

New Hampshire  
State Board of Education  
Minutes of the November 11, 2021 Meeting

**AGENDA ITEM I. CALL TO ORDER**

The regular meeting of the State Board of Education convened at 9:05 a.m. Drew Cline presided as Chair.

Members present: Ryan Terrell, Ann Lane, Sally Griffin (remote), Drew Cline, and Phil Nazzaro. Board member, Kate Cassady and Richard Sala were not able to attend due to prior commitments. Also in attendance were Commissioner of Education, Frank Edelblut and Deputy Commission, Christine Brennan.

**AGENDA ITEM II. PLEDGE OF ALLEGIANCE**

Drew Cline led the pledge of allegiance.

**AGENDA ITEM III. PRESENTATIONS/REPORTS**

A. Town of Carrol "Minority Report"

Attorney Dean Eggert introduced the report provided by the minority member of the Town of Carrol. The RSA gives the Board authority to approve a withdrawal plan submitted by a committee or minority report. Currently, the Town of Carrol comprises only 4.62% of the students attending the district, but they pay a larger share proportionally. The withdrawal plan talks about 59 students within the Town of Carrol. The tuition costs are half what the Town of Carrol is paying for those students.

Ann Lane asked how many families compromise the 59 students. Attorney Eggert responded, 35-40 families. Ann Lane asked if those families had been asked about the change. Attorney Eggert responded that the school sent out a survey and received middle of the road responses. The withdrawal process would occur over a two-year process, which will mitigate the impact on families. There is also an option for parents to apply and have the district pay the tuition.

Sally Griffin clarified that a vote from the Board would allow the Town of Carrol to initiate a review of the feasibility and suitability for Carrol's withdrawal. Attorney Eggert responded that it is a two-step process. The report must go before the Board for review and approval. The Board may ask for response on any area of deficiencies. The report may then be submitted to voters for an actual withdrawal vote.

MOTION: Phil Nazzaro made the motion, seconded by Ryan Terrell, that the State Board of Education, in accordance with RSA 195:25

**November 10, 2021**

VI, moves to approve the minority report submitted by the Town of Carroll and order that it be submitted to the voters of the White Mountain Regional School District in accordance with RSA 195:29 for vote at the annual or special meeting to be held no later than March 2022. Further, the State Board approves the following warrant article for submissions to the voters.

VOTE: The motion was approved without dissent by unanimous vote by the State Board of Education, with Drew Cline abstaining.

B. Public School Restraint and Seclusion Report for School Year 2020-2021 per RSA 126U

C. Bullying Report for School Year 2020-2021 per RSA 193-F:6,II

Rich Farrell, investigator for the Department of Education, reported on the restraint and seclusion, and bullying reports that were generated by public, nonpublic, and charter schools. For the second year in a row, the Department had 100% compliance with public schools, charter schools, and all nonpublic schools.

Three documents were provided to the Board. The first was public school restraint and seclusion cases. There was a significant decrease in injuries. There were only three reported injuries involving public schools or public charter schools. Two of the three were staff members injured by a student and one was an injury to a student whose fingers were pinched in a door. Many schools were not in session, which was a factor in the decrease in restraints and seclusions. The bullying report is reviewed by the Department to ensure schools comply with the statute and to follow up on what the school did in response to the bullying. The numbers have gone down dramatically, but cyber bullying increased because students were home.

The last document was the nonpublic school restraint and seclusion reports. There were only staff member injuries in the nonpublic schools. The number of restraints and seclusions decreased. Many of these schools did not close.

Ryan Terrell asked how cyber bullying is reported when it happens outside of the school. Rich Farrell responded that the victim's family reports the incident to the school. Ryan Terrell asked if the process is the same as bullying in school. Rich Farrell responded that bullying in school is a combination of victim reporting and teacher reporting. Most school districts have bullying policies that comply with the statute. Districts want parents and/or students to report bullying formally to initiate the process. Ryan Terrell asked if the decrease of bullying in schools is proportionate to the increase in cyber bullying. Rich Farrell responded that the data shows it to be true.

Ryan Terrell asked about the lowest level of seclusion and restraint. Rich Farrell responded that school districts have an inflated report in comparison to the statute definition. Many school districts report a time out room as seclusion even though that does not meet statute criteria. The definition by statute is the student has to be alone, in a space that is defined by statute and approved, and the student has to be monitored. The same is true for reported restraint.

