

New Hampshire  
State Board of Education  
Minutes of the September 9, 2021 Meeting

**AGENDA ITEM I. CALL TO ORDER**

The regular meeting of the State Board of Education was convened at 9:00 a.m. Drew Cline presided as Chair.

Members present: Phil Nazzaro, Kate Cassady, Ryan Terrell, Ann Lane, Richard Sala and Drew Cline, Chair. Sally Griffin was not able to attend due to a prior commitment. 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. HEARINGS**

A. Students/Prospect Mountain School Board ~ SB-FY-21-06-019 (nonpublic session)

MOTION: Phil Nazzaro made the motion, seconded by Ann Lane, that the State Board of Education enter into nonpublic session under RSA 91-A:3, II(c) at 9:07 a.m.

VOTE: The motion was approved by roll call vote by State Board of Education members Phil Nazzaro, Kate Cassady, Ryan Terrell, Ann Lane, Richard Sala and Drew Cline, Chair.

MOTION: Phil Nazzaro made the motion, seconded by Ann Lane, that the State Board of Education that the State Board accepts the Hearings Office Report and Recommendation and refer the investigation back to the Department for further review.

VOTE: The motion was approved by roll call vote by State Board of Education members Phil Nazzaro, Kate Cassady, Ryan Terrell, Ann Lane, Richard Sala and Drew Cline, Chair.

MOTION: Phil Nazzaro made the motion, seconded by Ann Lane, that the State Board of Education return to public session, which reconvened at 10:03 a.m.

VOTE: The motion was approved by roll call vote by State Board of Education members Phil Nazzaro, Kate Cassady, Ryan Terrell, Ann Lane, Richard Sala and Drew Cline, Chair.

MOTION: Phil Nazzaro made the motion, seconded by Richard Sala, that the State Board of Education seal the minutes of the nonpublic session indefinitely.

VOTE: The motion was approved by roll call vote by State Board of Education members Phil Nazzaro, Kate Cassady, Ryan Terrell, Ann Lane, Richard Sala and Drew Cline, Chair.

#### **AGENDA ITEM IV. PROFESSIONAL STANDARDS BOARD APPLICANTS / RENEWALS**

##### **A. Beth McClure, Principal, Strong Foundations Charter School ~ 2ndTerm (2021-2024)**

The Board had no questions regarding this renewal.

##### **B. David Latchaw, Principal, Maude H. Trefethen Elementary School ~ 1st Term (2021-2024)**

The Board had no questions regarding this applicant.

MOTION: Ann Lane made the motion, seconded by Kate Cassady that the State Board of Education approve Beth McClure's renewal application and David Latchaw's new application to serve on the Professional Standards Board until 2024.

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

#### **AGENDA ITEM V. BUREAU OF EDUCATIONAL OPPORTUNITIES**

##### **A. Office of Charter Schools**

##### **1. Charter amendments for the following charter schools:**

##### **a. Compass Classical Academy – Expansion**

Jane Waterhouse introduced Judy Tilton, Director of Compass Classical Academy, to request an amendment to her charter to move the operations to a new facility. Ann Lane asked about the change in cost of running the operation.

Judy Tilton responded that the rent will stay about the same with the added cost of water, sewer, heat, which will increase the cost about \$5,000 a month. Ann Lane asked if the budget allows for the increase. Judy Tilton responded that it does because they added a buffer to the budget.

Ann Lane asked about the increased enrollment. Judy Tilton responded that the new building has outdoor space, onsite parking, and onsite loop for a car drop off/pick up lane. Ann Lane asked about moving date. Judy Tilton responded they will stay in the current location this school year. Ann Lane asked if the location of the future facility had any impact on the students due to distance. Judy Tilton responded it is only 4 miles from current facility.

**MOTION:** Ann Lane made the motion, seconded by Ryan Terrell that pursuant to RSA194-E:3,11, the State Board of Education authorizes Compass Classical Academy public charter school change its location from 15 Elkins Street Franklin, NH to 5 Elm Street Northfield, NH.

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

#### b. Windham Academy – Expansion

Melinda Labo, Director of Windham Academy, and Walter Cartwright, Chairman of Board, were present to represent Windham Academy. Chair Cline asked about the school's demand for services. Melinda Labo responded that they started with 96 students in modular units. They are now in a building with 306 students from 22 towns. Chair Cline asked what they attribute to the increase in demand. Walter Cartwright responded that the school is delivering and families are responding and sharing their positive experiences.

Ann Lane asked about the increase in progress through the grades. Melinda Labo responded that they added a Kindergarten class and will continue to add an additional class as this class progresses. Ann Lane asked what they will do if someone wants to enter at a higher grade level. Melinda Labo responded that those students would be added to the school's waitlist. Ann Lane asked about the cap for each grade to keep the ratio of 1:22. Walter Cartwright shared that the ratio is 1:11 in the lower grades with a teacher and para per class. Melinda Labo stated that nearby schools have much higher student numbers and that creates a challenge in providing quality instruction to every student. Ann Lane stated that there has been an increase in enrollment statewide and asked if Windham is confident in their numbers. Walter Cartwright responded that increasing enrollment creates a special issue, flexibility in the classroom, and increased financial aspect. They want to fill their full charter K-8.

**MOTION:** Ann Lane made the motion, seconded by Phil Nazzaro that pursuant to RSA 194-B:3,11, the State Board of Education authorizes Windham Academy public charter school to add 110 students to their State Board approved enrollment cap of 390, giving the school an enrollment limit of 500.

