licensed educators reflect on and provide evidence of the impact of professional learning on their own educational practices and on student learning and provide evidence that the professional development addresses:

- a. Increases in educator learning;
- b. Growth in student learning and academic achievement;
- c. Content area knowledge and pedagogy;
- d. The individual educational organization goal(s); and
- e. Professional standards such as those in the local evaluation plan; and

(2) Using any one of the following methods:

- a. The development of a body of evidence that documents job-embedded or formal professional development;
- b. An accumulation of a minimum of 75 continuing education hours with 30 hours for each endorsement area and 45 hours documenting job-embedded or formal professional development; or
- c. A combination of less than 75 continuing education units and evidence that together document job-embedded or formal professional development addressing the school or district improvement goal(s) and content area;

~~(g) The master plan shall be submitted to the department;~~

(h) The department shall review each professional development master plan and:

- (1) Approve such plan in writing if it meets the requirements of this section; or

(2) Confirm in writing that the plan needs modification and a timeline for completing the required revisions;

(j) If the professional development master plan is amended by the school or district, the amendments shall be made in accordance with this section, as confirmed by the department; and

(k) Representatives of the department shall make an on-site visitation, on an as-needed basis as determined by the department, in order to observe whether the local administration of the master plan adheres to the criteria set forth in this section.

Ed 513.03 Individual Professional Development Plan.

(a) Each licensed educator, ~~including an educator with a professional certificate,~~ shall develop, in collaboration with a supervisor or the supervisor's designee, an individual plan as follows:

(1) A licensed educator shall file the individual professional development plan with the educational organization for review and approval according to the criteria in (3) below;

(2) The individual professional development plan shall be developed for a 3-year period consistent with the licensed educator's endorsement(s) and incorporate one of the 3 options as defined in the local master plan, referenced in Ed 513.02(fg)(2);

(3) The individual professional development plan shall include one or more goals for improving student learning and be developed from:

a. The licensed educator's self-assessment or reflection on competencies referenced in Ed 505.03 and the content area standards referenced in Ed 506, Ed 507, and 508;

b. Analysis of student work;

c. Analysis of student achievement data, if available; and

d. A review of *the* educational organization master plan needs assessment; and

(4) The individual professional development plan shall outline the licensed educator's growth in the following:

a. Knowledge of content area(s), subject, or field of specialization, including requirements of individual endorsement(s) in Ed 506, *Ed* 507, and *Ed* 508;

b. Pedagogy and knowledge of learners and learning as defined in Ed 505.03;

c. Professional standards as referenced in the local evaluation system; and

d. Effective instructional practices related to educational organization goals that increase student achievement.

(b) Each licensed educator whose license expires in a given year shall provide evidence of their individual plan including reflection. The individual plan shall be summatively evaluated as specified in the local professional development master plan.

(c) Professional development completed after nomination or election pursuant to RSA 189:14-a, shall be counted toward the next 3-year licensure renewal cycle.

(d) A licensed educator who is employed under a master plan and who holds a professional certificate that supports his or her current assignment shall develop an individual professional development plan that supports the educator's current assignment.

(e) For multiple endorsement areas, the individual professional development plan shall address each endorsement area.

Ed 513.04 Criteria for ~~Recertification~~ **License Renewal** of Educators Under the Professional Development Master Plan. The following criteria shall apply for ~~recertification~~ **license renewal** of educators under the professional development master plan:

(a) ~~The professional development master plan shall require that every licensed educator applying for licensure renewal has the approval of~~ The senior educational official **shall verify** for the successful completion of the licensed educator's individual professional development plan, based on one of the options referenced in Ed 513.02(fg)(2); and

(b) The individual professional development plan shall address the elements described in Ed 513.03(a)(4).

(c) Upon recommendation for renewal the licensee shall submit the "Recommended for Renewal Application" form, January 2020, as referenced in Ed 505.07(b)(4), in accordance with the application procedures outlined in Ed 505.09(a)-(d), along with the appropriate fee as outlined in Ed 505.08.

Ed 513.05 Criteria For ~~Recertification~~ **License Renewal** of Educators Not Under the Local Professional Development Master Plan. Licensed educators, **excluding those enumerated in Ed 513.06 and Ed 513.07**, seeking licensure renewal who are not employed by **an** educational organization **under a professional development master plan** shall:

~~(a) Comply with a professional development master plan prepared by the department; and~~

~~(b) Submit an individual professional development plan developed for a 3-year period, consistent with the licensed educator's endorsement(s), to the department for review, which shall be approved by the department if it meets the following requirements:~~

~~(1a) An accumulation of a minimum of 75 continuing education hours with 30 hours for each endorsement area and 45 hours aligned with Ed 505.073 or a body of evidence as an alternative to the hours; and~~

~~(2b) Two or more goals for improving student learning, as developed from the educator's self-assessment or reflection on competencies referenced in Ed 505.03 and the content area standards referenced in Ed 506, Ed 507, and Ed 508.~~

Ed 513.06 Licensed Paraeducators ~~HI~~ and **Educational Interpreter/Transliterators**. Requirements for paraeducators **and educational interpreter/transliterators** ~~certified~~ **licensed** under Ed 504.05**06, Ed 504.07, and Ed 504.11** shall be as follows:

(a) For those licensed paraeducators who are employed by an agency listed in Ed 513.01, a minimum of 50 continuing education units shall be required in areas determined by the local professional development master plan required by this part; and

(b) For those licensed paraeducators who are not employed by an agency listed in Ed 513.01, a minimum of 50 continuing education units of paraeducator growth shall be required.

Readopt with amendment Ed 513.07, effective 11-14-17 (Document #12418), to read as follows:

Ed 513.07 School Nurse. *In addition to the renewal requirements under Ed 504.08 and Ed 504.09, R* renewal requirements for school nurse ~~I, II and III~~ shall be as follows:

(a) For those licensed school nurses who are employed by an agency listed in Ed 513.01, a minimum of 45 school nurse related continuing education units shall be required; and

(b) For those licensed school nurses who are not employed by an agency listed in Ed 513.01, a minimum of 45 school nurse related continuing education units shall be required.

Repeal Ed 514.03, effective 9-11-14 (Document #10667), as follows:

~~Ed 514.03 Highly Qualified Teacher.~~

~~— (a) Any individual may apply to the department of education for a statement of eligibility as a highly qualified teacher, who:~~

- ~~(1) Possesses a valid New Hampshire credential issued by the New Hampshire State Board of Education;~~
- ~~(2) Is not employed under an approved master plan at the time of application; and~~
- ~~(3) Has not been deemed highly qualified by a local education agency.~~

~~— (b) The individual shall provide to the department documentation required under 20 USC §7801 (23)(C) to support a claim that the individual is a highly qualified teacher.~~

~~— (c) If the department determines that the individual has met the requirements of 20 USC §7801 (23) (C) then it shall issue a statement of eligibility stating the individual is a highly qualified teacher.~~

~~— (d) A highly qualified teacher statement of eligibility shall be valid for the duration of the credential.~~

~~— (e) On the date that 20 USC §7801 (23) (C) is repealed or deemed ineffective by the United States Department of Education, the department shall cease to accept requests for highly qualified teacher statements of eligibility.~~

Appendix I

Rule	Specific State Statute the Rule Implements
Ed 509.01-509.02	RSA 200:29, RSA 186:11, X(a)
Ed 509.03	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 509.04	RSA 21-N:9, II(s); RSA 186:11, X(b)

Ed 509.05	RSA 186:11, X(a)
Ed 512	RSA 186:11, X(a)
Ed 513	RSA 186:11, X(a)
Ed 513.06 introduction and (b)	RSA 21-N:9, II(s)
Ed 513.07	RSA 200:29; RSA 21-N:9, II(s)
Ed 514.03 (repealed)	RSA 21-N:9; RSA 21-N:9, II(s)



Frank Edelblut
Commissioner

Christine M. Brennan
Deputy Commissioner

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
101 Pleasant Street
Concord, N.H. 03301
TEL. (603) 271-3495
FAX (603) 271-1953

April 9, 2020

Michael Morrell
Sr. Committee Attorney
Office of Legislative Services, Admin. Rules
State House Annex, Room 219
Concord, NH 03301

Dear Michael,

Attached please find the final proposal for Notice #2019-207, Renewal and Denial of Credentials. The State Board of Education (Board) approved this proposal at its emergency meeting held on April 9, 2020. In addition to the annotated rule text, this letter serves to inform you that a few of your substantive comments are not addressed by amendments to the rule.

On page 1 of the rule in your IP comments, received by the Department of Education (Department) on March 3, 2020, and throughout, the Board's authority is questioned as follows: "There does not appear to be authority to use a term other than the one set by statute. See attached RSA 21-N:9, II(s), RSA 186:8, IV and VI, and RSA 186:11, X(a)."

RSA 21-N:9 is cited and underlined "as authorized by RSA 186:8 and RSA 186:11, X, professional credentials including beginning educator credentials, experienced educator credentials, and intern license,..." That sentence goes on to say "...and other classifications of educators, administrators, specialists and paraprofessionals necessary to address educational needs as determined by the state board upon the recommendation of the professional standards board pursuant to RSA 186:60." This part of the sentence which contemplates "other classifications" is what the Department and Board believe grants authority to classify educator credentials as proposed and approved by both the Professional Standards Board (PSB) and the Board.

The only statutory reference to a "license" in all of the statutes cited is an "intern license". This has been a concern for the Department in managing reciprocity of licenses. This proposal changes "intern license" to "intern authorization" because an intern has not met all of the competencies required to earn a "beginning educator license", and an individual on an "intern license" could be mistaken for a fully licensed educator when transferring to another state.

In the final proposal for Notice #2019-204, Credential Standards for Educational Personnel, the term "credential" still exists and means "any authorization, statement, or license issued by the state board

including, but not limited to..." and goes on to list every credential offered, including full-licensure. For this reason the Department and Board believe, even without amending the statutes, the proposal complies with RSA 21-N:9, II(s), RSA 186:8, IV and VI, and RSA 186:11, X(a).

Also on page 1 of the rule text, under Ed 509.01(c) and (d) you comment, "Unclear: Who is this? Someone from the SAU? Please define" in reference to "senior education official" Notice #2019-204 should be used as a reference for all of the Board's proposals containing Chapter Ed 500 rules as Part Ed 501 contains the "Definitions" for these rules. Ed 501.02(ae) defines a senior educational official as "the top executive in an education organization who makes the key decisions on spending, staffing and other education policies. For all New Hampshire public schools this is the superintendent and for all New Hampshire chartered public schools, semi-private academies, and non-public schools the senior education official is the head of school or headmaster, or similar title to indicate the head of the organization."

On page 2 of the rule text, Under Ed 509.02(c) you comment, "Unclear: Include, or cite to, a definition (here and subsequently). As stated above, Notice #2019-204 includes a definition of educational organization to mean "a public school, a school administrative unit, a school district, a chartered public school, or a non-public school." In an upcoming conditional approval response for Notice #2019-204, the Board will amend that definition to add at the end of the sentence "approved by the Board".

On Page 5, in Ed 513.02(b)(5) you comment, "Unclear: It is unclear under what Board rules such recommendations are handled by the Dept. when making a renewal decision." The process for the Department has been added to Ed 513.04(c).

Please let me know if you have any further questions.

Sincerely,

Amanda Phelps
Administrative Rules Coordinator

NOV 14 2019

M.M

RULEMAKING NOTICE FORM

Notice Number 2019-207

Rule Number Ed 509, Ed 512 – Ed 514

1. Agency Name & Address:
**State Board of Education
c/o NH Department of Education
101 Pleasant Street
Concord, NH 03301**

2. RSA Authority: **RSA 21-N:9, II(s);
RSA 186:8, IV;
RSA 186:11, X(a)**

3. Federal Authority: _____

4. Type of Action:
Adoption _____
Amendment _____
Repeal **X** _____
Readoption _____
Readoption w/amendment **X** _____

5. Short Title: **Renewal and Denial of Credentials**

6. (a) Summary of what the rule says and of any proposed amendments:

Most of the rules in this proposal are being readopted with amendments to address added and revised definitions in another proposal. The amendments in these rules on credential renewal and validity, denial of certification, and the professional development master plan and renewal meet the goal of consistent language throughout the rules and address rule number references that were affected by changes to other rules in all of the rules of Chapter Ed 500. There are no major substantive changes in these rules.

Ed 514.03 on initial certification for highly qualified teachers is being repealed.

6. (b) Brief description of the groups affected:

Public and chartered public schools and their students, participating non-public schools, licensed educators, and applicants for NH licensure are affected by these rules.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State Statute the Rule Implements
Ed 509.01-509.02	RSA 200:29, RSA 186:11, X(a)
Ed 509.03	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 509.04	RSA 21-N:9, II(s); RSA 186:11, X(b)
Ed 509.05	RSA 186:11, X(a)
Ed 512	RSA 186:11, X(a)
Ed 513	RSA 186:11, X(a)
Ed 513.06 introduction and (b)	RSA 21-N:9, II(s)
Ed 513.07	RSA 200:29; RSA 21-N:9, II(s)
Ed 514.03 (repealed)	20 USC Section 7801(23)(C) (repealed by ESSA)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps**

Title: **Administrative Rules
Coordinator**

Address: **Department of Education
101 Pleasant Street
Concord, NH 03301**

Phone #: **(603) 271-2718**

Fax#: **(603) 271-3830**

E-mail: **amanda.phelps@doe.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **December 19, 2019**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **December 12, 2019 at 10:00 a.m.**

Place: **Department of Education, State Board Room, 101 Pleasant St.,
Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 19-193, dated 10/24/19

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**

There is no difference in cost when comparing the proposed rules to the existing rules.

2. **Cite the Federal mandate. Identify the impact on state funds:**

No federal mandate, no impact on state funds.

3. **Cost and benefits of the proposed rule(s):**

A. **To State general or State special funds:**

None.

B. **To State citizens and political subdivisions:**

None.

C. **To independently owned businesses:**

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the N.H. Constitution, there are no added costs for these proposed rules to the state or to political subdivisions. These rules provide the requirements for the educator credentialing process which is already in place. The credentialing procedures are self-funded activities of the NH Department of Education from the credentialing fee revenues. Therefore, there is no violation of Part I, Article 28-a.

Note to Agency: If "educator" is to include nurses, the rules need to be written so it is clear when requirements for educators are not applicable to nurses.

Authority/Legis. Intent: The education statutes refer to certification, not licensure. See, for example, RSA 21-N:9, II(s) and RSA 186:11, X(a). (Here and subsequently.)

PART Ed 509 CREDENTIAL RENEWAL AND VALIDITY

Readopt with amendment Ed 509.01, effective 11-14-17 (Document #12418), to read as follows:

Ed 509.01 Recommended Renewal; Process for Educators Currently Employed Under a Local NH Professional Development Master Plan.

(a) Educator ~~certificates~~ **licenses**, including school nurse II and III, shall be renewed every 3 years, unless a professional or life certificate was issued prior to 1976.

(b) In addition to compliance with the requirements of this section, the following shall be required for renewal:

(1) Documentation that the **licensed** educator has met the requirements of Ed 509.03 and Ed 5123.04, or Ed 504.08, 504.09 and 5123.07 for school nurse; and

Unclear: Is "by" intended?

(2) Payment of the renewal fee **pursuant to Ed 505.08**.

Note to JLCAR: This appears to refer to Ed 508.06 which is being amended and renumbered as 505.08 in IP 2019-205.

(c) The ~~bureau~~ **department** shall provide opportunity for electronic submission of the documentation required under Ed 509.03 to the ~~superintendent for each school district, school administrative unit or both~~ **senior education official**.

Unclear: Who is this? Someone in the SAU? Please define.

(d) The ~~superintendent for each school administrative unit~~ **senior education official** shall verify that each **licensed** educator whose ~~teaching credentials~~ **license** requires renewal has completed professional development as required in Ed 5123.04. Verification shall include the name of the **licensed** educator and the **licensed** educator's area(s) of ~~certification~~ **endorsement**.

Edit: "The licensed educator shall"

(e) It shall be the responsibility of the ~~certificate~~ **licensed holder** **educator** to pay the appropriate fee in a timely manner to the ~~bureau~~ **department** before the expiration of the educator's ~~certificate~~ **license**.

(f) Verifications under (c) and (d) above shall be made and the fee under (e) above shall be paid no later than June 30 of the year in which the ~~certificate~~ **license** is required to be renewed. Late filings shall be treated in accordance with Ed 509.04.

Readopt with amendment Ed 509.02, effective 11-14-17 (Document #12418), to read as follows:

Ed 509.02 Department of Education Renewal; Process for Educators Not Currently Employed Under a Local NH Professional Development Master Plan.

(a) Educator ~~certificates~~ **licenses**, including school nurse II and III shall be renewed every 3 years, unless a professional or life certificate was issued prior to 1976. School nurse I may renew one time after the first three years of the initial certification.

Edit: "3"

(b) In addition to compliance with the requirements of this section, the following shall be required for renewal:

(1) Documentation that the **licensed** educator has met the requirements of Ed 509.03 and Ed 5123.05, or Ed 504.08, 504.09 and 5123.07 for school nurse; and

(2) Payment of the renewal fee **pursuant to Ed 505.09**.

Note to JLCAR: This appears to refer to Ed 508.02-.05 which is being amended and renumbered as 505.09 in IP 2019-205.

Unclear: Include, or cite to, a definition. (here and subsequently)

(c) Any **licensed** educator or school nurse not currently employed as a certified educator or school nurse in by an, New Hampshire public school or teaching in a New Hampshire private school or teaching in an, **approved educational organization** with a valid New Hampshire **credential license** may submit documentation electronically to the **bureau department** or may apply for a renewal directly to:

Bureau of Credentialing

Division of Program Support

New Hampshire Department of Education

101 Pleasant Street

Unclear: "Every"

Note to JLCAR: These numbers represent other rules that are being amended and renumbered in IP 2019-205, but are not yet adopted.

Concord, NH 03301-3860 by following the application procedures outlined in Ed 505.07(b)(3), Ed 505.08, and Ed 505.09(a)-(d).

Unclear: This is confusing because the reference to nurses in line one has been deleted, and the definition of "educator" includes school nurses.

(d) Any **licensed** educator or school nurse not currently employed by an school district or school administrative unit **approved educational organization** in New Hampshire shall comply with Ed 5123.05 or Ed 5123.07(b) for school nurse, and:

Unclear: See comment to Ed 513.07 on p. 10. As worded, (d) gives "any licensed educator" the option to comply with Ed 513.07(b).

- (1) Submit documentation electronically to the **bureau department** of such compliance; or
- (2) Mail documentation directly to the **bureau department** documenting such compliance.

(e) Educators not employed under the jurisdiction of a state approved local master plan for professional development shall submit the following to the **bureau department** evidence of at least 75 hours of approved professional development activities during the 3-year period preceding the application for **credential license** renewal.

Unclear: Citation is wrong. The cited paragraph, (d), has no subdivisions.

