



New Hampshire State Board of Education  
Department of Education  
25 Hall Street | Concord, NH 03301

## Event Center

For the public wishing to listen to the meeting, please register in advance via this link:

[Register here for the NH State Board of Education Meeting](#)

After registering, you will receive a confirmation email containing information about joining the webinar.

Thursday, April 11, 2024

### UPDATED AGENDA

- I. **CALL TO ORDER ~ 10:00 AM**
- II. **PLEDGE OF ALLEGIANCE**
- III. **RULEMAKING/LEGISLATIVE UPDATES (part I) ~ JULIE SHEA, NHED, Administrative Rules Coordinator**
  - A. **Conditional Approval Response ~ Learn Everywhere Program (Ed 1400)**
- IV. **PUBLIC COMMENT:** *Public comment may be provided in-person at the physical location published in the meeting notice. Public comment is limited to 3 minutes per person. Clarifying questions may be asked, otherwise the Board does not provide feedback during the public comment period. Written public comment may also be sent to [Angela.Adams@doe.nh.gov](mailto:Angela.Adams@doe.nh.gov). To be included in the publicly posted materials for a meeting, written public comment must arrive no later than 4:00 p.m. the day after the meeting. All public comment is provided to members of the Board and posted monthly on the State Board of Education website within 5 days of the meeting of the State Board of Education.*
- V. **SCHOOL ADMINISTRATIVE UNIT(S) SPOTLIGHT**
- VI. **PRESENTATIONS/REPORTS/UPDATES**
  - A. **Summary Presentation and Report of Educator Cohorts pertaining to the content review sections of the Ed 306 rules ~ CHRISTINE DOWNING, Educator**
- VII. **HEARINGS:** *Please note that the hearings will be conducted in nonpublic session per RSA 91-A:3, II(c) matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*
  - A. **Student/Monroe School Board – SB-FY-23-12-006 (Nonpublic Session)**
  - B. **Student/Monroe School Board – SB-FY-23-12-007 (Nonpublic Session)**
  - C. **Student/Monroe School Board – SB-FY-23-12-008 (Nonpublic Session)**
  - D. **Student/Governor Wentworth School Board – SB-FY-24-11-011 (Nonpublic Session)**
  - E. **Student/Pittsfield School District (SB-FY-24-11-013) ~ Open Enrollment (REMOVE from TABLE)**

VIII. **PUBLIC HEARINGS** ~ *It is encouraged when providing in-person oral testimony to also provide a written copy of that testimony to more accurately be reflected in the official record.*

**12:00 PM ~ Legislative Rulemaking**

A. **Emergency Authorization**  (Ed 504.04)

**12:30 PM ~ Legislative Rulemaking**

B. **Elementary Education Teacher**  (Ed 507.11)

**1:00 PM ~ Legislative Rulemaking**

C. **Minimum Standards for Public Schools**  (Ed 306.31-306.46)

**Continuation of April 3, 2024 Public Hearing:**

**Minimum Standards for Public Schools**  (Ed 306.01-306.25)

IX. **BUREAU OF EDUCATIONAL OPPORTUNITIES**

A. **Office of Charter Schools** ~ *TAL BAYER, NHED, Administrator, Office of Public Charter Schools*

1. **MicroSociety Academy Charter School ~ renewal**
2. **Spark Academy of Advanced Technologies ~ renewal**
3. **Great Bay Charter School ~ amendment**
4. **North Star Academy Chartered Public School ~ opening extension request**
5. **Coastal Waters Charter School ~ charter surrender**

B. **Office of Learn Everywhere Programs** ~ *TIM CARNEY, NHED, Administrator, Educational Pathways*

1. **Big Brothers Big Sisters of New Hampshire ~ renewal**

C. **Office of Nonpublic Schools** ~ *TIM CARNEY, NHED, Administrator, Educational Pathways*

1. **New England Association of Schools and Colleges (NEASC) ~ identify as a recognized program approval agency**

X. **RULEMAKING/LEGISLATIVE UPDATES (part II)** ~ *JULIE SHEA, NHED, Administrative Rules Coordinator*

A. **Preliminary Objection Response ~ General Application Instructions and BOC Forms (Ed 505.08)**

B. **Adopt ~ Learn Everywhere (Ed 1400)**

XI. **COMMISSIONER'S UPDATE**

XII. **OPEN BOARD DISCUSSIONS**

XIII. **CONSENT AGENDA**

A. **Meeting Minutes of March 14, 2024**

B. **Joint Legislative Performance Audit and Oversight Committee ~ Performance Audit Report ~ March 2024 ~ *Special Education Dispute Resolution Processes ~ informational only, no presentation and no action needed.***

**XIV. TABLE ITEMS**

**A. Initial Proposal ~ Visual Arts Teacher (Ed 507.09)**

**B. Student/Pittsfield School District (SB-FY-24-11-013) ~ Open Enrollment**

**XV. NONPUBLIC SESSION**

**XVI. ADJOURNMENT ~ 3:00 PM**

Frank Edelblut  
Commissioner



Christine M. Brennan  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
25 Hall Street, Suite 304  
Concord, NH 03301  
TEL. (603) 271-3495

## EXECUTIVE SUMMARY

### Conditional Approval Response, Ed 1400 Learn Everywhere

Submitted to the State Board of Education, April 11, 2024:

- A. **ACTION NEEDED**  
A vote is needed by the state board to approve the conditional approval response for Ed 1400, relative to Learn Everywhere.
- B. **RATIONALE FOR ACTION**  
The conditional approval response was approved on the consent agenda at the March 15th JLCAR meeting.
- C. **EFFECTS OF THIS ACTION**  
If the board votes to approve this conditional approval response, it will be sent over to OLS to be accepted, and the board can vote to adopt the rules later in the meeting.
- D. **POSSIBLE MOTION**  
I motion to approve the conditional approval response for Ed 1400 regarding Learn Everywhere.

STATE OF NEW HAMPSHIRE



OFFICE OF LEGISLATIVE SERVICES

STATE HOUSE  
107 NORTH MAIN STREET, ROOM 109  
CONCORD, NEW HAMPSHIRE 03301-4951

March 18, 2024

Board of Education  
c/o Department of Education  
25 Hall St.  
Concord, NH 03301

Re: Conditional Approval of Final Proposal 2023-259

Dear Board Members:

At its meeting on March 15, 2024, the Joint Legislative Committee on Administrative Rules (Committee) voted, pursuant to RSA 541-A:13, V(a), to conditionally approve Final Proposal 2023-259 of the Board of Education (Board) containing Ed 1400 regarding Learn Everywhere Program for high school graduation credit. The Committee's approval was conditioned on amending Final Proposal 2023-259 as specified in the Board's conditional approval request dated March 7, 2024.

Pursuant to RSA 541-A:13, V(a), you are required to submit a written explanation detailing how the rules have been amended in accordance with the conditional approval within 7 days of the date of the next regularly scheduled meeting of the Board, which is April 11, 2024. In this instance, the 7<sup>th</sup> day following the next regularly scheduled meeting of the Board falls on Thursday, April 18, 2024. The explanation shall include a letter and a text of the entire final proposed rule, annotated to show the amendments.

The explanation shall be reviewed by the Office of Legislative Services to determine whether the rules have been amended in accordance with the conditional approval and RSA 541-A:13, V(a). If it is determined that the rules have not been amended in accordance with the conditional approval and RSA 541-A:13, V(a), the conditional approval will be deemed a Committee vote to make a preliminary objection as of the date of the conditional approval, and you must respond to the preliminary objection as specified in RSA 541-A:13, V(c).

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FP 2023-259  
March 15, 2024  
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Please be advised that you may not adopt the rules until the Office of Legislative Services sends written confirmation that your amendments are in accordance with the conditional approval and RSA 541-A:13, V(a).

If you have any questions concerning the provisions of RSA 541-A relative to conditional approvals, objections, responses, or adoptions, please contact me at [christina.muniz@leg.state.nh.us](mailto:christina.muniz@leg.state.nh.us).

Sincerely,

A handwritten signature in black ink that reads "Christina R. Muñiz". The signature is written in a cursive style with a large, decorative flourish at the end of the name.

Christina R. Muñiz  
Sr. Committee Attorney

cc: Julie Shea, Administrative Rules Coordinator

**Readopt with amendment Ed 1400, effective 6-10-22 (Document #13393), to read as follows:**

CHAPTER Ed 1400 LEARN EVERYWHERE PROGRAM FOR HIGH SCHOOL GRADUATION CREDIT

PART Ed 1401 PURPOSE AND SCOPE

Ed 1401.01 Purpose. Part Ed 1401 through Part Ed 1407 provide rules of procedure to ensure uniform application of RSA 193-E:2-a, V(b), relative to the approval of alternative programs for granting credit leading to graduation, referred to as learn everywhere programs. The department ~~will~~ develop and implement this program in conjunction with the state board of education.

Ed 1401.02 Scope.

(a) These rules shall apply to any for-profit or non-profit entity applying to offer an educational program, consistent with these rules, that meets the minimum standards for approval to grant credit leading to graduation.

(b) These rules shall apply to students, emancipated minors, or students with disabilities in accordance with their individualized education program (IEP) as determined by the IEP team.

(c) Successful completion of approved learn everywhere programs shall result in a certificate award by the learn everywhere program redeemable for high school credit leading to graduation in the approved subject matter pursuant to Ed 306.27(v) table 306-2.

(d) These rules shall apply to all school districts, chartered public schools, public academies, or local education agencies (LEAs).

PART Ed 1402 DEFINITIONS

Ed 1402.01 Definitions.

- (a) "Administrator" means the administrator of the learn everywhere program.
- (b) "Alternative" means a choice of one or more opportunities.
- (c) "Alternative program" means a learn everywhere program as defined in Ed 1402.01(j).
- (d) "Applicant" means any for-profit or non-profit entity applying to offer an educational program consistent with these rules.
- (e) "Commissioner" means the commissioner of the department of education.
- (f) "Competency" means "state competency" as defined in Ed 1402.01(o).
- (g) "Department" means the department of education.
- (h) "Individualized education program (IEP)" means "individualized education program" as defined in 34 CFR 300.22 and which meets the requirements in Ed 1109.
- (i) "Instructor" means an individual who is employed, a volunteer, or contracted by and provides instruction in a learn everywhere program. ~~An instructor is not required to hold an educator credential.~~
- (j) "Learn everywhere program" means a state board approved alternative program for granting credit leading to graduation.
- (k) "Local education agency (LEA)" means "local education agency" as defined in 34 CFR 300.28.

(l) "Sponsor organization" means an entity that submits an application for a learn everywhere program that is approved by the state board of education.

(m) "Program" means a sequence of instruction over a period of time, which meets the state competencies of a subject or subjects listed in Ed 306.27(v) resulting in a granting of credit leading to high school graduation.

(n) "School" means a New Hampshire public school, public academy, or chartered public school that contains any of the grades 9 through 12.

(o) "State competency" means the expected content, concepts, and skills to be mastered in a course deemed equivalent to graduation competencies in accordance with Ed 306.02(jk) solely for the purpose of granting credit in the areas enumerated in Ed 306.27(v) table 306-2.

(p) "State board" means the New Hampshire state board of education.

#### PART Ed 1403 PROGRAM APPROVAL

##### Ed 1403.01 Initial Application Requirements.

(a) An applicant, as described in Ed 1401.02(a), seeking state board approval for a learn everywhere program shall submit to the department the information in (b) below in any format, ~~which may be on a template provided by the department upon request.~~

(b) The information submitted by the applicant shall include the following items:

(1) The sponsoring organization's purpose, mission statement, or both;

(2) The name and contact information of the individual responsible for oversight and administration of the program for which approval is sought;

(3) A description of demonstrated qualifications and a statement assuring that the instructors satisfy those qualifications, which shall not be construed to imply that instructors require an educator credential; and

(4) In the area of criminal records check policy, either:

a. A criminal history records check policy that provides for an annually recurring records check or a one-time records check upon employment and includes a statement affirming that the sponsoring entity shall not allow instruction or student contact by a person who has been charged pending disposition for, or convicted of, any violation or attempted violation of any of the offenses outlined in RSA 189:13-a, V; or

b. A statement that a criminal history records check policy is not included in the applicant's learn everywhere program.

(c) The applicant shall ~~agree to~~ notify the parents, in writing, regarding its criminal records check policy prior to the enrollment of a student in the learn everywhere program.

(d) The applicant's criminal records check policy shall be included with the learn everywhere program information on the department's website as described in Ed 1404.01(f).

(e) In addition to the requirements outlined in (b) above, an applicant shall also submit:

(1) In the area of instructional program:



- a. Identification of the required subject from Ed 306.27(v) for which students completing the learn everywhere program shall receive high school credit(s);
- b. An outline of each program for which approval is sought, which includes goals, competencies, a detailed description of the course of instruction, and a description of expected student outcomes;
- c. A plan for recording student progress in meeting expected student outcomes;
- d. A description of assessments of student learning outcomes, including, but not limited to:
  1. Instructor observation of project-based learning, including off-site learning projects;
  2. Competency-based or performance-based assessments;
  3. Instructor observations of student performance;
  4. Project evaluation rubrics used to evaluate program proficiencies; and
  5. Other assessment approaches as determined by the applicant's learn everywhere program;
- e. The number of credits the program will fulfill; and
- f. A description of the competency-based grading system;

(2) In the area of admission:

- a. A description of methods for admission which shall not be designed, intended, or used to discriminate or violate individual civil rights in any manner prohibited by law;
- b. A description of how the program will liaison with the LEA for students with an education plan pursuant to section 504 of the Rehabilitation Act;
- c. A description of how the program will liaison with the LEA for a student with disabilities, consistent with the student's IEP to include, but not be limited to coordinating:
  1. Required special education programs;
  2. Support services; and
  3. Least restrictive environment; and
- d. A statement that the applicant understands that it has certain responsibilities, pursuant to Section 504 of the Rehabilitation Act, if it receives federal funds, or the Americans with Disabilities Act, as amended, to provide students with disabilities with equal access and equal opportunities to participate in the learn everywhere program, including by providing the student with reasonable accommodations;

(3) In the area of facilities:

- a. A description of facilities to be used for educational instruction and a description of how the facilities will meet the priorities of the program; and
- b. A statement affirming that the facilities shall comply with all applicable federal and state health and safety laws, rules, and regulations, including, but not limited to the following:

1. Fire safety; and
2. Barrier-free access under Abfd 300, code for barrier-free design, and the Americans with Disabilities Act of 1990 (ADA), as amended by the ADA Amendments Act of 2008; and

(4) Disclosure of insurance, if any, which would cover the participants in the learn everywhere program.

Ed 1403.02 Review by Department of Application for State Board Approval.

(a) Upon receipt of an application, the department shall form a learn everywhere program application evaluation team comprised of the following members appointed by the commissioner or designee:

(1) From the department:

- a. The administrator or designee; and
- b. Department representatives with content area expertise, curriculum competency expertise, or both; and

(2) Additional members, whose availability shall not interfere with the timely review of the application, including:

- a. An extended learning opportunity representative; and
- b. No less than one and no more than 2 New Hampshire state board licensed educators licensed in the content area enumerated on the application, where at least one shall be currently teaching in that content area in a school, as defined in Ed 1402.01(n).

(b) If the proposed program is not directly related to a licensed content area, the administrator shall determine the closely related content area license.

(c) The department shall review the application submitted for state board approval within 30 business days of receiving the application to verify completeness and:

- (1) If the application is incomplete, shall notify the applicant by email of the requirements for completion; and
- (2) If the application is complete, shall notify the applicant by email that the application is received and complete.

(d) The department shall provide support to the applicant during the application process, which may include but not be limited to:

- (1) Providing example applications for guidance;
- (2) Meeting either in person or remotely to review and discuss the application; and
- (3) Offering feedback to ensure completeness of the application.

(e) The learn everywhere program evaluation team shall review the completed application for submission to the board using the following criteria:

- (1) The purpose or mission statement expresses a clear and focused purpose for the program that supports student learning;

- (2) The description of the facilities includes sufficient detail to indicate that priorities will focus on a facility that is appropriate for the activities and students to be served, and that facilities need not comply with any state or federal law specifically applicable to a school that the facility does not otherwise have to satisfy;
  - (3) The program outline being proposed aligns with the selected Ed 306.27(v) subject;
  - (4) The educational goals, competencies, and methods for assessment that will be used to measure student progress toward meeting program goals and competencies;
  - (5) An adequate description is provided for staff member qualifications;
  - (6) Verification of a criminal background check policy pursuant to Ed 1403.01(a)(4) and an assurance that it will be disclosed to parents in writing upon enrollment; and
  - (7) The program description includes how coordination with LEAs will take place to address student needs and to ensure that the program meets the requirements of Ed 1403.01(e)(2)b. and c.
- (e) Within 30 days of the notification of a completed application, the department shall notify the applicant in writing of the date and time of the meeting where the application will be discussed and voted on by the state board.
- (f) The administrator shall submit the evaluation report to the commissioner, who shall submit such report and a recommendation to the state board along with the application materials for review.

Ed 1403.03 State Board Approval.

- (a) The review of applications shall be an item on the agenda of a regularly scheduled state board meeting, not to exceed 60 days after receipt of a completed application.
- (b) The state board shall approve, conditionally approve, or deny the application and notify the applicant in writing of its decision.
- (c) The state board shall approve the application, after reviewing the application and the department's evaluation under Ed 1403.02, if it determines the application is in compliance with Ed 1403.01.
- (d) If the application is not in compliance with the standards set forth in Ed 1403.01, the application shall be conditionally approved if the state board determines that the remaining issues can be addressed in a time frame not to exceed 90 days, otherwise the application shall be denied.
- (e) If the state board conditionally approves an application, the state board shall include in the notification:
  - (1) A written explanation of the reasons for conditional approval;
  - (2) The conditions the applicant shall meet for final approval;
  - (3) Whether students are awarded completion certificates during the conditional approval period;
  - (4) The deadline for submission of the conditional approval response; and
  - (5) The consequence for failure to comply with the conditional approval requirements.
- (f) If the state board denies an application, the state board shall include in the notification:

- (1) A written explanation of the reasons for the denial;
- (2) The areas deemed deficient by the state board; and
- (3) An explanation that the applicant may reapply for approval at any time.

(g) When the state board receives a timely response to a conditional approval from an applicant, the state board shall review the response at the next regularly scheduled state board meeting for discussion and vote and shall notify the applicant in writing of either a final approval or a denial of the application.

(h) The applicant may appeal a denial or conditional approval by the state board in accordance with Ed 213.

Ed 1403.04 Renewal of an Alternative Program for High School Graduation Credit.

(a) Ninety days prior to the expiration of a program approval, pursuant to Ed 1403.03(c), an applicant seeking renewal of a learn everywhere program approval shall submit the following to the department:

- (1) A statement signed by the sponsor entity stating that there have been no changes to any of the programs or documentation required, as outlined in Ed 1403.01, since the previous application period; or
- (2) A statement signed by the sponsor entity stating there have been changes to one or more approved programs, a list of the changes, and supporting documentation as outlined in Ed 1403.01.

(b) Upon receipt of a request for renewal and a statement provided in accordance with (a)(1) above, the administrator shall provide the application and related documentation to the commissioner for a recommendation to the state board, in accordance with Ed 1403.03.

(c) Upon receipt of a renewal application and a statement provided in accordance with (a)(2) above, the department shall follow the review procedures as outlined in Ed 1403.02.

(d) The state board shall consider renewal applications following the procedures outlined in Ed 1403.03.

(e) The state board shall not issue a renewal of a 3-year approval without reviewing all student program evaluations received pursuant to Ed 1407.01 and any written monitoring reports prepared pursuant to Ed 1408.01.

Ed 1403.05 Changes to Application Information. Any changes to any of the information enumerated in Ed 1403.01 during either the 3-year approval period or any subsequent 5-year renewal periods shall be submitted in writing to the department for review and submitted to the state board following the procedures enumerated in Ed 1403.03.

PART Ed 1404 PROGRAM APPROVAL, REVOCATION, AND WITHDRAWAL

Ed 1404.01 State Board Approval.

(a) If the state board approves an initial application or a conditional approval of an initial application for a learn everywhere program, the state board shall issue a 3-year approval, which can be renewed following the procedures outlined in Ed 1403.04.

(b) If the state board approves a renewal application, the state board shall issue a 5-year approval, which may be renewed every 5 years following the procedures outlined in Ed 1403.04.

(c) If the state board conditionally approves a renewal application for a learn everywhere program, the applicant shall have no more than 180 days to satisfy the conditions of the conditional approval. The renewal applicant shall provide a response to the state board before the deadline demonstrating satisfaction of the conditions for approval.

(d) When the state board receives the conditional approval response from the renewal applicant, the state board shall review the response at the next regularly scheduled state board meeting for discussion and vote and shall notify the applicant in writing of either a 5-year program approval or the denial of the renewal application.

(e) If the renewal applicant fails to provide a response to the state board before the deadline demonstrating satisfaction of the conditions for approval, the conditional approval shall expire and the program shall terminate. The program shall not be authorized to issue completion certificates after the termination of the program approval.

(f) A list of approved learn everywhere programs and their approval status shall be maintained on the department's website.

## PART Ed 1405 REPORTING REQUIREMENTS

### PART Ed 1405 REPORTING REQUIREMENTS

Ed 1405.01 Alternative Program for High School Graduation Credit Reporting Requirements. Each approved program shall annually, in October, submit to the state board a report including, at a minimum, the following:

- (a) A brief statement explaining how the program is meeting the goals of its mission statement; and
- (b) The number of students enrolled in the program and the number of students awarded certificates leading to high school credits for the previous school year.

### PART Ed 1406 STUDENT ENROLLMENT REQUIREMENTS

#### Ed 1406.01 Responsibility of the LEA.

(a) If a child with an IEP notifies the school of his or her intent to participate in a learn everywhere program, the LEA shall:

- (1) Follow the procedures enumerated in Ed 1109.03(h) and 34 CFR 300.324 to schedule an IEP team meeting; and
  - (2) If requested by the child's parent or member of the IEP team, invite a representative from the learn everywhere program to attend the IEP team meeting.
- (b) If the IEP team decides to redraft, revise, amend, or modify the IEP, the IEP team shall:
- (1) Determine what, if any, special education, related services, supplementary aids and services, accommodations, and modifications the student needs to participate in the program; and
  - (2) Be responsible for providing the student with the special education, related services, supplementary aids and services, accommodations, and modifications the IEP team has determined the student needs pursuant to (1) above.

(c) The IEP team ~~may~~ shall decide not to redraft, revise, amend, or modify the IEP for reasons including, but not limited to:

- (1) The program would not assist the student in making progress towards one or more of the student's annual goals or appropriate measurable post-secondary goals in the student's IEP, regardless of whether the program will result in the student earning a high school credit;
  - (2) The program is not necessary for the student to receive a free appropriate public education (FAPE); or
  - (3) The program is not safe for the student, even if the student were provided with special education, related services, accommodations, and other supports and services.
- (d) If a student's parent disagrees with the determination of the IEP team regarding the student's placement in a learn everywhere program, the parent may follow the procedures outlined in Ed 1121 through Ed 1123 regarding complaints, alternative resolutions, and due process hearings.

#### PART Ed 1407 PROGRAM COMPLETION CERTIFICATES AND ISSUING CREDIT

##### Ed 1407.01 Program Completion Certificates.

- (a) Within 30 days of a student's successful completion of a program and submission of a learn everywhere program evaluation, a completion certificate shall be issued to the student.
- (b) Certificates shall be signed by the person designated in Ed 1403.01(b)(2) and the instructor(s) of the program.
- (c) Certificates shall contain course identification and credit information, including, but not limited to:
  - (1) Course title;
  - (2) Course minimum standard alignment as indicated in Ed 1403.01(e)(1)a.;
  - (3) Number of credits awarded; and
  - (4) Either:
    - a. "Mastery" to indicate completion of the program having met or substantially met all state competencies which results in a granting of credit; or
    - b. "Participate" to indicate the program was completed without having met or substantially met all state competencies.
- (d) An IEP team may conclude that participation shows growth toward one or more of a student's annual or appropriate measurable post-secondary goals.

##### Ed 1407.02 Issuing Credit for Graduation.

- (a) Notwithstanding Ed 306, schools shall accept at least 1/3, and may accept as much as 100 percent if approved by the superintendent, of the total number of credits required for high school graduation, if requested by a student pursuant to (c) below.
- (b) Schools shall grant students with valid completion certificates from approved learn everywhere programs high school credit, leading to graduation in the area enumerated on the certificate. Credits earned from learn everywhere programs shall appear on high school transcripts but shall not negatively affect the student's grade point average.
- (c) The student shall submit the completion certificate to the high school where they wish to be granted credit, or they shall not receive credit.

(d) Students applying more than the required credit leading to graduation may petition the school to allow that credit to count toward another required subject enumerated in Ed 306.27(v). If that petition is denied, the credit shall be applied to the designated credit area and the student will have accumulated excess credits in that credit area.

#### PART Ed 1408 DEPARTMENT MONITORING OF APPROVED LEARN EVERYWHERE PROGRAMS

##### Ed 1408.01 Monitoring.

(a) To determine if all standards are met as specified in the application and approval and as specified in Ed 1403.01, each approved learn everywhere program shall be reviewed and have an on-site monitoring visit conducted by the administrator as follows:

- (1) One on-site visit during the 3-year provisional approval; and
- (2) At the discretion of the department any time during any approval period.

(b) The administrator shall issue a written report of findings related to the learn everywhere program's compliance with these rules to the commissioner.

(c) The commissioner shall submit the report of findings to the state board no later than 30 days after receiving the report.

(d) If the state board determines from the report that an approved program is not being implemented as approved, the department shall initiate an investigation as outlined in Ed 1409.

#### PART Ed 1409 COMPLAINTS, REVOCATION, AND WITHDRAWAL

##### Ed 1409.01 Complaints and Investigations.

(a) Complaints shall be submitted in writing to the department identifying one or more of, but not limited to, the following circumstances which the complainant alleges:

- (1) The sponsor organization committed a material violation of any of the conditions, standards, or procedures set forth in its application;
- (2) The sponsor organization failed to disclose or violated its disclosed criminal history records check policy;
- (3) The sponsor organization made a material misrepresentation in its application;
- (4) The sponsor organization became insolvent; or
- (5) The sponsor organization violates a law and the violation undermines the purpose of the program.

(b) All complaints shall be investigated, and, upon receipt of the complaint, the department shall notify the sponsor organization within 15 days of receipt of the complaint that an investigation has been opened.

(c) After completion of an investigation, the department shall present its findings to the state board at the next regularly scheduled state board meeting.

(d) If the board determines that the sponsor organization has not met one or more of the circumstances enumerated in (a) above, the sponsor organization shall be notified in writing within 10 days of the board's finding.

Ed 1409.02 Suspension, Revocation, and Withdrawal.

(a) The department shall immediately suspend a program’s approval if the department finds that public health, safety, or welfare requires emergency action and incorporates a finding to that effect.

(b) The state board shall revoke a program’s approval prior to the expiration of its term if the state board finds any of the circumstances outlined in Ed 1409.01(a) and notify the sponsor organization in writing within 10 days of the state board’s determination.

(c) A sponsor organization may appeal the board’s decision pursuant to Ed 213.

**Appendix I**

<b>Rule</b>	<b>Statute</b>
Ed 1401-1402	RSA 193-E:2-a, V(b)
Ed 1403.01	RSA 193-E:2-a, V(b)
Ed 1403.02-Ed 1403.04	RSA 193-E:2-a, V(b); RSA 541-A:29
Ed 1404-Ed 1405	RSA 193-E:2-a, V(b)
Ed 1406	RSA 186-C:7; RSA 193-E:2-a, V(b)
Ed 1407.01	RSA 186-C:7; RSA 193-E:2-a, V(b)
Ed 1407.02	RSA 193-E:2-a, V(b)
Ed 1408	RSA 193-E:2-a, V(b)
Ed 1409	RSA 193-E:2-a, V(b); RSA 541-A:29; RSA 51-A:30-a, I



**Repeal Ed 504.04, effective 10-5-20 (Document #13100), and hold said section in reserve as follows:**

Ed 504.04 ***RESERVED. Emergency Authorization***.

~~— (a) The senior educational official shall complete and file the “Emergency Authorization Request” form, January 2020, and the emergency authorization shall be granted for up to the duration of the school year for which the request was made, after the applicant provides the information required in (b) below.~~

~~— (b) The bureau shall issue an emergency authorization requested under (a) above if a staffing emergency situation exists as determined by the senior educational official and the applicant for the educator position has:~~

~~(1) Paid the applicable application fee, provided in Ed 505;~~

~~(2) Completed and filed with the bureau the “Application for Emergency Authorization” form, January 2020, as referenced in Ed 505; and~~

~~(3) Submitted documentation of a conferred bachelor’s degree.~~

**Appendix I**

<b>Rule</b>	<b>Statute</b>
Ed 504.04 (repeal)	RSA 21-N:9, II(s); RSA 189:39-b

**Readopt with amendment Ed 507.11, effective 3-27-14 (Document #10558), to read as follows:**

Ed 507.11 Elementary Education Teacher.

(a) To be certified as an elementary education teacher for grades K-6, the candidate shall:

- (1) Have at least a bachelor's degree;
- (2) Qualify for certification under one of the alternatives in Ed 505.0~~54~~ – Ed 505.0~~75~~; and
- (3) Complete the requirements in (c) below.

(b) To be certified as an elementary education teacher for grades K-8 the candidate shall:

- (1) Have at least a bachelor's degree;
- (2) Have a content concentration in English/language arts, mathematics, social studies or general science;
- (3) Have a passing middle school content Praxis II score in the given content area listed in (2);
- (4) Qualify for certification under one of the alternatives in Ed 505.0~~54~~ – Ed 505.0~~75~~; and
- (5) Complete the requirements in (c) below.

(c) A candidate for certification as an elementary education teacher for grades K-6 or K-8 shall have the following skills, competencies and knowledge developed through a combination of academic and supervised practical experiences in the following areas:

(1) In the area of curriculum and assessment, demonstrate the ability to promote student learning in:

a. Literacy and language arts across media, genres, and content areas through knowledge and application of:

1. Five components of basic early literacy:

- (i) Phonemic awareness;
- (ii) Phonics;
- (iii) Fluency;
- (iv) Vocabulary; and
- (v) Comprehension;

2. Text complexity measures, qualitative, quantitative, ~~and~~ reader and task, and other strategies to identify and select appropriate text;

3. The writing process to compose a variety of text types and structures including informational, opinion, research, and narrative, in print and digital formats on and off-line;

4. Standard English and English language conventions to speaking and writing including:

- (i) Usage;
- (ii) Spelling;
- (iii) Grammar;
- (iv) Mechanics;
- (v) Syntax; and
- (vi) Semantics;

5. Speaking and listening skills through the use of effective communication, collaboration, and presentation skills demonstrated in diverse formats, for varied audiences and purposes;

6. Gross motor, fine motor, and graphomotor skills and their relationship to reading, writing, handwriting, and other literacy learning; and

7. Characteristics of the 3 tiers of words, every-day language, general academic words, and domain-specific words;

b. Mathematics across content areas through knowledge and application of:

1. Conceptual and procedural knowledge with:

- (i) Counting and cardinality;
- (ii) Operations and algebraic thinking;
- (iii) Number and operations;
- (iv) Measurement and data;
- (v) Geometry;
- (vi) Ratios and proportional relationships;
- (vii) Number systems;
- (viii) Expressions and equations; and
- (ix) Statistics and probability; and

2. Mathematical practices to include:

- (i) Solving to mastery;
- (ii) Abstract and quantitative reasoning;
- (iii) Constructing arguments and critiquing student reasoning;
- (iv) Modeling and strategic use of mathematical tools and manipulatives;
- (v) Attention to precision;
- (vi) Finding and making use of structure; and

(vii) Expressing regularity in repeated reasoning;

c. Social studies through knowledge and application of:

1. Basic concepts in the 5 strands of social studies:

- (i) Civics;
- (ii) Economics;
- (iii) Geography;
- (iv) NH, US, and world history; and
- (v) Contemporary issues;

2. The 10 themes of social studies:

- (i) Culture;
- (ii) Time, continuity, and change;
- (iii) People, places, and environments;
- (iv) Individual development and identity;
- (v) Individuals, groups, and institutions;
- (vi) Power, authority, and governance;
- (vii) Production, distribution, and consumption;
- (viii) Science, technology, and society;
- (ix) Global connections and civic ideals and practices; and
- (x) Their interdisciplinary nature;

d. Science through knowledge and application of:

1. Basic concepts, structure of knowledge, and history in the 4 domains of science:

- (i) Earth and space science;
- (ii) Life science;
- (iii) Physical science; and
- (iv) Engineering, technology, and applications of science; and

2. The scientific method through the use of the observation and inquiry processes; and

e. Technology and information literacy through knowledge and application of:

- 1. The ability to develop and use spreadsheets, data systems, analysis tools, and statistical measures;
- 2. Digital citizenship, ethics, and internet safety; and

3. How to use changing instructional technologies in daily instruction;

(2) In the area of communication and collaboration, demonstrate the ability to promote student learning through:

- a. Knowledge of the roles, responsibilities, and interdependency of personnel indigenous to elementary schools; and
- b. Application of technology as a tool to communicate with members of the professional community and parents; and

(3) In the area of integration across content areas, demonstrate the ability to promote student learning through knowledge and application of:

- a. Visual arts, music, theatre, dance, and media arts; and
- b. Health, wellness, and safety.

**Appendix I**

<b>Rule</b>	<b>Statute</b>
Ed 507.11	RSA 21-N:9, II(s); RSA 186:8, V

PART Ed 306 MINIMUM STANDARDS FOR PUBLIC SCHOOL APPROVAL

**Readopt with amendment Ed 306.01, effective 3-27-14 (Document #10556), to read as follows:**

Ed 306.01 Applicability. ~~In order to be an approved school,~~

~~(a) Public schools, and public academies shall meet the applicable criteria established in these standards to be an approved school.~~

~~(b) Except as provided in (c) below, a public school shall be approved as an elementary school if it contains any of the grades kindergarten through 8 and meets the rules applicable to all schools and to each elementary school.~~

~~(c) As determined by vote of the local school board, any combination of the grades 4 through 8 may be organized as a public middle school, and so approved if it meets the rules applicable to all middle schools.~~

~~(d) A public school or a public academy shall be approved as a high school if it contains any of the grades 9 through 12 and meets the rules applicable to all schools and to each high school.~~

**Adopt Ed 306.02, previously effective 7-1-05 (Document #8354), as amended effective 12-17-11 (Document #10047), and expired 7-1-13 in paragraphs (a)-(d) and expired 12-17-19 in Ed 306.02 intro. and paragraphs (e)-(h), to read as follows:**

Ed 306.02 Definitions. Except where the context makes another meaning manifest, the following words have the meanings indicated when used in this chapter:

- (a) “Academic standards” means “academic standards” as defined in RSA 193-E:2-a, VI(b);
- (b) “Achievement of competencies” means a student has demonstrated competencies at a proficient level;
- (c) “Career and technical education (CTE)” means CTE as defined in RSA 188-E:2, III;
- (d) “Competencies” means the knowledge and skills a student will be able apply as a result of a specific set of learning opportunities;
- (e) “Competency-based education” means an educational approach in which student progress is measured by the student’s ability to demonstrate proficiency in required competencies;
- (f) “Course of study” means a progression of competencies leading to credit;
- (g) “Credit” means the official record that a student has achieved competencies associated with learning opportunities;
- (h) “Curriculum” means curriculum as defined in RSA 193-E:2-a, VI(c);
- (i) “Department” means the New Hampshire department of education;
- (j) “Differentiation” means the adjustments made to learning opportunities for groups of learners based on similar learning needs;
- (k) “Educator” means administrators, educational specialists, instructional specialists, teachers, paraeducators, educational interpreter and transliterators, school nurses, and any other individuals credentialed by the state board;

(l) “Equity” means the practice of designing programming, distributing resources, and implementing policies to individuals based on their identified needs in order to adjust for nonachievement of competencies or other barriers to success. The term also includes “equitable”;

(m) “Extended learning opportunities (ELOs)” means the personalized learning process that allows for achievement of competencies through means outside of the classroom;

(n) “Individualization” means adjustments made to learning opportunities based on specific needs of individual learners;

(o) “Instruction” means the act or practice of teaching;

(p) “Instructional time” means the period of time during which instruction is offered;

(q) “Learning level” means a student’s identified readiness to receive instruction in a competency;

(r) “Learning opportunities” means educational experiences, including but not limited to online, blended, and self-guided classes, ELOs, work-based learning, and alternative learning plans that lead to achievement of competencies;

(s) “Local school board” means the local school board of a district under RSA 189:1-a;

(t) “Personalized learning” means crafting learning opportunities responsive to learner’s interests, talents, passions, and aspirations. The term also includes “personalization”;

(u) “Proficiency” means the minimum student performance required to satisfy the achievement of a competency. The term also includes “proficient”;

(v) “Rigor” means the depth with which students are expected to demonstrate, communicate, and apply knowledge and skills aligned to competencies;

(w) “State board” means the state board of education established in RSA 21-N:10; and

(x) “Work study practices” means collaboration, creativity, and applied learning, logic, and rhetoric as defined by RSA 193-E:2-a, VI(d)-(f).

**Readopt with amendment Ed 306.03, effective 3-27-14 (Document #10556), to read as follows:**

Ed 306.03 Statutory and Policy Requirements.

~~— (a) The local school board shall be responsible for obtaining an up-to-date copy of state education laws, one copy of which shall be distributed free of charge to each school administrative unit by the department, and maintaining an up-to-date copy of the rules of the board in the New Hampshire Code of Administrative Rules.~~

~~— (b) In order for a school to be an approved school under these rules, the school board shall comply with all applicable state laws and rules set forth in the publications enumerated in (a) above.~~

**Readopt with amendment Ed 306.04, effective 3-27-14 (Document #10556), as amended effective 8-9-19 (Document #12845), to read as follows:**

Ed 306.04 Policy Development.

(a) The individual(s) responsible for superintendent services or their designee shall keep students, parents, educators, and all other personnel informed about school policy. Such information shall be readily available, including on the school website.

(b#) In accordance with Ed 303.01, the local school board shall adopt and implement written policies and procedures, which shall be available on each school's website, relative to:

- (1) Absenteeism and attendance, which shall:
  - a. Include procedures for the accountability and supervision of students;
  - b. Not penalize students who miss class or a required school event because of a school scheduling conflict; and
  - c. Implement a cooperative approach that clearly explains the parents' or guardians' responsibilities for notification when a student is tardy, absent, or dismissed, as well as the school's responsibility;
- (2) Promoting school safety:
  - a. On school property;
  - b. During authorized school activities, including online and hybrid learning;
  - c. Relative to bullying, cyberbullying, and the use of social media platforms;
  - d. In managing the behavior of students;
  - e. Relative to the use of restraint and seclusion pursuant to RSA 126-U;
  - f. Relative to emergency care consistent with RSA 200:40;
  - g. By including safety instruction in all applicable programs offered by the school; and
  - h. By requiring educators to know and implement safety practices and procedures relative to their area of responsibility;
- (3) Discipline, including behavior management and intervention for students. Such policy shall:
  - a. Include provisions regarding student rights and responsibilities, rules of conduct, and penalties for misbehavior;
  - b. Include provisions regarding suspension and expulsion of pupils pursuant to RSA 193:13 and Ed 317;
  - c. Be written in age-appropriate language;
  - d. Be disseminated to parents and guardians; and
  - e. Be available in written or oral form for students, parents, and guardians for whom English is a second language, whenever necessary;
- (4) Records retention, including electronic files, requiring:
  - a. Complete and accurate records of students' attendance and scholarship be permanently kept and safely stored in a fire-resistant file, vault, or safe;
  - b. A schedule for the retention and disposition of original records and information be established in accordance with RSA 189:29-a; and



c. Access to all student records and information be controlled by written procedures designed to protect individual rights and to preserve the confidential nature of the various types of records in compliance with applicable federal and state laws;

(5) Character and citizenship, which shall;

a. Include the elements to be incorporated in courses of study or instilled by example in a caring educational environment, not limited to the following:

1. Self-discipline, self-respect, and self-control;

2. Humanity, benevolence, and truth and honesty with self and others, pursuant to Part 2, Article 83 of the New Hampshire Constitution;

3. Fairness, integrity, and justice;

4. Civility, respect, courtesy, and human worth;

5. Responsibility to oneself and others;

6. Community service; and

7. The rights and responsibilities of citizenship; and

b. Be developed in consultation with school staff, administration, parents, and other representatives of the community;

~~(6) Meeting the instructional needs of each individual student;~~

~~(67) Student hazing;~~

~~(78) Student harassment, including bullying and cyberbullying, as required by RSA 193-F:4, II;~~

~~(89) Sexual harassment, as detailed in Ed 303.01(j) and (k);~~

~~(94) Reporting of suspected abuse or neglect;~~

~~(104) Promotion of a school environment that is conducive to learning and supports strong family and community partnerships, including;~~

a. Engagement opportunities for parents and family members of students of all ages and learning levels;

b. Parent activities throughout the school year to help parents support their children's learning;

c. Curricular and learning materials made available to parents, consistent with copyright licensure of such materials;

d. Frequent communication of school performance, student progress, and learning plans, using both print and online formats;

e. Initiating community-based developmental activities that prepare students for school and promote ongoing achievement;

f. Promoting collaboration among parents, schools, and community on school improvement and student achievement projects;

g. Development of a sustained plan to harness relevant community resources, including but not limited to organizations, businesses, talented individuals, natural resources, and technology, to engage each student in achieving necessary skills and knowledge; and

h. Development of business partnerships to assist students in the successful transition to employment or further education;

~~(11)2) Remote learning~~Distance education, if the district chooses to offer distance education as provided in Ed 306.1822;

~~(13) Providing alternative means of earning credit toward a high school diploma or equivalent such as extended learning opportunities, and distance education to meet the requirements of RSA 193:1, (h) until July 1, 2015;~~

~~(12)4) Providing alternative means of demonstrating proficiencyachievement of ~~identified graduation~~competencies ~~toward resulting in~~ the awarding of a credit for a high school diploma or equivalent such as extended learning opportunities, career and technical education courses, and distance education no later than July 1, 2015 to meet the requirements of RSA 193:1, (h);~~

~~(15) How a credit can be earned, as provided in Ed 306.27(e) until July 1, 2015;~~

~~(16) How a credit used to track achievement of graduation competencies can be earned no later than July 1, 2015, as provided in Ed 306.27(e);~~

~~(17) Recommending developmentally appropriate daily physical activity and exercise;~~

~~(18) Behavior management and intervention for students;~~

~~(13)19) Homeless students;~~

~~(20) Wellness as required by Section 204 of the federal Child Nutrition and WIC 42 USC 1751;~~

~~(21) Providing immediate and adequate emergency care for students and school personnel who sustain injury or illness during school hours or during scheduled school activities;~~

~~(14)22) Supporting~~Meeting the special physical and emotional health needs of students and providing appropriate interventions;

~~(15)23) Supporting the availability and distribution of healthy foods and beverages that create a healthy environment in all schools, including standards for nutrient dense foods and beverages as identified and defined by 7 CFR Part 210.10 throughout all school buildings during the school day;~~

~~(16)24) Air quality in school buildings as required by RSA 200:48;~~

~~(17) Promoting students from one learning level to another based on achievement of competencies in alignment with RSA 193-C:3;~~

~~(18) How high school credit is awarded to students based upon demonstrated proficiency of competencies:~~

~~a. Regardless of age or enrollment status; and~~

~~b. Pursuant to the requirements enumerated in Ed 306.21;~~

~~(19) How students can graduate early, which outlines:~~

- a. The requirement of parental or guardian involvement for students under the age of 18;
- b. The approval process by the high school principal if it is determined that all state and local graduation requirements will be met; and
- c. How, upon meeting local graduation requirements, the student is awarded a high school diploma;

(20) Basic learning standards, including:

- a. Homework, including how it is accessed and assessed;
- b. Promoting students from one learning level or grade to another based on achievement of competencies;
- c. Digital literacy;
- d. How students can pursue learning opportunities, including:
  - 1. Advanced placement (AP) courses;
  - 2. Career-related credentials and certifications;
  - 3. Dual and concurrent enrollment in college courses; and
  - 4. VLACS and Learn Everywhere programs; and
- e. How students can pursue ELOs and career readiness activities, addressing:
  - 1. The administration and supervision of the program;
  - 2. How certified school personnel oversee an individual student's curriculum;
  - 3. The requirement that each ELO aligns to competencies;
  - 4. Access to ELOs by middle school students;
  - 5. How high school credit is awarded through ELOs; and
  - 6. How students can include summer activities;

(21) Exploration of career pathways in a developmentally appropriate manner; and

~~(25) Graduation competencies consistent with RSA 193-C:3 that students are expected to demonstrate for graduation in content areas as follows;~~

- ~~a. Arts education;~~
- ~~b. Digital literacy;~~
- ~~c. English;~~
- ~~d. Mathematics that encompasses algebra, mathematical modeling, statistics and probability, complex applications of measurement, applied geometry, graphical presentation and interpretation, statistics and data analysis;~~
- ~~e. Physical sciences;~~

- 
- ~~f. Biological sciences;~~
- 
- ~~g. US and NH History;~~
- 
- ~~h. US and NH government/civics;~~
- 
- ~~i. Economics, including personal finance;~~
- 
- ~~j. World history, global studies, or geography;~~
- 
- ~~k. Health education; and~~
- 
- ~~l. Physical education; and~~
- 

~~(26) Graduation competencies consistent with RSA 193-C:3 that students are expected to demonstrate for graduation no later than July 1, 2015, that encompass multiple content areas outlining the knowledge, skills and work study practices necessary for success in colleges and careers.~~

~~—(b) The policies and procedures required by (a) above shall apply to each school except that (13) (16), (25) and (26) shall not apply to elementary or middle schools.~~

~~—(c) The policy relative to absenteeism and attendance shall specify procedures for the accountability and supervision of students. The policy relative to absenteeism shall not penalize students who miss class or a required school event because of a school scheduling conflict. Districts shall implement a cooperative approach which places responsibility for notification when a student is tardy, absent, or dismissed on both the parents/guardians and the school.~~

~~—(d) The policy relative to promoting school safety shall require school administrators to implement procedures which relate to safe practices:~~

- 
- ~~(1) On school buses and on the school grounds, including playgrounds;~~
- 
- ~~(2) During authorized school activities, such as field trips;~~
- 
- ~~(3) Within the school building, including classrooms and laboratories;~~
- 
- ~~(4) Off school grounds during school sanctioned activities, including, but not limited to, work-based learning and internships;~~
- 
- ~~(5) In the use of online resources; and~~
- 
- ~~(6) In managing the behavior of children including, describing how and under what circumstances restraint shall be used pursuant to RSA 126-U.~~
- 

~~—(e) Educators shall be required to know and implement the appropriate safety practices and procedures applicable to their assigned areas of responsibility and to include safety instruction in all applicable programs offered by the school.~~

~~—(f) The policy relative to student discipline shall:~~

- 
- ~~(1) Include provisions regarding:~~
  - 
  - ~~a. Student rights and responsibilities;~~
  - 
  - ~~b. Rules of conduct; and~~

~~e. Penalties for misbehavior;~~

~~(2) Be written in age-appropriate language;~~

~~(3) Be disseminated to parents and guardians; and~~

~~(4) Be available in written or oral form for students, parents, and guardians for whom English is a second language, whenever practical.~~

~~—(g) The local school board shall review with the superintendent or chief administering officer the conditions and methods for suspension and expulsion of students developed and implemented by the superintendent or chief administering officer and the local school board in accordance with RSA 193:13. The superintendent, chief administering officer, or designee shall keep students, parents, educators, and all other school personnel informed about school rules. Such information shall be readily available.~~

~~—(h) The policy relative to records retention, including electronic files, disposition, and access shall require that complete and accurate records of students' attendance and scholarship be permanently kept and safely stored in a fire resistant file, vault, or safe. A schedule for the retention and disposition of original records and information shall be established in accordance with RSA 189:29 a. Access to all student records and information shall be controlled by written procedures designed to protect individual rights and to preserve the confidential nature of the various types of records in compliance with the federal "Family Educational Rights and Privacy Act," 20 U.S.C. § 1232g, and RSA 91-A, Access to Public Records.~~

~~—(i) The policy relative to character and citizenship development shall:~~

~~(1) Include those elements of character and citizenship to be incorporated in courses of study or instilled, by example, in a caring educational environment, including but not limited to:~~

~~a. Self-discipline, self-respect, and self-control;~~

~~b. Pursuant to Part 2, Article 83 of the New Hampshire Constitution, humanity, benevolence, and truth and honesty with self and others;~~

~~c. Fairness, integrity, and justice;~~

~~d. Respect, courtesy, and human worth;~~

~~e. Responsibility to oneself and others;~~

~~f. Community service; and~~

~~g. Pursuant to RSA 186:13, the rights and responsibilities of citizenship; and~~

~~(2) Be developed in consultation with school staff, administration, parents, and other representatives of the community.~~

~~—(j) The policy relative to meeting the instructional needs of each student shall require administrators and educators to consider students' differing talents, interests, and development when planning the educational programs specified in Ed 306.~~

~~—(k) The policy relative to partnerships among schools, families, and communities shall comply with the following standards:~~

~~(1) Schools shall strive to involve parents and family members of students of all ages and learning levels;~~

~~(2) Schools shall provide parent educational activities throughout the school year to help parents support their children's learning;~~

~~(3) Schools shall frequently communicate school performance, student progress, personalized learning strategies as adopted by the local school board and in accordance with district and graduation competencies, and academic opportunities, using both print and online formats;~~

~~(4) Schools shall work with agencies and businesses to support community-based developmental activities that prepare young children for school and promote ongoing achievement;~~

~~(5) Schools shall promote collaboration among parents, schools, and community on school improvement and student achievement projects;~~

~~(6) Schools shall strive to harness all available community resources, including but not limited to organizations, businesses, talented individuals, natural resources, and technology, to engage each student in achieving necessary skills and knowledge; and~~

~~(7) Schools shall encourage business partnerships to assist students in the successful transition to employment or further education.~~

~~(22) The policy relative to developmentally appropriate daily physical activity pursuant to Ed 310.01 shall recommend that all pupils participate in developmentally appropriate daily physical activity, exercise, or physical education as a way to minimize the health risks created by chronic inactivity, childhood obesity, and other related health problems. The developmentally appropriate daily physical activity policy shall be in addition to and shall not replace the physical education program requirement in Ed 306.41.~~

**Readopt with amendment Ed 306.05 through Ed 306.08, effective 3-27-14 (Document #10556), to read as follows:**

Ed 306.05 School Philosophy, Goals, and Objectives. The local school board shall direct each school in its district to adopt a written philosophy and a statement of goals and objectives consistent with the rules of the state board of education. Provisions shall be made for the review of the philosophy, goals, and objectives at least every 5 years.

Ed 306.06 Culture and Climate.

(a) The local school board shall adopt policies ~~adopted by the local school board shall reflect~~ that address:

(1) The acknowledgement of diversity and respect for differences, and affording all students equitable opportunities;

(2) Shared ~~ownership and~~ responsibility for the ~~success of the school~~ culture and climate among students, their families, school administration and staff, and the community;

(3) Student leadership through involvement in decision-making; and

(4) Civil, nondiscriminatory, and Respectful use of language and behavior ~~by all school members that is void of ethnic, racial, and sexual stereotypes and biases.~~

(b) The school administration and staff shall:

(1) Review ways in which equity gaps ~~in achievement~~ can be reduced, and develop and implement a plan to address academic under-performance of individual students to eliminate barriers to learning ~~can be eliminated~~; and

(2) ~~Work together to e~~Establish a fair and equitable code of discipline that is fairly and consistently implemented and which supports students' understanding of the importance of norms, rules, and expectations for behavior.

(c) The school administration shall provide professional development opportunities directed at understanding the policies and reporting requirements that support an equitable, safe, and healthy school environment.

Ed 306.07 School Facilities. The local school board shall require that the facilities operated by the school district for K-12 educational purposes are approved to operate or are conditionally approved to operate in accordance with Ed 320. :

~~(a) Require that the facilities for each school provide the following:~~

~~(1) Consistent with RSA 189:24, a clean, healthy, and safe learning environment for all areas of the school building, grounds, and school related activities;~~

~~(2) Lighting in compliance with the state building code as provided in RSA 155-A;~~

~~(3) Exhaust and outdoor air ventilation, proper temperature and humidity conditions in compliance with the state building code as provided in RSA 155-A; and~~

~~(4) Policy and procedures to comply with RSA 200:48 to minimize pollution caused by idling motor vehicles and an annual evaluation of potential causes of poor indoor air quality utilizing a checklist provided by the department; and~~

~~(b) With regard to school facilities:~~

~~(1) Customize classrooms and other school related environments to the needs of different content areas. Any lack of specialized spaces for arts, science, technology education and similar requirements shall be addressed as part of the next construction project at the school that receives school building aid under RSA 198:15-a;~~

~~(2) Provide for accessibility for students with disabilities;~~

~~(3) Demonstrate compliance with Saf C 6000 through completion of a life safety inspection by the local fire department or other authority having jurisdiction as required by RSA 153:14;~~

~~(4) Document compliance with regulations relating to school building, sanitation, sewage disposal, water supply, and other matter affecting public health through inspection by the local health officer, other authority having jurisdiction, or an individual, if no municipal officer is available who has received a master's degree in public health; and~~

~~(5) Demonstrate compliance for all furniture and electrical appliances approved by the school administration and comply with requirements of the state fire code, Saf C 6000.~~

Ed 306.08 Instructional Learning Resources.

~~(a) The local school board shall require that each school:~~

~~(a)~~ Provides a developmentally appropriate collection of instructional resources aligned to all learning levels, including online and print materials, equipment, and instructional technologies; that shall be current, comprehensive, and necessary to support the curriculum as well as the instructional-learning needs of all students~~the total school population~~;

~~(b2)~~ Provides that ~~learning~~~~instructional~~ resources are, as appropriate:

~~a. Catalogued and classified according to practices accepted by the American Library Association as specified in the Anglo-American Cataloguing Rules, Second Edition (AACR2), 2005 update as referenced in Appendix II;~~

~~(1)b.~~ Organized ~~and to make them~~ accessible to students, ~~and staff, and parents; and~~

~~(2)e.~~ Managed through circulation policies and procedures that are designed to maximize the use of the resources; ~~and~~

~~d. Utilize community resources;~~

~~(c3)~~ ~~Provides~~ Integrates the following learning opportunities across curricular areas when appropriate: instructional resources to all students and staff from designated space(s) in each school, including:

~~a. Ready access to instructional resources, including those available online or through interlibrary loan;~~

~~b. Instruction in:~~

~~(1).~~ Accessing information efficiently and effectively;

~~(2).~~ Evaluating information and sources critically and competently;

~~(3).~~ Citing sources and not plagiarizing;

~~(4).~~ Using information accurately and creatively;

~~(5).~~ Pursuing information related to personal interests;

~~(6).~~ Appreciating literature and other creative expressions of information;

~~(7).~~ Striving for excellence in information-seeking and knowledge generation;

~~(8).~~ Recognizing the importance of information to a democratic society;

~~(9).~~ Practicing ethical behavior in regard to information and information technology; ~~and~~

~~(10).~~ Participating effectively in groups to pursue and generate information; and

~~(11)e.~~ Activities to promote the development of reading, viewing, and listening skills; and

~~(d4)~~ Implements a ~~written~~ plan approved by district administration for ~~the~~ ongoing development, organization, acquisition, maintenance, replacement, and updating of instructional curriculum and learning resources necessary to support the needs of the user population and the curriculum students.

~~(b)~~ At a minimum, the plan implemented under (a)(4) above shall:

~~(1)~~ Provide an analysis and assessment of the present instructional resources based on:

~~a. The needs of the user population and the curriculum;~~

~~b. Accessibility of instructional resources to all students and staff;~~

~~c. Strengths and weaknesses of the present instructional resources; and~~

~~d. Resources available within the district, the local community, and beyond;~~



~~(2) Reflect developing instructional technologies; and~~

~~(3) Establish priorities, criteria, timelines, and procedures for the selection, acquisition, maintenance, and replacement of instructional resources which shall include but not be limited to:~~

~~a. Online materials;~~

~~b. Print materials;~~

~~c. Equipment; and~~

~~d. Instructional technologies.~~

**Repeal Ed 306.09, effective 3-27-14 (Document #10556), as follows:**

~~Ed 306.09 Custodial and Maintenance Services.~~

~~— (a) The local school board shall provide for each school such custodial services as are necessary to ensure a clean, sanitary, and safe physical plant and grounds. The school plant shall be cleaned on a daily basis when school is in session. School repairs and maintenance shall be performed on a regular basis.~~

~~— (b) All school staff, including custodians, maintenance workers, food service workers, educators, support staff, and administrators shall receive training on their roles in maintaining clean, healthy school facilities and the importance of quality indoor air; and~~

~~— (c) Schools shall minimize the use of toxic chemicals for cleaning and pest control. Staff shall not be permitted to bring cleaning products or pesticides into a school without approval from the school administration.~~

**Readopt with amendment and renumber Ed 306.10 and Ed 306.11, effective 3-27-14 (Document #10556), as Ed 306.09 and Ed 306.10 to read as follows:**

Ed 306.~~09~~<sup>10</sup> Administrative Support Services. The local school board shall ensure that ~~provide for each school staff to maintain~~ all school records are maintained in accordance with local policy, state laws and rules, and federal laws and regulations.

Ed 306.~~10~~<sup>11</sup> Food and Nutrition Services.

(a) The local school board shall:

(1) Require that each school makes a meal available during school hours to every student under its jurisdiction, in accordance with RSA 189:11-a, I-II;

(2) Provide a qualified individual(s), ~~such as, but not limited to, a school nutrition/food service director,~~ to:

~~a.~~ a. Oversee the operation of school meals; ~~to~~

~~b.~~ b. Maintain proper resources that meet state and federal regulations; ~~and~~

~~c.~~ c. Maintain state health requirements for each school site within the district; and

(3) Require that each newly ~~\_~~constructed school or renovated kitchen or cafeteria provide space for the preparation and consumption of meals in compliance with Ed 321.12(d).

(b) All food service employees shall, within their first year of employment, obtain a certificate of completion for an approved sanitation course.

~~— (c) If a school nutrition/food service director is employed, each food service director shall, whenever feasible, obtain certification or credentials from an approved program, including but not limited to School Nutrition Association (SNA) certification, within the first 5 years of employment.~~

(cd) Students shall be provided with an adequate time to consume meals in each elementary, middle, and high school in accordance with the federal Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265).

~~— (e) Students shall be provided with an adequate time to consume meals in each middle and high school in accordance with the federal Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265).~~

(df) If a waiver is granted pursuant to (a)(1) above due to inadequate space, the school district shall make provisions in the next school physical plant expansion provisions to house a food service preparation and consumption area that is in compliance with Ed 321.12(d).

~~— (g) The policy relative to distribution of healthy foods and beverages that create a healthy environment required by Ed 306.04(a)(21) shall include:~~

~~(1) Standards for nutrient dense foods and beverages for learning level needs of elementary, middle and high school as identified and defined by 7CFR Part 210.10;~~

~~(2) Portion size for nutrient dense foods and beverages in schools which support the framework for healthier food choices in all school environments;~~

~~(3) Nutrition targets for foods and beverages made available outside the federally regulated school meals program. The targets shall follow those developed by a nationally recognized research-based organization, such as but not limited to USDA, or as determined by the department to have standards equivalent to the USDA;~~

~~(4) Developmentally appropriate opportunities to learn food preparation skills that support nationally recognized research-based nutrition standards; and~~

~~(5) Annual communication information about the policy and procedure and related curricula to the school community, including, but not limited to school staff, school board, parents and students.~~

(ch) Any school ~~in (g)(3)~~ choosing a standard for foods available at school which is not consistent with the USDA standard for Child Nutrition Programs, shall request a waiver from the ~~bureau of nutrition programs and services department~~. The ~~department bureau~~ shall evaluate the alternative standards and shall grant the waiver if the alternative standards are determined to be equivalent to the nutrition standards of 7 CFR Part 210.

**Readopt with amendment and renumber Ed 306.12, effective 11-14-17 (Document #12418), as Ed 306.11 to read as follows:**

Ed 306.11 School Health Services.

(a) In accordance with federal and state law, including, but not limited to, the Family Educational Rights and Privacy Act (FERPA), Section 504 of the Rehabilitation Act of 1973, RSA 141-C, RSA 169-C, RSA 200:26-41, and RSA 326-B, the local school board shall require that each school provides qualified personnel to carry out appropriate school health-related activities.

~~(b) Each school nurse employed by a school district shall hold a current license as a registered nurse under RSA 326-B and a current school nurse certificate under Ed 504.07, Ed 504.08 or Ed 504.09.~~ Each registered nurse, licensed practical nurse, or licensed nursing assistant employed by a school district shall hold such current license under RSA 326-B.

(c) If a school nurse or licensed practical nurse is not available to a school for any reason, at least one other person who has a current first aid and cardiopulmonary resuscitation certification (CPR) certification shall be available.

**Repeal Ed 306.14, effective 8-9-19 (Document #12845), as follows:**

Ed 306.13 RESERVED

~~Ed 306.14 Basic Instructional Standards.~~

~~(a) The local school board shall require that each school has an instructional program which includes the following:~~

- ~~(1) A policy on homework, including its relationship to the grading system;~~
- ~~(2) An organized plan for recording student progress in meeting district and graduation competencies in alignment with RSA 193-C:3;~~
- ~~(3) A policy for promoting students from one learning level to another based on achievement of district competencies in alignment with RSA 193-C:3;~~
- ~~(4) Instructional materials and resources matched to the appropriate skill levels of students;~~
- ~~(5) A policy that outlines how digital literacy will be integrated in a developmentally appropriate manner across grades 1-12 instruction, and how the district or graduation competencies associated with digital literacy will be assessed either alone or in combination with other district or graduation competencies and assessments;~~
- ~~(6) A policy outlining how students will demonstrate achievement of district and graduation competencies including the awarding of credit for required subjects and open electives;~~
- ~~(7) A policy encouraging students to pursue and demonstrate advanced course work, including advanced placement courses in high school, dual enrollment in college courses; and~~
- ~~(8) A policy encouraging students to have a plan for summer activities that support student learning.~~

~~(b) The instructional program shall enable students to demonstrate achievement of graduation competencies in alignment with RSA 193-C:3.~~

**Readopt with amendment and renumber Ed 306.15, effective 3-27-14 (Document #10556), as amended effective 8-9-19 (Document #12845), as Ed 306.12 to read as follows:**

Ed 306.12 ~~1215~~ Provision of Staff and Staff Qualifications.

(a) To carry out the educational program established by these rules and local school board policy, the local school board shall require that each school provides:

- (1) The services of a licensedeertified principal, a licensedeertified library media specialist, and a licensedeertified-guidancee school counselor(s);
- (2) For the hiring and training of educators eertified-licensed under Ed 500 to teach classes and-or coursesfacilitate learning in their credentialedeertified content area;

(3) In each elementary school, the services of a licensed reading specialist and library media specialist to facilitate the delivery of ~~the~~ language arts and reading curriculum program established in Ed 306.37(a);

(4) In each middle and high school, a library media specialist to support the management of instructional learning resources ~~program and facility~~ requirements of Ed 306.08; and

(5) Educators, ~~including art, music, health, and physical education teachers~~, in accordance with class size requirements in Ed 306.147.

(b) ~~The local school board shall require that i~~n carrying out the school counseling program ~~established by Ed 306.39, the local school board shall require that:~~

(1) The counseling load in each elementary school shall not exceed the equivalent of one full-time licensedeertified school counselor per 500 students enrolled;

(2) The counseling load in each middle school and each high school shall not exceed the equivalent of one full-time licensedeertified school counselor per 300 students enrolled;

~~(23)~~ High schools with more than 4 school counselors shall provide a high school level licensedeertified director of school counseling to coordinate the implementation of the school counseling program plan and policy, unless (4) below applies; and

~~(34)~~ District level ~~eertified—licensed~~ directors of school counseling to coordinate K-12 implementation of the school counseling program plan and policy shall be provided in districts where the number of school counselors across all schools exceeds 10.

(c) The local school board shall require that each school with an enrollment of 500 or more students provides the services of an assistantassoeiate principal or 2 or more persons with administrative eertification licensure under Ed 506 who together act as a full-time equivalent to carry out administrative duties assigned by the superintendent in accordance with local school board policy.

(d) The local school board may provide for each school the services of additional staff to facilitate the use of the learninginstructional resources described in Ed 306.08 and the technological resources needed to facilitate the digital literacy program ~~described in Ed 306.42~~.

(e) Pursuant to RSA 189:24, and in accordance with Ed 500 and Ed 600, the local school board shall require that each professional staff member is licensedeertified for assignment by the department.

~~—(f) In accordance with Ed 509, the local school board shall require that each professional staff member shall improve the content knowledge and teaching skills through participation in a local professional development plan.~~

~~—(g) An educator with sufficient content knowledge as determined by the school principal may be given a minor assignment to teach in a program area in which he or she is not certified. A minor assignment shall be less than fifty percent of the individual's weekly work time and be reviewed on an annual basis to insure that the individual has the appropriate level of content knowledge.~~

**Readopt with amendment and renumber Ed 306.16 and Ed 306.17, effective 3-27-14 (Document #10556), as Ed 306.13 and Ed 306.14 to read as follows:**

Ed 306.13 ~~RESERVED~~ Ed 306.16 Professional Development. ~~In accordance with Ed 512:~~

~~—(a) The local school board shall require that schools shall comply with the professional development requirements enumerated in Ed 513.~~

~~(1) That each professional and paraeducator staff member improves the content knowledge and teaching skills through participation in professional development activities as described in the district professional development master plan;~~

~~(2) That the goals in the professional development master plan align with the district/school improvement goals;~~

~~(3) That the professional development master plan guides each professional staff member's individual professional development plan in its design, implementation, and evaluation; and~~

~~(4) The regular assessment and evaluation of the needs, design, implementation, and impact on student learning of professional development activities and programs; and~~

~~(b) The school administration shall require that:~~

~~(1) Each certified educator's individual professional development plan required under Ed 512.03 is aligned with the professional development master plan;~~

~~(2) The professional development activities included in the professional development master plan are designed to improve professional knowledge, as measured in its success in meeting students' needs and improving students' learning; and~~

~~(3) The professional development activities included in the local professional development master plan under Ed 512.02(c)(7):~~

~~a. Are:~~

~~1. Student focused;~~

~~2. Data driven;~~

~~3. Research based;~~

~~4. Intensive; and~~

~~5. Sustained; and~~

~~b. Include:~~

~~1. Job embedded activities;~~

~~2. Research;~~

~~3. Collaboration;~~

~~4. Practice; and~~

~~5. Reflection.~~

Ed 306.1417 Student-Educator Ratios~~Class Size~~.

~~(a) The local school board shall establish student-educator ratios that promote student learning as appropriate for each learning opportunity and learning level. Class size for instructional purposes, in each school shall be:~~

~~(1) Kindergarten—grade 2, 25 students or fewer per educator, provided that each school shall strive to achieve the class size of 20 students or fewer per educator;~~

~~(2) Grades 3—5, 30 students or fewer per educator, provided that each school shall strive to achieve the class size of 25 students or fewer per educator; and~~

~~(3) Middle and senior high school, 30 students or fewer per educator.~~

~~— (b) These class size requirements may be exceeded for study halls, band and chorus, and other types of large group instruction, including but not limited to, lectures, combined group instruction, and showing of educational television and films.~~

~~(be) In the interest of safety, the maximum number of students in laboratory classes in such areas as science and career and technical education CTE shall be determined by the number of work-stations and the size and design of the area. In no case shall the number of students in laboratory classes exceed 24.~~

**Readopt with amendment and renumber Ed 306.18, effective 2-19-22 (Document #13356), as Ed 306.15 to read as follows:**

Ed 306.15 School Year.

(a) Each school shall maintain a school calendar which provides for 180 days of instruction or the required number of instructional hours, which may result in fewer than 180 days.

(ba) Pursuant to RSA 189:1 and RSA 189:24, eEach school district shall maintain a school year as provided below, which shall identify the total instructional hours offered and recognize that students advance upon achievement of competencies, not based on seat time, pursuant to Ed 306.21(j):

~~(1) The school district shall maintain in each elementary school, a school year of~~

~~(1) at least 945 hours of instructional time and in each kindergarten a~~ At least 450 hours of instructional time in kindergarten;

~~(2) At least 945 hours of instructional time in elementary school; and~~

~~(3) The school district shall maintain in each middle and high school, a school year of a~~ At least 990 hours of instructional time in each year grades 7-12. Districts shall provide at least 990 hours of instructional time for grades 7 and 8 in elementary schools that include grades 7, or 8, or both;

~~(c3) The instructional school day of an individual student shall not exceed 5.75 hours of instructional time in elementary schools and 6 hours of instructional time in middle and high schools;~~

~~(d4) The school shall have in its school year an additional 60 hours in duration to provide for instructional time lost due to inclement weather or unexpected circumstances, staff development, and parent-teacher conferences. At least 30 of the 60 additional hours shall be available for rescheduling hours lost due to inclement weather or other emergencies. Schools shall use these additional hours to reschedule lost instructional time before requesting a waiver of the amount of instructional time under RSA 189:2, unless extraordinary circumstances exist that would place an unreasonable burden on the school or students such as, but not limited to, substantial building damage;~~

~~(5) A school may have a shortened day when an emergency condition exists which might adversely affect the health and safety of students, provided that the number of hours of instructional time originally planned for the day shall be credited to the number of hours of instructional time in the school year, if:~~

~~a. On that day, the school would normally have had at least 5.25 hours of instructional time; and~~

~~b. The school remained open for at least 3.5 hours of instructional time;~~

~~(e6) There shall be no requirement to reschedule instructional time for kindergarten if morning or afternoon kindergarten sessions are cancelled due to delayed opening or early release for students in grade 1 or higher; and~~

~~(f7) Remote learning Distance education~~ conducted in accordance with Ed 306.1822(c) shall count toward the required amount of instructional time.

(g) Advisory periods in middle and high schools shall be counted as instructional time.

~~(hb) Lunch time, home room periods, passing time, and breaks shall not be counted toward the required amount of instructional time. Elementary schools may count up to 30 minutes of recess per day as instructional time for pupils in kindergarten through grade 6. Advisory periods in middle and high schools shall be counted as instructional time.~~

~~(ie) The high school graduation date shall be set no more than 5 school days or 30 instructional hours before the end of the scheduled school year without consideration of making up lost time pursuant to Ed 306.18 (a)(4) earlier than the completion of the required 990 hours of instructional time.~~

**Repeal Ed 306.19, effective 3-27-14 (Document #10556), as follows:**

~~Ed 306.19 School Calendar. Each school shall maintain a school calendar.~~

**Readopt with amendment and renumber Ed 306.20 and Ed 306.21, effective 3-27-14 (Document #10556), as Ed 306.16 and Ed 306.17 to read as follows:**

Ed 306.1620 CTE career and Technical Education Programs.

(a) ~~CTE career and technical education~~ programs ~~(CTE)~~, as defined in Ed 306.02(c**b**), shall be available to meet specific educational, district, and graduation requirements, as outlined below:

(1) Every public high school shall be identified within a CTE region as established in accordance with RSA 188-E and Ed ~~1302.402~~; and ~~shall~~ be included in the regional agreement established pursuant to Ed ~~1304.02.402.04~~; and

(2) Every public high school shall make all students aware of programs available at the regional CTE center.

(b) Receiving districts shall ~~strive to make every effort to offer opportunities space available~~ to every qualified student in the region who desires to participate in a program at the CTE center, in accordance with the formula for participation prescribed in ~~or as a result of~~, the respective regional agreement.

(c) CTE cooperative agreements shall require sending and receiving school districts to coordinate calendars and schedules to maximize students access to CTE programming pursuant to Ed 1304.02.

~~(de) Every public high school student shall have access to programs at the regional CTE center subject to attainment of prerequisites and space availability within the program in a CTE center; and sending school budget restrictions.~~

~~(ed) Prerequisites shall include requirements to ensure~~ be directly related to a student's ability to:

~~(1) Successful~~ successfully completion of the CTE program of core technical competencies vetted by business and industry and postsecondary institutions;

~~(2) Seamless transition into postsecondary institutions; and~~

~~(3) Employment preparedness;~~

~~(e) Prerequisites shall have a direct and necessary relationship to the CTE program.~~

Ed 306.1724 Alternative Course of Study Programs.

(a) “Alternative course of study program” means the regular delivery of ~~the majority of~~ a student’s learning opportunities instruction through personalization and differentiated methods ~~classroom or other methods~~ designed to address the needs of individual students or ~~particular~~ groups of students that might be different from the ~~methods of instruction~~ learning opportunities used by the ~~standard~~ schools of the district for the student population.

(b) An alternative course of study program may be housed in the same facility as a ~~standard~~ school or at a different location.