Sally Griffin asked how the data is used. Rich Farrell responded that if a child is repeatedly involved in seclusion or restraint, the Department is required to review the records of that student once a year. The districts use the data internally to change programming, retrain staff members, and to review best practices. Sally Griffin asked about the program Choose Love. Rich Farrell responded that he does not have information on that program. Chair Cline agreed that it would be interesting to look at districts that implemented the Choose Love program and track the effect on bullying.

Ann Lane asked about actions being taken by districts to be proactive in the future. Rich Farrell responded that so far, everything has been reactive rather than proactive concerning reintegrating students into schools.

#### **AGENDA ITEM IV. PUBLIC HEARINGS**

##### **A. Education Freedom Accounts (EFA) Program (Ed 800)**

The session remained open from 10:00 a.m. to 11:00 a.m. with the following public comment.

Jim O'Connell, school board member from Manchester, spoke on his own behalf. He was not a fan of the freedom accounts and previously spoke during the legislative process. His concern was the way in which the program is implemented and rules governing the program. He was hoping that rules would ensure the program is going to the purpose for which it was intended. He worries about abuse of the system and using the funds for improper purposes. Chair Cline offered the opportunity to provide specific rule comments in writing.

Brian Hawkins, representing NEA New Hampshire, discussed rules made regarding qualifying expenses. He felt the proposal should put more limits on what the scholarship organization is authorized to do. A lot of authority is being given in statute to a third-party organization, specifically in RSA 194F-2:20. He asked for clarification in the rules around differentiated aide. Income based aide should be continually verified. Rules around background checks lacks clarification around no stipulation that a negative background check will result in a bar from participation.

Kate Baker Demers, Children's Scholarship Fund, stated that New Hampshire children and families in need are grateful and relieved that the

legislature implemented this program as well as the speed in which the program is being implemented. The rules provide rigorous guidance in implementing the program. Chair Cline asked for a copy of the binders created based upon the rules. Kate Baker Demers responded that the binder includes the statistic to-date of who is in the program and their demographics. Fifty-four percent of the students received free and reduced lunch, which is well under the income limits set by the legislature.

Jerry Zelin, attorney on behalf of New Hampshire Association of Special Education Administrators, sent a letter focused on two elements of the proposed rules. One is the proposed rule that bypasses the special education process and allows a medical provider to diagnose that the student has a disability and increase the child's voucher as if the child qualified for special education, when the certification required by that medical provider omits many elements of the special education eligibility standard. Chair Cline asked for written suggestions that would also include students who are not currently enrolled in a public school and need that determination made. Jerry Zelin responded that the special education laws include a child find process that requires school districts to identify, evaluate, and find eligible any child in its jurisdiction regardless of whether the child is attending the public school. The second concern was the provision that says if the voucher goes to a child who is attending a public school as a tuition student, that child retains the right to free appropriate public education (FAPE). That contradicts the EFA statute that says any child in the EFA program is treated as a child attending a private school and thereby forfeits the right to a FAPE while in the EFA program. Chair Cline responded that they are looking into that.

Lisa Beaudoin, chair of NH State Advisory Committee on the Education of Children/Student with Disabilities (SAC), presented abbreviated comments. SAC members include special educators, administrators, members of the general court, and representatives of key state agencies involved with children with disabilities. The SAC committee members have concerns with the proposed rules that the EFA application can be verified as complete only after it is signed by the parent and by a student if the student is in secondary education. They raised concerns about requiring the signature of a minor child, including students with disabilities who may be unable to provide informed consent. The second concern raised was around students who are considered students with disabilities for purposes of eligibility and what constitutes a qualified licensed medical professional to provide determination. They emphasized that the two sets of standards on which students have disabilities, there is Child Find and an eligibility determination that includes a doctor but is not limited to that. This may represent an equity issue.

Bonnie Dunham, parent, shared that requiring the signature of a minor should be removed from the rule. She suggested adding that an education service provider shall only be approved if they have provided written assurance that they comply with all federal and state civil rights laws including those to which they would otherwise be exempt. She brought up a concern about a definition of child

with disabilities in two different ways. In Ed 804.01c, they reference the Individuals with Disabilities Education Act (IDEA) definition of a child with disability, but New Hampshire also breaks it down more to include children with developmental delay and brain injury. She suggested referencing RSA 186c. She echoed the concern over the allowance of any medical professional to determine eligibility of special education. She raised a concern that there is no criteria for qualified curriculum materials.