(f) A development activity shall be approved by the **bureau department** for purposes of (e) above if it includes one or more of the activities listed in Ed 5123.02(d)(10).

(g) An educator who holds a valid **credentials license** and is not employed in education for 3 or more years of service shall submit to the **bureau department** evidence of satisfactory professional growth listed in Ed 509.03 or Ed 5123.05 as a basis for renewal of his/her **credential license**.

(h) The same provisions for timely filing shall be the responsibility of the **licensed** educator pursuant to Ed 509.01.

Unclear: What provisions?

Readopt with amendment Ed 509.03 through Ed 509.05, effective 6-15-13 (Document #10362), to read as follows:

Ed 509.03 Renewal Documentation.

(a) The school district or school administrative unit shall submit to the department, for each educator whose license is required to be renewed, verification of professional development activities taking place within the 3 years preceding expiration date of the license in the school district or school administrative unit consistent with the local master plan for professional development pursuant to Ed

5123 to the bureau for each educator whose credentials ~~license~~ are ~~is~~ required to be renewed, within the 3 years preceding the date of expiration of the credentials.

(b) Evidence of approved professional development activities in each subject area or field of specialization as required in accordance with Ed 5123.04 or Ed 5123.05, as applicable, shall be required for each ~~teacher~~ **educator** who holds a credential **license** in more than one subject **endorsement** area.

Ed 509.04 Late Filing.

Unclear: While notice to the SAU is OK, notice must be given to all "licensees".

(a) A renewal application shall be considered a late filing if it is received by the ~~bureau~~ **department** after July 1 of the year of filing, provided that the department provided notice that a credential **license** was due for renewal at least 3 months before July 1 to the:

Edit: cap

- (1) ~~Superintendent or the school administrative unit, in the case of an applicant employed by a school district or school administrative unit;~~ or
- (2) Applicant, when the applicant is not employed by a ~~school district or school administrative unit.~~

(b) A late filing shall be accepted by the ~~bureau~~ **department** if the applicant meets ~~recertification renewal~~ requirements and files:

(1) A late filing fee of \$50.00; and

Edit: Delete. Already included in AARL on p. 2.

(2) The appropriate filing fee pursuant to Ed ~~508.065.08~~, which fee reflects the actual cost of processing the late filing as authorized under RSA 186:11, X(b).

Readopt with amendment Ed 509.05, effective 6-15-13 (Document #10362), to read as follows:

Ed 509.05 Fees. Payment of renewal fees shall be made in accordance with the rules and fee schedule in Ed ~~508.065.08~~.

See 509.01(b)(2).

Readopt with amendment Ed 512.01, effective 11-9-18 (Document #12661), cited and to read as follows:

PART Ed 512 DENIAL OF CERTIFICATION

Ed 512.01 Denial of Credential.

(a) A credential application shall be denied by the board based on the following grounds:

(1) Failure to meet the conditions for issuance of the license, endorsement, renewal, or reinstatement;

Edit: comma

(2) The applicant has been charged pending disposition for, or convicted of any violation or attempted violation of any of the crimes enumerated in RSA 189:13-a, or has been convicted of any felony in any other state, territory, or country;

Edit: "13-a, V"

(43) The applicant is under investigation for, under suspension for, or has been revoked for a violation of the principles of professional conduct enumerated in Ed 510.01 through Ed 510.04; or

Unclear: A person does not violate a "crime". Change "crimes" to "statutes".

(54) The applicant is under investigation, under suspension, or has been revoked in any other state, jurisdiction, territory, or country.

(b) An applicant aggrieved by the decision of the ~~bureau~~ **department** to deny an application may file a petition for reconsideration along with supporting documentation to the director within 20 days after receipt of the denial decision. If the petition for reconsideration is denied, the applicant may appeal the ~~director~~**department's** decision pursuant to RSA 21-N:11, III, and Ed 200.

Edit: "12"

Readopt with amendment Ed 513.01 through Ed 513.06, effective 12-21-21 (Document #10245), cited and to read as follows:

PART Ed 513 PROFESSIONAL DEVELOPMENT MASTER PLAN AND RECERTIFICATION

RENEWAL

Unclear: How does this differ from an "approved educational organization". See p. 2. (here and subsequently)

Ed 513.01 ~~Basic Requirement~~. Each ~~school administrative unit, local school district, or participating nonpublic school~~ **educational organization** shall prepare a 5-year master plan in accordance with requirements of this part.

Ed 513.02 Criteria for State Approval of Local Professional Development Master Plan. The following criteria shall apply to the approval of the master plan:

(a) ~~Each school administrative unit, local school district, or participating nonpublic school~~ **educational organization** shall file with the department the 5-year master plan required by Ed 513.01;

(b) ~~The local superintendent, district administrator, or non-public school administrator~~ **senior education official** shall establish a local professional development committee as follows:

See (c) on p. 1. (here and subsequently)

(1) Include representation of ~~certified~~ **licensed** educators including teachers, paraeducators, certified licensed service professionals, and administrators. This committee may include local school board members, parents, or community lay persons; and

(2) Develop and monitor the master plan according to Ed 513.02 (c) through (g) under the direction of the ~~local superintendent district administrator or non-public school administrator~~ **senior education official** in accordance with local school board policies, state statutes and state board rules;

Edit: comma

(c) The professional development master plan shall include the following:

Unclear: Does not follow from intro language of (b). Appears to be a requirement on the committee, but the intro is about requirements on the senior official.

(1) The process and procedures for establishment of a local professional development committee;

(2) A statement describing the purpose of the master plan that includes but is not limited to:

a. The ~~district's~~ **educational organization's** definition of professional development that directs continuous professional learning to increase educator effectiveness and improve results for all students;

b. The role of the plan in increasing educator effectiveness and the relationship between professional learning and the local evaluation system;

c. The role of the plan in increasing student learning and academic achievement;

d. The alignment with local, state, and national professional development standards; and

Edit: license

e. The function and role of the plan for ~~recertification of all staff~~ **licensure renewal of all educators**;

(3) A statement describing the role and function of the local professional development committee which includes, but is not limited to how:

Edit: comma

a. **How** ~~the~~ committee will develop, monitor, implement, evaluate and propose changes to the plan;

b. **How** ~~the~~ committee will collaborate with other district committees or teams **in developing an overarching framework for professional development including, but not limited to:**

1. ~~s~~ School improvement **committees**;

2. ~~L~~ Local improvement **committees**; and

3. ~~L~~ Leadership teams ~~in developing an overarching framework for professional development~~; and

Edit: "shall"

Unclear: Does not follow from intro language of (3).

c. The committee will be involved with individual educator ~~recertification~~ **license renewal** and how appeals of decisions in that process will be handled;

(4) A description of the needs assessment process that includes a data collection system and how the school or district makes decisions regarding professional development priorities in order to:

Unclear/Authority: Appeals by an educator of a "licensing" decision made by the Dept. is pursuant to RSA 541-A, education statutes, and Board rules. There would be no authority for such a committee to set procedures for such appeals.

a. Identify student learning needs;

b. Determine individual **licensed** educator goals;

c. Determine school or district **educational organization** goals;

d. Evaluate student learning and **licensed** educator growth;

e. Measure the effectiveness of an individual professional development plan; and

f. Evaluate the effectiveness of the master professional development plan on an on-going basis;

Edit: license

(5) Procedures for recommending ~~individuals~~ **licensed educators** for ~~recertification~~ **licensure renewal** that provide evidence of each **licensed** educator's growth in:

Unclear: It is unclear under what Board rules such recommendations are handled by the Dept. when making a renewal decision.

a. Knowledge of content area(s), subject, or field of specialization including requirements of individual ~~certifications~~ **endorsement areas** in Ed 506, ~~and~~ 507, ~~and~~ 508;

b. Pedagogy and knowledge of learners and learning as defined in Ed 610.02 and Ed 505.073;

c. Professional standards as referenced in the local evaluation system; and

d. Effective instructional practices related to school and district goals that increase student achievement as demonstrated by data such as but not limited to:

1. The education improvement and assessment program, RSA 193-C:3, III;
2. Portfolios;
3. Analysis of student work;
4. Standardized and other local assessment instruments; and
5. Performance evaluations and portfolios of professional work;

(6) A description of the job-embedded and formal professional development activities that the school or district supports for a comprehensive, sustained, and intensive approach to improving ~~teacher and administrator~~ **educator** effectiveness in raising student achievement such as but not limited to:

- a. Observations;
- b. Independent study;
- c. Study groups and professional learning communities;
- d. Action research;
- e. Educational peer coaching;
- f. Mentoring;
- g. Curriculum, instruction, and assessment development;
- h. Lesson study;
- i. Collegiate or graduate course work; and
- j. Workshops, webinars and professional conferences;

(7) How the activities in (6) shall:

- a. Be facilitated by well-prepared school principals, and/or school-based professional development coaches, mentors, master teachers, or other teacher leaders;
- b. Engage **licensed** educators in a continuous cycle of improvement;
- c. Foster collective responsibility for improved student performance;

Unclear: Does this indirectly place a requirement on principals that does not already exist in the credentialing requirements for principals?

d. Support coherent, sustained, and evidenced-based learning strategies; and

e. Provide coaching or other forms of support to transfer new knowledge and skills to the classroom; and

(8) Describe differentiated processes to address the unique professional learning needs of all employees, including teachers, administrators, educational interpreters, paraeducators, and other certified or licensed professional staff as well as the unique developmental needs of interns, Alternative IV and V candidates, beginning educators, experienced educators and master teachers *credential holders*;

(d) The professional development master plan shall comply with state ~~certification~~ *credentialing* rules and with federal, state and local laws and regulations, including the local education improvement plan required in federal grant applications;

Edit: ", rules,"

(e) The professional development master plan shall include the following processes for developing comprehensive 3-year individual professional development plans that describe how:

(1) Individual plans are developed and goals are determined;

(2) Individual plans and goals are approved;

(3) Individual plans are formatively assessed and summatively evaluated;

(4) Progress is documented and recorded by the district;

(5) Activities and documentation from in-progress plans are accepted and transferred into the school or district including how district requirements are pro-rated for the remainder of the 3 year cycle;

(6) Requirements for endorsements that are added mid-cycle are pro-rated;

(7) Disputes are handled including an appeals process;

Edit: license

(8) *Licensed* Educators reflect on and provide evidence of the impact of professional learning on their own educational practices and on student learning; and

(9) Recommendations for re-certification *licensure renewal* are determined;

(f) The professional development master plan shall allow individuals *licensed educators* to document and provide evidence that they have met the requirements for ~~recertification~~ *licensure renewal* as part of the differentiation of professional learning for the unique needs of *licensed* educators as follows:

(1) For all of the methods, the professional development master plan shall specify how individual *licensed* educators reflect on and provide evidence of the impact of professional learning on their own educational practices and on student learning and provide evidence that the professional development addresses:

a. Increases in educator learning;

- b. Growth in student learning and academic achievement;
- c. Content area knowledge and pedagogy;
- d. The individual, ~~school, or district improvement~~ **educational organization** goal(s); and
- e. Professional standards such as those in the local evaluation plan; and

(2) Using any one of the following methods:

- a. The development of a body of evidence that documents job-embedded or formal professional development;
- b. An accumulation of a minimum of 75 continuing education hours with 30 hours for each endorsement area and 45 hours documenting job-embedded or formal professional development; or
- c. A combination of less than 75 continuing education units and evidence that together document job-embedded or formal professional development addressing the school or district improvement goal(s) and content area;

Unclear: Already appears to be stated in (a).

(g) ~~The master plan shall be submitted to the division director or designee of the department;~~

(h) ~~The division director or designee~~ **department** shall review each professional development master plan and:

- (1) Approve such plan in writing if it meets the requirements of this section; or
- (2) Confirm in writing that the plan needs modification and a timeline for completing the required revisions;

(i) If the professional development master plan is amended by the school or district, the amendments shall be made in accordance with this section, as confirmed by the ~~division director or designee~~ **department**; and

(j) Representatives of the department shall make an on-site visitation, on an as-needed basis as determined by the department, in order to observe whether the local administration of the master plan adheres to the criteria set forth in this section.

Ed 513.03 Individual Professional Development Plan.

(a) Each ~~certified~~ **licensed** educator, including an educator with a professional certificate, shall develop, in collaboration with a supervisor or the supervisor's designee, an individual plan as follows:

- (1) An **licensed** educator shall file the individual professional development plan with the ~~school administrative unit, local school district, or participating nonpublic school~~ **educational organization** for review and approval according to the criteria in (3) below;

(2) The individual professional development plan shall be developed for a 3-year period consistent with the **licensed** educator's ~~certification~~ **endorsement(s)** and incorporate one of the 3 options as defined in the local master plan; ~~referenced in Ed 513.02(f)(2);~~

Edit: comma

(3) The individual professional development plan shall include one or more goals for improving student learning and be developed from:

a. The **licensed** educator's self-assessment or reflection on competencies referenced in Ed 505.073 and the content area standards referenced in Ed 506, ~~and~~ Ed 507, **and 508**;

b. Analysis of student work;

c. Analysis of student achievement data, if available; and

d. A review of ~~school or district~~ **educational organization** master plan needs assessment; and

Edit: "the"

(4) The individual professional development plan shall outline the **licensed** educator's growth in the following:

a. Knowledge of content area(s), subject, or field of specialization, including requirements of individual ~~certifications,~~ **endorsement(s)** in Ed 506, ~~and~~ 507, **and 508**;

b. Pedagogy and knowledge of learners and learning as defined in ~~Ed 610.02 and~~ Ed 505.073;

Edit: "Ed"

c. Professional standards as referenced in the local evaluation system; and

d. Effective instructional practices related to ~~school and district~~ **educational organization** goals that increase student achievement.

(b) Each ~~certified~~ **licensed** educator whose ~~credentials~~ **license** expires in a given year shall provide evidence of their individual plan including reflection. The individual plan shall be summatively evaluated as specified in the local professional development master plan.

Edit: license

(c) Professional development completed after ~~nomination~~ or election pursuant to RSA 189:14-a, shall be counted toward the next 3-year ~~recertification~~ **licensure renewal** cycle.

(d) A ~~certified~~ **licensed** educator who is employed under a master plan and who holds a professional certificate that supports his or her current assignment shall develop an individual professional development plan that supports the educator's current assignment.

(e) For multiple endorsement areas, the individual professional development plan shall address each endorsement area.

Unclear: "License Renewal" ?

Ed 513.04 Criteria for Recertification of Educators Under the Professional Development Master Plan. The following criteria shall apply for recertification of educators under the professional development master plan:

(a) The professional development master plan shall require that every **licensed** educator applying for **licensure** renewal of his/her ~~credential~~ has the approval of the local superintendent or district

Unclear/Authority: It appears that the Dept. is imposing an indirect requirement for approval. This requirement must also be imposed directly on the educator (to the extent there is authority for one individual from the district to prevent licensure). How does the rule work in the instance of an educator who is leaving/has left the district?

Unclear/Legis. Intent: Appears to be a delegation of rulemaking authority from the Board to the Dept. contrary to RSA 541-A:22, III(e), and allows rules to be set outside of RSA 541-A contrary to RSA 541-A:22, I.

~~administrator or nonpublic school administrator~~ **senior education official** for the successful completion of the **licensed** educator's individual professional development plan, based on one of the options referenced in Ed 513.02(f)(2); and

(b) The individual professional development plan shall address the elements described in Ed 513.03(a)(4).

Unclear: "License Renewal"?

Edit: license

Ed 513.05 Criteria For Recertification of Educators Not Under the Local Professional Development Master Plan. ~~Certified~~ **Licensed** educators seeking ~~recertification~~ **licensure renewal** who are not employed by an ~~school administrative unit, a local school district, or a participating nonpublic school educational organization~~ shall:

(a) Comply with a professional development master plan prepared by the department; and

(b) Submit an individual professional development plan developed for a 3-year period, consistent with the **licensed** educator's ~~certification~~ **endorsement(s)**, to the ~~bureau~~ **department** for review, which shall be approved by the ~~bureau~~ **department** if it meets the following requirements:

(1) An accumulation of a minimum of 75 continuing education hours with 30 hours for each endorsement area and 45 hours aligned with Ed 505.07 or a body of evidence as an alternative to the hours; and

(2) Two or more goals for improving student learning, as developed from the educator's self-assessment or reflection on competencies referenced in Ed 505.073 and the content area standards referenced in Ed 506, ~~and~~ Ed 507 ~~and~~ 508.

Edit: comma

Ed 513.06 Certified Licensed Paraeducators II.I. Requirements for paraeducators certified under Ed 504.05 shall be as follows:

(a) For those ~~certified~~ **licensed** paraeducators who are employed by an agency listed in Ed 513.01, a minimum of 50 continuing education units shall be required in areas determined by the local professional development master plan required by this part; and

(b) For those ~~certified~~ **licensed** paraeducators who are not employed by an agency listed in Ed 513.01, a minimum of 50 continuing education units of paraeducator growth shall be required.

Readopt with amendment Ed 513.07, effective 11-14-17 (Document #12418) to read as follows:

Unclear: These do not appear to be the only renewal requirements.

Ed 513.07 School Nurse. ~~Renewal~~ requirements for school nurse I, II and III ~~renewal certificates~~ shall be as follows:

See comment to Ed 509.02(d) on p. 2.

(a) For those ~~certified~~ **licensed** school nurses who are employed by an agency listed in Ed 513.01, a minimum of 45 school nurse related continuing education units shall be required; and

(b) For those ~~certified~~ **licensed** school nurses who are not employed by an agency listed in Ed 513.01, a minimum of 45 school nurse related continuing education units shall be required.

Repeal Ed 514.03, effective 9-11-14 (Document #10667), as follows:

~~Ed 514.03 Highly Qualified Teacher.~~

— (a) Any individual may apply to the department of education for a statement of eligibility as a highly qualified teacher, who:

- (1) Possesses a valid New Hampshire credential issued by the New Hampshire State Board of Education;
- (2) Is not employed under an approved master plan at the time of application; and
- (3) Has not been deemed highly qualified by a local education agency.

— (b) The individual shall provide to the department documentation required under 20 USC §7801(23)(C) to support a claim that the individual is a highly qualified teacher.

— (c) If the department determines that the individual has met the requirements of 20 USC §7801(23)(C) then it shall issue a statement of eligibility stating the individual is a highly qualified teacher.

— (d) A highly qualified teacher statement of eligibility shall be valid for the duration of the credential.

— (e) On the date that 20 USC §7801(23)(C) is repealed or deemed ineffective by the United States Department of Education, the department shall cease to accept requests for highly qualified teacher statements of eligibility.