(c) An alternative course of study program shall be:

(1) Designed to address the personalized and differentiated needs of students, ~~including, but not limited to, dropout prevention~~; and

(2) Approved by the local school board in a plan that:

a. States the goals of the program course of study and curriculum to be provided;

b. Enables students to opt into the program at the request of the students’ parent or guardian;

~~cb.~~ Specifies the procedures for assessing and implementing ~~its program plan~~ the course of study consistent with RSA 193-C:3, III;

~~de.~~ Specifies when the course of study program would be offered, which may be at a time other than during the regular school day;

~~ed.~~ Demonstrates how the alternative course of study program will enable the participating students to achieve the same ~~district and graduation~~ competencies outlined for all students and consistent with RSA 193-C:3; and

~~fe.~~ ~~Explicitly details~~ how ~~extended learning opportunities~~ ELOs, remote learning pursuant to Ed 306.18, and other learning opportunities will be incorporated as a learning option for all students.

(d) Alternative courses of study programs for students with disabilities shall meet the requirements of Ed 1119.

(e) ~~Prior to implementing an alternative program~~ Annually, a school administrative unit (SAU) that implements an alternative course of study shall report the program ~~submit~~ to the department ~~the following~~:

~~(1) A copy of the local school board’s approval, including the plan submitted;~~

~~(2) The location of the alternative program; and~~



~~(3) Copies of inspection reports from the municipal health officer and fire department if the alternative program is to be housed in a building other than an approved school.~~

(f) Each student participating in an alternative ~~program~~ course of study shall participate in the state assessment exam, when applicable.

(g) Assignment of students to an alternative ~~programs~~ course of study shall be voluntary and ~~shall~~ require written approval from the parent or guardian.

(h) Staff assigned to an alternative ~~course of study~~ programs shall meet the same ~~certification~~ licensure requirements as staff assigned to ~~standard~~ schools in accordance with Ed 306. 1215.

(i) Students in an alternative ~~course of study~~ programs shall be provided student services equivalent to those provided in ~~standard~~ schools including, but not limited to:

~~(1) Food and nutrition services under Ed 306.1011;~~

~~(2) Health services under Ed 306.1112;~~ and

~~(3) guidance and~~ Counseling services under Ed 306.39.

(j) The school year for alternative ~~courses of study~~ programs shall meet the requirements of Ed 306. 1518.

(k) Alternative ~~programs~~ courses of study which result in the awarding of a high school diploma shall meet the requirements of Ed 306. 2227(cq).

(l) Alternative ~~programs~~ course of study which are supervised by the principal of a ~~standard~~ school shall be considered part of that ~~standard~~ school for reporting and assessment purposes ~~under Ed 306.23, for assessment under Ed 306.24,~~ and for school approval under Ed 306. 2328.

(m) Alternative ~~programs~~ courses of study which are supervised by a district level administrator shall be considered a separate school of the district for reporting and assessment purposes ~~under Ed 306.23, for assessment under Ed 306.24,~~ and for school approval under Ed 306. 2328.

**Readopt with amendment and renumber Ed 306.22, effective 2-19-22 (Document #13356), as Ed 306.18 to read as follows:**

Ed 306. 1822 Remote Learning ~~Distance Education~~.

(a) All students shall have access to full-year, full-day instruction, in-person as required in RSA 189:1 and RSA 189:24. ~~Distance education~~ Remote learning, as defined in Ed 306.22(b), shall ~~not~~ satisfy the requirement for in-person instruction when ~~except as~~ conducted in accordance with ~~306.22(c)~~ below.

(b) ~~In this section, "distance education" means any instructional mode that is not in person instruction including~~ Remote learning opportunities may include, but not be limited to, ~~correspondence, video-based~~ blended or hybrid online and in-person, completely online, video-based, internet-based courses of study, internet-based, online courses, remote instruction, or any combination thereof. ~~The term distance education also includes hybrid instructional models that utilize elements of distance education and traditional instruction in any combination.~~

(c) ~~Distance education may be offered only~~ Remote learning shall satisfy the requirements of RSA 189:1 and RSA 189:24 under the following conditions:

(1) When inclement weather makes it unsafe to safely transport students to or from in-person instruction;~~or~~

(2) As an option for a parent or guardian making a request for remote learning; distance education-or

(3) As articulated in a parent-approved alternative course of study approved by the local school board pursuant to Ed 306.17(c).

(d) When the district offers remote learning~~distance education~~, the school board shall be responsible for the development of a policy for the governance and administration of remote learning~~distance education~~.

(e) If a student participating in ~~distance education~~remote learning is not making educational progress, as determined by the district's educational assessments, the option to participate in ~~distance education~~remote learning may be rescinded by the district.

(f) A parent or guardian may appeal a district determination that a student is not making educational progress pursuant to the district's educational assessments to the state board~~of education~~ under Ed 200.

(g) A student shall remain in ~~distance education~~remote learning until the conclusion of the appeal in (f) above. If the state board~~of education~~ upholds the district's conclusion that the student is not making educational progress pursuant to the district's educational assessments, the student shall immediately be disqualified from continued participation in the district's ~~distance education instruction~~remote learning opportunity.

(h) School districts may cooperate to share delivery of ~~distance education~~remote learning opportunities.

**Repeal Ed 306.23 and Ed 306.24, effective 3-27-14 (Document #10556), as follows:**

~~— Ed 306.23 Statistical Reports; Accountability.~~

~~— (a) Each school district shall establish a local education accountability system in order to collect data needed for evaluation of the district's compliance with state and federal laws on school accountability. The department shall integrate its accountability system with local accountability systems so as to allow for comparison and analysis of such data.~~

~~— (b) Each district shall file statistical reports with the department as required under RSA 189:28. A request from a district to the department for statistical data needed by a district for filing a statistical report shall be submitted to the department at least 60 days before the district's report is due.~~

~~— (c) Each school district required under RSA 193-H:4 to create a local education improvement plan shall file such a plan with the department within 90 days of being found to be in need of improvement under RSA 193-H:3. The plan shall be aligned to meet state goals and student performance indicators.~~

~~— Ed 306.24 Assessment.~~

~~— (a) The local school board shall require that each school:~~

~~(1) Provides for the ongoing assessment of district and graduation competencies through the use of local assessments that are aligned with state and district content and performance standards as provided in (b) below;~~

~~(2) Participates in the state-wide education improvement and assessment program as provided in (e) below;~~

~~(3) Participates in the New Hampshire performance assessments;~~

~~(4) When selected by the United States Department of Education, National Center for Education Statistics participates in the National Assessment of Education Progress (NAEP); and~~

~~(5) Supports student development of individual student digital portfolios.~~

~~— (b) The following elements shall be used as evidence by the department in determining whether a school complies with the requirements of (a) above:~~

~~(1) The school has a process for the selection, use, and interpretation of local assessment instruments;~~

~~(2) The school supports the authentic assessment of student learning outcomes through multiple formative and summative assessment instruments, including, but not limited to:~~

~~a. Educator observation of project-based learning, including off-site learning projects;~~

~~b. Competency-based or performance-based assessments;~~

~~c. Educator observations of student performance; and~~

~~d. Project evaluation rubrics used to evaluate program proficiencies applied to integrated curriculum assignments, extended learning opportunities, career and technical education opportunities, and out-of-school learning environments;~~

~~(3) The school provides professional development for educators in the use of diagnostic tools to adjust instruction to meet personalized needs of students and to monitor progress; and~~

~~(4) The school has a systematic process for collecting and analyzing assessment data to:~~

~~a. Identify needs for improvement; and~~

~~b. Determine the effectiveness of educational programs in meeting student performance goals.~~

~~— (c) Each school shall maintain the following as evidence of participation in the state-wide education improvement and assessment program established under RSA 193-C:~~

~~(1) Written guidelines for the inclusion of and accommodations for student participation, including, but not limited to, inclusion of and accommodations for:~~

~~a. Students in major racial and ethnic groups;~~

~~b. Students with disabilities;~~

~~c. Economically disadvantaged students; and~~

~~d. Students with limited English proficiency;~~

~~(2) Procedures for test security and the accurate inclusion of student data; and~~

~~(3) Procedures by which assessment results are communicated to:~~

~~a. Parents;~~

~~b. Faculty; and~~

~~e. The community.~~

~~(d) For programs at all K-12 levels, schools shall report the academic performance of all students on a regular basis by providing the following:~~

~~(1) A summary of individual student performance to parents at least 3 times each year; and~~

~~(2) The opportunity for parents to meet individually with each of their students' teachers about their students' performance at least once during each school year.~~

**Readopt with amendment and renumber Ed 306.25, effective 3-27-14 (Document #10556), as Ed 306.19 to read as follows:**

Ed 306.1925 Comprehensive School Psychological Services.

(a) If a district employs a school psychologist as an optional service pursuant to RSA 189:49, IV, the standards in (b)-(e), in addition to the requirements below, shall apply:

(1) Nothing in this section shall prevent a school district from contracting services with a qualified school psychologist;

(2) All such psychological services must comply with federal Every Student Succeeds Act (ESSA) requirements, including informed written consent; and

(3) All such services must comply with state and federal student privacy laws and rules, including parental notification and consent requirements.

(b) Employing school districts shall require that school psychological services are provided by certified school psychologists in a coordinated, organized fashion, and are deployed in a manner that results in the provision of a comprehensive continuum of services. ~~Comprehensive school psychological services shall be based on this section and The National Association of School Psychologists (NASP) Model for Comprehensive and Integrated School Psychological Services, published by NASP in 2010 as referenced in Appendix II.~~

~~(c) The school psychologist shall provide comprehensive psychological services throughout various learning environments to help children and youth develop academic, social, behavioral, and emotional competence through:~~

~~(1) Data-based decision making and accountability methods that use psycho-educational assessment results, data collection strategies, and technology resources to design and implement services and programs and to evaluate outcomes;~~

~~(2) Consultation, collaboration, and communication with educators, families, health care professionals including mental health, social services and other systems to promote effective and coordinated implementation of services;~~

~~(3) Interventions and instructional supports to develop academic skills, incorporating available research and assessment data to develop and implement evidence-based instructional strategies designed to support students' cognitive and academic skills;~~

~~(4) Interventions and mental health services to develop social and life skills in collaboration with others, using assessment and data collection methods to implement and evaluate developmentally appropriate services that support socialization, learning, and mental health;~~

~~(5) School wide practices to promote learning, developing and implementing evidence based practices and strategies to create and maintain effective and supportive learning environments for children and others, including multi-tiered systems, to support students' academic, social, emotional, and behavioral goals;~~

~~(6) Preventative and responsive services employing theories and research related to resilience, risk factors, and multi-tiered prevention, to support evidence based strategies for effective counseling, crisis response, and behavioral intervention;~~

~~(7) Family school collaboration services to facilitate and provide effective collaborative partnerships between families and schools that support children's learning and mental health utilizing a strength based, culturally sensitive approach;~~

~~(8) Diversity in development and learning to provide professional services that promote effective functioning for individuals, families and schools with diverse characteristics, cultures and backgrounds, across multiple contexts;~~

~~(9) Research and program evaluation to support educational decision making and evaluate programs; and~~

~~(10) Legal, ethical, and professional practice consistent with legal requirements and ethical and professional standards including the NASP Principles of Professional Ethics (2010) as referenced in Appendix II.~~

(cd) School psychologists shall ~~use~~utilize assessment findings to diagnose educational and behavioral disorders and to facilitate educational treatment planning.

(de) Employing school districts shall ensure that an effective program of supervision and evaluation of school psychological services exists.

(e) School psychologists in cooperation with their employing districts or agencies shall be responsible for the overall development, implementation, and professional supervision of school psychological service programs.

~~— (f) Professional supervision shall be available to all school psychologists to an extent sufficient to ensure the provision of effective and accountable services.—~~

~~Beginning school psychologists in their first year of employment as a school psychologist shall receive a minimum of one hour of face-to-face supervision contact per week.~~

~~Supervisors shall meet Ed 500 requirements for certification as a school psychologist and have at least 3 years of professional experience as a school psychologist in a school system.~~

(fg) Employing school districts shall ~~ensure~~insure that parental consent and student information are protected as required under applicable state and federal law.

**Readopt with amendment and renumber Ed 306.26, effective 6-10-22 (Document #13394), as Ed 306.20 to read as follows:**

Ed 306.~~2026~~ Kindergarten Through Grade 8 School Curriculum.

(a) The local school board shall require that in each school there is: an

~~(1) A broad and well balanced elementary school curriculum aligned to state academic standards that outlines district competencies for the grades 1-8, program in compliance with RSA 193-C:3, III; and includes:~~

~~(2) An instructional program that includes:~~

~~(1)a. Procedures for diagnosing identifying personalized learner needs, learning styles, and interests;~~

~~(2)b. Methods and strategies for facilitating learning teaching students, including but not limited to personalization, individualization, and differentiation;~~

~~e. Research-based learning opportunities;~~

~~(3)d. Techniques for the evaluation of student outcomes, including performance assessment of district competencies; and~~

~~(4)e. Provision of differentiated instruction for students based on learning styles, needs, and interests. Opportunities for students to receive timely, personalized, and differentiated support based on their individual learning needs.~~

(b) The local school board shall adopt where applicable, for each school, a ~~broad and well-balanced~~ kindergarten ~~school~~ curriculum ~~that outlines a play-based kindergarten program~~ in compliance with RSA 193-E:2-a, II-a that supports:

(1) Unstructured time built into the school day for the discovery of, and methods and strategies for the fostering of, each child's individual talents, abilities, and needs;

(2) Child development and learning in all domains, including, but not limited to:

- a. Physical;
- b. Social;
- c. Cognitive; and
- d. Language;

(3) Child-directed experiences based ~~upon the district's identified early childhood best teaching practices and~~ play-based learning that comprise:

- a. Movement;
- b. Creative expression;
- c. Exploration;
- d. Socialization; and
- e. Music; and

(4) A reading curriculum that includes, but is not limited to, phonemic awareness, phonics, vocabulary, fluency, and comprehension~~guided reading literacy program.~~

(c) The local school board shall ~~adopt, for each school, a local time schedule which specifies the distribute ion of~~ instructional time to allow each student to make progression towards competency proficiency in the among the following learning areas to be taught in grades 1-8 at all learning levels in the school~~following areas~~:

(1) For the elementary grades 1-8, where no middle school has been established by vote of the local school board:

- a. ~~Ed 306.31, relative to an a~~Arts education;
- b. ~~Ed 306.37, relative to an~~ English\_/language arts and reading ~~program~~;
- c. ~~Ed 306.40, relative to a h~~Health education ~~program~~;
- d. ~~Ed 306.41, relative to a p~~Physical education ~~program~~;
- e. ~~Ed 306.42, relative to d~~Digital literacy ~~program~~;
- f. ~~Ed 306.43, relative to a m~~Mathematics ~~program~~;
- g. ~~Ed 306.45, relative to a s~~Science ~~education~~;
- h. ~~Ed 306.46, relative to a s~~Social studies ~~program~~; and
- i. ~~Ed 306.49, relative to~~ Holocaust and genocide education, as applicable; and
- j. An optional world language, if offered; and

(2) For middle school:

- a. ~~Ed 306.31, relative to an a~~Arts education;
- b. ~~Ed 306.37, relative to an~~ English\_/language arts and reading ~~program~~;
- c. ~~Ed 306.40, relative to a h~~Health education ~~program~~;
- d. ~~Ed 306.41, relative to a p~~Physical education ~~program~~;
- e. ~~Ed 306.38, relative to a f~~Family and consumer science ~~education~~;
- f. ~~Ed 306.42, relative to d~~Digital literacy ~~program~~;
- g. ~~Ed 306.43, relative to a m~~Mathematics ~~program~~;
- h. ~~Ed 306.45, relative to a s~~Science ~~education~~;
- i. ~~Ed 306.46, relative to a s~~Social studies ~~program~~;
- j. ~~Ed 306.47, relative to a t~~Technology and engineering; ~~education~~; and
- k. ~~Ed 306.49 relative to~~ Holocaust and genocide education; and
- l. An optional world language, if offered.

~~—— (d) If the local school board determines that one or more world languages might be offered at a middle school in the district, the local school board shall develop a policy for each middle school relative to providing supplemental instruction in one or more world languages, including the extent of this instruction and the students to whom it is offered.~~

~~(de) If a co-curricular programs areis offered, theyit shall consist of those activities that are designed to supplement and enrich regular academic instruction, provide opportunities for social development, and encourage participation in clubs, athletics, performing groups, and service to school and community. As outlined in Ed 306.21(g), achievement of competencies through co-curricular activities shall be counted towards graduation credit.~~

~~— (f) The local school board shall develop a policy that grants acknowledgement of achievement to students taking coursework in the seventh or eighth grade toward high school graduation, if the course demonstrates district or graduation competencies consistent with related high school course(s) and the student achieves satisfactory standards of performance.~~

~~(eg) If a district chooses to offer extended learning opportunities ELOs in a middle school or a student requests an ELO and the district has the available resources, the extended learning opportunities ELOs shall:~~

~~(1) Consist of activities designed to:~~

- ~~a. Allow a student to Provide demonstrate achievement of competencies or supplement learning opportunities; credit or supplement regular academic courses; and~~
- ~~b. Promote the schools and individual students' educational goals and objectives;~~

~~(2) Be governed by the ELOa policy adopted by the local school board that is outlined in Ed 306.04(b)(20)c.;~~

- ~~a. Provides for the administration and supervision of the program;~~
- ~~b. Outlines how certified school personnel oversee an individual student's program;~~
- ~~c. Requires that each extended learning proposal meet rigorous measurable standards and be approved by the school prior to its beginning;~~
- ~~d. Specifies whether or not credit can be granted for extended learning activities, including, but not limited to, independent study, private instruction, team sports, performing groups, internships, community service, and work study; and~~
- ~~e. Requires that acknowledgement of achievement for an extended learning activity be approved by a certified educator;~~

~~(3) Incorporate student participation in selecting, organizing, and carrying out extended learning activities ELOs; and~~

~~(4) Provide opportunities for students to acquire knowledge and skill development comparable to knowledge and skill development in courses offered at the high school; and~~

~~(45) Be available to all students.~~

~~— (h) The local school board shall require, and each district shall establish, and provide instruction in, Holocaust and genocide education as described in Ed 306.49, implemented no later than 8th grade as a component of a course in social studies. Nothing in this paragraph shall be construed to prevent developmentally appropriate instruction in Holocaust and genocide studies prior to 8th grade or as a component of other learning areas.~~

**Readopt with amendment and renumber Ed 306.27, effective 6-10-22 (Document #13394), as amended effective 1-15-21 (Document #13159), as Ed 306.21 and Ed 306.22 to read as follows:**

Ed 306.2127 High School Curriculum, Credits, ~~Graduation Requirements~~, and Co-curricular Programs.

(a) The local school board shall require that the curriculum content and learning opportunities developed for each high school outlines ~~district and graduation~~ competencies ~~and is consistent with RSA 193-C:3, III.~~



(b) School districts shall develop course competencies, based on New Hampshire academic standards where applicable, for all courses of study. School districts may use state model course competencies to develop minimum course competencies.

(cb) The required curriculum content shall comply with the following:

(1) The program of studies shall include those ~~courses-learning opportunities~~ in which students demonstrate achievement of competencies as ~~well as other educational experiences and instructional activities required outlined by Edin table 306-1;~~

(2) Learning opportunities, including ELOs, Courses shall be planned for the ~~achievement attainment of specific educational district and graduation~~ competencies leading to ~~the~~ high school graduation diploma;

(3) The ~~instructional program~~ learning opportunities shall include:

a. Procedures for ~~identifying diagnosing~~ learner needs and interests;

b. Methods and strategies for ~~teaching that incorporate learner needs~~ facilitating learning, including but not limited to personalization, individualization, and differentiation;

~~c. Resource-based learning opportunities;~~

cd. Techniques for the evaluation of student outcomes, including performance assessment of ~~district~~ competencies; and

de. Opportunities for students to receive timely, personalized, and differentiated support based on their individual learning needs; The provision of remedial instruction as needed.

~~(4) Districts shall develop local policies that identify how the district shall engage students in creating and supporting extended learning opportunities that occur outside of the physical school building and outside of the usual school day in which students demonstrate achievement as well as other educational experiences and instructional activities required by Ed 306;~~

(45) The ~~extended learning opportunities in (4) above~~ ELOs shall:

~~a. Consist of activities designed to:~~

~~1. Provide acknowledgement of achievement or supplement regular academic courses; and~~

~~2. Promote the school's and individual students' educational goals and objectives;~~

ab. Be governed by a policy adopted by the local school board as outlined in Ed 306.04(b)(20)e.that;

~~1. Provides for the administration and supervision of the program;~~

~~2. Outlines how certified school personnel will oversee, although not necessarily lead, facilitate, or coordinate, an individual student's program;~~

~~3. Requires that each extended learning proposal be aligned with district and graduation competencies consistent with RSA 193-C:3 that students are expected to demonstrate for graduation, and be approved by the school prior to its beginning;~~

~~4. Specifies that students will be able to attain acknowledgement of achievement through mastery of district or graduation competencies for extended learning activities, including, but not limited to, independent study, private instruction, team sports, performing groups, internships, community service, and work study; and~~

~~5. Requires that acknowledgement of achievement shall be based on a student's demonstration of district or graduation competencies, as approved by a certified educator;~~

be. Incorporate student participation in selecting, organizing, and carrying out extended learning activities; and

cd. Be available to all students; and

~~(56) A e “Co-curricular program” shall be offered means an opportunity for students to participate in activities designed to meet their needs and interests, that provides opportunities for all students to participate in activities designed to meet their needs and interests, including activities that; but not limited to:~~

~~a. Intramural and interscholastic athletics;~~

~~b. Performing groups;~~

~~c. Academic clubs and societies;~~

~~d. Student government;~~

~~e. Activities and services that afford students with disabilities an equal opportunity to participate; and~~

~~f. Any other activities that:~~

a1. Supplement, ~~and~~ enrich, and make regular academic courses accessible;

b2. Provide opportunities for social development;

c3. Encourage participation in the arts, athletics, and other cooperative groups; ~~and~~

d4. Encourage service to school and community; ~~;~~ and

e. Earn credit leading to graduation through achievement of competencies.

(d) Each local high school shall provide reasonable accommodations for cocurricular activities as appropriate in order to allow for full access and participation by students with disabilities.

~~(ee) The local school board shall require that a program of studies shall be offered for each high school that enables each high school students to engage in and demonstrate achievement proficiency of competencies in the following outlined for graduation as well as other educational experiences and instructional activities as follows:~~

(1) ~~Ed 306.31, relative to an a~~ Arts education;

(2) ~~Ed 306.33, relative to a b~~ Business education;

(3) ~~Ed 306.34, relative to a career and technical education~~ CTE;

- ~~(4) Ed 306.35, relative to a career education;~~
- ~~(45) Ed 306.37, relative to an English, language arts and reading program;~~
- ~~(56) Ed 306.38, relative to a family and consumer science education;~~
- ~~(7) Ed 306.39, relative to a school counseling program;~~
- ~~(68) Ed 306.40, relative to a health education program;~~
- ~~(79) Ed 306.41, relative to a physical education program;~~
- ~~(810) Ed 306.42, relative to a digital literacy program;~~
- ~~(911) Ed 306.43, relative to a mathematics program;~~
- ~~(1012) Ed 306.44, relative to a computer science education;~~
- (11) Logic and rhetoric;
- ~~(1213) Ed 306.45, relative to a science education;~~
- ~~(1314) Ed 306.46, relative to a social studies program;~~
- ~~(1415) Ed 306.47, relative to a technology and engineering education;~~
- ~~(1516) Ed 306.48, relative to a world languages program;~~
- ~~(1617) Ed 306.49, relative to Holocaust and genocide education;~~
- ~~(1718) Ed 306.27(b)(4), relative to ELO extended learning opportunities; and~~
- (18) Personal finance and financial literacy.

~~(fd)~~ Each high school shall offer maximum student learning opportunities, in and out of the classroom, while at the same time specifying a basic number of courses that each high school shall offer.

~~(ge)~~ Students shall be awarded credit leading to graduation by demonstration of proficiency of competencies by completion of:

- (1) A competency-based assessment that supports a collection of a defensible body of evidence in how students demonstrate proficiency of competencies;

~~A student shall receive acknowledgement of achievement of the competencies contained within the course, shall be awarded course credit, and shall be eligible to take another course when the following is met:~~

- ~~(21) The student demonstrates knowledge and skills on a~~An assessment approved by the local school district for a particular course; or
- ~~(32) The student demonstrates knowledge and skills on a~~An assessment approved by the department if the local school district has not developed an assessment.

~~(f) Department approved assessments shall include assessments that measure achievement of the competencies contained within the course.~~

(hg) The local school board shall require that graduation be based on demonstrated proficiency of mastery of required graduation competencies ~~as demonstrated~~ through the accumulation of credits ~~as~~ outlined in Table 306-13 and ~~by a certified~~ by the school principal or designee educator.

(i) Each high school shall ~~determine how~~ ensure that completion of a classroom course, career and technical education courses, independent study, distance learning course, or extended learning opportunity ~~learning opportunities can~~ support student's achievement ~~and demonstration of district or graduation~~ competencies.

(jh) Credits shall be awarded based on the for demonstration ~~achievement of district and or graduation~~ competencies. ~~Credits shall not be awarded not~~ on time spent achieving these competencies. ~~The credit shall equate to the level of rigor and achievement necessary to master competencies that have been designed to demonstrate the knowledge and skills necessary to progress toward college level and career work.~~

(ki) Students may achieve receive acknowledgement of achievement for graduation competencies and be awarded credit through student demonstration of a defensible collection of work or other assessment evidence at a proficient level gained through prior learning ~~opportunities~~ activities.

(lj) The items in (ee) above shall not limit opportunities to develop learning opportunities ~~programs~~ that meet the needs of each student.

(mk) The programs of studies in (ee) above may be offered and coordinated individually or through interdisciplinary studies.

(n) Competency in a subject area may be earned through interdisciplinary learning.

(of) Students shall engage with and apply English language arts, and mathematics ~~graduation~~ competencies during every year they are enrolled in high school even if ~~graduation all required~~ competencies for English language arts, and mathematics have been demonstrated. Such engagement may occur through integration of these ~~graduation~~ competencies in learning opportunities ~~courses~~ focused on content areas other than English language arts, or mathematics. ~~Such engagement shall support students to be college and career ready in mathematics and English/language arts.~~ Nothing contained in this section shall preclude a school or district from offering ~~courses and other~~ learning opportunities in addition to the minimum outlined in ~~Ed 306~~ this chapter.

(pm) There shall be a minimum of 20 credits for a regular high school diploma, unless the local school board has set a requirement of more than 20 credits for a regular high school diploma, in which case the local credit requirement shall apply. The local school board shall require that each high school offers courses or learning opportunities as specified in (ee) above.

(qn) The following shall apply relative to the required program of studies:

(1) ~~Consistent with Ed 306, t~~ The local school board shall verify in writing to the commissioner that each high school ~~shall~~ offers learning opportunities in each required program a total of at least 43 courses distributed as shown in Table 306 outlined in (5) below ~~1~~ when the school seeks approval or renewal of approval under Ed 306.238;

(2) Each high school may use any relevant title to identify a particular course of study;

(3) Local school boards may propose innovative ways to meet or exceed the requirements in Table 306-1(5) below, pursuant to Ed 306.249;

(4) Local school boards shall ensure that courses necessary to meet the requirements for ~~achievement of attaining graduation~~ competencies as defined ~~in (5) below on Table 306-3~~ are offered to district students enrolled in high school at no additional cost to the students; ~~and does not preclude offering learning opportunities outside of the district resources;~~

(5) The ~~following~~ required courses in program areas ~~offered by each high school~~ shall be ~~distributed offered by each high school: as specified in Table 306-1 below:~~

- ~~a. Arts education;~~
- ~~b. Business education;~~
- ~~c. Family and consumer science;~~
- ~~d. Digital literacy;~~
- ~~e. Personal finance;~~
- ~~f. World languages;~~
- ~~g. Health education;~~
- ~~h. Technology education;~~
- ~~i. English;~~
- ~~j. Mathematics;~~
- ~~k. Science;~~
- ~~l. Logic and rhetoric;~~
- ~~m. Social studies; and~~
- ~~n. Computer science;~~

~~Table 306-1 Required Program Areas and Courses~~

<del>Required Program Areas</del>	<del>Courses</del>
<del>Arts education</del>	<del>3 courses</del>
<del>Business education</del>	<del>3 courses</del>
<del>Family and consumer science</del>	<del>3 courses</del>
<del>Digital literacy</del>	<del>½ course or demonstrated proficiency</del>
<del>World languages</del>	<del>5 courses</del>
<del>Health education</del>	<del>½ course</del>
<del>Physical education</del>	<del>2 courses</del>
<del>Technology education</del>	<del>4 courses</del>
<del>English</del>	<del>6 courses</del>
<del>Mathematics</del>	<del>6 courses</del>
<del>Science</del>	<del>5 courses</del>
<del>Social studies</del>	<del>5 courses</del>
<del>Computer science</del>	<del>2 courses</del>

(6) Course requirements under ~~Ed 306.27(1)(5)(5)~~ above may be met through school identified and sanctioned ~~distance education programs~~ remote learning under Ed 306.1822 subject to the following:

a. Students shall be provided ~~learning opportunities~~ courses in a classroom setting that will enable them to demonstrate achievement of ~~graduation~~ competencies in courses required for graduation:-

b. Students shall not be required to take these courses in order to demonstrate achievement of graduation competencies leading to graduation but may engage in distance education programs to demonstrate achievement. Duplicate, equivalent, or additional courses in those ~~learning opportunity~~ program areas may be offered through ~~remote learning~~ distance education, ~~extended learning opportunities~~ ELOs, or other alternative courses of study ~~methods~~;

~~cb.~~ Remote learning opportunities ~~Distance education courses~~ or other alternative courses or programs to be counted toward the ~~43~~ courses required in (5) above ~~by Ed 306.27(1)(5)~~ shall meet the district or graduation competencies and shall be identified in the school's program of studies;

~~de.~~ The school shall provide, where necessary, all equipment, software, and internet connectivity necessary to participate in ~~remote learning~~ distance or alternative courses of study ~~education or learning opportunities~~ programs that are to be counted toward the ~~43~~ courses required in (5) above ~~by Ed 306.27(1)(5)~~;

~~ed.~~ In the cases where the school has determined that there is no other way to provide a required course, the costs of registration shall be borne by the school district for courses or alternative courses of study ~~programs~~ to be counted toward the ~~43~~ courses required ~~by Ed 306.27(1)(5)~~ in (5) above; and

~~fe.~~ At least one staff member shall be identified and available to assist students having difficulty with ~~remote learning~~ distance education courses and other alternative courses of study ~~programs~~;

(7) ~~Introductory level e~~ Courses offered at regional ~~career and technical~~ CTE centers and available to all high school students may be counted toward the ~~43~~ courses required by Ed 306.27(1)(5) in (5) above to be offered at each host or sending high school in the region and. ~~Such courses shall~~ be identified in the school's program of studies:-

~~(8) Career program level courses, not available to all students, shall not be counted toward the high school requirement, including career level courses offered at a regional career and technical center that is co-located with the high school. Graduation e~~ Students demonstrating achievement of competencies acquired and demonstrated through CTE career courses shall ~~may be counted toward a student's requirements for a high school diploma under Ed 306.27(t)~~ awarded credit leading to graduation;

~~(9)~~ Nothing in this section shall prevent a high school from offering classroom ~~courses~~ learning opportunities, ~~remote learning~~ distance education courses, independent study programs, ~~career and technical center~~ CTE courses, or ~~extended learning opportunities~~ ELOs in addition to the courses required ~~by Ed 306.27(1)(5) in (5) above, and~~ S schools shall not be required to pay for student registration or similar fees for ~~these~~ additional courses or programs; and

~~(109)~~ Nothing in this section shall prevent a student from demonstrating ~~achieving and demonstrating any number of~~ graduation competencies through classroom ~~courses~~ learning opportunities, ~~career and technical center~~ CTE courses, remote learning ~~distance~~ education, independent study, or extended learning opportunities ELOs to meet the graduation requirements of Ed 306.2227~~(g)~~ consistent with local district policies.

Ed 306.22 Graduation Requirements.

~~(a)~~ The local school board of each high school shall award a regular high school diploma to those students who ~~achieve and demonstrate~~ achievement of all graduation competencies as encompassed in at least 20 credits included in table 306-1.

~~(b)~~ Each student, as a prerequisite to receiving a high school diploma from a public school, shall fulfill the requirements of RSA 193:26-a, relative to the Free Application for Federal Student Aid (FAFSA). ~~The local school board shall require that a high school have in place competency assessments for all courses offered through the high school. A model waiver shall be made available to school districts by the state board.~~

~~(c)~~ The local school board of each high school shall award a regular high school diploma to all students, with and without disabilities, who have achieved and demonstrated their local high school's ~~required graduation~~ competencies aligned to graduation requirements.

~~(d)~~ The local school board of a district which does not operate a high school may award a high school diploma if the following are met:

(1) The district has contracted with a public academy, as defined in RSA 193:23, II, to be the high school for the district, as authorized by RSA 194:2; and

(2) Students have attended a school other than the public academy.;

~~(e)~~ The awarding of different types of diplomas shall be governed by the following:

(1) A school shall award a regular diploma for achievement and demonstration of the ~~graduation~~ competencies that meet graduation requirements;

(2) A school may award a special diploma that recognizes academic achievement;

(3) ~~Graduation e~~Competencies achieved ~~and demonstrated~~ in adult education, including but not limited to night school, may be used to earn a regular diploma; and

(4) Students may earn certificates of completion or equivalency diplomas, but these shall not be equal to a regular high school diploma.

~~(f)~~ The 20 credits required for graduation ~~district~~ shall be distributed as specified in table 306-1. ~~provide learning opportunities~~ Attainment of 20 credits required for graduation that are based on the New Hampshire academic standards shall ensure that students meet the ~~enable students to achieve the district's graduation requirements outlined in (g) below.~~ competencies. Graduation competencies shall align with the skills, knowledge, and work study practices required for success in college and careers.

(g) Graduation expectations shall:

(1) Encompass a complete body of interrelated student accomplishment and be considered as a whole, not as discrete silos; and

(2) Align with appropriate high school academic content standards and require students to demonstrate their ability to apply and transfer their learning in the following areas:

a. In the arts, the ability to demonstrate competency in:

1. Creating, presenting, and performing artistic works; and
2. Responding and connecting to artistic works;

b. In digital literacy, the ability to use diverse technology tools and media to demonstrate competency in:

1. Building new knowledge by inquiring, thinking critically, identifying, and solving problems;
2. Communicating clearly and creatively;
3. Working effectively with others in ways that are safe, legal, and ethical; and
4. Locating and critically assessing digital content to construct knowledge, produce creative artifacts, and make meaningful learning experiences for themselves and others;

c. In English, the ability to demonstrate competency in:

1. Listening and speaking thoughtfully and purposefully to understand others and convey meaning;
2. Comprehending, analyzing, and critiquing a variety of literary and informational texts;
3. Creating written explanations, narratives, and logical arguments that effectively convey ideas, analyses, and critiques encompassing broad topics suitable for a variety of audiences; and
4. Correctly using the conventions of standard English such as grammar, punctuation, spelling, capitalization, and word usage in all written work;

d. In mathematics, the ability to demonstrate competency in:

1. Understanding number systems and number sense, including computation concepts, strategies, and procedures;
2. Understanding numerical and graphical representations of data and the underlying logical and relational statements represented by those data;
3. Understanding geometric relationships and representations and underlying mathematical principles; and
4. Reasoning mathematically in the development of argument and logic;

e. In science, the ability to demonstrate competency in:

1. Understanding foundational principles of physical and life sciences;
2. Designing and carrying out investigations to explore biological, chemical, and physical phenomena;



3. Analyzing and interpreting data to engage in argument from evidence; and

4. Recognizing, interpreting, modeling, and explaining evidence such as pattern, scale, proportion and quantity, cause and effect, and other cross-cutting concepts related to observable and non-observable phenomena;

f. In social studies, which includes US and NH history, government and civics, economics, and world history, the ability to demonstrate competency in:

1. Understanding the history of the United States through multiple perspectives, including founding principles and the on-going struggle to realize those principles;

2. Understanding the governance and functioning of local, state, and federal government in a constitutional republic through multiple perspectives;

3. Understanding processes of civic engagement in a democratic society, including tolerance and well-mannered engagement across differences of perspective, philosophy, culture, race, and heritage;

4. Understanding important events marking world history and how those events have shaped cultural, political, and other aspects of civilization through multiple perspectives;

5. Recognizing local, state, national, and global geography, and understanding how geography has influenced humanity through multiple perspectives;

6. Understanding economic systems and their effect on individuals and society;

7. Effective planning and management of personal financial resources; and

8. Researching, inquiring, analyzing, and explaining historical, civic, government, geographic, and economic developments including interaction and interdependence through multiple perspectives;

g. In health and physical education, the ability to demonstrate competency in:

1. Researching and comprehending concepts related to health promotion and disease prevention; and

2. Setting goals, advocating for, and pursuing positive health outcomes for oneself and others;

h. In open electives, an opportunity to demonstrate competency in:

1. Pursuing areas of personal interest that instill a passion for lifelong learning; and

2. Making connections between education and career paths; and

i. In all programs and courses, the ability to demonstrate competency in:

1. Communicating effectively using multiple modalities, interpreting information using multiple senses, and demonstrating ownership of the work;

2. Thinking originally and independently, taking risks, considering alternate perspectives, and incorporating diverse resources;

- 3. Contributing respectfully, listening and sharing resources and ideas, accepting and fulfilling roles, and exercising flexibility and a willingness to compromise in both an academic and a career setting; and
- 4. Persevering in completing complex, challenging tasks, using self-reflection to influence work and goals, and engaging stakeholders to gain support.

~~(u) Students shall demonstrate competencies contained in at least the equivalent of 20 credits. Students shall engage in learning concerning competencies in the areas of English/language arts and mathematics for every year they are in high school until graduation, regardless of if English/language arts or mathematics graduation competencies have been achieved. Such engagement may occur through integration of these graduation competencies in courses focused on content areas other than English or mathematics as long as English or mathematics competencies are clear expectations of the course. Such engagement shall support students to be college and career ready in mathematics and English/language arts. Nothing contained in this section shall preclude a school or district from offering courses and other learning opportunities in addition to the minimum outlined in Ed 306.~~

~~— (v) The 20 credits required for graduation shall be distributed as specified in Table 306-2:~~

Table 306-~~12~~ Required Courses of Study~~Subjects~~ and Credits for High School Graduation

Required <u>Courses of Study</u> <del>Subj</del>	Credit(s)
Arts education	½ credit
Digital literacy	½ credit
English	4 credits
Mathematics	<del>3.5</del> credits, including algebra and at least ½ credit in statistics or data analysis <del>that can be earned through a sequential, integrated applied program</del>
Physical sciences	1 credit
Biological sciences	1 credit
<u>US History</u>	<u>1 credit</u>
<del>US and</del> NH history	<del>½ +</del> credit
<u>Logic and Rhetoric</u>	<u>½ credit</u>
<u>Civics</u>	<u>½ credit</u>
<del>History, government constitution of US and government/civics</del>	<del>1½</del> credit
<del>Economics, including personal finance</del>	½ credit
<u>Financial literacy</u>	<u>½ credit</u>
World history, global studies geography	<del>½</del> <u>1</u> credit
Health education	½ credit
Physical education	1 credit
Open electives	<del>2.56</del> credits
Totals	20 credits

~~— (w) Graduation competencies shall include competencies from the content areas as distributed in Table 306-3 in which students demonstrate proficiency as determined by the local school district:~~

~~Table 306-3 Required Credits for Graduation and Graduation Competencies~~

<del>Required Graduation Competencies by Content Areas</del>	<del>Credit(s)</del>
<del>Arts education</del>	<del>½ credit</del>
<del>Digital literacy</del>	<del>½ credit</del>
<del>English</del>	<del>4 credits</del>
<del>Mathematics that encompasses algebra, mathematical modeling, statistics and probability, complex applications of measurement, applied geometry, graphing, presentation and interpretation, statistics and data analysis</del>	<del>3 credits,</del>
<del>Physical sciences</del>	<del>1 credit</del>
<del>Biological sciences</del>	<del>1 credit</del>
<del>US and NH history</del>	<del>1 credit</del>
<del>US and NH government/civics</del>	<del>½ credit</del>
<del>Economics, including personal finance</del>	<del>½ credit</del>
<del>World history, global studies, or geography</del>	<del>½ credit</del>
<del>Health education</del>	<del>½ credit</del>
<del>Physical education</del>	<del>1 credit</del>
<del>Open electives</del>	<del>6 credits</del>
<del>Totals</del>	<del>20 credits</del>

~~— (x) The rigor and number of graduation competencies shall align with the equivalent of the credits as outlined in Table 306-3.~~

~~— (y) In addition to the graduation competencies aligned with credits as outlined in Table 306-3, students shall also demonstrate achievement of additional competencies through the equivalent of 6 elective courses, career and technical education courses, or extended learning opportunities of their choosing. These additional competencies required for graduation should align with student interests and should prepare the student for successful transitions into careers and college.~~

~~— (z) The graduation competencies in digital literacy education shall be met by either:~~

~~(1) The equivalent of a ½ credit course comprised of the creation by a student of an individual student digital portfolio to demonstrate proficient, ethical, and responsible use of digital tools, including, but not limited to, technology and communication tools, in the context of core subjects; or~~

~~(2) A course in digital literacy education at the high school level through which a student can achieve and demonstrate~~

~~— (aa) The local school board shall adopt a policy relative to counting achievement and demonstration of graduation competencies from course work earned in one content area toward meeting any graduation competencies in another content area.~~

~~— (ab) Any graduation competency in a subject area may be earned through interdisciplinary learning, subject to the following conditions:~~

~~(1) Graduation requirements met by interdisciplinary learning opportunities shall be clearly designated on student transcripts; and~~

~~(2) The high school principal may approve a particular interdisciplinary course if the high school principal determines that:~~

- ~~a. The course has been adopted by a faculty team; and~~
- ~~b. The course addresses equivalent district or graduation competencies for the subject areas which are covered by the course.~~

~~— (ae) Local school board policies relative to the awarding of achievement and demonstration of district or graduation competencies for distance education as described in Ed 306.22, shall require that:~~

- ~~(1) Students may earn achievement and demonstration of the graduation competencies through the successful completion of such courses; and~~
- ~~(2) Achievement and demonstration of district or graduation competencies shall be granted only if the high school principal determines that the distance learning course meets the academic standards required by the high school for students to demonstrate achievement of district or graduation competencies.~~

~~(had)~~ In each high school, the minimum yearly course load for a student shall be at least the equivalent of 34 credits, except that this requirement may be modified for:

- (1) Students with an individualized education program (IEP) that has been developed in accordance with Ed 1109;
- (2) Students for whom early graduation has been approved as provided in ~~(ad)~~ below Ed 306.04(b)(19); or
- (3) Those individuals in special or unusual circumstances as provided by local school board policy.

~~(ae) A local school board shall adopt policies pertaining to early graduation for individual students. Such policies shall require parental involvement for students under the age of 18. Consistent with local policy, the high school principal shall approve such requests if the high school principal determines that all state and local graduation requirements will be met and that early graduation is related to the career or educational plans of the student making the request. Upon demonstration of all graduation competencies, awarding of appropriate credits, and approval by the high school principal, the student shall be awarded a high school diploma.~~

~~(iaf)~~ The principal shall evaluate the transcripts of students who transfer into a secondary school from another educational program, or state, to determine previous educational experiences toward meeting graduation competencies.

~~— (ag) Upon receipt of a written request from the local school board, the commissioner of education shall waive a particular graduation requirement and shall permit the local board to award a high school diploma to a student if the commissioner determines that:~~

- ~~(1) Such action is in the best interests of the student; and~~
- ~~(2) At least one of the following circumstances exists:~~
  - ~~a. The student has a debilitating illness which limits school attendance;~~
  - ~~b. The student has a physical disability which precludes participation in physical education;~~
  - ~~c. The student moved into a New Hampshire school district from out of state during grade 12 and was not able to schedule a particular graduation requirement; or~~

~~d. Another condition exists beyond the control of the student similar to the conditions described in a., b., or c. above.~~

~~(ah) Each local high school shall provide reasonable accommodations for cocurricular activities as appropriate in order to allow for full access and participation by students with disabilities.~~

~~(ai) The local school board shall require, and each district shall establish, and provide instruction in, Holocaust and genocide education as described in Ed 306.49, implemented not earlier than in 8th grade and continuing through grade 12 as a component of a course in social studies, world history, global studies, or US history. Nothing in this paragraph shall be construed to prevent developmentally appropriate instruction in Holocaust and genocide studies prior to 8th grade or as a component of other learning areas.~~

**Readopt with amendment and renumber Ed 306.28, effective 3-27-14 (Document #10556), and amended effective 8-9-19 (Document #12845), as Ed 306.23 to read as follows:**

Ed 306.23 Approval Process.

(a) Pursuant to RSA 186:8, II, and RSA 21-N:6, V, the department shall administer Ed 306.

(b) The following school approval categories shall apply to the administration of Ed 306:

(1) Approved for a 5--year period provided that a school meets and continues to meet all requirements of Ed 306;

(2) Conditionally approved; and

(3) Unapproved

(c) A school which does not meet all of the applicable requirements of Ed 306 shall be designated as conditionally approved, provided that:

(1) All identified deficiencies and a timetable for their correction shall be incorporated into the approval designation; and

(2) The department shall work with the school officials and the local school board toward correcting all deficiencies.

(d) A conditionally approved school which fails to meet the requirements of an approved school within 3 consecutive school years shall be designated as unapproved unless approved for delay in full compliance under Ed 306.2530.

(e) One year prior to the expiration of a school's approval, the chairperson of the local school board and the superintendent of the respective district shall provide documentation of compliance with all applicable standards. ~~as follows:~~

~~(f)~~ By October 1, the superintendent of schools shall electronically certify that the schools in the ~~SAU school administrative unit~~ meet all requirements of Ed 306 through the online Education Statistics System (ESS) school approval checklist; and at <https://my.doe.nh.gov/myNHDOE/Login/Login.aspx>.

~~(2) All schools shall annually comply with Ed 306.07, School Facilities, through the online ESS in (1) above and Saf C 6000, State Fire Code, through completion of a life safety inspection by the local fire department and inspection by the local health officer or other authority having jurisdiction as required by RSA 153:14.~~

(g) Pursuant to Ed 306.07, all facilities operated by the school district for K-12 educational purposes shall be approved to operate or conditionally approved to operate in accordance with Ed 320.

(hf) A school not meeting the requirements of ~~(g)(f)(2)~~ above shall be designated as unapproved.

(ig) If compliance with any other requirement of Ed 306 is in question, the school board chairperson and superintendent shall provide the commissioner with an alternative approval proposal as provided in Ed 306.2429. If approved, the alternative approval proposal shall be made publicly available by the school district.

~~(jh) The commissioner of education department shall designate qualified professionals to visit schools to conduct school audits to verify the information and documentation submitted in (a) and (f) above, in conjunction with visits pursuant to RSA 193-E:3 monitoring visits to verify that a school complies with Ed 306.~~

~~(ki) Each year the commissioner department shall provide an proposed approval designation, as identified in (b) above, for each public school and public academy with an expiring approval status.~~

~~(lj) The department commissioner shall notify in writing the chairperson of the local school board and the superintendent of each school's final approval designation.~~

~~(mk) If the local school board officials disagrees with the consider the commissioner's proposed approval designation to be in error, the district superintendent shall prepare written may appeal evidence to justify its modification the approval designation to the state board.~~

~~(nl) Such evidence An appeal to the state board shall be submitted filed to the commissioner or designee within 30 days of receipt of the commissioner's proposed after delivery of the approval designation.~~

~~(om) The commissioner appeal shall review all requests for modification and notify be filed, in writing, by giving notice to the chairperson of the state local school board, and the superintendent of his/her final approval designation as identified in (b).~~

~~(pn) The district shall provide all evidence rebutting the If a request for modification of a proposed approval designation with the appeal. Evidence presented to the state board shall be limited to evidence available to the department at the time of the department's monitoring of the district pursuant to (j) above. has not been received within 30 days, it shall become the commissioner's final approval designation and the school shall be designated as approved, conditionally approved, or unapproved as identified in (b).~~

~~(qo) Each year, tThe state board of education shall hear the district's appeal at the next regularly scheduled state board meeting. direct the commissioner of education to publish a list of all public schools and public academies by approval category. The term of approval for each school shall also be listed.~~

~~(rp) Should the district wish to present oral argument to the state board, they shall file a separate request for oral argument at the time of the appeal. If the district requests oral argument, the department may provide oral argument. If the commissioner has designated a school as unapproved, the chairperson of the local school board or designee may appeal the decision of the school's final approval designation and request a state board hearing. Said appeal shall be filed in writing with the office of legislation and hearings within 20 days of the receipt of the final approval designation and shall specify the basis for the appeal. The office of legislation and hearings shall schedule a hearing on the appeal in accordance with timelines and procedures established in Ed 200.~~

~~(sq) It shall be the responsibility of the superintendent to notify the department commissioner of any change in conditions which affects a school's compliance with these rules.~~

~~(r) Pursuant to RSA 21-N:11, III, any person directly affected by said decision may request a state board hearing. A request for a hearing shall be filed in writing with the office of legislation and hearings within 20 days of the decision and shall specify the basis for such hearing. The office of legislation and hearings shall schedule the hearing in accordance with timelines and procedures established in Ed 200.~~

**Readopt with amendment and renumber Ed 306.29 and Ed 306.30, effective 3-27-14 (Document #10556), as Ed 306.24 and Ed 306.25 to read as follows:**

Ed 306.~~2429~~ Alternative Approval.

(a) In order to meet the provisions of these rules and encourage innovation to achieve high standards for students, a local school board may request approval of an alternative method of compliance with the relevant rule or rules.

(b) To apply for alternative approval, the local school board shall submit a written request to the commissioner~~of education~~ that includes:

- (1) The name(s) of school(s) ~~and~~ district, or both;
- (2) The SAU number;
- (3) The contact person and telephone number;
- (4) The grades covered by the request;
- (5) The number of students affected;
- (6) Identification of the rule(s) for which the alternative plan is being submitted;
- (7) The local school board chairperson's signature;
- (8) A clear and concise written justification of the request; and
- (9) A plan which describes:
  - a. ~~The~~ The alternative and consists of a statement of intent;
  - b. ~~Method~~ Method of implementation;
  - c. ~~E~~ Evaluation procedures;
  - d. ~~T~~ Timetable for development and implementation; and
  - e. ~~An~~ An explanation of how the alternative is consistent with the statement(s) of philosophy, goals, and objectives adopted pursuant to Ed 306.05.

(c) The commissioner shall grant approval of the alternative for that period of time consistent with the school(s) approval designation, issued pursuant to Ed 306.~~2328~~, if the request meets the following criteria:

- (1) The information provided is thorough and complete;
- (2) The school district has demonstrated that it is able to implement the alternative; and
- (3) The alternative is educationally sound and is consistent with the intent of the rule(s).

(d) The commissioner shall notify the local school board chairperson and the superintendent in writing of the decision.

(e) If the commissioner denies the request, the chairperson of the local school board or designee may appeal the decision and request a state board hearing.

~~(f) The appeal shall be filed, in writing, with the state board, office of legislation and hearings within 20 days of the receipt of the decision and shall specify the basis for the appeal. The office of legislation and hearings shall schedule a hearing on the appeal in accordance with timelines and procedures established in Ed 200.~~

~~(g) The state board shall hear the district's appeal at the next regularly scheduled state board meeting.~~

~~(h) Should the district wish to present oral argument to the state board, the district shall file a separate request for oral argument at the time of the appeal. If the district requests oral argument, the department may provide oral argument.~~

~~(f) Pursuant to RSA 21-N:11, III, any person directly affected by said decision may request a state board hearing. A request for a hearing shall be filed in writing with the office of legislation and hearings within 20 days of the decision and shall specify the basis for such hearing. The office of legislation and hearings shall schedule the hearing in accordance with timelines and procedures established in Ed 200.~~

Ed 306.2530 Delay in Full Compliance.

(a) Notwithstanding any other provision of these rules and in accordance with the provisions of RSA 194:23-b, the state board ~~of education~~ shall approve, for a period of one year, a school, although it does not fully meet the requirements for an approved school, as established in these rules, if any of the conditions listed in ~~(de)~~(1)-(5) below justify delay in full compliance.

(b) A request for delay in full compliance shall be submitted in writing by the chairperson of the local school board to the commissioner.

~~(c)~~ Each request shall specify the standard(s) to be delayed and provide written evidence to justify delay in full compliance, including the reason(s) for the request and a local plan and timetable for bringing the school, ~~/~~district, or both into full compliance.

~~(de)~~ Upon review of the request, the state board shall grant a delay in full compliance and approve the school for a period of one year if any of the following conditions exists at a level that has a significant ~~and~~/or material impact:

- (1) Reduction in local tax base;
- (2) Closing of a major industry;
- (3) Sudden influx of school-age population;
- (4) Emergency beyond the control of the school district, such as a fire or natural disaster; or
- (5) The district has made progress toward meeting the standards, but more time is required to implement the district's plan for corrective action.

~~(ed)~~ The commissioner shall notify the local school board chairperson and the superintendent of the state board's decision.

~~(fe)~~ If the state board denies the request, the chairperson of the local school board or designee may request a reconsideration of the state board's decision. ~~The reconsideration shall be~~ filed in writing with the office of legislation and hearings within 20 days of receipt of the decision.

~~(g)~~ The office of legislation and hearings shall schedule a reconsideration in accordance with timelines and procedures established in Ed 213.



## APPENDIX

<b>Rules</b>	<b>Specific State or Federal Statutes or Federal Regulation Rule Implements</b>
Ed 306.01	RSA 189:1-a, II; RSA 189:24; RSA 189:25; RSA 193-E:2-a, I-III; RSA 194:23
Ed 306.02(a)	RSA 193-E:2-a, VI(b)
Ed 306.02(b)	RSA 193-H:1, II
Ed 306.02(c)	RSA 188-E:2, III
Ed 306.02(d)-(f)	RSA 193-H:1-a
Ed 306.02(g)	RSA 193-E:2-a, II
Ed 306.02(i)	RSA 21-N:2
Ed 306.02(j)	RSA 189:1-a, II
Ed 306.02(k)	RSA 189:39
Ed 306.02(l)	RSA 193-H:1-a, III
Ed 306.02(m)	RSA 193-E:3, VIII
Ed 306.02(n)	RSA 193-H:1-a, III
Ed 306.02(o)	RSA 189:1-a, II
Ed 306.02(p)	RSA 189:1
Ed 306.02(q)	RSA 192-E:2-a, II
Ed 306.02(r)	RSA 189:1-a; RSA 193-E:1, I; RSA 193-E:3-b, I
Ed 306.02(s)	RSA 189:1-a
Ed 306.02(t)	RSA 193-H:1-a, III
Ed 306.02(u)	RSA 193-E:1
Ed 306.02(v)	RSA 189:1-a, II
Ed 306.02(w)	RSA 21-N:10
Ed 306.02(x)	RSA 193-E:2-a, VI(d)-(f)
Ed 306.03	RSA 189:24; RSA 189:25; RSA 194:23-b; RSA 193-E:2-a
Ed 306.04(a)	RSA 194-C:4
Ed 306.04(b)(1)	RSA 189:15; RSA 189:34, II; RSA 193:1, I
Ed 306.04(b)(2)	RSA 189:6-a; RSA 189:64; RSA 189:70, II; RSA 193-F:4, II; RSA 193-F:8;
Ed 306.04(b)(3)	RSA 189:15; RSA 193:13, XI-XII
Ed 306.04(b)(4)	RSA 189:27-b
Ed 306.04(b)(5)	RSA 186:5; RSA 189:15
Ed 306.04(b)(6)	RSA 189:15; RSA 631:7
Ed 306.04(b)(7)	RSA 193-F:4, II
Ed 306.04(b)(8)	RSA 189:13-a; RSA 194-C:4, II(d)
Ed 306.04(b)(9)	RSA 169-C:29
Ed 306.04(b)(10)	34 C.F.R. § 99.5; 20 U.S.C §1232h, (c)(1)(C); Section 1112 (e)(1)(B)(i); RSA 189:66, IV; RSA 193:13; RSA 194-C:4, II(j)
Ed 306.04(b)(11)	RSA 189:1-a, II

Ed 306.04(b)(12)	RSA 193:1, I(h); 193-E:3, VIII
Ed 306.04(b)(13)	RSA 193:12, VIII
Ed 306.04(b)(14)	RSA 193:13, XI(a); RSA 200
Ed 306.04(b)(15)	RSA 189:11-a, VIII
Ed 306.04(b)(17)-(21)	RSA 188-E:28; RSA 189:1-a, II
Ed 306.04(b)(22)	RSA 189:11-a, V
Ed 306.05	RSA 194-C:4, I; RSA 194-C:4, II(c)-(f)
Ed 306.06	RSA 189:1-c; RSA 189:15; RSA 189:74; RSA 194:23-f; RSA 194-C:4, II(c)-(f)
Ed 306.07	RSA 155-A:2; RSA 189:24
Ed 306.08	RSA 189:1-a, II; RSA 189:24; RSA 193-E:2, VII; RSA 194-C:4, II(c)
Ed 306.09 (repeal)	RSA 189:24
Ed 306.09 (formerly Ed 306.10)	RSA 189:27-b; RSA 189:29-a
Ed 306.10 (formerly Ed 306.11)	RSA 189:11-a, I-II
Ed 306.11 (formerly Ed 306.12)	RSA 189:24; RSA 189:49; RSA 200:27-40-c; 20 U.S.C. § 1232g; 29 U.S.C. § 794
Ed 306.12 (formerly Ed 306.15)	RSA 21-N:9; RSA 189:49; RSA 194-C:4, II(b)
Ed 306.13 (formerly Ed 306.16)	RSA 21-N:9, II(z); RSA 186:8, V
Ed 306.14 (formerly Ed 306.17)	RSA 189:1-a, I-II;
Ed 306.15 (formerly Ed 306.18)	RSA 189:1; 189:24
Ed 306.16 (formerly Ed 306.20)	RSA 188-E:5
Ed 306.17 (formerly Ed 306.21)	RSA 189:1-a, II; RSA 193:1, I(h); RSA 193-E:2-a, V(b)
Ed 306.18 (formerly Ed 306.22)	RSA 189:1; RSA 189:1-a, II; RSA 189:24
Ed 306.19 (repeal)	RSA 189:1
Ed 306.19 (formerly Ed 306.25)	RSA 189:49, IV
Ed 306.20 (formerly Ed 306.26)	RSA 189:1-a; RSA 189:25; RSA 193-E:2; RSA 193-E:2-a, II-II-a
Ed 306.21 (formerly Ed 306.27)	RSA 189:1-a; RSA 189:10, II-III; RSA 189:11; RSA 193:1(f); RSA 193-E:2; RSA 193-E:2-a, II; RSA 193-E:2- a, V(a); RSA 194:23

Ed 306.22 (formerly Ed 306.27)	RSA 186-C:9; RSA 189:1-a; RSA 189:10, II-III; RSA 189:11; RSA 193:1(f); RSA 193-E:2; RSA 193-E:2-a, IV(b); RSA 194:23; RSA 194:23-b
Ed 306.23 (repeal)	RSA 189:28; RSA 193-E:3-b; 193-H:2; RSA 193-H:4
Ed 306.23 (formerly Ed 306.28)	RSA 21-N:11, III; RSA 189:24; RSA 189:28, I-II; RSA 193-E:2-a; RSA 193-E:3-b; RSA 194:23; RSA 194-C:4, II(d)
Ed 306.24 (repeal)	RSA 189:28; RSA 193-C:3; RSA 193-C:6
Ed 306.24 (formerly Ed 306.29)	RSA 21-N:1, II; RSA 21-N:6, V; RSA 21-N:11, III; RSA 198:48-a, I-V
Ed 306.25 (formerly Ed 306.30)	RSA 21-N:11, III; RSA 189:3; RSA 194:23-c

**Readopt with amendment Ed 306.31, effective 1-8-16 (Document #11020), as amended effective 8-9-19 (Document #12845) to read as follows:**

Ed 306.31 Arts Education Curriculum Program.

~~(a) Pursuant to Ed 306.26 and Ed 306.27, the local school board shall provide that an arts education curriculum program for grades 1-12 in each elementary, middle, and high school consistent with competencies determined pursuant to Ed 306.20 and Ed 306.21, which may include~~ provides:

(a1) Systematic and sequential instruction in the arts disciplines of music and visual art, while developing opportunities for dance and theatre, where students will:

(1)a. Create, perform, and respond with understanding;

(2)b. Participate actively in at least one of the art forms of dance, music, theatre or visual art;

(3)c. Analyze and evaluate works of art from structural, historical, and cultural perspectives, including acquiring the ability to understand and evaluate works of art in various arts disciplines;

(4)d. Recognize exemplary works of art from a variety of historical periods and cultures, as well as understand historical development within and among the arts disciplines;

(5)e. Relate various types of arts knowledge and skills within and across the arts and other disciplines;

(6)f. Use technology as ways to create, perform, or respond in various arts disciplines; and

(7)g. Become familiar with career opportunities in the arts or with the impact of the arts on everyday life;

(b2) Planned curriculum that is consistent with RSA 193-C:3, III; that will provide for:

(1)a. A variety of developmentally appropriate techniques and processes as well as learning materials such as tools, equipment, facilities and supplies, including but not limited to musical instruments, current recording devices, computers and software, and expendable art-making supplies, that meet the diverse needs, interests and capacities of each student;

(2)b. The best interests of students regarding safety and health issues associated with materials, tools, equipment, supplies and procedures;

(3)c. The ability to guide student development in observing, imagining, visualizing, listening, transforming, and synthesizing their thoughts and ideas into artworks through traditional and nontraditional means such as, but not limited to, choreography, reading and writing music, improvisation, script-writing, set design, two and three-dimensional artworks, and media arts;

(4)d. The ability to guide students in selecting and applying subject matter and movements, sounds, language, or symbols, or any combination of them, with ideas to express meaning in artwork;

(5)e. Developing artistry and artistic skill sequentially over time;

(6)f. Critical thinking skills and artistic choices in the creation and evaluation of artworks;

(7)g. Addressing opportunities available beyond the regular classroom; and

- ~~(8)~~ Embedding in the students global arts-related history and culture; and
- (c3) Sound assessment practices ~~as stated inconsistent with~~ Ed 306.2224.

Ed 306.32 RESERVED.

**Readopt with amendment and renumber Ed 306.33 and Ed 306.34, effective 3-27-14 (Document #10556), as Ed 306.32 and Ed 306.33 to read as follows:**

Ed 306.32~~33~~ RESERVED Business Education Curriculum Program.

(a) ~~Pursuant to Ed 306.27, the~~ local school board shall ~~require provide~~ that a business education ~~program curriculum at each high school consistent with competencies determined pursuant to Ed 306.21, which may include~~ provides:

- (1) Opportunities for students to become familiar with business principles, practices, attitudes and procedures basic to successful participation in the business world;
- (2) Planned activities designed to increase students' knowledge and skills and enable students to function as economically literate citizens in domestic and international venues;
- (3) Opportunities for students to acquire fundamental business knowledge and skills in:
  - a. Business essentials;
  - b. Business technology applications; and
  - c. Personal finance; and
- (4) Courses totaling at least 3 credits in business education which shall be distributed as follows:
  - a. One credit in business essentials that will encompass career exploration in:
    1. Overview of career clusters in business, marketing, and finance;
    2. Written and oral communication;
    3. Mathematics and economics;
    4. Legal and ethical behavior;
    5. Safe and secure environmental controls;
    6. Management of resources;
    7. Employability and personal skills for success in the workplace;
    8. Entrepreneurship;
    9. Business practices including ethics and social responsibilities; and
    10. Global economy;
  - b. One credit in business technology applications that shall encompass business technologies in:
    1. Word processing applications;

2. Spreadsheet development;
  3. Database management;
  4. Presentations;
  5. Electronic communications and internet services;
  6. Graphics;
  7. Desktop publishing including basic web design;
  8. Interactive media;
  9. Ethical issues; and
  10. Careers in business using technology applications; and
- c. One credit in personal finance that will encompass financial literacy in:
1. Personal financial decisions;
  2. Rights and responsibilities of consumers;
  3. Money management;
  4. Understanding scholarships versus loans;
  5. Borrowing and earning power;
  6. Investing;
  7. Financial services and insurance; and
  8. Job application and interviewing.

(b) Each district shall establish and provide a comprehensive, sequentially designed, business education curriculum designed to meet the minimum standards for college and career readiness and that provides for continued growth in all content areas consistent with RSA 193-C:3, III.

(c) For business education programs, schools shall provide for the ongoing, authentic assessment of student learning outcomes through multiple formative and summative assessment instruments that are aligned with the state and district content and performance standards.

~~(d) Examples of such assessment shall include, but not be limited to:~~

- ~~(1) Teacher observations of student performance;~~
- ~~(2) Competency based or performance based assessments;~~
- ~~(3) Common assessments developed locally; and~~
- ~~(4) Project evaluation rubrics used to evaluate business education proficiencies applied to integrated curriculum assignments, extended learning opportunities, and out of school learning environments.~~

~~(c) For all business education programs, schools shall demonstrate how school and student assessment data are used to evaluate, develop, and improve curriculum, instruction, and assessment.~~

Ed 306.3334 Career and Technical Education Program CTE Curriculum.

(a) Pursuant to Ed 306.27, all high school ~~career and technical education (CTE) programs~~ curriculums shall be a partnership between the high school and the regional CTE center, established under RSA 188-E.

(b) An approved CTE program shall be one that:

(1) Delivers multi-level career and technical education, as defined in Ed 306.02(~~cb~~), in sequential fashion, based on curriculum~~program~~-specific competencies endorsed by CTE and business leaders;

(2) Utilizes competencies aligned with national industry standards that have been vetted through both business and industry and postsecondary education;

(3) Offer students a career pathway plan of study that establishes an educational progression from secondary through postsecondary, which culminates in a postsecondary educational degree or credential in the student's chosen career field or to a career in the student's identified field in a supportive capacity for students with disabilities whose IEP teams have determined that the student, even with accommodations ~~and~~ or modifications, is unable to meet licensure or certification requirements;

(4) Implements third-party assessments as recognized and designated by the department;

(5) Is in one of the following nationally recognized career cluster areas:

- a. Agriculture, food, and natural resources;
- b. Architecture and construction;
- c. Arts, audiovisual technology, and communications;
- d. Business, management, and administration;
- e. Education and training;
- f. Finance, including personal financial literacy;
- g. Government and public administration;
- h. Health science;
- i. Hospitality and tourism;
- j. Human services;
- k. Information technology;
- l. Law, public safety, and security;
- m. Manufacturing;
- n. Marketing, sales, and services;

o. Science, technology, engineering, and mathematics including technology education; and

p. Transportation, distribution, and logistics;

(6) Provides instruction that embeds:

a. Program-related, competency-based academic knowledge;

b. High employability skills and performance skills, including:

1. Acting as a responsible and contributing citizen and employee;

2. Applying appropriate academic and technical skills;

3. Attending to personal and financial well-being;

4. Communicating clearly, effectively and with reason;

5. Considering the environmental, social, and economic impacts of decisions;

6. Demonstrating creativity and innovation;

7. Employing valid and reliable research strategies;

8. Utilizing critical thinking to make sense of problems and persevere in solving them;

9. Modeling integrity, ethical leadership, and effective management;

10. Planning education and career path aligned to personal goals;

11. Using technology to enhance productivity; and

12. Working productively in teams while using cultural and global competence;

c. Math, English language arts, and science, consistent with RSA 193-C:3, III;

d. Occupation-specific skills that provide the individual student with the ability to be college and career ready and able to adapt to the changing demands of the workplace; and

e. Supportive capacity for students with disabilities whose IEP teams have determined that even with accommodations the student is unable to meet licensure or certification requirements;

(7) Offers approved CTE programs in a safe environment for students that:

a. Meets safety standards established by national associations and adopted as administrative rules by New Hampshire licensing boards for the particular career;

b. Do not exceed 24 students in each laboratory class; and

c. Comply with all state and federal child labor laws;

(8) Coordinates with postsecondary or apprenticeship programs, or both; and

(9) Coordinates with business and industry-based programs.



(c) Receiving districts shall collaborate with various CTE stakeholders, including, but not limited to:

- (1) Business and industry, including, but not limited to:
  - a. Regional advisory committee participation;
  - b. Program advisory committee participation;
  - c. Core competency development and review;
  - d. National industry standards adherence; and
  - e. State industry economic initiatives and labor demands;
- (2) Postsecondary institutions;
- (3) Specific program area state governing boards, including, but not limited to, the:
  - a. State board of nursing;
  - b. State board of cosmetology;
  - c. Mechanical licensing board previously known as the plumbing safety and licensing board;
  - d. New Hampshire electricians board;
  - e. State apprenticeship advisory council;
  - f. National automotive technicians education foundation;
  - g. Bureau of emergency medical services; and
  - h. NH fire standards and training commission;
- (4) State department of labor;
- (5) U.S. office of vocational and adult education;
- (6) U.S. office for civil rights; and
- (7) Other such governing bodies as are identified by the department.

(d) Each regional CTE center shall establish and provide a comprehensive, sequentially designed curriculum, providing instruction that supports the achievement of the statewide CTE core competencies offered at that regional CTE center.

(e) For each CTE program within each regional CTE center, the center shall provide for the ongoing, authentic assessment of competencies aligned with the requirements of ~~Ed 306.34(b)(2) above, using multiple formative and summative assessment instruments that are aligned with the state and district content and performance standards.~~

~~(f) Examples of such assessment shall include, but not be limited to:~~

- ~~(1) Teacher observations of student performance;~~
- ~~(2) Competency based or performance based assessments;~~

~~(3) Common assessments developed locally;~~

~~(4) Project evaluation rubrics applied to integrated curriculum assignments, extended learning opportunities, and out of school learning environments; and~~

~~(5) Third party technical assessments that are aligned with industry standards, as recognized and designated by the department.~~

(fg) Each CTE center shall report the academic performance of each student on a regular basis as follows:

- (1) Distribute a summary of individual student performance to parents at least 3 times each year;
- (2) Provide an opportunity for parents to meet individually with their student's teachers about their student's performance at least once during the school year; and
- (3) Report aggregate data to all sending schools regarding student performance disaggregated by each career and technical education program.

(gh) For the CTE programs at all regional CTE centers, centers shall demonstrate how school and student assessment data are used to evaluate, develop, and improve curriculum, instruction, and assessment.

**Repeal Ed 306.35, effective 3-27-14 (Document #10556), as follows:**

~~— Ed 306.35 Career Education Program.~~

~~— (a) Pursuant to Ed 306.26 and Ed 306.27, the local school board shall require that a comprehensive career education program provides for the infusion of developmentally appropriate knowledge and skill development throughout all areas of the K-12 curriculum, in accordance with RSA 193-C:3, III.~~

~~— (b) At all grade levels, this comprehensive career education program shall include opportunities for students to:~~

- ~~(1) Develop self knowledge, self confidence, and self awareness in defining and refining life and work roles; and~~
- ~~(2) Become familiar with the skills and knowledge essential for making individual career and educational decisions.~~

~~— (c) At the middle and high school level, this program shall include systematic instruction and activities designed to enable students to:~~

- ~~(1) Develop basic knowledge, attitudes, and competencies that promote success on the job;~~
- ~~(2) Collect and evaluate data related to current and emerging employment opportunities;~~
- ~~(3) Use available resources in planning and decision making regarding educational and career objectives;~~
- ~~(4) Understand the wide variety and interrelatedness of occupations; and~~
- ~~(5) Develop career interests and an awareness of the training and skills required for success.~~

Ed 306.36 RESERVED.

**Readopt with amendment and renumber Ed 306.37, effective 1-8-16 (Document #11020), as Ed 306.34 to read as follows:**

Ed 306.3437 English, ~~/Language Arts and Reading Curriculum Program.~~

(a) ~~Pursuant to Ed 306.26,~~ I local school board shall ~~provide~~~~require that~~ an English ~~/language arts and reading curriculum program~~ in each elementary school, consistent with competencies determined pursuant to Ed 306.24, which may include ~~provides:~~

- (1) Systematic and continuous instruction which develops students' knowledge of language arts, including listening, speaking, reading, writing, and viewing;
- (2) Instruction which emphasizes how to clarify, order, interpret, and communicate experiences through the skillful use of language;
- (3) Opportunities for each student to exercise, with fluency and ease, oral and written skills and to become acquainted with others' interpretations of experiences through fiction and informational materials, film, television, and other media;
- (4) An environment which promotes the importance of reading;
- (5) Opportunities for each child to become literate;
- (6) Methods for assessing students for appropriate placement in the reading ~~/language arts curriculum program~~, including diagnostic assessment for remediation;
- (7) Support for teachers on interpreting test results;
- (8) Continuous monitoring of each student's progress from grade to grade;
- (9) Early intervention or remediation;
- (10) Instruction for teachers in reading in the content areas; and
- (11) Training for instructional staff on methods for effectively meeting the language arts/reading needs of all students and on current developments in language arts/reading.