A. School Year and Distance Education(Ed 306.18 and Ed 306.22)

The session remained open from 11:00 a.m. to 11:30 a.m. with the following public comment.

Katie Kinnane, parent, asked about a complaint she made previously regarding distance education. She stated her student was not given equal access to education. She saw her children experience a steep decline during distance learning. She stated the new rules would alter how districts provide continuity of education in emergencies in a way that will be detrimental to students. She stated that it would disregard disability rights. Chair Cline apologized that she did not receive the written response to her complaint and will ensure she does.

Janet Ward stated that some of her emailed comments were bounced back. Chair Cline responded that he would ensure all members receive her email and that the emails on the website should be correct. Janet Ward disagrees with revoking accreditation from schools, which review dependable data and recommendations of scientifically and medically informed authorities and comes to a decision that protects the health and well-being of its students.

Bonnie Dunham, parent, stated that she has a child that is medically vulnerable. Although she values inclusive education, there were times when in school instruction would not have been possible or safe. Her other child would not have qualified for distance learning under the current rules and may have brought home an illness that would have been life threatening for her brother. She asked that the proposed rule be added Ed 306.22d(i) that state if a parent makes a request for distance education that it be provided because the child's participation in in-person learning would pose a risk to the health or safety of the child, the parent, or other members of a household. She provided written comments to the Board.

Lisa Witte, Superintendent of Schools Monadnock Regional School District, submitted a written comment on behalf of their school board. The Monadnock school board voted unanimously to notify State Board of Education of opposition to proposed revisions to Ed 306.22. She stated the district is responsible for deciding the best interest of its community, which could include a shift to distance learning in response to COVID-19. Opposition to the rule does not suggest a desire to rely on distance learning for extended periods, but they want to ensure

the district can continue to make decisions that prioritize the health and safety of the community. The existing language of Ed 306.22 provides flexibility for districts. The Monadnock Regional School District requests the proposed revisions be rejected and current rule stay in effect. Chair Cline stated that the proposed rule does not prevent a school from closing for COVID. Lisa Witte stated it would require someone to be available for in person learning upon parent request. Chair Cline clarified that the school can be closed, but the day will be added to the end of the school year. Lisa Witte clarified that the district wants to be able to offer remote learning so that the school year is not interrupted. Chair Cline stated the proposed rule allows parents to have a say. He asked feedback for what role the parent would have if the district closed a school as it is trying to find a balance between what the districts wants and what the parents want. Lisa Witte responded that it is not about what the district wants, it is what is in the best interest of the community. If there are a significant number of staff members out due to COVID, distance learning should be an option.

Brian Hawkins, representative of NEA New Hampshire, stated that an email was submitted. The NEA did a survey and responses were that people agreed school districts should retain the ability to conduct distance education if it is necessary due to health and safety concerns. Almost no educator in the state is eager to revert to remote instruction. They agree that remote instruction should be used sparingly and in the name of health and safety for their students. If the health and safety of students and staff require it, going to temporary distance education should be an option and the decision made at the local level. Mitigation efforts have not been supportive from the top down. The feedback received questioned the logic of allowing distance education not to count for a health issue, but for it to count in regard to inclement weather. They believe it sends the message that the health and safety of students and educators is not a priority. They urge the Board to continue to discuss this rule. Chair Cline asked from the NEA's point of view, what role parents should have in the decision-making process. Brian Hawkins responded that parental input is important, and they would rather emphasize mitigation efforts. Policies are subject to hearings, which allows for parent input.

Winfried Feneberg, Superintendent of Kearsarge Regional School District, stated that he also had difficulty getting valid email addresses for the Board. Chair Cline stated that they received emails, but they will look into the problem. Winfried Feneberg attended on behalf of the Kearsarge Regional School Board to share opposition to the proposed revisions to Ed 306.22. The school district objects to any efforts by the State Board to remove the local board's authority to provide multiple instructional options. They stand firmly behind efforts to provide education in person for all students. Its school district remained open for families who wanted in person instruction, while also allowing distance education for families who preferred that option. Revisions would limit, without benefit, the available instructional options for students in their district. They also assert the proposed changes inappropriately infringe on district rights. They ask that the current rule

remain unchanged. The district has done research have the full support of students, parents, and guardians.