Appendix I

Rule	Specific State Statute the Rule Implements
Ed 509.01-509.02	RSA 200:29, RSA 186:11, X(a)
Ed 509.03	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 509.04	RSA 21-N:9, II(s); RSA 186:11, X(b)
Ed 509.05	RSA 186:11, X(a)
Ed 512	RSA 186:11, X(a)
Ed 513	RSA 186:11, X(a)
Ed 513.06 introduction and (b)	RSA 21-N:9, II(s)
Ed 513.07	RSA 200:29; RSA 21-N:9, II(s)
Ed 514.03 (repealed)	

Edit: Need to insert the statute(s) being implemented by the repeal. The Appendix for Ed 500 cites RSA 21-N:9, II(s) and 20 USC Section 7801(23)(C) as being implemented by Ed 514.03. Insert those if they are also being implemented by the repeal.

TITLE I

THE STATE AND ITS GOVERNMENT

CHAPTER 21-N

DEPARTMENT OF EDUCATION

Section 21-N:9

21-N:9 Rulemaking. –

- I. The board of education shall adopt rules, pursuant to RSA 541-A, relative to minimum standards for:
- (a) High schools, as authorized by RSA 186:8.
 - (b) Junior high schools, as authorized by RSA 186:8.
 - (c) Elementary schools, as authorized by RSA 186:8 and 189:25.
- II. The board of education shall adopt rules, pursuant to RSA 541-A, relative to:
- (a) The organization of school administrative units.
 - (b) The duties of school boards.
 - (c) Standards for school building construction.
 - (d) School health policies.
 - (e) Child benefit services grants.
 - (f) Nonpublic school advisory councils.
 - (g) Home study.
 - (h) Dual enrollment, as authorized by RSA 193:1-b.
 - (i) High school equivalency programs, as authorized by RSA 186:61.
 - (j) Adult basic education programs, as authorized by RSA 186:61 and 186:62.
 - (k) Vocational rehabilitation services, as authorized by RSA 186:6 and 200-C.
 - (l) Special education programs affecting all children with disabilities, as authorized by RSA 186-C:5, 186-C:16 and 186-C:18, V.
 - (m) Standards for approval of regional career and technical education centers, as authorized by RSA 188-E:3.
 - (n) Vocational technical education, as authorized by RSA 186:6.
 - (o) Standards for approval of nonpublic schools, as authorized by RSA 186:11, XXIX.
 - (p) Qualifications and duties of school superintendents and principals, as authorized by RSA 186:8.
 - (q) Qualifications and duties of school administrative unit professional employees, as authorized by RSA 186:8.
 - (r) Professional preparation standards and approval of professional preparation programs for educating teachers in post-secondary institutions, as authorized by RSA 186:11, X.
 - * (s) Certification standards for educational personnel, and educator certification fees for granting credentials to educational personnel, including teachers, paraprofessionals, superintendents, assistant superintendents, special education administrators, business administrators, principals, vocational directors, coordinators of comprehensive health education and services, directors of pupil personnel services, guidance directors, guidance counselors, school psychologists, associate school psychologists, speech-language specialists, social workers, health educators, physical education teachers, consumer and family science teachers, elementary teachers, specialists in assessment of intellectual functioning, media supervisors, media generalists, and master teachers as authorized by RSA 186:8 and RSA 186:11, X, professional credentials including beginning educator credentials, experienced educator credentials, and intern licenses, and other classifications of educators, administrators, specialists, and paraprofessionals necessary to address educational needs as determined by the state board upon the recommendation of the professional standards board pursuant to RSA 186:60.
 - (t) Administering the provisions of RSA 193:27 through 193:30 regarding placement of children, as authorized by RSA 193:30.
 - (u) Guidelines for uniform evaluation programs among local school districts.
 - (v) Administering the literacy education and dropout prevention program established in RSA 189:52-58.
 - (w) The exemption of certain students from participation in the statewide education assessment.

- (x) Safe school zones, as provided in RSA 193-D:2.
 - (y) School bus safety, as provided in RSA 189:6-a.
 - (z) Local master plan for staff development and recertification.
 - (aa) Establishing requirements for teachers and teacher preparation programs to ensure that all teachers are prepared to teach to a broad range of students' needs, including, but not limited to, the needs of exceptional learners, using a variety of methods, materials, and instructional techniques.
 - (bb) Establishing the educational credential of master teacher as provided in RSA 189:14-f.
 - (cc)(1) The establishment and enforcement of a code of ethics and a code of conduct for licensed or certified educational personnel. These professional codes shall include a statement of purpose and standards defining each of the 4 primary principles which are:
 - (A) Responsibility to the education profession and educational professionals.
 - (B) Responsibility to students.
 - (C) Responsibility to the school community.
 - (D) Responsible and ethical use of technology as it relates to students, schools, and other educational professionals.
 - (2) The professional code of ethics and the professional code of conduct shall apply to all teachers, specialists, and administrators who are licensed or certified by the department.
- III. [Repealed.]

Source. 1986, 41:1. 1987, 168:3. 1988, 274:2. 1989, 49:5. 1990, 140:2, X. 1992, 48:5. 1993, 290:1. 1994, 355:1. 1996, 19:3; 271:2. 1998, 174:1, 2; 314:1. 1999, 82:1. 2008, 274:31. 2011, 224:127, eff. July 1, 2011. 2013, 164:7, I, eff. June 28, 2013. 2015, 252:11, eff. July 1, 2015. 2017, 22:1, eff. June 24, 2017. 2019, 258:1, eff. Sept. 17, 2019.

TITLE XV EDUCATION

CHAPTER 186 THE STATE SCHOOL ORGANIZATION

State Board of Education

Section 186:11

186:11 Duties of State Board of Education. –

The state board of education shall, in addition to the duties assigned by RSA 21-N:11:

I. [Repealed.]

II. Supervision. Supervise the expenditure of all moneys appropriated for public schools, and inspect all institutions in which or by which such moneys are used.

III. Budget: Information. Prepare a budget for such expenditures, give to the public information as to the educational conditions in different parts of the state and the opportunities open to pupils in the public schools, and all such further information in respect to educational matters as will promote the cause of education. For this purpose it may employ lecturers and publish and distribute books and pamphlets on education and educational subjects.

IV, V. [Repealed.]

VI. School Registers. Prescribe the form of the register to be kept concerning the schools, the form of blanks and inquiries for the returns to be made by the school boards, and seasonably send the same to the clerks of the several cities and towns for the use of the school boards therein.

VII. Public Documents. Keep on file in its office and distribute all state documents in relation to public schools and education.

VIII. District Returns. Preserve in accessible form the returns of school boards and of all other officers required to make returns to the board.

IX. Instruction as to Child Abuse Prevention, Youth Suicide Prevention, Intoxicants, Drugs, HIV/AIDS, and Sexually Transmitted Diseases.

(a) Direct the department to develop academic standards to serve as a guide and reference in health, physiology, and hygiene as they relate to the effects of alcohol and other drugs, child abuse, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS), and sexually transmitted diseases on the human system, and which are designed to help students lead longer, healthier lives.

(b) Provide information about HIV/AIDS to all public and private schools to facilitate the delivery of appropriate courses and programs.

(c) Review HIV/AIDS curriculum materials to assure relevancy in assisting students to become health-literate citizens and lead longer, healthier lives.

(d) Provide information about youth suicide prevention to all public and private schools to facilitate the delivery of appropriate courses and programs.

(e) Submit a report no later than December 1, 2010, and biennially thereafter, prepared in conjunction with the commissioner of the department of education, to the chairpersons of the house and senate education committees, the house health, human services and elderly affairs committee, and the senate health and human services committee, detailing the state's efforts in fulfilling the policies relating to health education in kindergarten through grade 12 as set forth in subparagraphs (a)-(d).

IX-a. [Repealed.]

IX-b. Health and Sex Education. Require school districts to adopt a policy allowing an exception to a particular unit of health or sex education instruction based on religious objections. Such policy shall include a provision for alternative learning sufficient to enable the child to meet state requirements for health education.

IX-c. Require School Districts to Adopt a Policy Allowing an Exception to Specific Course Material Based on a Parent's or Legal Guardian's Determination that the Material is Objectionable. Such policy shall include a provision requiring the parent or legal guardian to notify the school principal or designee in writing of the specific material to which they object and a provision requiring an alternative agreed upon by the school district and the parent, at the parent's expense, sufficient to enable the child to meet state requirements for education in the particular subject area. The policy shall also require the school district or classroom teacher to provide parents and legal guardians not less than 2 weeks advance notice of curriculum course material used for instruction of human sexuality or human sexual education. The policy shall address the method of delivering notification to a parent or legal guardian. To the extent practicable, a school district shall make curriculum course materials available to parents or legal guardians for review upon request. The name of the parent or legal guardian and any specific reasons disclosed to school officials for the objection to the material shall not be public information and shall be excluded from access under RSA 91-A.

IX-d. Require School Districts to Adopt a Policy Governing the Administration of Non-academic Surveys or Questionnaires to Students. The policy shall require school districts to notify a parent or legal guardian of a non-academic survey or questionnaire and its purpose. The policy shall provide that no student shall be required to volunteer for or submit to a non-academic survey or questionnaire, as defined in this paragraph, without written consent of a parent or legal guardian unless the student is an adult or an emancipated minor. The policy shall include an exception from the consent requirement for the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The policy shall also allow a parent or legal guardian to opt-out of the youth risk behavior survey developed by the Centers for Disease Control and Prevention. The school district shall make such surveys or questionnaires available, at the school and on the school or school district's website, for review by a student's parent or legal guardian at least 10 days prior to distribution to students. In this paragraph, "non-academic survey or questionnaire" means surveys, questionnaires, or other documents designed to elicit information about a student's social behavior, family life, religion, politics, sexual orientation, sexual activity, drug use, or any other information not related to a student's academics.

X. Adopt rules, pursuant to RSA 541-A, relative to:

- * (a) Certification of teachers, supervisors, and administrators in the public schools. The state board shall also examine the qualifications of candidates for those positions and issue certificates to those who meet the requirements of said rules.
- (b) Fees to be paid to the commissioner of education for the administration of proficiency exams and other competence evaluations and other related fees including, but not limited to, fees for late filing and duplicate credentials, and for the issuance of educational credentials. These fees must bear a reasonable relationship to the actual costs related to such activities. Funds collected from these fees shall be expended only for purposes of fulfilling the requirements of this paragraph. No portion of the funds collected from these fees shall lapse, nor be used for any other purpose than fulfilling the requirements of this paragraph, nor be transferred to any other appropriation.
- (c) Approval of professional preparation programs.
- (d) Procedures for the electronic certification of educational credentials.
- (e) Establishment and enforcement of a code of ethics and a code of conduct for licensed or certified educational personnel as provided in RSA 21-N:9, II(cc).

XI. [Repealed.]

XII. Vocational Education. Cooperate with the U.S. Department of Education for the purpose of carrying the Carl D. Perkins Vocational Education Act of 1984 and its successor acts into effect insofar as that act relates to this state.

XIII. Education for Persons with Disabilities. Prepare, develop and administer plans to provide educational facilities for persons with disabilities.

XIV. Lectures. Lecture on educational subjects in as many cities and towns in this state as the time occupied by the commissioner's other duties will permit.

XV. Truant Officers. Report frequently to the chairman of the several school boards the relative efficiency of the several truant officers in the state.

XVI. [Repealed.]

XVII. District Contracts. Examine contracts made by districts with academies, high schools and other literary institutions, for the purpose of deciding whether they are calculated to promote the cause of education.

XVIII. School Attendance. Enforce the laws relative to school attendance and the employment of minors; and

for this purpose the board and its deputies are vested with the power given by law to truant officers.

XIX. School Laws. Compile and issue, at the close of each session of the legislature, an edition of the school laws.

XX-XXIV. [Repealed.]

XXV. Assistants. Employ as many supervisors, inspectors, stenographers, accountants, clerks and agents as may be necessary to enable it to perform the duties imposed on it by law.

XXVI. Conferences. Hold conferences from time to time with superintendents, other school administrative unit personnel, principals, and teachers, or their representatives, for the purpose of inspiring mutual cooperation in the carrying on of their work and of unifying educational aims and practices.

XXVII. Programs. Prepare, publish and distribute such school programs, outlines of work and courses of study as will best promote education interests of the state.

XXVIII. Health. Have authority to employ a competent person or persons to examine and care for the health of pupils, subject to the provisions of RSA 200.

XXIX. Adopt rules, pursuant to RSA 541-A, relative to reasonable criteria for approving non-public schools for the purpose of compulsory attendance requirements. The rules may contain criteria for conditional approval as specified by the state board. The state board of education may, upon request, designate which schools meet those criteria, and may, upon the request of a non-public school, approve or disapprove its education program and curriculum.

XXIX-a. Adopt rules pursuant to RSA 541-A, relative to establishing a process for receiving, investigating, and resolving complaints from parents or legal guardians concerning school safety and school violence in nonpublic schools.

XXX. [Repealed.]

XXXI. Driver Education. Establish jointly with the department of safety, teacher qualifications, course content and standards, in connection with the driver education program conducted in secondary schools in this state; and adopt such rules as may be necessary to carry out the program and supervise the driver education program in the secondary schools of the state. Driver education instructors shall not be required to be certified as secondary school teachers. Although authority is shared by the departments of safety and education, those regulations, directions and procedures that have a direct or indirect relationship to a life or safety issue shall rest with the department of safety as the final and ultimate authority.

XXXII. Learning Disability Teacher. Establish the qualifications, conditions and exceptions for providing a learning disability teacher in each school district.

XXXIII. Discrimination. Ensure that there shall be no unlawful discrimination in any public school against any person on the basis of sex, race, creed, color, marital status, or national origin in educational programs, and that there shall be no denial to any person on the basis of sex, race, creed, color, marital status, national origin, or economic status of the benefits of educational programs or activities.

XXXIV. Missing Child Education Program. Administer the missing child education program as established in RSA 193:31.

XXXV. Certification Standards for the Credential of Master Teacher. Adopt rules creating the educational credential of master teacher based on the provisions of RSA 189:14-f.

XXXVI. Pupil Safety and Violence Prevention. Develop and distribute to school districts a technical assistance advisory for the purpose of providing guidance to school districts on the implementation of pupil safety and violence prevention policies as required under RSA 193-F.

XXXVII. School Resource Officers. Require each school district in the state to which a school resource officer is assigned to develop and implement a policy which shall include, at a minimum, a requirement for a signed memorandum of understanding between the school district and the law enforcement agency from which the school resource officer is deployed.

Source. 1919, 106:9. 1921, 85, I:8. PL 116:11. 1929, 145:3. 1939, 8:1. RL 134:11. 1953, 243:1-4. RSA 186:11. 1957, 252:1, 2. 1961, 196:1-3. 1963, 117:2; 147:1; 303:7; 305:1-3. 1965, 199:1; 339:4. 1967, 448:1. 1969, 69:1-3. 1971, 371:4, 5; 443:4. 1973, 140:15; 209:2; 242:1. 1974, 28:1. 1975, 23:1; 207:1; 505:6. 1977, 432:1; 452:6. 1979, 53:1; 459:4, 9, 10. 1981, 318:1. 1985, 318:4. 1986, 41:8-10, 29, II. 1987, 161:1. 1988, 262:7. 1989, 266:37. 1990, 28:1; 140:2, III. 1992, 123:1. 1993, 322:9, I, II. 1996, 298:5, I. 1998, 174:4, 5; 314:3; 389:8, 9. 1999, 157:1. 2000, 190:2. 2003, 39:1; 186:2. 2005, 92:1. 2008, 251:1, 4, 5. 2009, 105:1; 280:1. 2011, 271:1.

2014, 62:1. 2015, 161:6. 2016, 14:1; 84:2. 2017, 9:1, eff. June 16, 2017; 22:2, eff. June 24, 2017; 251:1, eff. Sept. 16, 2017. 2019, 258:2, eff. Sept. 17, 2019.

TITLE XV EDUCATION

CHAPTER 189 SCHOOL BOARDS, SUPERINTENDENTS, TEACHERS, AND TRUANT OFFICERS; SCHOOL CENSUS

School Boards, Transportation and Instruction of Pupils

Section 189:13-a

189:13-a School Employee and Designated School Volunteer Criminal History Records Check. –

I. (a) The employing school administrative unit, school district, or chartered public school shall complete a criminal history records check on every selected applicant for employment in any position in the school administrative unit, school district, or chartered public school prior to a final offer of employment. A public academy approved by the New Hampshire state board of education shall submit a criminal history records check on applicants for employment pursuant to this section to the division of state police. The superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy may extend a conditional offer of employment to a selected applicant, with a final offer of employment subject to a successfully completed criminal history records check. No selected applicant may be extended a final offer of employment unless the school administrative unit, school district, chartered public school, or public academy has completed a criminal history records check. The school administrative unit, school district, chartered public school, or public academy shall not be held liable in any lawsuit alleging that the extension of a conditional or final offer of employment to an applicant, or the acceptance of volunteer services from a designated volunteer, with a criminal history was in any way negligent or deficient, if the school administrative unit, school district, chartered public school, or public academy fulfilled the requirements of this section.

(b) A nonpublic school may elect to require a criminal history records check on selected applicants for employment or selected volunteers. A nonpublic school that elects to conduct a criminal history records check shall comply with the procedures and requirements set forth in this section.

II. The selected applicant for employment or designated volunteer with a school administrative unit, school district, chartered public school, or public academy shall submit to the employer a criminal history records release form, as provided by the division of state police, which authorizes the division of state police to conduct a criminal history records check through its state records and through the Federal Bureau of Investigation and to release a report of any misdemeanors and/or felony convictions and any charges pending disposition for any crimes listed in paragraph V to the superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy. The applicant shall submit with the release form a complete set of fingerprints taken by a qualified law enforcement agency or an authorized employee of the school administrative unit, school district, chartered public school, or public academy. In the event that the first set of fingerprints is invalid due to insufficient pattern and a second set of fingerprints is necessary in order to complete the criminal history records check, the conditional offer of employment shall remain in effect. If, after 2 attempts, a set of fingerprints is invalid due to insufficient pattern, the school administrative unit, school district, chartered public school, or public academy may, in lieu of the criminal history records check, accept police clearances from every city, town, or county where an applicant has lived during the past 5 years.

III. The superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy shall maintain the confidentiality of all criminal history records information received pursuant to this paragraph. If the criminal history records information indicates no criminal record, the superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy shall destroy the information received immediately following review of the information. If the criminal history records information indicates that the applicant has been convicted of any crime or has been

charged pending disposition for or convicted of a crime listed in paragraph V, the superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy shall review the information for a hiring decision, and the division of state police shall notify the department of education of any such charges pending disposition or convictions. The superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy shall destroy any criminal history record information that indicates a criminal record within 60 days of receiving such information.

IV. The school administrative unit, school district, chartered public school, or public academy may require the selected applicant for employment or designated volunteer to pay the actual costs of the criminal history records check.

