

## **NH Home Education Advisory Council (HEAC)**

Draft Minutes of September 20, 2024 Meeting  
Granite State College, 25 Hall St., Concord, NH

**In physical attendance:** Heather Barker, Tim Carney, Dianne Nolin, Michael Koski, April Villani

**In remote attendance:** Rep. Katy Peternel (family obligations, no one in room), Lindsay Pattison (family obligations, no one in room), Althea Barton (family obligations, no one in room)

**Meeting called to order** at 2:37PM by Ms. Villani

### **Appointments/Resignations:**

**A.** Rebekah Woodman's term expired 8/31/24.

**B.** Ms. Villani announced the appointments of Heather Barker, Althea Barton, Lindsay Pattison, April Villani, and Marcus Zuech (3 year terms). All members who were present introduced themselves.

**C.** Recruitment: Ms. Villani mentioned that there were 2 vacancies on the council. Mr. Carney confirmed one pending nomination from the NH Association of School Principals. The NH School Board Association will not be nominating a candidate at this time. Mr. Carney clarified that nominations for the two vacant home educator positions must come from a home education organization or association in the state, but that 'organization' is not defined and the individual does not have to be a member of that organization. All nominations are submitted to Commissioner or to Mr. Carney.

### **Immediate business:**

**A.** Presenter on “Holiday Cards 4 Our Military” did not attend as anticipated. No presentation was made.

**B.** Selection of Chair: Ms. Barker nominated April Villani as Chair and Ms. Barton seconded the motion. Roll Call vote: Barker, yes, Barton, yes, Koski, yes, Nolin, yes, Pattison, yes, Villani, abstains. Selection of Secretary: Ms. Barton nominated Dianne Nolin, Ms. Villani seconded the motion. Roll call vote: Barker, yes, Barton, yes, Koski, yes, Nolin, yes, Pattison, yes, Villani, yes

**C.** Ms. Barker volunteered to read the Best Practices to all attendees given that new members were present. Ms. Barton inquired about whether these Best Practices were reviewed by an attorney. Mr. Carney confirmed that they were submitted, but not yet reviewed by an attorney.

**Agenda review:** Chair reviewed. No changes made.

**Minutes:** Rep. Peternel asked that her name be removed so that Rep. Kuttub's name be inserted on pg. 2, line 2, of Sen. Ward's portion of Member Reports within the May 17, 2024 minutes. Motion to accept May 17, 2024 minutes as amended by Ms. Barton, Ms. Nolin seconded. Roll call: Barker, yes, Barton, yes, Koski, yes, Nolin, yes, Pattison, yes, Villani, yes.

**Public comments:** None; no public in attendance.

**Commissioner's Report:** Aly Landrigan has been hired as part-time Home Education liaison for the DOE. She previously home educated. Mr. Carney continues to provide support, but Ms. Landrigan answers calls, responds to inquiries, and is working to update the web page. She is enhancing the online FAQ document, providing more clarifications on Home Education (RSA193-A) vs. EFA (RSA 194-F) . Ms. Landrigan also added Child Find to the website, and has reached out to the non-public schools to

ask if they would like to be listed as Participating Agencies on the web page. The language from Ch. 279:2 law of 1990 has been added to the web page in response to a suggestion from Ms. Barton during a previous meeting.

Mr. Carney reached out to Sarah Wheeler, from Adult Education, regarding the Ed700 HiSET rule changes, with the thought that she might be able to move rule making along. The resources of much of the DOE have been focused on the approval of Ed306 Minimum Standards Rules which stalled in recent meetings. Once those are done, Sarah is hopeful that she can get a meeting with Attorney Liz Brown.

Mr. Koski asked if there is a form to file for EFA vs. home education. Mr. Carney responded that EFAs register with the Children's Scholarship Fund. Mr. Carney added that there is still confusion about some of the existing home education vs. EFA laws. The department continues to add language to the web page and answers inquiries which offer further clarification.

Ms. Villani inquired about how schools determine the fees, if any, for EFA scholars who wish to take a class or participate in sports at the public school. The question came to Ms. Villani through a parent. Mr. Carney explained that the first step is to establish that they are an EFA student. Unlike a home educated student or a private school student, an EFA student has a State Assigned Student Identifier (SASID). Only public school students and EFA students have a SASID. The public school administrator can, therefore, look up an individual to discover whether or not there is a SASID for them. Mr. Carney suggested that the class or program cost for an EFA student would be something to discuss with Brian Voelk.

