

**Readopt with amendment Ed 501.01, eff 10-5-20 (Document # 13100), cited and to read as follows:**

PART Ed 501 PURPOSE AND DEFINITIONS

Ed 501.01 Purpose. The rules of this part implement the statutory responsibilities of the New Hampshire board of education to:

- (a) Develop and administer credential standards for educational personnel;
- (b) Develop continuing professional education requirements and prerequisites for the renewal or reinstatement of educator licenses;
- (c) Develop and administer a code of conduct for all credential holders and to inform members of the public of the code of conduct applicable to credential holders;
- (d) Specify unprofessional conduct which justifies disciplinary sanctions against credential holders;
- (e) Set forth the department's procedures and processes as it pertains to reviewing and assessing complaints, cases, and investigations; and
- (f) Provide oversight of adjudicatory proceedings required for discipline of credential holders while providing such with fair hearing practices and rights of appeal.

**Readopt with amendment Ed 501.02, eff 7-1-23 (Document #13655), and renumber as Ed 501.02 and Ed 501.03, to read as follows:**

Ed 501.02 Definitions A - H. Except where the context makes another meaning manifest, the following words shall have the meanings indicated when used in this chapter:

- (a) "Authorization" means permission for a person to serve in the role of a licensed educator prior to completing the licensure endorsement requirements for that role, or for a temporary period of time established by the document;
- (b) "Board" means the state board of education created by RSA 21-N:10;
- (c) "Bureau" means the bureau of credentialing, division of educator support and higher education, department of education;
- (d) "Case" means ~~that~~ a complaint or report has been reviewed by the department and a ~~determination has been made~~ determination that the allegation within the complaint involves a licensed credential holder and a possible violation of the educator code of conduct and might warrant an investigation;
- (e) "Clearance" means a document issued to bus drivers and candidates enrolled in a professional educator preparation program (PEPP) which reflects that the criminal history record check was completed pursuant to RSA 189:13-b and RSA 189:13-c, and none of the violations in RSA 189:13-a, V were found;
- (f) "Certificate" means the electronic or paper form of any type of credential issued by the board;

(g) “Code of conduct” means the code of conduct for licensed or certified educational personnel as outlined in Ed 510.01-Ed 510.05 and is applicable on or off duty;

(h) “College-level course” means a course of at least 3 credit hours from an institution of higher education accredited by a regional accrediting body approved by the U.S. Department of Education;

(i) “Commissioner” means the commissioner, department of education;

(j) “Complaint” means information ~~that alleges possible educator misconduct or could involve possible educator misconduct as defined by the code of conduct~~ that has come to the attention of the department either through direct reporting or other means and alleges possible educator misconduct as defined by the educator code of conduct. Complaints are available to the public pursuant to RSA 91-A, subject to appropriate redactions to protect identifiable information. The term also includes “report”;

(k) “Credential” means any authorization, statement, or license issued by the state board including, but not limited to, beginning educator license (BEL), experienced educator license (EEL), in process of licensure authorization (IPLA), intern authorization (IA), ~~emergency authorization (EA)~~, statement of eligibility (SOE), educational interpreter and /transliterater license (EITL), paraeducator I & II license (PARA I & PARA II), school nurse I, II & III license (SN I, SN II & SN III), and master teacher license (MTL);

(l) “Credential holder” means any individual who holds a credential, as defined in Ed 501.02(kg);

(m) “Credential verification request” means a request from a credential holder to fulfill a request for verification of a New Hampshire credential;

(n) “Career and technical education principal” means the ~~administrator who directs the curriculum, instruction, and assessment activities~~ individual who serves as the administrative and instructional leader of a career and technical education school;

(o) “Curriculum administrator” means the individual, other than the superintendent, who is responsible for the oversight of the entire administrator of a school district or school administrative unit who directs the curriculum, instruction, and assessment ~~program~~ activities of a school district or school administrative unit (SAU);

(p) “Degree” means a degree from an institution accredited by a regional accrediting body approved by the U.S. Department of Education;

(q) “Denial” means the refusal to grant a credential to an applicant;

(r) “Department” means the New Hampshire department of education;

(s) “Director” means the director, division of educator support and higher education, department of education;

(t) “District administrator” means the senior educational official of a school district or ~~school administrative unit~~ SAU with 400 or fewer total school-age enrollments and with no more than 2 public schools who provides the superintendent services identified in RSA 194-C:4 and Ed 302;