V. Any person who has been charged pending disposition for or convicted of any violation or attempted violation of RSA 630:1; 630:1-a; 630:1-b; 630:2; 632-A:2; 632-A:3; 632-A:4; 633:1; 639:2; 639:3; 645:1, II or III; 645:2; 649-A:3; 649-A:3-a; 649-A:3-b; 649-B:3; or 649-B:4; or any violation or any attempted violation of RSA 650:2 where the act involves a child in material deemed obscene; in this state, or under any statute prohibiting the same conduct in another state, territory, or possession of the United States, shall not be hired by a school administrative unit, school district, chartered public school, or public academy. The superintendent of the school administrative unit or the chief executive officer of the chartered public school or public academy may deny a selected applicant a final offer of employment if such person has been convicted of any crime, misdemeanor or felony, in addition to those listed above. The governing body of a school district, chartered public school, or public academy shall adopt a policy relative to hiring practices based on the results of the criminal history records check and report of misdemeanors and felonies received under paragraph II. Such policy may include language stating that any person who has been convicted of any misdemeanor, or any of a list of misdemeanors, may not be hired. Such policy may also include language stating that any person who has been convicted of any felony, or any of a list of felonies, shall not be hired.

VI. This section shall apply to any employee, selected applicant for employment, designated volunteer, or volunteer organization which contracts with a school administrative unit, school district, chartered public school, or public academy to provide services, including but not limited to cafeteria workers, school bus drivers, custodial personnel, or any other service where the contractor or employees of the contractor provide services directly to students of the district, chartered public school, or public academy. The employing school administrative unit, school district, or chartered public school shall be responsible for completing the criminal history records check on the people identified in this paragraph. The cost for criminal history records checks for employees or selected applicants for employment with such contractors shall be borne by the contractor.

VII. The school administrative unit, school district, chartered public school, or public academy shall not be required to complete a criminal history records check on volunteers, provided that the governing body of a school administrative unit, school district, chartered public school, or public academy shall adopt a policy designating certain categories of volunteers as "designated volunteers" who shall be required to undergo a criminal history records check.

VIII. A school administrative unit, school district, chartered public school, public academy, or school official acting pursuant to a policy establishing procedures for certain volunteers shall be immune from civil or criminal liability, provided the school administrative unit, school district, chartered public school, public academy, or school official has in good faith acted in accordance with said policy. Nothing in this paragraph shall be deemed to grant immunity to any person for that person's reckless or wanton conduct.

IX. (a) Substitute teachers and other educational staff, not otherwise addressed in this section, shall apply for a criminal history records check at the employing school administrative unit, school district, chartered public school, or public academy. The division of state police shall complete the criminal history records check, as established in paragraph II, and, upon completion, shall issue a report to the applicant. The report shall be valid for 30 days from the date of issuance and shall constitute satisfactory proof of compliance with this section.

(b) Upon enrollment in an educator preparation program at an institution of higher education, a candidate shall submit to a criminal history records check. The institution of higher education in which the candidate is enrolled shall conduct the criminal history records check. Upon placement of a candidate as a student teacher, the receiving school administrative unit, school district, or chartered public school shall conduct another criminal history records check of the candidate and shall follow the same procedures for assessing the candidate's criminal history background as for applicants for employment. The governing body of the institution of higher education may adopt a policy relative to how often a candidate shall submit to a criminal history records check. In this subparagraph, "candidate" shall mean a student who is enrolled in an educator preparation program at an

institution of higher education in New Hampshire.

X. Violations of this section shall be jointly investigated by the state police and the department of education. Information obtained through such investigations shall remain confidential and shall not be subject to RSA 91-A.

XI. In this section, "public academy" shall have the same meaning as in RSA 194:23, II.

Source. 1993, 324:1. 1995, 260:5. 1997, 77:2. 1998, 256:6; 314:6. 2000, 214:1, 2. 2007, 319:1, 4. 2008, 323:8, 12; 354:1. 2010, 138:1; 318:1. 2013, 250:7. 2014, 55:1. 2016, 117:1. 2017, 245:2, eff. Sept. 16, 2017. 2018, 318:12, eff. Aug. 24, 2018.

TITLE LV

PROCEEDINGS IN SPECIAL CASES

CHAPTER 541-A

ADMINISTRATIVE PROCEDURE ACT

Section 541-A:22

541-A:22 Validity of Rules. –

I. No agency rule is valid or effective against any person or party, nor may it be enforced by the state for any purpose, until it has been filed as required in this chapter and has not expired.

II. Rules shall be valid and binding on persons they affect, and shall have the force of law unless they have expired or have been amended or revised or unless a court of competent jurisdiction determines otherwise. Except as provided by RSA 541-A:13, VI, rules shall be prima facie evidence of the proper interpretation of the matter that they refer to.

III. An agency shall not by rule:

(a) Provide for penalties or fines unless specifically authorized by statute.

(b) Require licensing, as defined in RSA 541-A:1, IX, unless authorized by a law which uses one of the specific terms listed in RSA 541-A:1, VIII.

(c) Require fees unless specifically authorized by a statute enforced or administered by an agency. Specific authorization shall not include the designation of agency fee income in the operating budget when no other statutory authorization exists.

(d) Provide for non-consensual inspections of private property, unless the statute enforced or administered by the agency specifically grants inspection authority.

(e) Delegate its rulemaking authority to anyone other than the agency named in the statute delegating authority.

(f) Adopt rules under another agency's authority.

(g) Expand or limit a statutory definition affecting the scope of who may practice a profession.

(h) Require a submission of a social security number unless mandated by state or federal law.

IV. No agency shall grant waivers of, or variances from, any provisions of its rules without either amending the rules, or providing by rule for a waiver or variance procedure. The duration of the waiver or variance may be temporary if the rule so provides.

Source. 1994, 412:1. 2003, 309:2, eff. July 1, 2004. 2015, 234:8, eff. Sept. 11, 2015.

Readopt Ed 505.01 through Ed 505.05, effective 10-11-19 (Document #12897 Interim), expired 4-8-20, to read as follows:

PART Ed 505 QUALIFYING METHODS FOR OBTAINING A TEACHING CREDENTIAL

Ed 505.01 Alternative 1: Approved Program in New Hampshire.

(a) Individuals shall qualify for a credential pursuant to Ed 504 by completing a board approved educator preparation program(s) at a college, university or teacher training institution in New Hampshire in accordance with Ed 600.

(b) Upon completion of a board approved program in accordance with Ed 600, the applicant shall:

(1) Obtain confirmation of completion of the program on the application for certification described in Ed 508.02 by the designated official of the college or university; and

(2) Complete and file the application for certification pursuant to the application procedures of Ed 508.

(c) A current listing of approved programs in New Hampshire shall be kept on file by the bureau.

Ed 505.02 Alternative 2: States Other Than NH. Alternative 2 shall have 2 distinct requirements known as Alternative 2A and 2B, as described below:

(a) Alternative 2A relative to the National Association of State Directors of Teacher Education and Certification NASDTEC Interstate Contract shall consist of the following:

(1) Individuals shall qualify for a beginning or experienced educator credential respectively by:

a. Completing a program in another state party to the NASDTEC Interstate Contract, which would qualify the applicant for certification as an educator in the other state, including, but not limited to, an alternative certification program, consistent with the terms of the NASDTEC Interstate Contract with New Hampshire; or

b. Holding an equivalent, valid credential from a state party to the NASDTEC Interstate Contract and having 3 years of educational experience in the last 7 years under a credential from a participating state; and

(2) Applicants seeking to obtain certification under this paragraph shall apply to the bureau pursuant to Ed 508.

(b) Alternative 2B relative to a state not signatory to the NASDTEC Interstate Contract shall consist of individuals from a state not a party to the NASDTEC Interstate Contract who qualify for a beginning or experienced educator credential respectively by:

(1) Completing a program in another state not signatory to the NASDTEC Interstate Contract, which would qualify the applicant for certification as an educator in the other state, including, but not limited to, an alternative certification program, approved by the state department of education in a state not signatory to NASDTEC Interstate Contract; or

(2) Holding an equivalent, valid credential from a state not signatory to NASDTEC Interstate Contract and having at least 3 years of experience as an educator in the last 7 years under a credential issued by that state.

Ed 505.03 Alternative 3: Demonstrated Competencies and Equivalent Experiences.

(a) Alternative 3A relative to demonstrated competencies and equivalent experiences shall require:

(1) An applicant for a credential to have acquired competencies, skills and knowledge through means other than Ed 505.01 or Ed 505.02;

(2) An applicant to hold a bachelor's degree prior to submitting documentation that the applicant meets the required competencies;

(3) An applicant to have at least 3 months of full-time continuous experience as an educator in the area of endorsement; and

(4) Three parts, a written application, submission of documentation that the applicant meets the required competencies in the area of endorsement, and an oral interview process as described below:

a. Individuals seeking a credential through this section shall submit to the bureau:

1. A completed application form required by Ed 508.03;

2. Documentation that the applicant meets the required competencies, which may include, depending on the area of endorsement, documentation in the following forms:

(i) Written materials;

(ii) Videotapes;

(iii) Audiotapes; and

(iv) Art portfolio;

3. Official college or university transcript(s); and

4. A letter from the employer verifying that the applicant has completed at least 3 months full-time experience in the area of endorsement for which a credential is sought;

b. Upon receipt of the materials listed in (4) requesting processing pursuant to Ed 505.03, the bureau shall evaluate the materials to determine if the applicant qualifies for this application method by:

1. Reviewing the materials to determine if the application is complete; and

2. Notifying the applicant if any additional information is needed to complete the application process;

c. If the bureau determines that an individual does not qualify under this method, the bureau shall:

1. Notify the individual in writing within 15 days of its decision;
2. Provide the reasons for the determination, which shall include a written explanation stating why the materials the applicant has submitted are not acceptable and how they can be corrected; and
3. Recommend another appropriate application method if one is available;

d. Upon the determination by the bureau that the application is complete and qualifies under this method, the applicant shall attend a meeting with the review board;

e. At the meeting with the review board under d. above, the board shall review the applicant's application, including the written application, transcript(s), and documentation that the applicant meets the required competencies in the area of endorsement and ask the applicant questions based upon the materials submitted;

f. The review board shall make a written recommendation to the administrator, based upon:

1. Its evaluation of the applicant's written application;
2. Its evaluation of the quality of the applicant's documentation of meeting the required competencies in the area of endorsement, after considering:
 - (i) The materials submitted to provide the documentation; and
 - (ii) The applicant's oral responses to the board's questions regarding the documentation;
3. Whether the applicant's college or university transcript(s) demonstrates sufficient mastery of the subject matter for which the applicant seeks to be credentialed; and
4. Whether or not the bureau has received the letter verifying experience as required under Ed 505.03(a)(4)a.4.;

g. After reviewing the review board's written recommendation and the applicant's application and portfolio, the administrator shall:

1. Grant certification if the administrator determines that the applicant meets the education and experience requirements of Ed 504.031(d); or
2. Deny certification if the administrator determines that the applicant does not meet the education and experience requirements of Ed 504.031(d);

h. The administrator shall issue a decision in writing stating the reasons for the administrator's decision under g. above; and

i. An applicant may appeal a decision made by the administrator to deny an application for a credential under this part pursuant to Ed 200.

(b) The oral interview review board shall be appointed by the bureau as follows:

(1) The review board shall consist of a member of the department and 2 other members; and

(2) The 2 members who are not department employees shall:

a. Hold valid credentials as experienced educators in the area of endorsement; and

b. Be employed in the subject area in which the applicant is seeking to obtain a credential.

(c) The department shall pay a stipend for each member on the oral interview review board who is not a department employee. The stipend may be paid to the member or used by the school district where the member is employed to pay for a substitute teacher for the member while the member is serving on the review board.

(d) Alternative 3B relative to demonstrated competencies and equivalent experiences, national or regional examination, shall consist of the following:

(1) Individuals shall be eligible for a New Hampshire credential who possess:

a. A national level or regional certification which has been validated in the individual's endorsement area achieved by passing a national or regional examination designed to assess the individual's skills in the area in which the individual seeks certification; or

b. Proof of completion of a specialized program, such as, but not limited to, a bachelor's degree in social work, culminating in a bachelor's degree from a college or university accredited by a recognized national, regional, or state accrediting agency; and

(2) Applicants under this paragraph shall apply for a credential by submitting official documentation as identified in (1) along with an application for certification pursuant to Ed 508.03 to the bureau with the appropriate filing fees and accompanying documentation as required by Ed 508.

(e) Alternative 3C, relative to demonstrated competencies and equivalent experiences, shall consist of the following for superintendent, principal, special education administrator, curriculum administrator, business administrator, or career and technical education director:

(1) An applicant for certification as a superintendent under this paragraph shall qualify if the bureau determines, using transcript analysis, that he or she meets the requirements specified in Ed 506.01(a)(3);

(2) An applicant for certification as a principal under this paragraph shall qualify if the bureau determines, using transcript analysis, that he or she meets the requirements specified in Ed 506.04(a)(2)b.2;

(3) An applicant for certification as a special education administrator under this paragraph shall qualify if the bureau determines, using transcript analysis, that he or she meets the requirements specified in Ed 506.07(d);

(4) An applicant for certification as a curriculum administrator under this paragraph shall qualify if the bureau determines, using transcript analysis, that he or she meets the requirements specified in Ed 506.05 (b)(2)b.2;

(5) An applicant for certification as a Business Administrator under this paragraph shall qualify if the bureau determines, using transcript analysis, that he or she meets the requirements specified in Ed 506.03(a)(2)a; and

(6) An applicant for certification as a career and technical education director under this paragraph shall qualify if the bureau determines, using transcript analysis, that he or she meets the requirements specified in Ed 507.01(a)(2)b.2.

Ed 505.04 Alternative 4: Individualized Professional Development Plan (Restricted).

(a) Alternative 4 shall be a qualifying method for certification limited to the following:

(1) Applicants recommended for employment under a critical staffing shortage who hold at least a bachelor's degree;

(2) Applicants recommended for employment in the career and technical specialties pursuant to Ed 507;

(3) Applicants recommended for employment as business administrators who have not completed the requirements of Ed 506.03; and

(4) Applicants recommended for employment as a driver education teacher in an approved secondary school program.

(b) An applicant may be employed as an educator after obtaining a statement of eligibility from the bureau while completing an individualized professional development plan.

(c) An educator shall be considered for a credential under (a)(1) above only if the bureau has received notification from the superintendent that the applicant has been employed as an educator.

(d) The process for establishing an individualized professional development plan shall be as follows:

(1) The individualized professional development plan shall be based on an assessment of the strengths and weaknesses of the applicant;

(2) Each plan shall include:

- a. A description of the competencies outlined in Ed 505.06 for general education requirements, in Ed 505.07 for professional education requirements, as appropriate, and in the area in which the applicant seeks certification;
- b. The means by which these competencies shall be attained, demonstrated and evaluated; and
- c. An evaluation of resources to be utilized such as, but not limited to, additional coursework, on the job training, and professional development;

(3) The plan shall be developed collaboratively and agreed to by:

- a. The applicant;
- b. A mentor certified in the same subject area that the applicant will be teaching who shall:
 - 1. Be appointed by the superintendent; and
 - 2. Hold a valid experienced educator credential with the appropriate endorsements in the same subject area in which the applicant is seeking to obtain a credential; and
- c. The superintendent;

(4) The superintendent shall submit the plan and identify the mentor appointed in accordance with Ed 501.02(m) to the bureau for approval; and

(5) The bureau shall review the plan to ensure all of the following are included:

- a. Subject matter content;
- b. General education requirements as specified in Ed 505.06, if appropriate;
- c. Professional education requirements as specified in Ed 505.07, if appropriate;
- d. Performance objectives of educators;
- e. Evaluation of resources to be utilized such as, but not limited to, additional coursework, on the job training, and professional development; and
- f. Documentation of how the applicant will overcome weaknesses identified in the assessment process in the applicant's area of endorsement.

(e) If an assessment of the applicant's background determines that some or all of the education requirements under (d)(5)a. through c. have been completed prior to application, the applicant shall not be required to repeat any requirement already completed.

(f) Within 30 days of the bureau's determination under (d)(5) that the plan submission is complete, the bureau shall send written notification to the superintendent and the applicant of the bureau's approval of the plan, if the bureau determines that:

- (1) The subject matter content of the plan is complete;
 - (2) Completion of the plan will assure that the applicant will meet the general education requirements as specified in Ed 505.06, if appropriate;
 - (3) The plan contains professional education requirements as specified in Ed 505.07, if appropriate;
 - (4) The performance objectives specified in the plan are directly related to and substantiate the competency;
 - (5) The resources to be utilized in the plan are relevant to and support the activity proposed; and
 - (6) The documentation of how the applicant will overcome weaknesses identified in the assessment process in the applicant's area of endorsement proves that the activity proposed in the plan has been completed as defined in the accepted plan.
- (g) The bureau shall send written notification to the superintendent and the applicant that the bureau does not approve the plan, within 30 days of the bureau's determination under (d)(5) that the plan submission is complete, if the bureau determines that a plan does not meet the criteria listed in (f)(1) through (6) above.
- (h) An individualized professional development plan shall be canceled if the applicant fails to attain the skills and knowledge agreed to by the applicant within the time frame specified by the plan.
- (i) The superintendent shall notify the bureau in writing of the applicant's failure to meet the goals which the applicant agreed to as specified in the plan.
- (j) Annual progress reports shall be due at the end of each school year, and a final report shall be due at the end of the school year during which an individualized professional development plan is completed.
- (k) The reports required by (j) above shall be filed by the superintendent, in consultation with the mentor, attesting to the applicant's:
- (1) Acquisition and demonstration of skills;
 - (2) Competencies; and
 - (3) Knowledge of the plan.
- (l) The bureau shall grant an intern license for up to 3 years upon initial approval of the plan, to coincide with the time period in the plan.
- (m) The applicant shall qualify for a beginning educator or experienced educator credential upon successful completion of the plan during the period of the intern license.
- (n) Once a plan is filed with the bureau, the educator may obtain employment in a similar position in another school district provided that:

- (1) The bureau is notified in writing of the change in place of employment; and
- (2) The revised plan is:
 - a. Approved by the mentor in the district to which the educator is moving;
 - b. Signed by the superintendent in the district to which the educator is moving; and
 - c. Resubmitted to the bureau for approval.

Ed 505.05 Alternative 5: Site-Based Certification Plan.

(a) The site-based certification plan shall be available in elementary and secondary teaching areas, excluding career and technical specialty certification under Ed 507.03 and special education, for those individuals who qualify under the following specific conditions:

- (1) The applicant shall possess a bachelor's degree from an institution approved by the New Hampshire postsecondary education commission or equivalent regional accrediting agency such as but not limited to the Northeast Regional Association of Schools and Colleges;
- (2) The applicant shall meet one of the following criteria:
 - a. For secondary education, the applicant shall possess at least 30 credit hours in the subject to be taught and an overall grade point average of at least 2.5, or equivalent; or
 - b. For elementary education, applicants shall have successfully completed courses in mathematics, English, social studies, and science with an overall grade point average of at least 2.5, or equivalent; or
 - c. For computer science education, applicants shall:
 1. Possess at least 30 credit hours in the subject to be taught and an overall grade point average of at least 2.5; or
 2. Have a current computer science major assignment, as determined by the bureau of credentialing, during or after the 2014/2015 school year and prior to June 30, 2019, and have applied for a computer science education credential during that time period;
- (3) An individual who fails to meet the grade point average requirement shall still qualify for the site-based certification plan provided that:
 - a. All other requirements are met;
 - b. Collegiate graduation occurred more than 5 years prior to application for the site-based plan; and
 - c. Occupational experience totaling 5 years directly related to the area to be taught is documented; and

(4) Documentation of experience under (a)(3)c. above shall include, but not be limited to:

- a. Letters from previous employers;
- b. Employment contracts; or
- c. Letters of commendation and recommendations from parties knowledgeable about the applicant's background and experience.

