

November 29, 2005

TECHNICAL ASSISTANCE ADVISORY #1

Prepared by the New Hampshire Department of Education

PURPOSE AND OVERVIEW.

The purpose of this Technical Assistance Advisory is to provide clear and concise guidance for school administrative units and school districts regarding state standards for public school approval. This is the first in an anticipated series of advisories that will be issued over the next few months. There will be a generous incremental “roll out” of the requirements for school approval standards. The state recognizes that there are standards that will take individual districts longer to implement than others. In this issuance, the Department is particularly addressing areas of change that have garnered significant comment. The design of these rules gives School Boards and Districts permission to be flexible and creative in the way schools award credits to students for learning in a variety of settings.

Districts will want to review the standards document in its entirety, paying close attention to:

- ED 306.01 Applicability
- ED 306.02 Definitions
- ED 306.04 Policy Development
- ED 306.11 Food and Nutrition
- ED 306.12 School Health Services
- ED 306.17 Class size
- ED 306.18 School Year
- ED 306.21 Innovative programs
- ED 306.22 Distance Learning
- ED 306.26 Kindergarten-grade 8 school curriculum
- ED.306.27 High School curriculum, units of credit, graduation requirements and co curricular program

POLICY AREAS OF SIGNIFICANCE FOUND IN THE RULE:

Local School Board Policies (Ed 306.04)

- (1) Absenteeism and attendance
- (2) Promoting school safety
- (3) Discipline
- (4) Records retention, including electronic files
- (5) Character and citizenship
- (6) Meeting the instructional needs of each student with different talents
- ** (7) Student hazing
- ** (8) Student harassment, including bullying
- ** (9) Sexual harassment, as detailed in Ed 303.01(j) and (k)
- ** (10) Reporting of suspected abuse or neglect
- ** (11) Promotion of a school environment that is conducive to learning and supports strong family and community partnerships

November 29, 2005

** (12) Distance education, if the district chooses to offer distance education as provided in Ed 306.22

** (13) Extended learning opportunities, if the district chooses to offer extended learning opportunities as provided in Ed 306.26(f) or Ed 306.27(b)(4)

** (14) How a credit can be earned, as provided in Ed 306.27(d)

** (15) Recommending developmentally appropriate daily physical activity and exercise

** (16) Behavior management and intervention for students

** (17) Homeless students

Department Comment: Local School Boards must develop local policies for each item listed in Ed 306.04, with the exception of Distance Learning and Extended Learning Opportunities. ** Reflects new requirements in this section for the development of local school board policies. (12) Distance Learning and (13) Extended Learning Opportunities are only required, if the local school board chooses to offer Distance Learning or Extended Learning Opportunities. The Department strongly recommends that local school boards develop policies for both Distance Learning and Extended Learning Opportunities. If the district chooses not to offer these opportunities, then the policy should so state. If the district chooses to offer some or all of the opportunities, then the policy should specify which opportunities are available, the terms and conditions for accessing these opportunities, methods of assessment, date of implementation and similar information to assist parents and students in making informed choices.

Food and Nutrition (Ed 306.11)

(b) All food service employees shall, within their first year of employment, obtain a certificate of completion for an approved sanitation course.

(c) If a school nutrition/food service director is employed, each food service director shall, whenever feasible, obtain certification or credentials from an approved program, including but not limited to School Nutrition Association (SNA) certification, within the first 5 years of employment.

Department Comment: These requirements are the responsibility of the employee. This rule does not require or prevent a district from adopting a policy that provides reimbursement for some or all of the costs associated with fulfilling the certificate or credentialing requirements as part of an employee benefits package. Food and Nutrition requirements, including guidance regarding approved sanitation courses and certification of food service directors, will be further addressed in a future advisory.

Instructional time ~ (from Ed 306.02 Definitions)

(d) "Instructional time" means the period of time during which pupils are actively working toward achieving educational objectives under the supervision of a teacher or other designated staff member.

Department Comment: This definition applies to both traditional classroom work and to extended learning opportunities.

