

**RULEMAKING NOTICE FORM**

Notice Number 2020-58 Rule Number Ed 306.14 and Ed 306.18(a)(7)

<p>1. Agency Name &amp; Address:</p> <p><b>State Board of Education c/o Department of Education 101 Pleasant Street Concord, NH 03301</b></p>	<p>2. RSA Authority: <u>RSA 21-N:9, I</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment <u>  x  </u></p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>  x  </u></p>
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5. Short Title: **Remote Instruction: Basic Instructional Standards and School Year**

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

**Ed 306.14 on basic instructional standards is being readopted with amendment by inserting a new paragraph requiring school districts to have the capability to offer remote instruction as necessary. Ed 306.18(a)(7) on school year is being amended to allow discretion for school districts to determine how often remote instruction is used and for what reasons. The current Ed 306.18(a)(7) is an emergency rule which will expire on September 8, 2020 and will revert back to rule language as effective 3-27-14, Document #10556.**

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

**School districts, staff, students, and parents of students 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	State or Federal Statute or Federal Regulation Implemented
Ed 306.14	RSA 186:5; RSA 189:1-a; RSA 193-C:3, I(a)
Ed 306.18(a)intro and (a)(7)	RSA 189:1; RSA 189:24

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) 271-1953**

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: **August 20, 2020**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 13, 2020 at 10:00 a.m.**

Place:

**In-Person: 101 Pleasant Street, Concord, NH 03301 Room 100f**

**In order for the agency ensure compliance with social distancing recommendations due to the COVID-19 pandemic, members of the public wishing to testify on the rule in person must complete the following steps:**

**1. Email [amanda.phelps@doe.nh.gov](mailto:amanda.phelps@doe.nh.gov)**

**2. In the subject line type the following “WISHING TO TESTIFY IN PERSON ON Ed 306.14 and Ed 306.18(a)(7)”**

**3. In the body of the email type the following: Your name, the organization you may be representing, your town of residence, your phone number**

**If you have written comment in addition to oral testimony, please submit it in the email as a word or pdf attachment.**

**Telephonic: (800) 356-8278 Pin: 125563 State name and affiliation when prompted**

**Members of the public wishing to testify over the phone must complete the following steps:**

**1. Email [amanda.phelps@doe.nh.gov](mailto:amanda.phelps@doe.nh.gov)**

**2. In the subject line type the following “WISHING TO TESTIFY OVER THE PHONE ON Ed 306.14 and Ed 306.18(a)(7)”**

**3. In the body of the email type the following: Your name, the organization you may be representing, your town of residence, your phone number**

**If you have written comment in addition to oral testimony, please submit it in the email as a word or pdf attachment.**

**Written Testimony**

Members of the public wishing only to submit written testimony at any time, either prior to the hearing, or up to August 20, 2020, must complete the following steps 1 or 2:

1. (a) Email [amanda.phelps@doe.nh.gov](mailto:amanda.phelps@doe.nh.gov);  
(b) In the subject line type the following “SUBMITTING TESTIMONY ON Ed 306.14 and Ed 306.18(a)(7)”; and  
(c) In the body of the email type the following: Your name, the organization you may be representing, your town of residence, your phone number; OR
2. Submit testimony in writing via mail or fax to the contact information referenced in #7 above.

If any member of the public has any issue with access to the meeting, please email, or call Amanda Phelps at the contact information referenced in item #7 above.

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

FIS # 20:049 , dated 6/10/2020

**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 political subdivisions. The proposed rules do not create an unconstitutional, unfunded mandate because they do not represent a new, expanded, or modified program or responsibility to the school district in such a way as to necessitate additional local expenditures. The capability for remote instruction exists in some fashion in every district and can be complimented by the Virtual Learning Academy Charter School (VLACS).**