(b) The bureau shall issue a statement of eligibility to an applicant who meets the requirements of (a)(1)-(4) above.

(c) An applicant may be employed as an educator after obtaining an Alternative 5 statement of eligibility from the bureau while completing a site-based certification plan.

(d) The process for establishing a site-based certification plan shall be as follows:

(1) The site-based certification plan shall be based on an assessment of the strengths and weaknesses of the applicant;

(2) Each plan shall include:

- a. A description of the competencies outlined in Ed 505.07 for professional education requirements, as appropriate, and in the area in which the applicant seeks certification;
- b. The means by which these competencies shall be attained, demonstrated and evaluated; and
- c. An evaluation of resources to be utilized such as, but not limited to, additional coursework, on the job training, and professional development; and

(3) The plan shall be developed collaboratively and agreed to by:

- a. The applicant;
- b. A mentor certified in the same subject area that the applicant will be teaching who shall:
 - 1. Be appointed by the superintendent; and
 - 2. Hold a valid experienced educator credential with the appropriate endorsements in the same subject area in which the applicant is seeking to obtain a credential; and
- c. The superintendent.

(e) The applicant's site-based certification plan shall:

(1) Require that the applicant meet the professional education competencies outlined in Ed 505.07, if the applicant is not currently certified in New Hampshire;

(2) Require that the applicant meet the competencies required in the area in which the applicant is teaching; and

(3) Contain a description of how the applicant plans to meet these competencies.

(f) If an assessment of the applicant's background determines that some or all of this study has been completed prior to employment the applicant shall not be required to repeat any requirement already completed.

(g) The superintendent shall file with the bureau:

(1) A copy of the completed site-based certification plan; and

(2) A description of the applicant's teaching assignment.

(h) When the district submits the site-based certification plan, the bureau shall issue an intern license to the applicant, after the applicant has paid the required fee under Ed 508.06(c). An intern license shall be issued for up to 2 years to coincide with the time period in the plan.

(i) The site-based certification plan shall be completed during the period of the intern license.

(j) The site-based certification plan shall be developed and filed with the bureau by the end of the school year. The plan may be modified by those responsible for the work of the applicant, but any modifications shall be filed with the bureau.

(k) Upon completion of the site-based certification plan, the superintendent shall submit a statement to the bureau verifying that all portions of the plan have been implemented by the district and satisfactorily completed by the applicant. This statement shall include a recommendation for certification.

(l) A positive recommendation shall not obligate a school district to continue the employment of an applicant.

(m) Failure by a candidate to complete the site-based certification plan shall result in a negative certification recommendation by the superintendent.

(n) Upon successful completion of the site-based certification plan and the superintendent's positive recommendation, the bureau, according to the requirements of RSA 21-N:7, I, shall issue the credential with the endorsement sought by the applicant.

(o) Once a plan is filed with the bureau, the educator may obtain employment in a similar position in another school district provided that:

(1) The bureau is notified in writing of the change in place of employment; and

(2) The revised plan is:

a. Approved by the mentor in the district to which the educator is moving;

b. Signed by the superintendent in the district to which the educator is moving; and

c. Resubmitted to the bureau for approval.

Appendix I

Rule	Specific State Statute the Rule Implements
Ed 505.01	RSA 186:11, X(a)
Ed 505.02	RSA 21-N:9, II(s)
Ed 505.02(b)	RSA 186:8, III
Ed 505.03	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 505.03(b)	RSA 186:8, III
Ed 505.03(c)(1)a.	RSA 186:11, X(a)
Ed 505.03(e)	RSA 186:11, X(a)
Ed 505.04	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 505.04(a)(2), (d)(3)b., c. & (4)	RSA 186:11, X(a)
Ed 505.04 (i), (k) intro.	RSA 186:11, X(a)
Ed 505.05	RSA 21-N:9, II(s); RSA 186:11, X(a)
Ed 505.05(a) intro., (a)(1), (a)(2) intro., (a)(2) a., b., & d.	RSA 21-N:9, II(s)
Ed 505.05(a), (d)(3)	RSA 186:11, X(a)

Readopt Ed 507.40 and Ed 507.41, effective 10-11-19 (Document #12898 Interim), to read as follows:

Ed 507.40 General Special Education Teacher. The following requirements shall apply to the certification and employment of a general special education teacher:

(a) To be certified as a general special education teacher, the candidate shall have at least a bachelor's degree.

(b) A general special education teacher shall be certified as one or both of the following:

(1) An early childhood general special education teacher for children from birth up to age 8;
or

(2) An elementary/secondary general special education teacher for children age 5 up to age 21.

(c) A candidate for certification as an early childhood general special education teacher for children birth up to age 8 or as an elementary/secondary general special education teacher for children age 5 up to age 21 shall have the following skills, competencies and knowledge through a combination of academic and supervised field-based experience in the following areas:

(1) In the area of theoretical foundations, the candidate shall have the ability to:

a. Describe the philosophies, historical perspectives, theories, models, and current issues related to knowledge and practice in general and special education;

b. Understand how philosophical and historical perspectives influence professional practice;

c. Understand the role of families in supporting the development of a student's ability to learn, interact socially, and live as a contributing member of the community; and

d. Understand the functions of schools, school systems, and other agencies and their relationships to general and special education;

(2) In the area of characteristics of learners, the candidate shall have the ability to:

a. Describe the similarities and differences in human development of students with and without disabilities within and across cognitive, social, emotional and physical areas;

b. Describe the characteristics of various types of disabilities and educational implications;

c. Understand the etiologies, medical aspects, and impact of sensory disabilities on learning; and

d. Understand that the experiences of students with disabilities impact their ability to function within the family and community environment;

(3) In the area of learning differences, the candidate shall have the ability to:

- a. Understand and utilize the diverse range of students' approaches to learning and the range of modifications and accommodations that can be used to support learning;
 - b. Recognize and understand students with disabilities within the broader context of their families, cultural backgrounds, socioeconomic classes, languages, communities, and peer and social groups;
 - c. Demonstrate understanding of a student's learning differences in the development of the IEP and transition needs;
 - d. Understand how information processing skills can impact student learning;
 - e. Relate levels of support to the needs of the student with disabilities, creating instructional opportunities that are adapted to diverse learning needs;
 - f. Understand the effects exceptional condition(s) can have on a student's learning in school and life; and
 - g. Recognize the relationship among a student's academic and social abilities, attitudes, interests and values on instruction and career development;
- (4) In the area of learning and social environments, the candidate shall have the ability to:
- a. Design learning environments that encourage individual academic success in one-to-one, small-group, and large-group settings;
 - b. Identify realistic expectations for social behavior and social skills needed for success in school and community settings;
 - c. Use functional assessments to develop plans related to instruction, behavior, intervention, and direct service;
 - d. Use a variety of positive behavior intervention techniques to control targeted behavior, support learning, social relationships, and maintain attention of students with disabilities;
 - e. Recognize and use strategies for crisis prevention and intervention;
 - f. Identify supports needed for inclusion in various program placements;
 - g. Organize, develop, and sustain learning environments that support positive strategies to live harmoniously and productively in a culturally diverse world;
 - h. Foster skill development in self-advocacy for increased independence in learning and daily functioning;
 - i. Understand demands of the learning environment and fosters accessibility;
 - j. Understand the barriers influencing acceptance of individuals with disabilities;

k. Encourage students' development and use of self-assessment, study skills, and other cognitive strategies to meet their learning needs; and

l. Structure activities to increase a student's self-awareness, self-management, self-control, self-reliance, and self-esteem;

(5) In the area of assessment, the candidate shall have the ability to:

a. Understand the legal policies and ethical principles of assessment related to the special education process;

b. Understand the range of formal assessment instruments and their purposes in the special education process;

c. Administer and write a report for a formal academic assessment instrument;

d. Understand and utilize the range of informal assessment instruments for making educational decisions;

e. Interpret and report information from formal and informal assessments; and

f. Identify and implement national, state, and local assessment accommodations and modifications for students with disabilities;

(6) In the area of instructional planning and strategies, the candidate shall have the ability to:

a. Participate in co-teaching to strengthen learning and achievement in the general curriculum for students with disabilities;

b. Implement and evaluate individualized learning goals, prioritizing areas of the general curriculum;

c. Design and implement instructional programs that address independent living and career education for students;

d. Identify resources and techniques used to transition students with disabilities into school, from grade to grade, and into post-school environments;

e. Create and utilize lesson plans that demonstrate a repertoire of evidence-based instructional strategies to individualize instruction for students with disabilities;

f. Identify reading, writing, math, and study skills of students with disabilities and use methods to address these learning needs;

g. Identify and teach essential concepts, vocabulary, and content across the general curriculum;

h. Use instructional methods to strengthen and compensate for deficits in perception, comprehension, and memory;

- i. Implement systematic instruction to teach accuracy, fluency, and comprehension in content area reading and written language;
- j. Identify and use federal, state, and local curriculum standards in planning the scope and sequence of general and special education curriculum;
- k. Incorporate instructional and assistive technology into the educational program;
- l. Encourage students' development and use of self-assessment, study skills, and other cognitive strategies to meet their learning needs;
- m. Use a variety of assessment data and information to make modifications or accommodations to the instructional plan; and
- n. Develop and select instructional content, resources, and strategies that respond to cultural, linguistic, and gender differences;

(7) In the area of language development and differences, the candidate shall have the ability to:

- a. Understands the effect of language development on academic and social development;
- b. Understand typical and atypical language development and factors that impact experience and use of language;
- c. Use individualized strategies to enhance language development and teach communication skills;
- d. Demonstrate the ability to select, design, and use augmentative, alternative, and assistive technologies, materials, and resources to support and enhance communication of students with disabilities;
- e. Provide effective language models and use strategies and resources to facilitate learning of the general curriculum; and
- f. Recognize the effects of cultural and linguistic differences on growth, development, and effective communication;

(8) In the area of professional and ethical practice, the candidate shall have the ability to:

- a. Demonstrate educational practice within the code of ethics, including confidentiality and other standards of the profession;
- b. Construct a personal plan and participate in professional development regarding current issues and best practice;
- c. Recognize personal cultural biases and differences that affect one's teaching;
- d. Reflect on one's practice to guide professional growth and improve instruction to meet the needs of students with disabilities;

- e. Identify organizations and publications relevant to students with disabilities;
- f. Identify sources of unique services, networks, and organizations for students with disabilities;
- g. Advocate for appropriate services for students with disabilities;
- h. Describe the ethical principles and current issues related to knowledge and practice in general and special education;
- i. Describe the rights and responsibilities of schools, students, families, teachers, and other professionals related to the identification, placement, and service of students with disabilities; and
- j. Understand how issues of human diversity can impact families, cultures, and schools, in the delivery of special education services;

(9) In the area of special education law, the candidate shall have:

- a. The ability to understand the federal law, state law, local policies and the New Hampshire Standards for the Education of Children with Disabilities in Ed 1100, including the following steps in the special education process:
 - 1. Identification of children with disabilities under the child find procedures specified in Ed 1105;
 - 2. Referral procedures specified in Ed 1106;
 - 3. Evaluation procedures specified in Ed 1107;
 - 4. Determination of eligibility under Ed 1108;
 - 5. Development of the Individual Family Service Plan (IFSP) or Individualized Education Program (IEP) under Ed 1109;
 - 6. Determination of educational placement under Ed 1111; and
 - 7. Implementation and monitoring of the IFSP or IEP under Ed 1109.06;
- b. The ability to develop and implement comprehensive IEPs and transition plans which address the abilities and needs of the students with disabilities;
- c. The ability to understand IDEIA, Section 504, related parts of the Elementary and Secondary Act and Ed 1100;
- d. The ability to understand Ed 306 Minimum Standards for Public School Approval; and
- e. Knowledge of and the ability to understand case law and how case law affects professional practice; and

(10) In the area of collaboration, the candidate shall have the ability to:

- a. Collaborate with families, school personnel, agencies, and community members in culturally responsive ways to facilitate access for students with disabilities in a variety of settings;
- b. Recognize the roles of professional groups and referral agencies in identifying, assessing, and providing services to students with disabilities;
- c. Participate in co-planning to strengthen learning in the general curriculum for students with disabilities;
- d. Facilitate the successful transitions of students with disabilities across settings and services;
- e. Foster respectful and beneficial relationships between families and professionals;
- f. Use facilitation and group problem-solving skills to develop, implement, and evaluate IEPs;
- g. Structure, direct, and support the activities of paraprofessionals, volunteers, peer and adult tutors; and
- h. Collaborate with families, other educators, service providers, and personnel from community agencies to implement instructional strategies for student self-management and advocacy.

(d) Each candidate for certification as an elementary/secondary general special education teacher for children age 5 up to age 21 shall have the following skills, competencies, and knowledge through a combination of academic and supervised field-based experiences:

- (1) Skill in engaging with children with and without disabilities from age 5 up to age 21; and
- (2) Ability to engage in the full range of teaching activities, roles, and responsibilities encountered in the school and community settings of a child with disabilities.

(e) General special education certification shall qualify a teacher to teach children with disabilities:

- (1) Who are able to benefit from general and special education but do not require the specialized knowledge and skills of an educator with a categorical endorsement as defined in Ed 612.07 (c)-(h); and
- (2) Whose placement is in general education for more than 50% of the day.

(f) “General education,” as used in (e)(1) and (2) above, means for children in elementary, middle, or high school, instruction in a setting that has the inclusion of children with disabilities in proportion to their presence in the general population utilizing the curriculum of the elementary, middle, or high school and taught by a certified elementary, middle, or high school teacher, with supports from special education personnel, as necessary.

(g) A teacher with general special education certification may serve on the initial identification and the IEP team of a child with a disability for:

- (1) Students with disabilities for whom a categorical certification endorsement does not exist; or
- (2) If the child meets the criteria specified in (f)(1) and (2) above.

Ed 507.41 Early Childhood Special Education Teacher. The following requirements shall apply to the certification and employment of an early childhood special education teacher for children from birth up to age 8:

(a) To be certified as an early childhood special education teacher for children from birth up to age 8, the candidate shall have at least a bachelor's degree;

(b) A candidate for certification as early childhood special education teacher for children from birth up to age 8 shall have the following skills, competencies and knowledge through a combination of academic and supervised field-based experience in following areas:

- (1) In the area of theoretical foundations, the candidate shall have the ability to:
 - a. Describe the philosophies, historical perspectives, theories, models, and current issues related to knowledge and practice in early childhood education and special education;
 - b. Understand how philosophical and historical perspectives influence professional practice;
 - c. Understand the role of families in supporting the development of a young child's ability to learn, interact socially, and participate in the community; and
 - d. Understand the functions of schools, school systems, and other agencies and their relationships to early childhood education and special education;
- (2) In the area of characteristics of learners, the candidate shall have the ability to:
 - a. Describe child development and the similarities and differences in patterns of learning and development within and across temperament, cognitive, social, emotional, communicative and physical domains in young children birth – grade 3 with and without disabilities;
 - b. Describe the characteristics of various types of disabilities and the impact on learning and development;
 - c. Understand the etiologies and medical aspects of various types of disabilities and their impact on learning and development; and
 - d. Understand that the experiences of young children with disabilities impact their ability to function within the family and community environment;
- (3) In the area of approaches to learning, the candidate shall have the ability to:

- a. Understand and utilize the range of accommodations and modifications that can be used to support learning;
 - b. Use knowledge of the broader context of families, peers, communities and culture and understand how these factors impact learning;
 - c. Use knowledge of how young children approach learning and use children's strengths and needs in the development of IFSPs/IEPs;
 - d. Understand the impact of transitions and need for continuity across time and settings;
 - e. Apply knowledge of a child's auditory, visual, and kinesthetic preferences to learning;
 - f. Match levels of support to the needs of the young child with disabilities, creating instructional opportunities that are adapted to diverse learning needs; and
 - g. Utilize the child's interests and abilities in planning instruction and intended teaching;
- (4) In the area of learning and social environments, the candidate shall have the ability to:
- a. Design learning environments that encourage individual development and academic success in one-to-one, small-group, and large-group settings;
 - b. Identify realistic expectations for social behavior and social skills needed for success in natural environments and school and community settings;
 - c. Use functional and developmental assessments to create plans related to instruction, behavior, intervention, supports, and direct services;
 - d. Use a variety of positive behavior intervention techniques to control targeted behavior, support learning and social relationships, and maintain attention of young children with disabilities;
 - e. Recognize and use strategies for crisis prevention and intervention;
 - f. Identify supports needed for inclusion in various natural settings and program placements;
 - g. Organize, develop, and sustain learning environments that support positive strategies to live harmoniously and productively in a culturally diverse world;
 - h. Create learning environments that allow young children to retain and appreciate their own and each other's respective language and cultural heritage;
 - i. Understand demands of the learning environment and foster accessibility;
 - j. Understand the barriers influencing acceptance of young children with disabilities; and

k. Structure activities to increase a young child’s self-awareness, self-management, self-control, self-reliance, and self-esteem for increased independence in learning and daily functioning;

(5) In the area of assessment, the candidate shall have the ability to:

a. Understand the legal policies and ethical principles of assessment related to early intervention and the special education process;

b. Understand the range of formal assessment instruments and their purposes;

c. Administer and write reports for formal developmental and academic assessment instruments;

d. Understand and utilize the range of informal assessment instruments for making educational and program decisions;

e. Interpret and report information from formal and informal assessments; and

f. Identify and implement national, state, and local assessment accommodations and modifications for young children with disabilities;

(6) In the area of instructional planning and strategies, the candidate shall have the ability to:

a. Participate in co-teaching to strengthen learning and achievement in natural environments and early childhood curriculum for young children with disabilities;

b. Implement and evaluate individualized learning goals, prioritizing areas of the early childhood curriculum and the importance of play;

c. Design and implement instructional programs that address self-help skills and career awareness for young children;

d. Identify resources and techniques used to transition young children with disabilities across time and settings;

e. Create and utilize methods and lesson plans that demonstrate a repertoire of evidence-based instructional strategies to individualize instruction for young children with disabilities;

f. Use developmentally appropriate methods to promote the foundations of learning, including, but not limited to, language, literacy, math and study skills;

g. Identify and teach essential concepts, vocabulary, and content across the early childhood curriculum;

h. Use instructional methods to strengthen perception, comprehension, and memory;

i. Implement systematic instruction to teach accuracy, fluency, and comprehension in reading and writing;