(u) “Division” means the division of educator support and higher education, department of education;

(v) “Education administrator” means a person who provides building-, district-, or ~~school administrative unit~~ (SAU)-level administrative services at the pre-K, elementary, or secondary level including a superintendent, assistant superintendent, principal, assistant principal, special education administrator, curriculum administrator, career and technical education principal, and district administrator, as outlined in Ed 506;

(w) “Educational interpreter and transliterator” means a person licensed by the board who facilitates communication between individuals who are deaf or hard of hearing, or who use signed language as a primary mode of communication, and individuals who are hearing;

(x) “Educational organization” means a public school, an SAU ~~school administrative unit~~, a school district, a chartered public school, public academy, or a non-public school;

(y) “Educational specialist” means a person who provides non-instructional services, or provides specialized instructional services outside of the classroom, to students at the pre-K, elementary, or secondary level including a library media specialist, school counselor, school counseling director, school nurse, school psychologist, school social worker, and specialist in assessment of intellectual functioning;

(z) “Educator” means education administrators, educational specialists, instructional specialists, teachers, paraeducators, educational interpreter and transliterator, and school nurses;

~~(aa) “Emergency authorization” means the authorization issued by the bureau to a school district or school administrative unit to employ an educator to fill a vacancy as specified in Ed 504.04;~~

(~~aa~~b) “Endorsement” means the area specified on a credential that indicates the role for which the credential holder is authorized for employment; and

(~~ab~~e) “Experience” means full-time employment ~~in~~ as a specific educator role, or equivalent to full-time, not to include time in a role requiring a credential if the educator did not hold the required credential.

Ed 501.03 Definitions I - Z. Except where the context makes another meaning manifest, the following words shall have the meanings indicated when used in this chapter:

(a) “Instructional specialist” means a person who provides specialized instructional support to teachers and others who provide direct instruction to children at the pre-K, elementary, or secondary level, including reading and writing specialist, digital learning specialist, and elementary mathematics specialist for grades k-6;

(b) “In process of licensure authorization (IPLA)” means the authorization issued by the bureau to a school district or ~~school administrative unit~~SAU to employ a non-credentialed educator who is in the process of licensure to fill a vacancy as specified in Ed 504.05;

(c) “Intern authorization” means the authorization granted to an applicant pursuant to Ed 504.03 to perform educational services while working under a bureau approved development plan as outlined in Ed 505.06;

(d) “Investigation” means that the department has ~~credible evidence determined that to support conducting an official inquiry to determine whether there is probable cause that~~ a violation of the educator code of conduct ~~may have~~ occurred;

(e) “License” means the document issued when an applicant meets full licensure requirements;

(f) “Licensure” means the official recognition by the board that an individual has met all requirements and is approved to practice in an endorsement area(s);

(g) “Paraeducator” means a person who works under the supervision of a teacher or other appropriate licensed education professional to provide specialized or concentrated non-initial instructional support to students at the pre-, elementary, or secondary level and may be licensed by the board;

~~(h) “Principal” means the individual who serves as the administrative and instructional leader of a school;~~

~~(i) “Professional conduct” means a set of established professional norms and behaviors as defined in Ed 510.01 through Ed 510.04 which extend beyond the workplace;~~

~~(j) “Reprimand” means a note in the file of a credential holder for his or her conduct, which does not rise to the level of a suspension or revocation of a credential, which can be used in the event of a subsequent investigation;~~

~~(k) “Report” means information that alleges possible educator misconduct or could involve possible educator misconduct as defined by the code of conduct that has come to the attention of the department either through direct reporting or other means. Reports are available to the public pursuant to RSA 91-a, subject to appropriate redaction to protect identifiable information;~~

~~(l) “Revocation” means the department has permanently rescinded a credential from a credential holder or clearance holder;~~

~~(m) “School nurse” means a person licensedeertified by the board to provide health services in accordance with RSA 200:29;~~

~~(n) “Senior educational official” means the top executive in an educational organization who makes the key decisions on spending, staffing, and other education policies;~~

~~(o) “Special education administrator” means the individual who is responsible for oversight of the entire special education staff and program at the district or SAU level;~~

~~(p) “State” means any state of the U.S., the District of Columbia, the Commonwealth of Puerto Rico, a Trust Territory of the Pacific Islands, the Department of Defense Education Activity, or any territory or possession of the U.S.;~~