Karen Rosenberg, senior staff attorney at the disability rights center in Concord, provided information on potential impact the rule would have on students with disabilities without taking a position. During the pandemic, they heard from parents whose students really needed in person instruction and got no benefit from remote instruction due to disability. Services like physical therapy and occupational therapy need to be in person to be effective. They also heard about students who did well with remote learning. Students with social anxiety made academic progress, but the remote situation did not provide them with the opportunities to make progress in their social emotional growth. They also heard that some parents are concerned about in person learning for medically vulnerable students. Families who have medically vulnerable children or family members are concerned about a hard rule that students attend in person or be pulled from public schools. The proposed change does not have a provision that would require school districts to put into place remote learning when parents require it. With students with disabilities, it is difficult to have a one size fits all solution. She encouraged the Board to consider the different ways students need their education delivered. Chair Cline clarified that the current rule does not require a remote instruction option. The proposed rule also does not require it. He clarified that she was suggesting a required remote option for families with medical needs would be beneficial. Karen Rosenberg responded that the rule offers an opportunity to request remote instruction without guidance for what should be taken into account to grant that request or a requirement that the request be granted.

Lisa Beaudoin, chair of NH State Advisory Committee on the Education of Children/Student with Disabilities (SAC), stated that members discussed the potential impact of the proposed rule on a medically vulnerable student with a disability and/or their family. They voted to request two changes to the initial proposal. They request the Board consider adding after Ed 306.22(d), if a parent makes a request for distance education to be provided because the child's participation in in-person learning would pose a risk to the health or safety of the child, the parent, or other member of the household and the parent provides documentation to support the request, in accordance with the policy developed by the school board, the local educational agency (LEA) shall provide the requested distance education. They also request an addition to Ed 306.22(a), all students shall have access to full year, full day in-person instruction as required by RSA 189.1 and RSA 189.24, distance education as defined by RSA 306.22(a) shall not satisfy the requirement for in-person instruction, please add: except for students who are receiving home instruction as a special education placement, attending the virtual learning academy chartered public school, or receiving distance education in accordance with Ed 306.22(d). She noted that most of the SAC members are parents of children with disabilities or professionals who work with people with disabilities, many members are participating in meetings remotely. The SAC did not, according to state regulations, did not meet technical

requirements for a quorum so input cannot be submitted as a formal recommendation from the SAC. They request both this and previous comments be considered.

Susan Ford, retired educator, requested that decisions be made at a local level. She is concerned that the state and the Board have not require schools to mandate masks. School districts are fighting that fight at the local level. There are increases in certain areas of the state. School districts and school boards must take their individual information to make decisions.

## **AGENDA ITEM V. COUNCIL FOR TEACHER EDUCATION (CTE)**

### **A. Saint Anselm College ~ Final Review Report for M.Ed. in Special Education**

Laura Stoneking, NHDOE, Administrator, Bureau of Educator Preparation and Higher Education, shared that the CTE and Higher Education Commission piloted a dual/joint review at Saint Anselm College to examine approval for a master's in education for a special education degree and the approval for the special education licensure program. Ken Darsney co-chaired with Dick Gustafson. The report contains two reviews in one. The first part is the specific standards for special education through the educator preparation review and the second part being the higher education commission review and recommendation. Saint Anselm was awarded approval for the Master of Education degree. The special education licensure program is pending approval.

Ann Lane asked if the motion should state MEd licensure. Laura Stoneking responded that that UNH offers two pathways. Saint Anselm's program is a Master of Education pathway.

Ryan Terrell asked about the demand for the program. Laura Wasielewski responded there is a demand from current students and prospective students who pursue special education programs elsewhere. There is also a demand from districts due to critical shortage.

Ann Lane asked how the program would be promoted to school districts in New Hampshire. Laura Wasielewski responded they would promote internally through the admissions office for current students. They are currently looking into marketing on their website and magazine. Ann Lane asked if the school reaches out to guidance departments. Laura Wasielewski responded that the admissions office and marketing department would communicate and fold in the new program with admission and marketing efforts.

MOTION: Ryan Terrell made the motion, seconded by Sally Griffin that the State Board of Education grant Saint Anselm College full approval of the following listed professional educator



preparation programs through December 31, 2024: 507.40 and 612.07, Special Education Teachers (age 5-21) M.Ed.

VOTE: The motion was approved by unanimous vote by the State Board of Education, with Chair abstaining.

A. University of New Hampshire (UNH) ~ Secondary Progress Reports for Special Education and Principal and Special Educator Administrator

Laura Stoneking reported that UNH completed a secondary progress report for three programs that were approved as conditional. UNH has been doing a lot of work to ensure its program standards meet the minimum requirements. The CTE unanimously voted to make the recommendation for full approval for School Principal, Special Education Administrator, and Special Education Teacher.