School Year (Ed 306.18)

(b) Each school with a school year option based on hours shall be subject to the following requirements:

- (1) The school shall maintain in each elementary school, a school year of at least 945 hours of instructional time;
- (2) The school shall maintain in each middle and senior high school, a school year of at least 990 hours of instructional time;
- (3) The school day of an individual student shall not exceed 8 hours of instructional time; and
- (4) The school shall have in its school year an additional 10 days of at least 6 hours in duration to provide for instructional time lost due to inclement weather or unexpected circumstances, staff development, and parent-teacher conferences;
- (5) A school may close before its scheduled closing time when an emergency condition exists which might adversely affect the health and safety of students, provided that the number of hours of instructional time originally planned for the day shall be credited to the number of hours of instructional time in the school year, if:
 - a. On that day, the school would normally have had at least 5.25 hours of instructional time; and
 - b. The school remained open for at least 3.5 hours of instructional time.

(c) Each school with a school year option based on days shall be subject to the following requirements:

- (1) The school shall maintain a standard school year of at least 180 days of instructional time;
- (2) The school shall have in its school year an additional 10 days of at least 6 hours in duration to provide for instructional time lost due to inclement weather or unexpected circumstances, staff development, and parent-teacher conferences;

Department Comment: School Districts choosing a calendar based on hours must account for all of the hours of instruction. When planning for a calendar based on hours, the total number of hours in the school calendar must not be less than the comparable number of days of instruction, as required by law. The Law requires that NH Public Schools offer 180 days of instruction. Districts wishing to adopt a Calendar based entirely or in part on hours should forward a letter to the Commissioner for review, detailing the proposed plan. Further guidance on School Year and School Calendars will be addressed in a future advisory.

Off-site Programs (Ed 306.21)

- (a) "Off-site program" means the regular delivery of the majority of a student's instruction at a facility not located in the school building(s).
- (b) An off-site program shall be: Designed to address the personalized needs of students, including, but not limited to, dropout prevention; and
 - (2) Approved by the local school board in a plan that:
 - (a) States the goals of the program;
 - (b) Specifies the procedures for assessing and implementing its program plan consistent with RSA 193-C: 3, III; and

- (c) Specifies when the program would be offered, which may be at a time other than during the regular school day.
- (c) Off-site programs for students with disabilities shall meet the requirements of ED 1119.
- (d) Prior to implementing an off-site program, a school administrative unit shall submit to the department the following:
 - (1) A copy of the school board's approval, including the plan submitted; and
 - (2) The location of the off-site program.
- (e) Each student participating in an off-site program shall participate in the state assessment exam, when applicable.

Department Comment: The reference in (b)(2)(b) to RSA 193-C:3, III sets out the requirement that the content of off-site programs must conform to the grade level expectations required of a traditional course of the same grade and subject. (c) clarifies that Special Education Off-site Programs are required to meet Special Education Rules ~ Ed 1119. Ed 306.21(e) makes it clear that students in off-site programs are required to participate in the statewide assessment test.

Distance Education (Ed 306.22)

- (a) "Distance education" means correspondence, video-based, internet-based, and online courses.
- (b) If a district chooses to offer distance education, the provisions of (c) - (f) below shall apply.
- (c) The local school board shall be responsible for:
 - (1) The approval, coordination, and supervision of distance education courses offered for instructional purposes or high school credit, or both, in the district; and
 - (2) Granting student credit for completion of distance education courses.
- (d) School districts may cooperate to share delivery of distance education courses.
- (e) The local school board shall adopt policies relative to all distance education courses offered by the school district to require that:
 - (1) The courses comply with all federal and state statutes pertaining to student privacy and to public broadcasting of audio and video;
 - (2) Credit courses require students to meet similar academic standards as required by the school for students enrolled in credit courses offered by the school;
 - (3) Only students approved by the school principal or designee shall be eligible to receive credit for distance education courses; and
 - (4) Students earning credit for distance education courses shall participate in all assessments required by the statewide education improvement and assessment program.
- (f) The local school board shall adopt policies relative to all distance education courses offered by the school district relative to:
 - (1) The number of students a teacher may be required to supervise;
 - (2) Monitoring of student progress, grading of assignments, and testing;
 - (3) Security of individual student records, provided that no individual student records obtained through participation in distance education courses shall be used for any purposes other than those that support the instruction of the individual student; and

- (4) Gathering and disseminating of district-level aggregated data obtained through participation in distance education courses.