(b) ~~Pursuant to Ed 306.26,~~ I local school board shall ~~require that~~~~provide~~ an English ~~/language arts and reading curriculum program~~ in each middle school consistent with competencies determined pursuant to Ed 306.20, which may include ~~provides:~~

- (1) Instruction which emphasizes the use of language to clarify, order, interpret, and communicate experiences including instruction in listening, speaking, reading, writing, and viewing;
- (2) Opportunities for each student to develop oral and written skills and to become acquainted with others' interpretations of experiences through fiction and informational materials, film, television, and other media; and
- (3) Systematic instruction and activities designed to enable student to:
  - a. Comprehend and produce progressively more complex oral and written language using various patterns of organization, such as narration, description, enumeration, sequence, cause and ~~/~~effect, comparison and ~~/~~contrast, and problem and ~~/~~solution;

- b. Recognize and create literary elements, such as plot, character, setting, and point of view in a variety of genres;
- c. Apply the writing process, including choosing a topic, generating ideas and locating information, drafting, revising, and editing;
- d. Increase vocabulary through semantics, use of the dictionary, structural analysis, including prefixes and suffixes, and other strategies;
- e. Apply previously learned reading skills to content materials;
- f. Acquire new reading skills and fluency through remedial, developmental, and enrichment programs;
- g. Use appropriate reading techniques to acquire knowledge, including setting the purpose for reading, varying reading speed, and reading for comprehension at the literal, inferential, evaluative, critical, and analytical levels;
- h. Read to satisfy personal interests and recognize that fiction and informational materials can offer insight into life; and
- i. Employ appropriate study skills, including the ability to locate materials, take notes, organize information, and use a variety of sources.

I ~~Pursuant to Ed 306.27,~~ I local school board shall ~~provide~~require that an English /language arts program in each high school, consistent with competencies determine pursuant to Ed 306.21, which may include~~provides~~:

- (1) Opportunities for students to become familiar with the history, structure, and use of English as the basic medium of communication in our society;
- (2) Opportunities for students to develop proficiency and control in the use of language, an appreciation of a variety of literary forms, an understanding and appreciation of various aspects of past and present cultures as expressed in literature, and interests for lifelong learning;
- (3) Courses totaling at least 6 credits in English which shall be distributed as follows:
  - a. At least 4 credits required of all students and planned as a purposeful sequence of study which promotes:
    - 1. The development of the basic language skills of listening, speaking, reading, writing, and viewing;
    - 2. The acquisition of knowledge; and
    - 3. The understanding of literature and our literary heritage; and
  - b. At least 2 elective credits designed to provide increased proficiency in the basic language skills ~~and~~/or an expanded knowledge and understanding of literature ~~and~~ which may be met by such courses as advanced writing, public speaking, debating, dramatics, humanities, and world literature; and
- (4) Systematic instruction and activities designed to enable students to:
  - a. Develop effective listening and discussion techniques, distinguish fact from opinion, and identify the ~~principal~~principle idea;

- b. Write and present speeches for a variety of purposes and audiences;
- c. Understand and apply the writing process by choosing a topic, generating ideas and locating information, drafting, revising, and editing in order to write well-organized, legible, well-supported papers;
- d. Correctly use the conventions of standard English, such as grammar, punctuation, spelling, capitalization, and word usage, in all written work;
- e. Increase reading speed and comprehension and develop thinking skills, such as inference, applying knowledge, and making judgments;
- f. Develop word recognition skills, such as context clues, prefixes, suffixes, and phonetic analysis, in order to develop an increased vocabulary;
- g. Understand ideas presented in a variety of visual formats such as television advertisements and political cartoons;
- h. Know and appreciate both traditional and contemporary literature, including English, American, and works in translation;
- i. Understand literary analysis through discussion and writing activities;
- j. Recognize how our literary heritage relates to the customs, ideas, and values of today's life and culture; and
- k. Develop study skills which contribute to academic success, such as using the dictionary, note taking, locating information, distinguishing good sources of information from bad sources, and applying information in solving of real-life problems.

**Readopt with amendment and renumber Ed 306.38 and Ed 306.39, effective 3-27-14 (Document #10556) as Ed 306.35 and Ed 306.36 to read as follows:**

Ed 306.~~3538~~ Family and Consumer Science Education Curriculum Program.

(a) ~~Pursuant to Ed. 306.26 and Ed. 306.27, t~~The local school board shall ~~provide~~require that a family and consumer science education ~~program be provided~~curriculum in each middle school consistent with competencies determined pursuant to Ed 306.20 and Ed 306.21.

(b) The ~~middle school program curriculum shall provide~~ may include planned learning strategies and opportunities to prepare independent, educated consumers that are literate in life skills that provide:

~~(+) S~~students with teaching and instructional practice that:

- ~~(1)a.~~ Prepare students for college, career, and citizenship;
- ~~(2)b.~~ Promote optimal nutrition education that supports district wellness policies;
- ~~(3)e.~~ Use critical and creative thinking skills to promote problem solving in diverse family, community, and work environments;
- ~~(4)d.~~ Demonstrate creative thinking, constructs knowledge, and develops innovative products and processes using technology;

~~(5)e.~~ Use critical thinking skills to plan and conduct research, manage projects, solve problems, and make informed decisions;

~~(6)f.~~ Supports literacy in math, language arts, and science; and

~~(7)g.~~ Manage the challenges of living and working in a diverse global society;

~~(2) Experiences that support students' 21st-century learning, including, but not limited to:~~

~~a. Collecting, analyzing, organizing, and presenting information;~~

~~b. Decision making and problem solving;~~

~~c. Self-management;~~

~~d. Communication and conflict resolution; and~~

~~e. Technological literacy; and~~

~~(3) Experiences which develop students' knowledge and skills in:~~

~~a. Managing foods and nutrition;~~

~~b. Consumer financial literacy; and~~

~~c. Human growth and development;~~

(c) The local school board shall ~~require that provide~~ a family and consumer science education curriculum program ~~be provided in at~~ each high school consistent with competencies determined pursuant to Ed 306.21, which may include:

~~(d) The program in each high school shall provide~~ planned learning strategies and opportunities that:

(1) Enable students to develop an awareness of career opportunities and to function as leaders in family, community, and work settings; and

(2) Provide students with knowledge and experience in the following areas of:

a. Foods and nutrition;

b. Human growth and development;

c. Consumer and resource management; and

d. Textiles and design.

~~(de)~~ Each district shall establish and provide a comprehensive, sequentially designed, family and consumer science curriculum that will meet the minimum standards for college and career readiness and that provide for continued growth in all content areas consistent with RSA 193-C:3, III.

~~(ef)~~ For family and consumer science programs, schools shall provide for the ongoing, authentic assessment of student learning outcomes through multiple formative and summative assessment instruments that are aligned with the state and district content and performance standards.

~~(g) Examples of such assessment shall include, but not be limited to:~~

~~(1) Teacher observations of student performance;~~

~~(2) Competency based or performance based assessments;~~

~~(3) The use of real life relevant tasks, laboratories, simulations, and community involvement;~~

~~(4) Common assessments developed locally; and~~

~~(5) Project evaluation rubrics used to evaluate family and consumer science competencies applied to integrated curriculum assignments, extended learning opportunities, and out of school learning environments.~~

~~(h) Family and consumer science programs shall report the academic performance of all students on a regular basis by providing the following:~~

~~(1) A summary of individual student performance to parents at least 4 times per course; and~~

~~(2) The opportunity for parents to meet individually with their students' teachers about their students' performance at least once during each school year.~~

~~(i) For the family and consumer science programs at each grade level, schools shall demonstrate how school and student assessment data are used to evaluate, develop, and improve curriculum, instruction, and assessment.~~

Ed 306.~~3639~~ School Counseling Program.

~~(a) The local school board shall require that each school in its district provides for the implementation of a comprehensive school counseling program based on this section and "The ASCA National Model: A Foundation for School Counseling Program," published by the American School Counselor Association (ASCA) in 2012 as referenced in Appendix II as an integral part of the total educational program.~~ The local school board shall require that each district develop and have on file a comprehensive K-12 ~~S~~school counseling program policy and implementation plan consistent with the components in this section and kept current biennially.

(b) The K-12 school counseling program shall include a comprehensive sequence of learning opportunities designed to promote each student's development of work-study practices in academic development, career development, and personal and /social development by means of the following components:

(1) A school counseling core curriculum ~~based on the ASCA student competencies and local goals,~~ designed to help students attain the desired work-study practices and to provide all students with the knowledge, attitudes, and skills appropriate to their developmental level, including prevention and intervention activities;

(2) The school counseling core curriculum shall be delivered throughout the school's overall curriculum and be systematically presented by school counselors in collaboration with other professional educators in K-12 classroom and group activities;

~~(3)~~ Individual student planning that is coordinated and systematic including activities designed to assist students in establishing personal goals, developing future plans, and attaining college and career-ready, work-study practices;

~~(4)~~ Responsive services to meet students' immediate needs and concerns and counselor teaming in crisis response;

~~(5)~~ School counseling program management including data-driven decision-making reflective of the school's needs; and

~~(6)~~ Consultation and collaboration with parents, teachers, other educators, and community organizations; and

~~(7)~~ Referral of students for additional assistance.

(c) For the school counseling programs in grades K-12, the performance of the school counselor(s) shall be evaluated on knowledge, abilities, skills, and attitudes necessary to plan, organize, implement, and evaluate the implementation of a comprehensive school counseling program ~~based on the ASCA national model.~~

(d) For the school counseling programs in grades K-12, schools shall demonstrate the effectiveness of the local comprehensive school counseling program through a summary report of student performance in achievement, attendance, and behavior to the local school board at least once a year.

(e) The staff requirements for provision of the comprehensive developmental guidance and counseling program shall be as set forth in Ed 306.1215(b).

**Readopt with amendment and renumber Ed 306.40 - Ed 306.43, effective 1-8-16 (Document #11020), as amended effective 8-9-19 (Document #12845), as Ed 306.37 - Ed 306.40 to read as follows:**

Ed 306.3740 Health Education Curriculum Program.

~~— (a) Pursuant to Ed 306.26 and Ed 306.27, the local school board shall require that a school health education program for grades 1-12 provides:~~

~~(1) Health education;~~

~~(2) School health services;~~

~~(3) Food and nutrition services;~~

~~(4) A comprehensive guidance and counseling program;~~

~~(5) Healthy school facilities; and~~

~~(6) Family and community partnerships.~~

~~— (b) The local school board shall require that provide each school health education curriculum consistent with competencies determined pursuant to Ed 306.20 and Ed 306.21 program provides and may include:~~

~~(a)~~ Systematic instruction in grades K-12, designed to enable students to:

~~(1)~~ Comprehend concepts related to health promotion and disease prevention, linking to all content areas;

~~(2)~~ Demonstrate functional knowledge of the most important and enduring ideas, issues, and concepts related to achieving good health;

~~(3)~~ Demonstrate the ability to access valid health information and health-promoting products and services;

~~(4)~~ Demonstrate the ability to practice health enhancing behaviors and reduce health risks;

~~(5)~~ Analyze the effect of culture, media, technology, and other influences on health;



~~(6)f.~~ Demonstrate the ability to use interpersonal communications skills to enhance health;

~~(7)g.~~ Demonstrate the ability to use goal-setting and decision making skills to enhance health;  
and

~~(8)h.~~ Demonstrate the ability to advocate for personal, family, and community health;

~~(b2)~~ A planned K-12 curriculum in health education designed to teach the skills listed in (b)(1) above across the following content areas of health education:

~~(1)a.~~ Alcohol and other drug use prevention, in accordance with RSA 189:10;

~~(2)b.~~ Injury prevention;

~~(3)e.~~ Nutrition;

~~(4)d.~~ Physical activity;

~~(5)e.~~ Family life and comprehensive sexuality education, including instruction relative to abstinence and sexually transmitted infections in accordance with RSA 189:10;

~~(6)f.~~ Tobacco use prevention;

~~(7)g.~~ Mental health;

~~(8)h.~~ Personal and consumer health; and

~~(9)i.~~ Community and environmental health; and

~~(3) Sound assessment practices in health education that:~~

~~a. Match goals and objectives;~~

~~b. Require evaluation and synthesis of knowledge and skills;~~

~~c. Emphasize higher order thinking skills;~~

~~d. Clearly indicate what the student is asked to do but not how to do it;~~

~~e. Are at the appropriate reading level;~~

~~f. Have criteria that are clear to students and teachers;~~

~~g. Are engaging and relevant to students;~~

~~h. Link to ongoing instruction;~~

~~i. Provide feedback to students;~~

~~j. Provide cost-effective benefits to students;~~

~~k. Reflect real world situations; and~~

~~l. Emphasize use of available knowledge and skills in relevant problem contexts.~~

~~(a) Pursuant to Ed 306.26 and Ed 306.27, the local school board shall require that a school provide physical education curriculum program for grades 1-12 provides at each school consistent with competencies determined pursuant to Ed 306.20 and Ed 306.21 and may include:~~

~~(1) Physical education as provided in (b) below; and~~

~~(a2) Family and community partnerships;:-~~

~~(b) In the area of physical education, the local school board shall require that each school physical education program provides:~~

~~(b1) Systematic instruction and curriculum in grades 1-12, designed to enable students to:~~

~~(1)a. Demonstrate competency in motor skills and movement patterns needed to perform a variety of physical activities;~~

~~(2)b. Demonstrate understanding of movement concepts, principles, and performance of physical activities;~~

~~(3)c. Participate regularly in physical activity;~~

~~(4)d. Achieve and maintain a health enhancing level of physical fitness;~~

~~(5)e. Exhibit responsible personal and social behavior that respects self and others in physical activity settings; and~~

~~(6)f. Value physical activity for health, enjoyment, challenge, self expression, and social interaction;~~

~~(2) A planned 1-12 curriculum in physical education that will provide for:~~

~~(7)a. A variety of motor skills that are designed to enhance the physical, mental, social, and emotional development of every child;~~

~~(8)b. Fitness education and assessment to help children understand and improve or maintain their physical well-being;~~

~~(9)c. Development of cognitive concepts about motor skills and fitness;~~

~~(10)d. Opportunities to improve children's emerging social and cooperative skills and to gain a multicultural perspective;~~

~~(11)e. Promotion of regular amounts of appropriate physical activity now and throughout life; and~~

~~(12)f. Utilization of technology in attaining instruction, curricular, and assessment goals; and~~

~~(3) Sound assessment practices in physical education that:~~

~~a. Match goals and objectives;~~

~~b. Require evaluation and synthesis of knowledge and skills;~~

~~c. Emphasize higher-order thinking skills;~~

~~d. Clearly indicate what the student is asked to do;~~

- ~~e. Are at an appropriate skill level according to:~~
  - ~~1. State standards; and~~
  - ~~2. The needs of the individual;~~
- ~~f. Have criteria that are clear to students and teacher;~~
- ~~g. Are engaging and relevant to students;~~
- ~~h. Link to ongoing instruction;~~
- ~~i. Provide feedback to students;~~
- ~~j. Provide cost-effective benefits to students;~~
- ~~k. Reflect real-world situations; and~~
- ~~l. Emphasize use of available knowledge and skills in relevant problem contexts.~~

Ed 306.3942 Digital Literacy Curriculum Program.

(a) The local school board shall ~~provide~~require an integrated approach to the use of ~~21<sup>st</sup>-century digital~~ tools, including, but not limited to technology and communication tools, within all curriculum areas through the adoption of a ~~digital information and communication technologies literacy (ICT) program curriculum~~ in grades 1 - 12 that provides opportunities at developmentally appropriate levels for students to:

(1) Develop knowledge of ethical, responsible, and safe use of technology tools in a society that relies heavily on knowledge of information in its decision-making;

(2) Become proficient in the use of ~~digital~~21<sup>st</sup>-century tools to access, manage, integrate, evaluate, and create information within the ~~context of the core required~~ subject areas identified in table 306-1;

~~a. Reading;~~

~~b. Mathematics;~~

~~c. English and language arts;~~

~~d. Science;~~

~~e. Social studies, including civics, government, economics, history, and geography;~~

~~f. Arts; and~~

~~g. World languages;~~

(3) Use ~~digital~~21<sup>st</sup>-century tools to develop cognitive proficiency in:

~~a. Literacy;~~

~~b. Numeracy;~~

~~a.~~literacy, numeracy, Problem solving;

~~b.~~Decision making; and

~~e. Spatial and visual literacy;~~

(4) Use ~~21<sup>st</sup>-century digital~~ tools to develop technical proficiency at a foundation knowledge level in:

- a. Hardware;
- b. Software applications;
- c. Networks; and
- d. Elements of digital technology; and

(5) Create digital portfolios which:

~~a. Address the following components:~~

~~a.1. Basic operations and concepts;~~

~~b.2. Social, ethical, and human issues;~~

~~c.3. Technology productivity tools;~~

~~d.4. Technology communications tools;~~

~~e.5. Technology research tools; and~~

~~f.6. Technology problem solving and decision-making tools;~~

~~b. Represent proficient, ethical, responsible use of 21<sup>st</sup>-century tools within the context of the core subjects; and~~

~~e. Include, at a minimum, such digital artifacts as:~~

~~1. Standardized tests;~~

~~2. Observation;~~

~~3. Student work; and~~

~~4. Comments describing a student's reflection on his/her work.~~

(b) The local school board shall provide opportunities for students to demonstrate ~~digital literacy~~~~ICT~~ competency by the end of 8th grade using assessment rubrics applied to the contents of digital portfolios as required in (a)(5) above. Students who successfully demonstrate knowledge, skill, and understanding of these competencies shall have the opportunity, as high school students, to take a higher-level computer course to meet the ½ credit requirement.

(c) The local school board shall provide opportunities for students to complete a ½ credit ~~ICT~~~~digital literacy~~ course prior to high school graduation, ~~including, but not limited to:~~

~~(1) Use of common productivity and web-based software;~~

~~(2) Use of a variety of multimedia software and equipment;~~

~~(3) Configuring computers and basic network configurations; and~~

~~(4) Applying programming concepts used in software development.~~

Ed 306.4043 Mathematics Curriculum Program.

(a) ~~Pursuant to Ed 306.26, †~~The local school board shall ~~provide~~require that a mathematics ~~curriculum program in at~~ each elementary ~~grade, excluding kindergarten, provides~~school consistent with competencies determined pursuant to Ed 306.21, which may include:

- (1) Opportunities for all students to solve problems by:
  - a. Using multiple strategies;
  - b. Communicating mathematical ideas through speaking and writing; and
  - c. Making logical connections between different mathematical concepts;
- (2) Opportunities for all students to build and construct knowledge and understanding of mathematical concepts through ~~developmentally~~ appropriate activities that include concrete experiences and interactions with manipulatives, technology, and their environment;
- (3) Opportunities for authentic tasks that:
  - a. Promote student decision making and questioning;
  - b. Encourage students to develop unique problem-solving strategies while allowing students to defend their strategies and results;
- (4) Planned activities that promote developing mathematical concepts from the concrete to the representational and finally to the abstract level;
- (5) Opportunities for all students to develop positive attitudes such as inquisitiveness and appreciation of the multiple ways to approach and solve mathematical situations;
- (6) Interactive instruction and sustained activities designed to enable all students to demonstrate proficiency using the concepts and skills articulated in any grade level expectations that are adopted at the state level; and
- (7) A developed curriculum incorporating number and operations, geometry and measurement, data, statistic and probability, and functions and algebra consistent with RSA 193-C:3, III.

(b) ~~Pursuant to Ed 306.26, †~~The local school board shall ~~provide~~require that a mathematics ~~curriculum at~~program in each middle school consistent with competencies determined pursuant to Ed 306.24, which may include~~grade provides:~~

- (1) Opportunities for all students to solve problems by:
  - a. Using multiple strategies;
  - b. Reading and interpreting mathematics;
  - c. Communicating mathematical ideas through speaking and writing; and
  - d. Making connections within and among mathematical ideas and across disciplines;

- (2) Opportunities for all students to build and construct knowledge and understanding of mathematical concepts through ~~developmentally~~ appropriate activities that include concrete experiences and interactions with manipulative, technology, and their environment;
- (3) Opportunities for authentic tasks that:
  - a. Promote student decision making and questioning; and
  - b. Encourage students to develop unique problem-solving strategies while allowing students to defend their strategies and results through inductive and deductive reasoning;
- (4) Opportunities for all students to explore the historical and cultural development of mathematics;
- (5) Opportunities for all students to:
  - a. Explore mathematically-related careers; and
  - b. Have direct interaction with the mathematics involved in various careers;
- (6) Planned activities that promote developing mathematical concepts from the concrete to the representational and finally to the abstract level;
- (7) Opportunities for all students to develop positive attitudes such as inquisitiveness, appreciation of the multiple ways to approach and solve mathematical situations, and an appreciation of mathematical patterns;
- (8) Sustained projects and labs that are designed to:
  - a. Incorporate multiple mathematical ideas, research, technology, mathematical communication, and interdisciplinary interaction; and
  - b. Encourage students to solve problems that are meaningful and unique to their lives;
- (9) Interactive instruction and sustained activities designed to enable all students to demonstrate proficiency using the concepts and skills articulated in any grade level expectations that are adopted at the state level; and
- (10) A developed curriculum incorporating number and operations, geometry and measurement, data, statistics and probability, and functions and algebra consistent with RSA 193-C:3, III.

(c) ~~Pursuant to Ed 306.27, the~~ local school board shall ~~provide~~require that a mathematics ~~curriculum program in at~~ each high school consistent with competencies determined pursuant to Ed 306.21, which may include~~provides~~:

- (1) Opportunities for all students to solve problems by:
  - a. Using multiple strategies;
  - b. Reading and interpreting mathematics;
  - c. Communicating mathematical ideas through speaking and writing; and
  - d. Making connections within and among mathematical ideas and across disciplines;

(2) Opportunities for all students to build and construct knowledge and understanding of mathematical concepts through ~~developmentally~~ appropriate activities that include concrete experiences and interactions with manipulatives, technology, and their environment;

(3) Opportunities for authentic tasks that:

- a. Promote student decision making and questioning; and
- b. Encourage students to develop unique problem-solving strategies while allowing students to defend their strategies and results through inductive and deductive reasoning and proof;

(4) Opportunities for all students to explore the historical and cultural development of mathematics;

(5) Opportunities for all students to:

- a. Research mathematically-related careers;
- b. Have direct interaction with the mathematics involved in various careers; and
- c. Research the mathematical requirements of various college majors;

(6) Planned activities that promote developing mathematical concepts from the concrete to the representational and finally to the abstract level;

(7) Opportunities for all students to develop positive attitudes such as inquisitiveness, appreciation of the multiple ways to approach and solve mathematical situations, appreciation of mathematical patterns, and the ability to make predictions from patterns;

(8) Sustained projects and labs designed to incorporate multiple mathematical ideas, research, technology, mathematical communication, and interdisciplinary interaction, and to encourage students to solve problems that are meaningful and unique to their lives;

(9) Interactive instruction and sustained activities developed to increase mathematical maturity and allow students to be successful in solving problems outside of the classroom;

(10) Opportunities for all students to attain competency in mathematics for each year in which he or she is in high school, through graduation, to ensure career and college readiness.

~~(11) Such competency which~~ may be met by satisfactorily completing:

- a. A minimum of 4 courses in mathematics; or
- b. A minimum of 3 mathematics courses and one non-mathematics content area course in which mathematics knowledge and skills are embedded and applied, as may be approved by the school board;

~~(11+2)~~ Interactive instruction and sustained activities designed to enable all students to demonstrate proficiency on the state assessment; and

~~(12+3)~~ A developed curriculum incorporating number and operations, geometry and measurement, data, statistics and probability, and functions and algebra consistent with RSA 193-C:3, III.

**Readopt with amendment and renumber Ed 306.44, effective 8-9-19 (Document #12845), as Ed 306.41 to read as follows:**

Ed 306.~~41-44~~ Computer Science Curriculum~~Education~~.

~~— (a) Each district shall establish and provide a comprehensive, sequentially designed, computer science curriculum, implemented on or before July 1, 2020, that will meet the minimum standards for college and career readiness and that provide for continued growth in all content areas consistent with RSA 193-C:3, III.~~

(~~ab~~) Pursuant to ~~Ed 306.26~~, ~~†~~The local school board shall ~~provide~~require that a computer science education ~~curriculum program for grades 1-8 provides at each elementary and middle school consistent with competencies determined pursuant to Ed 306.20 which may include:~~

(1) Integrated, developmentally appropriate instruction in the concepts of computational thinking and the impacts of computing, where students will:

- a. Foster an inclusive computing culture that incorporates personal, ethical, social, economic, and cultural contexts when considering the needs of diverse users of computational products;
- b. Use collaborative tools and processes to effectively work together to create complex artifacts;
- c. Recognize and define computational problems;
- d. Develop and use abstractions to manage complexity;
- e. Create, test, and refine computational artifacts; and
- f. Communicate with diverse audiences about the use and effects of computation and the appropriateness of computational choices; and

(2) Opportunities for students to build and construct knowledge and understanding of computational thinking through developmentally appropriate activities that include concrete experiences and interactions with manipulatives, technology, and their environment.

(~~be~~) Pursuant to ~~Ed 306.27~~, ~~†~~The local school board shall ~~require that~~ a computer science education ~~curriculum program~~ be provided ~~at†~~ each high school ~~that~~consistent with competencies determined pursuant to Ed 306.21 that:

(1) Offers 2 credits in coursework and competencies in one or more of the following core content areas:

- a. Computing systems;
- b. Networks and the internet;
- c. Data and analysis; and
- d. Algorithms and programming; and

(2) Provides opportunities for students to build and construct knowledge and understanding of computational thinking through developmentally appropriate activities that include concrete experiences and interactions with manipulatives, technology, and their environment. ~~;~~ and



- ~~(3) Provides opportunities for students to engage in authentic tasks that:~~
- ~~a. Foster an inclusive computing culture;~~
  - ~~b. Encourage collaboration;~~
  - ~~c. Promote the recognition and defining of computational problems;~~
  - ~~d. Encourage the development and use of abstractions in complex problem solving;~~
  - ~~e. Create, test, and refine computational artifacts; and~~
  - ~~f. Provide opportunities for communication about computing.~~

**Readopt with amendment and renumber Ed 306.45, effective 1-8-16 (Document #11020) and as amended effective 8-9-19 (Document #12845), as Ed 306.42 to read as follows:**

Ed 306.~~42~~<sup>4245</sup> Science Education CurriculumProgram.

(a) ~~Pursuant to Ed 306.26,~~ The local school board shall ~~provide~~<sup>require</sup> that a science education ~~curriculumprogram~~ with competencies determined pursuant to Ed 306.20 in each elementary school, ~~grades,~~ excluding kindergarten, ~~which may include~~<sup>provides</sup>:

- (1) Planned activities designed to:
  - a. Develop students' critical thinking skills;
  - b. Promote the acquisition of positive attitudes, including, but not limited to, curiosity, initiative, self-reliance, and persistence; and
  - c. Develop an awareness of and involvement with the natural world;
- (2) Planned activities designed to increase students' factual knowledge and conceptual understanding of the nature of science, unifying themes of science, and physical, biological, and earth space sciences; and
- (3) Opportunities for students to develop a knowledge and understanding of process skills such as observing, classifying, measuring, and inferring through activities that allow each student to:
  - a. Explore, collect, handle, sort, and classify natural objects;
  - b. Use strategies to organize and identify the questions children ask from natural world observations;
  - c. Use tools, including, but not limited to, nonstandard measures, rulers, and magnifiers, to enhance observations and collect represent and interpret data;
  - d. Organize data in multiple ways using tools of technology, including calculators, computers, and handheld electronic devices;
  - e. Communicate through reading, writing, speaking, listening, creating, and viewing to describe their observations of the natural world; and
  - f. Model and communicate safety and health related issues relating to exploration, activities, and inquiry associated with materials, tools, and procedures.

(b) Each district shall establish a comprehensive curriculum that meets the needs of the students as described in (a) above and helps students progress as provided in RSA 193-C:3, III.

(c) ~~Pursuant to Ed 306.26, the~~ local school board shall ~~provide~~require that a science education curriculum program in each middle school consistent with competencies determined pursuant to Ed 306.21 ~~provides~~which may include:

(1) Planned activities in grades 5-8 designed to increase students' factual knowledge and conceptual understanding of the nature of science, unifying themes of science, and physical, biological, and earth space sciences;

(2) Instruction in grades ~~6- to~~ 8 which provides a semester or yearlong and content connected experiences in biology life science, physical science, and earth space science;

(3) Opportunities for students to develop a knowledge and understanding of process skills such as observing, classifying, measuring, graphing, inferring, experimenting, and communicating; and

(4) Systematic instruction, laboratory experiences and activities designed to enable students to:

- a. Gather scientific data through laboratory and field work;
- b. Employ safe practices and techniques in the laboratory and on field trips;
- c. Apply scientific concepts and skills in solving real problems and in everyday situations;
- d. Understand the impact of science and technology on daily life;
- e. Be aware of science-related societal issues;
- f. Investigate the natural world and acquire an understanding of scientific explanations of natural phenomena;
- g. Acquire an understanding of the history of science and its impact on society and the realization that science is a human endeavor;
- h. Become familiar with science and technology related careers;
- i. Engage in full and partial inquiries;
- j. Use their understanding of background content and theories to guide their design of observations and investigations;
- k. Shape and modify their background knowledge through experiments and observations;
- l. Develop their abilities in systematic observation, making accurate measurements, and identifying and controlling variables; and
- m. Express their understanding through ~~the use of~~ writing, labeling drawings, completing concept maps, developing spreadsheets and creative representations, and designing computer images and representations.

(d) Each district shall establish a comprehensive curriculum that provides for continued growth in all content areas consistent with RSA 193-C:3, III.

(e) ~~Pursuant to Ed 306.27, the~~ local school board shall ~~provide~~require that a science education curriculum program ~~at~~ each high school consistent with competencies determined pursuant to Ed 306.21 provides which may include:

- (1) Opportunities for students to become familiar with the impact, limitations, fundamental principles, and methods of science;
- (2) Opportunities for students to acquire knowledge of the natural world through the application of logical thought processes such as observation, hypothesizing, experimentation, and the drawing of conclusions;
- (3) Opportunities for students to develop a knowledge and understanding of attitudes and problem-solving techniques essential for life in an increasingly complex technological society;
- (4) Courses totaling at least 5 credits in science comprised of offerings in each of the following areas:

a. Physical science; ~~which shall include:~~

~~1. Conservation of matter;~~

~~2. Conservation of energy, matter and energy in nuclear phenomena;~~

~~3. Newton's Laws involving the structure and interaction of matter and energy;~~

~~4. Chemical principles, including the ability to distinguish among materials by utilizing observable properties; and~~

~~5. Physical principles, including the application of knowledge of forces and motion to all types of motion in the universe;~~

b. Biology; ~~which shall include:~~

~~1. Molecular and cellular biology;~~

~~2. Genetics;~~

~~3. Plant and animal diversity and the structure and function of plants and animals;~~

~~4. The principles of classification, including fundamental structures, functions, and mechanisms of inheritance found in the major grouping of organisms including bacteria, fungi, protists, plants, and animals;~~

~~5. Population biology;~~

~~6. Organic evolution and patterns and products of evolution, including genetic variation, specialization, adaptation, and natural selection;~~

~~7. Ecology and animal behavior and how environmental factors affect all living systems, including individuals, communities, biomes, and the biosphere, as well as species to species interactions; and~~

~~8. The concept that organisms are linked to one another and to their physical setting by the transfer and transformation of matter and energy to maintain a dynamic equilibrium;~~

~~c. Chemistry; which shall include:~~

~~1. Structure of matter;~~

~~2. States of matter;~~

~~3. Chemical classification;~~

~~4. Introductory organic chemistry;~~

~~5. Reactions of matter such as acids, bases, oxidation-reduction, electrochemistry, equilibrium, kinetics; and~~

~~6. Thermodynamics;~~

~~d. Physics; which shall include:~~

~~1. Principles of mechanics;~~

~~2. Laws of conservation;~~

~~3. Basics of waves;~~

~~4. Fundamentals of electricity and magnetism; and~~

~~5. Atomic and nuclear physics;~~

~~e. Earth space science; and which shall include the concepts that the earth:~~

~~1. Is a unique member of our solar system, located in a galaxy, within the universe;~~

~~2. Is a complex planet with 5 interacting systems, namely:~~

~~(i) Solid earth or lithosphere;~~

~~(ii) Air or atmosphere;~~

~~(iii) Water or hydrosphere;~~

~~(iv) Ice or cryosphere; and~~

~~(v) Life or biosphere; and~~

~~3. Contains a variety of renewable and nonrenewable resources; and~~

~~f. General or advanced science which shall include subject matter appropriate to the disciplines listed in e. above; and~~

(5) Systematic instruction, fieldwork, experimentation, and activities designed to enable students to:

a. Know about the diversity of natural phenomena and the methods of studying and classifying them;

- b. Recognize the interrelationship and interdependence of living organisms and the role of a biological organism in a physical world;
- c. Understand the scientific method of investigation, including the role of observation and experimentation, in the advancement of scientific knowledge;
- d. Gather scientific data through laboratory and field work;
- e. Construct tables and graphs from given data and interpret data presented in tables and graphs;
- f. Draw conclusions and inferences from data;
- g. Apply scientific concepts and skills in solving real problems and in everyday situations;
- h. Communicate observations and experimental results both quantitatively, ~~using through the use of~~ mathematical relationships, and qualitatively, in clear and concise spoken or written language;
- i. Appreciate the unifying concepts and principles within the natural sciences;
- j. Be aware of the philosophical, ethical, legal, political, and economic impacts of science and technology;
- k. Acquire an understanding of the history of science and the realization that science is a human endeavor; and
- l. Be aware of concerns about the current and future impacts of science and technology on society and the environment.

(f) Science courses in high schools shall teach the fundamentals of science and incorporate all of the content-specific components listed in (e) above, and as many of the other non-course frameworks and concepts, including, but not limited to, science as inquiry, science and technology, and society ~~and~~ unifying themes, as ~~are~~ appropriate.

(g) High school science courses shall be designed to prepare students for meeting or exceeding the end of grade 10 proficiencies in science consistent with RSA 193-C:3, III, regardless of the grade in which the course occurs.

**Readopt with amendment and renumber Ed 306.46, effective 1-8-16 (Document #11020), as amended effective 8-9-19 (Document #12845), as Ed 306.43 to read as follows:**

Ed 306.4346 Social Studies Curriculum Program.

(a) ~~Pursuant to Ed 306.26, t~~The local school board shall ~~provide~~require that a social studies ~~curriculum program consistent with competencies determined pursuant to Ed 306.20~~ in each elementary school grade, excluding kindergarten, and excepting Holocaust and genocide education, as applicable pursuant to Ed 306.26(h) which is to be implemented no later than 8<sup>th</sup> grade, ~~which may include~~provides:

(1) Opportunities for students to:

- a. Acquire knowledge and understanding of civics, economics, geography, history, and Holocaust and genocide education, ~~as applicable pursuant to Ed 306.26(h),~~ in a program consistent with the requirements under RSA 193-C:3, III; and

b. Become familiar with the skills of decision making, data gathering, and critical thinking;

(2) Pursuant to RSA 186:13, opportunities to practice citizenship in the school and community;

(3) Pursuant to RSA 189:11, instruction in history, ~~and~~ government, civics, and the constitutions of the United States and New Hampshire; and

(4) Opportunities for students to acquire the knowledge, skills, and attitudes necessary for effective participation in the life of the community, the state, the nation, and the world.

(b) ~~Pursuant to Ed 306.26, t~~The local school board shall ~~provide~~require that a social studies ~~curriculum program~~ in each middle school consistent with competencies determined pursuant to Ed 306.20 provides which may include:

(1) Opportunities for students to acquire knowledge and understanding of civics, economics, geography, history, and Holocaust and genocide education, as ~~applicable pursuant to Ed 306.26(h)~~, in a program consistent with RSA 193-C:3, III;

(2) Pursuant to RSA 186:13, opportunities to practice citizenship in the school and community;

(3) Pursuant to RSA 189:11, instruction in history and government and the constitutions of the United States and New Hampshire; and

(4) Systematic instruction and activities designed to enable students to:

a. Acquire and use information to clarify issues and seek solutions to societal problems;

b. Value and apply critical thinking, interpersonal relations, and decision-making skills in both individual and group problem-solving situations;

c. Participate in and contribute to the well-being of the home and school as well as the larger communities of the state, nation, and world; and

d. Become familiar with careers in history, the humanities, and the social sciences.

(c) Pursuant to Ed 306.~~21~~27, the local school board shall require that a social studies program in each high school provides:

(1) Opportunities for students to acquire knowledge and modes of inquiry in the areas of civics, economics, geography, world history, United States and New Hampshire history, and Holocaust and genocide education pursuant to Ed 306.27(ai), in a program consistent with RSA 193-C:3, III, including the related areas of sociology, anthropology, and psychology;

(2) Opportunities for students to acquire the knowledge, skills, and attitudes necessary for effective participation in the life of the community, the state, the nation, and the world;

(3) Pursuant to RSA 186:13, opportunities to practice citizenship in the school and community;

(4) Courses totaling at least 5 credits in social studies comprised of offerings in each of the following areas:

a. At least one credit in national and state history pursuant to RSA 189:11;

- b. At least one credit in world history or global studies;
- c. At least one credit in geography;
- d. At least ½ credit in United States and New Hampshire government or civics;
- e. At least ½ credit in economics; and
- f. At least one credit, which may be interdisciplinary or integrated, to be chosen from the areas of geography, economics, world history, civics, or government, state or national history or both, or behavioral studies; and

(5) Systematic instruction and activities designed to enable students to acquire the skills of critical thinking, effective decision making, and human relations.

**Readopt with amendment and renumber Ed 306.47 and Ed 306.48, effective 1-8-16 (Document #11020) as Ed 306.44 and Ed 306.45, to read as follows:**

Ed 306.4447 Technology and Engineering Education Curriculum Program.

~~(a) Technology/engineering education is the discipline devoted to the study of human invention and innovation and their influence on our natural and human-made environment.~~

(~~a~~) The local school board shall ~~provide~~require that a technology and engineering education curriculum program in each middle school consistent with competencies determined pursuant to Ed 306.21, which may include~~provides~~:

- (1) Opportunities for students to develop an understanding of the technological world in which they live and will someday work;
- (2) Opportunities for students to develop positive attitudes and knowledge about present and future technologies in 3 or more of the following content areas:
  - a. Medical technologies;
  - b. Agricultural;
  - c. Biotechnologies;
  - d. Energy and power technologies;
  - e. Information and communications technologies;
  - f. Transportation technologies;
  - g. Manufacturing technologies;
  - h. Construction technologies; and
  - i. New and emerging technologies;
- (3) Opportunities for students to develop a knowledge and understanding of how social forces such as~~like~~ demographics and prevailing economic systems can influence the free-enterprise system and the global marketplace;

(4) Opportunities to promote the development of problem-solving skills as well as basic skills in planning, design, fabrication, and evaluating technical processes technology and /engineering principles and design, encouraging those habits of mind necessary to be a lifelong learner; and

(5) Systematic instruction and activities designed to enable students to:

- a. Acquire an understanding of technical processes, the practical application of mathematics and scientific principles, and the interrelationships between technology/engineering education and other academic disciplines in the school curriculum;
- b. Be aware of the right to, and the knowledge of what constitutes, safe work environments as well as the safe and appropriate use of tools, small machines, and processes;
- c. Understand industry and technology, their systematic structures, and their place in our culture;
- d. Understand the technological systems model requiring inputs, processes, outputs and feedback, where the processes include the resources of people, information, tools, energy, capital, time, materials;
- e. Learn leadership and group-process skills;
- f. Recognize and build upon individual talents and interests; and
- g. Become familiar with opportunities and requirements for careers in new and emerging technologies like medicine, agriculture, biotechnology, energy and power, information and communications, transportation, manufacturing, and construction.

(be) The local school board shall ~~provide~~require that a technology and /engineering education ~~curriculum program~~ in each high school consistent with competencies determined pursuant to Ed 306.21, which may include~~provides~~:

- (1) Opportunities for students to develop insight, understanding, and application of technological concepts, processes, and systems;
- (2) Opportunities for students to develop safe and efficient habits in the application of tools, materials, machines, processes, and technical concepts;
- (3) Planned activities designed to increase students' knowledge and skills related to technologies like medicine, agriculture, biotechnology, energy and power, information and communications, transportation, manufacturing, and construction;
- (4) Courses totaling at least 4 credits in technology/engineering education with a minimum of one credit offered in 3 of the 4 areas of:
  - a. Energy and power technologies, including electricity, electronics, power mechanics, transportation, alternative energy, and energy conservation;
  - b. Process technologies, including manufacturing, construction, wood, metal, medical, agricultural, and biotechnology;



- c. Communication and information technologies, including engineering graphics/CAD fundamentals, architectural design including modeling and the virtual environment, photography, printing, desktop publishing, graphic arts and design; and
  - d. Engineering principles and design; and
- (5) Systematic instruction and activities designed to enable students to:
- a. Understand the factors of production, including capital, labor, and management, in relation to industrial organization, systems and structure;
  - b. Utilize the engineering design process to propose, build, test and assess technological problems in a systematic and economically sound manner;
  - c. Develop skills in specific machine and tool operations;
  - d. Plan, design, produce and/or use measuring instruments, jigs, fixtures, and templates to control, test and assess parts of a technological process;
  - e. Use a variety of problem-solving tools to develop and apply critical thinking skills to technological problems;
  - f. Exhibit an understanding for the importance of using resources in a way that is economical, efficient, and respectful of our shared environment;
  - g. Develop those habits of mind necessary to a lifelong learner such as the ability to question, investigate, design, experiment, and evaluate; and
  - h. Develop leadership abilities required in a technological society such as communication, cooperation, and collaboration with individuals and groups.

Ed 306.4548 World Languages Curriculum Program.

(a) The local school board may provide instruction in one or more world languages in an elementary school. The extent of this instruction and the students to whom it is offered shall be determined by local school board policy.

(b) Pursuant to Ed 306.206, the local school board may provide supplemental instruction in one or more world languages in a middle school.

(c) If world language instruction is offered, the program shall be designed to provide:

- (1) Opportunities for students to develop a basic proficiency in a second language or to explore 2 or more languages other than English;
- (2) Instruction which emphasizes basic competency in the 4 skills of listening comprehension, reading, speaking, and writing;
- (3) Activities designed to make students aware of the culture of the countries in which the language(s) ~~is~~/are spoken; and
- (4) Systematic instruction and activities designed to enable students to:
  - a. Gain basic linguistic knowledge in one or more second language(s);

- b. Acquire basic communicative competence by applying the skills of listening comprehension, speaking, reading, and writing;
- c. Understand the contributions of other cultures and compare elements of those cultures with American culture;
- d. Recognize and respect linguistic and cultural differences and be enriched by other societies' contributions to the human experience;
- e. Be aware of the concept of global interdependence; and
- f. Become familiar with the relationship between second language skills and future career choices.

(d) ~~Pursuant to Ed 306.27, t~~The local school board shall ~~require that~~provide a world language ~~curriculum program~~ in each high school consistent with competencies determined pursuant to Ed 306.21, which may include~~provides~~:

- (1) Opportunities for students to become familiar with the linguistic and cultural elements of classical ~~languages, and/or~~ modern languages, or both;
- (2) Opportunities for students to develop a knowledge and understanding of the skills necessary for effective communication in the language(s) studied as well as an understanding of the nature and contributions of the related culture(s); and
- (3) Systematic instruction and activities designed to enable students to:
  - a. Acquire progressive proficiency in the skills of listening comprehension, speaking, reading, writing and structural analysis;
  - b. Increase knowledge and understanding of the countries, cultures, and attitudes of the peoples whose languages are being studied;
  - c. Appreciate one's own cultural heritage;
  - d. Plan education and career development in areas related to world languages; and
  - e. Develop career and technical interests and activities associated with the study and use of world languages.

(e) Each high school shall offer courses totaling 5 credits comprised of a 3-year sequence in one world language and a 2-year sequence in a second world language.

(f) American Sign Language (ASL) shall qualify as a world language for purposes of this section and for the purpose of meeting a high school world language graduation requirement.

**Readopt with amendment and renumber Ed 306.49, effective 6-10-22 (Document #13394), as Ed 306.46 to read as follows:**

Ed 306.~~46~~49 Holocaust and Genocide Curriculum Education Program.

(a) ~~Pursuant to Ed 306.26, t~~The local school board shall ~~provide~~require that a Holocaust and genocide ~~curriculum education program~~ in each school grade, to begin no later than 8<sup>th</sup> grade, which may include~~provides~~:

(1) Integrated, developmentally appropriate instruction in Holocaust and genocide education as described in RSA 193-E:3-a, II-a. through II-c. including:

- a. An understanding of the terms "genocide" and "Holocaust", as defined by RSA 193-E:3-a, II-a. and II-b.;
- b. An understanding of:
  1. The difference between events that constitute genocide and other types of mass atrocities including, but not limited to, crimes against humanity, war crimes, and ethnic cleansing;
  2. Genocides recognized by the determinations of lawfully constituted courts including, but not limited to, the International Criminal Tribunal for Rwanda (ICTR), the International Criminal Tribunal for the former Yugoslavia (ICTY), and the International Court of Justice (ICJ);
  3. Instances of mass atrocities where application of the term genocide is contested including, but not limited to, Dekulakization, the Ukrainian terror-famine, the Great Terror, Khmer Rouge atrocities other than those directed at Cham Muslims and the ethnic Vietnamese minority, and the Native American experience during colonization;
  4. Ongoing events that may constitute crimes against humanity, war crimes, ethnic cleansing, or genocide; and
  5. Instances where the US government has made public statements that genocide has occurred, including, but not limited to, Armenia, Bosnia, Rwanda, Iraq, Darfur, ISIS-controlled areas, and Uighurs;
- c. Historical facts about the causes and events of the Holocaust and other genocides; and
- d. How and why political repression, intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination have, in the past, evolved into genocide and mass violence;

(2) Opportunities for students to develop a knowledge and understanding of the impact of political repression, intolerance, and bigotry through developmentally appropriate activities that include concrete experiences and interactions with, but not limited to, primary documents, witness testimony, historical documents, and mixed media; and

(3) Instruction and activities designed to enable students to:

- a. Analyze and understand that democratic institutions and values are not automatically sustained, but need active civic responsibility and engagement;
- b. Identify and evaluate how political repression, intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination can evolve into genocide and mass violence, such as the Holocaust, and how to prevent the evolution of such practices; and
- c. Identify and evaluate the power of individual choices in preventing political repression, intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred.

(b) Each district shall incorporate instruction in Holocaust and genocide education into at least one existing social studies, world history, global studies, or US history course required as a condition of high school graduation for all students.

### Appendix I

<b>Rule</b>	<b>State or Federal Statute or Federal Regulation Implemented</b>
Ed 306.31	RSA 193-E:2, V; RSA 193-E:2-a, I(a)(5); RSA 193-E:2-a, V(a)
Ed 306.32 (formerly Ed 306.33)	RSA 189:10, III; RSA 193-E:2, VII; RSA 193-E:2-a, (9)-(11)
Ed 306.33 (formerly Ed 306.34)	RSA 188-E:5; RSA 193-E:2, VII
Ed 306.34 (formerly Ed 306.37)	RSA 193-E:2, I; RSA 193-E:2, V; RSA 193-E:2-a, I(a)(1)
Ed 306.35 (repeal)	RSA 193-E:2, VII
Ed 306.35 (formerly Ed 306.38)	RSA 189:10, II; RSA 193-E:2, VI-VII; RSA 193-E:2-a, I(a)(7)
Ed 306.36 (formerly Ed 306.39)	RSA 189:49, IV
Ed 306.37 (formerly Ed 306.40)	RSA 189:10, II; RSA 193-E:2-a, I(a)(7)-(8)
Ed 306.38 (formerly Ed 306.41)	RSA 189:10, II; RSA 193-E:2-a, I(a)(7)-(8)
Ed 306.39 (formerly Ed 306.42)	RSA 193-E:2-a, I(b)(1)
Ed 306.40 (formerly Ed 306.43)	RSA 193-E:2, II; RSA 193-E:2-a, I(a)(2)
Ed 306.41 (formerly Ed 306.44)	RSA 193-E:2-a, I(a)(11)
Ed 306.42 (formerly Ed 306.45)	RSA 193-E:2, III; RSA 193-E:2-a, I(a)(3)
Ed 306.43 (formerly Ed 306.46)	RSA 189:11; RSA 193-E, IV; RSA 193-E:2-a, I(a)(4)
Ed 306.44 (formerly Ed 306.47)	RSA 193-E:2-a, I(a)(9)
Ed 306.45 (formerly Ed 306.48)	RSA 193-E:2-a, I(a)(6)
Ed 306.46 (formerly Ed 306.49)	RSA 193-E:2, IV; RSA 193-E:2-a, I(a)(4)

**EXECUTIVE SUMMARY**  
**Office of Chartered Public Schools**  
**MicroSociety Academy Chartered Public**  
**School**  
**Charter Renewal Request**

**A. ACTION NEEDED**

A vote is needed by the State Board of Education to approve the charter amendment for MicroSociety Academy Chartered Public School (CPS).

**B. RATIONALE FOR ACTION**

RSA 194-B gives the State Board of Education the authority to approve or deny the amendment of a charter schools charter.

**C. EFFECTS OF THIS ACTION**

An amendment of the charter will allow MicroSociety Academy CPS to better meet the needs of their students as a chartered public school in the state of New Hampshire until their next five year renewal in 2029.

**D. POSSIBLE MOTION**

I move that the State Board of Education approve the amendment of MicroSociety Academy Chartered Public School's charter OR:

I move that the State Board of Education \_\_\_\_\_  
(indicate some other action)

**EXECUTIVE SUMMARY**  
**Office of Chartered Public Schools**  
**MicroSociety Academy Chartered Public**  
**School**  
**Charter Amendment Request**

**A. ACTION NEEDED**

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I move that the State Board of Education approve the amendment of MicroSociety Academy Chartered Public School's charter OR:

I move that the State Board of Education \_\_\_\_\_  
(indicate some other action)



# Chartered Public School 5-Year Renewal Summary Report

**School Name:** *MicroSociety Academy Chartered Public School*

**Evaluation Team:** *Tal Bayer, Liz Thibeault*

**Board Meeting Date:** *2/15/2024*

**Commissioner Recommendation:** Choose an item.

**Commissioner Notes:** Click or tap here to enter text.  
**(optional)**

## Part 1: Renewal Application Review

*A review of the renewal application package prepared in accordance with the requirements of Ed 318.13 and Ed 318.14 was performed by the evaluation team. The findings of this review are summarized in this report. The application package is attached to this summary report.*

Evaluation Team Rating:	Meeting Expectations
Areas of strength in application:	
<ul style="list-style-type: none"> <li>• Unique and innovative MicroSociety approach to learning that engages students in realworld ideas, processes and challenges</li> <li>• School continues to have robust enrollment that has trended upwards, currently at 297</li> <li>• NHSAS Scores exceed state averages in ELA, Math and Science. Of particular note, Math Proficiency is 9% higher than state average and Science Proficiency is 24% higher than state average</li> <li>• School serves a diverse student population and a 11% ELL population</li> <li>• Percentage of NH certified NH educators is higher than district average.</li> <li>• Postiive school environment sees suspension rates substantially lower than state averages.</li> <li>• New purchase of 2nd building will further enable the school to grow enrollment and expand offerings oncurrent tennant vacates. In meantime tennant generates \$75K in yearly revenue</li> <li>• 1:1 Device for students in grades 3-8th</li> <li>• School is an engaged member of the charter community and active with sharing of best practices at MicroSociety</li> <li>• Sizeable ending balance/Surplus carryover from previous year of \$1.1 Million indicates sound fiscal management</li> <li>• Overall organizational goals are well thought out and school is making substantial progress towards achieving their goals.</li> </ul>	
Areas for school improvement:	
<ul style="list-style-type: none"> <li>• None Noted.</li> </ul>	
Areas of concern:	
None noted	



# New Hampshire Department of Education

## Office of Charter Schools

### Part 2: On-Site Visit

*An on-site visit was conducted per Ed 318.14(a)(1), which is summarized below. The on-site visit includes a review of facilities, discussion of compliance items, review of application evidence, and discussion of iReport data.*

<b>Evaluation Team Rating:</b>	<b>Sc</b>
Visit Highlights:	
<ul style="list-style-type: none"> <li>• School building/facilities are inviting and welcoming. Student learning and work is evident throughout the building.</li> <li>• Positive school culture is evident through physical space and student/adult interactions.</li> <li>• Parents are highly enthusiastic about the school and its impact on their children.</li> <li>• Parental involvement is core to school function. PTO is strong</li> <li>• Staff are engaged in the functioning and direction of the school</li> <li>• Admin/intstructional staff work in unison and communicate and coordinate effectively</li> <li>• School leadership and governance are thinking strategically about the sustainability and future of the schools</li> <li>• The newly purchased facility will integrate nicely into the schools campus while creating some separation for the upper grades.</li> <li>• School environment- suspension rates are substantially lower than the state average</li> <li>• Board has strong and diverse skill sets combined with passion for the schools mission</li> </ul>	
Areas for school improvement:	
None noted	
Areas of concern:	
None noted	

### Part 3: Compliance and Reporting

*This section provides an overview of the school's level of compliance with NHEd reporting, statutory, and regulatory requirements. Areas reviewed include policies, procedures, website/marketing materials, submission records for budgets, annual reports, DOE-25, fiscal audits, etc.*

<b>Level of Compliance:</b>	<b>Meeting Expectations</b>
<b>Consistency/Timeliness of Reporting:</b>	<b>Meeting Expectations</b>
Compliance and Reporting Overview:	
The school has met the various reporting requirements in a timely and adequate manner.	
Areas for school improvement:	
None noted	
Areas of concern:	
None noted	





# New Hampshire Department of Education

## Office of Charter Schools

### Part 4: Evaluation Team Impressions

*The evaluation team has provided this overall summary of their findings for the Commissioner and State Board of Education's review and consideration.*

Based on the review of the application package, supporting materials and the site visit, the evaluation team considers Microsociety Chartered Public School to be MEETING EXPECTATIONS. The school has demonstrated strong fiscal management, governance, school administration and instruction. The end result is a sustainable educational model that is an exemplar for other schools in the state.

#### Evaluation Team Ratings Explained:

##### Meeting Expectations

*All sections and requirements were completed and addressed. Evidence provided supports compliance and positive trends in growth and development of school and students. School has plans developed for continued development and is cooperative and timely in submissions.*

##### Partially Meeting Expectations

*All sections and requirements were completed and addressed. Evidence provided suggests some negative trends in growth and/or development of school and students. School has been directed to develop plans for improvement. School may not be completely cooperative or timely in submissions.*

##### Not Meeting Expectations

*Evidence provided suggests a number of consistent, negative trends in growth and/or development of school and students. Other areas of concern may exist with school environment, budget, etc. School has been directed to develop plans for improvement. School may not be completely cooperative or timely in submissions.*



New Hampshire

**Department of Education**

# Chartered Public School 5 Year Renewal Report

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**A chartered public school may be renewed for a period of 5 years in accordance with RSA 193-B:3, X. The board of trustees of a charter school shall make an application for renewal to the state board no earlier than one year before the original charter is set to expire.**

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**Name of Chartered Public School:** MicroSociety Academy Charter School Foundation

**Name of School Director:** Amy Packard Bottomley

**Street Address:** 591 West Hollis Street

**Town:** Nashua

**Email:** abottomley@macsnh.org

**Phone Number:** 603-595-7877

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This Renewal Report is hereby filed with the New Hampshire Department of Education, Bureau of Educational Opportunities, Office of Chartered Public Schools. This report is a representation of the chartered public schools' current academic and programmatic progress, fiscal stability, and future growth projections in fulfillment of the requirements of Ed 318.13. In addition to the information submitted within this template, the state board shall receive a copy of the school's current iReport state report card which is publicly available on the iPlatform system<sup>1</sup> as well as a copy of the chartered public schools most recent Annual Report filed with the Department.

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By signing below, I certify that the information contained within this template is true and accurate to the best of my knowledge, and request that the State Board of Education renew the chartered public school's charter for a period of 5 years.

Amy Bottomley

12/04/2023

**Print Name and Signature of person submitting:**

**Date:**

Thomas Dougherty

**Print Name and Signature of the Chairman of the Board of Trustees**

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<sup>1</sup> <https://www.education.nh.gov/who-we-are/division-of-educator-and-analytic-resources/iplatform>.



New Hampshire

# Department of Education

**Letter posted on Social Media and sent to Community Members via email from the Executive Director:**

November 2, 2023

MACS Community:

Every five years chartered public schools undergo a renewal process, which includes an extensive application, audits, and committee visitations that are reviewed by the New Hampshire Department of Education and the Board of Education who then determine if we should continue our school operations under the charter agreement. As a component of the renewal process, the chartered public school is required to post an invitation for written commitment.

At MACS, we strive to improve, evolve, and meet the needs of all stakeholders. We welcome your feedback and comments during this process. If you would like to submit any written comment, please do so by sending it to Amy Bottomley, Executive Director, at [abottomley@macsnh.org](mailto:abottomley@macsnh.org). All written comments will be included in the renewal application to the New Hampshire Department of Education.

Thank you for your consideration.

Amy Bottomley

Executive Director



**Community Input Received:**

November 4, 2023

Hello-

I LOVE MACS for my kids and would be devastated if for some reason they could not attend any longer. The ONLY disappointment I have is how early the school year ends. If I didn't have to work a full time job this may not be an issue but for 2 weeks I was not able to find daycare for them because any camps, etc all go by the Nashua public school calendar. I struggle to understand why MACS ends school so early and starts later than the public schools. I hope my honesty will not be held against me or my kids but I wanted to share based on your email below.

Thank you!

Regards,

Patrice Sampaio

November 27, 2023

We're grateful to have Microsociety Academy Charter School (MACS) as an alternative to the traditional public school. The thing that makes MACS special, the Micro Society program, provides a normal space for kids to participate in a community and share their creativity while learning many practical, multi-faceted skills. Behind the theme, the responsive and effective administration that genuinely cares about the students' well-being makes MACS a special place.

We have always wanted our kids to go to a public school, where they get to grow up with a more accurate sampling of the community they are in. However, the lack of challenge in kindergarten and first grade in public school left my older kid disengaged in school. Even worse, he was losing interest in learning in general. Luckily in the middle of his first grade, he got off the wait-list at MACS. While he was still not challenged academically at MACS, he thoroughly enjoyed the Micro period. In first grade, he enjoyed visiting all the businesses at the marketplace, buying interesting things with the money he earned. In second grade, he took pride in the first job of his choice, a page in the library. He also learned to advocate for himself when the government incorrectly calculated his tax and had it fixed. In the third grade during COVID, he actively participated in his class's online business, which was voted by his classmates to be about animals and dinosaurs, the things he loved at the time. In his fourth grade, despite being the person who did not want people's attention, he decided to run for his class's representative, writing his own speech and speaking in



front of his class. Not succeeding, he took Management 101 and partnered with a friend to create and launch a travel business at the marketplace. Their business was successful and profitable throughout the year. In fifth grade, he chose to be a financial manager, helping a business of origami, his passion at the time, with his experience running a business. He was constantly exploring the possibilities Micro could offer and learning everything he could.

My second son has been at MACS since kindergarten. Because students at MACS take pretests before each unit, the school quickly found that he was ahead of everything academically, especially in math. Both the kindergarten and first grade teachers did their best to accommodate him by giving him more advanced materials and projects to work on. Unfortunately, after second grade, my son became depressed about school due to the lack of academic challenge. Before discussing this with administration in the beginning of the third grade, I was nervous based on my unsuccessful experiences dealing with public school administration about acceleration. However, instead of fighting me, MACS staff showed sympathy and understanding and were willing to let my son take VLACS's classes to accommodate his need to study advanced math. Now my son is happy and confident again, working to achieve his goal to become the bank's financial manager at Micro. Micro Society program fills what the public schools lack and engages kids to be a functional and contributing citizen of a community. It's also hard to find a public school administration that is willing and flexible to innovate to meet the students' needs. I'm thankful that MACS is here and that we have a choice in our kids' education.

- A MACS parent

November 2, 2023

Hi Amy,

I just wanted to write a quick note about how much we love MACS!

This is our 3rd school year at MACS. My son absolutely loves it here. Not only are the teachers amazing, but the entire staff that we have had the pleasure of coming in contact with always goes above and beyond. I love that everyone really gets to know the kids and do everything to make sure they have a great school experience.



New Hampshire

## Department of Education

Even when we had to potentially look elsewhere for middle school during the uncertainty of the new building, he did not want to leave. He was willing to adjust to going to the modular classroom in order to stay here.

Also, he has some learning disabilities and MACS has been incredible in assisting him with the tools he needs to be able to learn and grow!

We are so lucky to have such an amazing school to attend!

Thank you so much!

Sincerely,

Nicole Quinn

November 30, 2023

To Whom It May Concern,

As the parents of two students of Micro Society Academy Charter School (MACS) in Nashua, NH, we are writing to express our thoughts of support & gratitude to the MACS leadership team, teachers and community. Our family has been connected with MACS now for over seven years, both of our daughters have attended since kindergarten. We've been fortunate to see each of our girls grow exponentially over the years- both academically and interpersonally- under the guidance of MACS. The strength, knowledge, patience, and compassion of the MACS executive/administrative team along with the sense of community & safety the whole staff encompasses is what we truly appreciate.

It's this sense of commitment- to our students and families- that keep us coming back to MACS each year. We consider ourselves lucky to be a part of the MACS community!

Sincerely,

Kate & Andrew McWeeney



## **Chartered Public School Renewal Report**

### **What is the primary mission and vision of your chartered public school?**

#### **Mission**

Empowering students to acquire the heart, knowledge, and skills for thriving in a 21st century global society by collaboratively creating and operating their own school-based “MicroSociety” - a microcosm of the real world.

#### **Motto**

Relate. Connect. Understand.

#### **Vision**

Our vision is to create a vibrant learning environment where all stakeholders--students, parents, staff, and board members feel ownership and where each child will become an educated, competent, confident, and caring independent thinker who will be able to reach their full potential and strive to make their community and the world a better place to live, work and play. The MicroSociety Academy Charter School (MACS) will provide the educational foundation each student will need to build skills and unlock their hidden self.

#### **Key factors in delivering the mission:**

- Rigorous academic competency-based core curriculum aligned with & assessed by NH Common Core Curriculum
- Excellent instruction that integrates project based differentiated learning, learning centers, teachers as coaches, classroom-based technology, student empowerment, teaming, service learning, mentoring
- Embedded entrepreneurial endeavors and “real life” learning within MicroSociety curriculum, ventures and agencies
- High level of parental (Steering Committee) and community involvement
- Web-based student information system used by staff allowing parents to communicate with school and track progress
- Shared decision-making among professionals within the school.

#### **In the following box, please describe the progress your school has made towards its academic goals:**

Each fall, all MACS staff members come together to set three annual schoolwide goals. To set the goals that have specific academic outcomes, the staff reviews assessment data from the previous school year’s state assessments (NH SAS), as well as the data from our beginning-of-year assessments that are conducted with all students in the areas of reading, writing, and mathematics.



Below are all of the academic goals that were included in our annual schoolwide goals since our last charter renewal, along with any tasks that were implemented to support those goals. Goals and outcomes are listed by school year, starting with the most recent.

**School Year 2023-2024 (Please note: the goals are listed below, but no outcomes are included since this is for the *current* school year.)**

Goal 1: Mathematics: By the end of the school year, 25% of students who scored below proficiency on the Aimsweb M-CAP will increase one level (Intensive to Strategic, or Strategic to Benchmark) as measured by beginning and end of year M-CAP assessments.

- Task A: (in the classroom): A “CUBES” math problem solving strategy poster and bookmarks will be distributed to each 3rd-8th grade classroom. Students will participate in a weekly warm-up math word problem using the “CUBES” strategy as evidenced by sample problem submissions collected monthly.
- Task B: (during the MicroSociety period): Each venture/agency will create a graphic representation of financial or numeric data (pie charts, bar graphs, etc.) a minimum of once per month from January-May.

Goal 2: Reading: By the end of the school year, 85% of students will demonstrate a year’s growth in independent reading levels, as evidenced by beginning and end of year DRA assessment levels.

- Task A: (in the classroom): In Grades 1-5, students will complete a reading-level-appropriate Aimsweb Maze practice sheet every other week. In Grades 6-8, students will complete two NH SAS ELA practice Modulares/Interim each trimester.
- Task B: (during the MicroSociety period): Each Micro Agency/Venture will highlight a minimum of two ELA standards per month that they have focused on in their business.

**School Year 2022-2023**

Goal 1: Mathematics: By the end of the year, 15% of students who scored below proficiency on the Aimsweb Quantity Discrimination (for grades K-1), and the Aimsweb M-CAP (for grades 2+) will increase one level (Intensive to Strategic, or Strategic to Benchmark) as measured by beginning and end of year Aimsweb assessments.

- Task A: (in the classroom): Students will use concrete, pictorial, and abstract models including but not limited to ten frames, number bonds, and bar models to solve word problems. For grades 3+, teachers will conduct Modular NH SAS math practice twice per trimester.
- Task B (during the MicroSociety period): Students will create a minimum of three pictorial representations of data to include in their venture or agency’s annual report. (Examples: customer satisfaction surveys, profit and loss data, product sales, ticket/court case data).

Outcome: The goal was met. 45% of students increased one level on the M-CAP Aimsweb math assessment.





### **School Year 2021-2022**

Goal 1: Mathematics: Grades 6-8 By the end of the school year, 15% of students will increase one level (from “Intensive” to “Strategic,” or from “Strategic” to “Benchmark”) on the M-CAP Aimsweb math assessment.

- Task A (in the classroom): In grades 6-8, for each math unit, teachers will develop and administer a Pretest to inform guided math groups.
- Task B (during the MicroSociety period): In K-4th grade, students will look at monthly profit and loss statements, facilitators will take revenue and expense totals from the monthly profit and loss statements and work with students to break them down into word form, standard form, expanded form, and using manipulatives and number place mats. In grades 5-8, students will take the same data and create bar graphs to display the revenue/expense data and pie charts to show expense detail.

Outcome: The goal was met. 44% of students increased one level on the M-CAP Aimsweb math assessment.

Goal 2: Writing: Part A: By the end of the school year, 75% of students in grades 3-8 will increase one writing rubric level in the “Evidence and Examples” category. Part B: By the end of the school year, 75% of students in grades 1-2 will increase one writing rubric level in the “Statement of Purpose” and “Conclusion” categories. Part C: By the end of the school year, 50% of students in grade K will increase one writing rubric level in the basic conventions categories.

- Task A (in the classroom): In grades 3-8, students will use the “Reasons and Examples” graphic organizer for their opinion and informative writing pieces as measured by student work samples collected each trimester. In grades K-2, students will use rubric/checklist to monitor and self-evaluate writing prompts as measured by student work samples collected each trimester. These were completed 100% as of May 2022.
- Task B (during the MicroSociety period): During one Micro period each month, students will complete a letter-writing activity (such as thank you notes to volunteers or special guests, community partner outreach, peer mentor pen pals, etc.), as evidenced by student letter samples collected monthly. This was completed 100% as of May 2022.

Outcome: Part A: The goal was met. 77% of students in grades 3-8 increased one writing rubric level in the “Evidence and Examples” category. Part B: The goal was met. 78% of students in grades 1-2 increased one writing rubric level in the “Statement of Purpose” and “Conclusion” categories. Part C: The goal was met. 57% of students in Kindergarten increased one writing rubric level in the basic conventions categories.

### **School Year 2020-2021**

Goal 1: Mathematics: By the end of the school year, 15% of students will increase one level (from “Intensive” to “Strategic,” or from “Strategic” to “Benchmark”) on the following Aimsweb math assessments: Kindergarten: Quantity Discrimination for Kindergarten, M-Comp for Grade 1, and M-CAP for Grades 2-8.

- Task A (in the classroom): Classroom teachers will work with students to complete a minimum of 20 problem solving guided practice math problems (Aimsweb-style) by the end of the year.



- Task B  
(during the MicroSociety period): Grades K-1: Teachers will facilitate a monthly discussion on spending/saving goals for students' Micro money. Grades 2-5: Students will complete a monthly financial reflection activity on topics such as balancing a personal bank ledger, spending/saving goals, etc. Grades 6-8: Students will participate in the financial research and budget-setting process of the "Level Up" challenges.

Outcome: The goal was met. 17% of students increased one level on the designated Aimsweb math assessments.

Goal 2: Writing: By the end of the school year, 20% of students in grades 4-8 will increase one writing level (from "Low" to "Approaching," or from "Approaching" to "On or Above") on the NH SAS writing assessment.

- Task A (in the classroom): In grades K-2, students will take a MOY and EOY MACS-created benchmark writing assessment to monitor progress towards proficiency. In grades 3-8, students will take a NH SAS Benchmark Writing Modular mid-year to monitor progress towards proficiency.
- Task B (during the MicroSociety period): Students will complete a monthly Micro-centered writing assignment using teacher-designed prompts that include varied writing genres such as informational (about a product/service) and opinion (about preferred Micro activities).

Outcome: The goal was met. 27% of students increased one level on the NH SAS Benchmark Modular Writing assessments.

**School Year 2019-2020 (Note: Goal data collection was halted due to state mandated Covid school closures for the final trimester of the school year, but narrative updates are included in the "Outcome" section.)**

Goal 1: Mathematics: Part A: In grades K-2, teachers will work with students to complete a minimum of 20 problem solving practice math word problems by the end of the year. Part B: In grades 3-8, teachers will work with students to complete a minimum of 20 state-issued practice math problems (from the NH SAS modulars) by the end of the year.

- Task A. Grade 3-8 students will complete the NH SAS interim/benchmark assessment on the computer.
- Task B. During the Micro period, each venture/agency manager will project their monthly "profit and loss report" at Business Meetings and complete an analysis summary.

Outcome: As of March 2020, all classroom/math teachers were regularly completing the practice problems and on track to finish 20+ by the end of the school year. The administration team specifically conducted informal classroom walkthroughs during these practice problem sessions to monitor progress and give feedback.



Goal 2: Writing: By the end of the school year, 75% of students in Grades K-8 will write complete sentences with grade-level-appropriate grammar.

- Task A: During ELA class, students will complete a monthly parts of speech check-in in the form of a writing prompt, collected and analyzed by their classroom teachers monthly during grade level team meetings.
- Task B: During the MicroSociety period, students will identify parts of speech in a selected entry from their reflection journal, collected and analyzed by their MicroSociety teacher facilitators on a monthly basis.

Outcome: This measurement was to be based on an End of Year assessment which was unable to be taken due to COVID-19 closures, thus the data is unavailable. However, grammar did become a regular ELA focus (see Tasks above).

**In the following box, please describe the progress your school has made towards its programmatic goals:**

The following two programmatic goals were developed by MACS staff who had observed a need for improved/additional curriculum resources in specific content areas based on benchmark assessment progress.

1. During the 2020-2021 school year, we investigated options for adopting new math curriculum materials that would help teachers implement the practice of teaching mathematics in a guided group structure. Many classroom teachers volunteered to serve on a math curriculum committee to research and investigate different curricula from a variety of publishers. The committee met monthly to report back on findings and test out math curriculum samples. In the spring of 2021, we made the decision to move forward with purchasing the Math in Focus curriculum for grades K-5 to be implemented during the 2021-2022 school year. Elementary staff attended an initial training for the program, given by a Math in Focus trainer (from Houghton Mifflin Harcourt) in August of 2021. Along these lines, one of our schoolwide academic goals for School Year 2021-2022 was to use the Math in Focus program with fidelity, as evidenced by pre- and post-test samples collected from each homeroom for each Math in Focus unit throughout the school year. As a supporting task for this goal, grade K-5 developed and administered Pretest for the start of each unit to inform guided math groups that align with the Math and Focus program. This goal was accomplished by May of 2022.
- For several years, grade K-5 teachers had been using lessons from the Mystery Science program as part of our science curriculum. In order to increase students' proficiency in the science standards, including student performance on the NH SAS science assessments, we made the decision to fully implement the Mystery Science curriculum in grades K-5 (the only grade levels for which the program is designed) by purchasing the consumable kits for the hands-on science activities that go with the lessons. Along these lines, one of our schoolwide academic goals for



- School Year 2022-2023 was that elementary teachers would use the Mystery Science program with fidelity, as evidenced by the collection of completed Mystery Science assessments at the end of each unit. A supporting task for that goal was that grade K-5 teachers would conduct the hands-on Mystery Science investigations for each unit, as evidenced by the submission of photos for each activity with an accompanying explanation of the standard addressed. This goal was accomplished by June of 2023.

**In the following box, please describe the progress your school has made towards its organizational goals:**

Board of Trustees Strategic Plan/Organizational Objectives

Key Strategic Objectives

Objective 1: Increase MACS Middle School Enrollment to Serve More Students in Greater Nashua for grades 6-8.

Objective 2: Increase Community Involvement and Financial Support to Improve School Sustainability

Objective 3: Attract and Retain Highly Qualified Employees

Objective 4: Improve and Upgrade MACS Facilities

Objective 5: Using the MicroSociety Concepts, Offer the MACS Students the Highest Quality Public Education Possible

The vision of the MicroSociety Academy Charter School Board of Trustees is to strengthen the viability of the school's infrastructure. Towards that end, the School has and will continue to invest in a full time Community Outreach Coordinator to assist in fundraising efforts and outreach. The Board of Trustees is committed to an annual fundraising event to raise awareness and financial support for the school. Under the direction of the Board, the School will work to improve its retention and recruitment of highly qualified employees. As the charter funding in the state changes, the Board is committed to re-evaluating benefits and salaries in order to be competitive with the local labor market. The administration is working on dedicated mentoring and training programs for both academic and Micro needs. Lastly, the Board is pursuing a second facility in order to support the increase to the MACS Middle School enrollment and provide an enhanced learning environment for the students at MACS. The Board's vision, and current pursuit, is to have a fully functional campus with upper and lower school facilities.