Ann Lane asked expected enrollment in these certification enrollment programs. Professor Connelly responded that in general special education certification only, enrollment is about 7-8 per year. Kathryn McCurdy added that in the principal and special education administrator, enrollment is lower, but there is yearly interest. Ann Lane asked if students are coming from New Hampshire or out of state. Professor Connelly responded that in special education administrator, students are almost exclusively from New Hampshire. In general special education, enrollment is about 2/3 New Hampshire, 1/3 out of state, usually Massachusetts.

Ryan Terrell asked if students have a general interest in education first or they come in with the purpose of special education. Professor Connelly responded mostly students enter with interest in special education. Some students will come in for elementary or secondary and pursue dual certification in special education. Ryan Terrell asked what the goal for enrollment would be. Professor Connelly responded that a new staff member would be hired in the spring, which will extend the capacity.

MOTION: Ann Lane made the motion, seconded by Ryan Terrell, that the State Board of Education, grant the listed 3 UNH educator preparation programs full approval for 507.40, 612.07 Special Education Teacher (age 5-21) M.Ed.; 506.06, 614.04, Principal Instructional Leader Ed.S. Licensure; and 606.07, 614.15 Special Education Administrator Licensure through August 30, 2027.

VOTE: The motion was approved by unanimous vote by the State Board of Education, with the Chair abstaining.

**AGENDA ITEM VI. BUREAU OF EDUCATIONAL OPPORTUNITIES****A. Office of Charter Schools****1. Lionheart Classical Academy Chartered Public School – Charter Approval**

Tal Bayer represented Lionheart Classical Academy Public Charter School in place of Jane Waterhouse. Barry Tanner, representative of the applicant and sponsor organization, reported that the application was submitted to the Department. The potential leadership of the school accompanied Mr. Tanner. Mr. Tanner provided the Board with updates. He thanked Jane Waterhouse for being a resource and for providing guidance.

Mr. Tanner shared key accomplishments. They have raised over \$400,000. They also have multiyear pledges. This is without formal fundraising. They found a facility with a signed 15-year lease to rent 26,000 square feet of the building. The lease allows expansion in the building with the caveat of being able to take on the balance of the building

Drew Cline asked if there is an option in the lease not to expand if enrollment does not meet projections. Mr. Tanner responded that additional space does not have to be taken if not needed.

Ann Lane asked if there is an option to purchase the building. Mr. Tanner responded that option was not built into the lease, but they have discussed it with the property owner. Ann Lane asked if the budget includes fundraising. Mr. Tanner responded that they have strong support financially and there are long-term donors with multiyear commitments already in writing. Ann Lane suggested not including fundraising in the budget and have it as a separate line item. Ann Lane asked if someone on the school's board has business expertise. Barry Tanner responded that the board has a variety of business experience, including himself who has been the CEO of a major corporation for over 25 years and is a CPA.

Phil Nazzaro mentioned differentiation between fundraising and development in a nonprofit. The school's approach is a clear development approach. He asked about enrollment and demand in the community. Mr. Tanner responded that they surveyed 9-11 area towns. The enrollment number is a conservative number based on the survey. There have already been phone calls expressing interest in the charter based on informational meetings and word of mouth. Phil Nazzaro asked if enrollment does not meet projections, would the school be able to continue financially. Barry Tanner responded that they built into the plan to be able to continue with low enrollment year 1.

Sally Griffin asked about collaboration with Hillsdale College. Mr. Tanner responded that they are a licensee of their K-12 curriculum. They will not be involved in governance, funding, or have any influence over the school other than providing the curriculum.

Ryan Terrell asked about language of the goal statement including cultural literacy and what that will look like in practice. A school administrator responded that the program guide uses Core Knowledge founded by E. D. Hirsch. It is very content rich in every grade and focuses on the subjects of history, literature, science, math, art, and music. It provides background knowledge. Ryan Terrell mentioned theories of cultural literacy being related to social advancement or class advancement and asked how that looks for students who are not from America. A school administrator responded that because the approach is so content rich, students are learning the knowledge and the information that will help them be literate and be able to function effectively. This process is effective for all students, but especially with students who are not native to America and do not already have that exposure.