~~(q) “Statement of eligibility” means a credential issued by the department that indicates that an individual has successfully met the entry requirements to seek employment and begin the site-based licensing plan described in Ed 505.06;~~

(r) “Superintendent” means the individual serving in the role of executive officer of the local school district(s) within the SAU and providing superintendent services as outlined in RSA 194-C:4 and Ed 302;

(sq) “Surrender” means when a credential holder offers to voluntarily give up the possession of a credential;

(tr) “Suspension” means the department has rescinded a credential from a credential holder for a specified period of time;

(us) “Student” means an individual who is enrolled or participating in any class or program from preschool through grade 12, or any “adult student” as specified in Ed 1102.01(f), at any school or education institution except as otherwise noted in these rules; and

(vt) “Teacher” means a person who plans, provides, and assesses direct instruction to children at the pre-K, elementary, or secondary level in a content area specified in Ed 507. “Teacher” does not include paraeducator.

**Readopt with amendment Ed 510.05 eff 11-9-18 (Document #12661), cited and to read as follows:**

PART Ed 510 CODE OF CONDUCT

Ed 510.05 Duty to Report.

(a) Any credential holder shall report any suspected violation of the code of conduct following the school, school district, or SAU reporting procedures.

(b) If a principal has been notified of, or is personally aware that a credential holder might~~may~~ have violated the code of conduct, the principal shall report to the superintendent of the school district or SAU of employment.

(c) The superintendent, chief executive officer of a chartered public school or public academy, or headmaster of a nonpublic school, shall report any of the following to the department:

(1) When a superintendent has knowledge that a credential holder, as defined in Ed 501.02(~~lk~~), has been arrested and charged with an offense enumerated in RSA 189:13-a, V; and

(2) When a superintendent has knowledge that a credential holder might~~may~~ have violated the code of conduct.

(d) If a credential holder suspects that a superintendent has violated the code of conductor if a credential holder has made a report or complaint and believes the local reporting procedures have not been followed, the reporting credential holder shall notify the department directly.

(e) Credential holders who have reason to suspect that a student has been, or is being, abused or neglected, shall report the same to:

(1) The credential holder's~~His or her~~ immediate supervisor, superintendent, or both; and

(2) The department of health and human services, pursuant to RSA 169-C:29.

(f) If the department has reason to suspect that any violation of the code of conduct was known by a credential holder and not reported, the department shall undertake an investigation, as enumerated in Ed 511.01, against that credential holder as required by ~~Ed 510.05~~(a), (b), or (c) above.

(g) The department shall review the report or complaint of possible misconduct in accordance with Ed 511.01.

**Readopt with amendment Ed 511, eff 11-9-18 (Document #12661), to read as follows:**

PART Ed 511 INVESTIGATIONS AND DISCIPLINARY PROCEEDINGS

Ed 511.01 Complaints, Cases, and Investigations.

(a) All complaints which allege possible educator misconduct or could involve possible educator misconduct shall be reviewed by the department.

(b) After the complaint is reviewed, if the department determines that a possible violation of the code of conduct has occurred, the department shall open a case with an assigned number.

(c) In reviewing the case, if the department determines by preponderance of the evidence that a violation of the code of conduct has occurred, the case shall become an investigation at which point the credential holder shall be placed under investigation, with the following conditions:

(1) Credential holders who are placed under investigation shall be notified in writing, via certified mail, that an investigation has been opened, ~~and~~ the nature of the allegation, and a summation of the facts within 15 days of the initiation of the investigation;

(2) Once under investigation, a credential holder who surrenders ~~their~~~~his or her~~ credential shall be deemed to be revoked;

(3) The credential status of credential holders who are placed under investigation shall be valid, except for credential holders who are subject to immediate suspension pursuant to Ed 511.054; and

(4) A case that has not become an investigation within 90 days shall be closed.

(d) The credential holder's current superintendent shall be notified in writing by the department that an investigation has been opened, and when it is closed, unless the department determines that the notification ~~might~~~~may~~ compromise the investigation.

(e) Evaluations of complaints, cases, and investigations into allegations of educator misconduct, as defined in the code of conduct, shall not constitute a disciplinary hearing and shall not constitute a finding of misconduct against a credential holder.