Outcomes:

1. The Board purchased a second facility next to the current facility owned by the school. All city and state fire marshal approvals have been met, bond financing has been approved, and we are currently trying to negotiate tenants from leases so we can complete the build out and have students occupy the new facility when complete. We currently have a modular classroom on the property to accommodate students through this transition and project.
2. The Board held their 2<sup>nd</sup> Annual Golf Tournament to assist in growing awareness and financial support for the school.
3. The Board instituted 2 years with an average of a 10% raise for staff in order to make salaries more competitive. This year, the plan is to address benefit costs.



4. Over the last few years, the Board has built a new playground, installed a modular building, done site work improvements (landscaping and partial pavement replacement, replaced rot and painted the entire facility), and purchased a second facility to support the increase to the Middle School enrollment and provide an enhanced learning environment for the students at MACS. This is a major first step in the pursuit of a fully functional campus with upper and lower school facilities.
5. MACS continues to participate in MicroSociety Inc’s Annual Best Practices Conference in order to learn, evolve, and grow the Micro concepts and program at MicroSociety Academy Charter School. As evidenced above, we are continually researching and evaluating our curriculum and program to ensure we are offering MACS students the highest quality public education possible.

**What is the anticipated enrollment for the school over the next 3 school years:**

Year 1	Year 2	Year 3
300	364	412

**Are there any changes to the curriculum and/or instruction of the school as a result of anticipated growth?**

Currently the answer is no. Our expansion is horizontal and not vertical as, at this time, we are only adding more sections of existing grade levels. However, when we are able to vacate tenants and complete the necessary buildout project, then we plan to increase our middle school population. Currently, we have 2 classes of 6-8<sup>th</sup> graders, our goal is to have 6 classes in grades 6-8<sup>th</sup> (two classes per grade level).

Once we have completed the middle school buildout and students can occupy the new facility, MACS plans to develop a more robust middle school program. Key changes include, but are not limited to the following:

1. Leveled classes in Math and English Language Arts
2. Addition of Micro-themed elective courses
3. Increase Unified Arts electives options

**Describe the current state of the school’s curricular program:**

The vision and mission of the *MicroSociety Academy Charter School* (MACS) is to actively engage K-8 students in a diverse, challenging learning environment that will prepare them for college, the workforce, and citizenship in a 21st Century global society. At MACS, students are taught developmentally appropriate, research based, innovative, technology-infused learning strategies that they apply daily during the course of creating and operating the agencies and ventures of their own school-based “*MicroSociety*” -- a microcosm of the real world. Students are encouraged to take responsibility for their learning and excel at their own pace, as they work to attain proficiency in competency-based learning, as well as social, cognitive, and life skills.

The founders’ vision was to create a vibrant learning environment where all stakeholders--students, parents, staff, and board members feel ownership and where each child will become an educated, competent, confident, and caring independent thinker who will be able to reach their full potential and strive to make their community and the world a better place to live, work and play.



The Founders strongly believed the key factors that will deliver the mission and vision are primarily MACS's unique Curriculum and Instruction:

- A rigorous academic competency-based core curriculum aligned with the NH Curriculum Content Standards where students meet or exceed the state's core competencies and standards;
- Fostering entrepreneurial endeavors integrated within the curriculum and the MicroSociety;
- An instructional delivery system that integrates differentiated instruction, project-based learning, learning centers, teachers as learning facilitators, student empowerment, teaming, and service learning supplemented with classroom-based technology;
- Providing learning opportunities that are embedded in meeting the needs of "real life" situations;

While the *MicroSociety Academy Charter School's* educational program is built upon the alignment of competency-based assessment to Common Core Standards, there is a focus and delivery of instruction through a variety of research-based methods and the incorporation of the *MicroSociety*, an innovative strategy where students are challenged to solve real world problems in their own school-based society by applying concepts they have learned.

*MicroSociety* is a unique way of teaching students about how the world works by reconstructing the world inside a school setting, targeted to reinforce classroom learning. It is well known in education circles that students with low expectations of success encounter events and situations that limit their future expectations. *MicroSociety* provides structured experiential learning activities incorporating the traditional subjects of mathematics, science, language arts, social studies and technology to guide young students in discovery and to introduce options that inspire success. It provides students with opportunities to learn, work and manage their microcosm of the real world. Various business ventures and government agencies provide the context for students developing a clear understanding of real-world curriculum connections they learn throughout the school day. The long-term outcome is the development of entrepreneurial skills that will lead to improved student learning, an earlier awareness of real world career options, and potential future employment prospects and real motivation for our youth.

More specifically, the student day at our *MicroSociety Academy Charter School* consists of instructional time competencies via research-based instructional strategies augmented by at one daily period where students will apply what they have learned in a society of their own design. During that period, students, often in multi-aged groups with some peer mentoring, are working, governing, and building their society in real-time by applying their academic skills as they actively engage in establishing their various ventures and agencies. Young entrepreneurs operate businesses producing goods and services, governing bodies establish and enforce laws, and citizens elect officials and provide community. Peacekeepers help keep the peace, judges will arbitrate disputes in court or through mediation, and reporters track down, write, and publish stories. All citizens earn wages in MACS "Micro Dollars," deposit and borrow money from the "Micro City Bank," balance their accounts and checkbooks, act as consumers, and pay taxes, tuition, and rent.

#### Curriculum Learning Strands within the MicroSociety Program

The *MicroSociety Academy Charter School* organizes student learning activities by curriculum learning "strands," drawing on the intellectual traditions of the professions and their specialties. The strands are:



Technology, Economy, Academy, Citizenship and Government, Humanities and Arts, and H.E.A.R.T. Each strand encompasses core subjects (e.g. Math, ELA), and all aspects found within an actual society, making connections between the real world and basics. These strands are easily remembered through the acronym “T.E.A.C.H.H.”

“T” is the Technology strand encompassing all student activities which utilize and integrate science, engineering, computers and other technology into instruction that addresses (STEM) Science Technology, Engineering and Math standards.

“E” is the Economy strand, comparable to math. It encompasses all student business ventures and financial institutions integrating standards-based math and basic economic principles.

“A” is the Academy strand, comparable to language arts. It encompasses all research-based instructional strategies and student training initiatives, inside and outside the classroom.

“C” is the Citizenship and Government strand, comparable to social studies. It encompasses all aspects of student government, activism and citizenship responsibilities.

“H” is the Humanities and Arts strand, comparable to art, music, PE. It encompasses all performing and non-performing arts.

“H” is the HEART strand, comparable to the social skills. It is the social conscience of the *MicroSociety* program and encompasses all the reflective and service aspects of society: Humanities, Ethics, Aesthetics, Reflection, Respect, Reason, Responsibility.

### Academy/English Language Arts

Students participate in engaging, interdisciplinary activities to promote strong achievement and enjoyment in reading, writing, speaking and listening. Progress toward mastery is monitored by incorporating the Common Core State Standards in English/Language Arts, as well as through progress monitoring assessment measures, such as Aimsweb early literacy and DRA (Developmental Reading Assessment).

Reading is a complex process that encompasses both learning how to read and deriving meaning from text. Our emergent readers work to develop phonemic awareness and apply their learned skills individually and in small and large group settings. Using Wilson’s Foundations phonics program in concert with whole language reading instruction provides a balanced literacy program for our emergent readers. We also pay special attention to developing comprehension strategies. We want our readers to interact with the text by making and validating predictions, making text-to-self, text-to-text, and text-to-world connections, and by questioning to seek further meaning or for self-monitoring.

At MACS students learn about expository, narrative, persuasive, and creative types of writing during academic classes. As they are writing about topics that are of high interest to them, an emphasis is put on grammar and other conventions of writing (spelling, punctuation, paragraph structure, etc.). We want students to feel competent expressing their ideas and feelings using their written language (i.e. poetry, script writing, song writing, reviews of books, videos & music, etc.) Students have 1:1 device access in grades 3-8 and smaller class sets of devices in grades 1-2. Various technologies are used to express their



ideas through class writing assignments, publishing ventures (i.e. newspapers, books, magazines, etc.). Students also have opportunities to present their work to audiences in and outside the classroom.

### Economy/Mathematics

Students participate in engaging, interdisciplinary activities (i.e. STEM) to promote strong achievement and enjoyment in using mathematical tools to solve problems and to communicate symbolically. Progress toward mastery is monitored by incorporating the Common Core State Standards in mathematics.

Mathematics will focus on mastering basic skills as well as using abstract, in depth thinking and problem-solving. Students will learn numeracy, algebraic skills, geometry and probability and statistics using inquiry and creative thinking skills of flexibility and fluency. They will also master mental math, and be able to communicate their reasoning orally, symbolically and in writing. Instruction will focus on the application of mathematical and economic principles to the *MicroSociety* Economy (i.e. banks and business ventures), and real world, age-appropriate situations.

### Citizenship and Government/Social Studies

*MicroSociety Academy Charter School* students study history, geography, civics, and government in an integrated, holistic approach. By studying historical data and literature, students learn how historical figures and events influenced and shaped the world as we know it today. They understand how the past can predict the future and begin to grasp the importance of how the decisions made today can impact the future. Students also study other countries/cultures to accept and understand differences as well as being able to identify similarities from one culture to the next. Having a sense of our place in the world is crucial to appreciating all we can learn from it. Our studies are practical yet enriching. We use a variety of approaches to make these concepts as real to our students as possible including research projects, field trips to historical sites, creating their own constitution and setting up their own government.

### Science/Technology

Our science curriculum includes Earth/Space Science, Life Science, and Physical Science. Using inquiry and research-based learning, students discover connections between science, the other disciplines (i.e. STEM), and their daily lives. Instruction includes science process skills (i.e. observing, inferring, measuring, communication, etc.), which will allow them to think critically and be responsible, compassionate contributors to the world around them. Students have a multitude of opportunities to experience the wonder of science by participating in hands-on, multi-sensory activities including, but not limited to experiments, field studies, and field trips. Students receive a well-rounded, in depth understanding of the topics they study and are also expected to present their findings orally and in writing in science-related ventures, student field trips, and various science projects.

### Technology

Students acquire functional technology skills in:

- Word processing
- Creating and using databases to manage data
- Electronic information retrieval and use





- Ethical use of technology
- Electronic presentation methods
- Creating and using movies, videos, and other photo media

Students work to develop basic technology skills, respect for and knowledge of hardware, and use technology as a tool to assist learning.

Students are introduced to technology in developmentally appropriate ways, using computers, tablets, 3D printers and other technology for research, assignments, and presentations, recognizing that children learn best through direct experience with the world around them. Multimedia software, internet use, and technological equipment are integrated into projects throughout the day.

#### Humanities and Arts/Art, Music, and PE/Health

MACS students are encouraged to express their individuality and creativity through the Humanities--art and music. Students experience an engaging arts program designed to expose them to a variety of art forms including fine arts, craftwork, applied art, general music, and performing arts. To reinforce these lessons, students then apply their knowledge and refine their skills as they incorporate various art forms into the presentation of numerous theme-related projects and their *MicroSociety* agencies and ventures throughout the school year.

Students learn and develop the necessary skills for promoting life-long personal fitness and health. Physical education is offered throughout the week during recess, as a *MicroSociety* venture, and taught at least once a week in a structured class that encourages life-long healthy physical activities and integrate group building activities. The physical education program will encourage the development of flexibility, coordination, strength, gross motor skills, cardiovascular fitness, and team building.

#### HEART/Social and Emotional Learning

To become productive citizens, students need to learn to develop social and emotional life skills. Students will learn and practice specific skills to develop social competency in areas such as self-awareness, self-management, social awareness, relationship skills, and responsible decision-making. Skills are reinforced and integrated through social-emotional group building activities across the curriculum, arts, *MicroSociety* ventures/agencies, and community service programs. Yearly goals are established in this area to help establish support and learning opportunities and prioritize student needs.

#### Class Structure

Flexible groupings are used to facilitate differentiated instruction and to help promote community and collaboration amongst our students throughout the day. MACS's classrooms provide a nurturing and supportive environment where students learn to encourage each other and learn from one another.

*MicroSociety* agencies and ventures also have flexible groups of multi-age students when and where appropriate. As students become actively engaged in conducting the business of their *MicroSociety* agency or venture, older students are encouraged to take on the role of peer mentors and supervisors for the younger students with the teachers acting as learning facilitators or coaches.



### Instruction

Students' unique needs are met throughout the day by using a rigorous, responsive curriculum in which students are given the opportunity to study topics with great depth and breadth. Teachers incorporate interdisciplinary units, learning centers, projects, or assignments as ways to ensure student work is sufficiently integrated and academic needs are being met across subject areas. Students are provided with numerous opportunities to work in groups for project-based learning and real-world experiences in academic classes and as they conduct their *MicroSociety* agencies and ventures. Instructors, acting as learning facilitators or coaches, make every effort to adjust assignments to meet the varied learning styles of individual students.

### Academic and Instructional Strategies

Instructional strategies include small group lessons to achieve student learning goals in reading, writing, mathematics, science, social studies, spelling, etc. As previously stated, generally all subject-area content is taught through an integrated, interdisciplinary approach, using research-based strategies and student interest to guide instruction. Individual students and school-wide weaknesses will be identified through data analysis and the development of yearly goals and targeted instruction.

Whenever possible, staff instruction is augmented by local community partner mentors visiting the school and by students visiting our local community partners within the Greater-Nashua business, financial, legal and government professions. MACS's goal is to provide students with positive interactions with diverse role models who will enhance students' understanding that what they are learning is relevant to a given real world profession and why they might need to learn specific skills in order to get a job in the future. Students also see how they can apply what they have learned to their own *MicroSociety* agencies and ventures.

### **Describe the current state of the school's technology and digital infrastructure:**

Currently, MACS offers a 1:1 device for students in 3<sup>rd</sup>-8<sup>th</sup> grade. Our 1<sup>st</sup>-2<sup>nd</sup> grade population all have a set of 6 Chromebooks in each classroom to access. We have 3D printers, projectors, drones, robotics equipment, and various other technology for students to access and learn with.

MACS also contracts with Mainstay Technologies for IT and cybersecurity support. The school employs a full-time technology/IT support teacher. MACS infrastructure is all cloud-based, and we have strict policies and procedures around the use of technology. Staff are trained yearly by Mainstay personnel.

Policy links are provided below:

Information Systems Rules of Behavior Policy

1:1 Device Policy

Bring Your Own Device (BYOD) Policy

Solicitation and Donations Policy



**Describe the efforts the school has made to disseminate best practices, including working with other local schools and districts:**

The MicroSociety Academy Charter School Foundation (MACS) strives to be a leader amongst the charter schools in the State of New Hampshire. While there are many philosophies on “best practices” in education, sharing what works for us, so that others may benefit in their school program and provide an opportunity for others to use the shared information to adapt to their specific circumstances or environments, using research-based practices, is a continued focus.

MACS Standards in Best Practices:

1. Common Focus
2. High Standards and Expectations
3. Strong and Effective Leadership
4. Supportive and Relevant Learning: “Real World Skills”
5. Parent/Community Involvement
6. Monitoring, Accountability, and Assessment
7. Curriculum and Instruction
8. Professional Development
9. Social and Emotional Safety

1. Common Focus:

At MACS, the Board, administrators, teachers, students, and parents share and commit to clearly articulated goals based on the vision and mission of our school. Each year, the PTO, Board, Executive Director and School Wide goals are publicly posted and reported on at the end of the year. There is clear evidence of school practices to support the goal of a common focus for the community.

2. High Standards and Expectations:

High-performing schools believe that all students can learn, provide voice and choice, and all staff believe they can teach each and every student who walks through the doors. The MACS staff are dedicated to helping every student achieve state and local standards. MACS students are engaged in appropriately rigorous course work in which the standards are clear and consistent and the conditions for learning are modified and differentiated appropriately, based on individual need. This results in all students being prepared for success in a 21st century work environment, postsecondary education, and civic responsibilities.

3. Strong and Effective Leadership:

MACS school leadership is focused on enhancing the skills, knowledge, and morale of its constituents by creating a common culture of high expectations used to improve the performance of all students. Leadership at MACS strives to foster a collaborative atmosphere between the school and the community while establishing positive systems to improve leadership, teaching, and student performance.

4. Supportive and Relevant Learning: “Real World Skills”:

In any high-performing school, a supportive learning environment provides positive and personalized relationships for all students, all while continuing to engage them in rigorous and relevant learning. At



MACS, we take it one step further and provide opportunities for real world application and experiences through our Micro Curriculum.

5. Parent/Community Involvement:

At MACS, mentoring and outreach programs run through our Micro Community Partner Program and provide for two-way learning between students and community/business members. Both volunteer parents and community members help develop, understand, and support our MicroSociety Program where there is a clear and common focus on core academic standards, social/emotional, and personal agency and venture goals that all contribute to improved student performance.

6. Monitoring, Accountability, and Assessment:

At MACS, staff conduct triannual scientific, research-based progress monitoring measures that provide data that indicate student progress and needs. This allows for teaching and learning to be continually adjusted as any individual student progresses through a school year. The assessment data results are then interpreted and applied appropriately in order to improve individual student performance and the overall instructional program.

7. Curriculum and Instruction:

MACS works to align curriculum with our core learning expectations in order to improve the performance of all students. Students achieve high standards through rigorous and challenging Micro programs and academic curriculum and instruction. Staff work together to deliver an aligned curriculum and implement research-based teaching and learning strategies. Students are also actively involved in their own learning through inquiry, in-depth learning, performance assessments and through the application and daily practice of running their own agency and ventures; their own mini society.

8. Professional Development:

Ongoing professional development that is aligned with the school's yearly goals to improve the performance of all students is critical to our program's success. The MACS professional development offerings are focused and informed by research and school/classroom-based assessments. MACS works to provide staff with appropriate instructional support and resources so they can implement approaches and techniques that they learned through professional development. We work to ensure the "take-a-ways."

9. Social and Emotional Safety

MACS strives to promote a positive school-wide environment. We work to provide a safe physical, emotional, and academic school setting for our students. Each year we create a school wide SEL goal where we implement strategies that encourage students to feel valued and competent and to act with pride and respect for school policies and property. Past goals have included a) care for the environment, b) improved school climate; and c) demonstrating integrity. Ultimately, we work to have an environment where students have fewer behavioral problems and find it easier to create interpersonal connections with staff and peers. Students must feel safe inside and outside the classroom. Scientific Based Programs we have used: Choose Love, PBIS, and Social Thinking. MACS is also working with Connor's Climb to bring in staff training on suicide prevention and are working with Connor's Climb in the sponsorship of the SOS "Signs of Suicide" middle school prevention program. SOS is an evidence-based program put together by the Suicide Prevention Resource Center. This year, MACS staff are being trained with full program implementation scheduled for the fall of 2024.

Sharing Best Practices within the New Hampshire Charter Community:

MACS has attended the charter school conferences and MACS staff have run workshops for other charter educators on best practices that MACS teachers utilize in their classrooms. The Executive Director has



presented in the past to charter leaders on strategies for increasing student performance. The Executive Director has met with other charter school boards and startup school leaders on various topics from startup procedures, policy, financial practices, human resource issues, leadership and curriculum. MACS continues to collaborate and share ideas with fellow educators across the state, sit on panels for group discussion at charter alliance meetings, and attend as a participant at the charter alliance meetings and DOE charter leader meetings.

**Describe current parent involvement efforts and future plans for increased parent involvement:**

Parental involvement is a core philosophical commitment of the school. MACS believes that parents are an integral part of the school community and bring valuable input, energy and skills to the school's success. The school has a well-defined parent involvement initiative through the PTO and Board of Trustees representation. Parents can bring their concerns to their PTO representatives, board representatives, or the Executive Director at any time.

The PTO Committee serves as the parent steering committee whose main goal is to help build a sense of school unity. The PTO is also responsible for, but not limited to, celebrations, event planning, fundraising, and donation requests.

Since communication is key to home-school relations, multiple methods for information disbursement are used at MACS. In addition to traditional methods such as written notes and documentation, emails, our website, and social media sites all contain information to foster home-school relations.

Since parents/guardians are a child's first teachers, the attitude they have toward education and the commitment shown toward learning are crucial to the child's success in school. Our goal is for 100% parent involvement in meaningful ways.

Parents/guardians are asked to commit to the following:

1. Ensuring their child attends school every day (assuming the student is in good health to attend).
2. Ensuring their child has a place and time to complete homework.
3. Participating in at least one scheduled parent/teacher meeting each year. Parents also have the right to schedule a meeting whenever a concern arises.
4. Attending school information and open house events.
5. Attending school performances and student exhibitions.
6. Bringing to the attention of the Administration any issues that they become aware of relative to conflicts among students or concerns about teachers.
7. In addition, parents/guardians will be asked to volunteer in many ways their time allows. Such opportunities will include but are not limited to fundraising, PTO participation, donations for classrooms and Micro ventures and agencies, community event planning, event volunteering and field trip chaperoning.

To increase parent involvement as we move forward, the hope is to see better PTO involvement and interest in Board Parent seats. Both areas would benefit from improvement. It is always a small but mighty team who rises to the occasion!



**Describe**

**past**

**fundraising efforts since the last renewal and results of fundraising to date:**

Fundraising efforts

The MACS stakeholder groups all work collaboratively on fundraising and development needs of the school. Groups supporting the school operational deficits that need to be made up on a yearly basis are the board, staff, parents, and students. Below are the areas in which each stakeholder group contributed since the last renewal.

MACS PTO

This group has consistently contributed \$15,000 or more per year thanks to their fundraising efforts. Events include cause nights, parents' night out, fall festival events, school dances, Bingo night at Chunky's, and a calendar raffle. Future goals as we increase in size are to increase their fundraising contributions to \$18,000-\$20,000/year.

MACS Parents:

Parents opt in to volunteer their time (approximately 10 hours per family each school year) or contribute to a family "buy-out" donation of \$100. Each family at MACS pledges to support the school with volunteerism and, through an honor system, they log their hours. Once a family log is complete, the family is recognized by earning a "feather" with their name on it which is then placed on the Falcon Banner that hangs in the school. At MACS, we believe time donated is just as important as financial assistance.

MACS families also have the option to make a STEM/Technology contribution. The suggested donation is \$100 per student, and it goes to support the technology infrastructure and STEM programming at the school. On average, we receive between \$10,000-15,000 from these contributions each school year.

MACS Staff:

MACS staff not only volunteer their time at fundraising events, but they also work on grant writing and have received the following grants to date:

1. Multiple Donors Choose projects.
2. Target School Grant \$700

Staff also volunteer their time at PTO fundraising events such as the school dance, movie nights and Bingo at Chunky's, to name a few.

School Fundraisers that are staff run include, but are not limited to:

1. Walk-a-thon \$6,000.
2. School picture sales and yearbook sales \$4,000
3. Spell-A-Thon- \$1,000
4. Charitable Gaming - \$25,000-\$30,000

Board of Trustees:

The Board commits to 100% participation in the fundraising efforts at MACS, whether that is through personal donations or soliciting outside donations.

The Board of Trustees have also started an Annual Golf Tournament to not only fundraise capital, but to also build community relations and support to the school with the purpose of meeting potential community partners and board recruitment.



**What are the schools plans for future fundraising efforts and goals?**

Continued efforts in the above stated areas. We also hope to increase efforts around grant writing as well.

We currently own our second location, and until tenants' leases are up and they vacate, we are charging NNN leases which is yielding us approximately \$75,000 in revenue a year.

**What specific plans does the school have in place to ensure continued sustainability?**

Members of MACS Board of Trustees recognize that the financial sustainability of a charter school requires a long-term fiscal plan. We are continually investigating possible revenue sources such as grants, fundraising efforts, programmatic income (i.e., after school programming), and charitable gaming revenue to name a few.

The Board of Trustees have also worked to purchase the facility in which the school resides. When the School opened, the Board had entered into a 10-year escalating NNN lease agreement that was untenable given the lack of state funding and rising inflation costs. The two simply did not balance each other out. Therefore, purchasing the building at a fixed rate provided the school with more predictable costs year over year. This has proven to be of the most successful moves towards financial sustainability to date. Not only did it keep our lease/mortgage costs flat, but as a non-profit, we are able to be exempt from property taxes, which is a significant cost savings.

Low staff turnover is another important part of long-term sustainability. The school has had low to no turnover in its administrative staff, there has been more turnover than desired amongst teaching staff for various reasons. We have lost staff to cross-country moves, maternity leaves with no return, leaving the teaching profession altogether, teaching abroad and joining traditional public schools due to a more robust contract with better pay and benefits. After exit interviews, the Board cannot pinpoint a reoccurring theme, however, with the new increase in charter funding, they are making benefits and salaries a priority in the upcoming budget season to help address some of the staff turnover. We do not want to lose a staff member simply due to lack of pay and benefits when they report being happy here.

Lastly, student enrollment is important to maintain sustainability. At MACS, we have low turnover in grades K-5. However, with a more established charter school within the same city that offers a high school program, we do lose about 40% of our incoming 6<sup>th</sup> grade students to the other charter as they are trying to secure a high school placement. We are currently expanding in hopes of growing our middle school program to make it more robust in both regular curriculum offerings and within the microsociety program. In July 2023, we purchased the property adjacent to our current school and are working to expand to an upper and lower school campus. Having the facilities next to each other's provides opportunity for shared resources, and in turn, a cost savings in areas. It also allows us to increase enrollment in the middle school program. Though we lose students going into 6<sup>th</sup> grade, the 6<sup>th</sup> grade is our second largest applicant pool, second to kindergarten, year after year. This shows that there is still a need for adequate middle school options in the Southern NH area. Despite our turnover in middle school, separate from normal attrition, MACS average about 150 applicants per year, for an average of 50 openings. We have not had a problem filling seats and currently cannot fit one more student in the school until the expansion project can be completed. We feel the MicroSociety program is a testament to the continued sustainability we experience in regard to student enrollment and high application rates (125-150 applicants per year).



**Charter Schools are required to submit to the Department of Education a completed budget for the upcoming fiscal year:**

Below is the MACS Board of Trustees Operating Budget for the 2023-2024 school year:

<b>2023-2024 Charter School Budget</b>					
<b>Charter School Name</b>	<b>MicroSociety Academy</b>	<b>District #</b>			
<b>Budgeted Expenditures</b>					
	<b>Acct No</b>	<b>Total</b>	<b>Elementary</b>	<b>Middle</b>	<b>High</b>
<b>Instruction</b>	<b>1000-1999</b>	XXXXXX	XXXXXX	XXXXXX	XXXXXX
Regular Programs	1100-1199	1,510,307.00	1,510,307.00	0.00	0.00
Special Programs	1200-1299	345,279.00	345,279.00	0.00	0.00
Vocational Programs	1300-1399	0.00	0.00	0.00	0.00
Other Programs	1400-1499	50,000.00	50,000.00	0.00	0.00
Non-Public Programs	1500-1599	0.00	XXXXXX	XXXXXX	XXXXXX
Adult & Community Programs	1600-1699	0.00	XXXXXX	XXXXXX	XXXXXX
Community/Jr Coll Ed. Programs	1700-1799	0.00	XXXXXX	XXXXXX	XXXXXX
Community Service Programs	1800-1899	0.00	XXXXXX	XXXXXX	XXXXXX
<b>Support Services</b>	<b>2000-2999</b>	XXXXXX	XXXXXX	XXXXXX	XXXXXX
Student Support Services	2000-2199	52,500.00	52,500.00	0.00	0.00
Instructional Staff Services	2200-2299	0.00	0.00	0.00	0.00
<b>General Administration</b>		XXXXXX	XXXXXX	XXXXXX	XXXXXX
<b>Collective Bargaining</b>	0000-0000	0.00	0.00	0.00	0.00
School Board Contingency	2310 / 840	0.00	XXXXXX	XXXXXX	XXXXXX
Other School Board	2310-2319	0.00	0.00	0.00	0.00
<b>Execuive Administration</b>		XXXXXX	XXXXXX	XXXXXX	XXXXXX
Management Services	2320 / 310	0.00	0.00	0.00	0.00
All Other Administration	2320-2399	221,700.00	221,700.00	0.00	0.00
School Admin Services	2400-2499	262,040.00	262,040.00	0.00	0.00
Business	2500-2599	0.00	0.00	0.00	0.00
Operation & Maint. Of Plant	2600-2699	1,029,950.00	1,029,950.00	0.00	0.00
Student Transport	2700-2799	0.00	0.00	0.00	0.00
Support Services Central/ Other	2800-2999	0.00	0.00	0.00	0.00
<b>Non-Instructional Services</b>		XXXXXX	XXXXXX	XXXXXX	XXXXXX
Food Service Operations	3100	14,000.00	14,000.00	0.00	0.00
Enterprise Operations	3200	0.00	0.00	0.00	0.00
<b>Facilities, Acquisitions, Construction</b>		XXXXXX	XXXXXX	XXXXXX	XXXXXX
Site Acquisition	4100	0.00	0.00	0.00	0.00
Site Improvement	4200	0.00	0.00	0.00	0.00
Architectural/Engineering	4300	0.00	0.00	0.00	0.00
Educational Specification Develop	4400	0.00	0.00	0.00	0.00





# Department of Education

Building Acquisition/Constr.	4500	0.00	0.00	0.00	0.00
Building Improvement Services	4600	0.00	0.00	0.00	0.00
Other Facilities Acq. And Serv.	4900	0.00	0.00	0.00	0.00
<b>Other Outlays</b>	<b>5000-5999</b>	<b>XXXXXX</b>	<b>XXXXXX</b>	<b>XXXXXX</b>	<b>XXXXXX</b>
Debt Service - Principal	5110	0.00	XXXXXX	XXXXXX	XXXXXX
Debt Service - Interest	5120	96,000.00	XXXXXX	XXXXXX	XXXXXX
To Food Service	5220-5221	0.00	XXXXXX	XXXXXX	XXXXXX
To Other Special Revenue	5222-5229	0.00	XXXXXX	XXXXXX	XXXXXX
To Capital Projects	5230-5239	0.00	XXXXXX	XXXXXX	XXXXXX
To Capital Reserve	5251	0.00	XXXXXX	XXXXXX	XXXXXX
To Expendable Trust	5252	0.00	XXXXXX	XXXXXX	XXXXXX
To Non-expendable Trust	5253	0.00	XXXXXX	XXXXXX	XXXXXX
To Fiduciary Funds	5254	0.00	XXXXXX	XXXXXX	XXXXXX
To Charter Schools	5310	0.00	XXXXXX	XXXXXX	XXXXXX
To Other Agencies	5390	0.00	XXXXXX	XXXXXX	XXXXXX
Supplemental Appropriation	-----	0.00	XXXXXX	XXXXXX	XXXXXX
Deficit Appropriation	-----	0.00	XXXXXX	XXXXXX	XXXXXX
<b>Total Budgeted Expenses</b>		<b>3,581,776.00</b>	<b>3,485,776.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Budgeted Revenue</b>					
	<b>Acct No</b>	<b>Total</b>			
<b>Revenue</b>	<b>XXXXXX</b>	<b>XXXXXX</b>	<b>XXXXXX</b>	<b>XXXXXX</b>	<b>XXXXXX</b>
<b>Local Revenue</b>	<b>1111-1990</b>	<b>653,370.00</b>	<b>XXXXXX</b>	<b>XXXXXX</b>	<b>XXXXXX</b>
Tuition from NH LEA (Regular Program)	1321	0.00	XXXXXX	XXXXXX	XXXXXX
Tuition From NH LEA (Special Program)	1322	0.00			
Tuition From NH LEA (Vocational Program)	1323	0.00			
Other Tuition (Individuals/Outside LEAs/Other)	1310/1330/1340	0.00	XXXXXX	XXXXXX	XXXXXX
Transportation Fees	1400	0.00	XXXXXX	XXXXXX	XXXXXX
Other Local Revenue (e.g. contributions)	1500-1990	653,370.00	XXXXXX	XXXXXX	XXXXXX
<b>State Revenue</b>	<b>3111-3900</b>	<b>2,815,000.00</b>	<b>XXXXXX</b>	<b>XXXXXX</b>	<b>XXXXXX</b>
Adequacy State Revenue	3111	2,815,000.00	XXXXXX	XXXXXX	XXXXXX
Lease Aid State Revenue	3190	0.00			
Other State Revenue	3112-3900	0.00	XXXXXX	XXXXXX	XXXXXX
<b>Federal Revenue</b>	<b>4100 - 4595</b>	<b>115,000.00</b>	<b>XXXXXX</b>	<b>XXXXXX</b>	<b>XXXXXX</b>
Title 1	4520	35,804.16	XXXXXX	XXXXXX	XXXXXX
All Other Title Grants Excluding Title 1	4530	29,195.84	XXXXXX	XXXXXX	XXXXXX
Federal CSP Start-up Grant	4590	50,000.00	XXXXXX	XXXXXX	XXXXXX
ESSER	4595	0.00	XXXXXX	XXXXXX	XXXXXX
Other Federal Revenue		0.00			
<b>Other Revenue</b>	<b>5110 - 5600</b>	<b>0.00</b>	<b>XXXXXX</b>	<b>XXXXXX</b>	<b>XXXXXX</b>



<b>Total Budgeted Revenue</b>		<b>3,583,370.00</b>			
<b>Surplus Statement</b>					
<b>Starting Blance</b>			1,108,552.00		
<b>Estimated Revenue</b>			3,583,370.00		
<b>Estimated Expenditures</b>			-3,581,776.00		
<b>Operational Balance Surplus/ (Deficit)</b>			<b>1,594.00</b>		
<b>Ending Balance</b>			1,110,146.00		

**Additional Documentation:**

Micro Moments:

Micro Moments are stories that define the day-to-day interactions at MACS. It is a celebration of students and those special “Ah-ha” moments when their academic and micro lessons “click.” It is the WHY behind what we do and why we do it at MACS. Enjoy!

“Julianna quickly made friends and found a positive connection as a fourth grade citizen at MicroSociety Academy Charter School. She persevered through typical challenges with friends and academics using the support of teachers and the school counselor, Mrs. Dagianis. As a sixth grader at MACS, Julianna found herself hanging out with a group of students who consistently presented unkind behaviors to staff and students and were constantly off task and in the office. As the school year came to an end, Julianna sought the guidance of our school counselor as she was coming to a new level of awareness. She had noticed a possible connection between her not feeling proud and positive like she had in the past, and the group she was choosing to be with. Mrs. Dagianis always encourages students to embrace their mistakes or what’s not working as an opportunity to learn and get back to authoring the story they want. Although not immediately, this message began to resonate with Julianna and she felt empowered to design a better way of being here at MACS.

While some might assume that their reputation precedes them, Julianna fully embraced the beginning of seventh grade as clean slate and the canvas for her best year yet. Julianna’s natural ability to command a room and connect with others, had always been an asset lying in wait for her to realize her power and responsibility. As she began to reinvent herself, she reconnected with friends who she had drifted apart with, she made repairs with students she had once hurt and continued to seek guidance with Mrs. Dagianis on how to align her thoughts and actions to match her higher self. As a student, a friend, and a citizen, Julianna was fully invested and for the first time on a mission to become fully aware of her potential. This evolution did not go unnoticed. When thinking through the next qualified leader for the esteemed position of Micro City Judge, Mrs. Dagianis knew this was an opportunity for Julianna to step up in a whole new way. Julianna was given the opportunity to share her story with the students of Micro City and assert herself as a well known role model in the school community. She has a platform to share personally the power she discovered when she began authoring her story the way she wanted it to be written. This is truly a role where she can relate, connect, and understand with the Micro City community and an example of the possibilities when you become aware and design your life.”



“Imagine you are a student new to MACS, who has joined mid-year. It is your first day in Micro City, and you don't yet have a job. As you walk the halls you see that everyone else around you is engaged in something fun and meaningful. You start to look around and ask questions to see what jobs are available, but you are faced with unexpected rejection. Naturally, as a 2nd grader, you turn to a trusted adult. You're crying because you're disappointed, confused, and scared. That trusted adult reassures you that she will do her best to help you find a job. This exchange also happens to be occurring in an office where the President of Micro City is sitting, and she turns to you with confidence, strength, and reassurance and commits to helping you find a job. After acknowledging your feelings and the fact that you are new to the community, she begins asking questions about your interests. The President, wearing her leadership hat, ventures out into Micro City herself to help you find a job. Within a few minutes the President returns with the good news that you now have a job offer in something you're interested in that fulfills you, and in that moment

you know you are part of something bigger. You wipe away your tears, take a deep breath, smile, and head out to work.”

“This is a busy time of year in Micro City! Management 101 has come to a close, newly certified managers are being hired, and agency positions are being filled. While discussing the opportunity to apply for Peacekeeper positions in the 5th grade class one day, one of the students brought up a concern. “Last year, I was a Peacekeeper, and things didn't always go so well. Some of the Peacekeepers really didn't seem to know what they were doing, and others would goof off, sit on the floor while on patrol duty, or not remember how to log their tickets. I hope they do a better job this year....” Another student responded, “Yeah, I worked for the Peacekeepers last year and thought the same thing. We need to do something about it!” Another student piped up with an idea. “If people want to run for an elected government office, they have to take Campaigning 101. If people want to own or manage a business, they have to take Management 101. There should be a Peacekeeping 101 class, too!” Many of his classmates agreed. Their teacher encouraged them to write a proposal to introduce Peacekeeping 101 to our Micro curriculum. That entire 5th grade class worked together to write a proposal that identified the problem and laid out possible solutions. Micro City will now be looking for a way to incorporate this new Peacekeeping 101 plan into the upcoming preparations before Marketplace opens. It is always exciting to see our students putting the MicroSociety principles in action!”

“During Micro one afternoon, students were discussing the virtue of telling the truth. They questioned if it was fair, just, acceptable to tell the truth, even if it may “hurt” to hear it? They discussed the concept together asking “What is love?” Is it loving to be brutally honest? The discourse was nothing short of impressive as the students were 3rd, 4th, and 5th graders who possessed more insight and courage than some adults we may know! The conversation was distilled into a court approved mantra: “Truth is Love.” Participants of the discussion put together a presentation to be shared with the greater MACS community during the March Town Hall Meeting. Some students even reached out to Mrs. Pulliam and requested that her Micro Venture: Off the Chain, make “Truth is Love” stickers!”

This is a copy of the presentation. [Truth is Love Presentation](#).

# MicroSociety Academy Charter School Foundation

591 West Hollis Street Nashua, NH 03062-1323

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Report Card Year: **2023**

Entity ID  
**744**

Grades Served  
**K-8**

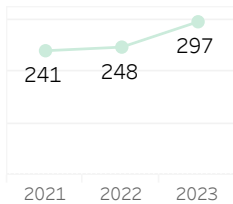
Superintendent  
**Amy Bottomley**

District Name

## Federal Accountability Indicators (1 - Low | 4 - High)

### Total Student Enrollment

**297**



**Female**  
49.16%

**Male**  
50.84%

### Student Population Breakdown

Economically Disadvantaged	11.45%
English Language Learners	
Homeless	
Migrant	N/A
Military Connected	
Not Economically Disadvantaged	88.55%
Students in Foster Care	
Students with Disabilities	10.77%
Students without Disabilities	

### Population by Race / Ethnicity

American Indian or Alaskan	*N
Asian or Pacific Islander	32.66%
Black or African American	*N
Hispanic or Latino	10.77%
Multiple Races	<10%
White	49.49%

## Performance Indicators by Subgroupings

\*Achievement Metrics Compared vs. Targets

			2021	2022	2023		
DLM Participation Count - ELA	Grade	Grade 3	0	0	0		
		Grade 4	0	0	0		
		Grade 5	0	0	0		
		Grade 6	0	0	0		
		Grade 7	0	0	0		
		Grade 8	0	0	0		
		Grade 11	N/A	N/A	N/A		
		DLM Participation Count - Math	Grade	Grade 3	0	0	0
				Grade 4	0	0	0
				Grade 5	0	0	0
				Grade 6	0	0	0
Grade 7	0			0	0		
DLM Participation Rate - ELA	Grade	Grade 8	0	0	0		
		Grade 11	N/A	N/A	N/A		
		All Students	0.00%	0.00%	0.00%		
		Grade 3	0.00%	0.00%	0.00%		
		Grade 4	0.00%	0.00%	0.00%		
		Grade 5	0.00%	0.00%	0.00%		
		Grade 6	0.00%	0.00%	0.00%		
		Grade 7	0.00%	0.00%	0.00%		
		Grade 8	0.00%	N/A	N/A		
		Grade 11	N/A	N/A	N/A		
		DLM Participation Rate - Math	Grade	All Students	0.00%	0.00%	0.00%
Grade 3	0.00%			0.00%	0.00%		
Grade 4	0.00%			0.00%	0.00%		
Grade 5	0.00%			0.00%	0.00%		
Grade 6	0.00%			0.00%	0.00%		
Grade 7	0.00%			0.00%	0.00%		
Grade 8	0.00%			N/A	N/A		
Grade 11	N/A			N/A	N/A		
ELA Participation Rate	Race/Ethnicity			All Students	93%	99%	98%
				American Indian or Alaskan	N/A	N/A	N/A
				Asian or Pacific Islander	94%	100%	100%
		Black or African American	*N	*N	*N		
		Hispanic or Latino	87%	100%	95%		
		Multiple Races	*N	*N	*N		
		White					

Achievement

		Multiple Races	**	**	**
		White	92%	99%	98%
	Sex	Female	92%	98%	98%
		Male	93%	100%	98%
	Student Group	Economically Disadvantaged	87%	100%	96%
		English Language Learners	89%	*N	*N
		Homeless	N/A	N/A	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	94%	99%	98%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	85%	100%	88%
		Students without Disabiliti..	93%	99%	99%
ELA Proficiency		All Students	68% (vs 60)	60% (vs 63)	56% (vs 64)
	Achievement	Level 1 (lowest)	15%	19%	19%
	Level	Level 2	17%	21%	25%
		Level 3	37%	28%	27%
		Level 4 (highest)	31%	32%	29%
	Grade	Grade 3	59%	57%	51%
		Grade 4	71%	62%	59%
		Grade 5	>90%	71%	68%
		Grade 6	65%	56%	27%
		Grade 7	53%	*N	50%
		Grade 8	73%	*N	*N
		Grade 11	N/A	N/A	N/A
	Race/Ethnicity	American Indian or Alaskan	N/A (vs 53)	N/A (vs 57)	N/A (vs 60)
		Asian or Pacific Islander	82% (vs 72)	75% (vs 72)	69% (vs 72)
		Black or African American	*N (vs 37)	*N (vs 41)	*N (vs 44)
		Hispanic or Latino	46% (vs 42)	29% (vs 46)	33% (vs 50)
		Multiple Races	*N (vs 63)	*N (vs 67)	*N (vs 71)
		White	64% (vs 64)	57% (vs 68)	51% (vs 71)
	Sex	Female	71%	65%	60%
		Male	65%	57%	52%
	Student Group	Economically Disadvantaged	55% (vs 40)	25% (vs 44)	31% (vs 47)
		English Language Learners	56%	*N (vs 36)	*N (vs 39)
		Homeless	N/A	N/A	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	70%	66%	61%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	18% (vs 22)	<10% (vs 25)	<10% (vs 28)
		Students without Disabiliti..	72%	65%	61%
ELA Proficiency - #Students	Achievement	Level 1 (lowest)	20 - 25	25 - 30	30 - 35
	Level	Level 2	20 - 25	30 - 35	40 - 45
		Level 3	50 - 55	40 - 45	45 - 50
		Level 4 (highest)	40 - 45	45 - 50	50 - 55
First Year Exemption (#) - ELA		All Students	1	N/A	1
First Year Exemption (%) - ELA		All Students	0.64%	N/A	0.54%
Math Participation Rate		All Students	93%	99%	98%
	Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A
		Asian or Pacific Islander	94%	100%	100%
		Black or African American	*N	*N	*N
		Hispanic or Latino	87%	100%	95%
		Multiple Races	*N	*N	*N
		White	92%	99%	98%
	Sex	Female	92%	98%	98%
		Male	93%	100%	98%
	Student Group	Economically Disadvantaged	87%	100%	96%
		English Language Learners	89%	*N	*N
		Homeless	N/A	N/A	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	94%	99%	98%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	85%	100%	88%
		Students without Disabiliti..	93%	99%	99%
Math Proficiency		All Students	51% (vs 49)	49% (vs 50)	51% (vs 51)
	Achievement	Level 1 (lowest)	22%	19%	25%
	Level	Level 2	26%	32%	24%
		Level 3	25%	24%	28%
		Level 4 (highest)	27%	26%	23%
	Grade	Grade 3	63%	59%	56%
		Grade 4	62%	62%	51%
		Grade 5	48%	42%	57%
		Grade 6	43%	25%	20%
		Grade 7	40%	*N	44%
		Grade 8	33%	*N	*N
		Grade 11	N/A	N/A	N/A
	Race/Ethnicity	American Indian or Alaskan	N/A (vs 37)	N/A (vs 39)	N/A (vs 41)
		Asian or Pacific Islander	80% (vs 67)	73% (vs 67)	72% (vs 67)
		Black or African American	*N (vs 25)	*N (vs 27)	*N (vs 28)
		Hispanic or Latino	15% (vs 31)	29% (vs 33)	39% (vs 35)
		Multiple Races	*N (vs 48)	*N (vs 50)	*N (vs 52)
		White	37% (vs 51)	36% (vs 53)	40% (vs 54)
	Sex	Female	48%	45%	49%
		Male	55%	52%	54%
	Student Group	Economically Disadvantaged	20% (vs 29)	15% (vs 31)	23% (vs 32)
		English Language Learners	63%	*N (vs 24)	*N (vs 25)
		Homeless	N/A	N/A	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	57%	55%	57%
		Students in Foster Care	N/A	N/A	N/A

Academic Growth

		Students in Foster Care	27%	27%	27%	
		Students with Disabilities	<10% (vs 16)	27% (vs 18)	<10% (vs 19)	
		Students without Disabilities	55%	51%	55%	
Math Proficiency - #Students	Achievement Level	Level 1 (lowest)	30 - 35	25 - 30	40 - 45	
		Level 2	35 - 40	45 - 50	40 - 45	
		Level 3	30 - 35	30 - 35	45 - 50	
		Level 4 (highest)	35 - 40	35 - 40	40 - 45	
				All Students	N/A	*N
		On Track to Proficiency	*N (vs 43)	81.25% (vs 47)	58.33% (vs 50)	
		Percent of Proficient English Learners	N/A	*N	*N	
Science Participation Rate	Race/Ethnicity	All Students	90%	100%	96%	
		American Indian or Alaskan	N/A	N/A	N/A	
		Asian or Pacific Islander	100%	100%	100%	
		Black or African American	N/A	N/A	*N	
		Hispanic or Latino	*N	*N	*N	
		Multiple Races	*N	*N	*N	
		White	81%	100%	92%	
		Sex	Female	88%	100%	96%
			Male	94%	100%	97%
		Student Group	Economically Disadvantaged	*N	*N	*N
			English Language Learners	*N	*N	*N
			Homeless	N/A	N/A	N/A
			Migrant	N/A	N/A	N/A
			Military Connected	N/A	N/A	N/A
			Not Economically Disadvan..	91%	100%	96%
			Students in Foster Care	N/A	N/A	N/A
			Students with Disabilities	*N	*N	*N
			Students without Disabilities	92%	100%	96%
			All Students	51%	53%	61%
			Science Proficiency	Achievement Level	Level 1 (lowest)	16%
Level 2	32%				18%	15%
Level 3	43%	21%			28%	
Level 4 (highest)	<10%	32%			33%	
		All Students			51%	53%
Grade	Grade 3	N/A		N/A	N/A	
	Grade 4	N/A		N/A	N/A	
	Grade 5	61%		58%	63%	
	Grade 6	N/A		N/A	N/A	
	Grade 7	N/A		N/A	N/A	
	Grade 8	36%		*N	*N	
	Grade 11	N/A		N/A	N/A	
Race/Ethnicity	American Indian or Alaskan	N/A		N/A	N/A	
	Asian or Pacific Islander	54%		67%	87%	
	Black or African American	N/A		N/A	*N	
	Hispanic or Latino	*N	*N	*N		
	Multiple Races	*N	*N	*N		
Sex	Female	53%	45%	43%		
	Male	55%	62%	61%		
Student Group	Economically Disadvantaged	47%	48%	61%		
	English Language Learners	*N	*N	*N		
	Homeless	N/A	N/A	N/A		
	Migrant	N/A	N/A	N/A		
	Military Connected	N/A	N/A	N/A		
	Not Economically Disadvan..	48%	55%	67%		
	Students in Foster Care	N/A	N/A	N/A		
	Students with Disabilities	*N	*N	*N		
	Students without Disabilities	54%	60%	65%		
	Science Proficiency - #Students	Achievement Level	Level 1 (lowest)	0 - 10	0 - 10	10 - 15
			Level 2	10 - 15	0 - 10	0 - 10
			Level 3	15 - 20	0 - 10	15 - 20
Level 4 (highest)			0 - 10	10 - 15	15 - 20	
				All Students	*COVID	59
ELA Growth	Grade	Grade 4	*COVID	62	49	
		Grade 5	*COVID	56	59	
		Grade 6	*COVID	45	45	
		Grade 7	*COVID	*N	41	
		Grade 8	*COVID	*N	*N	
	Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A	
		Asian or Pacific Islander	*COVID	62	63	
		Black or African American	*COVID	N/A	*N	
		Hispanic or Latino	*COVID	*N	43	
		Multiple Races	*COVID	*N	*N	
	Sex	Female	*COVID	58	48	
		Male	*COVID	60	54	
	Student Group	Economically Disadvantaged	*COVID	58	51	
		English Language Learners	*COVID	43	46	
		Homeless	N/A	N/A	N/A	
Migrant		N/A	N/A	N/A		
Military Connected		N/A	N/A	N/A		
Not Economically Disadvan..		N/A	61	54		
Students in Foster Care		N/A	N/A	N/A		
Students with Disabilities		*COVID	*N	33		
Students without Disabilities		N/A	60	54		
Math Growth		Grade	All Students	*COVID	50	46
			Grade 4	*COVID	55	40
			Grade 5	*COVID	40	45
	Grade 6		*COVID	34	48	
	Grade 7		*COVID	*N	46	
	Race/Ethnicity	American Indian or Alaskan	*COVID	*N	*N	
		Asian or Pacific Islander	N/A	N/A	N/A	
		Black or African American	*COVID	60	53	
		Hispanic or Latino	*COVID	N/A	*N	
		Multiple Races	*COVID	N/A	*N	

		Black or African American	*COVID	N/A	N/A
		Hispanic or Latino	*COVID	*N	34
		Multiple Races	*COVID	*N	*N
		White	*COVID	45	44
	Sex	Female	*COVID	43	45
		Male	*COVID	55	47
	Student Group	Economically Disadvantaged	*COVID	49	42
		English Language Learners	*COVID	*N	*N
		Homeless	N/A	N/A	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	N/A	50	47
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	*COVID	*N	24
		Students without Disabiliti..	N/A	51	48
	Average Class Size	All Students	22.1	17.7	20.2
	Expulsion Rate	All Students	0.00%	0.00%	0.00%
		Race/Ethnicity			
		American Indian or Alaskan	N/A	N/A	*N
		Asian or Pacific Islander	0.00%	0.00%	0.00%
		Black or African American	*N	*N	*N
		Hispanic or Latino	0.00%	0.00%	0.00%
		Multiple Races	*N	*N	*N
		White	0.00%	0.00%	0.00%
		Student Group			
		Economically Disadvantaged	0.00%	0.00%	0.00%
		English Language Learners	*N	0.00%	0.00%
		Homeless	N/A	N/A	*N
		Migrant	N/A	N/A	N/A
		Military Connected	*N	N/A	N/A
		Not Economically Disadvan..	0.00%	0.00%	0.00%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	0.00%	0.00%	0.00%
		Students without Disabiliti..	0.00%	0.00%	0.00%
	In School Suspension Rate	All Students	0.00%	0.00%	1.06%
		By Day			
		1-5 Days	0.00%	0.00%	100.00%
		6 -10 Days	0.00%	0.00%	0.00%
		11+ days	0.00%	0.00%	0.00%
		Race/Ethnicity			
		American Indian or Alaskan	N/A	N/A	*N
		Asian or Pacific Islander	0.00%	0.00%	1.09%
		Black or African American	*N	*N	*N
		Hispanic or Latino	0.00%	0.00%	0.00%
		Multiple Races	*N	*N	*N
		White	0.00%	0.00%	1.38%
		Student Group			
		Economically Disadvantaged	0.00%	0.00%	4.88%
		English Language Learners	*N	0.00%	0.00%
		Homeless	N/A	N/A	*N
		Migrant	N/A	N/A	N/A
		Military Connected	*N	N/A	N/A
		Not Economically Disadvan..	0.00%	0.00%	0.41%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	0.00%	0.00%	3.45%
		Students without Disabiliti..	0.00%	0.00%	0.79%
	Incidents of Violence	All Students	0	N/A	4
	Out of School Suspension Rate	All Students	0.00%	1.27%	1.06%
		By Day			
		1-5 Days	0.00%	100.00%	100.00%
		6 -10 Days	0.00%	0.00%	0.00%
		11+ days	0.00%	0.00%	0.00%
		Race/Ethnicity			
		American Indian or Alaskan	N/A	N/A	*N
		Asian or Pacific Islander	0.00%	0.00%	0.00%
		Black or African American	*N	*N	*N
		Hispanic or Latino	0.00%	0.00%	6.67%
		Multiple Races	*N	*N	*N
		White	0.00%	1.77%	0.69%
		Student Group			
		Economically Disadvantaged	0.00%	0.00%	0.00%
		English Language Learners	*N	0.00%	0.00%
		Homeless	N/A	N/A	*N
		Migrant	N/A	N/A	N/A
		Military Connected	*N	N/A	N/A
		Not Economically Disadvan..	0.00%	1.45%	1.24%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	0.00%	0.00%	0.00%
		Students without Disabiliti..	0.00%	1.38%	1.18%
	Average Teacher Salary	All Students	\$41000.00	\$43000.00	\$47000.00
		Poverty Level			
		High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	N/A
	Classes by Educators Certified in the Subject	All Students	91.67%	66.67%	78.95%
		Poverty Level			
		High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	N/A
	Classes by Educators on an Intern Path	All Students	0.00%	0.00%	0.00%
		Poverty Level			
		High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	N/A
	Classes by Experienced Educators	All Students	35.29%	29.41%	31.82%
		Poverty Level			
		High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	N/A
	Educators certified in the subject(%)	All Students	91.67%	64.29%	82.35%
		Poverty Level			
		High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	82.35%
	Educators on an Intern Path(%)	All Students	0.00%	0.00%	0.00%
		Poverty Level			
		High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	0.00%
	Experienced Educators(%)	All Students	35.29%	25.00%	30.00%
		Poverty Level			
		High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	30.00%
	Cost Per Pupil	All Students	\$6825	\$7017	N/A

<b>Finance</b>	Cost Per Pupil		All Students	\$6835	\$7047	N/A	
	Cost Per Pupil T..		Federal Cost Per Pupil	\$355	\$514	N/A	
			Local & State Cost Per Pupil	\$6479	\$6532	N/A	
	School Type		Elementary School	\$6835	\$7047	N/A	
			High School	N/A	N/A	N/A	
			Middle School	N/A	N/A	N/A	
	Total Expenditures		All Students	\$1812108	\$1962846	N/A	
			Non-recurring E..	Bond and Note Payment	\$315965	\$122919	N/A
				Facility Construction	\$0	\$0	N/A
			Recurring	Bond & Note Interest	4	3	N/A
			Expenditures	Business Services	0	0	N/A
				Charter Schools / Other Age..	0	0	N/A
				Community Programs	0	0	N/A
				Food Service	0	-0	N/A
				General Administration	4	2	N/A
				Instructional Staff Support	0	0	N/A
				Non-Public Programs	0	0	N/A
				Other Instructional Progra..	0	0	N/A
				Plant Operations	14	9	N/A
				Pupil Transportation	0	0	N/A
			Regular Instruction	59	65	N/A	
			School Administration	9	10	N/A	
			Special Programs	6	6	N/A	
			Student Support Services	1	2	N/A	
			Vocational Programs	0	0	N/A	
<b>Profile</b>	Population By Gender		Sex	Female	51.04%	46.77%	49.16%
				Male	48.96%	53.23%	50.84%
	Population By Race/Ethnicity		Race/Ethnicity	American Indian or Alaskan	N/A	N/A	*N
				Asian or Pacific Islander	32.78%	37.10%	32.66%
				Black or African American	*N	*N	*N
				Hispanic or Latino	13.28%	10.08%	10.77%
				Multiple Races	*N	*N	<10%
				White	48.55%	47.58%	49.49%
	Population By Subgroup		Student Group	Economically Disadvantaged	13.28%	13.71%	11.45%
				English Language Learners	<10%	12.10%	12.46%
				Homeless	N/A	*N	*N
				Migrant	N/A	N/A	N/A
				Military Connected	*N	N/A	N/A
				Not Economically Disadvan..	86.72%	86.29%	88.55%
			Students in Foster Care	N/A	N/A	N/A	
			Students with Disabilities	<10%	<10%	10.77%	
			Students without Disabiliti..	>90%	>90%	89.23%	
Total Student Enrollment			All Students	241	248	297	

Printed on: 2/2/2024

<b>*COVID</b>	Data is not available due to COVID restrictions.	<b>&gt;90%</b>	Value is above 90% and is blurred to protect student privacy.
<b>*N</b>	Data is suppressed due to student population being less than 11.	<b>N/A</b>	Data is not applicable
<b>&lt;10%</b>	Value is below 10% and is blurred to protect student privacy.	<b>NA</b>	Data is not available





**New Hampshire Department of Education**  
 Office of Charter Schools  
**Chartered Public School**  
**Application for Charter Amendment**

*A chartered public school may submit an amendment to their charter contract with the state of New Hampshire in accordance with RSA 193-B:3, XI. This form, together with required attachments, is for use when applying for an amendment with the State Board of Education under Ed 318.12 (Issuance and Amendment of Charter).*

**Name of Chartered Public School:** MicroSociety Academy Charter School Foundation

**Name of School Director:** Amy Bottomley

**Street Address:** 591 West Hollis Street

**Town:** Nashua

**Email:** abottomley@macsnh.org

**Phone Number:** 603-595-7877

**Amendment Type:**  
*(Select all that apply.)*

- Grade Levels                       Enrollment  
 Mission                               Curriculum/Model

other To update charter to reflect current operations and align with Board of Trustees bylaws.

**Description:**  
*(Use this space to fully describe the area(s) in which you are requesting amendment(s).)*

Areas where we are requesting amendments are:

1. Board of Trustees (updates re: membership, committees, terms);
2. Instructional Features: world language (not offered), class size (cap increase);
3. Achievement Tests/progress monitoring assessments (removal of specific assessments as a variety is used);
4. Ratio FT Teachers (current teacher/student ratios due to expansion);
5. Special Education Liaison (clarification of role due to MOU agreements);
6. Employee Benefits language (in line with current offerings);
7. Admissions Procedures (in line with policy and state requirements; applicants do not meet with an admissions committee);
8. Fiscal Accounts and Reporting (best practices per accounting firm);
9. Removal of consultants (no longer working with school);
10. Outdated start-up procedures (removal of outdated items);
11. School Calendar Arrangement and the Number and Duration of Days (180 days to instructional hours and school hours)
12. Coordinating with Pupils LEA with special ed- (update with RSA 194-B:5, VIII)



New Hampshire Department of Education  
Office of Charter Schools

Chartered Public School  
Application for Charter Amendment

- 13. Accountability (timeline update, checklist years 1-4 removed);
- 14. Appendices updates (removal of outdated information)

**Reasoning:**  
*(Use this space to fully describe the area(s) in which you are requesting amendment(s).)\* Provide any supporting documentation to support the need for an amendment*

MACS is now entering its 10th year of operations and the Founding Board's original charter application has some discrepancies with current practices, relating to areas described in the Description section above. Many of the edits are to language regarding predicted start up practices that are no longer relevant and title/name changes.

**Impact Areas:**  
*(Check all areas impacted upon amendment approval)*

- Students/Families
- Budget
- Goals *(academic, program, organizational)*
- Staffing
- Facilities
- Accountability Plan

**Other** There is no impact to the operations, students, staff, facilities, budget or accountability plan. This charter amendment is specifically to bring the charter in line with current operations and practices versus the original founding Board's predicted start-up language.

A copy of the last approved charter, with proposed amendment(s) shown via "red-lines" or "mark-ups", is required to be attached to any amendment application.  **Copy attached.**

Please include the following additional attachments as noted for specific impacts.

<b>Students &amp; Families:</b>	<input type="checkbox"/> Detailed description of the impacts to students and families <input type="checkbox"/> Plan for communication of these impacts
<b>Staffing:</b>	<input type="checkbox"/> Detailed description of the impacts to staff members <input type="checkbox"/> Plan for communication of these impacts
<b>Budget:</b>	<input type="checkbox"/> Detailed description of the impacts to the budget <input type="checkbox"/> Amended next year budget
<b>Facilities:</b>	<input type="checkbox"/> Detailed description of the impacts to the facilities <input type="checkbox"/> Timeline for impacts
<b>Goals:</b>	<input type="checkbox"/> Goal revisions
<b>Accountability Plan:</b>	<input type="checkbox"/> Accountability plan revisions

By signing below, I certify that the information contained within this application for amendment is true and accurate to the best of my knowledge.

\_\_\_\_\_

\_\_\_\_\_



New Hampshire Department of Education  
Office of Charter Schools

Chartered Public School  
Application for Charter Amendment

Print Name: Barbara Halevi, Chairperson

Date: 1/26/24

Barbara Halevi, Chairperson

Signature of the Chairman of the Board of Trustees

***MicroSociety Academy  
Charter School Foundation***



**Charter School Application**

Submitted to the New Hampshire Department of  
Education By:

***MicroSociety Academy Charter School  
Foundation***

June 14, 2013

Revised March 12, 2014, May 1 and 20, 2014, November  
8, 2018 and January 25, 2024

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## **Introduction**

This application to establish the *MicroSociety Academy Charter School (MACS)* was initially drafted by a group of parents and educators with a commitment to actively engaging students in learning through research and standards-based teaching strategies paired in tandem with giving students opportunities to apply their knowledge by creating and operating the agencies and ventures of their own “real” MicroSociety within the school setting. The initial idea to develop a K-8 MicroSociety themed charter school began in December of 2011 when a group of New Hampshire

parents and alumni of the pioneering McDonough City Magnet School (Lowell, MA) came together for an exploratory meeting. They were joined by a few of their former teachers to discuss how it might be possible for their children to experience an updated 2.0 version of MicroSociety education in Southern New Hampshire that had transformed the parents' lives. Parents Cheryl McNamara Bean, Greg Bean, Marc Sylvester and others began discussing just what a new 2.0 version of a MicroSociety Charter School might look like with veteran MicroSociety K-8 educators Dave Cronin and Thomas Malone who volunteered their assistance. They soon began reaching out to a network of Greater-Nashua neighbors, NH MicroSociety alumni parents, and community members for a series of "exploratory" public meetings and to find people in the Greater Nashua community with expertise, passion, and time needed to commit to this project. Meetings were held, with research and work being completed between meetings. In addition, sub-committees were also convened to discuss items such as budget or to meet with potential consultants or advisors. Group updates and communication was further facilitated through an ongoing MACS Planning Team Facebook thread.

MACS Planning Team members have backgrounds in education, finance and business. In the exploratory and planning process, the team consulted with many members of the community from various professional fields. We discovered that they were eager to donate their time and talents to the establishment of a public charter school option that would integrate real world experiences into MicroSociety standards-based education. In addition, the MACS Facebook page "Patch" and other free marketing tools were utilized to reach out to the Southern New Hampshire community. A MACS web site was planned. Parents from towns in Greater Nashua (Nashua, Hudson, Hollis, Brookline, Merrimack, and Amherst), So. New Hampshire (Pelham, Derry, Portsmouth) and even Concord, NH have expressed an interest in the unique concept of a charter school that will integrate MicroSociety with core academic instruction.

The Planning Team has taken the proactive steps of seeking the assistance of various community partners to establish MACS's growing Board of Advisors (i.e. Enterprise Bank, SmartEDU, Nashua Access Cable, NH St. Senator Bette Lasky, former St. Rep. Kevin Avard, Dr. Akhil Sastry, etc.), Enterprise Bank, although relatively new to NH, has vast experience assisting non-profit organizations through their non-profit collaborative. It is anticipated Enterprise Bank and MACS's other community partners will assist with further enhancing community relations and seeking Board members who have the necessary skill set to ensure success for the charter school and who represent the diversity of Greater Nashua area.

After dedicated work by the Planning Team, MACS opened its doors in the fall of 2015. Since October 2015, MACS has been located at 591 West Hollis Street, Nashua, New Hampshire, and over time has grown to successfully serve over 300 students each school year. In July 2023, MACS purchased a second facility, adjacent to 591 West



Hollis street, with the ultimate intent of opening an upper and lower school campus.

### **Why Southern New Hampshire?**

Nashua is a diverse community, with a population of approximately 90,000 people. Like Nashua, much of Southern New Hampshire has shown an increase in population and in cultural diversity over the last several decades and continues to increase in population. Nashua is now the business and cultural center of Southern New Hampshire, a diverse and dynamic region of more than 175,000 people.

Nashua and Southern New Hampshire towns are united in their belief that education is one of the main pillars for the social and economic advancement of its citizenry. Former Mayor Donnalee Lozeau on the City of Nashua website ([www.gonashua.com](http://www.gonashua.com)) has clearly stated, “We are committed to supporting a climate for families to thrive, children to learn, businesses to succeed....”

Establishing a MicroSociety public charter school in Southern New Hampshire is a logical choice, because it is home for the Founding parents, and the area is known for supporting business, education and community partnerships. A public charter school which is, by law, tuition-free will offer the opportunity to ALL children and families in the Greater Nashua area to participate in actively engaging students in learning through research and standards-based MicroSociety instructional strategies regardless of the family’s economic means. The integration of MicroSociety into an academic curriculum inspires all students and meets the various learning styles and needs of all children.

### **Why *MicroSociety*?**

*MicroSociety* is a unique way of teaching students about how the world works by reconstructing “their” world inside a school building. This is the basis of the *MicroSociety* approach to learning, which was created by a Brooklyn school teacher George Richmond in response to his “at risk” 5<sup>th</sup> graders lack of enthusiasm for the traditional school curriculum (Richmond, George, The *MicroSociety* School: A Real World in Miniature, New York: Harper Row, 1997).

The successful life changing *MicroSociety* learning experiences that MACS parent founders enjoyed while attending the McDonough City Magnet School (Lowell, MA), the first K-8 *MicroSociety* school in the U. S., has been substantiated not only through the school’s positive test results and alumni anecdotes, but also in the stories and results of the *MicroSociety* schools that have grown throughout the U.S. and other countries since then. The *MicroSociety* instructional methodology, while it may seem unconventional, has been successfully replicated and continually updated in hundreds of schools, some of which started as failing schools prior to adopting *MicroSociety* and rose to become national blue ribbon schools. The *MicroSociety* model has been used

successfully in schools to address the issues of student achievement, school climate, student attendance, student motivation, school faculty and administration communication, parent involvement, and community partner involvement. Various charter schools, including the Imagine Charter Schools, have embraced the model from the start and have been hugely successful. (More schools information can be found at: <http://www.microsociety.org/results.php>)

The national *MicroSociety* program has been cited by the US Department of Education for its impressive results in serving children whose high poverty, racial or ethnic background, handicap, or limited-English language ability place them at a distinct disadvantage for being successful in our society. In every group, *MicroSociety* students experienced advances in academic achievement and improved attendance, as well as improved behavior and attitude toward school. No fewer than four separate third-party studies have confirmed *MicroSociety* as an effective model in motivating students to achieve. [http://www.microsociety.org/ results.php](http://www.microsociety.org/results.php)

In a 2003 study of schools with multi-year *MicroSociety* programs, Arete, Inc. found that across all grades in all *MicroSociety* schools reading and math scores improved 14% and 21% respectively over two years. Incrementally, both reading and math increased 7% in the first year and in the second, 7% for math and 14% for reading, far exceeding the Adequate Yearly Progress requirements under No Child Left Behind. <http://www.microsociety.org/results.php>

## **Application Requirements**

The MicroSociety Academy Charter School meets all objectives of the New Hampshire Department of Education Charter School Program. In these pages you will read:

- MicroSociety Academy Charter School is open to ALL students whose needs will be met by learning through a MicroSociety curriculum. The research-based MicroSociety teaching methods proposed will meet the needs of all students, both those who excel academically and those who struggle with traditional teaching methods.
- MicroSociety Academy Charter School students will be well prepared for high school and beyond, committed to graduation and a life-long interest in education, as exemplified by the parent founders and many others.
- MicroSociety Academy Charter School seeks a positive relationship and will maintain close communication with local public school districts including Nashua and surrounding southern NH towns, other Charter Schools, and strives to be a model school, sharing best practices, particularly in New England.

- MicroSociety Academy Charter School recognizes that the student funding allotment provided by the State is not adequate to fully operate the needs of the school. The Board of Trustees with parents' and community partners' help will ensure adequate fundraising occurs and the school applies for grant funding to meet budget needs and allow for growth.

### **(a) Mission & Vision**

The mission of the *MicroSociety Academy Charter School* (MACS) is to actively engage K-8 students in a diverse, challenging learning environment that will prepare them for college, the workforce, and citizenship in a 21st Century global society. Within this environment students will be taught developmentally appropriate, research-based, innovative, technology infused learning strategies that they will apply daily during the course of creating and operating the agencies and ventures of their own school-based "*MicroSociety*"--a microcosm of the real world. Students will be encouraged to take responsibility for their learning and excel at their own pace, as they work to attain proficiency in competency-based learning, as well as social, cognitive, and life skills.

Our vision is to create a vibrant learning environment where all stakeholders--students, parents, staff, and board members feel ownership and where each child will become an educated, competent, confident, and caring independent thinker who will be able to reach their full potential and strive to make their community and the world a better place to live, work and play.

Within this context, the *MicroSociety Academy Charter School* will provide the educational foundation each student will need to build skills and unlock their hidden potential.

The key factors that we believe will help deliver our mission and realize our vision are:

- A rigorous academic competency-based core curriculum aligned with NH Common Core Curriculum Standards where students meet or exceed the state's core competencies and standards;
- An instructional delivery system that integrates differentiated instruction, project based learning, learning centers, teachers as learning facilitators, student empowerment, teaming, and service learning augmented with classroom-based technology;
- Fostering entrepreneurial endeavors integrated within the MicroSociety curriculum, ventures and agencies.
- Providing learning opportunities that are embedded into the curriculum that meet the needs of "real life" situations;
- Encouraging a high level of parental and community involvement;
- Integrating a web-based student information system that allows parents to

communicate with the school and track their child's progress;

- Implementing shared decision-making by all professionals within the school.

As stated previously the MACS Planning Team members have the capability to realize the MACS mission and vision because of the backgrounds they have brought with them in the fields of education, finance and business. The team members' commitment has been energized by the positive feedback it has received from members of the community including those in various professional fields. The team anticipates capitalizing on the parents' and community members' eagerness to donate their time and talents in order to establish a public charter school option that would integrate real world experiences into MicroSociety standards-based education.

### **(b) Governance and Organizational Structure and Plan/Ability to Submit Application**

In accordance with provisions to RSA 194-B:3, V, the *MicroSociety Academy Charter School* (MACS) application to establish a charter school has been submitted by a group of 12 parents.

The *MicroSociety Academy Charter School* Planning Team applied to the State of New Hampshire for non-profit status, and MACS operates as *MicroSociety Academy Charter School* Foundation, with a Board of at least (5) five members.

#### **Board of Trustees**

In accordance with RSA 194-B: 5, the *MicroSociety Academy Charter School* (MACS) will be governed by a Board of Trustees that is responsible for oversight over the operations of the charter school. The Board's specific mission is to review all policies and practices and to ensure that all reflect the mission and vision of the charter school. The Board hires the Executive Director. The Board has statutory responsibility for reporting progress and achievement of the school's stated goals.

Trustee selection will be based on personal and professional background and commitment to the school's mission, support, and sustainability. Initial trustees represented the diversity of stakeholders and contributors:

- Three (3) non-parents representing the N.H. business, finance or legal community
- Two (2) non-parents representing the N.H. education community
- Two (2) founders and/or parents (Parent Steering Committee Representatives)
- One (1) School Director (non-voting).

The Board of Trustees can establish ex-officio board members and/or advisors who will be non-voting. All Board meetings are open to the public unless meetings are designated as nonpublic sessions as permitted under RSA 91-A:3, II. The Board of Trustees will adopt Bylaws. The current Bylaws of the Board of Trustees will govern the topics contained therein, including, for example, provisions regarding Board membership, terms, and meetings.