Ms. Villani also inquired about whether there have been any reporting issues with students opting out of the EFA into home education. Mr. Carney said that there were no specific delays in reporting that he was aware of, but that Brian Voelk would be able to answer that.

**Legislative Updates:** Rep. Peternel mentioned that the ED306 Minimum Standards Rules approval was postponed until further review when all of the ED306 rules have been completed.

Ms. Nolin inquired about the status of a Study Committee on the Child Protection Act which was posted on NH Senate calendar. She mentioned how SB459 had died in the 2024 session and it appeared that HB1499 appeared to have added it to a bill on an unrelated topic in order to create that same committee. Ms. Nolin also inquired about the likelihood of anything moving forward on Veto Day, October 10<sup>th</sup>. Rep. Peternel indicated that nothing was expected to change, given the party breakdown of the NH House at this time.

**Home educator reports:** Ms. Barton had several questions from members of the NH Homeschooling Coalition to review.

1) Can a student get a tax credit scholarship through the Children's Scholarship Fund (CSF) under RSA 193-A? Ms. Villani explained that they could apply, if they were eligible, and continue to home educate if they received it. Mr. Carney concurred, but suggested consulting with CSF to be sure.

2) Ms. Barton's second question was related to a transcript conversion where a home educated student becomes a public school student. The interested party was concerned about the transfer of credits received through the home school. Ms. Barton questioned what, if anything, the school is required to count in terms of home school classes? Mr. Carney explained that home education law is silent on that

issue, but mentioned that the public school has the final word on credit transfers. Mr. Koski concurred, referring to the fact that the situation would be the same if a private school student were transferring into the public school. The receiving school decides what credits are accepted. Ms. Barker explained that the administrators would look at the course descriptions and/or proof of completion to decide the credits which would be accepted. The school may want to see exams, papers, or similar evidence to prove that the competencies have been met.

Ms. Villani then inquired about whether an appeal of the decision could be filed if the parents were dissatisfied with the determination. Mr. Koski mentioned that, in some cases, the school will allow the parent to sign a form, stating that the parent did not agree with the school recommendation, overriding the school's decision. Ms. Barker referenced how you would appeal in a chain of command sequence by going to the principal, then to the superintendent, then to the school board.

3) Is a child considered homeschooling under RSA 193-A if they are using an accredited, full-time, high school program online? Mr. Carney stated that if it is an out of state school that has been approved by the state education agency in which it exists, then they are not home educated. It is stated in RSA 193:1(d). He clarified that an accredited school is not the same as a school approved by that state. Accreditation is unrelated and is not the same as approved.

Ms. Nolin asked for a similar application of this law as it pertains to VLACs, which is a public charter school. Mr. Carney stated that those students who are full-time with VLACs have applied to be full-time with VLACs and should recognize that they are not home educated under RSA 193-A.

4) Is an online school, which is out of state, with no building, a private school based on what that state defines as a school? Mr. Carney believed that the same rules would apply. If the school is approved by the state education agency in the state in which it exists, then it is a non-public school. If the state has approved it, then it is an approved pathway to a diploma in that state.

Rep. Peternel asked Ms. Barton what the objective of these questions were. Ms. Barton revealed that a group of homeschoolers were clarifying their understanding of the home education laws to ensure compliance.

5) Ms. Barton explained that people are still trying to understand the differences between RSA 193-A and RSA 194-F in an effort to comply. The NH Homeschooling Coalition supports people who are transitioning to or from home education, private, public, or EFA, in whatever way that they can. There are, however, homeschooling organizations that are only supporting home educators as RSA 193-A and redirecting people who ask about RSA 194-F, or the EFA.

Within one group, there was a discussion about whether the suggested language, regarding 'terminating' from one pathway to another, may be divisive. Ms. Barton relayed an example of this divisiveness where, recently, at a co-op, there was a dispute which occurred over whether free materials should be reserved for 'funded' vs 'unfunded' homeschoolers. She inquired as to Mr. Carney as to whether or not the DOE required that the parent say 'terminating' or if they could state it differently. Mr. Carney outlined that a switch between pathways begins with a termination notification. Nothing in rule or law says that the parent or guardian has to explain why they are terminating under RSA 193-A.

Ms. Pattison understands that parents are struggling with the language used. She believed that the word 'terminating' can feel harsh. She suggests looking at the language to reduce divisive feelings.