(f) Investigations shall be conducted by department personnel, except if the department determines that there is a need to contract with an independent investigator or needs to conduct the investigation in cooperation with another state or federal agency.

(g) The department shall make every attempt to:

- (1) Obtain any and all documentation which might be relevant to the investigation; and
- (2) Interview all individuals who may have relevant information which pertains to the investigation including, but not limited to:

- a. Parents or guardians;
- b. Students, with permission from the parent or guardian if they are under 18;
- cb. The credential holder;
- de. Administration; and
- ee. Other educational personnel, to include uncredentialed staff.

(h) Once the investigation is complete, the following procedures shall apply:

- (1) The department may create a report which documents the results of the investigation; or
- (2) The department may adopt the factual basis of the school district’s independent investigative report or law enforcement’s investigative report to fulfill the requirement of this subsection.

(i) If the department adopts the factual basis in (h)(2) above, it shall provide a summary statement to the credential holder informing the individual that it has adopted the factual basis of the independent report, and how those facts substantiate a violation of the code of conduct.

(j) If the investigation finds that the credential holder did not violate the code of conduct, the credential holder shall be notified in writing and the investigation closed within 15 days of the termination of the investigation.

Ed 511.02 Post Investigation Procedures.

(aj) If the ~~department finds that the~~ investigation supports a finding that the credential holder violated the code of conduct, the department shall issue a written notice to the credential holder containing:

(1) A summation of the findings of the investigation, which may include incorporation of other reports as necessary; and

(2) How they support the proposed sanction, and propose a form of discipline as follows:

- (1)a. No discipline warranted;
- (2)b. Reprimand, which may include a provision allowing the reprimand to be removed from the credential holder’s file after a specified period of time;
- (3)c. Suspension;
- d. Nonrenewal; or

~~(4)~~ed. Revocation.

~~(b)~~(k) The department shall determine the sanctions to be imposed after considering the presence of aggravating or mitigating circumstances as specified in ~~(d)~~(l) and ~~(e)~~(m) below.

~~(c)~~(l) The following shall be considered aggravating circumstances:

- (1) The seriousness of the offense;
- (2) The credential holder's prior disciplinary record;
- (3) Potential risk of harm to children, public health, and safety; and
- (4) The purpose of the rule violated.

~~(d)~~(m) The following shall be considered mitigating circumstances:

- (1) Absence of a prior disciplinary record;
- (2) The credential holder's acknowledgment of wrongdoing; and
- (3) The purpose of the rule or statute violated.

~~(e)~~(n) If no disciplinary sanction is proposed, the department shall notify the credential holder in writing that there was a finding but no disciplinary sanction, and the investigation shall be closed.

~~(f)~~(o) Cases and investigations, inclusive of the department's investigatory reports, school district reports, law enforcement reports, and all other information gathered during the course of reviewing a case and an investigation shall be confidential, with the following exceptions:

- (1) The report shall be made available to the credential holder and ~~his or her~~their attorney in any adjudicatory proceedings resulting from this section; and
- (2) If the department determines it is appropriate, the department shall provide information gathered in the disciplinary investigation to the following:
  - a. Pursuant to a subpoena or warrant from a law enforcement agency when the agency is conducting a criminal investigation of the credential holder;
  - b. The state board if the matter is appealed to the state board;
  - c. A certifying agency of another jurisdiction for:
    1. Purposes of certification of the credential holder in the other jurisdiction; or
    2. An investigation of the credential holder by the other jurisdiction when:
      - (i) The credential holder was the subject of an investigation under Ed 511; or



(ii) Disciplinary action was taken against the credential holder by the board pursuant to Ed 511.

Ed 511.032 Reprimand, Suspension, or Revocation.

(a) ~~At any time, if the department determines that a~~ the credential holder ~~and the department has violated the code of conduct and the credential holder~~ may agree to ~~at the~~ proposed disciplinary finding ~~in which case or either a reprimand, suspension, or revocation,~~ no disciplinary hearing shall be held.

(b) The credential holder and the department shall reduce their agreement to a writing which sets out the terms of the discipline and the section of the code of conduct relevant to the discipline.

(c) The credential holder shall receive a copy of the agreement in (b) above, and a copy shall be placed in the credential holder's electronic credentialing file at the department once signed.