- j. Identify and use federal, state, and local curriculum standards in planning and modifying the scope and sequence of curriculum;
- k. Incorporate instructional and assistive technology into the educational program;
- l. Promote the development of self-awareness, study skills, and other cognitive strategies to meet the learning needs of a young child;
- m. Use a variety of assessment data and information to make modifications or accommodations to the instructional plan; and
- n. Develop and select instructional content, resources, and strategies that respond to cultural, linguistic, and gender differences;

(7) In the area of language development and differences, the candidate shall have the ability to:

- a. Understand typical and atypical language development and the implications on a young child's ability to use language and engage in language-based experiences both academic and social;
- b. Use individualized strategies to enhance language development and teach communication skills;
- c. Understand the use of augmentative, alternative, and assistive technologies, materials, and resources to support and enhance communication of young children with disabilities;
- d. Provide effective language models and use strategies and resources to facilitate learning of the early childhood curriculum; and
- e. Recognize the effects of cultural and linguistic differences on growth, development, and effective communication;

(8) In the area of professional and ethical practice, the candidate shall have the ability to:

- a. Understand the ethical principles and current issues related to knowledge and practice in early childhood and special education;
- b. Demonstrate educational practice within the code of ethics, including confidentiality and other standards of the profession;
- c. Design a professional development plan recognizing current issues and developmentally appropriate and evidence-based practices;
- d. Recognize personal cultural biases and differences that affect one's teaching;
- e. Reflect on one's practice to guide professional growth and improve instruction to meet the needs of young children with disabilities and their families;

- f. Identify organizations and publications relevant to young children with disabilities;
- g. Identify sources of unique services, networks, and organizations for young children with disabilities;
- h. Advocate for appropriate services for young children with disabilities;
- i. Describe the rights and responsibilities of schools, families, teachers, and other professionals related to the identification, placement, and services of young children with disabilities; and
- j. Understand how issues of human diversity can impact families, cultures, and schools in the delivery of special education services;

(9) In the area of special education law, the candidate shall have:

- a. The ability to understand the federal law, state law, local policies and the New Hampshire Standards for the Education of Children with Disabilities in Ed 1100, including the following steps in the special education process:
 - 1. Identification of children with disabilities under the child find procedures specified in Ed 1105;
 - 2. Referral procedures specified in Ed 1106;
 - 3. Evaluation procedures specified in Ed 1107;
 - 4. Determination of eligibility under Ed 1108;
 - 5. Development of the IFSP or IEP under Ed 1109;
 - 6. Determination of educational placement under Ed 1111; and
 - 7. Implementation and monitoring of the IFSP or IEP under Ed 1109.06;
- b. The ability to develop and implement comprehensive IFSPs or IEPs and transition plans which address the abilities and needs of young children with disabilities;
- c. The ability to understand Parts B and C;
- d. The ability to understand Ed 306, Minimum Standards for Public School Approval, that affect all students and related parts of the procedural safeguards notice requirements of 34 CFR 300.504 and the Elementary and Secondary Education Act (ESEA); and
- e. Knowledge of and the ability to understand case law and how case law affects professional practice; and

(10) In the area of collaboration, the candidate shall have the ability to:

- a. Collaborate with families, school personnel, agencies, and community members in culturally responsive ways to facilitate access for young children with disabilities in a variety of settings;
- b. Recognize the roles of professional groups and referral agencies in identifying, assessing, and providing services to young children with disabilities;
- c. Participate in co-planning to strengthen learning in the early childhood curriculum for young children with disabilities;
- d. Facilitate the successful transitions of young children with disabilities across settings and services;
- e. Foster respectful and beneficial relationships between families and professionals;
- f. Use facilitation and group problem-solving skills to develop, implement, and evaluate IFSPs and IEPs;
- g. Structure, direct, and support the activities of paraprofessionals, volunteers, and peer and adult tutors; and
- h. Collaborate with families, other educators, service providers, and personnel from community agencies to promote young children’s independence and family advocacy;

(c) Each candidate for certification as an early childhood special education teacher for children from birth up to age 8 shall have the following skills, competencies, and knowledge through a combination of academic and supervised field-based experiences:

- (1) Skill in engaging with young children with and without disabilities from birth up to age 8; and
- (2) Ability to engage in the full range of teaching activities, roles, and responsibilities encountered in the natural environment or school setting of a young child with disabilities;

(d) Early childhood special education certification shall qualify a teacher to teach children with disabilities:

- (1) Who are able to benefit from general and special education but do not require the specialized knowledge and skills of an educator certified under one or more of the programs defined in Ed 612.08 – Ed 612.13;
- (2) For children in kindergarten through grade 3, whose placement is in general education for more than 40 % of the day; and
- (3) For children from age 3 up to age 6, whose placement is in an early childhood program or an early childhood special education program;

(e) “General education,” as used in (d)(1) and (2) above, means, for children from kindergarten through grade 3, instruction in a setting that has the inclusion of children with disabilities in proportion to their presence in the general population utilizing the curriculum of the elementary school and taught by

a certified elementary or early childhood teacher, with supports from special education personnel, as necessary;

(f) A teacher with general special education certification may serve on the initial coding and the IEP team of a child with a disability:

- (1) For young children with disabilities for whom a categorical certification endorsement does not exist: or
- (2) If the child meets the criteria specified in (b)(1),(2) and (3) above.

Appendix I

Rule	Specific State Statute the Rule Implements
Ed 507.40	RSA 21-N:9, II(s)
Ed 507.41	RSA 21-N:9, II(s)

Amend Ed 401.03(e), effective 6-15-13 (Document #10360), cited and to read as follows:

Ed 401.03 School Year.

(e) A school district may ~~submit a plan to the commissioner that will allow schools to~~ conduct instruction remotely ~~for up to 5 days per year when the school has been closed due to inclement weather or other emergency.~~ The *school shall create a plan that* shall include procedures for participation by all students. Academic work shall be equivalent in effort and rigor to typical classroom work. There shall be an assessment of all student work for the day. ~~At least 80 percent of students shall participate for the day to count as a school day.~~

New Hampshire
State Board of Education
Londergan Hall, Room 100F
101 Pleasant Street
Concord, NH 03301
Minutes of the March 12, 2020 Meeting

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 9:25 AM at the State Department of Education, 101 Pleasant Street, Concord, NH. Drew Cline presided as Chair.

Members present: Drew Cline, Chair, Kate Cassady, Cindy Chagnon, Helen Honorow, Phil Nazzaro and Ann Lane. Frank Edelblut, Commissioner of Education, and Christine Brennan, Deputy Commissioner, were also in attendance.

AGENDA ITEM II. PLEDGE OF ALLEGIANCE

The Board let the Pledge of Allegiance.

AGENDA ITEM III. PUBLIC COMMENT

Dean Cascadden, Superintendent, SAU#67, representing the south western superintendents group, brought to the Board's attention concerns

involving the transmission of COVID-19 as well as letting the Board know about his district's move to a Multi-Tiered System of Supports for Behavior (MTSSB). This move to a MTSSB is due to concerns staff had about being hurt by children who emotionally and/or physically are not able control their bodies. He noted that there is a bill in the legislature that supports such a move and asked for the Departments support of this bill. He also expressed concern about a bill in the legislature to change the exit criteria for special education students from their 21st birthday to their 22nd birthday. This would be a financial burden to school districts.

Cory LeClair, Superintendent, SAU#32 and SAU#100 shared some positive things happening at the Plainfield School, including their guidance counselor being selected as the School Counselor of the Year. In addition, her communities just passed their school budgets without opposition despite costs going up. She is concerned about the COVID-19 virus because the families of many of her staff and students are employees of or in some way affiliated with Dartmouth-Hitchcock. She is trying to get ahead of things and find a balance between panic and doing what is best to keep children safe. She asked the Board and the Department to be on top of this issue. She is getting a lot of pressure to close schools from parents and staff. She does not want to be the first or the last one to do something unfavorable for working families. She would like a coordinated response across the state.

A Board member asked whether there have been requests from parents of vulnerable kids to have them individually stay home. Mr. Cascadden responded that he had had four or five requests along these lines. In one long-term case, they suggested home schooling and for the rest, they said they would work with them as best they can. Ms. LeClair reported that they are building their remote instruction options. Many of her parents are MDs and PhDs and she is getting pressure from them that the school system is not doing enough. She is trying not to incite panic in her communities, but she feels like she cannot undo what is already in the media.

Harriet Cady of Deerfield, NH addressed the Board on her concerns about the concentration on more square footage in schools as opposed to more education. Currently, the annual cost to educate an elementary student in Deerfield is more than a high school student who is tuitioned to Concord. It was the opposite in the past, when she was on a school building committee. Second, she is upset about the lack of civics education.

Jim O'Connell of Manchester, NH informed the Board that the Manchester school board, of which he is a member, has established an education legislation committee. Compared to the average funding for public education in New Hampshire, Manchester's budget is \$54 million annually shy of where it needs to be. It has some of the largest class sizes and is one of the least well-funded school systems in the state. It also has 796 homeless students, although the unofficial

number is probably higher, and 1,477 English language learners. Both numbers eclipse other cities and towns in the state.

Bonnie Durham, a parent from Merrimack, NH, asked the Board to take into account when considering responses to the coronavirus that blizzard bags do not work for many children with disabilities. For example, preschoolers who get special education cannot do online learning readily. Some preemptive thinking would be helpful. Second, in terms of the bill to change the special education exit age to 22, Ms. Durham pointed out that RSA 171-A has been clarified such that a child with a developmental disability can exit school any time after age 18 and transfer to the adult service system. She believes when you vet those out, school districts will save money.

EMERGENCY RULE AMENDMENT ED 306.18

State rules govern how long schools can close, not have classes, etc. In light of the coronavirus situation, the Board is creating an emergency rule to allow schools some flexibility and eliminate the need to come to the Board for special approval. First, an unidentified speaker reviewed some changes that had been made to the written emergency rule that was distributed at the meeting. The amendment was then read out loud to the meeting attendees.

Board member Helen Honorow asked whether the plan would direct the difference between attendance versus student engagement. It was explained that the plan would encompass attendance and participation simultaneously. The evidence of attendance would be participation.

Ms. Honorow asked whether the plan would address procedures for the participation of children with special education and other needs for remote education. It was asserted that it would and noted that blizzard bags were previously changed to accommodate the needs of students with IEPs and disabilities. The plans are trying to adapt to that, although they have not yet solved every problem. There is both remote instruction and remote support. In addition, they are also looking at support for adults in the delivery of that remote education.

Chair Cline emphasized that the goal of the emergency rule was to provide districts with the flexibility to save the lives of children in the schools.

Due to issues about children not having access to computers and connectivity, a speaker noted that there are discussions going on about providing Chromebooks and thumb drives, perhaps by USPS or UPS.

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education approve the emergency rule.

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

AGENDA ITEM IV. PRESENTATIONS/REPORTS/UPDATES

A. 2020 New Hampshire Teacher of the Year and Finalists

Lori Kincaid, NHDOE, New Hampshire Teacher of the Year Coordinator, first briefed the Board on the status of the Teacher of the Year for 2020-2021. There were 54 nominations, from which they expect 30-35 nominees this year. The nominee ceremony is tentatively scheduled for May 4, at a venue to be named later.

She then introduced the Board to the 2020 Teacher of the Year and the finalists:

1. Jeremy Brown, Littleton High School, Littleton

Mr. Brown informed the Board of Littleton's receipt of a grant supported by the Robotics Education Fund and is a lead mentor of a First Robotics team. As a social studies teacher, he found the caliber of robotics a bit out of his wheelhouse, but the students make the time and investment worth it. The team is a diverse mix of 9th, 10th and 12th grade students. At their first

robotics competition in Salem, NH, they finished 31 out of 46 teams and were recognized with a rookie inspiration award. They plan to use their robot to promote STEM learning, joining with teams from other high schools to lead the local Cub Scout pack in STEM-themed activities. They are also looking to build partnerships with local industries.

2. Sarah Grossi, Conval Regional High School, Peterborough

Ms. Grossi recounted how this past September she suffered a brain bleed. Upon being released from the hospital after a two-week stay, she was told that she could not go back to work for at least two months. She explained that teaching is not just a job to her, but her vocation. Her time away gave her time to reflect on why people were leaving the teaching profession and how to reverse the trend. She believes that money does not need to be currently spent on more professional development, more resources, and more counselors and social workers. Instead, teachers need more time to plan, collaborate, be instructionally coached, observe each other, train families on how to support their children, meet with their administrators, visit other schools, be mentored, and make connections. Spending money on recruiting and training high quality substitutes may be very beneficial so teachers can do these things without feeling guilty they are leaving their classrooms. Finally, Ms. Grossi noted that the most important time [spent] is on developing strong relationships with colleagues, recounting her story

of calling a colleague at 6:45 AM to say she had a bad headache and needed help finding a substitute, the colleague knew her well enough to know that her cognition was off and called Ms. Grossi's husband because they knew something was wrong. This prompted a call to med-flight, which saved her life.

3. Barbara Milliken, Oyster River High School, Durham

Ms. Milliken provided the Board with her reflections on the process for selecting the Teacher of the Year finalists. She noted that she has been in education since 1985 and has seen how it has changed over the years. She appreciates this process's opportunity to affirm teacher talent. As she went through the Teacher of the Year process, she realized that in addition to being a lot of work, it forced her to do a deep reflection in the middle of the school year, when she normally only has time to do that in the summer. She noted that the assessment process was exactly like the Integrated Performance Assessment that foreign language teachers use to assess their students. There are three stages: the interpretive mode (deep reflection), the interpersonal mode (speaking with colleagues, students, and parents), and the performance mode (presentational). After giving her 20-minute talk about what made her effective, Ms. Milliken found the feedback to be "the gift that keeps on giving." She believes the process works and

has value. It is a wonderful summative assessment to test teacher evaluation and effectiveness.

4. Christine Stilwell, Robert J. Lister Academy, Portsmouth

Ms. Stilwell spoke on the importance of the student-teacher mentoring relationship. Teaching is not just about academics, but also about mentoring and guiding students toward becoming successful and productive members of society. This relationship, or its lack, can often make or break a student. Not all students who are struggling are visibly in distress. Having a relationship with a student can help you recognize underlying problems. Although behaviors are sometimes just behaviors, more often than not, there is a reason behind them. Taking a moment to find that reason can make a world of difference. This does not mean negating behavior expectations, or accountability and learning to deal with consequences in an appropriate manner is important. Also, it is important as a mentor to model disappointment without making it personal or shaming, as well as modeling forgiveness. You also need to allow students to see you as a person with struggles and fears. How do you face and overcome them? Not all students have the support they need at home and school is a safe place for them. You have to mentor the whole child, not just the student. The best way to help students become healthy, productive and kind members of the community is through the student-teacher mentoring relationship.

5. Kim Piper Stoddard, Granite State High School, Concord

Ms. Piper Stoddard is the 2020 New Hampshire Teacher of the Year. She teaches at Granite State High School at the New Hampshire State Prison. A principal once asked Ms. Piper Stoddard during a job interview to rank the “new three R’s” in order of importance and she ranked them relationship, relevance, and rigor. She stressed that rigor is important, but you need the first two factors in place first to get there. In her current job, she teaches literature and writing to incarcerated men and women. On the first day, she tells them the literature class will not get them a job, but they will learn connections between themselves and other people. People write literature about their problems and struggles. Before coming to the Board today, she asked some of her current and former students why they left high school. The reasons were varied, ranging from expulsion for behaviors, unidentified learning disabilities, family issues, and a desire to work. In prison, people have time for self-reflection. The things that her students have talked about with regard to their educational experiences are the things that Ms. Piper Stoddard hopes schools are focusing on now to help keep students from falling through the cracks. One student told her, “When I felt involved—that was when I wanted to be at school.” Another student said he used to be separated from the other students in sixth grade, which embarrassed him, so he acted out to get out of there. The same student said he remembered

feeling great when he was prepared and he knew he had the right answers. Ms. Piper Stoddard believes that every student cares and is wired for learning; they just need to know that someone else cares and will walk beside them on that journey. People often ask her why New Hampshire has a school in a prison. Her response is “it gives students something to keep them on the right path every day and allows them to escape the realities of their environment for a few minutes”. They are working toward something positive. Each day, she tries to see the faces before her not as criminals, but as the child that they used to be that somewhere along the line fell off their educational path.

AGENDA ITEM V. NONPUBLIC SCHOOL APPROVAL

A. Squall Point Approval for Attendance Purposes Only

Shireen Meskoob, NHDOE, Division of Education Analytics and Resources, provided a few updates to the Board and referred them to their packets and the last page of the executive summary. The outstanding site visit listed there has now been completed by Ms. Meskoob and Marge Schoonmaker, NHDOE, School Safety Facility Management Inspector and that approval should be extended to Squall Point.

The Board then heard from Sarah Greenshields, the founder of Squall Point and the owner and operator of Little Tree Education, a network of schools that includes two Montessori schools in Dover licensed through DHHS. Squall Point will be Little Tree's first nonpublic approved school.

Squall Point stems from the fact that Ms. Greenshields daughter has dyslexia. When her daughter's case manager suggested sending her daughter out of district for school placement, Ms. Greenshields began to look for a better and closer to home option. Eventually, she decided to start a school herself.

She consulted with Christine Boston, the director of pupil services for the Dover school district, who told her there was a tremendous need for literacy-based programs. Many students need out of district placement but asking them to travel great distances is not ideal.

Squall Point's initial focus is as an approved nonpublic school for attendance purposes only, but later seek special education accreditation. Their goal next year is to serve between five and six students and then grow from there.

Ms. Greenshields then introduced Victoria Graham, the business manager at Little Tree.

An unidentified Board member asked about the approval of the school for five students in a room. She asked whether the teacher would teach outside the room? Or how would another body fit in there? Another Board member asked about Squall Point saying they want to do five in a room, but the inspection saying they can only do four.

In response to Board questions about the number of students in a classroom, Ms. Greenshields noted that the school is located within a mill building in downtown Dover is an open concept space. They have combined two-and-a-half suites together. In general, there are always two adults onsite during school hours. They also spend a lot of time outside the classroom, doing walks to the library, hot lunches, etc. When they are in smaller numbers or traveling as a group, it would just be one instructor.

In terms of being approved for four students, Ms. Greenshields reported that the following day they were due to meet with the building inspector onsite. If it is four, they will make four work and explained that the building inspector had been leaving to go on vacation, so in order to get on the Board's agenda for today, he gave permission for four students sight unseen. Squall Point has the greatest confidence that there is ample space for the students.

Board member Helen Honorow noted that it does not say that in the written material, but rather indicates that someone visited the site on February 15 ,2020

and said a maximum of four and if Squall Point wants more, they will have to complete a different application. For that reason, five or six does not give Ms. Honorow comfort.