Department Comment: Distance Learning will be further addressed in a future advisory.

Kindergarten-Grade 8th Curriculum (Ed 306.26)

- (e) The local school board may develop a policy that grants credits to students taking coursework in the seventh or eighth grade toward high school graduation, if the course demonstrates content requirements consistent with related high school course(s) and the student achieves satisfactory standards of performance.

Department Comment: Policies related to 7th 8th grade coursework and credits towards HS Graduation will be addressed in a future advisory.

Extended Learning Opportunities

Definition of Extended learning (Ed 306.02)

- (c) Extended learning” means the primary acquisition of knowledge and skills through instruction or study outside of the traditional classroom methodology, including, but not limited, to:

- (1) Independent study;
- (2) Private instruction;
- (3) Performing groups;
- (4) Internships;
- (5) Community service;
- (6) Apprenticeships; and
- (7) Online courses.

Requirements, if Offered (Ed 306.26 (f)) [Middle School]

- (f) If a district chooses to offer extended learning opportunities, the extended learning opportunities shall:

- (1) Consist of activities designed to:
 - a. Provide credit or supplement regular academic courses; and
 - b. Promote the schools and individual students’ educational goals and objectives;
- (2) Be governed by a policy adopted by the local school board that:
 - a. Provides for the administration and supervision of the program;
 - b. Encourages that certified school personnel oversee an individual student’s program;
 - c. Requires that each extended learning proposal meet rigorous standards, and be approved by the school prior to its beginning;
 - d. Specifies that credits can be granted for extended learning activities, including, but not limited to, independent study, private instruction, team sports, performing groups, internships, community service, and work study; and

- e. Requires that granting of credits shall be based on a student's demonstration of competencies, as approved by certified educators;
- (3) Incorporate student participation in selecting, organizing, and carrying out extended learning activities;
- (4) Provide opportunities for students to acquire knowledge and skill development comparable to knowledge and skill development in courses offered at the high school; and
- (5) Be available to all students.

Requirements, if Offered (Ed 306.27(b)(4)) [High School]

- (4) If a district chooses to offer extended learning opportunities, the extended learning opportunities shall:
 - a. Consist of activities designed to:
 - 1. Provide credit or supplement regular academic courses; and
 - 2. Promote the schools and individual students' educational goals and objectives;
 - b. Be governed by a policy adopted by the local school board that:
 - 1. Provides for the administration and supervision of the program;
 - 2. Encourages that certified school personnel oversee an individual student's program;
 - 3. Requires that each extended learning proposal meet rigorous standards, and be approved by the school prior to its beginning;
 - 4. Specifies that credits can be granted for extended learning activities, including, but not limited to, independent study, private instruction, team sports, performing groups, internships, community service, and work study; and
 - 5. Requires that granting of credits shall be based on a student's demonstration of competencies, as approved by certified educators;
 - c. Incorporate student participation in selecting, organizing, and carrying out extended learning activities;
 - d. Provide opportunities for students to acquire knowledge and skill development comparable to knowledge and skill development in courses offered at the high school; and
 - e. Be available to all students; and

Department Comment: It is strongly recommended that local school boards adopt policies that indicate which, if any, of these opportunities the district is prepared to offer. The local school board is required to adopt and implement written policies and procedures relative to extended learning if the district plans to offer extended learning opportunities, as per Ed 306.04. If the district chooses not to offer these opportunities, then the policy should so state. If the district chooses to offer some or all of the opportunities, then the policy should specify which opportunities are available, the terms and conditions for accessing these opportunities, methods of assessment, date of implementation, and similar information to assist parents and students in making informed choices. If a district chooses to provide extended learning opportunities to some degree, there must be opportunities that are available to all students.