Drew Cline asked about the health services line that is a part time nurse with a low salary and whether they will be able to fill that position. Mr. Tanner responded that they want to have a school nurse and they hope to find someone who is already working part time and are looking to supplement his/her time. They also have some room in the budget, if needed. Drew Cline asked about the detailed hair cut policy and how they will enforce it. The school administrator responded that it is difficult to enforce and they will need parent involvement with their guidelines on presentation. The handbook is still a draft and there may be more flexibility. The spirit is that the hair should be neat and out of the student's face. Drew Cline suggested using that language rather than specific lengths. Drew Cline asked who pays for tutors if students fall behind. The school administrator responded there are different ways to address that. It may be a teacher working with a student after school, an older student working with a younger child; families may be willing to hire a private tutor.

**MOTION:** Ann Lane made the motion, seconded by Phil Nazzaro, that the State Board of Education approves the Lionheart Classical Academy Public Chartered School application. The school may now move forward with its approved plan to open a New Hampshire chartered public school.

**VOTE:** The motion was approved by unanimous vote by the State Board of Education, with the Chair abstaining.

## 2. Cocheco Academy for the Arts Chartered Public School - Renewal

Tim, a member of the evaluation team, introduced Michael McMahon and Brenda McCartney from Cocheco Board of Trustees. Dave Akridge, board member, joined remotely.

Nate Greene shared that renewal reports were submitted to the State Board. There have also been discussions between Cocheco and the Department recently concerning operating issues. Michael McMahon stated that since the beginning of the school year, there has been a considerable decline in student population. They have concluded that after the renewal, they are unlikely to be viable. Funding during COVID has allowed them to survive, which will be ending. The lease is up at the end of the school year. They are looking for something else, but the low enrollment has caused them to reconsider. They do not believe they can survive past the current school year to pay for a new lease, hire staff, etc. Some students have opted for remote learning or homeschooling. Some seniors have opted to get a GED. They want to continue to the end of the year and assist in providing students a smooth transition.

Chair Cline asked if they are asking to extend the charter through the end of next year to teach out kids and then shut the school down. Michael McMahon responded that seems like the best option. Ryan Terrell asked about the period of time the school saw the largest loss of students. Brenda McCartney responded that the most dramatic was between September and October. Ryan Terrell asked about reasons given for students leaving. Brenda McCartney responded that one student moved, one student no longer liked the program, one student left after a friends left, two seniors decided to go for a GED, and some decided they preferred to homeschool.

Commissioner Edelblut asked if it is possible that the demand for an art school is no longer viable in that community and how extended remote learning had an effect. Michael McMahon responded that remote learning had an effect on all students. They saw some students who had minimal participation during remote learning. They did not return afterwards. Another issue is for a school with 45 students; even five is a high percentage loss. He believes the need for art schools is still there, but the location was not contemplated as a school building. A different space may be more attractive.

The commissioner asked if this is a leading indicator that is happening in other schools. Nate Greene responded that it is possible. Cocheco is a small school, so any decrease has a large effect. In larger schools, there is an ability to absorb the impact of these factors.

Chair Cline asked when the charter expires. Brenda McCartney responded it expires January 12, 2021. Nate Greene shared that Cocheco has been a school for 16 years, which placed it on an odd schedule. Chair Cline asked about peak

enrollment. Brenda McCartney responded that peak enrollment was 2012 at 84 students. Present enrollment is below opening enrollment when the school opened. Chair Cline asked about communications and a marketing recruitment plan for students. Brenda McCartney responded that it has varied. It was more robust pre-COVID. They would have groups go out to talk to kids. They have contacted guidance counselors of districts that do not have a high school. They have also attended events for general community outreach. They also used targeted Facebook advertising and Google marketing. They tried bringing in a staff member to boost outreach. It worked for a while and in looking for a new building, outreach initiatives fell.

Chair Cline shared that he was looking for the statute to determine options during a renewal. The language states shall be a five-year renewal. He asked Cocheco to come to the meeting on December 9 to allow time to find options for extending the charter. Brenda McCartney shared that they held a parent meeting to inform them that they had a meeting with the State Board and would be providing them with a plan.

MOTION: Ann Lane made the motion, seconded by Ryan Terrell, that the State Board of Education table the discussion.

VOTE: The motion was approved by unanimous vote by the State Board of Education.