## **Officers**

The initial Board of Trustees developed the schedule of terms for board members and established Bylaws, which established terms and policies for electing Board officers. Initial officers shall include: Chair, Vice Chair, Secretary and Treasurer. Officers of the Board shall be elected by majority vote of those present at the annual organizational meeting to be held in January of each year and to serve until the next annual organizational meeting.

## **Governance**

The Board of Trustees of *MicroSociety Academy Charter School* supports a governance philosophy whereby the board has primarily an advisory role, focusing on community networking, fundraising, marketing, development, governance, providing support to the Executive Director, and strategic planning. We strive to have each Board member bring value to the school through active participation and to sustain cooperation and harmony between staff and the Board. Lastly, we recognize that the success of our school lies in part in our ability to govern with commitment and skill.

The Board of Trustees will have oversight and authority to render decisions on the governance of the School, including the following:

- Approve policies proposed by the Executive Director or Board of Trustees Governance Committee.
- Approve and monitor the budget and the school's fiscal practices, including the receipt of grants and donations.
- Oversee the implementation of school's charter and insure its success.
- Hire and oversee performance of Executive Director.
- Promote, retain or dismiss MACS staff members based upon Executive Director's recommendation.
- Create and implement with staff input a vision, annual goals, and strategic plan; oversee and evaluate annual progress toward meeting the vision, and revise the strategic plan accordingly

- Appoint Board advisory members and committees as needed.
- Establish professional salary and compensation program.
- Approve and monitor management of school liabilities, insurance, health, safety and risk related matters.
- Approve all major non-emergency operational contracts/expenses over \$10,000 and all capital expenses over \$50,000, including facility and benefits program.
- Receive and review quarterly financial reports and the yearly financial audit.
- Establish an expansion plan, if needed, to address student and community needs.

The Board may initiate and carry out any program or activity that is not in conflict with or inconsistent with any state or federal law and which is not in conflict with the purpose and vision for which this charter school was established. The Board may execute any powers delegated to it by law, and shall discharge any duty imposed by law upon it and may delegate to an employee of the school any of those duties. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated.

The initial term of Board of trustees members will be staggered 3-year terms, with the exception of the initial Parent Steering Committee representatives who will serve one-year renewable terms. Otherwise, first-year trustees will be appointed for one, two, or three year terms to establish initial staggered terms and governance stability. The initial Board of Trustees may appoint a candidate to fill a Board vacancy, but that trustee will only be allowed to serve until the original date expires. Initial Board members may serve consecutive terms if so voted by a Board majority.

The Board of Trustees, once operating, will select and appoint future trustees, define future board terms based upon the Bylaws of the Board of Trustees and policies in the Bylaws for board governance and filling vacancies. For purposes of conducting business, the Board will follow the New Hampshire Right to Know Law, RSA 91-A. For purposes of lawful meetings, a quorum is defined as a majority of trustees physically present or participating through video or voice conferencing systems. Records and meeting minutes will be kept in accordance with statutory guidelines.

The Board of Trustees will begin governance no later than four months after the charter is awarded by the NH Board of Education. The Board's first task will be to create a selection process for the School Director. The School Director will be a non-voting member of the Board. The Board of Trustees may periodically hold a vision and goals session open to the entire MACS community and the public. This will be an opportunity for the Board and Executive Director to receive input about the direction of the school. This will also be an opportunity for the Board to communicate

with parents and community members about annual goals, budget, and direction.

## **Committees**

The Board of Trustees will have at least 5 standing committees: Finance, Marketing/Development, Governance/Human Resources, Facilities, and Executive Committee.

### **Parent Steering Committee**

A Parenting Steering Committee will initially be created within the first few weeks of school. The Committee will consist of a volunteer parents of MACS students. Two representatives from the Committee will initially serve on the Board of Trustees. Parent Board representatives will serve a renewable one year term and represent the Committee in all Board decisions. The Committee will initially serve as the communication vehicle between parents, the Executive Director, and Board of Trustees.

The Committee will also be initially responsible for but not limited to:

- Celebrations in the classrooms
- Working with teachers to identify classroom needs not included in the budget
- Fundraising and donation requests

### **Start-up Committee**

During the school's first year of planning, a design and development team shall work on all facets of start-up and readiness. This team will be comprised of the founders and Board of Advisors, including innovative educators. Their duties will include:

- Select initial Board of Trustee members
- Submit application for 501c3 status
- Develop job descriptions and hiring calendar
- Obtain health, fire, and building code approval for site
- Secure liability insurance
- Develop applications and marketing materials
- Publicize staff, administration, and faculty positions
- Purchase supplies, materials, and furniture for classroom and building
- Secure appropriate site for school

## **Board of Advisors**

The founders and Start-up Committee will be augmented by a non-voting Board of Advisors, which represents academia, business community, the arts, research, students, faculty, legislators, and experienced personnel from other charter schools. This committee will add experienced individuals who can advise the founders in putting the charter in place. The Board of Advisors will meet with the founders group on an “as-needed basis” until the Board of Trustees establishes jurisdiction.

### **(c) Methods by Which Trustees and their Terms are Determined**

The initial trustees will be selected primarily from the founders and Board of Advisors who have already participated in the development of this charter. The start-up committee will determine the first Board meeting and planning group members will attend to ensure a smooth transition.

### **(d) General Description of Potential Location**

The Start-up committee will seek a New Hampshire commercial real estate broker, who is willing to act as a tenant representative on behalf of *MicroSociety Academy Charter School* to secure the best lease terms possible. The Start-up committee anticipate acquiring a building that will meet minimum state requirements (1000 sq. ft. per classroom). The building is envisioned to be large enough to initially house up to 6 classrooms of 120 K-5 students during the first year (up to 8000 total sq. ft. classroom space) with allowance for growth up to 9 classrooms 180 K-8 students over the successive three years (up to 12,000 total sq. ft. classroom space), and at least two large multipurpose rooms/spaces (i.e. suitable for Lunchroom, Gym/ Allied Arts, school commons/MicroSociety Marketplace) along with outdoor playground and athletic space.

Once the charter is approved, the trustees will pursue, negotiate, and arrange facility options. The location sought will be within the Greater-Nashua and Merrimack, NH corridor, where driving from any location will be possible by major roadways.

In 2015, the Start-up committee identified 591 West Hollis Street, Nashua, NH as a suitable location for the school. The school opened its doors at 591 West Hollis Street in October 2015. After an initial period leasing the property, the school purchased 591 West Hollis Street, Nashua, NH in March 2020, which was an important step to securing the school’s future. In July 2023, the school purchased the adjacent property at 589 West Hollis Street, Nashua, NH, which advances the school’s ultimate goal of expanding the program into a two building (upper and lower school) campus.

### **(e) Maximum Number, Age Levels, and Other Information About Pupils Served**



During its opening year, the *MicroSociety Academy Charter School* will serve up to 120 students from Grades K through Grade 5. Kindergarten students will attend for the full school day with other primary age children. For the purpose of required reporting, mandatory testing or assisting transfer students, grade level assignment will be based on the achievement level of each student.

Assuming full pupil enrollment and funding the Start-up committee will initially place up to (20) twenty students maximum in each class. New incoming students and one entire grade level will be added each year as open seats allow until the school is fully enrolled at 180 students and reaches Grade 8. As interest increases, and as determined by the Board, an expansion plan may be created to provide parents with options for additional students.

Due to demand of over 100 applicants per school year since opening in the fall of 2015, on November 8, 2018 the Board of Education authorized an increase in student enrollment starting in the 2020-2021 school year from 216 students to 432 students over a 5-year period. The approved phase-in is as follows:

School Year	Grade Level	Number of students
2018-2019	K-8	216
2019-2020	K-8	236
2020-2021	K-8	360
2021-2022	K-8	384
2022-2023	K-8	408
2023-2024	K-8	432

As a state-sponsored charter school, MACS will be an open enrollment public school of choice for students throughout New Hampshire from every community and socioeconomic stratum. The school will comply with current statutory provisions that govern acceptances, whereby not more than 10% of the resident pupils in any grade shall be eligible to transfer to a charter school in any school year without the approval of the local school board. Up to fifteen (15) spaces will be reserved in the first year of operation for children of founders to acknowledge their contribution to the startup. Siblings of enrolled students will be given preference in admission. On a space-available basis, MACS will accept students funded in alternative ways for available slots, including tuition students from out of state.

### **Pupils to be Served**

Parents and K-8 students who choose the *MicroSociety Academy Charter School* will:

- Seek a curriculum that is individualized to address the student’s strengths and weaknesses while actively engaging them in learning centers and project-based activities that will enable them to learn and apply skills as they create and operate the agencies and ventures of their own *MicroSociety*.
- Desire a differentiated program design that puts emphasis on a student’s personal learning style and needs.
- Wish to be in a diverse, multicultural “community” school setting emphasizing personal responsibility, respect, self-awareness, social awareness and responsible decision making skills.
- Desire a setting where differences are celebrated and accepted.

**(f) Curriculum that Meets or Exceeds State Standards in Subject Areas Offered**

As previously stated, the vision and mission of the *MicroSociety Academy Charter School (MACS)* is to actively engage K-8 students in a diverse, challenging learning environment that will prepare them for college, the workforce, and citizenship in a 21st Century global society. Within this environment students will be taught developmentally appropriate, research based, innovative, technology-infused learning strategies that they will apply daily during the course of creating and operating the agencies and ventures of their own school-based “*MicroSociety*”--a microcosm of the real world. Students will be encouraged to take responsibility for their learning and excel at their own pace, as they work to attain proficiency in competency-based learning, as well as social, cognitive, and life skills.

The founders’ vision is to create a vibrant learning environment where all stakeholders--students, parents, staff, and board members feel ownership and where each child will become an educated, competent, confident, and caring independent thinker who will be able to reach their full potential and strive to make their community and the world a better place to live, work and play.

Within this context, the *MicroSociety Academy Charter School* will provide the educational foundation each student will need to build skills and unlock their hidden potential.

The founders strongly believe the key factors that will deliver the mission and realize our vision are primarily MACS’s unique Curriculum and Instruction:

- A rigorous academic competency-based core curriculum aligned with the NH Curriculum Content Standards where students meet or exceed the state's core competencies and standards;

- Fostering entrepreneurial endeavors integrated within the curriculum and the *MicroSociety*;
- An instructional delivery system that integrates differentiated instruction, project based learning, learning centers, teachers as learning facilitators, student empowerment, teaming, and service learning supplemented with classroom based technology;
- Providing learning opportunities that are embedded in meeting the needs of “real life” situations;

### **MicroSociety Curriculum and Instructional Features**

While the *MicroSociety Academy Charter School's* educational program is built upon the alignment of competency-based assessment to the NH Core Curriculum Standards with the Common Core Standards, there will be a focus and delivery of instruction through a variety of research-based methods and the incorporation of *MicroSociety*, an innovative strategy where students are challenged to apply concepts learned to solve real world problems in their own school-based society.

As previously stated, the goal of a *MicroSociety* school is to teach students high academic standards while providing them with opportunities to practice and apply their skills by creating and operating the ventures/agencies of their own small society. The Founders know that when used in tandem with other researched based methods taught during “Academy” classes and infused with digital technology, *MicroSociety* students develop a concrete understanding of: what they are learning, why they need to learn it, and how it is used in the real world, while they also explore various opportunities to “try on” potential careers before they become full citizens of the larger society.

*MicroSociety* is a unique way of teaching students about how the world works by reconstructing the world inside a school and targeted to reinforce classroom learning. It is well known in education circles that students with low expectations of success encounter events and situations that limit their future expectations. *MicroSociety* provides structured experiential learning activities incorporating the traditional subjects of mathematics, science, language arts, social studies and technology to guide young students in discovery and to introduce options that inspire success. It provides students with opportunities to learn, work and manage their microcosm of the real world. Various business ventures and government agencies provide the context for students developing a clear understanding of real world curriculum connections they learn throughout the school day. The long term outcome is the development of entrepreneurial skills that will lead to improved student learning, an earlier awareness of real world career options, and potential future employment prospects and real motivation for our youth.

More specifically, the student day at our *MicroSociety Academy Charter School* will

consist of instructional time in “Academy” classes, learning competencies via research-based instructional strategies augmented by a period where students will apply what they have learned in a society of their own design or, for older students, an elective course that teaches the same concepts, but more in depth. Students, often in multi-aged groups with some peer mentoring, will be working, governing, and participating in real-time building their society. Each student will have a role in running their world. They will work applying their “Academy” skills as they actively engage in establishing their various ventures and agencies. Young entrepreneurs will operate businesses producing goods and services, citizens will provide community service, elect officials, and governing bodies will establish laws. PeaceKeepers will help keep the peace, judges will arbitrate disputes in court or through mediation, and reporters will track down, write, and publish stories. All citizens will earn wages in MACS’s “micro” currency, invest in product ideas, deposit and borrow money from “Micro” bank(s), balance their accounts and checkbooks, act as consumers, and pay taxes, tuition, and rent.

In addition to the classroom setting, students will learn, create and work in a marketplace with shops, a courtroom with a judge’s bench and witness stand, a legislative chamber where laws are made, and executive departments where workers and citizens conduct the business of government – all student sized, but very REAL to them. The student-created currency will have real value and it will be earned through real-world jobs connected to the common core curriculum. It will not be a simulation or a token economy like some short-term programs that are presently utilized in a few New Hampshire schools. *MicroSociety Academy’s-MicroSociety* will be a dynamic, complex, progressive, sophisticated, and “changing” learning environment. The end result will provide students with a rich concrete environment to more fully understand THEIR real world.

## **Curriculum Learning Strands**

The *MicroSociety Academy Charter School* will organize student learning activities by curriculum learning strands, drawing on the intellectual traditions of the professions and their specialties. They will be: **T**echnology, **E**conomy, **A**cademy, **C**itizenship and **G**overnment, **H**umanities and Arts, and **H.E.A.R.T.** Each strand encompasses core subjects (e.g. Math, ELA), and all aspects found within an actual society, making connections between the real world and basics.

“**T**” is the Technology strand encompassing all student activities which utilize and integrate science, engineering, computers and other technology into instruction that addresses (STEM) Science Technology, Engineering and Math standards.

“**E**” is the Economy strand, comparable to math. It encompasses all student business ventures and financial institutions integrating standards-based math and basic economic principles.

“A” is the Academy strand, comparable to language arts. It encompasses all research-based instructional strategies and student training initiatives, inside and outside the classroom.

“C” is the Citizenship and Government strand, comparable to social studies. It encompasses all aspects of student government, activism and citizenship responsibilities.

“H” is the Humanities and Arts strand, comparable to art, music, PE. It encompasses all performing and non-performing arts and cultural organizations.

“H” is the HEART strand, comparable to the social skills. It is the social conscience of the *MicroSociety* program and encompasses all the reflective and service aspects of society: Humanities, Ethics, Aesthetics, Reflection, Respect, Reason, Responsibility.

### **Academy/English Language Arts**

Students will participate in engaging, interdisciplinary activities to promote strong achievement and enjoyment in reading, writing, speaking and listening. Progress toward mastery will be monitored by incorporating the Common Core State Standards in English/ Language Arts into each child’s Individualized Learning Plan. (See more information on ILP’s in the Assessment section.)

Reading is a complex process that encompasses both learning how to read and deriving meaning from text. Our emergent readers will develop phonemic awareness and apply their learned skills individually and in small and large group settings. Using phonics in concert with whole language reading instruction will provide a balanced literacy program for our emergent readers. We will also put special attention on developing comprehension strategies. We want our readers to interact with the text by making and validating predictions, making text to self, text to text, and text to world connections, and by questioning; to seek further meaning or for self-monitoring. A variety of reading genres and resource material will be available in both print and eBook formats for instruction in the classrooms and school media center-

At MACS students will learn about expository, narrative, persuasive, and creative types of writing during “Academy” classes. As they are writing about topics that are of high interest to them, an emphasis will be put on grammar and other conventions of writing (spelling, punctuation, paragraph structure, etc...). We want students to feel competent expressing their ideas and feelings using their written language (i.e poetry, script writing, song writing, reviews of books, videos & music, etc.) Writing will not stop with pencil and paper. Students will use computers, tablets, and various technologies to express their ideas through class writing assignments, publishing ventures (i.e. newspapers, books, magazines), blogging and emailing national or international pen pals. They will also have opportunities to present their work to audiences in and outside the classroom. (\*See Appendix D for other examples of common core standards and MicroSociety curriculum alignment.)

## **Economy/Mathematics**

Students will participate in engaging, interdisciplinary activities (i.e. STEM) to promote strong achievement and enjoyment in using mathematical tools to solve problems and to communicate symbolically. Progress toward mastery will be monitored by incorporating the Common Core State Standards in mathematics into each child's Individualized Learning Plan.

Mathematics will focus on mastering basic skills as well as using abstract, in depth thinking and problem-solving. Students will learn numeracy, algebraic skills, geometry and probability and statistics using inquiry and creative thinking skills of flexibility and fluency. They will also master mental math, and be able to communicate their reasoning orally, symbolically and in writing. Instruction will focus on the application of mathematical and economic principles to the *MicroSociety* Economy (i.e. banks and business ventures), and real world, age appropriate situations. (\*See Appendix E for other examples.)

## **Citizenship and Government/Social Studies**

*MicroSociety Academy Charter School* students will study history, geography, civics, and government in an integrated, holistic approach. By studying historical data and literature, students will learn how historical figures and events influenced and shaped the world as we know it today. They will understand how the past can predict the future and begin to grasp the importance of how the decisions made today will impact the future. Students will also study other countries/cultures to accept and understand differences as well as being able to identify similarities from one culture to the next. Having a sense of our place in the world is crucial to appreciating all we can learn from it. Our studies will be practical yet enriching. We will use a variety of approaches to make these concepts as real to our students as possible including "I-Search" research projects, historical re-enactments, field trips to historical sites (i.e. America's Stonehenge, Freedom Trail, Plimoth Plantation, etc.), creating their own constitution and setting up their government, operating a *MicroSociety* travel agency, participating in a student United Nations, and extra-curricular junior (Gr. 7-8) mock trial competitions. (\*See Appendix E for other examples.)

## **Science/Technology**

Our science curriculum will include Earth/Space Science, Life Science, and Physical Science. Using inquiry and research-based learning, students will discover connections between science, the other disciplines (i.e.STEM), and their daily lives. Instruction will include science process skills (i.e. observing, inferring, measuring, communication, etc.), which will allow them to think critically and be responsible, compassionate contributors to the world around them. Students will have a multitude of opportunities to experience the wonder of science by participating in hands-on, multi-sensory activities including, but not limited to experiments, field studies, and field trips. Students will receive a well-rounded, in depth understanding of the topics they study and will also be

expected to present their findings orally and in writing in science-related ventures, student field trips (i.e. Museum of Science, Planetarium, McAulliffe-Shepard Discovery Center, Plant Nursery, or Aquarium), science fair, and extra-curricular “Destination Imagination”. (\*See Appendix E for other examples.)

## **Technology**

Students will acquire functional technology skills in:

- Word processing
- Creating and using databases to manage data,
- Electronic information retrieval and use,
- Ethical use of technology
  
- Electronic presentation methods
- Creating and using movies, videos, and other photo media

Students will develop basic technology skills, respect for and knowledge of hardware, and use technology as a tool to assist learning.

Students will be introduced to technology in developmentally appropriate ways, using computers, tablets, eBook readers, Smart boards, and other technology for research, assignments, and presentations, recognizing that children learn best through direct experience with the world around them. Multimedia software, internet use, and technological equipment will be integrated into projects throughout the day.

Students’ use of technology applications (i.e. CAD design, SnapCircuits, Lego machines, robotics) will play a key role in seamlessly integrating Science, Technology, Engineering and Math initiatives into “Academy” lessons and *MicroSociety* ventures. This will enable students to develop an overall understanding of the importance of STEM in choosing their future career options.

## **Humanities and Arts/Art, Music, and PE/Health**

MACS students will be encouraged to express their individuality and creativity through the Humanities-- art and music. Students will experience an engaging arts program designed to expose them to a variety of art forms including fine arts, craftwork, applied art, and general music. To reinforce these lessons, students will then apply their knowledge and refine their skills as they incorporate various art forms into the presentation of numerous theme-related academic research projects and their *MicroSociety* agencies and ventures throughout the school year.

Students will learn and develop the necessary skills for promoting life-long personal fitness and health. Physical education can be integrated into classroom activities, offered throughout the week during recess, as a *MicroSociety* venture, and/or taught at least once a week in a structured class that will encourage life-long healthy physical activities and integrate group building activities. The physical education program will encourage the development of flexibility, coordination, strength, gross motor skills, cardiovascular fitness, and team building.

## **HEART/Social and Emotional Learning**

To become productive citizens students need to learn to develop social and emotional life skills. Students will learn and practice specific skills to develop social competency in areas such as self awareness, self-management, social awareness, relationship skills, and responsible decision-making. Skills will be reinforced and integrated through social-emotional group building activities across the curriculum, physical education, *MicroSociety* ventures/agencies, and community service programs. Standards will be established in this area to facilitate inclusion on each student's Individualized Learning Plan and potentially in the enhanced design of the school's Response to Intervention tool.

### **• Class Structure**

Flexible groupings will be used to facilitate differentiated instruction and to help promote community and collaboration amongst our students throughout the day. MACS's classrooms will provide a nurturing and supportive environment where students will learn to encourage each other and learn from one another. *MicroSociety* agencies and ventures will also have flexible groups of multi-age students when and where appropriate. As students become actively engaged in conducting the business of their *MicroSociety* agency or venture, older students will be encouraged to take on the role of peer tutors and supervisors for the younger students with the teachers acting as learning facilitators or coaches.

### **• Instruction**

Students' unique needs will be met throughout the day by using a rigorous, responsive curriculum in which students will be given the opportunity to study topics with great depth and breadth. Teachers will incorporate interdisciplinary units, learning centers, projects, or assignments as ways to ensure student work is sufficiently integrated and academic needs are being met across subject areas. Students will be provided with numerous opportunities to work in groups for project-based learning and real-world experiences in "Academy" classes and as they conduct their *MicroSociety* agencies and ventures. Instructors, acting as learning facilitators or coaches, will make every effort to adjust assignments to meet the varied learning styles of individual students. Teachers will regularly make use of technology to help students research, evaluate, and share information.



### **(g) Academic and Other Learning Goals and Objectives**

Instructional strategies will include individualized or small group lessons to achieve student learning goals in reading, writing, mathematics, science, social studies, spelling, etc. As previously stated, generally all subject-area content will be taught through an integrated, interdisciplinary approach, using research based strategies and student interest to guide instruction. Individual student and school-wide weaknesses will be identified through data analysis and targeted for instruction.

In addition to subject area knowledge, critical skills such as problem-solving, decision-making, communication, and organization will be taught by providing challenging, experiential projects and *MicroSociety* activities for students to question, practice, exhibit, reflect on, and assess their own and each others' knowledge and skills.

All *MicroSociety* agencies and ventures will align to common core standards and these standards will be posted in each classroom. No student agency and venture will be approved that does not further academic or social behavioral outcomes. MACS staff will be trained on the integration of standards with this instructional design.

Whenever possible, staff instruction will be augmented by local community partner mentors visiting the school and by students visiting our local community partners within the Greater-Nashua business, financial, legal and government professions. (Appropriate C.O.R.I. background checks will be conducted on participants before working directly with students.) MACS's goal will be to provide students with positive interactions with diverse role models who will enhance students' understanding that what they are learning is relevant to a given real world profession and why they might need to learn specific skills in order to get a job in the future. Students will also see how they can apply what they have learned to their own *MicroSociety* agencies and ventures. As MACS's relationships develop with local community mentors and partners, the school may arrange a one-day exploratory internship for accelerated Grade 7 and 8 students in the community.

#### ***MicroSociety* Academy Charter School's Academic Goals:**

- Staff will develop annual school wide goals based on State and School assessment data to address the greatest needs of the student body.
- Students will demonstrate progress on critical skills as measured by portfolios, classroom exhibitions, and job evaluations.
- 95% of parents or guardians will be involved in student conferences, volunteer opportunities and/or school fundraising activities.

### **(h) Achievement Tests to be Used to Measure Pupil Academic and Other**

## Goal Achievements

MACS's assessment plan will focus on three goals:

- To help students reach their full potential
- To inform teachers about student progress in order to evaluate the success or failure of instructional strategies
- To inform and include parents as partners in the educational process.

The School Executive Director in partnership with teachers, parents and students will develop the means to assess school progress and student performance. Student achievement will be measured by a variety of assessment strategies, including formative and summative assessments, anecdotal records, portfolio assessments, and norm-referenced and criterion-referenced tests.

The New England Common Assessment Program (NECAP) and its successor instrument the Smarter Balanced Assessment (SBA) will be the primary summative assessment to assess progress in meeting Common Core State Standards. This assessment) will help guide instruction and determine student learning goals in all subject areas. The staff will access and analyze individual student data via the NH Department of Education *i4see* data base and incorporate relevant results into classroom instruction.

At the beginning of the school year, students will be given benchmark progress monitoring assessments for reading, writing and mathematics, using research based, grade level assessments.. Each child will have a conference review with parents/guardians a minimum of once a year. Other assessments may include, but are not limited to observations, anecdotal records, portfolio assessments, tests/quizzes, rubrics, checklists, and student self-assessments, and state testing.

This plan will ensure that administrators, teachers, students, and parents have the data they need to know how students are doing and how to help students progress. Students will learn to reflect on their effort and achievement to establish new academic and social goals. Teachers, parents, and students will work together as a team to celebrate success and establish academic, personal, and social targets. (See Appendix F for a more specific example of the assessment calendar.)

Formative assessments used by staff may include:

- Teacher observations, checklists, classroom activities, or rubrics which reflect foundational aspects of the Common Core State Standards.
- The Dynamic Indicators of Basic Early Literacy Skills (DIBELS) Assessment (or

equivalent) may be used to assess the acquisition of early literacy and fluency skills from kindergarten through sixth grade. Results will be used to evaluate individual student development, as well as provide grade-level feedback toward validated instructional objectives.

- The Curriculum Based Management (CBM) (or equivalent) may offer an easy and reliable tool for measuring student progress in math and other subjects in a way that allows early intervention and assessment of intervention effectiveness. Students will be motivated by CBM's easy-to-understand graphic charts showing their progress. Parents have a clear, uncomplicated report that brings them into full partnership with teachers in helping their children reach their academic goals.

When incorporated into classroom practice, formative assessments will provide needed information to adjust teaching and learning while they are still happening. Formative assessment serves as practice for the student and a check for understanding during the learning process. The formative assessment process guides teachers in making decisions about future instruction. The thoroughness of the assessment process is especially crucial to K-2 students as teachers closely monitor their students' progress toward ultimately being assessed by summative assessment (i.e. NECAP and/or SBA successor) of the common core state standards starting in grade 3.

- **Response to Intervention (RTI)**

MACS will use a Response to Intervention (RTI) framework adapted to the needs of our students. The traditional tiered system designed to support students' areas of academic challenge will be enhanced to address those who need a faster paced, more complex, and in-depth curriculum and/or to support the development of social competence. Implementing this model of a Response to Intervention will allow us to address students who are not progressing at or above-grade levels commensurate with their abilities, as well as students whose social maturation requires additional support. Progress will be measured through the use of observational analysis, rubrics, formative and summative assessments, and self-evaluation to document mastery. Once mastery has been documented, students will be given opportunities to continue learning with enriched and advanced materials related to their area of strength. Students will be active participants in monitoring their progress.

- (i) Graduation Requirements**

N/A as intended for High Schools applications.

- (j) Staffing Overview**

- Period of Planning and Development**

The time period from authorization until 4-6 months before the school opens to

students is considered the Period of Planning and Organizational Development. Planning will commence once authorization is granted. Planners have considered this period consuming approximately one year, based on assumption of authorization by calendar year 2014. During this time of planning and organizational development the project staff will include Start-Up Committee and Advisory Board members, as needed, consulting specialists, personnel from other organizations, and volunteers.

Tasks related to school development include:

- Planning and coordination
- Materials development and marketing
- Curriculum development and course design
- Board initiations and government training
- Set-up of administrative systems
- Strategic planning
- Financial operations, revenue initiatives
- Facility initiatives
- Dissemination of material to schools, parents, and colleges; outreach to selected corporations, gifted resources; research and visitation.

### **Period of School Readiness to open**

Once building site and classrooms are secured, the Start-Up Committee will put in place a school Board of Trustees. The Board will begin the staff searches and selection process.

### **Staffing**

MACS is committed to recruiting staff with a wide range of skills and qualities, teaching and administrative experience, cultural and ethnic backgrounds. Other desired qualities and qualifications include: a commitment to the mission and vision of the school, an ability to work effectively on a team with colleagues, students, families, and community members; experience with a variety of instructional approaches, including project-based learning; experience in business, banking and/or government field; interest or expertise working with a diverse student population; and a commitment to their own professional growth.

The following is an estimated staffing plan for *MicroSociety Academy Charter School* in its first year of operations:

1 School Director

1 Administrative Assistant

1 Business Manager

6 teachers (including 1 MicroSociety Lead Teacher)

4 assistant teachers

1 special ed/English language learner liaison

42 hours/week extracurricular instructors (art, music, PE, Language) paid hourly

As MACS grew to include grades 6, 7 and 8 students over the succeeding three years following its' opening, the staff has increased its teaching and support staff, including a full time nurse, school counselor and specialist teachers (PE, Music and Art). There has also been a staff increase among the administrative team, inclusive of two Assistant Directors, Community Outreach Coordinator, Administrative Assistant and part-time Administrative Assistant to the Executive Director.

### **School Director (new title of “Executive Director” as of July 2021)**

This individual will be responsible for supporting and leading an educational environment that will:

# Allow faculty and students to maximize achievements consistent with *MicroSociety Academy Charter School* philosophy

# Establish a school culture built on respect, responsibility, support, and common goals of excellence

# Act as a public relations liaison, including working with local school districts

# Assist faculty with all aspects of school as needed

# Assume overall responsibility for supervision of staff and students

# Hire additional administrative staff as needed with increased student population

# Follow all MACS, State and Federal administrative requirements and standards

# Supervise and collaboratively evaluate the work of staff, and submit recommendations to the Board for promoting, retaining or dismissing members of the MACS staff

- # Oversee schedules created in collaboration with all staff members
- # Seek and provide adequate testing and evaluation program for students
- # Research grant programs, writing funding applications and overseeing student run entrepreneurial sources of revenue
- # Initiate and participate in consultation with teachers, parents, students and the community regarding the welfare of any student or other issues relative to MACS.
- # Promote safety and good health practices by adherence to public codes/ regulations and MACS standards.
- Adhere and uphold any state and national regulations regarding education.

Executive Director Qualifications:

- # Meets all NH regulations for eligibility and teacher certification, preferred
- # Master's Degree from an accredited university, preferred
- # Minimum of 5 years teaching and/or school administration experience, preferred
- # Experience with administrative duties
- # Background in elementary and middle school education, especially with project-based education and/or business world, preferred
- # Demonstrated ability to individualize and make use of techniques to address the needs of high capacity learners
- # Such other qualifications as the Board may find appropriate.

**Administrative Assistant**

Assists administration in all aspects of running MACS, including but not limited to reception, mailings, data entry, record keeping, and public relations/ communications. This position will become full-time as enrollment increases. Candidates for this position will have:

- # An Associates Degree from an accredited college or university given preference.
- # Minimum of 3-5 years work experience in a business or an education office setting as a clerk, office manager or administrative assistant preferred.
- # Good writing, word processing, data entry, record keeping skills, and understanding of office procedures • Good interpersonal skills working with adults and children

# Such other qualifications as the Board may find appropriate.

## **Business Manager**

Under the supervision and control of the Executive Director and Treasurer of MACS Foundation and Board of Trustees, the business manager, if any, will maintain all financial records, develop a school budget, monitor contracted service providers, receive and disperse all funds in concert with accepted school business and auditing practices. This position may become full-time as enrollment increases. Candidates for this position will have:

1. An Associates Degree in Business, Accounting or related field from an accredited college or university given preference.
2. Minimum of 3-5 years experience working in banking, business or education office setting preferred.
3. Experience developing a budget, monitoring contracts, utilizing financial record keeping, data entry and spreadsheets.
4. Good interpersonal skills working with adults and children.
5. Such other qualifications as the Board may find appropriate.

## **Teachers**

In staffing *MicroSociety Academy Charter School*, the Board of Trustees will comply with RSA 194-B: 14. Section IV requires the teaching staff of a charter school to consist of a minimum of fifty percent of faculty with New Hampshire certification, or having at least three years teaching experience.

MACS anticipates a teaching staff of one full time teacher and at a minimum a half-time assistant teacher for each classroom, with some assistant services provided by volunteers or teachers in training. In addition teachers will:

- Be highly qualified or certified in New Hampshire (or demonstrate progress toward achieving certification)
- Be experienced at differentiating instruction, especially for students with various abilities

- Have familiarity with business, banking, government or legal topics.
  - Commit to the success of MACS's students, and to MACS's mission, and collaborate with faculty as a member of a dynamic instructional team
- Teach to the very best of their ability
- Keep administration updated regularly of their needs and wants in order to maximize student achievement
- Model lifelong learning
- Create and follow a personal staff development plan that follows the Standards of the National Staff Development Council
- Build a professional learning community via learning models
- Work as a team with the entire faculty to maximize integration of knowledge across disciplines.

An experienced teacher who shows particular promise in the areas of leadership, organization, and understanding of the comprehensiveness of the MicroSociety curriculum may be selected by the Executive Director and designated as MicroSociety Lead Teacher. Subject to Board of Trustees budget approval the MicroSociety Lead Teacher may be eligible to receive an additional salary stipend beyond their teaching salary for taking on the additional responsibilities of assisting the Executive Director with leading teachers and helping coordinate MicroSociety Curriculum initiatives, ventures and agencies.

### **Assistant Teachers:**

Assistant Teachers will:

- Possess a minimum of an Associates Degree in early childhood education, or related subject field from an accredited college or university.
- Demonstrate interest in becoming a teacher or pursuing an advanced degree. • Be experienced at instructing or working with students of various abilities.
- Have at least 3 years of work experience in the business, banking, government or legal area.
- Have good interpersonal skills to work with adults and children
  - Commit to the success of MACS's students and mission, and willingness to collaborate with faculty as a member of a dynamic instructional team



- Assist the teacher to the very best of their ability
- Have good writing, word processing, and data entry skills.
- Have other qualifications the Board may find appropriate.

### **Projected Teacher Needs**

School Year	Students	Ratio FT Teachers
2015-2016	120	20:6
2016-2017	140	20:7
2017-2018	160	20:8
2018-2019	180	
2019-2020	236	20:10
2020-2021	360	24:15
2021-2022	384	24:16
2022-2023	408	24:17
2023-2024	432	24:18

### **Special Education Liaison**

MACS recognizes that some students have special educational needs and may require specialized educational programming that goes beyond what is ordinarily

provided by regular classroom programs. Therefore, a special education liaison will be identified.

The Special Education Liaison will coordinate all state and federal requirements as necessary for MACS to fulfill the responsibilities which fall to a New Hampshire charter school, in accordance with RSA 194-B:11. This position may become full-time as enrollment increases. To this end, this individual will:

- Ensure that documented special education students IEP services are scheduled accordingly, in conjunction with the child's LEA district school.
- Commit to the success of MACS's students, and to MACS's mission, and collaborate with faculty as a member of a dynamic instructional team
- Establish relationships with district Special Education Departments and work with the students' school districts to coordinate services for students with special needs, 504s or IEPs. This individual will also work with local agencies and consultants (see Section U) to identify these children in our school's area.

### **Extracurricular Staff**

Extracurricular instructors (art, music, PE, Language) will be hired to teach art, music, physical education and world language.

Extracurricular instructor candidates will:

- Possess a minimum of a Bachelors Degree from an accredited college or university within their respective curricula field given preference or a accredited college degree with equivalent work experience (i.e. performance, studio, exhibiting, coaching) in their respective field.
- Be New Hampshire certified or be progressing toward certification
- Have previous experience teaching or working with K-8 students at some level
- Teach to the very best of their ability

### **Volunteer Staffing / Community Partners**

MACS will continue to seek out local community partners in business, finance, legal and technology fields within the Greater-Nashua community and New Hampshire to provide teachers and students with mentors within various professions who would be able to augment student learning in respective *MicroSociety* agencies and ventures. Mentors will be invited into school in order to work with both students and teachers, provide community-based field trips to their places of employment and potential short-term internships for advanced grade 7 and 8 students.

MACS will recruit volunteers from its parent cohort and college campuses.

Agencies that service low-income families and other local family services, interested in collaborating with MACS, will also be contacted.

MACS has also been approached by several educators such as administrators, counselors, and educational experts who have offered to volunteer to consult with us from our initial stages through full-scale operation.

## **(k) Personnel Compensation Plan**

### **Salary**

The Executive Director and Teachers of *MicroSociety Academy Charter School* will be paid a salary. The salaries of these full time personnel shall be paid bi-weekly (contingent on MACS Board approval).

Assistant Teachers/ Para-educators, paid experts, and non-professional personnel, whether full time or part-time, will be paid on an hourly rate as employees or as independent contractors based on negotiated rates. See budget for salary expectations.

### **Vacation**

*MicroSociety Academy Charter School* will publish an annual calendar of holidays and vacations during which the School will officially be closed. Full-time teachers will also receive a minimum of two (2) days of paid personal leave per year. Personal leave days must be used during the school year in which they are accrued.

### **Sick Leave**

Sick leave is available to employees to provide for full salary and benefits for absences due to personal illness or injury that prevent employee from working.

Full-time staff shall accrue sick leave at the yearly rate determined by the Board. If specified in the employee's contract, part-time staff, or staff working part of the school year shall accrue sick leave on a prorated basis to reflect the proportion of time or working months that the employee's schedule represents in relation to a full time schedule. All employees shall inform the Executive Director of an anticipated absence as soon as possible, and such leave (other than for unexpected circumstances) must be pre-approved by the Executive Director. The Executive Director may require an employee to verify the claimed reason for any absence.

### **Retirement**

*MicroSociety Academy Charter School* intends to participate in a retirement plan for all MACS employees. **Other Benefits**

The Board of Trustees will determine a benefit and leave policy during the period of planning and development. With available funding, the school hopes to offer options that include health, disability, and retirement in order to attract highly qualified teachers for the school. The leave policy will reflect the federal and state rules and policies and be determined by the Board of Trustees.

### **(l) Pupil Transportation**

MACS's students will have access to transportation to the school only if they reside in the district where the charter school is located. MACS will comply with charter law provisions that govern student transportation under Section 194-B:2, which states:

*"Attendance at a charter school for the purposes of transportation shall not constitute assignment under the provisions of RSA 189:6 and RSA 189:8. Pupils who reside in the school district in which the open enrollment or charter school is located shall be provided transportation to that school by the district on the same terms and conditions as provided for in RSA 189:6 and RSA 189:8 and that transportation is provided to pupils attending other public schools within that district. However, any added costs for such transportation services shall be borne by the charter school."*

MACS will bear any additional cost to transport Charter School students residing in the district, if the Charter School is so billed.

*"For the purposes of open enrollment, neither the sending nor the receiving school district shall be obligated to provide transportation services for pupils attending an open enrollment school outside the pupil's resident district." RSA 194-D:2,IX. No transportation will be provided by a sending school district or receiving charter school for students whose residence is other than where the school program is located.*

We foresee students applying to MicroSociety Academy Charter School MicroSociety Academy (MACS) from many different school districts.

### **(m) Statement of Assurances Related to Non-Discrimination According to Relevant State and Federal Laws**

The MicroSociety Academy Charter School will comply with all relevant State and Federal laws. MACS will not discriminate in the administration of its admissions and educational programs, activities or employment on the basis of race, color, religion, national origin, age, sex, disability, veteran status, sexual orientation or marital status. This statement is a reflection of the schools philosophy and position in embracing and celebrating all diversity.

MACS intends to work closely with local and state agencies to seek out children from low-income and limited English proficient families as part of recruitment efforts.

**(n) Method of Coordinating with a Pupil's Local Education Agency (LEA) for Matters Pertaining to Any Special Education Programs or Services Including Method of Compliance with All Federal and State Laws Pertaining to Educationally Disabled Pupils**

NH charter school statute RSA 194-B:11, III, states that all options available to the parent and the local education agency are retained. Regarding special education, options now available to parents and the local district include: 1) the district concurring on the parent's or student's desire for choice and attendance at this school, and assuring whatever services the student needs continue to be received, 2) the parent accepting or rejecting the district-proposed education plan in full or in part, 3) the district concurring with the choice placement as a general placement and providing the special services needed after hours, 4) an education plan of short duration or one that allows for a trial period in the charter school to assess suitability for a student and the services needed, if any, in the charter school environment, 5) the parent refusing special services and matriculating the student without services, should the charter school find this acceptable in a particular instance, and 6) should the placement be disputed, either the parent or the school district initiating the resolution of disagreements through provisions of the Department of Education.

MACS will operate in compliance with all state and federal laws to provide appropriate educational programming for our students with special needs. Our school will work closely with a student's local education agency to ensure a smooth transition and will review all documentation pertaining to the student's educational needs. In the event that a student comes with a 504 Accommodation Plan or an Individualized Education Plan, appropriate staff will meet with the LEA's special education team when the student enters our school and on an annual basis to review and adjust educational goals. Communication will be encouraged, and MACS teachers will be available to speak with representatives from their student's LEA.

MACS will identify an employee to serve as the special education liaison to ensure that students documented with special needs receive services, in conjunction with the child's LEA district school and to oversee the proper handling of special education matters, as necessary.

The school responsibilities are To follow special ed rules as outlined in Chapter 194-B.

MACS will comply with any memorandums of understanding entered into as required by RSA 194-B:5, VIII.

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### **(o) Eligibility and Admission Procedure**

MACS's founders are committed to creating a diverse community of learners and believe ALL children have the potential to learn and benefit from a *MicroSociety* charter education. The application process is geared toward allowing the school to understand student needs and abilities in order to ensure their experience at MACS is a positive one, should the student enroll. Equally important the application process is also designed to enable families to make an informed choice about a student's potential for success in the MACS environment.

MACS's differentiated, active learning approach will likely benefit students who have indicated to parents at home and/or school work signs of their academic potential:

- Strong abstract reasoning skills
- Continuous curiosity and drive to learn
- Creative and independent thinking
- Commitment, intensity, and persistence
- Flexibility to work in both structured and less structured environment MACS offers a unique opportunity for students to become involved in their own education. There is an expectation for students to make a commitment to excellence and strive to be genuinely involved with all the opportunities the school provides.

Parent, as well as student involvement, begins at the time of application because ultimately the success of the school will depend enormously on the commitment of parents and guardians to volunteer and support the schools operation.

Admission methods shall not be designed, intended or used to discriminate or violate individual rights in any manner prohibited by law and will comply with current statutes.

The Board may establish policies regarding admissions and eligibility, which will be consistent with the provisions below.

#### **Eligibility Provisions:**

- MACS will be open to all kindergarten through grade 8 students in New Hampshire.
- A student may enter kindergarten if the student will be at least five years old before September 30 of that year. A student may enter Grade 1 if the student will be at least six years old before September 30 of that year.

- In order to acknowledge the sweat equity of the founding parents to MACS start up, a maximum fifteen (15) spaces will be reserved in the first year of operation for the children of founders,.
- Students enrolled at MACS are automatically re-enrolled for the following school year, provided they are in good standing at the school. A letter of intent will be required from families prior to the end of each school year. This will classify the number of possible spaces for the following school year.
- As a family oriented school, we encourage siblings to attend school together. Siblings of enrolled students will be given preference in admission and not be subject to a lottery should there be one.
- In the event that more eligible students apply than the number of spaces available in any grade or program, the board will conduct a blind lottery according to policy established by the state of New Hampshire.
- Eligible students who are not chosen in the lottery will be placed on a wait list in the order their names are drawn, according to grade or program. Should a selected student not attend or an opening otherwise occur, placement will be offered based on waiting list order. If a student offered admission from the wait list declines admission, the school will continue to contact students/parents in the order listed.
- The Board will reserve the right to give preference in enrollment to children of school faculty as part of their employee benefits package.
- The school may accept and enroll out-of-state students on a space-available basis (tuition will apply).

### **Admissions Procedure:**

1. The school will provide its program information, application procedures and forms to the community via the school's website. The MACS website will have complete application procedures and forms available online. [www.macsnh.org](http://www.macsnh.org)
2. The school will have one or more admission decision deadlines. Dates and guidelines for admissions decision-making and the blind lottery will be available to applicants via MACS website and Facebook page.
3. Interested parents will submit a completed school application package that includes a personal statement of interest in MACS and completed student questionnaire.
4. Applicant parents will provide all available records of achievement (i.e. testing results, portfolios, official records/report cards, extra-curricular interests, etc.), if requested by the school.

5. The applying student and parent or guardian will be invited for a visit to MACS for an information session/open house. Before the school opens, students will have opportunities to see the location and attend an information session/open house.

7. The student and parent will review the responsibilities, rules, and commitments request necessary to attend and sign a statement of acceptance of the mission, expectations, policies and programs of the school. This confirms the student's intent to be an applicant for the school. If a student is enrolled in a school district's special education program, the respective special education department will be notified of the student's request for admission, but such students are continued in the lottery pool.

**(p) Philosophy of Student Governance and Discipline, and Age- Appropriate Due Process Procedures to be used for Disciplinary Matters Including Suspension and Expulsion**

MACS's philosophy of student governance includes having clear expectations of all members of the school community. Students will be expected to become "citizens" of their community and demonstrate behaviors and skills which promote a positive school environment.

As elementary and middle school students, emphasis will be placed in the classroom on developing lifelong skills such as:

- Responsibility for one's actions
- Developing caring friendships which are inclusive of others
- Conflict management
- Self control
- Acceptance of differences in others
- Identifying and communicating one's needs
- Self esteem

The school is committed to a respectful and safe environment for all. Specific governance and discipline procedures will be established and provided to students and parents. The policies will outline the school's procedures for student governance and discipline and will include clear and fair guidelines; a support system to help students understand and change their behavior, if needed; and consequences if students cannot or will not participate in school according to school policies and guidelines.



MACS will comply with statutes that prohibit bullying and harassment, fighting, drugs, alcohol, smoking, and any other dangerous behavior. A student may be suspended or expelled in accordance with statute and policy.

MACS will provide fair and age appropriate due process in administering student discipline and will comply with current suspension and expulsion provisions in RSA 193:13 (Suspension and Expulsion of Pupils).

### **Commitment to Conflict Mediation and Dispute Resolution**

Internal disputes include all disputes among and between students, staff, parents, volunteers, or advisors. MACS advocates maintaining open lines of communication within the “school community” i.e. the parents, students, volunteers, staff, administration, and the Board of Trustees with the intention of resolving all disputes in a timely fashion and in accordance with school policies which shall be outlined in the MACS Handbook. All members of the school community are required to agree to work within these policies.

The dispute resolution process shall begin with the Executive Director. The Executive Director shall meet with all parties involved in the dispute and will keep on file a written copy of any agreement reached. In the event that the dispute cannot be resolved by the Executive Director in a timely manner, the dispute shall be referred to the Board for resolution. If agreement is reached, this will be noted and recorded in the minutes of the Board and a copy sent by U.S. mail to each party. In the event that agreement is not reached, the decision of the Board by simple majority vote shall be final. All parties shall be notified in writing of the resolution by U.S. mail.

### **(q) Method of Administering Fiscal Accounts and Reporting, Including a Provision Requiring Fiscal Audits and Reports to be Performed by an Independent Certified Public Accountant**

Submitters of MACS have formed a non-profit foundation which will apply for a federal start-up grant. MACS Foundation will follow public school accounting guidelines and will put in place internal accounting controls necessary to safeguard its assets. MACS will maintain accurate financial records in accordance with Generally Accepted Accounting Principles (GAAP) for public schools. An annual financial report will be provided with audit by an independent, certified public accountant.

MACS Board of Trustees will appoint a Treasurer who will provide the oversight necessary to monitor the school’s financial status. The Board of Trustees shall also adopt policies for the financial management of the school, including policies on Conflict of Interest for Board members and faculty.

MACS shall comply with all requirements specified in the law pertaining to

reporting requirements (RSA 194- B: 10, I-V). This list includes annual report, annual financial audit and report, program audit, and participation during the annual school budget process.

Pursuant to Ed 318.17, MACS will produce an annual report which will include the following elements:

- A general progress report to establish the initial school program, a process that will require considerable flexibility and energy.
- An assessment and report of how MACS is meeting its educational and financial goals, as identified in its mission statement.
- Changes, if any, in the organizational structure and make-up of the Board of Trustees.
- Assessment and report of business, parent, and volunteer involvement in the school.
- Description of community services available at the site.
- A report of enrollment statistics including but not limited to, attendance, per-class enrollment, graduation rates and any occurrences of withdrawal.
- Commentary about successes in program, collaboration, or goal achievement.
- School calendar.
- Financial statement and balance sheet identifying MACS's asset, liability, and fund balances or equities.
- Projections of income and expenses for the upcoming school year.

#### **(r) Annual Budget, Including all Sources of Funding**

The School shall provide at its own expense an annual financial audit and report to the Department of Education and the school board complying with any current format and content requirements imposed upon a public school. The School will follow proper GAAP general accounting principles and regular oversight will be done by the Board finance committee, led by the Board's treasurer.

#### **(s) School Calendar Arrangement and the Number and Duration of Days**

## **Pupils are to be Served Pursuant to RSA 194-B. 8, III**

The *MicroSociety Academy Charter School* will be in session at least the number of hours required by state law. School operating hours for K-8 are Monday-Friday approximately 9:00-3:30 PM, NOT including before and after school care.

Annually, the Board of Trustees will approve a school calendar that conforms to host district calendar and rules and laws of the state as to the number and duration of days required by law, including any existing provisions for exceptions that may be pursued. Five (5) snow days will be incorporated into the school calendar to account for days the charter school may close for inclement weather. Snow day determination will be made by the Executive Director based upon the weather forecast and safety of roads. Availability of hosting district bus service will be taken into account.

### **(t) Provision for Providing Continuing Evidence of Adequate Insurance Coverage**

MACS, pursuant to RSA 194-B:1, III, will be a public school subject to the same protections as any public school under RSA 507 (b) which provides for Limited General Liability for the charter school and its agents.

MACS will pursue, procure, and provide evidence of a comprehensive liability insurance program that provides protection needed for a public school charter, including workman's compensation, board errors and omissions, and faculty coverage. The insurance program will be in place as the first Board of Trustees begins its duties.

(u) Identity of Consultants to be Used for Various Sources, if Known

### **(v) Philosophy of Parent Involvement and Related Plans and Procedures**

Parental involvement is a core philosophical commitment of the school. The school will have a well-defined parent involvement initiative initially through the Parent Steering Committee and later through a Parent-Teacher Organization. Parent representatives will serve on the Board of Trustees in accordance with the Board of Trustees Bylaws. Parent-Teacher Organization meetings will be regularly attended by a representative of the School administration. Parents can bring their concerns to the Board of Trustees' public meetings. MACS believes that parents are an integral part of the school community and bring valuable input, energy and skills to the school's success.

At the time of School's founding, a Parenting Steering Committee was

created within the first few weeks of school. The Committee served initially as the communication vehicle between parents, the School Director and Board of Trustees. In future years, a Parent Teacher Organization will be established.

Since communication is key to home-school relations, multiple methods for information disbursement will be used. In addition to traditional methods such as written notes and documentation, a web site will contain information to foster home-school relations. E-mail will also be used.

Since parents/guardians are a child's first teachers, the attitude they have toward education and the commitment shown toward learning are crucial to the child's success in school. Our goal is for 100% parent involvement in meaningful ways.

Parents/guardians will be asked during admissions and orientation to commit to the following:

1. Assure their child attends school every day (assuming the student is in good health to attend).
2. Ensure their child has a place and time to complete homework.
3. Participate in at least one scheduled parent/teacher meeting each year. (Parents also have the right to schedule a meeting whenever a concern arises.)
4. Attend school information and open house events.
5. Attend school performances and student exhibitions .
6. Bring to the attention of the Executive Director any issues that they become aware of relative to conflicts among students or concerns about teachers.
7. Provide formal feedback to the school via a parent survey. In addition, parents/guardians will be asked to volunteer in many ways as their time allows. Such opportunities will include but are not limited to: Fund raising, , Classroom assistance & field trip chaperoning.

### **(w) A Plan to Develop and Disseminate Information to Assist Parents and Pupils with Decision-Making About their Choice of School**

To ensure all residents have an equal opportunity to apply to MACS, an extensive public marketing effort initially will be initiated through the MACS Charter Foundation. As students from lower income or minority families may suffer disproportionately due to a lack of access to technology or to an advanced curriculum, particular attention will be paid to reaching those students through their schools, communities, and services to ensure their families are aware of MACS as a choice available to them.

The Board will develop informational brochures describing the school, its mission, its approach to education, and the expectations and opportunities the program hopes to provide. Informational brochures will be distributed to businesses, parents, residents, and school faculty.

### **(x) A Global Hold Harmless Clause**

In accordance with RSA 194-B: 3, II(x), MACS, its successors, and assigns, covenants and agrees at all times to indemnify and hold harmless any other school district which sends its students to the charter school, and their school boards, officers, directors, agents, employees, all funding districts and sources, and their successors and assigns, (the “indemnified parties”) from any and all claims, demands, actions and causes of action, whether in law or in equity, and all damages, costs, losses, and expenses, including but not limited to reasonable attorneys’ fees and legal costs, for any action or inaction of the charter school, its board, officers, employees, agents, representatives, contractors, guests and invitees, or pupils. The charter school shall have no obligation to hold harmless the indemnified parties for any claims, damages, losses, or expenses resulting from indemnified parties’ own acts or omissions.

### **(y) Severability Provisions and Statement of Assurance**

Should any provision of the charter school contract be found by competent authority to be contrary to applicable law, rule, or regulation that provision shall not be enforceable. The remainder of the contract shall remain in effect unless otherwise terminated by one or both of the parties in accordance with the terms contained herein.

### **(z) Provision for Dissolution of the Charter School Including Disposition of its Assets**

In the event that the Board of Trustees decides that the present program plan articulated in this application needs to be amended to significantly change the Charter School’s mission, the Board, after seeking input from the school community, will develop and decide upon an amended plan. The Board will adopt such a plan after a 2/3 vote of the Trustees. The amended plan will be submitted to the Department of Education staff for their input, prior to submission to NH Board of Education for approval.

The Board of Trustees, in the event of dissolution or revocation, would develop a prompt but strategic plan that addresses debt obligation, contracts, and assets. All property that MACS has leased, borrowed, or contracted for use shall be returned or handled according to contractual prearrangement. Disposal of other property, furniture, supplies, equipment, vehicles, and the like will be handled as follows:

1. The board will first consider any debt obligation and will research the disposal of property, etc., that best enables the Trustees to meet the school’s debts.
2. Once debt obligations are met, any remaining property and assets of the school will be distributed depending on how it was obtained. Items obtained through federal or state charter school funding will be offered to other charter schools or to otherwise identified parties in funding agreements. Assets provided with funds from local school districts will be offered to public schools in a manner deemed fair and appropriate (e.g.,

either returned to the district that provided the asset or liquidated and distributed on a participation basis). Unwanted items will be consigned in the most beneficial manner with the proceeds reverting to the New Hampshire's charter school support fund.

3. All property personally or individually owned by the employees of the charter school shall be exempt from distribution of property as prescribed herein and shall remain the property of the individual teachers and staff. Such property includes, but is not limited to, albums, teacher-provided curricular manuals, personal mementos and other material or apparatus that have been personally financed, acquired, or developed by teachers and staff.

4. All outstanding debts/encumbrances for which the charter school is legally liable will be properly settled with the creditor of record. Under no circumstances shall a sending school district be liable for any obligations of the dissolved charter school. MACS shall coordinate any planned or voluntary bankruptcy filing with the area school boards where MACS students reside to facilitate reintegration of its students. A minimum notice of 120 days for voluntary dissolution of the school will be given to school districts with MACS students.

**(aa) In the Case of the Conversion of a Public School to a Charter Conversion School, Provision for Alternative Arrangements for Pupils who Choose Not to Attend and Teachers who Choose Not to Teach at the Charter School Not applicable.**

**(bb) A Plan for the Education of the School's Pupils After the Charter School May Cease Operation**

A plan for each student's continued education, should the school cease to exist, will be determined individually with each student and his/her parent or legal guardian. Likely options would be: 1) reintegration into the student's assigned public school; 2) application to a different chartered public school, if available; 3) other available options based on parent and student priorities.

Upon cessation of operation, the records of all the students would be transferred in a timely manner to the receiving school, and the staff and trustees would work with the receiving school to assure a smooth and timely transition.

**(cc) In Addition to an Application, Each Charter School Applicant, in Consultation with the Local School Board, Shall Prepare a Proposed Contract**

It would be the Start-up Committee's intention once a building location has been found to contact the local host district to fully discuss areas of common interest including, among other things, developing a contract for student transportation.

**(dd) An Outline of the Proposed Accountability Plan which Clarifies**

**Expectations for Evaluating the School’s Program and which Contains an Acknowledgement that a Full Accountability Plan Shall be Developed and Ready to Implement Prior to the Date of Opening**

*MicroSociety Academy Charter School* will follow the NH Accountability Process Plan, in compliance with the requirements of RSA 194-B, MACS will submit annual accountability reports that will cover each of the areas required by the New Hampshire Charter School Accountability Process. These will include reports of progress that covers governance, financial operations, student enrollment, and progress toward meeting goals, parental involvement and outreach. MACS will use data and narrative statements that provide evidence to answer each of the following questions especially as outlined in section (g) Academic and Other Learning Goals and Objectives.

1. Is the school making progress toward achieving its mission?
2. Is the school responsibly using public funds?
3. Is the school promoting student attainment of expected knowledge and skills?
4. Is the school sustainable?

An annual report will be prepared and submitted to the State Board of Education for their review in August following each academic year as required.. Reports will be submitted according to the NH Accountability Process Timeline.

**APPENDICES**

**(Appendix A) Sample MicroSociety Academy Charter School Schedule**

	<b>Grade 1</b>				
	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>9:00-9:10</b>	<b>Arrival / Morning Meeting</b>	<b>Arrival / Morning Meeting</b>	<b>Arrival / Morning Meeting</b>	<b>Arrival / Morning Meeting</b>	<b>Arrival / Morning Meeting</b>
<b>9:20-10:40</b>	<b>ELA</b>	<b>ELA</b>	<b>ELA</b>	<b>ELA (until 11:05)</b>	<b>ELA (until 11:05)</b>
<b>10:40-11:25</b>	<b>PE 1P</b>	<b>Music 1P (in classroom)</b>	<b>PE 1P</b>	<b>11:05-11:30 Recess</b>	<b>11:05-11:30 Recess</b>
<b>11:30-11:55</b>	<b>Lunch</b>	<b>Lunch</b>	<b>Lunch</b>	<b>Lunch</b>	<b>Lunch</b>
<b>12:00-12:35</b>	<b>Science/Social Studies</b>	<b>Science/Social Studies</b>	<b>Science/Social Studies</b>	<b>Read Aloud (11:55-12:15)</b>	<b>Read Aloud (11:55-12:15)</b>
<b>12:35-1:00</b>	<b>Recess</b>	<b>Recess</b>	<b>Recess</b>	<b>Art 1P (12:15-1:00)</b>	<b>Music 1P (12:15-1:00)</b>
<b>1:00-2:00</b>	<b>Math</b>	<b>Math</b>	<b>Math</b>	<b>Math</b>	<b>Math</b>
<b>2:00-</b>	<b>RTI/WIN</b>	<b>RTI/WIN</b>	<b>RTI/WIN</b>	<b>RTI/WIN</b>	<b>RTI/WIN</b>

2:30					
2:35-3:20	MicroSociety	MicroSociety	MicroSociety	MicroSociety	MicroSociety
3:30-3:40	Pack Up/Dismissal	Pack Up/Dismissal	Pack Up/Dismissal	Pack Up/Dismissal	Pack Up/Dismissal

**(Appendix B) Bios of MACS Foundation Founding Committee Members**

The application for *MicroSociety Academy Charter School* was initially submitted by a group of 12 parents. The MACS Planning Team was made up of a group of 7 individuals – not all of whom are parents; who have worked diligently to make MACS a reality. The MACS Foundation members are

- Chair: Marc Sylvester, Founding Parent, Metrocast Communications of NH, LLC and TBA

Marc strongly believes the experiences and work-life lessons he took with him as an *MicroSociety* alumnus of the McDonough City Magnet School (Lowell, MA) have helped pave the way for where he is today. After attending CMS, Marc graduated from Lowell High and entered the Marine Corps. In 1998, he married his wife Theresa (Roberge) and had two girls who are currently 11 & 8. Marc resides in Nashua NH with his family and both of his children presently attend Nashua schools. He currently holds the position as Director of Voice Operations for MetroCast Communications of NH, LLC. Marc became a founding parent after seeing there was interest among some NH *MicroSociety* alums/parents and his neighbors in bringing *MicroSociety* to the Greater-Nashua area. He has participated in planning meetings that envision bringing the children of Southern NH a unique school where everyday life-skills are incorporated into their education and better prepare them for the future. Marc’s business and technical experience, as well as his experience as a *MicroSociety* student will be invaluable on the Start-up Committee, MACS Foundation Board and as a mentor for students.

- Vice Chair: Thomas F. Malone, M. Ed., CAGS, K-8 School Principal and Teacher(retired), MACS Founder, Volunteer Development and Curriculum Consultant

As a MACS founder, Tom brings 34 years of experience working with diverse Grades K-8 students and staff in Lowell (MA) Public Schools. As a founding teacher, Tom served 24 of those years at the McDonough City Magnet School, the nation’s first K-8 *MicroSociety* school, working as a Reading & Government/ Citizenship teacher, *MicroSociety* Curriculum/Program Facilitator, LPS District Equity Facilitator, and 11 years as CMS Principal. Tom is an experienced trainer/ consultant/presenter for MSI (MICROSOCIETY, Inc.) and has worked as an adjunct professor at Fitchburg (MA) State Univ., Nova Southeastern University (FL) and guest lecturer at UMass/Lowell. He has led online courses showing teachers from across the country how state standards can be incorporated into



*MicroSociety*, presented at national and state conferences, and worked with teachers and administrators at schools in New York, Arizona, Massachusetts and New Hampshire. For the past two years Tom has volunteered as a development and curriculum consultant and MACS founder to help his former students realize their dream of creating a *MicroSociety* School for their children in NH.

- Treasurer: David W. Cronin, M. Ed., Co-Founder, Volunteer Curriculum and Development Consultant & K-8 Teacher and Administrator (retired)

Dave is a MACS founder and Pelham, NH resident who brings 38 years of Lowell (MA) Public Schools experience working with Grades K-8, diverse students and staff. For 24 years Dave, a founding teacher, worked at the McDonough City Magnet School, the nation's first K-8 *MicroSociety* school, in the capacities of Economy (Mathematics) teacher, *MicroSociety* Economy Specialist, lead Mathematics teacher, and Acting Principal. Dave is also an experienced trainer/consultant for MSI (MICROSOCIETY, Inc.) having trained teachers and administrators in over 20 schools across the country in all aspects of the program and conducting follow up consultation after program implementation. David has led many workshops on various aspects of *MicroSociety* at conferences and schools throughout the country. For the past two years he has volunteered as a curriculum and development consultant and MACS founder to help his former students realize their dream of creating a *MicroSociety* School for their children in New Hampshire.

- Secretary: Cheryl McNamara Bean, Founding Parent, *MicroSociety* Alumna

Cheryl believes the experiences and work-life lessons she took with her from the *MicroSociety* at the McDonough City Magnet School (Lowell, MA) have made an important difference in her life. After attending CMS, Cheryl graduated from Greater Lowell Technical High School where she studied early child care. She is married to husband Greg Bean. They now have three boys who are currently attending Nashua preschool programs. Cheryl resides in Nashua NH with her family. Cheryl's great love for children extends beyond her family as evidenced by having worked in daycare as a Lead Infant/Toddler teacher for 14 years and a professional nanny for various Massachusetts and New Hampshire families over the years. Cheryl became a founding parent after recognizing that there was interest among her fellow NH *MicroSociety* alums/parents and neighbors in bringing *MicroSociety* to the Greater-Nashua area. She and her husband have actively participated in all the planning meetings and shaping the mission and vision of MACS and look forward to having *MicroSociety* as an alternative public school option for their children. Cheryl's experience as a *MicroSociety* student and with children will be invaluable on the Start-up Committee and MACS Foundation.

- Curriculum/Instruction Committee: Theresa Roach, Retired Middle School Teacher, Co-founder, & *MicroSociety* Middle School Curriculum Consultant and TBA

Theresa brings 14 years of experience working with diverse middle school students and staff in Lowell (MA) Public Schools. Theresa served 11 of those years at the McDonough City Magnet School, the nation's first K-8 *MicroSociety* school, working as

a Government/Citizenship teacher. She is also one of the pioneering parents who sent her two children to the City Magnet School's *MicroSociety* program. Theresa is an experienced trainer/presenter who has presented at national and state conferences, and worked with teachers and administrators at schools in New York, Arizona, and Massachusetts. For the past year Theresa has volunteered as a development and curriculum consultant and MACS founder to help her former students who are now parents realize their dream of creating a modern *MicroSociety* Charter School for their children in NH.

- Marketing/Partnerships Committee: Gregory Bean, M.S., Speech-Language Pathologist, Founding Parent, Thomas Malone (see above) and TBA

Greg is a founding parent and married to MicroSociety Alumna Cheryl McNamara Bean. He is a Nashua resident and father to three boys who attend pre-school in Nashua. He is employed as a Speech-Language Pathologist at Greater Lowell Technical High School in Tyngsborough (MA) and a local skilled nursing facility. Greg became a founding parent after seeing how committed Cheryl was to the idea of helping her fellow NH MicroSociety alums and neighbors bring a MicroSociety Charter School to the Greater-Nashua area. Greg and his wife have actively participated in all the planning meetings and have helped shape the mission and vision of MACS. Greg's experience both as a parent and a Speech Pathologist will be invaluable on the Start-up Committee and MACS Foundation.

- Admissions/Human Resources Committee: Theresa Roberge Sylvester, Founding Parent, Nashua Public Schools and Cheryl McNamara Bean (see above) & TBA

Theresa (Roberge) Sylvester is a founding parent married to Marc Sylvester, a MicroSociety alumnus of the McDonough City Magnet School (Lowell, MA), and a graduate of Lowell High School. They have two girls who are currently 11 & 8 and reside in Nashua NH. Both children presently attend Nashua schools. Theresa currently works for Nashua Public Schools as a Parent-Teacher liaison and student monitor. Theresa became a founding parent after seeing how committed her husband Marc was to the mission of helping fellow parents and neighbors bring a new MicroSociety Charter School to the Greater-Nashua area. Theresa looks forward to having *MicroSociety* as an alternative public school option for their children. Her experience as a parent and working and volunteering in schools will be invaluable on the Start-up Committee and MACS Foundation.

- Finance (Fundraising/Grant Writing) Committee: Dave Cronin (see above) and TBA
- Vision and Evaluation Committee: Thomas Malone (see above) and TBA

### **Paraprofessionals, physicians and psychologists:**

- Swing for the Stars 2 Pillsbury Street, Suite 404 Concord, NH 03301 Phone: (603)-228-STAR(7827) Fax: (603)-228-7828
- DTS Inc. Therapy Rehab 370 Daniel Webster Hwy Merrimack, NH 03054 • The

Counseling Center of Nashua One Main St. Nashua, NH 03064 Phone: 603-883-0005  
Fax: 603-883-0007

### **State Agencies:**

- New Hampshire Department of Education Kenneth Relihan, Consultant Office of Gifted Education 101 Pleasant Street Concord, NH 03301 (603) 271-6151
- NH Association for Gifted Education Teresa Morris, President PO Box 10432 Bedford, NH 03110 [nhaged@gmail.com](mailto:nhaged@gmail.com) <http://www.nhage.org/>
- Granite United Way 2 Concord Street, Floor 2 Manchester, NH 03101  
603.625.6939 | 603.627.6057 (f)
- Child and Family Services of NH 9 Hampton Road Exeter, NH 03833 Ph: (603) 518-4002  
Fax: (603) 772-3787 Joann Cobb, Program Director Email: [cobbi@cfsnh.org](mailto:cobbi@cfsnh.org)
- Community Partners Forum Court 113 Crosby Road, Suite #I Dover, NH 03820-4375  
Brian Collins, Executive Director Ph: (603) 516-9300 Fax: (603) 743-3244 Website:  
[www.communitypartnersnh.org](http://www.communitypartnersnh.org)
- Community Strategies for NH (CSNH) 1490 Elm Street, Unit 1 Manchester, NH 03101-1334 Ph: (603) 621-7072 Fax: (603) 621-7076 Deb Hopkins Email:  
[dhopkins@crjustice.org](mailto:dhopkins@crjustice.org)
- Easter Seals New Hampshire, Inc. 555 Auburn Street Manchester, NH 03103 Ph: (603) 623-8863 Fax: (603) 625-1148 Larry Gammon, CEO Email:  
[lgammon@eastersealsnh.org](mailto:lgammon@eastersealsnh.org) Susan Silsby, Vice President, 603-775-0195
- Gateways Community Services 144 Canal Street Nashua, NH 03064 Phone: (603) 882-6333 Fax: (603) 889-5460 Sandra Pelletier, President/CEO Beth Raymond, Vice President of Family & Individual Svcs Website: [www.gatewayscs.org](http://www.gatewayscs.org) Email:  
[info@gatewayscs.org](mailto:info@gatewayscs.org)
- Monadnock Developmental Services-ISO 121 Railroad Street Keene, NH 03431 Ph: (603) 352-1304 Fax: (603) 352-1637 Chris Coates, MDS-ISO Director Email:  
[chrisc@mds-nh.org](mailto:chrisc@mds-nh.org)
- New Hampshire Connections: A Project of PIC Parent Information Center 151A Manchester Street Concord, NH 03302 603-224-7005
  - New Hampshire Family Voices 129 Pleasant St. Concord, NH 03301 Toll Free In State: (800) 852-3345 X 4525 or (603) 271-4525 Email: [nhfv@yahoo.com](mailto:nhfv@yahoo.com)
- Opportunity Networks 116 A Perimeter Road Nashua, NH 03063 Ph: (603) 889-0796 Fax: (603) 546-0128 Rocky Morelli, Executive Director Email:  
[rmorelli@opportunitynetworks.org](mailto:rmorelli@opportunitynetworks.org)
- RISE Early Intervention and Prevention Services 147 Washington Street Keene, NH 03431 Ph: (603) 357-1395 Fax: (603) 357-1397 Toni Ellsworth Exec. Director Email:  
[tellsworth@riseforbabyandfam](mailto:tellsworth@riseforbabyandfam)
- The Parent Information Center PO Box 2405 Concord, NH 03302 (603) 224-7005

### **(Appendix C) Founding Supporters**

## **Professional Support**

The following supporters have committed to providing MACS with professional advice and support as consultants and/or on the Board of Advisors.

### **Section U: Identity of Consultants.**

- Sylvia Aldrich-Walsh, Middle School Special Needs Teacher, Founding parent and MicroSociety Alumna
- Kevin Avard, Former New Hampshire State Representative, Business Owner, Cable Television Program Host
- Gregory Bean, Speech Therapist & Special Needs Teacher
- David Cronin, MicroSociety, Inc., Volunteer Curriculum & Development Consultant and K-8 Educator (Retired)
- Mary Ellen Fitzpatrick, Enterprise Bank and Enterprise Bank Non Profit Collaborative
- Paul Katler, K-8 Instructional Technology Teacher (Retired)
- Carolynn King Richmond, MicroSociety, Inc.
- Rob Kutzik, MicroSociety, Inc.
- Senator Bette Lasky, NH State Senator
- Eileen Liponis, Executive Director of NH Public Charter School Association
- Brian Malone, Financial Representative, Northwestern Mutual Financial Network
- James Malone, M Ed. Counselor emotionally and physically challenged students & NH Middle School Teacher
- Thomas F. Malone, K-8 School Principal and K-8 Teacher (Retired), Volunteer Development & Curriculum Consultant
- Barry Pearson, Enterprise Bank and Enterprise Bank Non-Profit Collaborative
- Thong Pham Duy, M. Ed., SmartEDU Software
- Theresa Roach, Middle School Teacher (Retired), Volunteer Curriculum Consultant
- Dr. Akhil Sastry, MD, Orthopedic Medicine, MicroSociety Alumnus, Portsmouth, NH.
- Matthew Southerton, Director, Co-Founder New Hampshire Center for Innovative Schools
- Marc Sylvester, Founding parent, MicroSociety Alumnus, Metrocast Communications of NH, LLC

### **MACS's Founding Community Partners:**

- NH St. Rep. (former) Kevin Avard
- Enterprise Bank
- Enterprise Bank Non-Profit Collaborative
- Greater-Nashua Chamber of Commerce
- Nashua Access Cable Television
- Nashua Public Library
- Nathan Blais Painting Co.