High School Curriculum, Credits, Graduation Requirement, and Co curricular Program (Ed 306.27)

- (a) The local school board shall require that the required curriculum content developed for each high school is consistent with RSA 193-C:3, III.
- (b) The required curriculum content shall comply with the following:
 - (1) The program of studies shall include those courses for which credit is awarded as well as other educational experiences and instructional activities required by Ed 306;
 - (2) Credit courses shall be planned for the attainment of specific educational objectives leading to the high school diploma;
 - (3) The instructional program shall include:
 - a. Procedures for diagnosing learner needs;
 - b. Methods and strategies for teaching that incorporate learner needs;
 - c. Resource-based learning opportunities;
 - d. Techniques for the evaluation of student outcomes; and
 - e. The provision of remedial instruction as needed;

Department Comment: This Rule states that local school boards shall require a program of studies that shall be offered for each high school that includes credit courses or equivalent study and other educational experiences and instructional activities as specified in ED 306.27(e). The Rule has increased the number of credits required for graduation from a minimum of 19 $\frac{3}{4}$ to 20 credits. The required subjects have also been amended, as found in Table 306-2 Required Subjects and Credits for High School Graduation, and is effective for the Graduating Class of 2009, (Freshmen Class of 2005).

Each high school shall offer maximum student opportunities, in and out of the classroom, while at the same time specifying a basic number of courses that each high school shall offer. If a student demonstrates knowledge and abilities on a placement pre-test developed by the local school district for a particular course, the student shall not receive credit for the course, but shall be allowed to take a more advanced level of the subject or an elective.

The elements found in Ed 306.27(b)(3), and the various terms included:

- a. Procedures for diagnosing learner needs;*
- b. Methods and strategies for teaching that incorporate learner needs;*
- c. Resource-based learning opportunities;*
- d. Techniques for the evaluation of student outcomes; and*
- e. The provision of remedial instruction as needed;*

are meant to reflect good educational practice in common use. The department recommends that districts provide a section in their local program to describe how each of the elements of a high school instructional program required by this rule will be met in order to demonstrate compliance. While there seems to be general consensus on the meaning of elements a, b, d, and e, *c. resource-based learning opportunities* should be understood to mean the tools and experiences that enhance learning.

High School Curriculum, Credits, Graduation Requirements, and Co curricular Program. (Ed 306.27) [Competencies]

- (d) By the 2008-2009 school year, the local school board shall require that a high school credit can be earned by demonstrating mastery of required competencies for the course, as approved by certified

November 29, 2005

school personnel. Until the 2008-2009 school year, the local school board shall require that a high school credit can be earned as provided in (1) or (2) below, or both:

- (1) Attendance at a course scheduled to meet for no less than 135 clock hours of instructional time if the school operates on an 8-period schedule or for no less than 150 clock hours of instructional time if the school operates on a 7-period schedule; or
- (2) If a competency assessment is in place as provided in (i) below, by demonstrating mastery of required competencies for the course, as approved by certified school personnel.

Department Comment: In reference to (d) (1), schools that operate on a block schedule should alter calculations of instructional time per class accordingly.

Until school year 2008-2009, local school board policy shall require that credit be earned either by (d) (1) attendance in a course, or, by (d) (2) by demonstrating mastery of required competencies for the course, as approved by certified school personnel. In addressing competencies, local Districts are urged to focus on the academic subjects required for graduation. Local boards should consider the development of flexible policies and procedures that rely on the professional expertise of school staff, specifically in reference to the competencies requirement. Policies will work most effectively when they can be administered practically at the teacher level, as well as meet the test of educational rigor for individual schools and districts.

The New Hampshire Department of Education will work with districts who wish to implement competency assessments in order to provide templates and ideas for this innovative practice. The department has received a small grant from the US Department of Education for this purpose. The grant allows the department to work with interested districts toward the development and implementation of class-level competency standards and assessments, specifically in the core instructional programs of English Language Arts, Mathematics, Social Studies, and Science. Work done in the initial phases will be shared with all districts. Competency assessment will be further addressed in a future advisory.

High School Curriculum, Credits, Graduation Requirements, and Co curricular Program.
(Ed 306.27) [credit requirements]

(f) There shall be a minimum of 20 credits for a regular high school diploma, unless the local school board has set a requirement of more than 20 credits for a regular high school diploma, in which case the local credit requirement shall apply. The local school board shall require that each high school offers courses or learning opportunities as specified in (c) above.