## B. Learn Everywhere

### 1. Izzit.org - Civics Fundamentals

Dean Graziano shared the addition of Section 189.11, United States and New Hampshire civics instruction. At a previous meeting, one piece shared was a civics engagement for youth going beyond teaching to participation. The syllabus, in week 9, states the student will get a reminder and sample letter. The students will have to engage through a local or state issue. The goal is to have students participate. One requirement is to address the letter, send it out in the hope that students will receive a response. The program meets a rigorous set of competencies to complete the program.

Chair Cline reminded that schools in New Hampshire only have to offer a half credit of civics, so this class would substitute that credit and students would not have to take any other civics course.

MOTION: Ann Lane made the motion, seconded by Phil Nazzaro, that the State Board of Education approve the Izzit.org Civic Fundamentals as a Learn Everywhere program.

VOTE: The motion was approved by unanimous vote by the State Board of Education.

### **AGENDA ITEM VII. PROFESSIONAL STANDARDS BOARD (PSB)**

Steve Appleby, NHDOE, Director, Division of Educator Support and Higher Education, shared that there are a handful of PSB seats that are open, predominantly the teacher positions. There are three applicants.

#### **A. Christine O'Hara**

Chair Cline introduced Christine O'Hara, Dean of Bedford High School. He felt the application was very strong. His one concern was that her current superintendent is not on the list. He would like to clarify that decision with her.

MOTION: Ryan Terrell made the motion, seconded by Ann Lane, that the State Board of Education table this applicant to get more information on her references.

VOTE: The motion was approved by unanimous vote by the State Board of Education.

#### **B. Donna Couture**

Chair Cline shared that Donna Couture had a strong application. Phil Nazzaro agreed.

MOTION: Phil Nazzaro made the motion, seconded by Ryan Terrell, that the State Board of Education appoint Donna Couture to the Professional Standards Board for a term to end 2024.

VOTE: The motion was approved by unanimous vote by the State Board of Education.

#### **C. Jo-Ann Belanger**

Chair Cline shared that Jo-Ann Belanger's application did not feel as strong as other applications. Ryan Terrell agreed. Ann Lane shared that her motivation for joining seemed limited. Chair Cline stated that she did not have any explanation for what she would do outside of the world language effort, which rarely comes up. Phil Nazzaro shared that there is currently no one on the PSB with world language experience. He suggested getting more information on her broader desire to join the board. Chair Cline stated applicants have the opportunity to describe their desire and hers seemed lacking. Ann Lane shared that she relies on the PSB to inform her and would like to be thoughtful about who is placed in those positions.

Phil Nazzaro asked if there are typically many applications for PSB. Steve Appleby responded that typically there are more applications than spots. However, since the pandemic that has changed.

**MOTION:** Ryan Terrell made the motion, seconded by Ann Lane, that the State Board of Education deny Jo-Ann Belanger's request to be part of the Professional Standards Board.

**VOTE:** The State Board of Education approved the motion with a 3-1 vote.

The Board asked Steve Appleby to share with Jo-Ann Belanger the reason why her application was denied.

### **AGENDA ITEM VIII. LEGISLATIVE UPDATES**

#### **A. Conditional Approval Response ~ Criminal History Record Check Clearance Credential – School Bus Drivers and Transportation Monitors (Ed 504.12 et all)**

JLCAR gave a conditional approval response for criminal history record check, clearance credentials, school bus drivers and transportation monitors. There were technical changes made to align with other rule and statute. There were no comments.

**MOTION:** Ann Lane made the motion seconded by Phil Nazzaro, that the State Board of Education to approve the conditional approval response for criminal record check, clearance credentials, school bus drivers and transportation monitors.

**VOTE:** The motion was approved by unanimous vote by the State Board of Education, with the Chair abstaining.

#### **B. Initial Proposal ~ Learn Everywhere Program (Ed 1400)**

Commissioner Edelblut shared there are a number of Learn Everywhere websites that provide a list of approved programs. They are now going through a process of making changes for better function of the program. There are minor technical changes. Nate Greene stated that it is ensuring the rules match the process.

Chair Cline noted change on Page 2, adding a requirement that applications contain a detailed description of course instruction, number of credits the program will fulfill, and description of competency based grading system. These changes will improve the application process to require more detail.

MOTION: Ann Lane made the motion, seconded by Ryan Terrell, that the State Board of Education approve the initial proposal for Ed 1400 Learn Everywhere Program.

VOTE: The motion was approved by unanimous vote by the State Board of Education, with the Chair abstaining.