Ms. Greenshields replied that if the building inspector still says four at tomorrow's inspection, they would begin looking for their new location.

Ms. Honorow said she does not want to second guess anyone, but in the materials provided to the Board clearly state four people, which seems to mean three students and a teacher. She noted that during her tenure on the Board, they had an instance where they had to close a school for a health and safety concern. She noted that the written material says you cannot have more than four

Ms. Greenshields replied that the Board's meeting materials refers to a student population of four. If the number does turn out to be four, including the teacher, they would apply for a variance and whatever other steps needed to allow for four students and a teacher. The goal is to grow to be a school community of 24 or 36 and they will need to find a forever home.

A Board member stated that the Board's goal is to help Squall Point be successful, so she asked that Ms. Greenshields not take [their comments] as criticism. The goal is to serve kids safely.

Chair Cline noted that two different things are being spoken about. The Board approves the school for instructing kids. The space is a consideration on the application, but if the Board approves for five, that is legally fine. Whether the building inspector says the school can have five in the space is up to the building inspector. If the Board approves the school for four and the building inspector subsequently says the space can be reconfigured for five, Squall Point would have to come back, which seems like an extra process.

Another Board member asked that for a nonpublic school, does the Board approve the number or the attendance? Chair Cline explained that they are approving them for attendance up to that many kids and the application says five. Another Board member explained that the Board is approving a cap of how many students may attend the school, but there may be other laws and statutes that may constrain the school.

A Board member asked about the three suites that had been combined for the school's space. Ms. Greenshields explained that the interior walls of the mills are not load-bearing and they keep leasing suites next to each other. Although they are called "suites," they were previously offices. In addition, the contiguous suites to the school are available so the opportunity for more growth exists. The current tenant of the next-door suite is leaving and Squall Point would like to take it over. Alternatively, there is another mill in town with some suite options where the school could relocate.

In response to a question on student transportation, Ms. Greenshields said that the children arrive and depart with parent transportation. If the school district were to be involved, they would be responsible for transporting the child to and from. Squall Point does have a vehicle for field trips. Ms. Graham elaborated that the director of the school is coded as a school bus driver in their workers' comp policy. Currently, the school vehicle is an SUV, but if they had more students, the goal would be to upgrade to a larger vehicle.

A Board member asked about the education team mentioned in the application and asked whether the school had all those people on contract. Ms. Greenshields replied that they do. Currently, there are two students and one full time teacher. They then have a part-time math teacher, part-time Orton-Gillingham instructor, and occupational and speech therapies come in based on a student's IEP. For physical exercise (PE), the school has partnered with a local gym and the school also has a technology consultant.

Board member Helen Honorow asked whether the school was able to accept special education funding. Ms. Greenshields replied that that was the next step. Ms. Honorow then asked what funds the school was currently receiving from local districts. Ms. Greenshields replied that the parents with their case managers are responsible for deciding if Squall Point was a placement for their student. Otherwise it is private pay. The school's goal is to get special education

accreditation, which many schools require to pay the tuition dollars. Currently, it is all private pay. Ms. Honorow asked what it means in the application to say that Squall Point receives funds from districts. Ms. Greenshields answered that families may have a confidential agreement with a district if their student were to be placed out of district and then Squall Point would be the recipient of those funds. If a parent were to receive those funds for outside placement, it would be taxable income for the parent and they would have to pay for the tuition. She could not recall the exact language of the agreement.

Another Board member clarified that if the district referred the child to Squall Point, Squall Point bills them and they reimburse Squall Point for the services. She then asked when a parent is responsible. Ms. Greenshields replied that the parents are responsible if they opt to place their child at Squall Point, for example transitioning from another private school.

An unidentified speaker clarified that districts have some latitude in numbers below five students where they can make contractual agreements with an organization like Squall Point that does not yet have special education approval.

In response to a Board member's question on how many communities Squall Point covers, Ms. Greenshields stated that there is interest from Concord, NH to Portland, ME. The school would have discussions with parents on the practicality of the amount of time per day that a child should be on a bus. The

school is looking at Portsmouth, Somersworth, Rochester, Durham, New Market, and Exeter—so a range of 25-35 miles. Squall Point has met with those schools to let them know they are a resource for them and there has been a lot of interest.

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board accept and approve a new school, Squall Point, for attendance status for the period of July 1, 2020 through June 30, 2023.

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

AGENDA ITEM VI. COUNCIL FOR TEACHER EDUCATION (CTE)

For this agenda item, Steve Appleby, NHDoE, Director, Division of Educator Support and Higher Education, filled in for Laura Stoneking, who was scheduled to appear.

A. New England College (NEC)/New Hampshire Institute for Art (NHIA) **Substantive Change**

Stephen Appleby, NHDOE, Director, Division of Educator Support and Higher Education, introduced two representatives of New England College (NEC),

Wayne Lesperance, Vice President for Academic Affairs and Professor of Political Science, and Suzanne Canali, Acting Associate Dean of the Education Division. NEC was filing a substantive change due to the New Hampshire Institute for Art merging with NEC. The CTE has recommended approving the motion. Ms. Canali explained that NEC is submitting it now [as opposed to at the time of the merger last year] because it came to light when she recommended a student and it was realized that NEC is not listed as an approved program for visual art. There will be more substantive changes now that the merger is a year in and the current motion is to take care of this year's students. She explained that the Board will be seeing NEC again in the future.

A Board member asked whether NHIA previously had certifiable teachers. Ms. Canali responded that they had their own dual degree program that is still running, with undergrad BFA students who need to be accepted by the end of sophomore year and take master's level classes in lieu of liberal arts courses. When they graduate, they move into the MAT program and get certified.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassidy, that the State Board of Education move to grant approval of the substantive change for the one (1) Board approved educator preparation program from approval at New Hampshire Institute of Art to approval at New England College. Ed 612.01 Visual Art MAT (New Program)

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

B. Southern New Hampshire University (SNHU) Extension/Expiry Date Request

It was explained that this expiry change will allow for SNHU to pursue national accreditation through the Council for the Accreditation of Educator Preparation (CAEP) for all programs that lead to initial and advanced licensure. This will require pushing back three programs and pushing up the remaining ten programs to a single aligned expiration date.

A Board member asked why this issue was not presented when SNHU appeared before the Board the last time. It was explained that it was a timing issue and the request had to go before the CTE first, which was last month before it could come before this Board.

Board member Helen Honorow noted that higher education institutions make a decision to pursue a national accreditation and then they decide not to. What would be the plan? The SNHU representative explained that at this point they have moved so far along that they have buy-in at the leadership level that has been well communicated. The representative did not see any reason why they would not continue to move forward. A second representative noted that they are

developing an extension of the School of Education in their School of Business that is looking to offer things nationally around master's degrees for teachers. To work in all those different states, national accreditation is a must. Ms. Honorow noted a program in the past that began their CAEP accreditation but there were concerns about CAEP wanting to see educators being exposed to different populations. The SNHU representative noted that the proximity to Massachusetts puts one in a different potential population than they have experienced before. A speaker noted that you would get a lot of diversity in Manchester/Nashua. A SNHU representative noted that their students are in the Manchester schools on a regular basis.

Board member Cindy Chagnon asked whether any education students take their courses online. A SNHU representative responded that the initial licensure is not offered online. Master's degrees for practitioners are offered online.

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education move to grant a change in the expiration dates by pushing back three program approval dates and also by pushing up nine program approval dates to one aligned expiration date of August 31, 2022. This applies to the following 12 SNHU programs: Ed 612.071 Early Childhood Special Education (Undergrad and Graduate), Ed 614.05 School Superintendent (Graduate), Ed 612.18 Secondary Mathematics for Grades 7-12 (BA Conversion), Ed

612.03 Early Childhood Education (BA, MEd Conversion), Ed 612.04 Elementary Education (K-8) (K-6) (BA, MEd Conversion), Ed 612.05 English Language Arts for Grades 5-12 (BA), Ed 612.07 General Special Education (BA, MEd Conversion), Ed 612.17 Mathematics for Grades 5-8 (BA, Conversion), Ed 612.22 Middle Level Science for Grades 5-8 (BS), Ed 612.28 Social Studies For Grades 5-12 (BA, Conversion), Ed 614.04 School Principal (MEd, PostBac, Conversion), and Ed 614.13 Curriculum Administrator (MEd, Post Bac, Conversion).

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

C. Southern New Hampshire University (SNHU) Substantive Change

The second SNHU item pertained to the school's closing out of its Bachelor of Arts (BA) in Music Education. Based on its enrollment and issues with facilities and infrastructure, it was decided to teach out the program. The plan is to not accept any new students in the new semester.

Mr. Appleby noted that the program expires several months before the final cohort to complete the program, so the motion contains a request to push the expiration out two months so that it expires at the same time as the program.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassidy, that the State Board of Education moves to grant the elimination of Ed 612.20 Music Education professional educator preparation program at Southern New Hampshire University, effective to the end of the 2023-024 academic school year to expire on May 31, 2024.

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

D. Hellenic American University (HAU) Expiration Date Lapse

Hellenic American University has one state approved educator preparation program. Mr. Appleby was not sure, in hindsight, how it was approved as the school is in Greece. After some deliberations with the institution, the Department offered them another option for their graduates to gain New Hampshire licensure and they chose to do that rather than renew their current program. They have had no students in the program since approval and no students today.

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education moves to grant the elimination of the 612.06 English for Speakers of Other Languages (ESOL) Certificate professional educator preparation program at Hellenic American University effective at the expiration of the current approval on December 30, 2020.

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

E. CTE Annual Report Summary

Mr. Appleby asked for a one-month extension to present that report as Ms. Stoneking was not available to attend today's meeting. Chair Cline said they would make sure it was on next month's agenda.

AGENDA ITEM VII. PROFESSIONAL STANDARDS BOARD (PSB) UPDATE

A. New Application—Timothy Broadrick, Superintendent, Alton—fill vacant Teachers and Education Specialists Member Seat

MOTION: Cindy Chagnon made the following motion, seconded by Phil Nazzaro, that the State Board of Education accept the application of Timothy Broadrick as a new member of the Professional Standards Board.

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

AGENDA ITEM VIII. CHARTER SCHOOL REPORTS/UPDATES

A. Annual Public Charter School Progress Report Summary

Jane Waterhouse, NHDOE, Charter School Administrator, provided an overview of the annual public charter school progress report summary. This year, every school submitted a report, whereas last year only half submitted reports. Three new schools did a first-year program audit, so they were not required to do the progress report summary.

Ms. Waterhouse explained that schools were not required to use the template this year, so many used templates from the previous years. They will be required to use the template next year to report on the current school year, however. In addition, some of the requested information in the rubrics is not complete because some of the information duplicated what the schools had

already submitted to the Department, for example, school calendars and school budgets. If it is incomplete on the rubric, the school has most likely already submitted the item in another area.

For the most part, Ms. Waterhouse felt the schools did really well in completing all the requirements for the progress report. She put the most important progress in the rubrics, although that may not capture everything that the schools included in their reports.

A Board member requested that the rubrics be updated to indicate what missing items have been submitted already and where. An unidentified speaker said that the data team is starting to work on pulling a lot of school approval processes together into a single database to capture all the data pulled together from different areas. Chair Cline agreed that duplicate forms and filings have definitely been a big problem for charter schools.

Board member Helen Honorow said she was confused on how to tell whether missing items have been submitted elsewhere. In addition, some of the reports are as old as August and it is hard to tell whether things have been followed up on. Ms. Waterhouse noted that the deadline to submit the information was August 31, but she did not receive many until the fall or even early December in some cases. That is why this presentation to the Board was delayed until March. Ms. Honorow expressed a particular interest in financials and Ms. Waterhouse promised to provide an update as she receives their quarterly financials. Also, the

audits for last school year are due March 31. Ms. Honorow noted that they have been awaiting audits for one school for three years. Ms. Waterhouse reported that the school is in the process of getting those audits completed, but she has not received them yet.

Chair Cline indicated that he shares the concerns about incomplete financials, test scores, academic accountability, etc. He noted that there was not a rubric before and Ms. Waterhouse has created a vastly improved system. What they are getting now is so much better but there is still room for improvement. He encouraged everyone to communicate with Ms. Waterhouse on what would make the reports more robust. There is a balance between receiving enough information and being overwhelmed by a big stack of data. He would like to see some top line budget numbers from the schools.

A Board member said he would like to see more dynamic information so that the information the Board gets is more current. He asked whether Ms. Waterhouse felt there was cause for concern with any charter school based on her knowledge of what is happening today? She responded that there were a few. Chair Cline noted that he and Ms. Honorow have identified several schools that give cause for concern with missing data. The Board needs to keep a closer eye on that.

An unidentified speaker noted that there is a lot of flexibility on what these reports can look like, so it would be great to get an idea of the Board's priorities on what they would like to see.

Ms. Honorow agreed that this is an improvement, but there are some continuing categories that are a concern. She does not want to have to wait to say to a school that the Board is concerned, for example, that they are waiting for three years of audits. There are other areas of concern, for example around whether students are at state proficiency levels, etc. Is there a trigger point that could be established where the school gets a letter?

For today, Ms. Honorow felt there were some particular concerns with some of the charter schools and the Board needs to get moving on letting those schools know there are concerns and partnering with them to move forward. A report is needed from some of them within a defined period of time.

An unidentified speaker said that there are a lot of steps to follow in terms of the schools' use of federal funds. More than one charter school is behind in audits and there are questions about how money is being used. A strict timeline is being used for audits, etc. of the federal funds. But in terms of state accountability, what is the state's timeline and process? What does the Board want to see done if schools are not submitting quarterly financial reports or annual audits?

The same speaker continued that in terms of academics, they have seen with a number of charter schools a higher number of students who did not take state tests. Over a certain percentage, those students who did not test, count as a zero and drag down the overall percentage of the school. They are trying to figure out a better way to present that data to give a clearer picture to the Board.

Ms. Honorow noted that the report the Board received said that they cannot figure out why they are having these discrepancies. She would like to figure that out because that is one of the requirements.

Chair Cline said that this is a long multi-step process. The biggest hurdle was getting the rubric in place and annual reports all filed in the same format with a checkbox for all the requirements. The second step will be to get more data and prioritize what to focus on. Then you can build accountability measures.

Chair Cline noted that some charter schools had some incompletes, so he thought it would be appropriate for the Board to ask the Charter School Administrator to come back next month to report on what happened with the incompletes. An unidentified speaker said he can make getting that data a priority of his weekly meetings with Ms. Waterhouse.

A Board member noted that the information was presented alphabetically. He suggested maybe separating the schools into green, yellow, and red in terms of status.

A Board member asked whether Ms. Waterhouse emails the schools to let them know what is missing and Ms. Waterhouse said she does.

A Board member asked if there is any differentiation in the expectations for the state scores of those schools that are set up for at-risk children who are not on grade level? Ms. Waterhouse replied that she tries to put that in the report. Chair Cline said he has talked to Ms. Waterhouse about being able to track each child's individual academic growth in a school, although there are some issues in the very small schools about making sure that the children are not individually identifiable.

Ms. Honorow does not want to make charter schools do something twice. She is less concerned with getting a report that says "complete, complete, complete" than she is in identifying areas of concern. She liked how Ms. Waterhouse put a suggestion next to some items and asked what the follow-up on that is. Ms. Waterhouse said that this was the first time they have done this and she hopes they will make changes accordingly. They are also working on charter school accountability plans, which are different from the yearly progress reports.

Ms. Honorow asked if someone got a one, why does it say, "No data was presented"? Ms. Waterhouse replied that it was a mistake if the data wasn't included. She said in one case, the school did not have enough data because there were not enough students taking the test, so they had to rely on the school's data.

Chair Cline said he would love to have Ms. Waterhouse back to next month's meeting to give an update on missing information that had come in. In addition, there may be things that they want to have schools come talk about. In LEAF, the financial and academic reporting is a concern. Cocheco has missing information across the board. In addition, MCC has missing info. It is within the Board's authority to have these schools come in and explain themselves so the Board can work and partner with them.

A Board member said financial accountability is a big deal, whether it is state or federal money. An unidentified speaker noted that LEAF Charter School is working with an outside CPA firm and they have been required to undergo an audit because of the financial gaps in the information they have provided. More of that kind of information that the Department has undertaken can also be provided to the Board in future. Chair Cline said he would like a more robust report on LEAF, whether they come to a meeting or an update is provided on them. Step one in accountability is getting the report in. Step two is identifying possible problems and getting them to explain them.

Chair Cline believes that as this report process gets more finalized, the Board will regularly be doing follow-ups with charter schools as part of the oversight process.

Ms. Honorow noted that the schools have not yet seen Ms. Waterhouse's recommendations, so calling them to appear before the Board as soon as next month might not be fair. Ms. Honorow stated a desire, however, to look at the CSI Charter School due to their 25% drop in enrollment and a lack of traditional reporting on attendance. In addition, she would like to know that the recommendations made by Ms. Waterhouse are getting to the schools and the Board should hear from them on that.

An unidentified speaker said that before the April meeting, he and Ms. Waterhouse could clean up the information a bit. Then they could re-present in April with their concerns for each school at the top. They could also list any progress made.

B. Capital City Public Charter School First Year Program Audit Update

An unidentified speaker began with a reminder that RSA 194.B.10 requires charter schools to undergo a first-year program audit after their first year of operation. For Capital City, that was conducted May 31, 2019. Deficiencies were identified in that audit. Capital City has appeared before the Board several times in the past few months addressing their progress. The NHDOE received materials for this meeting at the deadline, so he and Ms. Waterhouse have not had a chance to review the materials. Capital City is present to address questions from the Board, represented by Stephanie Alicea, Head of School, Barbara Higgins,

Managing Director, Amy Zumiez, Student Science Coordinator and Special Needs Director, and John Scannell, Chair of the Board. They were also joined by Dennis Ducharme of Ducharme Resolutions LLC.

Mr. Scannell began by stating that he would table any questions about financial issues because he understood that a meeting was due to be held on the following Tuesday between the “appropriate players.” Chair Cline asked who those players were and Mr. Ducharme replied that he had been in frequent contact for the past week with Attorney Chris Bond. The plan they put together (which Mr. Ducharme believes Attorney Bond shared with the Commissioner) was that on the following Tuesday morning, there would be a meeting with Attorney Bond, Mr. Carney and Ms. Caitlin Davis, along with Scott Eagan from Plodzik & Sanderson, to put a true tight timeline on getting the Department the required financial information from the school. Mr. Eagan has told Mr. Ducharme that he is close and the goal of the meeting is to leave with a clear understanding of what they need and a tight commitment to get it to them when they need it. The auditor has told Mr. Ducharme he has 90-95% of the information that he needs. He is working with Ms. Alicea on some follow up information. The timeline he is talking about is weeks, not months. Mr. Ducharme hopes that a timeline can be put in place Tuesday morning that is satisfactory to the Department.