Department Comment: As per Commissioner Tracy's memorandum to the field dated June 13, 2005, "We believe it is in the best interest of the districts and the students we serve to implement the 20-credit standard for the Class of 2009 (incoming freshmen, fall of 2005). These students are entering the high school under the new standards and must meet the requirements of 306.27, [with regards to the 20 credit hour minimum requirement for graduation]... At the same time we believe that the credit requirement for mathematics (increase from 2 to 3 credits including algebra) is of great value. Those districts that want to voluntarily implement this part of the standard earlier than the class of 2009, should be commended. Other course adjustments may also be implemented sooner."

High School Curriculum, Credits, Graduation Requirements, and Co curricular Program.
(Ed 306.27) [Required Subjects and Credits for HS Graduation]

m) The 20 credits required for graduation shall be distributed as specified in Table 306-2:

Table 306-2 Required Subjects and Credits for High School Graduation

Required Subjects	Credit(s)
Arts education	½ credit
Information and communications technologies	½ credit or demonstrate proficiency
English	4 credits
Mathematics	3 credits, including algebra credit that can be earned through a sequential, integrated, or applied program
Physical sciences	1 credit
Biological sciences	1 credit
US and NH history	1 credit
US and NH government/civics	½ credit
Economics	½ credit
World history, global studies, or geography	½ credit
Health education	½ credit
Physical education	1 credits
Open electives	6 credits
Totals	20 credits

Department Comment: Required for the Class of 2009 (incoming Freshmen, 2005). Requirements in English Language Arts, Science, Socials Studies, and Mathematics (“Algebra Credit that can be earned through a sequential, integrated, or applied program”) will be further addressed in a future advisory.

High School Curriculum, Credits, Graduation Requirements, and Co curricular Program.
(Ed 306.27) [Information and communications technologies education requirement]

(n) The ½ credit requirement in information and communications technologies education shall be met by successfully completing:

- (1) The equivalent of a ½ credit course comprised of the creation of a digital portfolio to demonstrate proficient, ethical, and responsible use of 21st century tools, including, but not limited to, digital technology and communication tools, in the context of core subjects; or
- (2) A ½ credit course in information and communications technologies education at the high school level.

Department Comment: The school board should have a policy for K-8 instructional time in ICT Literacy, and have a policy to provide an ICT literacy program in high school which includes portfolio development. The district must provide a 7/8th grade student the opportunity to demonstrate competency by submitting a digital portfolio. This submission of an assessment portfolio does not qualify the student to meet the ½ credit for ICT Literacy required for high school graduation, unless the student demonstrates competency meeting all

November 29, 2005

of the requirements of the high school ICT standard through the use of a digital portfolio. Additionally, the local school board must develop a policy to allow for 7th/8th grade students to meet the ICT graduation credit requirement through the use of a digital portfolio developed prior to high school. Otherwise, the completion of the digital portfolio would qualify as the “prerequisite” for a higher level course that should be taken in high school to meet the ½ credit requirement. ICT will be further addressed in a future advisory.

High School Curriculum, Credits, Graduation Requirements, and Co curricular Program.

(Ed 306.27) [Distance Education and HS credit]

(q) If a local school board adopts policies relative to the awarding of credit for distance education as described in Ed 306.22, the policies shall require that:

- (1) Students may earn credit toward the number of units required for graduation through the successful completion of such courses; and
- (2) Credit shall be granted only if the high school principal determines that the distance learning course meets the academic standards required by the high school for students enrolled in a credit course offered by the high school.

Department Comment: It is strongly recommended that local school boards adopt policies that indicate what distance education opportunities the district is prepared to offer. The local school board is required to adopt and implement written policies and procedures relative to distance education if the district plans to offer distance education, as per Ed 306.04. If the district chooses not to offer distance education, then the policy should so state. If the district chooses to offer some forms of distance education, but restrict others, then the policy should specify which distance education opportunities are available, the terms and conditions for accessing these opportunities, methods of assessment, date of implementation, and similar information to assist parents and students in making informed choices. “Credit course” in this section means either a required course or an elective offered by the high school. Districts may want to consider that the academic standard is the key to the granting of credit – distance education courses must be at least high school level in rigor and academic standard, if they are to be accepted for high school credit.