~~(b) All disciplinary findings shall be documented in writing and shall set out the terms of the discipline and the reason for the disciplinary finding.~~

~~(c) The credential holder shall receive a copy of the disciplinary finding in writing and a copy shall be placed in the credential holder's electronic credentialing file at the department once it is signed by all required parties, to include the credential holder.~~

(d) The department shall notify the credential holder's superintendent of the discipline that was imposed.

(e) Any credential holder whose credential is revoked, nonrenewed due to disciplinary reasons, or who voluntarily agrees to a revocation shall be prohibited from applying or reapplying for any other credential issued by the state board.

(f) Any suspension or revocation shall be included in the department's revoked or suspended educator list. ~~The list shall be~~ which is available on the department's website and provided to school districts.

(g) Any suspension, nonrenewal due to disciplinary reasons, or revocation shall be entered into the National Association of State Director of Teacher Education and Certification (NASDTEC).

(h) Once the suspension period has been served, the credential holder's name shall be removed from the revoked or suspended educator list, but the record of said suspension shall remain in the credential holder's electronic credentialing file at the department.

Ed 511.043 Disciplinary Hearings.

~~(a) If a credential holder does not agree with the proposed disciplinary finding as a result of an investigation in accordance with Ed 511.01, a~~ credential holder ~~may~~ shall have 15 days from the receipt of the written proposed discipline to do one of the following:

(1) Accept the proposed discipline by signing and returning to the department the proposed discipline letter; or

(2) If the credential holder does not agree with the proposed disciplinary finding, request in writing to the department an adjudicatory hearing, which shall commence pursuant to Ed 200.

(b) If after 15 days the credential holder has not completed one of the actions in (a) above, the department shall impose the proposed discipline.

(c) The credential holder may file for an appeal pursuant to Ed 213.

Ed 511.054 Status of a Credential Pending Completion of Disciplinary Proceeding.

(a) When the department receives information indicating that a credential holder has been arrested for one of the offenses enumerated in RSA 189:13-a, V, the credential holder's credential and any and all endorsements may, at the commissioner's discretion after reviewing the considerations enumerated in Ed 511.02(c)-(d), be immediately suspended pursuant to RSA 541-A:30, III.

(b) The department shall notify the credential holder and the employing school district that the credential holder's credential has been suspended pending an investigation by the department.

(c) An adjudicatory hearing shall commence within 10 working days after the suspension of the credential in accordance with RSA 541-A:30, III, unless expressly waived by the credential holder.

Ed 511.065 Grounds for Reinstatement After Suspension.

~~(a) A credential which has been suspended shall be reinstated iffor one of the following reasons:~~

~~(a1) The period of the suspension has passed and any and all terms and conditions regarding possible reinstatement have been satisfied; orand~~

~~(b2) A credential holder whose credential has been suspended demonstrates by clear and convincing evidence that the credential holderhe or she has corrected the deficiencies or conduct which led to the original suspension.~~

~~(b) Upon reinstatement, the state board may issue a credential which is limited in time, level, or scope, or subject to other terms as the state board deems necessary, to include a reinstatement fee.~~

Ed 511.076 Request for Early Reinstatement.

(a) A credential holder who seeks early reinstatement of theirhis or her teaching credential, prior to the terms of the imposed discipline, shall submit a written request to the state board for review, with consideration for such a request occurring at the next regularly scheduled meeting. The credential holder may appear in front of the state board in support of their request.

(b) Such written request shall include evidence that the credential holder has corrected the deficiencies or conduct which lead to the original disciplinary action.

(c) The state board's determination shall be subject to the appeal process for state board decisions pursuant to Ed 200final.

**Appendix I**

<b>Rule</b>	<b>Statute</b>
Ed 501	RSA 186:8, II; RSA 189:39
Ed 510.05	RSA 186:11, X(e); RSA 21-N:9, II(cc)
Ed 511	RSA 186:11, X(a); RSA 189:13-a; RSA 189:13-b; RSA 189-13-c; RSA 541-A:30, II-III

## **Report of Public Comment – FP 2023-236, Ed 501, Ed 510.05, and Ed 511 Investigations and Disciplinary Proceedings Regarding Educator Code of Conduct**

### Purpose

The purpose of this report is to summarize public comments provided in response to proposed changes to the New Hampshire Department of Education (NHED) rule Ed 501, Ed 510.05, and Ed 511, and the NHED response to these comments.