- SmartEDU Software
- SportsMedicine Atlantic Orthopaedics
- State Senator Bette Lasky

**NH MicroSociety Alumni Supporters:**

- Silvia Aldrich Walsh, Nashua, NH
- Cheryl McNamara Bean, Nashua, NH
- Tahlea Boland, Nashua, NH
- Edward Brand, Penacook, NH
- Amy Spence Dienta, Nashua, NH
- Kellie Garvey, Hudson, NH
- Leighann Gelineau, Nashua, NH
- Patricia Hale, Nashua, NH
- Stephanie Lavallee Maglio, Merrimack, NH
- Erin McLaughlin, Nashua, NH
- William Murray, Derry, NH
- April Robey Golden, Derry, NH
- Akhil Sastry, MD, Portsmouth, NH
- Mary Suttie Sorensen, Pelham, NH
- Marc Sylvester, Nashua, NH
- Brian Walsh, Nashua, NH

**Appendix D:**

**Examples of how Common Core standards will be reinforced through  
MicroSociety Applications**

## **Language Arts—Writing:**

Text Types and Purpose, Production and Distribution of Writing, Research to Build and Present Knowledge, and range of Writing :

- Students will write a school constitution
- Students will write resumes and job applications
- Students will write minutes of meetings
- Students will write factual articles for newspapers and magazines
- Students will write poetry and short stories for student managed publications
- Students will write business letter to community partners
- Students will write bills for legislation
- Students will write directions for making products
- Students will write business letter to community partners
- Students will write bills for legislation
- Students will write directions for making product

## **Language Arts—Reading:**

Key Ideas and Details, Craft and Structure Integration of Knowledge and Ideas, Range of Reading and Level of Text Complexity:

- Students will read and use technical manuals, forms, directions, and other related materials within ventures and agencies
- Students will use extensive vocabulary related to citizenship/government and economics, as well as terms related to their particular agency/venture
- Students will read stories to other students and ask higher level thinking questions
- Students will read and discuss works of fiction, nonfiction, poetry and prose at the Readers Café' venture
- Students will read newspaper, magazines, and anthologies of student writing published by students

## **Mathematics:**

Operations and Algebraic Thinking, Number and Operations in Base Ten, Measurement and Data, and Geometry

## **Social Studies:**

Students will understand the structure, functions and purposes of government and how the principles and values of American Democracy are reflected in American constitutional Government:

- Students will make change using addition and subtraction skills

- Students will balance financial records for agency/ venture as well as personal budget
- Students will estimate money left while shopping
- Students will measure accurately while making products
- Students will calculate tax due or owed
- Students will collect and analyze economic data from their agency/venture
- Students will conduct market surveys to determine if a product will sell
- Students will create graphs and charts to display data collected
- Student candidates will run for public office
- Students will become citizens
- Student citizens will vote
- Students will run for elected office
- Students will examine different form of government
- Students will create laws that deal with issues that arise in their society
- Students will participate in court processes in operation
- Constitution Conventions will convene to write the governing document
- Legislatures will write laws
- Courts will uphold laws

### **APPENDIX E:**

#### A Typical MACS Student Day and Lesson Plans incorporating MicroSociety

A typical day for a MicroSociety Academy Charter School student will in many ways resemble a typical day in a standard public school classroom, but in other ways it will look and sound very different. As previously mentioned in the curriculum and instruction section, MACS teachers' lessons will be focused on teaching the core curriculum through a variety of research-based best practices. Much of this will occur during the "Academy" portion of the school day which will encompass the greater part of a student's day. The difference will be that these practices will be augmented by teachers incorporating a student's relevant MicroSociety experiences into each lesson. The concepts in the lessons will be further reinforced later in the day with the student's active involvement in creating and operating the agencies and ventures of their own society. During the course of "Academy" lessons and MicroSociety ventures teachers will be able to take a seemingly abstract core curricula concept and, wherever possible, link it to a student's concrete understanding of their MicroSociety and the real world.

During the greater portion of the day, primary grades students, for example, may be taught and assessed utilizing developmental best practices in an "Academy" classroom. The differentiated instruction and learning centers around the classroom might incorporate typical manipulatives (i.e. blocks, legos, popsicle sticks) and the individualized and independent level reading material typical of a rich children's literature classroom library, as in any developmental classroom. The difference will be that the lessons will also contain Economy strand manipulatives and readings that will relate directly to a student's MicroSociety experience solving their real world bank or marketplace math problems using the school currency, measuring crafts material for a product, completing simple profit/loss statements, and/or reading, responding and predicting outcomes to a story about a child operating some kind of business. Later in the day during a scheduled MicroSociety period the teacher might take the class to the marketplace to cash their pay checks, sell their products, make purchases and/or

perform their weekly bank transactions. In these instances the teacher's efforts to reinforce various core curricula concepts will be augmented with the assistance of older students acting as MicroSociety employees and managers. Upon their return to the classroom, the students might be asked to record in their daily journal their reflections upon what they learned that day including their MicroSociety venture experience.

#### MicroSociety Academy Charter School of So NH ! "82

In a middle school English/Language Arts "Academy" class a student might be instructed by a teacher using Collins Writing program practices and encouraged to write a piece on a given topic during a sustained writing period. A student might decide to write a piece recalling facts and/or expressing their opinion regarding a current event, student bullying, or a MicroSociety court case that they observed as a lawyer, juror or reporter. With teacher encouragement the student might later during a MicroSociety publishing venture utilize this writing assignment as the basis for writing their "hard news" story, editorial or letter to the editor on their tablet for eventual publication in a student newspaper or another online or hard copy MicroSociety publication. If the teacher chooses, the publication might be made required reading for his/her middle school Academy ELA class students and used as a basis for a followup lesson.

One of the exciting differences for teachers working in a MicroSociety school is that although it is clear the core curriculum will be used as basis for instruction, there is still a good measure of creativity left for teachers to put their own relevant and unique MicroSociety spin on their lesson plans. That which follows is a sample of lessons available to MACS in MicroSociety, Inc. professional development materials that our teachers can use as examples of incorporating MicroSociety concepts into their own lessons at MACS for primary grades 1 (Lesson 20-Counting Change) and 3 (Lesson 23-Advertising) and middle school grade 5 (Lesson 7 Business Meetings) "Academy" classes and/or MicroSociety ventures during the course of a typical day and/or over the course of several Days.



## **APPENDIX F:**

### **Sample Benchmark Assessment Calendar**

#### **Sep. 13 - 30**

- **BOY Assessment** window is open
- all scores must be recorded on the Drive spreadsheet by Oct. 1 (data talks to happen at October 8 staff workshop)

#### **Nov. 8 - 12**

- **Progress Monitoring** Assessments (only for students who did not meet BOY benchmarks)
  - all scores must be recorded on the Drive spreadsheet by Nov. 12 so as to have data for Parent Conference week of Nov. 15-19

#### **Jan. 10 - 28**

- **MOY Assessment** window is open
- all scores must be recorded on the Drive spreadsheet by Jan. 28

#### **Mar. 21 - 25**

- **Progress Monitoring** Assessments (only for students who did not meet MOY benchmarks)
  - all scores must be recorded on the Drive spreadsheet by March 25

#### **May 16 - June 3**

- **EOY Assessment** window is open
- all scores must be recorded on the Drive spreadsheet by June 3

**EXECUTIVE SUMMARY**

**Office of Chartered Public Schools Spark  
Academy Chartered Public School Charter  
Renewal Request**

**A. ACTION NEEDED**

A vote is needed by the State Board of Education to approve the charter renewal for Spark Academy Chartered Public School (CPS).

**B. RATIONALE FOR ACTION**

RSA 194-B gives the State Board of Education the authority to approve or deny the renewal of a charter schools charter.

**C. EFFECTS OF THIS ACTION**

An renewal of the charter will allow Spark Academy CPS to continue to meet the needs of their students as a chartered public school in the state of New Hampshire until their next five year renewal in 2029.

**D. POSSIBLE MOTION**

I move that the State Board of Education approve the renewal of Spark Academy Chartered Public School's charter OR:

I move that the State Board of Education deny the renewal or table



# Chartered Public School 5-Year Renewal Summary Report

**School Name:** *Spark Academy Chartered Public School*

**Evaluation Team:** *Tal Bayer, Liz Tibeault*

**Board Meeting Date:** *4/11/2024*

**Commissioner Recommendation:** Choose an item.

**Commissioner Notes:** Click or tap here to enter text.  
(optional)

## Part 1: Renewal Application Review

*A review of the renewal application package prepared in accordance with the requirements of Ed 318.13 and Ed 318.14 was performed by the evaluation team. The findings of this review are summarized in this report. The application package is attached to this summary report.*

Evaluation Team Rating:	Meeting Expectations
Areas of strength in application:	
Partnership and co-location with Manchester Community College that allows students to easily take college level course when interested Ability to Dual Enroll students for Associates Degrees, Class of 2023 had 35% of students receive Associates Degree Solid enrollment growth since opening has seen school double in size and projects to meet admissions target caps Partnership with DEKA for student led Print Farm Fundraising steady growth CSP Grant Recipient in good standing per federal compliance review School working proactively with adjusting class sizes and offering foundational courses to support students with skill deficiencies Solid and conservative fiscal management	
Areas for school improvement:	
2023 Test Scores took a sizeable dip in relation to 2022. As this is only 2 years of test scores it does not demonstrate a trend but it is something to be aware of and proactively address. To address the school has created smaller math classes and created remedial math courses for students who need foundational work.	
Areas of concern:	
None noted	



**New Hampshire Department of Education**  
Office of Charter Schools

Part 2: On-Site Visit

*An on-site visit was conducted per Ed 318.14(a)(1), which is summarized below. The on-site visit includes a review of facilities, discussion of compliance items, review of application evidence, and discussion of iReport data.*

<b>Evaluation Team Rating:</b>	<b>Meeting Expectations</b>
Visit Highlights:	
<p>School is embedded in the Manchester Community College campus            Each classroom has 4 large screen TV's to provide great site lines for instruction and examples            School environment is is focused and engaging            Small class sizes 15 students            SPARK students:            Spoke eloquently about their support of the academic programs and opportunities to work work hands on with machinery and technology.            Consistently talked about school staff being mentors and their willingness to listen to student interests and concerns.            Liked the opportunities work on projects collaboratively and solve problems.            Have many formerly homeschool students who indicated SPARK provided them with a challenging curriculum that built on their previous knowledge base.            Appreciated being taught valuable real world and life skills necessary to be an adult.</p> <p>Parents:            Spoke highly of school developing their students sense of confidence and self advocacy            Appreciated the ability to engage with school when and if they chose to</p> <p>School Staff:            Committed staff who believe in the mission and culture of SPARK.            Appreciate the ability and opportunity to develop and design curriculum to support student learning.            Spoke highly of the collaborative environment between both instructional as well as administrative staff.</p> <p>Board:            Diverse skills sets on board ranging from banking, project management, marketing/communications, legal, HR, college and secondary school administration and leadership            Board understands the role and responsibility of governance and oversight            Board identified</p>	
Areas for school improvement:	
Continue to increase female student representation in enrollment currently at about 15% of student body	
Areas of concern:	



# New Hampshire Department of Education

## Office of Charter Schools

### Part 3: Compliance and Reporting

*This section provides an overview of the school’s level of compliance with NHEd reporting, statutory, and regulatory requirements. Areas reviewed include policies, procedures, website/marketing materials, submission records for budgets, annual reports, DOE-25, fiscal audits, etc.*

Level of Compliance:	Meeting Expectations
<b>Consistency/Timeliness of Reporting:</b>	<b>Meeting Expectations</b>
Compliance and Reporting Overview:	
None noted	
Areas for school improvement:	
None noted	
Areas of concern:	
None noted	

### Part 4: Evaluation Team Impressions

*The evaluation team has provided this overall summary of their findings for the Commissioner and State Board of Education’s review and consideration.*

Five years into its existence Spark Academy CPS are a stable and attractive educational model for students in NH. The school continues to grow and develop into the vision as stated in their charter. In light of last years NHSAS scores, the evaluation team would like to see this years most recent NHSAS assessment scores. The evaluation team does recognize that Spark Academy leadership have been proactive in identifying and taking steps to address concerns related to drop in scores from 2022 to 2023. The evaluation team found that Spark Academy is meeting its programmatic and organizational goals and on the way to meeting its educational goals. Overall the teams considers Spark Academy to be “MEETING EXPECTATIONS.”

#### Evaluation Team Ratings Explained:

##### Meeting Expectations

*All sections and requirements were completed and addressed. Evidence provided supports compliance and positive trends in growth and development of school and students. School has plans developed for continued development and is cooperative and timely in submissions.*



# New Hampshire Department of Education

## Office of Charter Schools

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**Partially Meeting Expectations**

*All sections and requirements were completed and addressed. Evidence provided suggests some negative trends in growth and/or development of school and students. School has been directed to develop plans for improvement. School may not be completely cooperative or timely in submissions.*

**Not Meeting Expectations**

*Evidence provided suggests a number of consistent, negative trends in growth and/or development of school and students. Other areas of concern may exist with school environment, budget, etc. School has been directed to develop plans for improvement. School may not be completely cooperative or timely in submissions.*



# Chartered Public School 5 Year Renewal Report

A chartered public school may be renewed for a period of 5 years in accordance with RSA 193-B:3, X. The board of trustees of a charter school shall make an application for renewal to the state board no earlier than one year before the original charter is set to expire.

**Name of Chartered Public School:** Spark Academy of Advanced Technologies

**Name of School Director:** John Tuttle

**Street Address:** 1066 Front St.

**Town:** Manchester

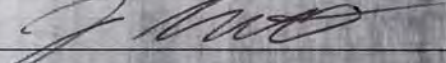
**Email:** [john.tuttle@sparkacademynh.org](mailto:john.tuttle@sparkacademynh.org), info@sparkacademynh.org

**Phone Number:** 603-945-9151

This Renewal Report is hereby filed with the New Hampshire Department of Education, Bureau of Educational Opportunities, Office of Chartered Public Schools. This report is a representation of the chartered public schools current academic and programmatic progress, fiscal stability, and future growth projections in fulfillment of the requirements of Ed 318.13. In addition to the information submitted within this template, the state board shall receive a copy of the school’s current iReport state report card which is publicly available on the iPlatform system<sup>1</sup> as well as a copy of the chartered public schools most recent Annual Report filed with the Department.

As a component of the renewal process, the chartered public school must post an invitation for written comment. Please submit a copy of the invitation as well as any written comments received by the school during the invitation period. - see exhibit A

By signing below, I certify that the information contained within this template is true and accurate to the best of my knowledge, and request that the State Board of Education renew the chartered public school’s charter for a period of 5 years.

John Tuttle 

**Date:** 3-28-24

**Print Name and Signature of person submitting**

Ann Williams 

**Date:** 3-28-24

**Print Name and Signature of the Chairman of the Board of Trustees**

<sup>1</sup> <https://www.education.nh.gov/who-we-are/division-of-educator-and-analytic-resources/iplatform>.



## **Chartered Public School Renewal Template**

The boxes below will expand with content. Please keep responses between 1-3 paragraphs and attach additional documentation in the form of graphs, charts, letters, etc. as appendices if necessary.

What is the primary mission and vision of your chartered public school?

Our mission is to empower our students with opportunities to master technical skills, both practical and theoretical, in the context of a high school and early college program that emphasizes the dignity and value of work. Students will discover an appreciation for the power of the sciences combined with an understanding of the humanities. They will develop into innovative problem solvers ready to enter the technical careers of their choice upon graduation or through further study.

Our vision is to provide our students with a high school and early college education based on problem solving, real world experience, and a sound work ethic. They will cultivate their skills, ingenuity, and character, ready to challenge the future with confidence, courage, and curiosity.

In the following box, please describe the progress your school has made towards its academic goals:

### **Academic Goals**

- To look at every student as a learner and make sure that each one is making strides to better understand each subject.
- To teach every student the keys of soft skills of leadership, teamwork, communication, problem solving, and organization. This will help them be more successful in all learning environments and in life.
- To encourage every student to attempt a college class while in high school and to learn the skills necessary to be successful in the college setting.

At Spark Academy we have seen a decrease in our students' proficiency in Math and ELA according to the NHSAS. In looking at our data, however, 80% of our students have shown progress on state testing. The math scores on our students' SATs show an average of 18 point increases with no change to the ELA scores. On the PSATs, 84% of our students showed an increase in their scores. Our Juniors had an average of a 38.5 point increase in Math and a 37 point increase in ELA. Our Sophomores show a 78% increase in total scores. It should also be noted that our number of students taking the tests is very small.

We have taken a closer look at each student to assess their needs in both areas. This has shown that there has been a lack in skill retention and a need to review this material. We have split students into smaller Math classes and created remedial classes as well to make sure that each student's needs are being met. We continue to see student growth in our smaller





assessments and are hoping this will transfer to the SAT scores. In Humanities we added the Common Lit program, which has a continuous assessment tool so that students are being assessed on a regular basis as they continue to work on skills that they have been missing. This continually shows the teacher and student if what we are doing is working.

We had our first graduating class of 20 students in 2023, seven of whom simultaneously graduated with an Associate Degree in Advanced Manufacturing from Manchester Community College due to our dual credit program. Two more were finishing up their degrees over the summer.

In the following box, please describe the progress your school has made towards its programmatic goals:

**Programmatic Goals**

- To create an educational environment that encourages students to learn and grow. This will be a safe setting that works on developing SPARK Values in all students.
- To create a work-like setting in partnership with local companies to practice and develop work skills that are needed in the student's preferred job.
- To create future leaders, by developing leadership skills through an Ambassador program and Student Council.

At Spark Academy we have introduced our SPARK values to all students and have seen a decrease in the number of incidents in the school and an increase in the number of hours that students have been volunteering and supporting the community.

We have increased the number of companies that have been engaging students by hosting tours, visiting our school or even partnering with us to complete a project or create a pre-apprenticeship. This will help students find their pathway for the future, by experiencing and trying new things.

We continue to work with outside companies to work on leadership and soft skills for our students to use while at Spark and in their life. Leddy Group has come in to work with students on how to present themselves in a professional manner and practice interviewing skills. AdventureLore has worked with them on communication and other soft skills in a group setting. Peers-not-Fears has focused on building the skills as a leader. The students are then able to proactively utilize these skills in Student Council or by being a school ambassador.

This year we partnered with DEKA to create a 3D print farm on site at Spark, which is maintained by students. We schedule as many company visits as possible for students in all grades to ensure that we are introducing them to as many opportunities as possible. Our ELO program, implemented last year, also provides students with ways to explore various pathways. Our Ambassador Program and Student Council allows students the chance to practice leadership skills. We bring in Peers Not Fears, the Leddy Group, and AdventureLore

throughout the year to help our students with all of the soft skills that go along with our mission to teach them how to be problem solvers in the world.

In the following box, please describe the progress your school has made towards its organizational goals:

**Organizational Goals**

- To develop a strong leadership group that includes the Director, Board members, families, students and local businesses. This group will continue to find opportunities for the students to practice what they have learned.
- To create a sustainability plan that focuses on building the future of the school. This will include fundraising, budgeting and corporate sponsorships.

Spark Academy has a new Board that is focused on creating a sustainability plan so that we can continue to grow and build the future for Spark Academy. The goal is to create a financially conservative and responsible system that gets the most for all students. This will include building a strong family connection, a strong and stable fundraising path, strong policy and procedures, and a curriculum that is meeting the needs of the students and community.

As a school we want to build a student first and focus on each individual and what they are able to achieve. We want to make sure that we are giving every student a voice and the skills to navigate and grow once they leave our setting. Each student has a path and it is our responsibility to make sure that they can see the future and start them down their path.

What is the anticipated enrollment for the school over the next 3 school years:

Year 1	Year 2	Year 3
104	109	118

Are there any changes to the curriculum and/or instruction of the school as a result of anticipated growth?

At Spark Academy we strive to reach our capacity of 120 students while at the same time maintain our small class sizes of 15 maximum. We continue to assess whether we have the materials that are needed to make sure that every student has access to the general curriculum.

In our current space at MCC, we have filled the classrooms available to us in the Spark wing. If our space here expands in the future we will look toward expanding our curriculum to match our growing numbers of students' needs at that time.

Describe the current state of the school's curricular program:

### **Math**

- We are currently using the McGraw Hill textbooks in teaching Pre-Algebra, Algebra, Geometry and Algebra 2.
  
- We are working closely with Manchester Community College in assessing students' Math needs and developing a working plan to address gaps in knowledge.

### **Science**

- Physical Science
- Biology
- Early College Classes

### **Humanities**

- Student Planners (Student organization with calendars, weekly organizers, and job exploration)
- Student Binders (Portfolio approach; used for notes & organization)
- Classroom Sets of Books in 302 & 308 (All Quiet on the Western Front, Night, The Hobbit, Chaucer's Canterbury Tales, Beowulf, Sir Gawain & the Green Knight)
- Classroom Libraries (9th & 10th grade Fiction bundles, 9th grade Sci-Fi bundle from Prestwick House)
- Classroom Furniture (302 & 308)
- Currier Museum of Art & Londonderry Air Museum field trips
- With an upcoming trip (4/30) to the Capitol Center for the Arts for a showing of A Midsummer Night's Dream

### **Programs/Items Utilized by Humanities Department:**

- GrammarFlip
- CommonLit (360 Curriculum)
- Timeline Notebooks
- Great Books

### **Technology**

- Robotics
- CAD
- Electrical Fundamentals
- Manufacturing Processes
- Early College Classes

### **Electives**

- PE
- Health
- ELO Classes



Early College Classes

Describe the current state of the school's technology and digital infrastructure:

We brought in a vCIO to oversee our infrastructure and help us shape our policies to ensure compliance. On their recommendation we hired Greater Nashua Technology for a 2023 cybersecurity risk assessment. They are conducting ongoing training for staff and students. All staff and students have laptops provided by us. We also purchased Raptor to enable us to better monitor visitors and volunteers, and help us manage emergency drills. We installed four large screen televisions in every classroom for teacher presentations to ensure that everyone is able to view them.

Describe the efforts the school has made to disseminate best practices, including working with other local schools and districts:

We recognize that we need to increase our efforts to share best practices with the rest of the charter school community, specifically, and are making strides to identify the best opportunities to do so. We will be attending the National Charter School Conference as a group to obtain new ideas in this area.

We have done the following:

- Vex IQ competitions - Spark Academy supports local teams and has students working with younger students to learn about the opportunity at Spark Academy. Staff and Students work with other team coaches to help them understand what Spark does to help students grow and build an effective team.
- XRP Robotics - Spark Academy has a print farm that creates XRP robotics that are to be distributed to all the local schools in NH. Spark Academy also works with Manchester Community college and FIRST robotics to help with training other teachers on how to use the robotics in the classroom.

Describe current parent involvement efforts and future plans for increased parent involvement:

We send out a weekly newsletter to our parents and make regular updates to the school's Facebook page. We are utilizing the portal for our new SIS system, Alma, as an additional way for parents to keep in touch with the school. We have made a push to recruit more parents for the Parent Support Committee this year. We added two more parents to our Board of Trustees this year as well. We continue to host more events to increase family engagement, such as trivia nights, bingo nights, roller skating, and more. We are currently at 70% engagement. Some families are more difficult to reach and we are working on engaging them.

Our goal is to get 100% of our families doing something to be part of the Spark community. This could be through volunteering, attending a family night, or supporting/actively participating in the Parent Support Committee.

Describe past fundraising efforts since the last renewal and results of fundraising to date:

We opened the school in 2019 but did not really begin focusing on fundraising until after COVID-19. These are the fundraising events we participated in each year after that. In 2020: NH Gives. In 2021: NH Gives, school calendar, cornhole tournament. In 2022: NH Gives, golf tournament, school calendar. In 2023: NH Gives, golf tournament, family engagement events, school calendar.

Our first year of fundraising, we raised \$5560. We grew that number to \$36,404.00 in 2022. This is an 85% increase in fundraising dollars over four years.

What are the school's plans for future fundraising efforts and goals?

We will continue with the events which have been successful and shown growth.

Goals:

- To show an increase of 10% in all fundraising events each year
- To create one new potential fundraising activity for the 2024-25 school year.
- To increase parent/family participation in volunteering and helping the school grow our fundraising efforts. We would like to have at least 20% support and 95% donations from our families.

What specific plans does the school have in place to ensure continued sustainability?

- We continue to look at ways to reduce our per pupil cost; in the past two years we have reduced this amount by \$6,000 per pupil.
- We continue to find new grant writing opportunities each year.
- We continue to strengthen our partnership with Manchester Community College to ensure that we have a solid and stable physical occupation of the space as well as opportunities for new pathways for our students. A member of MCC staff is currently serving on our Board, as is the former President of the college.
- We have a lawyer and an HR person on our Board to ensure that our policies and procedures are current and effective.
- We have a Board subcommittee of dedicated and varied industry and education professionals to help us continue to find ways to build greater sustainability.



New Hampshire

# Department of Education

**Charter Schools are required to submit to the Department of Education a completed budget for the upcoming fiscal year. When submitting this renewal report, the school must attach and include a copy of the budget for the upcoming fiscal year. Please use the Department chartered public school budget template. - see exhibit B**

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# Spark Academy of Advanced Technologies

1066 Front St. Manchester, NH 03102-8528 | 603-316-1170

- 2023
- 2022
- 2021
- 2020
- 2019
- 2018

Report Card Year: **2023**

Entity ID  
**714**

Grades Served  
**9-12**

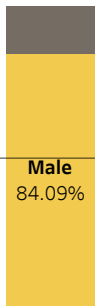
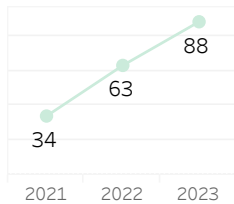
School Director  
**John Tuttle**

District Name

## Federal Accountability Indicators (1 - Low | 4 - High)

### Total Student Enrollment

**88**



### Student Population Breakdown

Economically Disadvantaged	*N
English Language Learners	
Homeless	N/A
Migrant	
Military Connected	
Not Economically Disadvantaged	>90%
Students in Foster Care	
Students with Disabilities	*N
Students without Disabilities	89.77%

### Population by Race / Ethnicity

American Indian or Alaskan	N/A
Asian or Pacific Islander	*N
Black or African American	*N
Hispanic or Latino	*N
Multiple Races	*N
White	84.09%

## Performance Indicators by Subgroupings

\*Achievement Metrics Compared vs. Targets

				2021	2022	2023		
DLM Participation Count - ELA	Grade	Grade 3		N/A	N/A	N/A		
		Grade 4		N/A	N/A	N/A		
		Grade 5		N/A	N/A	N/A		
		Grade 6		N/A	N/A	N/A		
		Grade 7		N/A	N/A	N/A		
		Grade 8		N/A	N/A	N/A		
		Grade 11		N/A	0	0		
		DLM Participation Count - Math	Grade	Grade 3		N/A	N/A	N/A
				Grade 4		N/A	N/A	N/A
				Grade 5		N/A	N/A	N/A
				Grade 6		N/A	N/A	N/A
Grade 7				N/A	N/A	N/A		
DLM Participation Rate - ELA	Grade	All Students		N/A	0.00%	0.00%		
		Grade 3		N/A	N/A	N/A		
		Grade 4		N/A	N/A	N/A		
		Grade 5		N/A	N/A	N/A		
		Grade 6		N/A	N/A	N/A		
		Grade 7		N/A	N/A	N/A		
DLM Participation Rate - Math	Grade	All Students		N/A	0.00%	0.00%		
		Grade 3		N/A	N/A	N/A		
		Grade 4		N/A	N/A	N/A		
		Grade 5		N/A	N/A	N/A		
		Grade 6		N/A	N/A	N/A		
		Grade 7		N/A	N/A	N/A		
ELA Participation Rate		All Students		N/A	95%	100%		

Achievement

	Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A		
		Asian or Pacific Islander	N/A	N/A	N/A		
		Black or African American	N/A	*N	*N		
		Hispanic or Latino	N/A	*N	N/A		
		Multiple Races	N/A	N/A	N/A		
		White	N/A	94%	*N		
	Sex	Female	N/A	*N	*N		
		Male	N/A	95%	*N		
	Student Group	Economically Disadvantaged	N/A	*N	N/A		
		English Language Learners	N/A	N/A	N/A		
		Homeless	N/A	*N	N/A		
		Migrant	N/A	N/A	N/A		
		Military Connected	N/A	N/A	N/A		
		Not Economically Disadvan..	N/A	95%	100%		
		Students in Foster Care	N/A	N/A	N/A		
		Students with Disabilities	N/A	*N	*N		
	ELA Proficiency	All Students	Students without Disabiliti..	N/A	95%	*N	
			All Students	N/A (vs 60)	85% (vs 63)	45% (vs 64)	
			Achievement Level	Level 1 (lowest)	N/A	<10%	27%
				Level 2	N/A	15%	27%
				Level 3	N/A	55%	45%
		Level 4 (highest)		N/A	30%	<10%	
		Grade	Grade 3	N/A	N/A	N/A	
Grade 4			N/A	N/A	N/A		
Grade 5			N/A	N/A	N/A		
Grade 6			N/A	N/A	N/A		
Grade 7			N/A	N/A	N/A		
Grade 8			N/A	N/A	N/A		
Race/Ethnicity		American Indian or Alaskan	N/A (vs 53)	N/A (vs 57)	N/A (vs 60)		
		Asian or Pacific Islander	N/A (vs 72)	N/A (vs 72)	N/A (vs 72)		
		Black or African American	N/A (vs 37)	*N (vs 41)	*N (vs 44)		
		Hispanic or Latino	N/A (vs 42)	*N (vs 46)	N/A (vs 50)		
		Multiple Races	N/A (vs 63)	N/A (vs 67)	N/A (vs 71)		
		White	N/A (vs 64)	87% (vs 68)	*N (vs 71)		
Sex		Female	N/A	*N	*N		
		Male	N/A	89%	*N		
Student Group		Economically Disadvantaged	N/A (vs 40)	*N (vs 44)	N/A (vs 47)		
		English Language Learners	N/A	N/A (vs 36)	N/A (vs 39)		
		Homeless	N/A	*N	N/A		
	Migrant	N/A	N/A	N/A			
	Military Connected	N/A	N/A	N/A			
	Not Economically Disadvan..	N/A	84%	45%			
	Students in Foster Care	N/A	N/A	N/A			
	Students with Disabilities	N/A (vs 22)	*N (vs 25)	*N (vs 28)			
ELA Proficiency - #Students	Achievement Level	Students without Disabiliti..	N/A	84%	*N		
		Level 1 (lowest)	N/A	0 - 10	0 - 10		
		Level 2	N/A	0 - 10	0 - 10		
		Level 3	N/A	10 - 15	0 - 10		
		Level 4 (highest)	N/A	0 - 10	0 - 10		
First Year Exemption (#) - ELA	All Students	N/A	N/A	N/A			
First Year Exemption (%) - ELA	All Students	N/A	N/A	N/A			
Math Participation Rate	All Students	All Students	N/A	95%	100%		
		Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A	
			Asian or Pacific Islander	N/A	N/A	N/A	
			Black or African American	N/A	*N	*N	
			Hispanic or Latino	N/A	*N	N/A	
			Multiple Races	N/A	N/A	N/A	
	White		N/A	94%	*N		
	Sex	Female	N/A	*N	*N		
		Male	N/A	95%	*N		
	Student Group	Economically Disadvantaged	N/A	*N	N/A		
		English Language Learners	N/A	N/A	N/A		
		Homeless	N/A	*N	N/A		
		Migrant	N/A	N/A	N/A		
		Military Connected	N/A	N/A	N/A		
		Not Economically Disadvan..	N/A	95%	100%		
		Students in Foster Care	N/A	N/A	N/A		
		Students with Disabilities	N/A	*N	*N		
	Math Proficiency	All Students	Students without Disabiliti..	N/A	95%	*N	
			All Students	N/A (vs 49)	75% (vs 50)	27% (vs 51)	
			Achievement Level	Level 1 (lowest)	N/A	<10%	55%
				Level 2	N/A	25%	18%
				Level 3	N/A	40%	27%
		Level 4 (highest)		N/A	35%	<10%	
Grade		Grade 3	N/A	N/A	N/A		
		Grade 4	N/A	N/A	N/A		
		Grade 5	N/A	N/A	N/A		
		Grade 6	N/A	N/A	N/A		
		Grade 7	N/A	N/A	N/A		



		Grade 8	N/A	N/A	N/A
		Grade 11	N/A	75%	27%
Race/Ethnicity		American Indian or Alaskan	N/A (vs 37)	N/A (vs 39)	N/A (vs 41)
		Asian or Pacific Islander	N/A (vs 67)	N/A (vs 67)	N/A (vs 67)
		Black or African American	N/A (vs 25)	*N (vs 27)	*N (vs 28)
		Hispanic or Latino	N/A (vs 31)	*N (vs 33)	N/A (vs 35)
		Multiple Races	N/A (vs 48)	N/A (vs 50)	N/A (vs 52)
		White	N/A (vs 51)	80% (vs 53)	*N (vs 54)
Sex		Female	N/A	*N	*N
		Male	N/A	79%	*N
Student Group		Economically Disadvantaged	N/A (vs 29)	*N (vs 31)	N/A (vs 32)
		English Language Learners	N/A	N/A (vs 24)	N/A (vs 25)
		Homeless	N/A	*N	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	N/A	74%	27%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	N/A (vs 16)	*N (vs 18)	*N (vs 19)
	Students without Disabiliti..	N/A	79%	*N	
Math Proficiency - #Students	Achievement Level	Level 1 (lowest)	N/A	0 - 10	0 - 10
		Level 2	N/A	0 - 10	0 - 10
		Level 3	N/A	0 - 10	0 - 10
		Level 4 (highest)	N/A	0 - 10	0 - 10
Number of Proficient English Learners		All Students	N/A	N/A	N/A
On Track to Proficiency		All Students	N/A (vs 43)	N/A (vs 47)	N/A (vs 50)
Percent of Proficient English Learners		All Students	N/A	N/A	N/A
Science Participation Rate		All Students	N/A	95%	91%
	Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A
		Asian or Pacific Islander	N/A	N/A	N/A
		Black or African American	N/A	*N	*N
		Hispanic or Latino	N/A	*N	N/A
		Multiple Races	N/A	N/A	N/A
		White	N/A	94%	*N
	Sex	Female	N/A	*N	*N
		Male	N/A	95%	*N
	Student Group	Economically Disadvantaged	N/A	*N	N/A
		English Language Learners	N/A	N/A	N/A
		Homeless	N/A	*N	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	N/A	95%	91%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	N/A	*N	*N
	Students without Disabiliti..	N/A	95%	*N	
	Science Proficiency		All Students	N/A	85%
Achievement Level	Level 1 (lowest)	N/A	15%	*N	
	Level 2	N/A	<10%	*N	
	Level 3	N/A	70%	*N	
	Level 4 (highest)	N/A	15%	*N	
Grade	Grade 3	N/A	N/A	N/A	
	Grade 4	N/A	N/A	N/A	
	Grade 5	N/A	N/A	N/A	
	Grade 6	N/A	N/A	N/A	
	Grade 7	N/A	N/A	N/A	
	Grade 8	N/A	N/A	N/A	
	Grade 11	N/A	85%	*N	
	Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A
Asian or Pacific Islander		N/A	N/A	N/A	
Black or African American		N/A	*N	*N	
Hispanic or Latino		N/A	*N	N/A	
Multiple Races		N/A	N/A	N/A	
White		N/A	87%	*N	
Sex	Female	N/A	*N	*N	
	Male	N/A	89%	*N	
Student Group	Economically Disadvantaged	N/A	*N	N/A	
	English Language Learners	N/A	N/A	N/A	
	Homeless	N/A	*N	N/A	
	Migrant	N/A	N/A	N/A	
	Military Connected	N/A	N/A	N/A	
	Not Economically Disadvan..	N/A	84%	*N	
	Students in Foster Care	N/A	N/A	N/A	
	Students with Disabilities	N/A	*N	*N	
Students without Disabiliti..	N/A	84%	*N		
Science Proficiency - #Students	Achievement Level	Level 1 (lowest)	N/A	0 - 10	0 - 10
		Level 2	N/A	0 - 10	0 - 10
		Level 3	N/A	10 - 15	0 - 10
		Level 4 (highest)	N/A	0 - 10	0 - 10
Average Class Size		All Students	N/A	N/A	N/A
Expulsion Rate		All Students	0.00%	0.00%	0.00%
	Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A

Student Environment

		Asian or Pacific Islander	N/A	*N	*N
		Black or African American	*N	*N	*N
		Hispanic or Latino	*N	*N	*N
		Multiple Races	N/A	N/A	*N
		White	0.00%	0.00%	0.00%
	Student Group	Economically Disadvantaged	*N	*N	*N
		English Language Learners	N/A	N/A	*N
		Homeless	N/A	*N	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	0.00%	0.00%	0.00%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	*N	*N	*N
		Students without Disabiliti..	0.00%	0.00%	0.00%
In School Suspension Rate		All Students	0.00%	1.61%	0.00%
	By Day	1-5 Days	0.00%	100.00%	0.00%
		6 -10 Days	0.00%	0.00%	0.00%
		11+ days	0.00%	0.00%	0.00%
	Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A
		Asian or Pacific Islander	N/A	*N	*N
		Black or African American	*N	*N	*N
		Hispanic or Latino	*N	*N	*N
		Multiple Races	N/A	N/A	*N
		White	0.00%	0.00%	0.00%
	Student Group	Economically Disadvantaged	*N	*N	*N
		English Language Learners	N/A	N/A	*N
		Homeless	N/A	*N	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	0.00%	1.67%	0.00%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	*N	*N	*N
		Students without Disabiliti..	0.00%	1.79%	0.00%
Incidents of Violence		All Students	0	0	1
Out of School Suspension Rate		All Students	0.00%	0.00%	0.00%
	By Day	1-5 Days	0.00%	0.00%	0.00%
		6 -10 Days	0.00%	0.00%	0.00%
		11+ days	0.00%	0.00%	0.00%
	Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A
		Asian or Pacific Islander	N/A	*N	*N
		Black or African American	*N	*N	*N
		Hispanic or Latino	*N	*N	*N
		Multiple Races	N/A	N/A	*N
		White	0.00%	0.00%	0.00%
	Student Group	Economically Disadvantaged	*N	*N	*N
		English Language Learners	N/A	N/A	*N
		Homeless	N/A	*N	N/A
		Migrant	N/A	N/A	N/A
		Military Connected	N/A	N/A	N/A
		Not Economically Disadvan..	0.00%	0.00%	0.00%
		Students in Foster Care	N/A	N/A	N/A
		Students with Disabilities	*N	*N	*N
		Students without Disabiliti..	0.00%	0.00%	0.00%
Average Teacher Salary		All Students	\$48000.00	\$40000.00	\$37000.00
	Poverty Level	High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	N/A
Classes by Educators Certified in the Subject		All Students	100.00%	N/A	100.00%
	Poverty Level	High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	N/A
Classes by Educators on an Intern Path		All Students	0.00%	N/A	0.00%
	Poverty Level	High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	N/A
Classes by Experienced Educators		All Students	100.00%	N/A	0.00%
	Poverty Level	High Poverty	N/A	N/A	N/A
		Low Poverty	N/A	N/A	N/A
Educators certified in the subject(%)		All Students	100.00%	N/A	100.00%
	Poverty Level	High Poverty	N/A	N/A	N/A
		Low Poverty	100.00%	N/A	100.00%
Educators on an Intern Path(%)		All Students	0.00%	N/A	0.00%
	Poverty Level	High Poverty	N/A	N/A	N/A
		Low Poverty	0.00%	N/A	100.00%
Experienced Educators(%)		All Students	100.00%	N/A	0.00%
	Poverty Level	High Poverty	N/A	N/A	N/A
		Low Poverty	100.00%	N/A	0.00%
Cost Per Pupil		All Students	\$19571	\$15869	N/A
	Cost Per Pupil T..	Federal Cost Per Pupil	\$3444	\$5522	N/A
		Local & State Cost Per Pupil	\$16126	\$10346	N/A
	School Type	Elementary School	N/A	N/A	N/A
		High School	\$19571	\$15869	N/A
		Middle School	N/A	N/A	N/A

Educator Profiles

<b>Finance</b>	Total Expenditures		All Students	\$724771	\$1016954	N/A
	Non-recurring E..	Bond and Note Payment		\$0	\$0	N/A
		Facility Construction		\$0	\$0	N/A
	Recurring Expenditures	Bond & Note Interest		0	0	N/A
		Business Services		0	0	N/A
		Charter Schools / Other Age..		0	0	N/A
		Community Programs		0	0	N/A
		Food Service		0	0	N/A
		General Administration		1	7	N/A
		Instructional Staff Support		0	0	N/A
		Non-Public Programs		0	0	N/A
		Other Instructional Progra..		0	2	N/A
		Plant Operations		14	17	N/A
		Pupil Transportation		0	0	N/A
		Regular Instruction		40	40	N/A
		School Administration		9	27	N/A
		Special Programs		0	0	N/A
	Student Support Services		35	4	N/A	
	Vocational Programs		0	0	N/A	
	<b>Profile</b>	Population By Gender	Sex	Female	*N	*N
Male				>90%	88.89%	84.09%
Population By Race/Ethnicity		Race/Ethnicity	American Indian or Alaskan	N/A	N/A	N/A
			Asian or Pacific Islander	N/A	*N	*N
			Black or African American	*N	*N	*N
			Hispanic or Latino	*N	*N	*N
			Multiple Races	N/A	N/A	*N
			White	85.29%	85.71%	84.09%
Population By Subgroup		Student Group	Economically Disadvantaged	*N	*N	*N
			English Language Learners	N/A	N/A	*N
			Homeless	N/A	*N	N/A
			Migrant	N/A	N/A	N/A
			Military Connected	N/A	N/A	N/A
			Not Economically Disadvan..	>90%	>90%	>90%
			Students in Foster Care	N/A	N/A	N/A
	Students with Disabilities		*N	*N	*N	
	Students without Disabiliti..		>90%	>90%	89.77%	
	Total Student Enrollment			All Students	34	63

Printed on: 3/11/2024

<b>*COVID</b>	Data is not available due to COVID restrictions.	<b>*CS</b>	Data will be available soon
<b>*CS</b>	Data will be available soon	<b>&gt;90%</b>	Value is above 90% and is blurred to protect student privacy.
<b>*N</b>	Data is suppressed due to student population being less than 11.	<b>N/A</b>	Data is not applicable
<b>&lt;10%</b>	Value is below 10% and is blurred to protect student privacy.	<b>NA</b>	Data is not available

# SPARK Academy

NEWSLETTER

JANUARY 26, 2024

1066 Front Street, Manchester, New Hampshire 03102

Phone: 603.945.9151 | Fax: 603.228.9629

[www.sparkacademynh.org](http://www.sparkacademynh.org)

## CALLING ALL GOLFERS!

Signups are open for our 3<sup>rd</sup> annual Spark Academy Golf Classic at Pembroke Pines! Please save the date, which is **Wednesday, June 26<sup>th</sup>**. If you would like to play, you can sign up here: <https://birdease.com/SparkGolf>. Signup buttons for foursomes to singles are available when you scroll down past the sponsorship options. See you on the links!

## FAMILY OUTING

Our next family event will be...roller skating! Mark your calendar for the evening of Tuesday, March 5<sup>th</sup> at REMIX Skate & Event Center in Manchester. More details will be shared soon!

## IMPORTANT MEETING: SECOND-YEAR PARENTS

All parents of students who are taking Electrical Fundamentals class this semester are asked to join Ms. Pringle and Mr. Tuttle on a brief Zoom call next Tuesday, 1/30 at 5:30 PM. Please watch your email for the link!

## CHARTER RENEWAL

We have started our first charter renewal process and would like to thank everyone who participated in the on site visit yesterday. If you are so inclined, please send any comments to [info@sparkacademynh.org](mailto:info@sparkacademynh.org). We appreciate those of you who have taken the time to do so already!

## FOURTH-YEAR FAMILY NEWS

- ☑ Students, please send in photos for the yearbook! We want (school appropriate) selfies, photos of you engaged in extracurricular activities, at work, or having fun. Please email them to Mrs. Laroche and she will share them with the yearbook advisors.



## Spark Academy 5 Year Charter Renewal – Request for Comment 2024

Requested in the Community Newsletter 12/8/23, 1/26/24, 2/16/24

Spark Academy is a wonderful option for students who are interested in gaining technical skills and earning college credits during their high school years. Small classes that stay together for all classes provide a feeling of connectedness not often available in other schools. Exploration days are built into each week to expose students to various professions that may inspire them and also to offer learning opportunities outside of the classroom. In these days when vocational high schools are a rarity, Spark Academy offers a much needed program which provides students with readily marketable skills as well as a strong foundation for higher education.

- Adrienne Soti

---

I'd like to share my experiences with Spark as a parent of a second year student (10th grade).

I couldn't be happier with the school overall. My daughter is not only receiving a great education but also gaining real life skills needed to be successful.

My daughter enjoys her courses and the team building skills are superb, students are encouraged to help each other work through problems to determine the best approach to find the answers.

My daughter looks forward to attending school and has developed a great relationship with her teachers and the entire Spark school staff.

Her fellow students have become a family and are excited to apply the skills they're developing in the real world.

There are many opportunities and tools available to each student supporting the individuals growth.

Field trips to local businesses within the community reinforce what the future holds for future Spark graduates.

I couldn't be more pleased to have found such an amazing school as Spark. The teachers truly care about the students and go above and beyond to support their success.

My daughter embraces the challenges and activities Spark offers-she is excelling and so happy attending this wonderful school.

We are blessed Spark exists and I am a proud member of the Spark community. I cannot say enough positive things about Spark, we are lucky the founders created this next level educational program. Thank you

- Krystal Reith

Spark parent of a current second year student

My son was invited to Spark Academy for admission starting in fall of 2024. We are so excited for this new opportunity! So grateful that the community of people who make these decisions understand how important this is, and also support its necessity for these kids! Our son is thrilled to be accepted to a place where he's not considered an outlier, but instead, he will be part of a team of people who understand him and will support and encourage his growth and development, and it's not something we will have to advocate aggressively for anymore; It will just be embedded into his education, like it should be! He's actually stated "I think I've found my people!". Some parents will be able to understand how meaningful that statement is. We are so grateful there is a school in our community that understands this need. It's truly a blessing! I feel confident that our son will get the opportunities that he needs to be successful in a field that is necessary and supportive to his learning style. This is an incredible opportunity and we feel blessed to have it! – Erica Card

---

**Hello,**

**I am a parent of a third-year student at Spark. My son has truly thrived and grown at Spark during his time there. My son has known he wanted to be an engineer since he was six years old, and Spark has helped my son to work towards that dream. The curriculum, while challenging, is exactly what my son was looking for in an education. He just finished his first semester as a Junior taking three college courses and has maintained a 3.5 GPA! Spark has helped make this possible and we are forever grateful. Spark deserves all the funding they ask for because they are creating responsible adults who will have a ton to offer society. We can't say enough wonderful things about Spark! All other schools should model themselves after Spark.**

**Forever thankful for Spark,**

**MELLISSA PEACE**

*Senior Paralegal*

The Spark community and values foster my daughter's learning, confidence and organizational skills and promote her educational success. We love Spark!

*Deanna Negrón*

Family Worker

Hello,

My name is Kieran McCurdy. I am a former Spark student who graduated in the Spring of 2023. Because of Spark, I was able to get my associate's degree in "Advanced Manufacturing" at MCC near the end of my Senior year of high school.

What I like about Spark is how it impacts the lives of the students. Spark Academy of Advanced Technologies is a public charter school that really cares about their students. The faculty at Spark Academy are devoted to their students' success and have taught me a lot during my four years of high school. As a student, I have had the honor of working amongst fellow students with the same goal as me, making the best of their education. The sense of community that Spark fosters has taught me the importance of teamwork, and for that, I am thankful.

I am really grateful for the opportunity Spark has given me and I am excited to see how the school continues to grow in the years to come.

Thank you!

Sincerely,  
Kieran McCurdy

---

Spark has helped my child come out of his shell and want to learn again. My child actively tells me about his day without being prompted now, as before this school I would get a shrug and "Eh" comment. – Cassandra Landry

My son, Jerimiah, is in his second year at Spark now... he is excelling beyond what I was hopeful for! He has made an incredible group of friends who all share similar interests and goals in life. He is getting excellent grades and enjoys school again!! I am so very thankful and grateful to have found Spark as an alternative opportunity for my son, who enjoys school again, to get his education from.

Amy Parent

Michelle Lambert  
1870 River Road,, Manchester, NH 03104  
michelle@michelle-lambert.com  
617 697-1349

February 1, 2024

Spark Academy of Advanced Technologies  
1066 Front Street  
Manchester, NH 03102

To whom it may concern,

This letter is to let you know that I remain just as thrilled with Spark Academy of Advanced Technologies as when my boys first started in 2022, and I wholeheartedly and enthusiastically recommend it as an excellent option to anyone interested in an alternative to educate their children. I'd like to take this opportunity to express my gratitude and to offer my recommendation with respect to my boys Connor and Rowan Frawley, who are currently third-year students at SPARK. I've personally seen the difference that SPARK has made to Connor and Rowan You're providing an engaging curriculum focus on technology and the practical applications that meet the needs and interests of the students in your program. You're succeeding in raising up and further engaging our sons in technology and the trades. Your academic program, geared toward automation, technology, and trades, has ignited and fueled Connor and Rowan's passion for these subjects, and they are excelling in college-level classes through the early start program, largely because of the generous and innovative programs at SPARK. Connor seems to have found his path; Rowan is still exploring. Both are amazing opportunities to give to my boys at such a young age.



We witness the program's impact each and every day as Connor and Rowan are just as excited and engaged now as they were the first day they walked through the doors. They are both working in the 3D printing Lab, supporting the innovative work of Dean Kamen and his ARMI organization. They are so excited to be a part of this ground-breaking project.

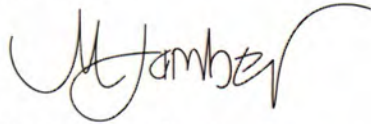
The faculty and staff at SPARK Academy have played a crucial role in fostering my sons' academic growth. The dedication, expertise, and genuine care demonstrated by the educators have contributed significantly to their positive learning experiences. I truly cannot say enough about Dan Larochelle, his vision, passion, and encouragement towards the students is what I can only hope every trajectory impacting teacher should impart in the students they touch. His classes are not for the faint at heart, and we have chatted late on a Sunday to support my boys. I am grateful for the supportive and enriching environment that has been instrumental in shaping their academic journey.

Connor and Rowan have participated in club sports at their feeder school. Connor in football at Central his freshman year and Rowan currently on his third year for Amoskeag Rowing Club, (formerly Central High School Crew), they are also learning that being active citizens means giving back to their communities. SPARK Academy provides them both with a holistic education that not only helps them thrive academically but that encourages the development of key life skills. I want to thank the staff, teachers, and professors, and for all the innovators at the SPARK Academy who encourage a culture of curiosity, critical thinking, and a love of learning.

I have no reservation that Connor and Rowan are going to continue to thrive and be 'forward thinkers' because of the educational experience that SPARK has given them.

Please continue your commitment to your excellence in education. I look forward to seeing Connor and Rowan Frawley grow and prosper at SPARK Academy.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Lambert". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Michelle Lambert  
*Parent of Connor and Rowan Frawley '2025*

**EXECUTIVE SUMMARY**  
**Office of Chartered Public Schools**  
**Great Bay Chartered Public School**  
**Charter Amendment Request**

**A. ACTION NEEDED**

A vote is needed by the State Board of Education to approve the charter amendment for The Great Bay Chartered Public School (CPS).

**B. RATIONALE FOR ACTION**

RSA 194-B gives the State Board of Education the authority to approve or deny the amendment of a charter schools charter.

**C. EFFECTS OF THIS ACTION**

An amendment of the charter will allow The Great Bay CPS to better meet the needs of their students as a chartered public school in the state of New Hampshire until their next five year renewal in 2029.

**D. POSSIBLE MOTION**

I move that the State Board of Education approve the amendment of The Great Bay Chartered Public School's charter OR:

I move that the State Board of Education \_\_\_\_\_  
(indicate some other action)



# Chartered Public School Application for Charter Amendment

*A chartered public school may submit an amendment to their charter contract with the state of New Hampshire in accordance with RSA 193-B:3, XI. This form, together with required attachments, is for use when applying for an amendment with the State Board of Education under Ed 318.12 (Issuance and Amendment of Charter).*

**Name of Chartered Public School:** Great Bay Charter School

**Name of School Director:** Peter Stackhouse

**Street Address:** 30 Linden Street

**Town:** Exeter, NH 03833

**Email:** pstackhouse@gbecs.org

**Phone Number:** (603) 519-9003

**Amendment Type:**  
*(Select all that apply.)*

- Grade Levels
- Enrollment
- Mission
- Curriculum/Model

other: Updating charter document language to reflect the continued evolution of our program under the framework of our mission, core values and beliefs, implementation of project-based instruction, and supporting all learners

**Description:**  
*(Use this space to fully describe the area(s) in which you are requesting amendment(s).)*

Great Bay Charter School seeks amendment(s) to its charter to articulate its transition from a grade 5-12 to K-12 program. The requested amendments include:

- expanding grade offerings to include grades K-4. By doing so the school will expand and enhance its existing project-based, learner centered program opportunities for families seeking a public charter school alternative in the area in/around Southeastern New Hampshire for their students.
- articulate its mission to include project-based, interdisciplinary learning for elementary students
- expand student enrollment to 287 to accommodate the addition of one section for each elementary grade. This represents growth of 117 students from current (170)—51 for 2024-25 and 66 for 2025-26.
- updating document language relative to the school’s name change in 2018, the evolution of project-based learning and personalized learning within our classroom-based program, and the transition



## New Hampshire Department of Education Office of Charter Schools

from the school's original affiliation with Exeter Region Cooperative School District as of 2012.

Amending our charter language regarding our *mission* is not a deviation from, but instead an extension of our current mission. We hope will serve to further articulate and formalize our project-based, learner-based approach available to all students. Providing flexibility and multiple pathways for students to show what they know and can do, GBCS has been very successful as a program option for a very diverse group of student learners. Our intention is to extend this practice to younger students.

Our families have historically sought GBCS as an educational alternative for a variety of reasons drawn to our size, flexibility, and personalized approach to learning. Some have sought us out as a necessary option of finding a different approach, but for a growing number, they simply want their students in a smaller, more personalized program in which students are connected to their learning community.

With the recent closure of another local charter school option, Coastal Waters Charter School, and significant waitlists at others, many parents have reached out to GBCS seeking an alternative for their elementary-aged children. We were able to accommodate about 22 CWCS students including five fifth grade students.

Our project-based approach and strong learning community provides a welcoming environment and feeling of family, acceptance, and support. We seek to enhance our program by making it available to younger students whose families seek a learning community that provides personal options through flexibility, connection, and an interdisciplinary, project-based approach to learning.

*GBCS enrollment* is currently set at 170 for grades six through twelve and we were able to stay within that capacity by including grade five students as approved by the Board in February, 2024. We seek to maintain the consistency with our current class sizes and maintaining a targeted maximum of 17 students per grade/class section. As a result, we are seeking to increase our overall school capacity to accommodate 51 additional students in three sections, one each for grades three and four, and a larger section of grade five for 2024-2025 (221 total) We also seek an additional 66 students for three additional sections to accommodate Kindergarten, grades one and two in 2025-2026. This would also provide some additional flexibility among our upper grades to allow us to restore our planned capacity of 34 students per grade level in 9-12 and approximately 18 in grades 6-8. Our total anticipated capacity would be 287 students for the 2025-2026 school year.

We ask that the timeline for the final implementation of grades K-4 be flexible as these final implementation decisions will be based upon actual grade level enrollment, budgetary considerations, and facility-related factors.



# New Hampshire Department of Education

## Office of Charter Schools

*Expand grade offerings to include grades K-4. By doing so, the school will expand and enhance its existing project-based, interdisciplinary, learner centered programmatic opportunities for families seeking a public charter school alternative in the area in/around Southeastern New Hampshire for their students.*

Currently authorized for grades 5-12, GBCS proposes to include K-4 through a phased-in process. Our current plan includes offering grades 3 and 4 for the 2024-2025 school year with planned potential expansion to include grades K-2 in 2025-2026 or beyond. Final decisions will be thoughtfully based on continued growth in institutional capacity—balancing staff needs with growing enrollment interest at the elementary grades and facility-related considerations to accommodate the grades added.

Since our original charter approval for grades 8-10, we have sought and been granted authorization to add grades 11 and 12 (for 2007, 2008), thus allowing our inaugural class to graduate from our school in June, 2008. *Over four hundred students have received their high school diploma from GBCS since that date.*

As we sought expansion of our middle school program, the State Board approved the addition of seventh grade on April 17, 2013, sixth grade on April 12, 2017, and most recently fifth grade on January 30, 2024. At that time, we were thoughtfully asked by the Board about consideration of expansion to lower grades but were trying to accommodate grade five within our existing staffing, facility, and logistical framework. We now have the capacity and desire to proceed with that request.

We have received and continue to receive multiple inquiries for availability of younger grades in our program. The recent closure of Coastal Waters Charter School, combined with the lack of availability (long waitlists) at other elementary-based charter schools have prompted parents to encourage GBCS to engage in the discussion of expanding our program. There is an eagerness on our part to move forward with a thoughtful plan.

The school currently leases its existing education spaces from the Exeter Region Cooperative School District at the Tuck Learning Campus (formerly Exeter High School). We have had preliminary conversations regarding the potential of leasing additional space to accommodate our entire proposed expansion, but at present, the timetable and logistics of additional grades added will be dependent upon factors related to student enrollment interest and timeliness and logistics of facility availability.

*Articulation of the school’s mission to include project-based learning with personalized options for K-12 students*

### ***Proposed Mission Statement***

**Reasoning:**  
*(Use this space to fully describe the area(s) in which you are requesting amendment(s).)\* Provide any supporting documentation to support the need for an amendment*



## New Hampshire Department of Education Office of Charter Schools

*The Great Bay Charter School will provide an engaging, respectful, accepting learning environment enriched with flexible, project-based options in support of students with diverse needs and interests as they navigate their educational program and personalized path to college and career readiness, participatory citizenship, and service to others.*

Expansion of student enrollment by 102 students to a maximum of 272. This increase will allow GBCS to accommodate the addition of one section for each elementary grade and provide some flexibility year-to-year for Grades 6-12. This proposal represents growth of 102 students from current 170 to 272—51 for 2024-25 and 51 for 2025-26.

Updating original charter document language relative to the evolution and maturation of the program since opening in 2005. This language will reflect the school's name change in 2018, the evolution of project-based learning and personalized learning within our classroom-based program, and being separated from the Exeter Region Cooperative School District in 2012. It will also reflect the previous amendments to include the addition of grades 11 and 12 for 2007, and the addition of grades 7, 6, and most recently, 5

Evolution and Growth—Great Bay Charter School (GBCS) was originally chartered as *Great Bay eLearning Charter School* in 2004, opened in January, 2005 with 34 ninth grade students from Exeter High School. It was proposed and approved as a grades eight to ten program for underserved students of the Exeter Region Cooperative School District.

It was envisioned that *eLearning* would play a significant role in personalizing the education of students in a program that emphasized flexibility, project development, and out-of-the-box thinking about providing ways that learners can demonstrate what they know and can do. The implementation of project-based learning with the judicious use of technology—1:1 devices and online access has seen this approach combined with everyday classroom-based experiences with peer and adult interaction, school-based advisory, interdisciplinary connections, personalized learning plans, and multiple pathways for success.

By evolving this vision to include the creation and growth of a community of learners connecting parents, students, and school, the expansion of the GBCS 'family' was carefully nurtured.

We believe that our strong community, project-based approach, interdisciplinary connections, and flexibility will translate well to younger learners and this has been confirmed by many parents who are actively seeking out this option for their students.

The GBCS enrollment scenario (attached) is projected to integrate our growing elementary with current middle, and high school grades:



# New Hampshire Department of Education

## Office of Charter Schools

**Impact Areas:**  
*(Check all areas impacted upon amendment approval)*

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Students/Families | <input checked="" type="checkbox"/> Budget     | <input type="checkbox"/> Goals <i>(academic, program, organizational)</i> |
| <input checked="" type="checkbox"/> Staffing          | <input checked="" type="checkbox"/> Facilities | <input type="checkbox"/> Accountability Plan                              |
- other Updating charter document language to reflect the continued evolution of our program under the framework of our mission, core values and beliefs, implementation of project-based instruction, and supporting all learners.

A copy of the last approved charter, with proposed amendment(s) shown via “red-lines” or “mark-ups”, is required to be attached to any amendment application.  **Copy attached.**

Please include the following additional attachments as noted for specific impacts.

<b>Students &amp; Families:</b>	<input checked="" type="checkbox"/> Detailed description of the impacts to students and families <input checked="" type="checkbox"/> Plan for communication of these impacts
<b>Staffing:</b>	<input checked="" type="checkbox"/> Detailed description of the impacts to staff members <input checked="" type="checkbox"/> Plan for communication of these impacts
<b>Budget:</b>	<input checked="" type="checkbox"/> Detailed description of the impacts to the budget <input checked="" type="checkbox"/> Amended next year budget
<b>Facilities:</b>	<input checked="" type="checkbox"/> Detailed description of the impacts to the facilities <input checked="" type="checkbox"/> Timeline for impacts
<b>Goals:</b>	<input checked="" type="checkbox"/> Goal revisions
<b>Accountability Plan:</b>	<input checked="" type="checkbox"/> Accountability plan revisions

By signing below, I certify that the information contained within this application for amendment is true and accurate to the best of my knowledge.

Cheryl York McDonough

March 28, 2024

**Print Name:**

**Date:**

**Signature of the Chairman of the Board of Trustees**



**Great Bay Charter School**  
**Projected Enrollment: 2023-24 to 2025-26**

Grade	2023-2024			
	Current Sections	Anticipated Capacity	Current Enrollment	Current Capacity
12	2	24	28	28
11	2	34	23	26
10	2	32	24	26
9	2	32	22	24
8	2	17	25	26
7	1	17	21	18
6	1	14	13	16
5	1	0	6	6
4	0	0	0	0
3	0	0	0	0
2	0	0	0	0
1	0	0	0	0
K	0	0	0	0
<b>Totals</b>		<b>170</b>	<b>162</b>	<b>170</b>

Grade	2024-2025			
	Anticipated Sections	Anticipated Capacity	Anticipated Enrollment	Current Capacity
12	2	28	24	28
11	2	30	28	26
10	2	27	24	26
9	2	30	28	24
8	2	30	26	26
7	1	17	17	18
6	1	17	17	16
5	1	14	14	6
4	1	14	14	0
3	1	14	14	0
2	0	0	0	0
1	0	0	0	0
K	0	0	0	0
<b>Totals</b>		<b>221</b>	<b>206</b>	<b>170</b>

Grade	2025-2026			
	Anticipated Sections	Anticipated Capacity	Anticipated Enrollment	Current Capacity
12	2	34	30	28
11	2	34	32	26
10	2	34	30	26
9	2	34	28	24
8	2	28	26	26
7	1	17	17	18
6	1	17	17	16
5	1	17	17	6
4	1	16	14	0
3	1	16	14	0
2	1	14	14	0
1	1	14	14	0
K	1	12	12	0
<b>Totals</b>		<b>287</b>	<b>265</b>	<b>170</b>

## **Students and Families**

### ***Description of the impacts to students***

The proposed amendment(s) will have a positive impact on the many of our current students; and will have a neutral impact on the others. We have many families who are seeking a local educational program of a smaller size that can serve their children of many ages. For example, we recently enrolled a ninth-grade student who has two siblings, a fifth grader, who we subsequently were able to enroll, and a third grader who is at a different program. These students were at a local K-12 charter school that was recently forced to close. The family is eager for the opportunity for all students to be reunited as part of the same school community. Many of our current and prospective families have already spoken to us about interest in having younger siblings attend.

We are excited about a variety of educational opportunities that we can develop and support ways for our students to benefit from this grade expansion. We currently have several high school students working with middle school students in mentorships and classroom support roles and we can easily envision extending this to younger grades. We also have several students participating in the Early Childhood Education/Pre-teaching program at Seacoast School of Technology. We would like to explore possibilities for these students to perhaps extend their learning opportunities from the current pre-K connection at SST, to early elementary grades at GBCS.

### ***Plan for communication of these impacts***

Our community is already aware of the plan to seek expansion, but upon approval and determination of the implementation timeline, we will immediately begin notifying our families about the approval. Already involved in the enrollment process for grades 5-12 for next year, we will begin again focusing on the grades to be implemented next year.

We will use local media sources, social media, and our website to communicate information within and beyond our school community and will use a variety of means to notify our families of the increased opportunities and logistics as they are clarified. We will also encourage our families to expand the reach of our message beyond our community

## **Staffing**

### ***Description of the impacts to staff members***

Like our students, it is anticipated that the impacts for most of our staff members will be either positive or neutral. Staff members with young families have already seen this opportunity as a potential educational option for their children, while others are excited to explore ways to potentially integrate the instructional opportunities of their older students with students of the younger grades.

Working with their colleagues at the younger grades, teachers of older students can develop opportunities for unique connections with younger students: lesson components, reading aloud, assisting with support, assisting with physical activities, job-shadowing, interning, etc., are only some of the potential benefits discussed to date.

It is our intention to apply for a Charter School expansion grant and this may benefit staff across multiple grades. To the extent that we can integrate cross-curricular and vertical curricular connections for professional development, we will do so.

It is also anticipated that current staff may seek opportunities at GBCS to work in different roles or transition to working with younger grades. Ultimately, the timeline for implementation for next year is tight, but workable. We are currently working on staffing scenarios for a two-year implementation, with potential for variation based upon enrollment

### ***Plan for communication of these impacts***

The staff flexibility and willingness to incorporate fifth grade at GBCS midyear was remarkable. They are aware of our Board's approval to proceed with the application seeking amendment for the addition of grades K-4. We will keep them informed throughout the process and throughout the planning and implementation process if approved.

We will communicate with and seek the expertise of staff members who currently hold elementary level certifications and seek to involve them in our planning. We will also hold vertical planning opportunities for academic collaboration and school-wide expansion of learning opportunities and community building across grades K-12.

## Budget

### ***Description of the impacts to the budget***

By implementing two grades in 2024-25 and up to three in 2025-26, the major potential budgetary impacts will generally be driven by the addition of the classroom teachers, any increase in our lease for additional classrooms, and supply/equipment expenses for grade levels. There will also be an additional increase in administrative expenses as we expand our organizational capacity.

We are currently operating a special education department with three special educators (two part-time and one full time) and four paraprofessionals. We employ personnel and bill the various districts for the services provided. It is anticipated that personnel needs would logically increase in this area, however, our special education reimbursements from districts should make these increases essentially cost neutral.

Using an average salary of approximately \$56,000 and associated benefits (medical ins, dental ins, life ins, NHRS, FICA) we anticipate the cost to be approximately \$86,300 per additional teacher. The following are estimated increases:

#### **2024-25**

##### **Anticipated Expenses**

Classroom teachers (2 @ \$86,300)	\$172,600
Anticipated addendum to lease expense	\$25,000
Supplies and Equipment	\$6,200
Administrative costs (personnel & supplies)	\$30,000
Special Education (cost neutral)	\$0

***Expansion Year One Additional Expense Total for 2024-25: \$233,800***

##### **Potential Revenue**

44 students @ \$9,180 per student	\$403,920
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***Expansion Year One Potential Additional Revenue Total for 2024-25: \$403,920***

**Difference    \$170,120**

**2025-26**

**Expenses**

Classroom teachers (3 @ \$86,300)	\$258,900
Anticipated addendum to lease expense	
Supplies and Equipment	\$11,000
Administrative costs (equipment & supplies)	\$2,000
Special Education (cost neutral)	\$0

***Expansion Yr 2 Additional Expense Total for 2025-26: \$271,900***

**Potential Revenue**

59 students @ \$9,180 per student	\$541,620
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***Expansion Year Two Potential Additional Revenue Total for 2025-26: \$541,620***

**Difference** **\$269,720**

**Great Bay Charter School Proposed Budget  
2024-2025**

**General Fund**

<b>Income</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
District Support	40000	62,500	62,500
Fundraising	41000	106,000	115,050
State Funding	41300	1,555,560	1,794,240
Misc	41400	2,550	2,550
<b>Total Income</b>		<b>1,726,610</b>	<b>1,974,340</b>

<b>Expenses</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
<b>1000 Instruction</b>			
Salaries	100	625,783	791,950
Employee Benefits	200	353,146	388,590
Purchase Services	300,400, 500	-	-
Supplies	600	6,200	17,200
Equipment/Property	700	1,500	3,500
Other	800	-	-
<b>Total 1000 Instruction</b>		<b>986,629</b>	<b>1,201,240</b>

<b>1400 Other Instr Programs</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
Salaries	100	2,500	2,500
Employee Benefits	200	191	191
Purchase Services	300,400, 500	2,395	2,395
Supplies	600	100	100
Equipment/Property	700	-	-
Other	800	-	-
<b>Total 1400 Other Instr Prog</b>		<b>5,186</b>	<b>5,186</b>

<b>2130 Health Services</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
Salaries	100	65,000	65,000
Employee Benefits	200	47,791	47,791
Purchase Services	300,400, 500	-	-
Supplies	600	400	500
Equipment/Property	700	100	200
Other	800	-	-
<b>Total 2130 Health Services</b>		<b>113,291</b>	<b>113,491</b>

<b>2225 Computer Assisted Instruction</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
Salaries	100	-	-
Employee Benefits	200	-	-
Purchase Services	300,400, 500	17,430	17,430
Supplies	600	2,219	4,500
Equipment/Property	700	5,630	14,650
Other	800	-	-
<b>Total 2225 Comp Assist Instruct</b>		<b>25,279</b>	<b>36,580</b>

**Great Bay Charter School Proposed Budget  
2024-2025**

<b>2310 Support Services School Board</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
Salaries	100	2,200	2,200
Employee Benefits	200	-	-
Purchase Services	300,400, 500	14,650	14,650
Supplies	600	300	400
Equipment/Property	700	-	-
Other	800	-	-
<b>Total 2310 Sup Svcs School Board</b>		<b>17,150</b>	<b>17,250</b>

<b>2400 Support Services-School Admin</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
Salaries	100	290,104	293,904
Employee Benefits	200	167,685	167,685
Purchase Services	300,400, 500	5,150	5,500
Supplies	600	8,200	9,800
Equipment/Property	700	5,000	5,000
Other	800	15,500	15,500
<b>Total 2400 Sup Serv School Admin</b>		<b>491,639</b>	<b>497,389</b>

<b>2500 Support Services-Fiscal Service</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
Salaries	100	-	-
Employee Benefits	200	-	-
Purchase Services	300,400, 500	25,000	25,000
Supplies	600	500	500
Equipment/Property	700	-	-
Other	800	1,300	1,300
<b>Total 2500 Sup Serv--Fiscal Svcs</b>		<b>26,800</b>	<b>26,800</b>

<b>2600 Operation of Plant</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
Salaries	100	-	-
Employee Benefits	200	-	-
Purchase Services	300,400, 500	60,402	75,702
Supplies	600	-	-
Equipment/Property	700	200	700
Other	800	-	-
<b>Total 2600 Operation of Plant</b>		<b>60,602</b>	<b>76,402</b>

**Total Expenses** **1,726,576** **1,974,338**

**Balance** **34** **2**

**Great Bay Charter School Proposed Budget  
2024-2025**

**Special Education Fund**

<b>Income</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
District Reimbursement	40000	449,560	491,106
Fundraising	41000	-	-
State Funding	41300	-	-
Misc	41400	-	-
<b>Total Income</b>		<b>449,560</b>	<b>491,106</b>

<b>Expenses</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
<b>1200 Special Education</b>			
Salaries	100	303,302	333,168
Employee Benefits	200	94,458	101,188
Purchase Services	300,400, 500	51,000	55,500
Supplies	600	300	500
Equipment/Property	700	500	750
Other	800	-	-
<b>Total 1200 Instruction</b>		<b>449,560</b>	<b>491,106</b>

**Balance** **0** **0**

**Food Service Fund**

<b>Income</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
District Reimbursement	40000	-	-
Fundraising	41000	-	-
State Funding	41300	-	-
Student Paid Meals	41400	33,750	40,500
<b>Total Income</b>		<b>33,750</b>	<b>40,500</b>

<b>Expenses</b>		<b>2024-2025</b>	<b>Proposed Expansion</b>
<b>3100 Food Service</b>			
Salaries	100	-	-
Employee Benefits	200	-	-
Purchase Services	300,400, 500	4,500	4,800
Supplies	600	21,250	24,250
Equipment/Property	700	-	-
Other	800	-	-
<b>Total 3100 Food Service</b>		<b>25,750</b>	<b>29,050</b>

**Balance** **8,000** **11,450**



## **Facilities**

### ***Description of the impacts to the facilities***

*We are anticipating the need for up to one classroom for each additional section/grade, requiring up to five additional classrooms. We have been leasing space at the Tuck Learning Campus (formerly Exeter High School) since 2007 and have access to the second floor rear and middle classroom wings, cafeteria, gymnasium, and outdoor areas which we share with Seacoast School of Technology. The second-floor front wing with up to five additional classrooms is potentially available to us for expanded program use.*

*We are currently working with SAU 16 administration on the potential availability, timeline, and logistics. These classrooms are located on our current second floor, in a parallel wing and connected to our current program areas. Restroom and office facilities are also present in this area.*

*These classrooms would provide an excellent logistical location keeping the younger grades close and connected, but essentially separated from the movement and hallway traffic of the middle and high school grades.*

*Also notable, our continued access to the gymnasium, cafeteria, and outside areas, provide excellent resource areas to supplement our program. There would be little to no negative facility-related impact on our current students with the addition of these grades.*

### ***Timeline for impacts***

*Following our anticipated plan of adding two additional grades for 2024-25 and up to three for 2025-26, We believe the facility expansion will be workable on this timeline. As previously stated, we are currently in discussions with the district about potential availability, timing, and potential lease adjustments. Our timeline for implementation would be dependent upon the results of these discussions.*

## **Goals**

*(Goal revisions including expanded grades)*

### **Great Bay Charter School Goals 2024-2025**

#### **Academic Goals**

**Goal I.** *The school community will build upon its articulation of its mission, core values and beliefs, and school-wide learning expectations by integrating competencies and learning targets into a purposefully designed system of instruction and assessment for all students grades 3-12. The school will increase the consistency of use of the Collins Writing Program, principles of flexibility and personalization of learning as outlined in Universal Design for Learning (UDL), interdisciplinary curriculum, and the use of the Choose Love Program by all Advisories and elementary teachers across all grade levels and all subjects.*

#### **Action Plan:**

1. *Expand curriculum articulation of all subjects/grades by August, 2024*
2. *Incorporate standards (competencies and learning targets) in each course with integration into ALMA for progress reporting. Ongoing, 2024-2025*
3. *Increase the performance of GBCS students on mandated standardized assessments (SAS and SAT) in grades 3-8 and 11.*
  - A. *Increase number of students at targeted level of proficient by 30% across all grades during 2024-25 school year.*
  - B. *Improve previous year proficiency assessment level for individual students: 50% improvement overall (student moving one category or more), to at least targeted level of proficient.*
5. *Enhance the grade level and advisory curriculum to expand grade-level expectations of the Choose Love Program.*
6. *Implement the Collins Writing Program with fidelity across all subjects and grades. Review, November 2024, June 2025*

**Goal II.** *Increase opportunities for student agency and voice at GBCS and increase students' engagement in personalizing their academic and social-emotional learning through: the development and review of his/her personalized learning plan (PLP), articulation of non-traditional curricular opportunities, articulation and implementation of advisory curriculum, implementation of principles of Universal Design for Learning (UDL), refinement of the GBCS support/enrichment program, and increased awareness social-emotional well-being.*

**Action Plan:**

1. Refine adjustments to the GBCS support/ enrichment program—by Aug 2024
2. Promote and implement a formal organizational approach to the use of Extended Learning Opportunities (ELOs) at GBCS. At least 50% of all graduates will have participated in at least one ELO by June 2024, 70% by 2025, and 90% by 2026.
3. Continue implementation of 1:1 technology plan to ensure that every GBCS student has access to a personal, portable device. Ongoing, August 2024
4. Engage in professional discussions and implement UDL principles in lesson planning and design ensuring accessibility for all students—ongoing, review in June 2025

**Non-Academic Goals**

**Goal III.** Develop and enhance procedures and practices to ensure that Great Bay Charter School delivers its programmatic mission with a financially viable, sustainable program.