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

c. Robert Frost - Expansion

Chair Cline shared that he had discussed tabling this item and taking up next month. Jane Waterhouse shared that the school is working on what an expansion will look like. They need more direction from the Board. Robert Frost is requesting an expansion from K-8 to 9-12, which is a very different program. A lot of information is needed for this type of change. Jane Waterhouse asked what additional information the Board would like to see for this expansion. Chair Cline stated that adding a new school would be treated like a new application. This means looking at curriculum, finances, budget, hiring, organizational plan, student handbook.

Nate Greene, NHDOE, shared they need direction from the Board on what would trigger the larger scale revision versus a smaller amendment. A rule defining this would help ensure schools know what is needed before coming to the Board for approval. Chair Cline stated that adding a new grade span: elementary, middle or high school would trigger the need for a larger scale revision. Ann Lane asked about a wait list to create a need for adding a new grade span and where they are getting the money.

Kate Cassady asked about the process of writing a new rule. Chair Cline responded that they would have to initiate rulemaking and write an initial proposal. The Board suggested looking into any other possible triggers for needing the extra information.

**MOTION:** Ann Lane made the motion, seconded by Phil Nazzaro that the State Board of Education table the Robert Frost public charter school's application to amend the charter.

**VOTE:** The motion was approved 4-1 with Richard Sala opposing.

B. Learn Everywhere

1. Neil Stone's Karate Academy

Ann Lane asked what happens if students do not meet the requirements. Nate Greene stated the student would not receive credit. It is a competency-based

system. When a student demonstrates competency, they are eligible. Hopefully, students are choosing activities where they want to be engaged and progress. Chair Cline asked if students do not master the competencies, they can continue to work on it until they are able to demonstrate competency. Neil Stone responded that is how it would work, and the staff will be doing everything they can to help students be successful.

Ann Lane asked about scholarship opportunities. Neil Stone responded that they offer scholarships on a case-by-case situation. They do not receive funds for students. They have offered students free lessons when they are struggling financially.

MOTION: Ann Lane made the motion, seconded by Richard Sala that the State Board approve Neil Stone's Karate Academy learn everywhere application.

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

#### **AGENDA ITEM VI. LEGISLATIVE UPDATES**

##### **A. Initial Proposal – Education Freedom Accounts (EFA) Program (Ed 324)**

Chair Cline shared that this is the start of rulemaking process to replace the existing interim rule and a public hearing for public input would most likely occur in November. Chair Cline asked Amanda Phelps for clarification on Page 2, E, and proposed language changes to clean up wording.

MOTION: Ann Lane made the motion, seconded by Ryan Terrell that the State Board of Education approve the initial proposal for Ed 800 regarding Education Freedom Accounts Program as amended.

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

##### **B. Initial Proposal - Holocaust and Genocide Discussion (Ed 306)**

Richard Sala stated that the initial proposal starts at 8th grade and gives more depth in what students need to learn and understand with regards to genocide and the Holocaust. The proposal provides examples to understand terms like atrocities, war crimes, genocides. Nothing in the rule precludes school boards from starting genocide and Holocaust instruction earlier than the 8th grade.

Chair Cline stated that on Page 3, it states no later than 8th grade, and Page 13 says not earlier than 8th grade. Richard Sala responded that one has to do with requirements and the other refers to programming.

**MOTION:** Ryan Terrell made the motion, seconded by Phil Nazzaro that the State Board of Education approve the initial proposal for Ed 306.26, Ed 306.27, Ed 306.46, and Ed 306.49 regarding Holocaust and genocide education.

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

**C. Initial Proposal - Distance Education (Ed 306.18 and Ed 306.22)**

Chair Cline shared that remote learning rules were worked on last fall. They were vaguer than intended. The updated proposal makes clear when schools can use distance education and when they cannot. Ed 306.22 makes clear that all students shall have access to a full year, full day, in-person instruction as required in RSA 189.1 and RSA 189.24. Distance education may be offered, but only in certain, limited circumstances. Ann Lane shared that Page 2 states distance education shall not satisfy the requirements of in-person instruction, which sounds like it does not count. Chair Cline responded that the wording can be clarified. If a student participating in distance education is not making educational progress as determined by the district educational assessment, the option to participate may be rescinded. Ryan Terrell asked if anything in the rule states parents who opt for distance learning, the school must allow it through the end of the year. Chair Cline responded that there is nothing that states it must be continued which allows for district discretion.

**MOTION:** Ann Lane made the motion, seconded by Phil Nazzaro that the State Board of Education approve the initial proposal for Ed 306.18 and Ed 306.22 School Year and Distance Education.

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

**AGENDA ITEM VII. COMMISSIONER'S UPDATES**

Commissioner Edelblut discussed the teacher of the year. There were around 70 candidates, narrowed down to 26, and 6 finalists. There is a prestigious selection committee, including the First Lady.

He noted there was a summer program for educators to earn micro credentials in the area of designing, conducting and using Canvas to work with for virtual instruction. Over 1,000 educators signed up. They were paid stipends

based on module completions. 673 completed the program and it continues to be offered.

#### **AGENDA ITEM VIII. OPEN BOARD DISCUSSIONS**

There were no topics for discussion.

#### **AGENDA ITEM X. CONSENT AGENDA**

##### **A. Meeting Minutes of August 27, 2021 State Board Meeting**

Board members noted necessary changes to meeting minutes.

MOTION: Ann Lane made the motion, seconded by Phil Nazzaro that the State Board of Education approve the meeting minutes from August 27, 2021 as amended.

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

#### **AGENDA ITEM XI. NONPUBLIC SESSION**

There was no nonpublic session.

#### **AGENDA ITEM XII. ADJOURNMENT**

The October meeting will take place at North Country Charter Academy located in Littleton, NH.

MOTION: Ann Lane made the motion, seconded by Ryan Terrell to adjourn the meeting at 11:25 a.m.

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



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Secretary