C. Initial Proposal ~ Criminal History Record Checks for First-Time New Hampshire Applicants (Ed 504.12, Ed 505.07, Ed 505.08, and Ed 512.01, and Ed 604.09)

MOTION: Ann Lane made the motion, seconded by Ryan Terrell, that the State Board of Education approve the initial proposal for Ed 504.12, Ed 505.07, Ed 505.08, and Ed 512.01, and Ed 604.09 regarding Criminal History Record Checks for First-Time New Hampshire Applicants and Professional Educatory Preparation Program (PEPP) Candidates.

VOTE: The motion was approved by unanimous vote by the State Board of Education.

D. Initial Proposal - Admin Endorsements (Ed 506)

Chair Cline suggest this item be tabled. There were many changes and it would be helpful to wait until the December meeting when Amanda Phelps would be available to review the changes with the Board.

MOTION: Phil Nazzaro made the motion, seconded by Ann Lane, that the State Board of Education to table the initial proposal, administrator endorsements (Ed 506).

VOTE: The motion was approved by unanimous vote by the State Board of Education.

**AGENDA ITEM IX. COMMISSIONER UPDATES**

Commissioner Edelblut shared that he had a discussion with the US Department of Education Secretary Cardona about strategies to help students succeed.

The commissioner noted that it unlikely that the Department will be back in Londergan Hall anytime soon and are looking to find an alternate interim space.

The commissioner shared that 2,200 EFA program applications were received and 1,635 were accepted. Two hundred thirty-four (234) applications were over the eligibility criteria of 300% of the federal poverty level. Some people were eligible but decided to pursue a different program. This comprises about 1%



of New Hampshire students. The cost per student EFA student is \$4,952 vs. over \$20,000 in traditional public school system.

Chair Cline asked how many of those students are currently enrolled in public schools. Commissioner replied that of the 1,635, 280 of them came out of the public school system this year. Two hundred twenty (220) are a result of COVID last year. Two hundred four (204) left pre-COVID. He shared that they looked into the percent for virtual instruction. Forty percent of students who chose an EFA program were in person more than 40% of the time.

#### **AGENDA ITEM X. OPEN BOARD DISCUSSION**

Ryan Terrell noted a theme with the discussion over distance learning. He asked how they could clearly communicate some of the disinformation around efforts. There can be a dissonance between what is written and what is perceived. He would like to hear more from opposition about the consideration that parents are contending with a society that is not flexible to deal with school closures. It is important to remember that not every region has students who have environments that are conducive to at-home learning. Whatever the rules turn out to be, the extreme learning loss in core subjects show that for a large number of students, distance learning is not working.

Phil Nazzaro suggested that getting data on learning loss would be useful in making decisions. Commissioner Edleblut stated they would be publishing data on this topic. The Department will be looking at absolute values data as well as projected vs. actual learning curves. They also need to be careful with findings when looking at the percentage of students who participated in assessments in 2021 being down from 2019.

Chair Cline shared that learning loss is a concern. There was a national published study on US learning loss. They found that students nationally averaging 5 months behind and low-income kids were 7 months behind. In districts where there are higher income families, going remote is not as big a deal. It is difficult to find a good balance.

Ann Lane asked if in any of the studies, is there any assessment of how girls and boys have done comparatively. Commissioner shared that data shows equivalent loss.

#### **AGENDA ITEM XI. TABLED ITEMS**

A. Initial Proposal ~ School Librarian (Ed 508.06)

B. Initial Proposal ~ Criminal History Record Checks for First-Time New Hampshire Applicants (Ed 505.07, Ed 505.08, and Ed 512.01)

**AGENDA ITEM XII. CONSENT AGENDA**

A. Tuition Agreement~ Hooksett School District and Pinkerton Academy

B. Meeting Minutes of October 14, 2021, State Board Meeting

It was noted that on page 5169, the minutes have Ann Lane speaking and it should be Kate Cassady.

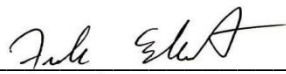
MOTION: Ann Lane made the motion, seconded by Ryan Terrell that the State Board of Education accept the consent agenda as a slate with the modifications to the meeting minutes as stated.

VOTE: The motion was approved by unanimous vote by the State Board of Education.

**AGENDA ITEM X. ADJOURNMENT**

MOTION: Ann Lane made the motion, seconded by Richard Sala to adjourn the meeting at 1:12 p.m.

VOTE: The motion was approved by unanimous vote by State Board of Education.



Secretary