Chair Cline noted that the Board had previously been told that the audit would be done by February 12 and presented to them. He asked whether that

meant that the information for the federally required reporting that was now over a year overdue was going to the auditor? Mr. Ducharme replied that 90-95% of the information is with the auditor. Chair Cline emphasized that he does not have all the information for the reports that were required over a year ago and Mr. Ducharme affirmed that was “5-10%” correct.

Mr. Scannell said that he is in frequent contact with Mr. Eagan and although he has made progress, every time Mr. Eagan turns a page, he has another question. Ms. Alicea is new to bookkeeping so some of the entries are there but they are offset incorrectly, so Mr. Eagan is asking additional questions.

In response to a Board member question, Mr. Ducharme said that he was retained by CCCS in the last couple weeks and he wrote a letter to Mr. Cline, the Commissioner, and the Attorney General raising some questions as he was learning the history of what has gone on. Attorney Bond called him in response to that letter on Monday [March 9] and they have had a series of calls and emails since. The day prior to the meeting, Attorney Bond and Caitlin Davis told Mr. Ducharme that Scott Eagan did not need to attend today’s meeting and they would meet the following week.

Moving on from the financial issue, Mr. Scannell asked what topic the Board would like to hear first. Chair Cline asked to be walked through the materials in the package delivered to the Board today.

Barbara Higgins responded that they had updated their student recruitment plan and their overall strategic plan. They also have updated information on special education concerns. Ms. Higgins referred the Board to Appendix Z, but the Board members responded that they did not have Appendix Z in their packets. Ms. Higgins stated it was on page 108 and Chair Cline responded that they had a very short packet of seven or eight pages. He surmised that things might have been gotten to the Department past the deadline.

Mr. Scannell acknowledged that apparently the Board did not have a full packet. His understanding was that the deadline was for the Friday (he could not remember the date off the top of his head) and it was submitted on Friday. He then received a "one liner" from Ms. Davis saying they had missed the deadline. He was disappointed in her response given the effort the school had put in to meet the deadline. Chair Cline said it was his understanding that the deadline was the Wednesday. An unidentified speaker said the deadline for providing materials to the Board is two weeks prior to the meeting, so that would have been the Thursday. The speaker said he passed along the materials that were received on Friday.

Mr. Scannell said that he had a document that said the deadline was Friday. He said he was confused that a 110-page document showed up a day late and they said "hands off." The unidentified speaker said he consulted with Caitlin Davis and they do not have a document that says Friday. Mr. Scannell reiterated that he did.

Chair Cline also noted that there was an issue with the readability of electronic documents that came in that Friday evening. It took several days to get access to them.

Ms. Higgins then referenced a message from Jane [presumably Waterhouse] to her and Ms. Alicea that referred to submitting documentation to Ms. Waterhouse on Friday, February 21, a week early so she could look it over. They did not have it done at that point, so they submitted it a week later on Friday, February 28. An unidentified speaker responded that the Friday deadline was for Ms. Waterhouse's office to receive the documentation to review it before providing it to the State Board. Ms. Waterhouse asked to receive it Friday the week prior to the Board deadline, which was Thursday.

An unidentified speaker [possibly Ms. Alicea] said once she was made aware that the electronic documents were not readable, she hand-delivered a hard copy and another electronic copy on a USB flash drive. Mr. Scannell said that was delivered Monday, March 2.

A Board member asked about the list of remediation concerns and also about the appendices and attachments that they seem not to have received. Mr. Scannell said he believed that the Board had not received the full manual because it is still sitting somewhere. Chair Cline clarified that the appendices are the issue.

Ms. Higgins said that Ms. Waterhouse told them to update what the Board already had and resubmit it, so the Board already has [the appendices].

Mr. Scannell thanked Ms. Waterhouse for being the only one to have responded to his updates, to which Chair Cline responded that Ms. Waterhouse typically deals with charter schools.

Chair Cline suggested they start going through the document they do have in their packets, minus the appendices. Ms. Higgins began with a website update, saying 95% of the requested fixes have been done. In response to a Board member question, an unidentified speaker said that they were waiting for the February minutes of the Capital City board meeting to be posted to their website.

Ms. Higgins then introduced Ms. Zumiez to review the specifics for special education. Currently, Capital City has seven students identified with an IEP, four of whom are current with their IEP/504 status. Ms. Zumiez is meeting shortly with a) a student who recently transferred districts who needs her IEP updated; and b) a family to update their 504 that has not been updated since 2016. In addition, Ms. Zumiez is talking with the mother of the last student that needs updating who is deliberating whether she wants her student to be identified.

Ms. Honorow stated she does not know where the “incorrect notion that [Capital City] does not care about its special education students” comes from. She

noted that the Board has been told a number of times that services are not being provided in accordance with units of service that were supposed to be provided in the IEPs, due to an inability to get the sending district to respond. She has not heard that addressed yet. Ms. Zumiez responded that for one student that is now current, it took Ms. Zumiez several emails to get the IEP into place and it was haphazardly done by the district. That student goes to the district for their services.

All the 504 students are serviced within Capital City. For the student that recently transferred, there is a meeting scheduled to update the IEP and start a new one going forward.

In response to a question from Ms. Honorow, Ms. Zumiez confirmed that there are no longer issues of special education students not being provided with the services that their IEP calls for. They are either being serviced at their sending district's facility or the service providers are coming to Capital City.

Next, Ms. Higgins continued with the topic of health and life skills. Their plan had not started yet as of the January meeting. Ms. Higgins is certified in health and PE, as well as special education. It is a schoolwide, integrated class combining science, social studies, math, health, PE, and life skills. It involves walking and charting their mileage, as though they were walking to Montpelier, VT and subsequently other state capitals. After the walk, the students are split by grade for the post-walk discussion and activities.

Ms. Higgins then reviewed the clarification of specific roles for Ms. Higgins, Ms. Alicea, and Ms. Zumiez. In synopsis, Ms. Alicea as head of school is responsible for enrollment, daily processes, and safety issues, and in concert with Ms. Zumiez, for student organization and teacher reports. Ms. Higgins as managing director is responsible for fixing flaws in curriculum and special education (in concert with Ms. Alicea). Ms. Higgins stated that she is not Ms. Alicea's boss and Ms. Alicea is not Ms. Higgins's boss and the three of them talk about everything. Ms. Zumiez reports to Ms. Higgins (for IEPs and 504s) and Ms. Alicea (for enrollment, transcripts, attendance, etc.).

Chair Cline said he could not see this item in his packet. Ms. Higgins promised to forward it to them again.

In response to a Board member question, Ms. Higgins said that Ms. Alicea was very involved in the financial audits with Plodzik & Sanderson. Mr. Scannell clarified that he and Mr. Eagan are discussing how to handle the weekly and monthly financial metrics to avoid the current situation. There is a consensus, but not formal agreement yet.

Chair Cline expressed a desire to see as part of the charter what the job descriptions are so the state and everyone can know who is accountable for finances, academics, etc. Mr. Scannell said a portion was being pulled away from Ms. Alicea and given to a new person.

Mr. Scannell promised to get to the Board by the end of the business day the three job descriptions with their responsibilities. The finance responsibilities will be resolved in the following 14 days.

Chair Cline also asked for some clarification on the chain of command. Mr. Scannell replied that both Ms. Alicea and Ms. Higgins report to the school's board. Chair Cline wanted to make sure it was clear who had responsibilities for various areas.

Ms. Higgins then provided some academic progress updates. Since the last meeting, Capital City did some schoolwide testing and rearranged their groups academically into three groups: a 6-7 grade group, a 7-8 grade group, and a 9th grade group. The curriculum is more structured with less down time. CCCS has enlisted the Virtual Learning Academy Charter School (VLACS) for math.

Ms. Honorow asked about English Language Arts (ELA). Ms. Higgins responded that they used their test scores to make some changes. The grade 6-7 students are on a different, more basic skill-based curriculum, aligned with state requirements, with Ms. Higgins and the grade 8-9 students are with the certified ELA teacher. The work output has improved.

Ms. Honorow thought that the Board had directed the school not to do high school, except for the students that were already there. Ms. Higgins said she does

not have 10th and 11th grade anymore and they have just the 9th graders who were already there.

Chair Cline asked, based on the student assessments that Capital City has done, whether there is a sense of whether there is a big gap to fill and what needs to be worked on. Ms. Higgins responded that because 26 students are new this year compared with only four students that were with the school last year, they mostly rely on whatever testing the students came with. Some students are struggling, but she does not feel like there are students who have stopped making progress. Having the services solidified has made a big difference.

Chair Cline asked about the students' academic performance this year. Ms. Higgins arrived in December so she cannot address anything before that, but it was clear that the school needed information about the students. They have used some standardized tests like the MCATs available online.

An unidentified speaker said that they had watched the January meeting to get up to speed and the takeaway was that it seemed the school could service the current ninth graders next year as 10th graders, but they should not recruit 10th graders.

An unidentified Board member said there were two students that the school needed to find places for, which they did.

A Board member asked who filled Ms. Higgins and Ms. Zumiez's instructor roles when they were not in the building. Ms. Higgins responded that today the 9th graders were on a field trip and the 8th graders are with their eighth-grade teacher. For the 6th and 7th graders, Ms. Higgins did blizzard bags and they are home today. If Ms. Higgins is absent or sick, either Ms. Zumiez or Ms. Alicea steps in. Capital City will be providing the Board with a chart of who does what when and it is clear on that who fills in for each individual.

A Board member said the SAS score is one thing, but if Capital City can provide something to show the growth that happens with each student every year, they love to see that. She asked whether Capital City got some data from the students' previous schools and Ms. Higgins reported they got some, but it is inconsistent and tricky.

An unidentified Capital City speaker stated that most of their students are lower scoring students, more often than not at level one or level two at most.

Ms. Higgins continued with the student recruitment plan (appendix I). The school would like to increase to 50 students at the start of the school year. They have an open house scheduled and the 9th graders are working with Ms. Zumiez on a marketing brochure. They are trying to increase their presence in local media and social media. They have partnered with a few local businesses and will present at the charter school conference.

A Board member asked about a reference to hiring a bilingual teacher for English language learners. Her understanding was that under ESOL, you do English immersion and never speaks the other language. Ms. Higgins noted that it was a terminology mistake. She also explained that they are located on the heights in Concord, where there is a refugee community. The multilingual piece came from CCCS projecting what could become a need if they wind up with a diverse population. The Board member recommended that Ms. Higgins look into whether Concord has a language line similar to that of the Manchester school district.

Chair Cline noted some of the things that Capital City mentions in the “Student Improvement Community Outreach” section are more aspirational and similar to what was provided at the December meeting, whereas the Board would like more of a strategic plan, outlining the exact groups they are going to contact on specific dates, who is going to do it, etc. It is currently “what” without the “why”, “when”, and “how”. Mr. Scannell noted that that was a good observation. He said Capital City had to do a better job documenting some of the things they do so they can do a better job taking credit for them. Chair Cline noted that there is a gap between Capital City’s aspirations, which are wonderful, and the ability to execute. The Board wants a higher comfort level with the latter. This is an issue that the Board has had with the school since the beginning and it would be helpful going forward to get the strategic plan to be more detailed.

In response to a Board member question, Mr. Scannell stated that he has had roles primarily in sales, marketing, and operations. He has also bought and sold a couple companies and been President and CEO of a defense company in Nashua. He then retired about five years ago, but as a recovering alcoholic, he prefers to remain busy. He decided to give back and took a personal interest in the school. He also works a full-time job in the automotive industry and owns a campground. In response to a question, he stated that he has been on several boards.

A Board member asked if the school was working on their financials for September 2019-June 2020. Mr. Scannell reported that they are about 90% done and the quarterly will be done by the end of March. An unidentified speaker said the Department had not received any quarterlies for 2019. Mr. Scannell acknowledged they are behind, but they have engaged the CPA and an accountant.

A Board member asked who is doing all the administrative work. Ms. Zumiez said administrative assistant work is one of the many different hats she wears at the school. The Board member said she felt that the school needs an administrative assistant who sole focus is that task. Mr. Scannell said the school has been paying an accounting person (separate from the accounting firm) on an hourly basis. The school is currently wrestling with how to deal with the administrative questions and issues while taking into account revenue and the

budget. The Board member referred Mr. Scannell to a website that shows what is due to the state each month, quarter, and year. She said she has lost trust that the school will catch up. She reminded Capital City that they represent all charter schools. Mr. Scannell said he understood her message and where the school stands.

Ms. Higgins noted that the school had a letter that stated that the Department was supposed to help them, but she does not know what that means. Chair Cline said the Board wants every charter school to succeed, including CCCS, but CCCS is contractually obligated by law to meet the terms of its charter, including financial reporting, and the Board is obligated by law to make sure that Capital City meets the terms of its charter. The school had an audit last May that found multiple deficiencies and the Department staff have been trying since then to correct those deficiencies. Despite multiple efforts and missed deadlines, the Board continues to hear that things will be taken care of in the future. The Board wants to know who is responsible for the budget and the finances.

Mr. Scannell said he understands that they are at the point where the Board could close the school. He noted that the school is in an undesirable position for staffing, etc. to get everything done.

Chair Cline reiterated that the charter contains a list of items that need to be done and the Board is just trying to make sure they are done, just as they would

with any other charter school. The Board's frustration does not diminish the hard work the school is doing.

Ms. Higgins then provided an update on Service Learning Wednesdays, for which the school has partnered with several local charities and foundations. They have also taken children to the State House for the charter school hearing and also around Rachel's Law.

Ms. Higgins remarked that there was a complaint about the student information site with respect to not all of the teachers putting comments on report cards. She was not sure who could have seen that as it is all private. She is on the school board in Concord and it has never been her job to tell teachers how to do report cards. They have to follow the protocol of the school. She does not see a problem with how the CCCS teachers gather information and comment on students and communicate with parents. They do weekly emails home.

Ms. Higgins said that they were asked about blizzard bag days. CCCS's blizzard bag participation is excellent because so much of their learning is online. The completion rate on those days is 85-90%. In addition, the school's calendar has 1,342 hours over the course of the year, well above the 996 required by the state.

Ms. Higgins commented on an email to 11th and 12th grade families, for which she received criticism for blaming the state. That was her misunderstanding at the time. She did let the parents know if they wanted their child to stay at Capital City, they would educate them as best they could.

Ms. Honorow asked Capital City to respond to the discrepancy between the number of students enrolled and the actual number who attend on a daily basis. Ms. Zumiez stated that the school has one truant student currently and everyone else has either left the school or is attending every day.

Chair Cline asked how many board of trustee meetings CCCS has and how often. Mr. Scannell replied that it was usually quarterly. Chair Cline noted that the transcribed minutes section of the website is not very complete. Another Board member suggested in a situation like this, the school have monthly board meetings and two Capital City attendees said they do have monthly board meetings. The next CCCS board meeting is scheduled for the third Wednesday in March.

Mr. Scannell said they would look into the missing CCCS board of trustee minutes on the website and get back to the Board.

In reference to the page "Meeting with Jane Waterhouse," Ms. Honorow asked Ms. Waterhouse whether everything from the list on that page has been satisfactorily provided with no outstanding items other than the budget issues. Ms.

Waterhouse said the items came from the corrective action plan and they have all been completed. An unidentified speaker from the Department stated that because the documentation was given to them right at the deadline, neither Ms. Waterhouse's office had a chance to go through it. They submitted what they received directly to the Board, so it is possible things are still missing.

Ms. Honorow then asked Ms. Waterhouse whether she has had a chance to look at whether the remediation issues have been taken care of. Ms. Waterhouse said there are some items from that list that have not been submitted yet. The other Department representative said they could pull something together for the next Board meeting, as he and Ms. Waterhouse would need two to three weeks to go through the documentation, look at the website changes, and make sure everything within the charter is being done.

A Board member stated that some of the frustration may be coming from the ping-ponging of questions back and forth and therefore having one document that listed the deficiencies, needed data, etc. would help avoid the feeling of an adversarial relationship. Mr. Scannell agreed that would be easier for all involved in terms of accountability. He offered to come in to Ms. Waterhouse's office if they could be of assistance.

Ms. Honorow is looking forward to the outcome of Tuesday's meeting. Mr. Scannell said he was mutually anticipatory.

Chair Cline reiterated that the Board is not trying to lay blame. Rather, they are trying to solve the problem and get CCCS to the point that its structures are in place.

Mr. Scannell stated that he realizes that Capital City and the Board's relationship has been tenuous and strained. He sat with Frank [presumably Commissioner Edelblut] and his team six weeks ago and was assured that the Department was right there with the school, but Mr. Scannell has not seen that happen. The teams have not stayed complementary with each other. Something is missing. He hopes they can work through that moving forward.

AGENDA ITEM IX. LEGISLATIVE UPDATES

Amanda Phelps, NHDOE, Administrative Rules Coordinator, updated the Board on the rules.

A. CONDITIONAL APPROVAL RESPONSE: Confidentiality and Record Retention (Ed 1102.04 h & Ed 1119.01)

Ms. Phelps read the definition requiring approval: "Students' rather than parents' permission or consent for the purposes of this section whenever a student has attained 18 years of age or is attending an institution of post-secondary education, the permission or consent required of, and the rights accorded to the

parents of the student, shall thereafter only be required of and accorded to the student.”

MOTION: Cindy Chagnon made the following motion, seconded by Phil Nazzaro, that the State Board of Education approve the conditional approval response for Ed 1102.04 h and Ed 1109.01, relative to special education confidentiality and record retention.

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

AGENDA ITEM X. COMMISSIONER’S UPDATE

The Commissioner needed to leave the meeting for another commitment, so there was no update.

AGENDA ITEM XI. OPEN BOARD DISCUSSIONS

Chair Cline noted that the Assistant Secretary of Education was in town the previous few days and he toured some schools with him, including Franklin Middle School. Chair Cline said it was impressive what Franklin Middle School is doing.

They have divided the school into academies that are more focused on competencies than grade cohorts. The students were very focused on their work.

A Board member noted that she just noticed that upcoming New Hampshire Superior Court jury trials are cancelled due to concerns over Covid-19. She noted there will be more pressure put on schools.

Ms. Honorow publicly thanked Ms. Stoneking for inviting her to attend a review training.

AGENDA ITEM XII. CONSENT AGENDA

A. Meeting Minutes of February 13, 2020

MOTION: Cindy Chagnon made the following motion, seconded by Phil Nazzaro, that the State Board of Education approve the minutes of February 13, 2020 as amended.

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

B. Updated/Final Charter Application for Northeast Woodlands Public Charter School

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education approve the final charter application for Northeast Woodlands Public Charter School.

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

A representative of Northeast Woodlands Public Charter School who was present was happy to announce to the Board that the school now had a home at Granite State College.

AGENDA ITEM XIII. NONPUBLIC SESSION

There was a nonpublic session.

AGENDA ITEM XIV. ADJOURNMENT

MOTION: Phil Nazzaro made the motion, seconded by Cindy Chagnon, to adjourn the meeting at 2:57 PM.

VOTE: The motion was approved by unanimous vote of the Board with the Chair abstaining.

Secretary

DRAFT