**Action Plan:**

1. Review, develop, and implement procedures to maximize the recruitment and retention of GBCS students resulting in an enrollment at or about the maximum capacity: 188 students by September 2024, 230 by September 2025, and 272 by September 2026.
2. Continue to seek and/or develop relationships that result in additional resources (revenue, internships, educational resources, etc.) from GBCS community, area businesses, and local communities where our students reside--ongoing, by June 30, 2025
3. Seek potential pathways to sustainable agreements with local school districts related to facility, avenues for collaboration, financial support, and GBCS support of the Adult Education program. Ongoing, review by June 30, 2025
4. Increase the fundraising activities and initiatives involving students and families of the GBCS community: Advisory fundraising-- \$1000 per advisory totaling \$11,000; Family pledge-- \$300 per family totaling \$33,000; Community/Social Events with fundraising components: \$2,000 to \$5,000 by June 2025
5. Review salary/benefit-related expenses, looking at other charter schools and local school districts to seek cost-effective, sustainable options. May 2025

## **Accountability Plan**

**CHARTER SCHOOL ACCOUNTABILITY PLAN**  
**Goals and Objectives 2021-2024**

**School Name:** Great Bay Charter School

**Date:** March, 2024

**Accountability Plan Information:**

Once a charter school development team has created a vision and mission for the school, the goals, objectives, and action plans can be developed to activate the school's mission and achieve its vision.

**A Charter School Accountability Plan is required by RSA 194-B:3, II(dd)**

An accountability plan serves as a roadmap for continuous school improvement. It ensures that progress towards the school's organizational, programmatic and academic goals and objectives are developed, implemented and continuously monitored for success.

**Definitions:**

**Goals** are strategic, long-term, broad outcomes that the school wants to achieve; they are the direction the school wants to take.

**Objectives** are short-term, precise strategies for accomplishing a specific task that can be achieved in a limited period of time and lead to the achievement of a long-term goal. Objectives identify the pathways taken to accomplish the goal. They are specific, measurable and time-bound, with defined completion dates.

**Measurement:** Criteria used to measure progress towards the accomplishment of the goal.

**Timeframe:** A clearly defined period of time to accomplish a goal or objective, including a start date and a target completion date.

**Progress Checks:** Periodic reviews to determine progress made towards accomplishment of goals.

**Outcome:** A description of the benefit gained from achieving a goal.

**Types of Goals for the Accountability Plan:**

**Organizational Goals** focus on a school's long-range intentions for school operations and overall business philosophy; the foundation of the school as identified in the school's charter. They help define the school's purpose, assist its growth and achieve its financial objectives.

**Programmatic Goals** are designed to improve educational practices in, for example, curriculum, professional development and the criteria and standards identified in programs of study.

**Academic Goals** focus on the educational outcomes a school sets for itself, for example, student performance goals and the competencies, skills, and attributes that students should achieve upon completion of a course, program or grade level.

The following template can be revised to meet the focus and needs of your school. Please adjust as needed.

## Organizational Goals

### 1. Goal and Description:

*Develop and enhance procedures and practices to ensure that Great Bay Charter School delivers its programmatic mission with a financially viable, sustainable program. ---Enrollment and Sustainable Practices including staff recruitment and retention*

**Who is responsible:** Leadership Team

Objectives	Measurement	Timeline	Progress Checks	Outcome
Objective O1.1: Review, develop, and implement procedures to maximize the recruitment and retention of GBCS students resulting in an enrollment at or about the maximum capacity:	Targeted enrollment: 150 by 9/30/21 155 by 9/30/22 160 by 9/30/23 <b>188 by 9/30/24</b>	BOY, AOY, Beginning of Year vs. EOY	BOY, AOY (Sem I end), EOY	Grow revenue by maximizing enrollment vs. in line with capacity to support enrollment.

**Assessment:** The nature of our current student population given our mission makes enrollment a constant variable to be considered with our sustainability. Older students, often seek out our school when something was not working for them in their previous setting. In many cases, GBCS is their solution, and they navigate through to graduation.

The somewhat unpredictable and transient nature of our student population has been exacerbated by the impacts of the COVID-19 pandemic. The school opened the 20-21 school year with 129 students, 21-22 with 140, 22-23 with 143 and 23-24 with 143. The 2022-23 school year ended with 138 students and the 2023-2024 school year opened with 143. Fifteen students graduated and approximately 10-14 students withdraw each summer to pursue other options.

During January, 24, GBCS enrollment rose to 165 with the addition of 22 Coastal Waters Charter School students. We hope that this increase will be sustainable providing a better balance of staffing resources to enrollment capacity. During our spring enrollment process for 24-25, enrollment for our younger grades (5-8) seems promising.

Our proposed expansion includes an increase of one section for each of grades K-4 with a class size not to exceed 17 per grade. The total increase of 102 students phased in over two years 24-25 and 25-26 should allow us to accommodate a K-12 program at/close to 272 students.

It will continue to be our goal to maximize enrollment and improve retention to improve funding support capacity.

<p><b>Objective O1.2:</b> Seek and/or develop relationships that result in additional resources (revenue, internships, educational resources, etc.) from GBCS community, area businesses, and local communities where our students reside--ongoing, by June 30, 2024</p>	<p>Have two established partnerships in place for 2022-23 school year, 4 for 23-24, and 6 for 24-25</p>	<p>Beginning of school year, 2022, 2023, 2024</p>	<p>Sem I end, End of School</p>	<p>Partnerships will strengthen the school's ability to access different resources.</p>
<p><b>Assessment:</b> GBCS developed a community partnership with Musical Arts of Exeter for music instruction. We also continued our partnership with Exeter Region Cooperative School District, and developed several small businesses including Exeter Bowling Lanes (Exeter), SeaDog Restaurant (Exeter), Otto Pizza (Exeter), and the Community Oven (Hampton)</p> <p>GBCS signed a Memorandum of Understanding (MOU) with Exeter Region Cooperative School District for ongoing financial support of its resident students at the school taking effect in the 2023-24 school year. The amount of support per ERCSD resident student (in grades 6-12) is \$1,250 entering 23-24. This results in a net loss of \$100,000 from previous support levels but represents a predictable figure for a period of five years.</p> <p>GBCS is now operating a successful independent lunch program with various community partners. We have formed partnerships with three local vendors who have been extremely supportive of our lunch program providing meals four days per week.</p> <p>With potential expansion to younger grades, we are very interested in developing future internship opportunities for Seacoast School of Technology pre-education students.</p>				

<p><b>Objective O1.3:</b> Review salary/benefit-related expenses, looking at other charter schools and local school districts to seek cost-effective, sustainable options. <b>May, 2024</b></p>	<p>Spreadsheet of salary and benefit expenses for charters and comparable SE districts</p>	<p><b>June 30, 2024</b></p>	<p>January, 2024</p>	<p>Salary and benefit information will aid in budget formation and HR decisions</p>
<p><b>Assessment: Not yet completed. There has been some research done related to sick leave and some salary information, but more formal conclusions have yet to be made.</b></p> <p><b>Staff salary increases average 3% per year and medical insurance rates have risen approximately 30% since 2022. Exploration of cost-effective solutions for sustainable employee medical coverage will be imperative.</b></p>				



<p><b>Objective 01.4</b> Modify and enhance a staff mentor/induction program to help transition and support new staff</p>	<p>Modified/developed induction program</p>	<p><b>For Fall, 2024</b></p>	<p><b>June, 2024</b></p>	<p>Induction program will help facilitate and support new staff</p>
<p><b>Assessment:</b> This has been extended. We have gathered information and feedback from the last two year about the supports necessary and potential for providing mentorships with teacher leaders. Work on formalizing plans for implementation in 20245-25 will continue.</p>				
<p><b>2. Goal and Description:</b>  <i>Develop and enhance procedures and practices to ensure that Great Bay Charter School delivers its programmatic mission with a financially viable, sustainable program.—Charter School/School District Relationships</i></p>				
<p><b>Who is responsible:</b> Executive Director, Trustees</p>				
<p><b>Objectives</b>  <b>Objective O2.1:</b> Develop and enhance sustainable agreements with the Exeter Region Cooperative School District related to facility, food service, avenues for collaboration, financial support, and GBCS support of the Adult Education program.</p>	<p><b>Measurement</b>  Renew: Lease agreement  Clarify/Articulate: Support agreement  Determine viability of continuing food service agreement for vended meals</p>	<p><b>Timeline</b>  by June 30, 2022  by June 30, 2023  by June 30, 2023</p>	<p><b>Progress Checks</b>  June 30, 2022,  2023</p>	<p><b>Outcome</b>  Sustainable use of facility, food service, and programmatic support</p>
<p><b>Assessment:</b> A new 3 yr. lease was signed in June, 2022. A group of ERCSD Board members formed a subcommittee to meet and work with GBCS Board of Trustees. This increased interaction has increased communication and awareness about GBCS programs and resulted in the MOU for ongoing support.</p>				
<p>A MOU for District support of ERCSD students at GBCS was signed taking effect for the 2023-24 school year articulating a support figure per ERCSD resident student. As this only applies to grades 6-12 and elementary-aged students reside in the same communities, but with separate school districts, this MOU does not apply to younger SAU 16 students attending GBCS.</p>				

After careful consideration and exploration of options, GBCS ended its vended meals agreement with ERCSD. As a result, the school is currently operating its own independent lunch program relying on new relationships formed with local vendors. This program has allowed us to reduce the cost of school lunches by \$0.75 per meal and increase participation of students.

<p><b>Objective O2.2:</b> Seek pathways to supportive relationships with other school districts using the formula-based system with ERCSD</p>	<p>Communication with other districts to promote and potentially receive support</p> <p><b>Host open houses with invited Superintendents and school board members</b></p>	<p>Ongoing, 2021-22, 2022-23, and 2023-24</p>	<p>January, 2022, 2023, 2024</p>	<p>Communication and support from other school districts for students at GBCS</p>
<p><b>Assessment:</b> GBCS planned and implemented a self-contained Special Education Service Program beginning with the 2022-23 school year. We will continue to work with Districts related to payment for IEP Services for the upcoming school year. Formalizing this process is still underway with the hope and expectation that we will have MOU or Service Agreements with most if not all of our districts where our students reside. We have formalized the provision of services for our students with IEPs and have a mechanism to provide and bill for services.</p> <p>The School held two open houses during the 2022-23 school year to host area school board members and central office administrators of districts in which our students reside. With the goal in mind of educating them about our program and building relationships with these districts, two superintendents participated in Fall, 2022 and three board members from ERCSD in the spring.</p> <p>GBCS held another open house in the fall of 2023 for area business members via the Exeter Area Chamber of Commerce. This was very well attended and led to some promising partnership opportunities.</p>				

**3. Goal and Description:** Develop and enhance procedures and practices to ensure that Great Bay Charter School delivers its programmatic mission with a financially viable, sustainable program. --Fundraising

**Who is responsible:** Leadership Team, Boosters, Grant Advisory Team

Objectives	Measurement	Timeline	Progress Checks	Outcome
<p><b>Objective O3.1:</b> Increase the participation in fundraising activities and initiatives involving students and families of the GBCS community</p>	<p>Advisory minimum participatory fundraising-- \$1000 per advisory for each fundraiser totaling \$15,000 or more</p> <p>Family pledge-- \$1000 per family totaling \$100,000</p> <p>School-based Fundraising (two raffle calendars in October 2021 and March, 2022</p> <p>\$20,000 Community/Social Events with fundraising components: \$5000</p>	<p>Ongoing, by year end</p>	<p>End of Quarter 1, 2, 3, 4</p>	<ul style="list-style-type: none"> <li>• Greater student and family participation in raising revenue</li> <li>• Outside opportunities for funding are explored</li> </ul>

**Assessment:** Working with the school's Friends of GBCS (formerly booster) organization, GBCS has developed a tiered fundraising structure to focus on: 1) student-staff-related, 2) School Community Focused, and 3) Boosters focused. This was implemented in the 22-23 school year.

Student-staff-related fundraising resulted in \$18,000, and GBCS Friends Fundraising resulted in approximately \$15,000. The family pledge program was not successful in 22-23 with minimal participation of families. The administration and Board

discussed a needed change in messaging to communicate the urgency of fundraising participation of families for the future sustainability of the school. This resulted in about \$10,000 additional family donations thus far in 2023-24.

Objective O3.2: Seek grant opportunities for new avenues to program support that support and enhance current programs	Apply for at least one new grant during the 2023-2024 and 2024-25 school years	January, 2024, 2025	Apply by grant deadlines.	New funding sources are explored and utilized
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**Assessment:**

In 2023-24, the School applied and was approved for \$15,500 through the NH Safe Schools grant. This will be used for communication technology (radios for staff), classroom exclusion infrastructure (breakage resistant window film), and an additional door access monitoring station. We are currently seeking grant opportunities for social-emotional support including the continuation of a school counselor on staff.

GBCS is also seeking to apply for an Expansion Grant available for current NH Charter Schools through the Department of Education.

<b>Programmatic Goals</b>			
<p><b>1. Goal and Description:</b>  <i>The Great Bay Charter School community will enhance its programs to ensure that it 'lives' the school's mission, core values and beliefs, and school-wide learning expectations by integrating competencies and learning targets into a purposefully designed system of instruction and assessment for all students grades 6-12.</i></p>			
<p><b>Who is responsible:</b> Asst Director, Teachers, Promising Futures Grant Team, Exec. Director, Admin. Asst. School</p>			
<b>Objectives</b>	<b>Measurement</b>	<b>Timeline</b>	<b>Progress Checks</b>
<p><b>Objective P1.1:</b> Compile and catalog all subject area competencies with learning targets for all new and existing courses</p>	<p>Course competencies are formalized; collected in centralized location accessible to all</p>	<p>by October 15, 2021</p>	<p>End of Sept, 21</p>
<p><b>Outcome</b></p> <p>All grades/course competencies are available for review</p>			
<p><b>Assessment: Completed, to be updated each year</b></p>			
<p><b>Objective P1.2:</b> Publish course description/program of studies for use during course selection during Spring, Summer, 2022</p>	<p>Program of Studies Document</p>	<p>by March 30, 2022</p>	<p>November, 2021</p>
<p><b>Assessment: Program of Studies Document available</b></p>			
<p><b>Assessment: Information gathered and essentially completed, to be implemented for Spring implementation, 2024</b></p>			
<p><b>Objective P1.3:</b> Incorporate standards (<i>competencies and learning targets</i>) in each course with integration into Gradebook for reporting. Ongoing, 2021-2022, review in June, 2022</p>	<p>Gradebook review for consistency and integration Evidence in course syllabi</p>	<p>November 15, 2021</p>	<p>End of August, Sept, Oct, 2021</p>
<p><b>Assessment: Consistent, integration of competencies and learning targets into assessment reporting</b></p>			
<p><b>Assessment: Completed, ongoing</b></p>			

<p><b>Objective P1.4</b> Enhance the advisory curriculum to include broader, grade-level expectations for the <i>Choose Love</i> Program.</p>	<p>Advisory logs of implementation</p>	<p>June, 2022</p>	<p>Review Logs at end of Quarter 1, 2, 3, 4</p>	<p>Greater consistency and expansion of Choose Love into Advisory curriculum</p>
<p><b>Assessment: Completed, ongoing through 23-24 and expanded through all grades as expansion proceeds.</b></p>				

<p><b>Objective P1.5</b> Continue and enhance the implementation of school's 1:1 technology plan to ensure that every GBCS student has access to a personal, portable device.</p>	<p>Ensure all students have access day one at GBCS Implemented 2022-23 and 2023-24. Plan for expansion 2024-25 and beyond.</p>	<p>Aug 30, ongoing throughout year</p>	<p>Ongoing review and planning</p>	<p>Further enhancement of 1:1 technology with greater student accountability for equipment and more clear organizational logistics</p>
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**Assessment: Completed, ongoing through 23-24; expand as size of student body increases.**

**2. Goal and Description:**

*Increase opportunities for student agency at GBCS and increase students' engagement in personalizing their academic and social-emotional learning through: the development and review of his/her personalized learning plan (PLP), articulation of non-traditional curricular opportunities, articulation and implementation of advisory curriculum, implementation of Universal Design for Learning (UDL), refinement of the GBCS support/enrichment program, and increased awareness social-emotional well-being.*

**Who is responsible:** Leadership Team, Asst. Director

Objectives	Measurement	Timeline	Progress Checks	Outcome
<p>1. <b>Objective P2.1:</b> Develop, implement, and refine adjustments to the GBCS support/ enrichment program—ongoing—review at year end June, 2022</p>	<p>Further enhancement of existing program with adjustments to maximize student support and enrichment opportunities</p>	<p>June, 2022</p>	<p>Sept 30, 2021, End of Quarters 2, 3</p>	<p>Greater clarity for the potential use of the program, with potential modifications if necessary for Fall, 2022</p>

**Assessment: This process has been completed and remains ongoing to maximize effectiveness. It was revisited again in January, 2023**

<p>2. <b>Objective P2.2:</b> Provide more formalized access to students in the selection of electives and personalized learning options—December, 2021 and May, 2022</p>	<p>Course selection guide, student course selection, and master scheduling clarity for Fall, 22</p>	<p>June, 2022</p>	<p>Sept 30, 2021, End of Quarters 2, 3</p>	<p>Junior and Senior Students have access to course descriptions, course selection options are made, and school has better clarity for master scheduling</p>
<p><b>Assessment:</b> The Spring/Fall 2023 enrollment situation resulted in the need to increase our section in grade 8 from one to two. As a result, grade nine and ten sections were carried into the summer waiting for further clarity in staffing needs. This trickled down to elective options which could not be concluded until mid-August. This will be revisited for Spring, 2024</p>				
<p>3. <b>Objective P2.3:</b> Promote and implement a formal organizational approach to the use of Extended Learning Opportunities (ELOs) at GBCS.</p>	<p>At least 10% of all graduates will have participated in at least one ELO by June, 2022, 30% by 2023, and 50% by 2024.</p>	<p>As described in measurement</p>	<p>Quarter 2, End of Year—2022, 2023, 2024</p>	<p>Enhances personalization of students' programs</p>
<p><b>Assessment:</b> We continue to encourage ELO with at least 10% of GBCS graduates (3 students) in 2022 participated in ELOs. Five of fifteen 2023 graduates participated in at least one ELO. Data on 2024 graduates is pending.</p>				



**3.Goal and Description:**

*The school will increase the consistency of use of the Collins Writing Program, principles of Universal Design for Learning (UDL), and Choose Love by all teachers across all grade levels and all subjects.*

**Who is responsible:** Data Strategies Team, Leadership Team, GBCS Teachers

Objectives	Measurement	Timeline	Progress Checks	Outcome
Objective P3.1: Establish and confirm implementation of expectations for number and Collins writing type in each curriculum area	Develop one writing sample, with rubric to be used at each grade	by April, 2023	Q1, 2 end	One school-wide writing sample implemented across all grades by April, 2022
<b>Assessment: Grade level writing samples have been discussed but implementation is not yet complete</b>				
Objective P3.2: Incorporate flexible assessment options (artifacts) and other UDL planning ideas in projects and lesson implementation	Evidence visible in Projects and lessons	Shared folders set up by October 1	Folders reviewed by December 15, 2021	All students will have access to personalized options for assessment of their learning
<b>Assessment: Complete, ongoing annual review</b>				
Objective P3.3: All advisories will be implementing weekly Choose Love lesson activities	Activities are implemented (Advisory Logs)	Shared folders set up by October 1	Folders reviewed by December 15, 2021	Consistency and enhancement of Advisory Curriculum
<b>Assessment: Complete, ongoing annual review</b>				

## Academic Goals

### 1. Goal and Description:

*Maximize Great Bay Charter School students' potential to demonstrate grade level proficiency on the NH SAS and SAT mandated testing*

**Who is responsible:** Data Strategies Team, Leadership Team, GBCS Teachers

Objectives	Measurement	Timeline	Progress Checks	Outcome
Objective A1.1: Increase the performance of GBCS students on mandated standardized assessments (SAS and SAT) in grades 6-8 and 11. –overall student grade level proficiency	Increase number of students at targeted level of grade level proficiency by 30% across each grade during 2021-2022 school year.	After 21-22 Assessment	After Modular and/interim assessments; End of year, post-assessment	Students will have the maximum potential for demonstrating growth on required tests

**Assessment:** Results from Spring 2022, 2023 Assessments did not indicate overall grade level improvement targeted. Student results are in the process of being reviewed to assess any individual growth. We are particularly interested in gains made by students who tested with us in the previous years.

Students are also being assessed using IXL for Math and ELA during the 2023-2024 school year. Assessment of grade level progress will be in integrated into an overall review of data.

<p><b>Objective A1.2:</b> Increase the performance of GBCS students on mandated standardized assessments (SAS and SAT) in grades 6-8 and 11. --improvement student proficiency level at each grade</p>	<p>Improve previous year proficiency assessment level for individual students: Move 50% of students one category or more, to at least targeted level of proficient.</p>	<p>After 21-22 Assessment</p>	<p>After Modular and/interim assessments; End of year, post-assessment</p>	<p>Students will have the maximum potential for demonstrating growth on required tests</p>
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**Assessment:** Results from Spring 2022 and 2023 Assessment did not indicate overall grade level improvement targeted, but with a different cohort, there is no longitudinal data. Student results are in the process of being reviewed to assess any individual growth and/or improvement in proficiency areas. We are also most interested in looking at how SAT results correlate with local student writing samples and course proficiency.

**For 2023-24 IXL** is being used to assess student progress in Math and ELA.

**2. Goal and Description:**

*Great Bay Charter School will strategically review student learning data, implement support strategies for closing gaps where appropriate, and ensure that it can communicate all data to indicate program effectiveness*

**Who is responsible:** Data Strategies Team, Leadership Team, GBCS Teachers

Objectives	Measurement	Timeline	Progress Checks	Outcome
<b>Objective A2.1:</b> Develop a school-wide approach to data review that integrates individual review, team review, committee review and Leadership Team Review	Develop data strategies plan	Ongoing 2023-24, 2024-25		Data Strategies plan can drive review of assessment data and
<b>Assessment:</b> GBCS began accessing Performance Plus in the 21-22 school year. Middle and high school teams accessed and reviewed student assessment data and integrated IXL in reading/writing and math. Continued review will extend through 2023-24 and expand to the elementary grades in 2024-25.				
<b>Objective A2.2:</b> Use available data through Performance PLUS and local assessments to better understand student achievement gaps, implement potential remediation approaches, and assess project results	All staff have access and review student data	Established October, 2021	End of Q2	School will have clearer picture of new and continuing student data picture
<b>Assessment:</b> Staff began using Performance Plus to access and review student learning data in 2021-2022. Review will continue through 2023-24 and expand to elementary grades in 2024-25				
<b>Objective A2.3:</b> Seek out and implement local assessments to be incorporated into the portfolio of student learning data	Implement at least two assessments and incorporate into Performance PLUS	May, 2022	End of Q2	School will have greater capacity to report additional assessment data in addition to NH SAS and SAT
<b>Assessment:</b> GBCS began assessment using IXL for Math and ELA. In Spring, 2023 and through 2023-24. It will be expanded to all grades in 2024-25.				



# Great Bay

## CHARTER SCHOOL

To: Members of the New Hampshire Board of Education  
Frank Edelblut, Commissioner  
Talmage Bayer, Administrator, Charter School Office, NH Dept. of Education  
From: Peter Stackhouse, Executive Director of Great Bay Charter School  
Date: March 29, 2024

Subject: Clarification of Charter Documents

I am writing to clarify the submission of three charter documents with this current expansion application. Great Bay eLearning Charter School was chartered in 2004 based upon the original charter application (attached). This document was prepared by SAU 16 Asst. Superintendent Steve Kossakoski as GBeCS was originally proposed by the Exeter Region Cooperative School District to serve ERCSD students.

The school operated from January, 2005 through June, 2011 as an entity affiliated and integral with ERCSD. All employees of GBeCS were employees of the ERCSD and there was administrative business office oversight by SAU 16. In 2011 all employees contracts had been severed by the District and the school became its own employer of all its staff members, with an independent administration without SAU 16 oversight.

At the time of the separation, we felt it was important to update our charter language and describe the evolution of GBeCS to the Department of Education. We submitted a document on October 7, 2011 entitled *Great Bay eLearning Charter School Standing Charter*. I believe Roberta Tenney was the Administrator working with us in the Charter Office at that time. That document reflected the evolution of our program to date and the new structural arrangement of our school.

We became aware earlier this year, that the updated document was not considered to be the charter document of record as it was not brought before the State Board of Education at the time. Therefore, with this expansion application, we are submitting the *original charter application*, essentially replacing all language with the updated *Great Bay Charter School Proposed Charter Revision of March 29, 2024*.

All three documents are attached with the markups made on the *original charter application*. Due to the extensive nature of the language changes (structural, not philosophical) we ask that the newly submitted document replace the original in its entirety.

# **Great Bay Charter School Proposed Charter Revision**

Submitted to:

New Hampshire Department of Education

Submission Date: March 29, 2024

Original Application Filed: February 4, 2004

Revision Submitted: October 7, 2011

Amendment and Proposal Submitted By:

**Great Bay eLearning Charter School**

(DBA Great Bay Charter School)

Board of Trustees

Tuck Learning Campus

30 Linden Street

Exeter, NH 03833

*Contact:*

*Cheryl York McDonough, Chairperson, Board of Trustees*

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*Peter Stackhouse, Executive Director*

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# GREAT BAY CHARTER SCHOOL

## Updated Charter with Proposed Amendment 2024

### Overview:

The Great Bay eLearning Charter School (DBA Great Bay Charter School) opened in January of 2005 with a population of about 30 students. The population increased to approximately 150 in the year 2011. The school expanded in 2024 to include grades 5 – 12 (the original application was for grades 9 and 10). All grades between the 2005 opening and today were added incrementally with approval from the New Hampshire Department of Education.

As a duly chartered public school in the state of New Hampshire, the Great Bay Charter School (GBCS) targets students whose academic records, classroom anxiety, attendance issues, or other circumstances place them at risk of academic struggle precipitated by not showing up, a lack of genuine cognitive engagement, or not finding a space that accommodates their individual learning style or interests. Research clearly shows that many students require an alternative approach to education in order to remain fully involved, meet high academic standards, and to fulfill all state, school, and ultimately, graduation requirements. Great Bay Charter School remains committed to being that choice for families.

The establishment of GBCS in 2004 laid the foundation for presenting new and exciting methods of involving students in their own education. Great Bay Charter School was established to maintain student interest, increase academic achievement, and more fully address the needs of at-risk students. The program still combines elements of traditional educational programs enhanced by project-based, personalized, and innovative teaching approaches. The results are a high-quality program of study that accepts students as they are and attempts to personalize a program that works for them.

Although the original charter was very technology driven and based on the premise that most students would be working independently by using a variety of technology resources, we quickly realized that the student population craved working in groups of varying sizes with other students and trusted adults in a risk-free academic environment where they felt comfortable enough to be wrong. As all good educators should do, we pivoted and taught the students we had, not the students we *thought* we were going to have.

Given the variety of student learning styles and backgrounds represented at the Great Bay Charter School, we do not have a “One Curriculum Fits All” model. Rather, students are offered a variety of courses, experiences, and fields of study that meet both their personal interests and identified academic needs. While offering this broad range of educational studies, educators collaborate with the student and parents to assure that each student has a balanced program that prepares them for entry into the next class, the next grade span, higher education, a gap year, and/or the world of work.

At the Upper School (6-12), learning takes place through participation in scheduled classes, small special interest groups and independent project initiatives. Student learning plans are based upon student interest and needs. Assistance is provided to aid students in attaining the skills necessary to reach educational goals. Each student is assigned to one advisor to ensure that an adult mentor, who

knows the student, can provide knowledgeable advice regarding the student's academic program. In addition, the grade-level base-teams have a low ratio of students to adults.

At the Lower School (K-5), students will also be part of a base cohort with one trusted core adult and a varying number of other teachers and coaches depending on grade level. The older the student, the more they will change classes during the day. The younger students will spend the majority of the day with their core adult and work with specials as scheduled. The lower school will also be driven by project-based interdisciplinary education as they are guided through the educational fundamentals necessary to build a strong foundation for the upper grades. The younger students will have an advisory where they will explore, discover, and gain competence in the skills they need to be a good community member and a successful student.

Regardless of the grade, Great Bay Charter School is characterized by an interdisciplinary, project-based, flexible and personalized educational program for each student. The manner in which students fulfill their own unique requirements differs from student to student; however, a high level of academic and behavioral expectations is consistent for all students of all ages. We hold ourselves to the highest standard on providing an environment where students feel comfortable and parents feel confident that their children are in safe hands. We pride ourselves on introducing all students to community service opportunities, social emotional learning experiences and relationships with at least one trusted adult.

**The Future of the Great Bay Charter School:** Our future is to serve grades K-12 in one school by providing an innovative, personalized, interdisciplinary and project-based learning environment. Families have continued to voice a need for a school of choice that spans those grades and affords the younger students the opportunity to stay in an environment that they have found success in. Currently they would have to transition to a new school and for many of these students transitions can be a real setback. It is also a chance for us to prevent some of the angst and anxiety that some students experience in those grades. That brings them to us with baggage that has to be undone while they learn (or relearn) to trust and believe in their own ability to be a successful and confident student. Additionally, we will continue to advocate for charter schools in the state and try to change the negative perception that some people have of us by educating and extending ourselves to other schools and educational professionals. We will also widen our attempts to partner with sending districts to become collaborators rather than competitors.

**GBCS Community Goals:** The goal of the greater learning community is to support the development of a high-quality educational alternative to traditional community school for students at risk of underachieving or becoming disengaged at school. A segment of public school students need a flexible and innovative environment that prepares them for the next educational step. We view our school as another public choice available to families in New Hampshire – not a better choice, not a worse choice. Just a different choice for students who may learn differently or need a smaller environment. Such a school must capture the interest of the students, empower them in their own program, provide a safe educational climate and engage parents in their child's program. When seeking alternative educational programs, research regarding school choice suggests that parents and students seek a program that has the following seven key characteristics:

- *High academic standards,*



- *Innovative approaches,*
- *Small size,*
- *Special interests curriculum,*
- *Greater flexibility in the educational program,*
- *Parental philosophies that perceive the charter school as a “best fit” for their child, and*
- *Flexibility and an emphasis on community service, project-based learning, and real-life experiences provided through authentic applications, practicums, internships, and job shadowing.*

### **Mission**

*The Great Bay Charter School will provide an engaging, respectful, accepting learning environment enriched with flexible, project-based options in support of students with diverse needs and interests as they navigate their personalized educational their educational path through primary school, to elementary school, to middle school, to high school, to college and career readiness, and ultimately to participatory citizenship, and service to others.*

### **Statement of Core Values and Beliefs**

*We, the Great Bay Charter School Learning Community, believe that students and teachers benefit most from a respectful, diverse, project-based learning environment. Our program is based on the strong conviction that every student can learn. We further believe that all learners teach and all teachers learn. We are committed to sharing our experiences about teaching and learning with other schools, as well as individual educators and students from outside of our school. Above all, we value open minds, acceptance, healthy relationships, active cognitive engagement, student voice, integrity, and social responsibility.*

**The following core beliefs form the basis for the educational assumptions that underlie all goals, objectives, activities and outcomes of GBCS:**

- *Students can learn if educators allow for differences in learning styles, abilities, interests, and needs,*
- *Engaging students in project-based and service oriented educational curriculum allows students to more fully achieve their educational goals,*
- *The judicious and appropriate use of technology enhances education, and prepares students for either post-secondary education programs or employment, and*
- *Educators in the Great Bay Charter School are responsible for, and capable of, providing assistance to other students and teachers in the area, the state, and beyond.*

The Great Bay Charter School and its administration believe that by providing a unique and innovative educational option for those students whose needs are not fully met in traditional settings, they have been (and will continue to be) successful in engaging students in a challenging education. Each individual learning plan is relevant to the student’s goals and facilitates the student’s meeting of high school graduation requirements. Supported by a coalition of educators and professionals from a wide variety of disciplines, the Great Bay Charter School is committed to capturing and maintaining the interest of students who may otherwise have left school without realizing their full potential. No

distinction is made between “college prep” and “technical education”. No division that might exist between ethnic groups, social classes, or gender groups is fostered or tolerated.

Families are our “consumers” and we want to ensure consumer satisfaction through their participation in a high-quality academic program that meets their needs. By utilizing individual learning plans written in a collaborative manner by students, parents, and teachers, and by developing personal learning contracts, students assume a greater degree of responsibility for their learning. Teachers are supported in their exploration of innovative teaching practices and both teachers and students are expected to participate in collaborative learning projects with others.

### **Curriculum:**

The academic program meets all local, state, and national standards for high-quality. As students advance, they are encouraged to take classes from other education sources and utilize curriculum from a variety of content providers. Because the curriculum allows for an individual learning plan for each student, the opportunity to collaborate with other students is one of the distinguishing factors regarding the operation of the school. Additionally, the GBCS K-12 model is designed for both vertical and horizontal articulation of essential curriculum standards resulting in outcomes that reflect deep levels of understanding.

Coordination with a wide variety of business and industry partners is an ongoing goal. The Administration is responsible for outreach in the community and beyond. It identifies prospective partners from the fields of science, mathematics, technology, medicine, veterinarian medicine, vision, dental health, software production, video production and editing, media and others and will work to establish mentoring, job shadowing, internships, summer and part-time jobs, and corporate giving.

### **General Curricular Learning Expectations**

#### ***Students will:***

1. *Demonstrate and apply the skills necessary to read, write, speak, view, and listen effectively (English Language Arts)*
2. *Demonstrate and apply mathematical reasoning and computation skills (Mathematics)*
3. *Demonstrate and apply understanding of the history, culture and art of America and the world (Social Studies and Arts)*
4. *Demonstrate and apply the principles of physical and biological sciences (Science)*
5. *Demonstrate and apply their understanding of the use of appropriate tools and a variety of techniques to effectively collect, research, analyze, organize and present information (Cross-curricular)*
6. *Demonstrate and apply appropriate problem-solving strategies in a variety of contexts, both individually and in groups (Cross-curricular)*
7. *Demonstrate and exhibit personal qualities such as responsibility, self-management, integrity and respect for oneself and others (Cross-curricular)*

The Great Bay Charter School was evaluated and lauded by teams of educators who conducted re-charter visits and evaluations. Additionally, the GBCS Directors set yearly goals and conduct spring evaluations of the school, its success in meeting goals, and the curricular and co-curricular programs. A presentation of findings is presented to the Board of Trustees on an annual basis. The presentation is based upon the yearly goals and the seven principles outlined above.

**Governance:**

The Board of Trustees, whose policies comply with all state and federal statutes and regulations, is the only governing body of the school. The Board of Trustees is prepared to exercise authority, set policy and make decisions that serve the best interests of Great Bay Charter School.

**Program Design:**

The Great Bay Charter School program meets all traditional curriculum requirements using innovative methods enhanced by the judicious use of technology and a vast array of courses and methods from which students and parents can choose. In the same way, faculty members write much of their own content and students are able to complete courses from all curriculum areas. At all grade levels, a heavy emphasis is placed on student collaboration and learning from others. The goal is for students to achieve competence. Much less emphasis is placed on *how* the student chooses to meet the course competencies.

GBCS supports the use of supportive advisory programs and activities to reduce academic and social issues and continues to foster a strong and effective advisory program.

**Instructional Materials:**

Faculty at the Great Bay Charter School develop much of the content for all grades, courses and subjects offered. Classes may have experiential activities, career-related components, practicum opportunities, field experiences and community service as a part of the course of study. Each individual learning plan documents specifically the criteria for completion of the course. Students selecting outside courses are required to meet all requirements set by that instructor and the course requirements are reviewed by the advisor and student. Even the youngest students are involved in choosing some materials or specialties they may be interested in learning about.

**The Technology Environment:**

The Great Bay Charter School founders recognized the power of technology in the classroom. Visual literacy has developed significantly over the past half century and computers and design software are widely used across the professional spectrum. Students at GBCS are exposed to the computer as a design tool, and armed with extensive technology resources in preparation for their future in both school and the real world. Students are also expected to use all technology in a responsible manner and from the earliest grades will be engaged in the acceptable use of media and electronic resources. Additionally, internet safety protocols will be both presented and practiced.

One of the primary goals of incorporating technology into the curriculum is to introduce the youngest students to the necessary skills to effectively use technology in the classroom and to facilitate

the process as the older students explore how to use it in various professions, and perhaps creating a potential career path after completion of high school. In order to support an atmosphere that allows students to develop their potential while fully engaging in the educational process, the school provides enough devices to insure a one-to-one student-to-computer ratio.

Students have the tools necessary to produce age-appropriate digital portfolios that document their success in school and progress on individualized learning plans. These portfolios will follow them for their entire time at GBCS – potentially a student could graduate with a portfolio that memorializes 13 years of school! Samples of their best work can be saved from year to year and eventually their digital portfolio (which may include drawings, journals, writing, self-reflections, exemplars, resume, letters of recommendation, awards, transcripts and other appropriate material) will be the foundation of all student-led conferences which start with the very youngest students as they become accustomed to reflecting on, and taking ownership over, their own learning. Ultimately these portfolios can be used as students apply for college admission and/or places of work.

#### **Advancement Requirements for Great Bay Students:**

The educational requirements for Great Bay students meet all local and state requirements. Matriculation from grade to grade is dependent upon satisfactory work in the areas assigned in the student's individual learning plan. In addition to academic work, the upper school student may select community service, a part-time job, or an internship or practicum as a part of the individual learning plan.

Lower and Upper School students may also demonstrate competence in any subject area by filing a written request with a core teacher who will forward it to the subject area teacher and administrator. For example, a student involved in music lessons may have arts noted on their summative report or evaluation. The student will then share with a teacher and administrator artifacts that document the competence and if successful that will be reflected on academic records.

Students who have completed a year of schooling in the GBCS program with satisfactory results are not required to petition for space in the program for the following years. Each student who performs satisfactorily and is making progress has the right to continue in the Great Bay program until graduation. Progress and satisfactory performance is determined by the administration.

#### **Staffing Overview:**

Personnel hired to teach in the charter school comply with RSA 194- B: 14 IV, which requires the teaching staff of a charter school to consist of a minimum of fifty percent certified teachers. Personnel who have appropriate academic credentials, are innovative, and are interested in the application of real

world concepts to education, are qualified for selection. Administrative responsibilities are assigned to the Executive Directors and Dean of Students.

Personnel share the following personality characteristics:

- *Intellectual curiosity*
- *Flexibility*
- *Innovative nature*
- *Commitment to the mission of the Great Bay Charter School*
- *Ability to work cooperatively and collaboratively with other teachers*
- *Ability to value all students for who they are*

Personnel Compensation - The Great Bay Charter School complies with all state and federal laws pertaining to employment compensation and leave provisions. The school also complies with all laws pertaining to pre-employment requirements, such as Criminal History Records under RSA 91A:1.

#### **Statement of Assurances:**

The Great Bay Charter School does not discriminate on the basis of race, color, religion, national or ethnic origin, age, sex, gender, sexual orientation, disability, or marital status in the selection of students or staff or in the administration of its educational programs or in any other way as is prohibited by law.

#### **Special Education:**

Methods of coordinating with a pupil's LEA for matters pertaining to Special Education: GBeCS comply with federal and state special education laws and rules applicable to a New Hampshire charter school setting (see Commissioner of Education's memos (FY 07) numbers one and fourteen regarding special education and charter schools)

Additionally, RSA 194-B: 11-III states that all options available to the parent and LEA are retained in the charter school setting. Current options include:

1. the parent has the right to accept or reject the district-proposed plan in part or in full
2. the local education agency may provide some services to the child outside the assigned district school or outside the typical school hours
3. an education plan of short duration or one that allows for a trial period in a program
4. either the parent or school may initiate the resolution of disagreements about the district's recommended program through the Department of Education. Advisors and case managers work to assure that special education students have an appropriate individual learning plan -- one that allows them to be successful.

The Great Bay program recognizes and respects the input of the sending LEA, which has the responsibility for providing special education services and assigns a charter school liaison to collaborate on matters that pertain to an individual student.

While the Great Bay educational program is unique in both its approach and the degree of involvement the student has in planning his/her program of studies, the program meets or exceeds New Hampshire content standards.

**Admissions Policy (in compliance with Ed 318.05):**

The Great Bay admissions policy does not intentionally discriminate against any individual or violate individual rights in any manner prohibited by law.

Factors taken into consideration in the approval of applicants include academic need (based on past-performance), parental recommendations, teacher and/or guidance counselor recommendations, and space availability. Should demand for participation exceed space availability, a lottery is held. Eligible students are identified and placed in a pool from which random drawings occur until fifty students have been selected. Students not selected from the lottery pool are placed upon a wait list in the order of the date and time of their application. In the event that a student withdraws from the school, the student whose application is dated earlier than other applications is given the opportunity to participate. The selection process continues until all available spaces are filled.

**Student Behavioral Expectations:**

Policies for student governance are developed by the Board of Trustees and reflect the same high expectations for student behavior that exists within the traditional program. The policy is clear, states expectations for student behavior, and indicates possible consequences. Mentors, volunteers, and counselors are assigned as needed to help students meet behavioral expectations. Should the student be unable to perform satisfactorily in a manner that allows a respectful environment for all students, the student may be suspended or expelled from the Great Bay Charter School. The Great Bay Charter School provides fair and age appropriate due process to students and complies with current suspension and expulsion provision as detailed in RSA 193:13 (Suspension and Expulsion of Pupils) and RSA 194-B, 9,III, the pupil may withdraw from a charter school based upon criteria determined by the board of trustees consistent with the advice of the administration and faculty and in conformance with RSA 193:13. No public school shall be compelled to enroll an expelled student.

The administration recognizes that expulsion is seldom an answer to student behavior issues and takes the position that through counseling, mediation, mentoring, and a wide diversity of learning

opportunities, students are helped to maintain an acceptable level of behavior and may remain in school.

Pupil governance and discipline are age-appropriate and due process procedures are in place for all disciplinary matters including suspension and expulsion.

### **Method of Administering Fiscal Accounts and Reporting:**

Great Bay Charter School follows public nonprofit accounting guidelines and accounting controls that protect the good name of the school and its assets. The Board of Trustees implement policies for the fiscal management of the charter school. The Executive Director for Business Services, in conjunction with the treasurer of the Board of Trustees for the Charter School, oversees the management of the funds. The school complies with all requirements specified in the law pertaining to reporting requirements (RSA 194-B:101-V. This list includes the following:

- *annual report*
- *annual financial audit and report*
- *program audit*
- *annual school budget process*

### **Annual Budget and Funding:**

Pursuant to Ed. 318.07, Great Bay produces an annual report that includes but is not limited to the following components:

- General progress report regarding operation of Great Bay Charter School
- Budget plan for operation of Great Bay Charter School
- Assessment and reporting of the manner in which Great Bay is able to meet its educational and financial goals, as identified in the Great Bay Charter School mission statement
- Balance sheet identifying assets, liabilities, fund balances, equities, donations, grants awarded, grants in progress, endowments
- Income and expenses projections for coming year

The Board of Trustees has established policies for the administration of funds, for check writing authority, and has determined a ceiling on discretionary expenditures. In addition, the trustees empower the business department to establish a purchase ordering system which provides a clear picture of expenditures and the status of accounts. Those individuals with check writing authority are bonded in accordance with guidelines of the New Hampshire Department of Revenue Administration.

Donations, endowments, and other liquid assets are deposited in a separate account set up to handle those transactions and the Executive Director for Business services, in conjunction with the treasurer appointed by the Board of Trustees, is responsible for assuring that all donations are used as directed by the donor.

**School Calendar and Hours of Operation:**

Great Bay fulfills the intent of RSA 194-B.8,II in regard to its annual calendar. Hours of operation are flexible, as are the strategies for meeting the calendar requirement. While classes begin at approximately 7:45 a.m. and end at approximately 2:15 p.m., the school may opt to use less traditional hours and/or stagger the hours for upper and lower schools.

**Evidence of Adequate Insurance Coverage:**

Pursuant to RSA 194-B:1,III, Great Bay Charter School is subject to the protections afforded any public school under RSA 507 (b) which provides for Limited General Liability for the charter school and its agents.

**Parent Involvement:**

Great Bay Charter School expects maximum participation from parents and members of the community. Parents participate on the Board of Trustees and committees to develop and revise strategies to enhance student success, increase student involvement in community service, practicums, internships, and field experiences.. In addition, parents participate in efforts to bring substantial donations, endowments, and grant opportunities to the school. Parents of students enrolled in the school are encouraged to volunteer. This consists of support for the faculty, assistance to students on special projects, co-curricular activities, work on a committee, assistance with the facility or other types of support designed to assist in operating a state-of-the-art program while maintaining a cost-neutral budget.

**Severability provisions and statement of assurance:**

If any provision of the charter agreement is determined to be unenforceable or invalid for any reason, the remainder of the charter agreement shall remain in effect unless otherwise terminated by one or both of the parties in accordance with the terms contained herein.

**Provision for dissolution of the charter school including disposition of its assets:**

The Board of Trustees for the Great Bay Charter School is committed to assuring that the management of the school is exemplary and that Great Bay becomes an educational option of which the community is proud. However, in the event that the charter is terminated and the dissolution of Great Bay Charter School should occur, all property that the school has purchased, leased, or otherwise contracted for shall be transferred to the traditional program or returned as per contractual agreement.



Under circumstances that require dissolution, the board will:

- *Research best use of property and retire all debt obligations*
- *Acknowledge that all personal property of the faculty and administrators shall remain their property*
- *Coordinate with the faculty and parents of students being reintegrated into the traditional programs*

A minimum of one semester notice of closing will be provided to parents and students. All records will be transferred in a timely manner and the staff and trustees of the Great Bay Charter School will work with the receiving site to make the transition as educationally sound as possible. School personnel will obtain permission for a release of information prior to transfer of information.

# **Great Bay eLearning Charter School**

Charter School Application

Submitted to:  
New Hampshire Department of

Education February 4, 2004

Submitted by:  
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# GREAT BAY eLEARNING CHARTER SCHOOL

## Overview:

The Great Bay eLearning Charter School (GBECS) targets students in that 60% of middle range students whose academic records, attendance records, or other circumstances place them at risk of school failure. At Exeter High School, 59.2% of the this year's freshmen class average a C+, or less. Research clearly shows that these students require an alternative approach to education in order to remain fully engaged, meet high academic standards, and, ultimately, to fulfill all graduation requirements. The establishment of a state-of-the-art charter school that is technology oriented, and presents new and exciting methods of engaging students in their own education is the answer to maintaining student interest, increasing academic achievement, and more fully addressing the needs of students who are at risk.

The proposed project will combine elements of traditional educational programs enhanced with project-based, innovative teaching approaches, resulting in a high-quality, technology-oriented program of study. GBECS will incorporate two forms of distance learning technologies in order to take advantage of the "best of both worlds." GBECS will design its own online content for use on the Internet (asynchronous streaming and web-based learning), allowing students to work independently with material delivered to the desktop. Additionally, interactive content will be developed and delivered over distance learning/video conferencing technologies, allowing students at both local and remote sites to freely interact, asking questions and receiving answers in "real-time" and in essence, creating a virtual classroom. Content created by GBECS will be offered free, or at a minimal cost, to all interested schools. Through this process, an "Open Source Content" program will be established where online content is freely available to all schools in the world to reuse or improve with the understanding that the content remains available to all schools. This initiative is based on the software distribution pro

grams known as “Open Source” and “Free Software.”

The charter school will have 500 video conferencing “connections” available to educators throughout the nation and beyond. There will be no “One Curriculum Fits All” within the Great Bay eLearning Charter School. Rather, students will be offered a variety of courses, experiences, and fields of study that meet both their interests and academic needs. While offering this broad range of educational studies, educators will collaborate with the student and parents to assure that each student has a balanced program that prepares them for entry into higher education and/or the world of work. Rather than a specific “list” of required courses, students may choose from an almost infinite number of learning opportunities brought to them from throughout the world. Learning plans may incorporate the student’s work or interests outside the school, such as a part-time job in a career field of interest to the student. Some student work will be built around a common theme or project. Other activities may use the considerable technology planned for the charter school as a means of furthering student learning. Learning will take place through participation in small groups, however many students will work independently on projects. Student learning plans will be based upon student interest and needs, and assistance will be provided so that the student is assured the skills necessary to reach his or her educational goal.

Each student will be assigned to one advisor for their entire GBECs career to ensure that an adult mentor, who knows the student, can provide knowledgeable advice regarding the student’s academic program. In addition, the small groups or learning teams will have a low ratio of students to adults. A student-mentor program will allow students from each grade level to have a mentor one or more grade levels above their current placement. Additionally, flexible scheduling will allow educators and corporate partners to collaborate with students to enhance student learning in real-life settings. The Great Bay eLearning Charter School is characterized by a flexible and

personalized educational program for each student. Students participating in the charter school may move across settings for courses in either the charter atmosphere or the more traditional classroom setting. The manner in which students fulfill requirements will differ from student to student; however, a high level of expectation will be consistent for all students.

Instruction will reflect project-based learning—an approach proven to be highly effective with at-risk students. The emphasis on project-based learning may help to reduce the number of students who have trouble transitioning from 8<sup>th</sup> to 9<sup>th</sup> grades. While the curriculum will meet all local, state, and national standards and methods used to present the material will reflect “best practices,” the method of delivery and the procedures for fulfilling requirements will reflect the innovation required to fully engage students in the learning process.

**This eLearning concept involves the implementation of the latest in educational technology that will provide expanded learning opportunities for students and professional development and continuing education opportunities for teachers and administrators.** GBECS fully understands that technology-based projects fail unless proper training, instruction and support is provided, and has engaged corporate “technology partners” for the purposes of this project. TANDBERG (a global video-conferencing manufacturer), View Communications (a New Hampshire technology integrator), Dasher Enterprise (an Educational Consulting firm), Howe Schools (an award-winning Oklahoma school district and Professional Development provider) and Southeast Island School District (an Alaskan School district with a deployed distance learning program) will all be active participants and educational/technical support systems for the purposes of this project.

SAU 16/ERCSD is uniquely qualified to initiate the development of a technology

intensive charter school program. Technology leadership, at the district level, is provided by the position of Assistant Superintendent for Technology and Research. Additionally, SAU 16 maintains a Technology Services support team which includes a manager and six technicians. This team of support personnel will be available to the GBECS to trouble shoot and maintain hardware, software, and network services. SAU 16/ERCSD has a history of successfully implementing "cutting-edge" technology in the K-12 environment. The district has been a leader in the development of e-learning courses and resources (via WebCT). Moreover, the district has been active in promoting the advancement of technology integration by developing its own in-house training programs. The district is also the home to the Seacoast Professional Development Center which is one of four professional development centers established through grants from the NH Department of Education. This center has focused on providing professional development to educators working in the seacoast region in the areas of e-learning, technology integration, and data-driven decision-making.

### **The Future of the Great Bay eLearning Charter School:**

The future of the Great Bay eLearning Charter School is bright. By 2007, the GBECS may grow to include students from grades 11 and 12. If this occurs, it is anticipated that students could move from traditional high school programs to the GBECS for their final high school years or, students from the GBECS may decide to return to more traditional programs. In either case, it will be the academic needs and interests of the students that will drive these decisions. The future of the Great Bay eLearning Charter School may also include a partnership with other local school districts. Students from area schools could travel to the GBECS site or, through the use of video conferencing and e-learning technologies students could participate in a full complement of courses from a remote location.

Many other possibilities will be available to the educational community through the Great Bay eLearning Charter School. For example, teachers may choose to use the school as a hands-on professional development site for advancing their skills.

Moreover, researchers can use the school to study the effective use of e-learning, video conferencing, project-based learning and many other aspects of this unique program.

**(a.) Mission:**

**The mission of the Great Bay e Learning Charter School is to address the needs of that middle range of students in the Exeter Region Cooperative School District (ERCSD) whose needs are not adequately met in traditional programs, and to educate those students in such a way that they will graduate as caring, productive and contributing members of society.**

**Core Beliefs :**

The ERCSD School Board and its administration believes that by providing a unique and innovative educational option for those 60% of students whose needs are not fully met in traditional settings, they will be successful in engaging students in a challenging education. Each individual learning plan will be relevant to the student's goals and will facilitate the student fulfilling high school graduation requirements. Supported by a coalition of educators, industry, business, and professionals from a wide variety of disciplines, the Great Bay eLearning Charter School will capture and maintain the interest of students who might otherwise have left school without realizing their full potential. No distinction will be made between "college prep" and "technical education". The Great Bay eLearning Charter School will demonstrate equivalent academic gains across a student body representative of the school district's population as a whole. It will be designed in such a manner that any current "digital divide" that might exist between ethnic groups, social classes, or gender groups will be eliminated. Students



will be viewed as “customers” and customer satisfaction through participation in a high quality program is the goal of the proposed charter school. By utilizing individual learning plans written in a collaborative manner by students, parents, and teachers, and by developing personal learning contracts, students will assume a greater degree of responsibility for their learning. Teachers will have new opportunities for professional growth through video conferencing technology and team teaching and through “teacher exchanges” with educators throughout the state, the nation and beyond. They will be supported in their exploration of innovative teaching practices and will be given the opportunity to develop a proposal, obtain approval, and try something new! Both teachers and students will be encouraged to participate in collaborative learning projects with others. Throughout the pre-charter period, teachers and administrators will research best practices for the different content areas and devise strategies for the application of those practices in a highly technology-oriented charter school program. Committees made up of professional educators from each discipline will develop a proposal for providing high quality curriculum to the student body. When the individual disciplines have devised their methods for teaching, the groups will meet as a body and will blend the different strategies into a cohesive plan of instruction.

The following core beliefs from the belief statement have formed the basis for the educational assumptions that underlie all goals, objectives, activities and outcomes: \*

Students can learn if we, as educators, allow for differences in learning styles, abilities, interests, and needs

\*Engaging students in project-based and service oriented educational curriculum will allow our students to more fully achieve their educational goals

~~• The judicious use of technology is essential to enhance education, and to prepare students for either post-secondary education programs or employment~~

~~• Educators in the Great Bay eLearning Charter School have the responsibility, the capability, and the will to provide assistance to other students in the area, the state, and beyond~~

### **Community Goals:**

~~The goal of the community is to support the development of a high-quality educational alternative for middle-range students at risk of underachieving or dropping out of school. Today's students need a high-quality, flexible and innovative environment that prepares them for entry into post-secondary educational programs and/or for the world of work. Such a school must capture the interest of the students and engage them more fully in their learning program. When seeking alternative educational programs, research regarding school choice suggests that parents and students seek a program that has the following seven key characteristics:~~

- ~~• High academic standards~~
- ~~• Innovative approaches~~
- ~~• Small size~~
- ~~• Special interests curriculum~~
- ~~• Greater flexibility in the educational program~~
- ~~• Parental philosophies that perceive the charter school as a "best fit" for their child~~
- ~~• Flexible hours and an emphasis on community service, project-based learning, and real-life experiences provided through practicums, internships, and job shadowing.~~

~~The Great Bay eLearning Charter School will be evaluated by SAU 16 and GBECS administration. A presentation of findings will be presented to the Board of Trustees on~~

~~an annual basis. The presentation will be based upon the seven principals outlined above. The administration will use focus groups and surveys as part of their evaluation model.~~

**(b) Governance- goal, organizational structure and plan:**

~~The founding body of the Great Bay eLearning Charter School is made up of individuals who are deeply committed to students. Recognizing that a large number (as many as 60%) of pupils in the ERCSD are not fully served by a traditional program, they have determined that it is the best interest of the students to establish an alternative program. The group, identified as Great Bay Charter Founders (GBCF) has as its stated responsibility the promotion of the charter concept and completion of the process necessary to bring this concept to fruition.~~

~~As an important step toward the opening of such an educational alternative, and in accordance with 194-B:5, GBCF will establish an effective board of trustees that will develop policies that foster widespread community involvement, enhance student responsibility for learning, and facilitate service-oriented activities as a part of student studies. The Board of Trustees plan for governance supports the National School Board Association "Key Work of School Boards" which focuses governance on student achievement.~~

~~In accordance with 194-B:5, the charter public school will be governed by a Board of Trustees, ranging from five to eleven members. By the third year, the Board of Trustees will be comprised of eleven (9) voting members. The anticipated representation on the Board of Trustees will be:~~

~~Two (2) members of the business community~~

~~Two (2) members who are parents of students enrolled in the program~~

~~One (1) member will be a University of New Hampshire educator~~

~~Two (2) members will be professional educators~~

~~Two (2) members from the Exeter Region Cooperative School Board. In addition, there will be two student representatives to the Board of Trustees who will be non-voting members. The board may elect to include additional *ex officio*, non-voting members whose involvement shall assist in providing a broad range of talent and vision to the school's governance.~~

~~To conduct business, a majority of the board members present and participating in person or through video or voice communication shall be considered as a quorum. Records and minutes of the meetings will be kept in accordance with the New Hampshire Right to Know statute which applies to all public schools.~~

~~**Sub-goal 3:** The Board of Trustees will elect officers and shall include a chairperson, vice chairperson, secretary, and treasurer. Officers shall be elected by a majority vote of the board and will serve for one year.~~

~~**Sub-goal 4:** Sub-committees shall be established as deemed necessary by the Board of Trustees and shall have the responsibility to report to the board on matters pertaining to:~~

- ~~▲ Budget management~~
- ~~▲ employment of professional personnel~~
- ~~▲ policy matters~~
- ~~▲ updating and revision board policy as needed~~
- ~~▲ student achievement~~
- ~~▲ any business that comes before the board and is not administrative in nature~~

~~**Sub-Goal 5:** Within three months following approval, the board of trustees will consist of up of seven (5) members including one member from the founding group. The initial board of trustees will develop the schedule of terms for board members and policies for filling board vacancies.~~

~~**Sub-Goal 6:** The Board of Trustees will be prepared to exercise authority, set policy~~

~~and make decisions that serve the best interests of Great Bay eLearning Charter School. Areas of oversight include but are not limited to:~~

- ~~• budget development and management~~
- ~~• hiring of project personnel~~
- ~~• policy development~~
- ~~• development of a compensation package and an established salary scale~~
- ~~• identification of project priorities and a plan of action for meeting goals~~
- ~~• establishing advisory committees as deemed necessary~~
- ~~• evaluation and approval of recommended measurement standards~~
- ~~• developing, implementing and revising bylaws as needed~~
- ~~• all other matters that are non-administrative and/or that are prescribed in statute or rule~~

#### **Outcomes for governance:**

~~The Board of Trustees, in conjunction with administrators and faculty, will have:~~

- ~~1. Developed and approved governing policies prior to opening of the school.~~
- ~~2. The Board of Trustees is an effective governing body.~~
- ~~3. Members of the Board of Trustees will serve either two or four year terms, resulting in stability on the board.~~

#### **( c ) Methods by which trustees and their terms are determined:**

~~The initial founding board, (GBCF) will research and appoint an initial Board of Trustees will may include one member of the GBCF . Terms of trustees will be staggered three year terms. Approximately one half of the initial trustees may be appointed for 2 or 4 year terms to allow for initial school stability and evolving staggered terms. The board may appoint a member to fill a vacancy to complete a term according to established term timelines. *Ex officio* Board members will have 2-year terms. Board members may serve consecutive terms if so voted by a Board majority. The Board of Trustees will have a slate of officers which shall include: the chair person, co-chairperson, secretary,~~

and treasurer. Officers of the board shall be elected by majority vote of those present at the annual organizational meeting, to serve until the next annual organizational meeting.

**(d) Facility plan:**

The ERCSD is fortunate to have an existing building on the current high school campus where the Great Bay eLearning Charter School will be housed. Classrooms will be renovated during the initial three years of the project, as enrollment increases. One learning center/library will be designed to accommodate large groups and include video conferencing capabilities and traditional print resources. Of the additional four proposed classrooms, one will include a Science Solutions Lab, used for carrying out Biology, Chemistry, and Physics experiments. This lab will be equipped with specially designed interactive video science lab equipment, allowing remote sites to join the science classes and interact seamlessly while performing or viewing experiments. One room will be equipped with distance learning equipment, creating a "virtual field trip" lab that allows students visits to museums and other content providers throughout the country at the click of a button. The remaining two classrooms will also have distance learning capabilities as well as open workspace for project work. Computers will be added as enrollment grows in order to maintain a one-to-one student-to-computer ratio.

By the opening of school, in January of 2005, two former Industrial Arts labs (3,385 square feet) will be renovated and configured to include the learning center/library, a classroom, workspaces/conference rooms, and offices. This space is currently used for storage and is located on the campus of Exeter High School. These labs are located in an area where an entrance for the GBECs can be established which is separate from Exeter High School. It is anticipated that a portion of the cost for design, materials, and labor will be donated by area businesses to assist with this project.

The existence and availability of the building on the Exeter High School campus allows

~~the development of the Great Bay eLearning Charter School without undue expenses for rental or construction of a facility and is a major factor in the district's ability to operate a charter school at a cost-neutral or near neutral cost. Furthermore, the ERCS is currently constructing a new high school with an anticipated opening projected for September, 2006. At that time, the current Exeter High School Campus will be vacated providing the GBECS will additional room for growth.~~

**(e) Maximum number, grade or age levels, and as appropriate, additional information regarding participating students:**

~~The Great Bay eLearning Charter School initially will serve approximately fifty (50) 9th grade students from that middle range of students known to be at risk for academic failure or dropping out. One grade per year will be added as students move through the grades and at the end of three years the Charter School will serve students grades 8-10. The flexible schedule which will be utilized in the Charter School will allow the program to "attract back" those students who were early dropouts but who desire to complete a high school education. Future plans are to expand this program to include students from other school districts depending interest and need. Preliminary meeting with representatives from area school indicate that there would be significant interest in such a partnership.~~

~~The Great Bay eLearning Charter School is scheduled to open in January of 2005 with a population of 50 students. The population will increase by 50 additional students each year until 2007. The school at that time will accommodate 150 students in grades 8-10. Prior to the 2007 school year, a study will be conducted to determine if the GBECS should expand its offerings to include grades 11 and 12. Factors that will be taken into consideration in the approval of applicants will include academic need (based on past performance), parental recommendations, teacher and/or guidance counselor~~

recommendations, and space availability. If the number of qualified applicants exceeds the capacity of the school then a lottery system will be used to determine which students will be admitted.

<b>Projected Enrollment</b>			
	<b>2005</b>	<b>2005-2006</b>	<b>2006-2007</b>
<b>Grade 8</b>			50
<b>Grade 9</b>	50	50	50
<b>Grade 10</b>		50	50
<b>Total</b>	50	100	150

Student recruitment for the initial year of operation of the Charter School will begin in the fall of 2004. Students who have completed a year of schooling in the GBECS program with satisfactory results will not be required to petition for space in the program for the following years. Each student who performs satisfactorily and is making progress shall have the right to continue in the Great Bay eLearning program until graduation.

**(f) Curriculum:**

**The student's program of study will meet all local, state, and national standards for high-quality, challenging curriculum and will meet the same high expectations for student progress that are found in the traditional educational program.**

The Great Bay eLearning Charter School will use a "hybrid" e-learning model, blending on-line learning and video conferencing technology with a project-based approach to instruction. Research has consistently shown that a meaningful, project based approach to education can improve student achievement (Edutopia, [http://glcf.org/php/article.php?id=Art\\_887&key=037](http://glcf.org/php/article.php?id=Art_887&key=037)). Advocates for distance learning posit



that students are motivated by interactive online learning. Additionally, students involved in online learning have access to the best educational resources from any part of the world at any time of the day. By combining the best face-to-face project-based instructional strategies with e-learning technology and strategies students will be motivated to meet high academic standards.

The Great Bay eLearning Charter School will establish a vigorous partnership with the University of New Hampshire. The GBECS will become a school where UNH teaching interns will develop their educational teaching skills through observation, teaching, and by assisting students with projects. The Great Bay eLearning Charter School will provide on-the-job training for pre-service teachers in a high-tech setting which will be beneficial to all schools. Many current teacher graduates are familiar with technology, but have little, or no, experience in the effective use of technology in the classroom. UNH will also provide the GBECS with access to scientists, historians, mathematicians, and other experts through e-learning and face-to-face visits. Additionally, UNH researchers will be provided with access to the GBECS to study the effectiveness of the school's educational model.

As students advance, they will be encouraged to take classes from other higher education sources and to utilize curriculum from a variety of content providers throughout the nation and beyond. Because the curriculum represents an individual learning plan for each student, the opportunity to collaborate with other students will be one of the distinguishing factors regarding the operation of the charter school.

Coordination with a wide variety of business and industry partners is proposed. The Principal will be responsible for heading up a team of educators and other interested parties who will do outreach in the community and beyond. The team will identify prospective partners from the fields of science, mathematics, technology, medicine, veterinarian medicine, vision, dental health, software production, video production and

editing, media and others and will work to establish mentoring, job shadowing, internships, summer and part-time jobs, and corporate giving.

### **Program Design:**

The Great Bay eLearning Charter School program will meet all traditional curriculum requirements, but in an innovative manner enhanced by the judicious use of technology and a vast array of courses from which students can choose. Students who must take European History may take it from a German High School. A foreign language can be taken from a native speaker in the country of origin. In the same way, Great Bay eLearning faculty members anticipate writing much of their own on-line content and students may choose courses from those areas as well. There will be a heavy emphasis of student collaboration and learning from others via interactive video conferencing. What is important is that the student achieves mastery, with less emphasis on how the student chooses to meet the course requirements. It is anticipated that the academic and career preparation of participants graduating from the Great Bay eLearning Charter School will exceed those of their peers who continue their studies in a traditional educational environment.

### **Supplemental programs**

One particularly important aspect of the Charter School is the after-hours support program. This aspect of the program is designed to provide a three-hour tutorial Monday through Thursday. Any student who needs further instruction in a particular area of study may sign up for one-on-one time with the educator and/or a volunteer of his or her choice. These meetings may take place at the GBECS or online through the school's secure course management system. The student may sign up because he needs further assistance, or because he or she desires to carry out an in-depth study of a particular area of interest. This type of program has been referenced in many of the dropout and academic improvement reports by educational researchers and has shown

to be highly effective.

Student technical assistants will be established as a part of the Student Advisory system. The students will be given training in the operation of all technology equipment. They will be encouraged to serve in the "Student Technology Leadership Program" (STLP) established as a part of the charter school program. This program will be based on the STLP originally designed by the Kentucky Department of Education. The goals of the STLP are to: (1) to develop instructional activities that integrate technology into the school's administrative and instructional programs, (2) to form learning partnerships with students of varying technological levels, (3) to develop activities that benefit communities, (4) to provide leadership opportunities for all students, and (5) to develop activities that foster the academic, social, and emotional growth of students. Students in this program may be called upon to demonstrate, teach, and monitor equipment. They may also participate in late afternoon, evening, and weekend activities for students attending during atypical class hours. STLP participants may elect to receive credit for their assistance with technology, and upon passing exams for technical proficiency, may earn dual credit for an Introduction to Technology course offered by institutions of higher learning. By utilizing students for peer advising, and technical assistance, the GBECS will be able to provide after-hour and weekend courses at a lower cost than would otherwise be possible and at the same time, will encourage students to explore careers in education and technology.

The emphasis on project-based learning will also help to reduce the number of students who have trouble transitioning from 8<sup>th</sup> to 9<sup>th</sup> grades. Research indicates that many students transitioning to high school experience a drop in grades, view themselves more negatively, and experience anxiety about the high school environment (Mizelle, 1995; Phelan, Yu, & Davidson, 1994). However, research also supports the use of supportive advisory programs and activities to reduce the problems

associated with the transition (Maclver & Epstein, 1991). The GBECS curriculum will meet all local, state, and national standards and methods, however, the method of delivery and the procedures for fulfilling requirements will reflect the innovation required to fully engage students in the learning process, to ease the transition from middle school to high school and to boost the achievement levels of all students.

**Unique aspects of the proposed Charter School may include the following:**

- ▲ Anywhere anytime learning that addresses the need for alternative schedules
- ▲ Judicious use of technology to allow participation in course work and research that spans the state, the nation and beyond
- ▲ Courses of study that are tailored to the interests and capabilities of the student
- ▲ The participation of higher education personnel to enhance student learning in a particular area of study for which highly advanced knowledge may be required
- ▲ Practicum and field work that expands developing skills in a particular field
- ▲ The potential for supporting students who would like to become certified in a technology related field
- ▲ Distance learning and E-learning
- ▲ Fully equipped electronic classrooms that allow the use of a wide variety of technologies to support student learning

The eLearning concept utilizes high-tech equipment to provide important learning opportunities for students in the school. Pre-service teachers and others who desire the ability to perform in a high-tech work environment will also be able to benefit from this unique learning environment.

**Instructional materials:**

Faculty at the Great Bay eLearning Charter School will develop much of the content for courses offered through the program. Classes may have work-study components, practicum opportunities, field experiences and community service as a part of the course of study. Each individual learning plan will document specifically the criteria for completion of the course. Students selecting on-line courses from

~~collaborating schools will be required to meet all requirements set by that instructor and the course requirements will be reviewed by the counselor and student to assure that the course meets the exacting standards in place for all ERCSD students.~~

~~By the year 2010, 60% of all jobs in New Hampshire will require technical skills. Those jobs pay, on average, \$36,000 more per year than jobs in the private sector that do not require technology. Thus, the Great Bay eLearning Charter School will have a heavy emphasis of the use of technology, both to enhance education for students, and to prepare them for further study or careers in fields that require technology. This effort is essential to the state's employers who currently must hire from outside the state to fill existing high-tech jobs due to the lack of workers with technology skills sufficient to fill their high-tech, high-paying jobs.~~

~~Other career-oriented programs of study, such as Project Lead the Way, Cisco Academy, Project Running Start and courses of study from the New Hampshire Community Technology College System will allow students to graduate from high school certified in a vocational field of their choice and prepared to enter the workforce.~~

### **Student contracts:**

~~Participating students and their parents must make a commitment to meet Great Bay eLearning requirements. A contract, including an individual course of study (learning plan) will be developed by the student, the parent(s), the counselor and the school. The contract will outline the mutual expectations that are held for the student. Elements of the contract will include but are not limited to:~~

- ~~• 95% attendance rate~~
- ~~• satisfactory progress in every course of study~~
- ~~• behavior that brings credit to the Charter School and the student~~
- ~~• student agreement to complete academic requirements satisfactorily~~

The Great Bay eLearning Charter School attests to:

- provision of a highly interactive, high-tech environment that is of interest to students
- emphasis on project learning, field work, practicums, and part time jobs that bring real life into the classroom and can be successfully incorporated into a course of study
- strong counselor and mentoring programs to guide students and help to assure success

• community interface with a wide variety of professionals from all walks of life  
The parent will:

- attend quarterly parent meetings during the year and participate in jointly held student, counselor, mentor, and parent meetings
- set firm guidelines that result in the student meeting his/her commitment to school policies and programs including attendance, participation, and scholarly endeavor
- meet with school personnel as needed to assure that any student problems are resolved in a timely and satisfactory manner for all
- maintain a high degree of communication with appropriate school personnel via written communications, email, telephone, or in-person meetings

### **The eLearning Environment:**

The Great Bay eLearning Charter School founders recognize the power of technology in the classroom. Visual literacy has developed significantly over the past half of a century. There is an increased need for professionals qualified to designing coursework that can be presented in this medium. Computers and design software are widely used across the professional spectrum. Students should be exposed to the computer as a design tool, and armed with extensive computer skills in preparation for careers in graphic design, photography, animation and many others.