### Summary of the Public Comments Received

#### **Submitted by Barrett Christina, on behalf of the NH School Boards Association (via email):**

The NHSBA offered suggested amendments to 4 of the definitions in the proposal:

1. Amendments to “case,” which they describe as a simple rewording to make the meaning clearer;
2. Amendments to “complaint,” which include that “report” be encompassed within the definition of case and removed as its own definition. Other than this, they do not believe the changes are substantive but a “matter of preferred syntax”;
3. The removal of “report,” as indicated above; and
4. Amendments to “investigation,” which mirrors the dictionary definition and they feel clarifies what occurs during an investigation.

#### **Submitted by Megan Tuttle, on behalf of NEA New Hampshire (oral testimony and via email):**

The oral testimony was a reading of her cover letter which was submitted by email, along with line by line suggestions on the proposal, and discussed 4 higher-level points:

1. They liked that the department proposed timelines for portions of the process and suggested a few more timelines later in the process so cases do not languish in the later stages;
2. Suggestions of where additional notices would be helpful to further the goal of an accessible and fair process;
3. Suggestions to try and more clearly define the personally identifiable information in furtherance of the department’s goal of protecting the privacy of the credential holder; and
4. They do not agree with the removal of the requirement that the department produce a report with their finding from misconduct investigations to share with the subject of the investigation and suggests the incorporation of a notification called a Notification of Determination, being offered after an official determination has been made on what sanction it is recommending, and include a summary of evidence and how it supports a particular violation of the code of conduct.

### Explanation of How Public Comments Were Addressed in the Final Rule

In response to suggestion 1 from the SBA, the department used some of the proposed edits to make the definition clearer.

In response to suggestions 2 and 3 from the SBA, the department deleted the definition for “report” and added the term to the definition of “complaint,” while also making other language changes as suggested. NEA-NH also made the suggestion to delete the definition for “report,” which further persuaded the department to make this change.

In response to suggestion 4 from the SBA, the department used some of the suggested changes from the SBA, including removing the phrase “probable cause” from the definition.

In response to the suggestions in 1 from NEA-NH regarding additional timelines in the process, the department did make some of the suggested changes, which are notated below. It is important to note that some of the suggestions made by NEA-NH were no longer applicable, as they were made based on the definition of “investigation” using the phrase “probable cause.” By making the changes to the definition of “investigation” as suggested by the SBA, the department feels this addressed several of the NEA-NH’s suggestions. The changes to the language in Ed 511.01(c)(1) are based on suggestions from the NEA-NH, taking into account that written notification should include details as to why an investigation is being opened.

Additionally, the department added an additional timeline in Ed 511.04 (formerly Ed 511.03) regarding the acceptance of the proposed discipline. There were other timeline suggestions made; however, these timelines were either attributed to notices that the agency will not be moving forward with in this proposal, or they do not make sense given the scope of work they were being assigned to. Placing a 6-month timeline on the completion of an investigation, with an option to request additional time is not realistic given the amount of time it can sometimes take to gather evidence. The burden cannot all be on the agency to complete the process within a timeframe when it is dependent on the response of the other parties involved. The investigation, at this point in the process, has not been heard by anyone so asking a hearing officer for more time would not make any sense. The agency will also not be moving forward with timelines associated with providing written notice when a case is opened, as the agency is not capable of adding any additional written notices to the process given the number of cases the agency currently handles. Timelines are important, but with the investigation this puts an unfair constraint on the agency.

In response to the commentary in point 3 from NEA-NH, the department did not find it necessary to make any of the suggested changes, which included adding a definition for “identifiable information.” Given that the department must adhere to RSA 91-A regarding governmental records, the agency did not feel that this was a necessary change to make.

In response to the commentary in point 4 from the NEA-NH, many of the suggested changes would bring an undue administrative burden upon the agency, as mentioned above. The department already notifies the credential holder under Ed 511.01. While the agency will not be adding an additional Notice of Determination to the process at this time, there were several changes made on account of this suggestion, including amendments to Ed 511.01(c)(1), Ed 511.01(d), Ed 511.01(h), the addition of Ed 511.01(i), and the addition of Ed 511.02(a)(1)-(2), which includes the provisions to reprimand suggested by NEA-NH. These amendments ensure that thorough written notification is being given, and that if the department decides to adopt the independent report, the credential holder is being informed of that detail in addition to the code of conduct violation and sanctions.