Ms. Barker suggested that educating people may be the key to handling the divisive feelings. They are not 'terminating' homeschooling, but are, instead, 'terminating' from one pathway to another. Ms. Villani then mentioned how helpful it would be to have the transition steps between the RSA 193-A and RSA 194-F programs laid out to eliminate confusion. Ms. Barker suggested inviting Brian Voelk to the next HEAC meeting to answer questions specific to RSA 194-F.

Mr. Carney reiterated that home education is defined in the law under RSA 193-A. In the Department of Education, the term 'home education' is used to refer to RSA 193-A participants. Homeschooling is a generic term and can be used with many of the programs.

Ms. Pattison was supportive of Ms. Barker's idea of a visual umbrella on the DOE web page which would have homeschooling at the top with the pathways listed separately below it. Further discussion ensued about how to reduce the confusion. Rep. Peternel encouraged Ms. Barton to answer questions about RSA 193-A, but to refer questions about the EFA to CSF or the website. The NHHCoalition is improving their site, updating the legal section, and referring people to the Nhed website. Ms. Barton said that she does not find the CSF website to be clear. Ms. Peternel believes that the CSF should enhance their website to improve understanding of NH education laws. Mr. Carney will relay this discussion to Director Caitlin Davis and Brian Voelk and will provide any feedback.

Ms. Nolin referred to the upcoming roll-out of FAFSAs updated forms beginning this fall. There continue to be questions among homeschoolers on the differentiation between EFA vs home education rules.

Mr. Koski had no updates. Ms. Pattison had no updates.

Ms. Barker mentioned that she is happy to continue to educate school districts when there are questions or concerns about home educating families accessing resources or programs. She will also continue to provide updates at the NH School Administrators Association meetings. Mr. Carney asked if he or Ms. Landrigan could attend an administrators meeting to make a presentation on education program requirements. Recently he encountered a situation where a truant officer showed up at a student's home, but the student had transitioned to an EFA. The school representative had never heard of the EFA program and was in error.

Ms. Barker also mentioned that the Parent Information Center (PIC) website has resources related to literacy, learning to read, and dyslexia. PIC has updated all of their special education resources for parents to use with their own children. Mr. Carney suggested adding a link to PIC on the DOE website.

**New Business:** HEAC will meet on November 15, 2024, 2:30-4:30PM. The following meeting will be held on January 17, 2025. The October 2024 and the April 2025 placeholder meeting dates are on religious holidays. HEAC will not be meeting on those days, but will select another appropriate meeting date, if necessary.

Ms. Barker asked HEAC to consider a change to the meeting schedule because of an ongoing conflict with the NH Special Ed Administrators meetings. Discussion included the possibility of moving the HEAC monthly meeting to the 2<sup>nd</sup> Friday of the month instead. The Chair suggested that all members review their schedules to discuss this again at the November meeting.

**Grievance Committee:** Ms. Barker, Ms. Nolin and Ms. Villani volunteered to serve on the committee.

Roll call: Barton, yes, Koski, yes, Nolin, yes, Pattison, yes, Villani, yes.

Ms. Barker left the meeting at 4PM.

**Rules Committee:** Ms. Barker, Mr. Koski, Ms. Pattison, Ms. Villani volunteered. Nomination for Ms. Barker, Mr. Koski, Ms. Pattison, Ms. Villani as Rules Committee members was made by Ms. Nolin. Ms. Barton seconded. Roll call: Barton, yes, Koski, yes, Nolin, yes, Pattison, yes, Villani, yes.

**Rule making:** Ed700 was mentioned above in the Commissioner's Report.

**LSRs:** The Chair referred to a printed list of 10 pending LSRs and asked if the LSRs should be on the agenda. Both Ms. Nolin and Mr. Koski replied that they should remain. HEAC will maintain them as a 'watch list' for potential impact on home education.

The 2023-2024 HEAC Annual Report was presented to the State Board of Education on June 13, 2024. There were only a few questions and comments.

**Information Items:** Ms. Villani read each of the items aloud.

**Announcement:** Next HEAC meeting is scheduled for November 15, 2024. The October and April 'place holder' meeting dates would be modified in order to avoid religious holiday conflicts. All agreed to respect this policy.

**Open Board Discussions:** None

**Public Comments:** None; no public in attendance.

**Non-Public Comments:** None.

**Adjournment:** At 4:14PM Mr. Koski motioned for adjournment. Ms. Nolin seconded. Roll call: Barton, yes, Koski, yes, Nolin, yes, Pattison, yes, Villani, yes.

Minutes DN