To further enhance the use of design software in the classroom, distance learning equipment allows teachers and students to connect with animators in Hollywood and Orlando to give students direct access to professional critiquing and tips. Digital cameras will be used by students and teachers, enabling students to capture and manipulate visual images, and incorporate them into presentations. In this case it would be appropriate to use Distance learning equipment to connect with

professional graphic designers and artists around the world for lessons in advertising layouts, commercial logo designs, product packaging, and even designing patterns for fashion.

In combination with web designing software and CD burning equipment, students will have the tools necessary to produce digital portfolios that document their success in school. Samples of their best work can be saved and burned from year to year and eventually their digital portfolio (which will include a resume, letters of recommendation, awards, transcripts and other appropriate material) can be used as they apply for college admission and/or places of work.

Video creation is another important aspect of visual literacy. While the differences between an amateur video production team and the elite cinematographers are unmistakable, the skills that youngsters will develop as they create media with basic video equipment is comparable to learning how to hold a pencil or type. Digital video recorders, microphones, editing software, and access to sound libraries will engage students of all ages in the learning process as they practice writing, producing, and editing videos.

One of the primary goals of incorporating technical elements into the curriculum is to introduce students to new skills and professions, creating a potential career path after completion of high school.

In order to provide an atmosphere that allows students to develop their potential while fully engaging in the educative process, the GBECS is designed to provide a challenging high tech environment. The school will provide enough computers to ensure a one-to-one student to computer ratio. A combination of desktop computers, diskless workstations, and laptops will be utilized in order to meet this goal. All computers and servers will run Linux software and applications in order to keep costs low and to further promote the concept of open source learning and computing. The GBECS will assist

~~any family who does not have a computer at home with acquiring a free computer and Internet hook-up. This will be accomplished through a partnership with local businesses and non-profit agencies.~~

~~A large library/conference room will be equipped with video conferencing equipment with an oversized screen, designed for training 30 or more individuals at a time. This will be of significant benefit to teachers for the purposes of professional development. Other community members (Firefighters, policemen, social services, etc) will benefit from the use of this equipment for training and collaboration purposes when school is not in session.~~

~~The smaller classrooms with the individual high tech workstations will allow students to simultaneously work on a variety of different projects. This concept provides an atmosphere that facilitates a multitude of learning experiences in an environment that is so exciting that being an "early leaver" is not an attractive option for a student. It is anticipated that students will enthusiastically embrace this exciting technology and will develop a sense of pride in their accomplishments.~~

~~Interactive video equipment will allow for collaborative projects throughout the nation and beyond. Collaborative software will allow for virtual school broadcasting for group instruction, with students throughout the state and the nation participating. Using content developed by Great Bay eLearning faculty, virtual field trips available from a multitude of sources, and free content from other schools will provide the wide diversity of courses conceptualized for the charter school.~~

~~Because there are numerous models that exist for virtual school technologies, the faculty, under the direction of Dr. Stephen Kossakoski, Assistant Superintendent of Technology and Research, Mr. Jerome Frew, Assistant Superintendent for Curriculum and Assessment, and the Technology Instructor for the GB ECS will work with teachers to determine the best choices for the school.~~



All of these factors play a role in accomplishing the mission of the Great Bay eLearning Charter School: **to address the needs of that middle range of students in ERCSD and others whose needs are not adequately met in traditional programs and to educate those students in such a way that they will graduate as caring, productive and contributing members of society.**

**(g) Academic goals, objectives, activities, and outcomes**

**GOAL 1: Develop the Great Bay eLearning Charter School as an educational option for under-served students in ERCSD; to provide an educational alternative that reflects state-of-the-art technology, is highly innovative, has a broad range of course options, and is free from many of the state regulations that impact traditional educational programs.**

**Sub-goal 1:** Meet the needs of that middle range of students in ERCSD who are at risk for academic failure.

**Activity 1:** Identify those students who are under-served in the current traditional program based upon their academic progress, capabilities, and interests

**Activity 2:** Recruit and enroll those students who are identified as under-served, and at risk of becoming an early leaver

**Activity 3:** Provide a counselor and a mentor for each student and assign students membership in a small learning group

**Activity 4:** Engage the student, the parent, the educators and counselors in developing an individual learning plan for each student

**Activity 5:** Design an evaluation plan for each student(s) that incorporates the NHEIAP, a computerized adaptive testing system (Measures of Academic Progress, Northwest

Evaluation Association), and one or more of the following: student portfolios, “testing out” of courses through rigorous examination, credit based upon subject matter mastery rather than seat time, cumulative projects, student developed and taught units of study, and “stand and deliver” performances.

**Activity 6:** Utilize state of the art technology to enhance educational offerings and capture the interest of the students

### **Sub-goal 2: Reduce the dropout rate in ERCSD**

**Activity 1:** Utilize interest inventories, student interviews, and aptitude instruments to identify and support student interest in a particular course of study **Activity 2:** Provide opportunities for student participation in programs of study and research in place at UNH and other post-secondary programs so that students feel a sense of “ownership” and a bond with those post-secondary programs of interest to the student or post-secondary program of study

**Activity 3:** Provide a wide range of course options that, upon completion, provides certification in a career field of the student’s choice

**Activity 4:** Create a learning environment where project-based and real world experiences are supported and valued as assisting students with the achievement of educational goals and standards

### **Sub-goal 3: Increase the number of students graduating from ERCSD**

**Activity 1:** Assign students to small, highly personalized learning teams

**Activity 2:** Assign the same advisor(s) to the student throughout his/her participation in the program

**Activity 3:** Provide an anywhere-anytime learning format so that students are not bound by rigid hours of operation and can take advantage of classes offered from

~~different time zones, from outside the United States, or at a time that allows them to continue both school and a part-time job~~

~~**Activity 4:** Make school highly accessible by using extended day schedules and weekend accessibility~~

~~**Sub-goal 4: Increase the number of students who graduate from high school and enter a post-secondary education program**~~

~~**Activity 1:** Identify and make available programs such as Operation Running Start which provide students an opportunity to earn college credit at a greatly reduced cost while still in high school~~

~~**Activity 2:** Develop an extensive range of dual credit and A. P. courses for which the student can earn college credit prior to high school graduation~~

~~**Activity 3:** Explore the range of electronic courses, such as "Project Lead the Way", which provide a rigorous course of study that prepares students for ease of entry into college classes~~

~~**Activity 4:** Through collaboration, develop opportunities for students to participate in campus-based summer courses following completion of their 8<sup>th</sup> grade year and continuing through grade 12~~

~~**Activity 5:** Counselors will collaborate with the student and parents to design a course of study that includes college credit as appropriate for the academic ability and interest level of the student.~~

~~**Goal 2: Develop the Great Bay eLearning Charter School on a cost-neutral or near-neutral basis**~~

~~**Activity 1:** Utilize an existing building on the current high school campus to provide a~~

facility for the Great Bay eLearning Charter School

~~Activity 2:~~ Utilize the administrative skills of SAU 16/ERCSD to support the design, implementation, and day-to-day administration of the school

~~Activity 3:~~ Provide special training to teachers and counselors who elect or are reassigned to serve students in the charter program, eliminating the need for additional personnel

~~Activity 4:~~ Provide the same transportation services as are provided for students in the traditional program

~~Activity 5:~~ The Principal will establish internships and practicum experiences in the community and in higher education for participating students, and will coordinate a committee whose responsibility is to solicit donations, establish endowments, and seek federal as well as private funds. The funds are to be used as designated by the donor, with ultimate responsibility for the use of funds held by the Superintendent.

~~Activity 6:~~ Establish a separate operating account to protect the integrity of funds

#### **(h) Evaluation Strategies for the Charter School:**

~~Evaluation strategies will fulfill RSA 194-B: 8,V, which states: "at least annually and near the end of each school year, a charter school shall evaluate the educational progress of each pupil as specified in RSA 104-B:3,II (h). Such evaluation shall include, but not be limited to, the New Hampshire statewide education improvement and assessment program, as provided in RSA 193-C. The cost of the state assessment program shall be borne by the state."~~ Great Bay educators will utilize a blend of the strategies identified below.

- ~~• Use of the NHEIAP on an annual basis~~
- ~~• Use of Northwest Evaluation Association computer-based adaptive tests on a quarterly basis~~

- ~~“Testing out” of a course through rigorous examination which includes analysis, synthesis and application of information in a content area~~
- ~~Credit based upon mastery rather than on seat time~~
- ~~Evaluation strategies that require the student to provide evidence of their knowledge and skills through application and exhibition~~
- ~~Exhibition requirements at the termination of a particular course of study~~
- ~~The requirement that every student develop and teach a unit of study to others – it is only as you teach that you fully understand~~
- ~~The GBECS will become utilize the Quality School Portfolio (QSP) data warehouse to assist school personnel with the ongoing assessment of progress.~~

**(i) Academic requirements for Great Bay students:**

~~The requirements for graduation for Great Bay eLearning students will be identical to those of students in the traditional education programs and will meet all local and state requirements.~~

~~Matriculation from grade to grade is dependent upon satisfactory work in the areas assigned in the student’s individual learning plan. In addition to academic work, the student may select community service, a part-time job, or an internship or practicum as a part of the individual learning plan. As discussed earlier in this document, through use of the technology and software which will be a part of the charter schools instructional materials, students will have the tools needed to produce digital portfolios that document their success in school. Samples of their best work can be saved and updated from year to year and eventually their digital portfolio (which will include a resume, letters of recommendation, awards, transcripts and other appropriate material) can be used as they apply for college admission and/or places of work.~~

**(j) Staffing overview including qualifications sought for professionals and paraprofessionals:**

~~Project personnel hired to teach in the charter school will comply with RSA 194-~~

~~B: 14 IV, which required the teaching staff of a charter school to consist of a minimum of fifty percent teachers either New Hampshire certified or qualified for certification with at least three years of experience. Personnel who have appropriate academic credentials, who are innovative, and who are interested in the application of technology to education, will be selected to work in the program.~~

~~Administrative responsibilities will be assigned to a teaching Principal during the first two years of operation. Additional support will be provided by middle school and high school administrative teams while oversight of the total program will continue to be provided by Dr. Arthur Hanson, Superintendent, and Dr. Steve Kossakoski, Assistant Superintendent. The Principal's position will transition to a full-time position beginning in year three.~~

~~Prior to the opening of school the following personnel will be identified:~~

- ~~• Teaching Principal~~
- ~~• Technology Aide~~
- ~~• Administrative Assistant~~
- ~~• Counselors and Special Education personnel~~

~~Dr. Stephen Kossakoski will play an instrumental role in the identification, purchase, and installation of the technical equipment and will also provide oversight to the project.~~

~~In addition, the middle school and high school principals will work as a team to assign shared responsibilities for the supervision of Great Bay eLearning Charter School. The projected list of personnel for the initial year of operation follows: Counselors, .5 FTE~~

~~Teachers, 2 FTE~~

~~Technology Instructor/teacher trainer. 1FTE~~

~~Evening and Saturday coordinator/tutor, .5 FTE~~

~~Personnel to be considered for faculty inclusion will have the following personality characteristics:~~

- ~~• Intellectual curiosity~~
- ~~• Open to new ideas~~
- ~~• Innovative nature~~
- ~~• Commitment to the mission of the Great Bay eLearning Charter School~~
- ~~• Flexible work schedule~~
- ~~• Ability to work cooperatively and collaboratively with other teachers~~
- ~~• Welcomes diversity~~
- ~~• One who values academic and technically oriented students equally~~

**(k) Personnel Compensation, including provisions for leave and benefits, if any:**

~~Employees of the Great Bay eLearning Charter School will be considered public employees for the purpose of collective bargaining but are limited to membership in only one bargaining unit. Service in the Great Bay Charter School shall be considered as service in the Exeter Region Cooperative School District under RSA 100-A:4. Project personnel hired to teach in the charter school will comply with RSA 194-B:14 IV, which requires the teaching staff of a charter school to consist of a minimum of fifty percent teachers either New Hampshire certified or qualified for certification with at least three years of experience.~~

~~The charter school will comply with all state and federal laws pertaining to employment compensation and leave provisions. There shall be no distinction between compensation for faculty teaching in the traditional program and those teaching in the charter school. Educators electing to teach in the charter school will understand the necessity of flexible scheduling which may require hours of operation that differ from those of the traditional program. The school will comply with all laws pertaining to pre-employment requirements, such as Criminal History Records under RSA 91A:1.~~

**(l) Pupil transportation:**

~~As per RSA 194-B:2 IX, alternative charter students will be provided transportation under the same terms and conditions as provided for in RSA 189:6 and RSA 189: 8. Due to the advantageous location of the building on the current high school campus (currently used for storage only), it will be possible for students to move between programs without additional transportation or loss of instructional time. Teachers will also be able to move between programs with ease. Transportation will be provided by the GBECSS for groups of students who participate in internships, attend specialized physical education programs, etc.~~

**(m) Statement of assurances:**

~~The Great Bay eLearning Charter School will not discriminate on the basis of race, color, religion, national or ethnic origin, age, sex, sexual orientation, disability, or marital status in the selection of students or staff or in the administration of its educational programs or in any other way as is prohibited by law.~~

**(n)Methods of coordinating with a pupil's LEA for matters pertaining to**

**Special education:**

~~GBECSS will comply with federal and state special education laws and rules applicable to a New Hampshire charter school setting.~~

**Charter Public Schools and Special Education”**

~~RSA 194-B: 11-III states that all options available to the parent and LEA are retained. Current options include:~~

- ~~1. the parent has the right to accept or reject the district proposed plan in part or in full~~
- ~~2. the local education agency may provide some services to the child outside the assigned district school or outside the typical school hours~~
- ~~3. an education plan of short duration or one that allows for a trial period in a program~~



4. either the parent or the schools initiating the resolution of disagreements about the district's recommended program through the Department of Education.

Counselors and mentors will work one-on-one to assure that special education students have an appropriate individual learning plan—one that allows them to be successful. Research has shown that special needs students achieve at a higher level if taught through methods that tap into their unique learning style. The use of a project-based learning approach, coupled with the use of technology, will allow students with special needs to be actively engaged in their studies and may allow them to become less dependent upon special services. Like all students in the school, they will demonstrate their mastery of a topic through portfolio and exhibition rather than exclusively through paper-pencil tests. Educators, members of the retired teachers association, and other professionals from the community will be available to provide small group or one-on-one instruction for students who require additional assistance to successfully complete their individual learning plan. Classroom learning will be enhanced by field work and practicum experiences appropriate to the student's interests and long-range employment goals. After a one-semester transition period, a review of the special education student's needs and progress will occur and shall include parents or guardian, counselors, faculty and administrators. At that time a decision will be made as to continued placement in the program.

#### **Coordination with sending districts:**

The Great Bay eLearning program will recognize and respect the authority of the local school board. The sending LEA will continue to have authority for special education decision making, and will assign a charter school liaison to collaborate with the sending district on matters that pertain to an individual student.

#### **Coordination with other programs:**

The Great Bay eLearning Charter School is envisioned as serving the students currently enrolled in the ERCSD programs and others following a first year "proof of concept" period. Should demand support applications from outside the district students from surrounding district may be enrolled on a "space available" basis. Great Bay eLearning Charter School will respect the role and responsibility of the sending districts. The Great Bay eLearning Charter School is a "hybrid" model. It will blend with the traditional program to the degree necessary to meet an individual student's needs while maintaining a focus of the use of technology to enhance instruction. Students may move between programs as needed to address their interests and academic needs.

In addition, the Great Bay eLearning Charter School will establish a vigorous partnership with the University of New Hampshire. The GBECS will become a school where UNH teaching interns will develop their educational teaching skills through observation, teaching, and by assisting students with projects. The Great Bay eLearning Charter School will provide on-the-job training for pre-service teachers in a high-tech setting which will be beneficial to all schools. Many current teacher graduates are familiar with technology, but have little, or no, experience in the effective use of technology in the classroom. UNH will also provide the GBECS with access to scientists, historians, mathematicians, and other experts through e-learning and face-to-face visits. Additionally, UNH researchers will be provided with access to the GBECS to study the effectiveness of the school's educational model.

As students advance, they will be encouraged to take classes from other higher education sources and to utilize curriculum from a variety of content providers throughout the nation and beyond. Because the curriculum represents an individual learning plan for each student, the opportunity to collaborate with other students will be one of the distinguishing factors regarding the operation of the charter school.

Coordination with a wide variety of business and industry partners is proposed.

The Principal will be responsible for heading up a team of educators and other interested parties who will do outreach in the community and beyond. The team will identify prospective partners from the fields of science, mathematics, technology, medicine, veterinarian medicine, vision, dental health, software production, video production and editing, media and others and will work to establish mentoring, job shadowing, intern ships, summer and part-time jobs, and corporate giving.

### **Educational program and standards:**

While the Great Bay educational program will be unique in both its approach and the degree of involvement the student has in planning his/ her program of studies, the program will fulfill all requirements for district benchmarks and meet or exceed New Hampshire content standards.

### **(o) Admission procedures: Schedule of Events**

**September:** Detailed instructions for applying to Great Bay will be provided to all rising 7<sup>th</sup> graders in October of 2004.

**September:** Parent letters will be sent home

**October:** A series of informational meeting will be held to inform parents and others of the nature of the school and availability. Application period is opened.

**October-November:** Student records of all applicants will be reviewed to determine academic need and potential eligibility. Eligibility will be established and students and parents will be notified accordingly.

**December:** Eligible students and their parents must visit the school and commit to the rigorous, high-tech nature of the program. Successful applicant pool finalized December 15th.

**January:** Program begins

Students who meet the criteria for admission and who are enrolling for the initial year of the school may enroll on a first come first served basis. Students who make satisfactory

~~progress will not be required to re-apply for the coming year and may continue in the program until they graduate. Should demand for participation exceed space availability, a lottery will be held. Eligible students will be identified and placed in a pool from which random drawings will occur until fifty students have been selected. Students who were not selected from the lottery pool will be placed upon a wait list in the order of the date and time of their application. In the event that a student withdraws from the school, the student whose application is dated earlier than other applications will be given the opportunity to participate. The selection process will continue until all available spaces are filled.~~

#### **Timeline for Admission:**

~~Parents of students wishing to enroll in the January 2005 opening of the Great Bay eLearning Charter School will be notified no later than Dec. 15<sup>th</sup>, 2004, of their selection for the program.~~

#### **Admissions policy:**

~~The Great Bay admissions policy will not intentionally discriminate against any individual or violate individual rights in any manner prohibited by law.~~

#### **(p) Philosophy of pupil governance and discipline and age-appropriate due process procedures to be used for disciplinary matters including suspension and expulsion**

~~Policies for student governance will be developed by the Board of Trustees and will reflect the same high expectations for student behavior that exists within the traditional program. The policy will be clear, will state expectations for student behavior, and indicate possible consequences. Mentors, volunteers, and counselors will be~~

~~assigned as needed to help students meet behavioral expectations. Should the student be unable to perform satisfactorily in a manner that allows a respectful environment for all students, the student may be suspended or expelled from the Great Bay eLearning Charter School. The Great Bay eLearning Charter School will provide fair and age appropriate due process to students and will comply with current suspension and expulsion provision as detailed in RSA 193:13 (Suspension and Expulsion of Pupils) and RSA 194-B, 9,III, the pupil may withdraw from a charter school based upon criteria determined by the board of trustees consistent with the advice of the administration and faculty and in conformance with RSA 193:13. No public school shall be compelled to enroll an expelled student.~~

~~The GBCF recognizes that expulsion is seldom an answer to student behavior issues and takes the position that through counseling, mediation, mentoring, and a wide diversity of learning opportunities, students will be helped to maintain an acceptable level of behavior and will remain in school.~~

### **Dispute Resolution:**

~~A Student Conduct and Mediation Committee will be established to conduct peer review and determine appropriate steps to facilitate required changes in behavior of students with unresolved behavioral issues. The student mediation committee may recommend peer counseling, anger management classes, professional counseling, and other appropriate steps toward resolution of disputes. The student court may require appropriate compensation on the part of the student in question. The student court is overseen by the counselor assigned to the student in question. Should mediation and other recommended action fail to resolve the issue, the counselor in conjunction with the parent(s), faculty, and the student will work toward a higher level of intervention.~~

**(q) Method of administering fiscal accounts and reporting:**

Great Bay eLearning Charter School will follow public nonprofit accounting guidelines and will establish accounting controls that protect the good name of the school and its assets. The Board of Trustees will develop and implement policies for the fiscal management of the charter school. ~~Dr. Arthur L. Hanson, Superintendent of the ERCSD,~~ in conjunction with the treasurer of the Board of Trustees for the Charter School, will oversee the management of the funds. The Charter School will follow the same exacting standards in place for the ERCSD and will comply with all requirements specified in the law pertaining to reporting requirements (RSA 194-B:101-V. This list includes the following:

- annual report
- annual financial audit and report
- program audit
- participation during the annual school budget process

**( r)Annual Budget including all sources of funding:**

~~Pursuant to Ed. 318.07, Great Bay will produce an annual report that will include but is not limited to the following components:~~

- ~~• general progress report regarding operation of Great Bay eLearning Charter School~~
- ~~• budget plan and explanation for pre-charter planning period~~
- ~~• budget plan for operation of Great Bay beginning in January, 2005~~
- ~~• budget forecast for five-year period~~
- ~~• assessment and reporting of the manner in which Great Bay is able to meet its educational and financial goals, as identified in the Great Bay eLearning Charter School mission statement~~
- ~~• Balance sheet identifying assets, liabilities, fund balances, equities, donations, grants awarded, grants in progress, endowments~~

~~Income and expenses projections for coming year~~

~~Members of the current business department will handle day to day management of funds and purchasing for the charter school.~~

~~The Board of Trustees will establish policies for the administration of funds, for check writing authority, and will determine a ceiling on discretionary expenditures. In addition, the trustees will empower the business department to establish a purchase ordering system independent of the traditional program and which will provide a clear picture of expenditures and the status of accounts. Those individuals with check writing authority shall be bonded in accordance with guidelines of the New Hampshire Department of Revenue Administration.~~

~~Funds for the over-all operation of the school will not be co-mingled with funding for existing educational programs. Donations, endowments, and other liquid assets will be deposited in a separate account set up to handle those transactions and Superintendent Arthur Hanson, in conjunction with the Principal and the Great Bay treasurer appointed by the Board of Trustees, will be responsible for assuring that all donations are used as directed by the donor.~~

**(s) School Calendar details pursuant to RSA 194-B.8,II**

~~Great Bay will fulfill the required 180-day calendar but may do so in an atypical format. The school envisions after-hours programs, weekend programs, and summer schedules. Thus, a student has flexibility in how the 180 requirement is met while fulfilling the intent of RSA 194-B.8,II.~~

**Hours of Operation:**

~~Great Bay hours of operation as flexible, as are the strategies for meeting the 180-day requirement. While classes will begin at approximately 8 a.m., they will continue until as late as 9 p.m. depending upon student need and course availability. In addition, students may choose to attend Saturday classes to fulfill attendance requirements while~~

~~at the same time fulfilling other responsibilities. Students will have access to three hour tutorials as needed Monday through Thursday from 3:30 to 6:30.~~

**(t) Evidence of adequate insurance coverage:**

Pursuant to RSA 194-B:1,III, Great Bay eLearning Charter School will be subject to the protections afforded any public school under RSA 507 (b) which provides for Limited General Liability for the charter school and its agents. The ~~founding board~~ will produce evidence of adequate insurance coverage to the state as required.

**( u) Consultants used in the development and implementation of the Great Bay eLearning Project include:**

- ~~1. Staff & Students, The Metropolitan Regional Career and Technical Center, Providence, RI~~
- ~~2. Team Design, Architect~~
- ~~3. Steve Hermans, Attorney at Law~~
- ~~4. Plodzik and Sanderson, Public Auditors~~
- ~~5. Harvey, Construction Management firm~~
- ~~6. Technology Consulting, View Communications George Wiley~~
- ~~7. Technology integration, SAU 16 Technology Services~~
- ~~8. Andra Mattaliano, TANDBERG~~
- ~~9. Donna Sherrouse, Ed. D. Educational consultant~~

**(v) Plan for Parent Involvement:**

~~Great Bay eLearning Charter School looks forward to maximum participation from parents and members of the community. Parents will participate on the Board of~~



~~Trustees, and committees will be formed to develop and revise strategies to enhance student success, strategies to increase student involvement in community service, oversight of practicums, internships, and field experiences, collaboration with students in other districts throughout the nation, provision for tutorial support as needed, participation in the daily tutorials offered each afternoon from 3:30 to 6:30 Monday through Thursday, and support for the Great Bay library. In addition, parents will participate with the Principal in his/her efforts to bring substantial donations, endowments, and grant opportunities to the school. Parents of students enrolled in the school will be encouraged to volunteer.~~

~~This may consist of support for the faculty, assistance to students on special projects, tutoring, work on a committee, assistance with the facility or other types of support designed to assist in operating a state-of-the-art program while maintaining a cost-neutral budget.~~

**(w) Dissemination of information:**

~~All students in the district and their parents must have ample opportunity to enroll in Great Bay eLearning Charter School. This is an educational environment with high appeal to every student, regardless of ability or past performance. Therefore, it is particularly important that all eligible pupils have equal opportunity for enrollment. To assure equal knowledge and availability, eligibility criteria will be distributed through home room classes, posted on school bulletin boards, and announced via the intercom.~~

~~Public Television spots and public radio will be utilized to highlight the Charter program and local news agencies will be asked to provide extensive coverage. Parents will be invited to attend informational meetings where parents and their children will hear an overview of the school, view a presentation provided by technology consultants, and a~~

~~film clip from Howe, Oklahoma that provides a “snapshot” of the types of benefits experienced by other schools with similar programs. Information packets including application paperwork will be distributed at the parent meetings. Guidance counselors will receive training relevant to the operation of the virtual school and will assist in identifying potential enrollees for the program. A copy of the Charter school document will be made available in the school and public libraries. Informational brochures will be widely distributed to doctors’ offices, recreational facilities, teen centers, and other agencies where parents and students congregate. Presentations will be made to service clubs.~~

**( x) GLOBAL HOLD HARMLESS CLAUSE:**

The Great Bay eLearning Charter School agrees to indemnify and hold harmless any district that sends students to the charter school, and their officers, directors, board members, agents, and employees (the “Indemnified Parties”) from any and all claims, demands, actions or causes of action at law or in equity, and all damages, costs, losses and expenses resulting from any act of omission by the charter schools, its agents, employees, or staff, relating to the operation of the charter school. The charter school shall have no obligation to hold harmless the Indemnified Parties for any claims; damages, losses or expenses resulting from the Indemnified Parties’ own acts and omissions.

The Great Bay eLearning Charter School, its successors and assigns covenants and agrees at all times to indemnify and hold harmless any school district that sends its students to the charter school and their school boards, officers, directors, agents, employees, all funding districts and sources and their successors and assign, (the “Indemnified parties”) from any and all claims, demands, actions and causes of action, whether in law or in equity, and all damages, costs, losses and expenses, including, but

not limited to reasonable attorney's fees and legal costs, for any action or inaction of the charter school, its board, officers, employees, agents, representatives, contractors, guests, and invitees, or pupils.

**(y) Severability provisions and statement of assurance:**

If any provision of the charter agreement is determined to be unenforceable or invalid for any reason, the remainder of the charter agreement shall remain in effect unless otherwise terminated by one or both of the parties in accordance with the terms contained herein.

**(z) Provision for dissolution of the charter school including disposition of its assets:**

The board of trustees for the Great Bay eLearning Charter School is committed to assuring that the management of the school is exemplary and that Great Bay eLearning becomes an educational option of which the community is proud. However, in the event that the charter is terminated and the dissolution of Great Bay eLearning Charter School should occur, all property that the school has purchased, leased, or otherwise contracted for shall be transferred to ~~the traditional program~~ or returned as per contractual agreement.

**Under circumstances that require dissolution, the board will:**

- Research best use of property and retire all debt obligations
- Assign and relocate existing equipment to the appropriate educational setting within the ERCSD or other educational programs
- All personal property of the faculty and administrators shall remain their property
- Coordinate with the faculty and parents of students being reintegrated into the traditional programs

**(z-1)** A minimum of one semester of notice of closing will be provided parents and students who will be reentering their member school. Individual learning plans for each

reentering student will be transferred to the receiving site. All records will be transferred in a timely manner and the staff and trustees of the Great Bay eLearning Charter School will work with the receiving site to make the transition as educationally sound as possible. School personnel will obtain permission for a release of information prior to transfer of information.

### **Ed 318.05 Additional Requirements:**

#### **1)Admissions:**

~~1. Selective admissions will be based on the following criteria:~~

~~a. The students grade point average at their current school will not exceed 2.5 (C+).~~

~~b. The student will submit an application which will include the following: i. A short essay describing why they want attend the GBECS and which indicates that they are will to abide by all of the school's rules and regulations~~

~~ii. A completed parental permission form and recommendation~~

~~iii. A recommendation from a teacher/guidance counselor~~

~~c. A lottery will be held should requests for enrollment exceed capacity.~~

~~d. Exceptions to the grade point criteria will be made only for students whose recommendations from teachers/guidance counselors and parents justify a waiver.~~

#### **Contracting under RSA 194-8:9, VII and RSA 194-B:5,V:**

~~There are currently no plans to contract with other districts, or other private or public entities. The Great Bay eLearning Charter School will, however, enter into~~

~~collaborative projects with other districts throughout the United States. When circumstances warrant such a contract, the Charter School reserves the right to enter into mutually advantageous contractual relationships with others given trustee approval.~~

### **~~PLAN OF ACTION (WORK PLAN) AND TIMELINE OF EVENTS~~**

~~Feb., 2004 Charter School approval from State Department of Education March Facility readiness is initiated~~

~~April Board of Trustees established, meeting schedule set, Personnel recruitment begins~~

~~April Great Bay eLearning team meets with UNH begins collaborative planning April Technology team researches/identifies equipment~~

~~May Personnel hired~~

~~July Workshops for board of trustees, faculty, guidance counselors, and administrators on daily operational strategies~~

~~July/August Curriculum writing teams begin work on online content~~

~~Online content collaborative development and reviewed by experienced online educators in the various disciplines such as faculty and technical directors from Howe School District, Howe, Oklahoma, Denali School District, Alaska, High Tech High School, California, New Hampshire Community Technical College, New Hampshire, Nova High School, Florida and others. The intent of this effort is to assure that online content meets the needs of students throughout the United States.~~

~~September Facility readiness is completed, equipment is installed, testing completed, training for all faculty is held~~

~~September Open House for students, parents, trustees, community student recruitment begins~~

~~November Enrollment begins, recruitment continues~~

~~December Lottery held if demand exceeds capacity~~

~~January Opening, Great Bay eLearning Charter School~~

# Great Bay eLearning Charter School Standing Charter

Submitted to:

New Hampshire Department of Education

Submission Date: October 7, 2011

Original Application Date: February 4, 2004

Amendment Submitted By: Great Bay eLearning Charter  
School Board of Trustees  
30 Linden Street  
Exeter, NH 03833

*Contact: Cheryl York McDonough, Executive Director of School/Student Affairs  
Peter Stackhouse, Executive Director of School/Business Affairs  
Phone: 603.775.8638  
E-mail: [cmcdonough@GBeCS.org](mailto:cmcdonough@GBeCS.org) or [pstackhouse@GBeCS.org](mailto:pstackhouse@GBeCS.org)*

## **GREAT BAY eLEARNING CHARTER SCHOOL Charter 2011**

### **Overview:**

The Great Bay eLearning Charter School opened in January of 2005 with a population of about 30 students. The population increased to approximately 170 in the year 2011. The school has expanded to include grades 8, 11, and 12 – the original application was for grades 9 and 10. All grades were added with approval from the State Department of Education.

As a duly chartered public school in the state of New Hampshire, the Great Bay eLearning Charter School (GBeCS) targets those students whose academic records, attendance issues, or other circumstances place them at risk of school failure or lack of genuine cognitive engagement. Research clearly shows that many students require an alternative approach to education in order to remain fully engaged, meet high academic standards, and, ultimately, to fulfill all graduation requirements. Great Bay eLearning Charter remains committed to being that alternative.

The establishment of GBeCS in 2004 laid the foundation for presenting new and exciting methods of involving students in their own education. Great Bay eLearning Charter School was established to maintain student interest, increase academic achievement, and more fully addressing the needs of at-risk students. The program combines elements of traditional educational programs enhanced by project-based, innovative teaching approaches. The results are a high-quality program of study.

There is no “One Curriculum Fits All” at the Great Bay eLearning Charter School. Rather, students are offered a variety of courses, experiences, and fields of study that meet both their personal interests and identified academic needs. While offering this broad range of educational studies, educators collaborate with the student and parents to assure that each student has a balanced program that prepares them for entry into higher education and/or the world of work.

Learning takes place through participation in scheduled classes, other small groups and independent project initiatives. Student learning plans are based upon student interest and needs. Assistance is provided to aid students in attaining the skills necessary to reach educational goals.

Each student is assigned to one advisor to ensure that an adult mentor, who knows the student, can provide knowledgeable advice regarding the student’s academic program. In addition, the grade-level base-teams have a low ratio of students to adults.

The Great Bay eLearning Charter School is characterized by a flexible and personalized educational program for each student. The manner in which students fulfill requirements differs from student to student; however, a high level of academic and behavioral expectations is consistent for all students.

### **The Future of the Great Bay eLearning Charter School:**

The future of the Great Bay eLearning Charter School is bright. The population has consistently grown since the school opened and interest in the innovative practices and effective methods of instruction continues to be high. With the experience of the last seven years, GBeCS will seek initial accreditation through the New England Association of Schools and Colleges by the year 2014. The Great Bay eLearning Charter School intends to modify

its name for the 2012 – 2013 school year to better reflect the school it has become. The name will be changed to the Great Bay Charter Secondary School. This name change is a result of a significant amount of confusion surrounding the “eLearning” in the current title. People tend to believe that an eLearning school is an online school and many believe GBeCS is synonymous with the Virtual Learning Academy Charter School (VLACS), located on the same campus as we are.

**Mission:**

The mission of the Great Bay e Learning Charter School is to address the needs of students whose needs are not adequately met in traditional programs, and to educate those students in such a way that they will graduate as caring, productive and contributing members of society. This mission will be fully articulated and have attached civic, social and academic expectations as the school conducts a rigorous self-study and meets its goal to be the first NEASC accredited charter school in the state of New Hampshire.

**Core Beliefs:**

The Great Bay eLearning Charter School and its administration believe that by providing a unique and innovative educational option for those students whose needs are not fully met in traditional settings, they have been (and will continue to be) successful in engaging students in a challenging education. Each individual learning plan is relevant to the student’s goals and facilitates the student’s meeting of high school graduation requirements. Supported by a coalition of educators and professionals from a wide variety of disciplines, the Great Bay eLearning Charter School is committed to capturing and maintaining the interest of students who may otherwise have left school without realizing their full potential. No distinction is made between “college prep” and “technical education”. No division that might exist between ethnic groups, social classes, or gender groups is fostered or tolerated.

Students are viewed as “consumers” and consumer satisfaction through participation in a high quality program is the goal of the school. By utilizing individual learning plans written in a collaborative manner by students, parents, and teachers, and by developing personal learning contracts, students assume a greater degree of responsibility for their learning. Teachers are supported in their exploration of innovative teaching practices and both teachers and students are expected to participate in collaborative learning projects with others.

The following core beliefs form the basis for the educational assumptions that underlie all goals, objectives, activities and outcomes of GBeCS:

- *Students can learn if educators allow for differences in learning styles, abilities, interests, and needs,*
- *Engaging students in project-based and service oriented educational curriculum allows students to more fully achieve their educational goals,*
- *The judicious and appropriate use of technology enhances education, and prepares students for either post-secondary education programs or employment, and*
- *Educators in the Great Bay eLearning Charter School are responsible for, and capable of, providing assistance to other students and teachers in the area, the state, and beyond.*



**Community Goals:** The goal of the greater learning community is to support the development of a high-quality educational alternative for students at risk of underachieving or dropping out of school. Today's students need a flexible and innovative environment that prepares them for entry into post-secondary educational programs and/or for the world of work. Such a school must capture the interest of the students and engage them more fully in their learning program. When seeking alternative educational programs, research regarding school choice suggests that parents and students seek a program that has the following seven key characteristics:

- *High academic standards,*
- *Innovative approaches,*
- *Small size,*
- *Special interests curriculum,*
- *Greater flexibility in the educational program,*
- *Parental philosophies that perceive the charter school as a "best fit" for their child,*  
*and*
- *Flexibility and an emphasis on community service, project-based learning, and real life experiences provided through practicums, internships, and job shadowing.*

The Great Bay eLearning Charter School was evaluated on how well it had fulfilled the terms of its initial charter application and was lauded by the educators who conducted the five-year re-charter visit and evaluation. Additionally, the GBECs Executive Directors set yearly goals and conduct spring evaluations of the school, the success in meeting goals, and the curricular and co-curricular programs. A presentation of findings is presented to the Board of Trustees on an annual basis. The presentation is based upon the yearly goals and the seven principles outlined above.

**Governance:**

In accordance with 194-B:5, the charter public school is governed by a Board of Trustees, comprised of nine (9) voting members. The Board of Trustees has a slate of officers which shall include: the chairperson, co-chairperson, secretary, and treasurer. Officers are elected by a majority vote of those present at the annual organizational meeting and will serve until the next annual organizational meeting.

The representation on the Board of Trustees will be:

- Two (2) members of the business community*
- Two (2) members who are parents of students enrolled in the program*
- One (1) member is a University of New Hampshire educator*
- Two (2) members are professional educators*
- Two (2) members at large*

In addition, there are two non-voting *student* representatives to the Board of Trustees. The board may elect to include additional ex-officio, non-voting members whose involvement shall assist in providing a broad range of talent and vision to the school's governance.

Members are selected by the board and terms are staggered three-year terms. The board may appoint a member to fill a vacancy to complete a term according to established term timelines. Ex-officio members have two-year terms. Board members may serve consecutive terms if so voted by a Board majority.

To conduct business, a simple majority of the board members present and participating shall be considered as a quorum.

Records and minutes of the meetings are kept in accordance with the New Hampshire Right to Know statute which applies to all public schools.

Sub-committees are established as deemed necessary by the Board of Trustees and have the responsibility to report to the board on matters pertaining to:

- budget management,
- employment of professional personnel,
- policy matters,
- updating and revision of board policy as needed,
- student achievement, and
- any other business that comes before the board and is not administrative in nature.

The Board of Trustees, whose policies comply with all state and federal mandates, is the only governing body of the school. The Board of Trustees is prepared to exercise authority, set policy and make decisions that serve the best interests of Great Bay eLearning Charter School. Areas of oversight include but are not limited to:

- budget development and management
- hiring of project personnel
- policy development
- development of a compensation package and an established salary scale
- identification of project priorities and a plan of action for meeting goals
- establishing advisory committees as deemed necessary
- evaluation and approval of recommended measurement standards
- developing, implementing and revising bylaws as needed
- all other matters that are non-administrative and/or that are prescribed in statute or rule

### **Curriculum:**

The academic program meets all local, state, and national standards for high-quality. As students advance, they are encouraged to take classes from other education sources and utilize curriculum from a variety of content providers. Because the curriculum allows for an individual learning plan for each student, the opportunity to collaborate with other students is one of the distinguishing factors regarding the operation of the school.

Coordination with a wide variety of business and industry partners is ongoing. The Dean of Students is responsible for outreach in the community and beyond. The Dean of Students identifies prospective partners from the fields of science, mathematics, technology, medicine, veterinarian medicine, vision, dental health, software production, video production and editing, media and others and will work to establish mentoring, job shadowing, internships, summer and part-time jobs, and corporate giving.

### **Program Design:**

The Great Bay eLearning Charter School program meets all traditional curriculum requirements using innovative methods enhanced by the judicious use of technology and a vast array of courses from which students can choose. In the same way, faculty members write much of their own content and students choose courses from all curriculum areas. A heavy emphasis is placed on student collaboration and learning from others. The goal is for students to achieve competence. Much less emphasis is placed on *how* the student chooses to meet the course competencies.

GBeCS supports the use of supportive advisory programs and activities to reduce academic and social problems and continues to foster a strong and effective advisory program.

#### **Instructional materials:**

Faculty at the Great Bay eLearning Charter School develop much of the content for courses offered. Classes may have work-study components, practicum opportunities, field-experiences and community service as a part of the course of study. Each individual learning plan documents specifically the criteria for completion of the course. Students selecting outside courses are required to meet all requirements set by that instructor and the course requirements are reviewed by the advisor and student.

#### **The Technology Environment:**

The Great Bay eLearning Charter School founders recognized the power of technology in the classroom. Visual literacy has developed significantly over the past half century and computers and design software are widely used across the professional spectrum. Students at GBeCS are exposed to the computer as a design tool, and armed with extensive technology resources in preparation for post-secondary education and the professional world.

One of the primary goals of incorporating technical elements into the curriculum is to introduce students to new skills and professions, creating a potential career path after completion of high school. In order to support an atmosphere that allows students to develop their potential while fully engaging in the educative process, the school provides enough computers to ensure a one-to-one student-to-computer ratio. A combination of desktop and laptops are utilized in order to meet this goal.

Students have the tools necessary to produce digital portfolios that document their success in school. Samples of their best work can be saved and burned from year to year and eventually their digital portfolio (which may include a resume, letters of recommendation, awards, transcripts and other appropriate material) can be used as they apply for college admission and/or places of work.

#### **Advancement Requirements for Great Bay Students:**

The requirements for graduation for Great Bay eLearning students meet all local and state requirements. Matriculation from grade to grade is dependent upon satisfactory work in the areas assigned in the student's individual learning plan. In addition to academic work, the student may select community service, a part-time job, or an internship or practicum as a part of the individual learning plan. Samples of best work can be saved and updated from year to year and eventually their digital portfolio (which may include a resume, letters of

recommendation, awards, transcripts and other appropriate material) can be used as they apply for college admission and/or places of work.

Students who have completed a year of schooling in the GBeCS program with satisfactory results are not required to petition for space in the program for the following years. Each student who performs satisfactorily and is making progress has the right to continue in the Great Bay eLearning program until graduation. Progress and satisfactory performance is determined by the administration.

#### **Staffing Overview:**

Personnel hired to teach in the charter school comply with RSA 194- B: 14 IV, which requires the teaching staff of a charter school to consist of a minimum of fifty percent certified teachers. Personnel who have appropriate academic credentials, are innovative, and are interested in the application of real world concepts to education, are qualified for selection. Administrative responsibilities are assigned to the Executive Directors and Dean of Students.

Personnel share the following personality characteristics:

- Intellectual curiosity
- Flexibility
- Innovative nature
- Commitment to the mission of the Great Bay eLearning Charter School
- Ability to work cooperatively and collaboratively with other teachers
- Ability to value all students for who they are

Personnel Compensation - The Great Bay eLearning Charter School complies with all state and federal laws pertaining to employment compensation and leave provisions. The school also complies with all laws pertaining to pre-employment requirements, such as Criminal History Records under RSA 91A:1.

#### **Statement of Assurances:**

The Great Bay eLearning Charter School does not discriminate on the basis of race, color, religion, national or ethnic origin, age, sex, sexual orientation, disability, or marital status in the selection of students or staff or in the administration of its educational programs or in any other way as is prohibited by law.

#### **Special Education:**

Methods of coordinating with a pupil's LEA for matters pertaining to Special Education: GBeCS comply with federal and state special education laws and rules applicable to a New Hampshire charter school setting (see Commissioner of Education's memos (FY 07) numbers one and fourteen regarding special education and charter schools)

Additionally, RSA 194-B: 11-III states that all options available to the parent and LEA are retained in the charter school setting. Current options include:

1. the parent has the right to accept or reject the district-proposed plan in part or in full

2. the local education agency may provide some services to the child outside the assigned district school or outside the typical school hours
3. an education plan of short duration or one that allows for a trial period in a program
4. either the parent or school may initiate the resolution of disagreements about the district's recommended program through the Department of Education. Advisors and case managers work to assure that special education students have an appropriate individual learning plan -- one that allows them to be successful.

The Great Bay eLearning program recognizes and respects the input of the sending LEA, which has the responsibility for providing special education services and assigns a charter school liaison to collaborate on matters that pertain to an individual student.

While the Great Bay educational program is unique in both its approach and the degree of involvement the student has in planning his/ her program of studies, the program meets or exceeds New Hampshire content standards.

#### **Admissions policy (in compliance with Ed 318.05):**

The Great Bay admissions policy does not intentionally discriminate against any individual or violate individual rights in any manner prohibited by law.

Factors taken into consideration in the approval of applicants include academic need (based on past-performance), parental recommendations, teacher and/or guidance counselor recommendations, and space availability. Should demand for participation exceed space availability, a lottery is held. Eligible students are identified and placed in a pool from which random drawings occur until fifty students have been selected. Students not selected from the lottery pool are placed upon a wait list in the order of the date and time of their application. In the event that a student withdraws from the school, the student whose application is dated earlier than other applications is given the opportunity to participate. The selection process continues until all available spaces are filled.

#### **Student Behavioral Expectations:**

Policies for student governance are developed by the Board of Trustees and reflect the same high expectations for student behavior that exists within the traditional program. The policy is clear, states expectations for student behavior, and indicates possible consequences. Mentors, volunteers, and counselors are assigned as needed to help students meet behavioral expectations. Should the student be unable to perform satisfactorily in a manner that allows a respectful environment for all students, the student may be suspended or expelled from the Great Bay eLearning Charter School. The Great Bay eLearning Charter School provides fair and age appropriate due process to students and complies with current suspension and expulsion provision as detailed in RSA 193:13 (Suspension and Expulsion of Pupils) and RSA 194-B, 9,III, the pupil may withdraw from a charter school based upon criteria determined by the board of trustees consistent with the advice of the administration and faculty and in conformance with RSA 193:13. No public school shall be compelled to enroll an expelled student.

The administration recognizes that expulsion is seldom an answer to student behavior issues and takes the position that through counseling, mediation, mentoring, and a wide

diversity of learning opportunities, students are helped to maintain an acceptable level of behavior and may remain in school.

Pupil governance and discipline are age-appropriate and due process procedures are in place for all disciplinary matters including suspension and expulsion.

**Method of Administering Fiscal Accounts and Reporting:**

Great Bay eLearning Charter School follows public nonprofit accounting guidelines and accounting controls that protect the good name of the school and its assets. The Board of Trustees implement policies for the fiscal management of the charter school. The Executive Director for Business Services, in conjunction with the treasurer of the Board of Trustees for the Charter School, oversees the management of the funds. The school complies with all requirements specified in the law pertaining to reporting requirements (RSA 194-B:101-V). This list includes the following:

- *annual report*
- *annual financial audit and report*
- *program audit*
- *annual school budget process*

**Annual Budget and Funding:**

Pursuant to Ed. 318.07, Great Bay produces an annual report that includes but is not limited to the following components:

- general progress report regarding operation of Great Bay eLearning Charter School
- budget plan for operation of Great Bay eLearning Charter School
- assessment and reporting of the manner in which Great Bay is able to meet its educational and financial goals, as identified in the Great Bay eLearning Charter School mission statement
- Balance sheet identifying assets, liabilities, fund balances, equities, donations, grants awarded, grants in progress, endowments
- Income and expenses projections for coming year

The Board of Trustees has established policies for the administration of funds, for check writing authority, and has determined a ceiling on discretionary expenditures. In addition, the trustees empower the business department to establish a purchase ordering system which provides a clear picture of expenditures and the status of accounts. Those individuals with check writing authority are bonded in accordance with guidelines of the New Hampshire Department of Revenue Administration.

Donations, endowments, and other liquid assets are deposited in a separate account set up to handle those transactions and the Executive Director for Business services, in conjunction with the treasurer appointed by the Board of Trustees, is responsible for assuring that all donations are used as directed by the donor.

**School Calendar and Hours of Operation:**

Great Bay fulfills the intent of RSA 194-B.8,II in regard to its annual calendar. Hours of operation are flexible, as are the strategies for meeting the calendar requirement. While

classes begin at approximately 8:00 a.m. and end at approximately 2:00 pm., the school may opt to use less traditional hours.

**Evidence of Adequate Insurance Coverage:**

Pursuant to RSA 194-B:1,III, Great Bay eLearning Charter School is subject to the protections afforded any public school under RSA 507 (b) which provides for Limited General Liability for the charter school and its agents.

**Parent Involvement:**

Great Bay eLearning Charter School expects maximum participation from parents and members of the community. Parents participate on the Board of Trustees and committees to develop and revise strategies to enhance student success, increase student involvement in community service, practicums, internships, and field experiences, and support for the Great Bay library. In addition, parents participate in efforts to bring substantial donations, endowments, and grant opportunities to the school. Parents of students enrolled in the school are encouraged to volunteer. This consists of support for the faculty, assistance to students on special projects, co-curricular activities, work on a committee, assistance with the facility or other types of support designed to assist in operating a state-of-the-art program while maintaining a cost-neutral budget.

**Severability provisions and statement of assurance:**

If any provision of the charter agreement is determined to be unenforceable or invalid for any reason, the remainder of the charter agreement shall remain in effect unless otherwise terminated by one or both of the parties in accordance with the terms contained herein.

**Provision for dissolution of the charter school including disposition of its assets:**

The Board of Trustees for the Great Bay eLearning Charter School is committed to assuring that the management of the school is exemplary and that Great Bay eLearning becomes an educational option of which the community is proud. However, in the event that the charter is terminated and the dissolution of Great Bay eLearning Charter School should occur, all property that the school has purchased, leased, or otherwise contracted for shall be transferred to the traditional program or returned as per contractual agreement.

Under circumstances that require dissolution, the board will:

- Research best use of property and retire all debt obligations
- Acknowledge that all personal property of the faculty and administrators shall remain their property
- Coordinate with the faculty and parents of students being reintegrated into the traditional programs

A minimum of one semester notice of closing will be provided parents and students. All records will be transferred in a timely manner and the staff and trustees of the Great Bay eLearning Charter School will work with the receiving site to make the transition as educationally sound as possible. School personnel will obtain permission for a release of information prior to transfer of information.

March 18, 2024

**Via Electronic Mail**

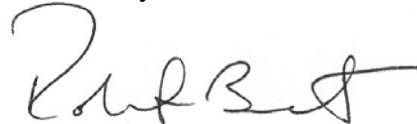
Commissioner Frank Edelblut, New Hampshire Department of Education  
Chairman Drew Cline, New Hampshire State Board of Education  
25 Hall St  
Concord, NH 03301

**RE: Friends of Coastal Waters, Inc., d/b/a Coastal Waters Public Chartered School**

Dear Chairman Cline and Commissioner Edelblut,

I write on behalf of Friends of Coastal Waters, Inc., which is the non-profit entity operating Coastal Waters Public Chartered School. By this letter, Friends of Coastal Waters relinquishes the charter for Coastal Waters Public Chartered School. Please let me know if you have any questions.

Sincerely,



Robert L. Best

RLB/

cc: Jennifer Roopenian, Chair  
Friends of Coastal Waters, Inc.





Frank Edelblut  
Commissioner

Christine M. Brennan  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
Office of Learn Everywhere  
Division of Education Analytics and Resources  
25 Hall Street  
Concord, NH 03301  
TEL. (603) 491-8060

April 2024  
State Board of Education Meeting  
Learn Everywhere Program Renewal Application  
Big Brothers Big Sisters of New Hampshire  
Executive Summary

A. Action Needed

A vote is needed by the State Board of Education to approve the renewal application for the Big Brothers Big Sisters of New Hampshire Learn Everywhere program.

B. Learn Everywhere Program

Application submitted by:

Jennifer Geary  
Big Brothers Big Sisters of New Hampshire  
3 Portsmouth Avenue  
Stratham, NH 03885  
978.254.0253

C. Rationale for Action

Ed 1403.03 authorizes the State Board of Education to approve Learn Everywhere programs.

The Commissioner of Education is recommending the State Board of Education approve the application [see Ed 1403.02(f)].

D. Effects of this Action

Approval of this renewal application will allow the applicant to continue to award students that complete the Learn Everywhere program a certificate for credit toward meeting high school graduation requirements for a period of five years.

E. Possible Motion

I move that the State Board of Education approve the Big Brothers Big Sisters of New Hampshire Learn Everywhere renewal application.

OR:

I move that the State Board of Education \_\_\_\_\_  
(indicate some other action)



**Frank Edelblut**  
Commissioner

**Christine M. Brennan**  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
**DEPARTMENT OF EDUCATION**  
Office of Learn Everywhere  
Division of Education Analytics and Resources  
25 Hall Street  
Concord, NH 03301  
TEL. (603) 491-8060  
FAX (603) 271-1953

April 2, 2024

Frank Edelblut, Commissioner  
New Hampshire Department of Education  
25 Hall Street  
Concord, NH 03301

Re: Big Brothers Big Sisters of New Hampshire  
Learn Everywhere Program Evaluation Report

Commissioner,

This evaluation report has been prepared, and is being submitted by, the Administrator of Educational Pathways (AEP) of the New Hampshire Department of Education (NHED) to the NHED Commissioner of Education (Commissioner) as required by Ed 1403.02(f). This evaluation report, along with the Big Brothers Big Sisters of New Hampshire (BBBSNH) Learn Everywhere renewal program application, is intended to provide the Commissioner a basis, in part, for making a recommendation to the State Board of Education.

### **Background**

The mission of BBBSNH is to create and support one to one mentoring relationships that ignite the power and promise of our youth. Their vision is that all youth achieve their full potential. Their goals are to get more of our youth connected with empowering mentors. They have developed their programs to meet as many as New Hampshire's youth as possible and connect volunteer with children in a way that is safe, effective and fun for both Littles and Bigs. Mentor 2.0 (M2.0) is one of their programs that incoming high school students can sign up for. M2.0 is a technology-enhanced one-on-one mentoring program that provides transformative support for low-income and first-generation high school students.

BBBSNH has submitted this Learn Everywhere program renewal application, in accordance with Ed 1403.01, requesting approval of a five year renewal to continue to issue certificates for high school Open Elective credits in Mentoring.

### **BBBSNH Learn Everywhere Program Application Review Process**

- BBBSNH submitted its renewal application to NHED on January 26, 2024.
- As required by Ed 1403.02, NHED reviewed the application and notified BBBSNH that the application was considered complete on February 7, 2024.
- In accordance with the requirements of Ed 1403.02(a), NHED formed an ad hoc Learn Everywhere program approval committee consisting of the following people.

**Timothy Carney** – Mr. Carney is the Administrator of Educational Pathways (AEP) for the NHED. The AEP position has the responsibility to also administer the Learn Everywhere program. As such, Mr. Carney’s participation on the committee fulfills the intent of Ed 1403.02(a)(1)a. Mr. Carney, who will serve as the chair of the committee, is responsible for the overall coordination and management of the Learn Everywhere application and review process.

**Anne Wallace** – Ms. Wallace is the NHED Education Consultant in Mathematics and STEM. Prior to coming to NHED, she had taught at the elementary through high school levels within private and public schools for approximately twenty years. During this time, she served as teacher, math department lead/facilitator, math coach and interventionist, math specialist, and building curriculum coordinator. Over the past 15 years, Anne has also taught elementary and secondary math methods, along with facilitating the New Hampshire TCAP Capstone Seminar at the post-secondary level. Along with teaching, Anne has been involved in education through serving on and participating in the following: the Professional Standards Board, the New Hampshire Teachers of Mathematics executive board, as a program reviewer for the New Hampshire Council for Teacher Education, New Hampshire STEM Education Task Force, and the New Hampshire Quantitative Literacy Project. She holds a Bachelor of Business Administration, Master’s in Education, Post-Graduate Certificate in Curriculum and Assessment, and Certificate of Advanced Graduate Studies in Educational Leadership. Ms. Wallace’s participation on the committee fulfills the intent of Ed 1403.02(a)(1)b. by providing expertise in the area of curriculum competency.

**Ben Forbes** – Mr. Forbes has been teaching health and physical education at Bow High School for 26 years. He is responsible for teaching topics in health related to CPR and First Aid, nicotine, vaping, alcohol, prescription and illicit drug abuse, contraception, STD prevention and human reproduction. He utilizes many curriculum models for physical education including adventure-based education, fitness and team/individual sports. He is a National Archery in Schools Instructor and a certified Hunter Education Instructor, which he also utilizes to teach a Hunter Safety Certification Course at BHS. Mr. Forbes also teaches fishing and water sports safety, in conjunction with the Outdoor Tomorrow Foundation and NH Fish and Game. Ben’s participation on the committee fulfills the

intent of Ed 1403.02(a)(2)b. by providing expertise in the area of High School Health education.

- The AEP reached out to directly to five members of the Extended Learning Opportunities Network (ELON) in an attempt to fulfill the intent of Ed 1403.02(a)(2)a. by providing expertise in the area of extended learning programming. None of the ELON members solicited responded to the request to participate in the review. In accordance with Ed 1403.02(a)(2), the lack of reasonable availability of a member of ELON to participate in the review of the application did not preclude the completion of the review process.
- Each Committee member was provided with a copy of the BBBSNH renewal application along with a guidance document outlining the review items as specified in Ed 1403.02(d).
- The individual Committee member reviews were submitted back to the AEP on March 6, 2024. The review committee comments were consolidated and relayed to BBBSNH for their consideration on March 8, 2024. BBBSNH provided their response the review comments to the AEP on March 12, 2024

### **Summary of the Committee Review**

Listed below in italics are the comments and/or concerns provided by the individual Committee member's reviews. Below the reviewer comments or concerns is the response from BBBSNH in bold text.

### **Reviewer Comments in Accordance with Application Requirements**

- There are educational goals, competencies, and methods for assessment that will be used to measure student progress toward meeting program goals and competencies. [Ed 1403.02(d)(4)]

*There are very clear goals for each "pair" outlined in every grade level of the Mentor 2.0 program. Competencies are written for each unit within each grade level. Assessment of student progress, competencies and goals appears to be done in a variety of manners including observation, in person interaction and online meetings. There is also data produced from the iMentor program that provides feedback on completion and overall program engagement. These metrics provide information about short and long term outcomes but lacks specific assessment strategies.*

*The area of the non-cognitive skills seems to rely heavily on statistical analysis that has the potential to be skewed very easily. There was much time spent outlining how best to avoid this, but honestly it felt like this portion of the application was a canned response defending the metrics and t scales. No definition of the non-cognitive skills themselves to better define and characterize how they could be assessed.*

*I feel like this area needs some work. More defined competencies and more specific examples of how the mentor and program will assess student learning. The assessment tools I'm finding are more geared towards engagement, or proof of participation, rather than the quality of the work or products. I'd like to see examples of how student work is actually being assessed, not just that they participated in or completed 65% of the lessons or meetings online.*

## General Comments

- *The area that I feel they could improve upon, perhaps just in the application process, would be assessment of learning outcomes. Perhaps, it was a bit convoluted for me to grasp in my time reviewing the application. I feel like some examples of student work and how a mentor would assess that product, maybe with a rubric would have been helpful. Overall, I felt like the goals and competencies were present, but the assessment fell mostly on the computer metrics to determine success.*
- *Good to see that use a pass/fail system as feel this is the best applicable measure of student progress. Supports woven in throughout.*
- *Again, I appreciate that BBBSNH recognizes that a student's post-secondary education plan has multiple postsecondary pathways that people may pursue including 2- and 4- year colleges, the military, apprenticeships, and specific career programs.*
- *The iMentor program appears to have a well-thought-out time frame and development of lessons robust to support HS students in self-learning, self-reflection, developing skills, in understanding processes and needs in planning for their future plans and pathways, and in where supports are for these plans as they transition from high school to post-secondary education opportunities and careers.*

**BBBSNH appreciates the reviewer comments and concerns but has elected to not modify its application as part of this renewal request. BBBSNH is in the process of modifying their current Learn Everywhere program for implementation prior to the upcoming 2024 – 2025 school year. As part of that upcoming application approval process, BBBSNH anticipates it will consider the above comments and make sure that outcomes are more clearly explain in the application. For the purposes of this renewal application, the existing program will remain unchanged for students that are completing the Learn Everywhere program by the end of the 2023 – 2024 school year.**

A copy of the BBBSNH Learn Everywhere renewal application is attached.

## Statement of Program Changes

Ed 1403.04 requires an applicant for renewal of a Learn Everywhere program to submit to NHED one of the following statements:

- (1) A statement signed by the sponsor entity stating that there have been no changes to any of the programs or documentation required, as outlined in Ed 1403.01, since the previous application period; or
- (2) A statement signed by the sponsor entity stating there have been changes to one or more approved programs, a list of the changes, and supporting documentation as outlined in Ed 1403.01.

BBBSNH has provided a required statement that aligns with (1) above indicating there have been no changes to the program or documentation required. A copy of the BBBSNH statement is attached.

**Student Course Evaluations**

Ed 1403.04(d) requires that the State Board of Education shall not issue a five year renewal of a one-year provisional approval without reviewing student course evaluations received pursuant to Ed 1407.01. BBBSNH has awarded certificates for credit under their Learn Everywhere program. Student course evaluations are attached.

**Closing**

In accordance with Ed 1403.02(f), following your review of this evaluation report you shall submit it, and the associated attachment, along with a recommendation to the State Board of Education. You may recommend that the State Board of Education deny, approve, or conditionally approve the BBBSNH renewal application.

Please let me know if you have any questions or need additional information to inform your recommendation.

Respectfully submitted,



Timothy C. Carney  
Administrator of Educational Pathways

Attachments – BBBSNH Learn Everywhere Renewal Application  
Statement of Program Changes  
Student Course Evaluations

**Big Brothers Big Sisters Of New Hampshire  
Learn Everywhere Renewal Application**



New Hampshire

# Department of Education

## Learn Everywhere Program Initial Application

### 1.0 Applicant Information [Ed 1403.01(a)(2)].

**Organization Name:** Big Brothers Big Sisters of New Hampshire

**Name of Primary Contact:** Jennifer Geary

**Mailing Address:** 3 Portsmouth Ave Stratham, NH 03885

**Email Address:** [jmacleay@bbbsnh.org](mailto:jmacleay@bbbsnh.org)

**Phone Number:** 978-254-0253

### 2.0 Purpose, mission statement, or both [Ed 1403.01(a)(1)].

Mentoring gives youth the inspiration and confidence needed to achieve their dreams, provides parents with a network of support and offers volunteers the opportunity to make a big difference in someone else's life. Big Brothers Big Sisters of New Hampshire is 501(3)c nonprofit organization that provides youth mentoring services to the state of New Hampshire. Our team of professional staff members makes a big impact by supporting our mentors, ensuring the wellbeing of the youth in our program and providing resources for parent's teachers and other defenders of New Hampshire youth.

Our Mission at Big Brothers Big Sisters of New Hampshire is to create and support one to one mentoring relationships that ignite the power and promise of our youth. Our vision is that all youth achieve their full potential. Our goals are to get more of our youth connected with empowering mentors. We have developed our programs to meet as many as New Hampshire's youth as possible and connect volunteer with children in a way that is safe, effective and fun for both our Littles and our Bigs.

Mentor 2.0(M2.0) is one of our programs that incoming high school students can sign up for. M2.0 is a technology-enhanced one-on-one mentoring program that provides transformative support for low-income and first-generation high school students. It involves weekly online communication and monthly in-person or virtual meetings.



Mentors are paired with high school students, and work with them through a curriculum that builds skills for college and career success. The weekly online communication involves writing activities that discuss important topics such as professionalism, perseverance, self-advocacy, college financial aid, and career choices. Monthly in-person or virtual meetings are sponsored by



the BBBSNH agency and are typically held during the school day or after school hours. Field trips are planned throughout the school year to local colleges, and businesses based on the cohorts interest that year.

This is intended to be a 4-year course. Students sign up their freshman year, meet their mentors and together work through the assigned curriculum, attend field trips, and build a relationship that the student can depend on as they are moving through their high school career.

**3.0 A description of the demonstrated instructor qualifications required for the program(s) and a statement assuring that the instructor(s) satisfies those qualifications [Ed 1403.01(a)(3)].**

BBBSNH Mentor 2.0 coordinator is required to have Bachelor's degree with at least two years of experience in direct service, youth development, social work, or a related area. Have 3+ years of professional experience working with high school aged youth, preferably with experience in college success programming. Applicants will display strong communication skills, a passion for helping students achieve college success, and a strong customer service orientation. Sensitivity to and experience in working with culturally diverse populations with the ability to build strong, healthy and productive relationships.

Our current instructor/program coordinator, Casey Loeffler has a Masters of Science from Fort Hays State University (2019) and a Bachelors of Arts from Wayne State College (2008). He has over 10+ years of experience in counseling, direct service, education, social work, and youth development. His experience includes 5 years at the Youth Rehabilitation Treatment Center-Kearney, a state-ran facility for adjudicated youth ages 14-18 where he served as a Living Unit staff and Youth Counselor with the latter being responsible for the creation and implementation of all individual and group treatment plans. In addition, he also brings two years of teaching experience having served as a Student Supervisor/Teacher (Health/Physical Education and Freshman Seminar) at North Shore Technical High School in Middleton, MA and as an Elementary Physical Education Teacher at St. Francis of Assisi School in Litchfield, NH. Other relevant experience includes three years within the mental health field as a Wellness Coach at Center for Life Management in Derry, NH. In this position, he developed and oversaw the implementation of individual wellness plans for adults and seniors that focused primarily on diet and exercise to manage mental health symptoms with the overall goal being to improve overall quality of life. Since joining BBBSNH, Casey has fulfilled all agency training requirements and has completed extensive training through our programming partner, iMentor who offers weekly meetings and an annual four-day training event during the summer.

The platform-based curriculum relies heavily on an instructor/program coordinator to facilitate content delivery and ensure completion of assignments through the online platform. Most importantly, the instructor/program coordinator serves as the direct link between BBBSNH and the school partner as well as the adult volunteers, students and their families. The instructor/program coordinator is responsible for all adult/student enrollments, monthly match support contacts between pairs, match closures, monitoring of on-line exchanges through the online platform, and supervision of in-person events/field trips. They are also responsible for daily classroom management since the program is site-based and designed for implementation into a school therefore one can expect to have additional tasks assigned as a result of the partnership between the school administration and or school district.

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As cohorts are added each year BBBSNH will be responsible for adding on qualifying staff members to implement Mentor 2.0. BBBSNH will select, instruct, train, and qualify each new instructor as needed. Qualifications include but are not limited to:

- Bachelor's degree with at least two years of experience in direct service, youth development, social work, or a related area. The ideal candidate will have 3+ years of professional experience working with high school aged youth, preferably with experience in college success programming.
- Views differences between individuals (race, gender, age, cultural heritage, physical ability, education and lifestyle) as an asset and demonstrates an appreciation of the diversity within BBBSNH and iMentor
- Applicants will display strong communication skills, a passion for helping students achieve college success, and a strong customer service orientation
- Employment is contingent upon the completion of a satisfactory fingerprinting and criminal background check, conducted by the Division of Human Resources at the New Hampshire Department of Education

- 4.0 A criminal history records check policy that includes a statement affirming that the sponsoring entity shall not allow instruction or student contact by a person who has been charged pending disposition for, or convicted of, any violation or attempted violation of any of the offenses as outlined in RSA 189:13-a, V pursuant to a criminal history records check conducted by the department of safety as outlined in Saf-C 5703.06 through Saf-C 5703.11 [1403.01(a)(4)].**

Employment at BBBSNH is contingent on the completion of a satisfactory criminal background check conducted by BBBSNH. BBBSNH does not allow instruction or student contact by a person who has been charged pending disposition for or convicted of, any violation or attempted violation of any of the offenses as outlines in RSA 189:13-a, V pursuant to a criminal history records check conducted by the department of safety as outlined in Saf-C 5703.06 through Saf-C 5703.11 [1403.01(a)(4)]. BBBSNH confirms that all of our instructors and support staff and volunteers who will be in contact with students have satisfied our criminal history requirements. Parents will be informed of the clearances of the students mentor.

- 5.0 For the proposed instructional program(s), identify the education, program, or opportunity from Ed 306.27(v) for which students completing the learn everywhere program shall receive high school credit(s) [Ed 1403.01(b)(1)(a)].**

Mentor 2.0 course shall receive high school credit as “open elective” as listed as ED 306.27(v)

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**6.0 An outline of each program for which approval is sought, which includes goals, competencies, a detailed description of the course of instruction, and a description of expected student outcomes [Ed 1403.01(b)(1)(b)]**

Mentor 2.0 utilizes iMentor’s research-based curriculum to guide mentor-mentee interaction towards **five goals** that will promote and result in success in higher education which include:

1. Mentor-mentee pair develops a strong personal relationship that positions that mentoring relationship to thrive in high school and beyond. Together, pairs will explore a variety of educational and occupational opportunities, learn the realities of the workplace, and identify both the technical skills and individual qualities that they will need to succeed in their field of interest.
2. Mentor-mentee pair deepens and personalizes the student’s post-secondary education plan and pathway to that student’s highest career aspiration. Students will increase their ability to make informed decisions through awareness and understanding of individual qualities that contribute to success in their future.
3. Student develops the college knowledge, skills, and mindsets needed to succeed in college and career.
4. Student effectively navigates the college process Mentor-mentee pair feels a connection to the broader iMentor community and engages in iMentor initiatives beyond the pair relationship.
5. Mentor-mentee pair feels a connection to the broader iMentor community and engages in iMentor initiatives beyond the pair relationship.

### **CURRICULUM RATIONALE:**

iMentor’s curriculum is based on more than 17 years of learning on the power and potential of mentoring as a vehicle to improve student outcomes; research on college access, persistence and completion; and best practices for engaging students from low-income communities in both traditional and non-traditional education settings.

A growing body of research shows that while schools are making gains related to the academic standards and practices needed to best prepare students to be college-ready at graduation, they still struggle to prepare students in the other key non-academic areas critical to college access and success. These areas include, but are not limited to, building college knowledge; developing a strong college-going identity; developing essential non-cognitive skills and mindsets; and, providing adequate levels of support through the college application and matriculation process.

### **CURRICULUM PHILOSOPHY:**

A key insight from our work in this sector is that every student’s path to post-secondary education success is highly individualized. Students’ opportunities and assets, as well as challenges and barriers, to college entry and completion are just as diverse as the students themselves. Therefore, our curriculum has as its foundation a mentee-mentor relationship that is developed to provide students with years of steady and truly personalized support. Similarly, support for young people on the path to educational and professional success needs to be shared across families, schools,

programs like iMentor and communities. iMentor seeks to bridge the broader professional sector and our students in ways that build students' networks, improve their knowledge and skills, and prepares them to achieve their unique personal, educational and professional goals.

### **CURRICULUM STRUCTURE:**

Our curriculum is organized by learning units, each of which has its own set of learning goals and objectives. Each learning unit includes several weeks of interactive class sessions, engaging online communication between each mentor and mentee and events based on a common theme or objective for the unit.

### **APPROACH TO LEARNING:**

iMentor staff members work with our school partners to facilitate weekly class sessions for mentees. During these class sessions, mentees learn about relevant topics and process that learning with peers. Mentors and mentees then collaborate via online communication on iMentor's proprietary technology platform to deepen and personalize learning and connect concepts to mentees' individual college and career pathways. Mentees initiate communication during each class session and mentors respond during the ensuing week. Pairs also stay in touch through our Platform's secure "chat" feature, called Conversations.

Each lesson includes the following:

- Detailed lesson plan to support staff members in facilitating weekly class sessions.
- Online communication prompts that are aligned to the curriculum to spark sharing and learning between mentors and mentees.
- Learning materials to support mentors in mastering the concepts covered with mentees during class.

### **EVENTS:**

Mentees and mentors supplement their weekly collaboration with one in-person event for each unit. These events provide hands-on learning opportunities for pairs and create more opportunities for collaboration and shared learning. During events, staff members lead mentors and mentees in activities designed to take advantage of the collective power of the mentor-mentee community.

Each event includes the following:

- Group activities to leverage the power of the mentoring community at each partner school.
- Pair activities to create opportunities for in-person pair reflection and learning.
- Mentor huddle to allow mentors to reflect on the event and brainstorm strategies to support their mentees.

## CURRICULUM OVERVIEW:

Included below (*image 4*) is a brief overview of the iMentor curriculum that BBBSNH will utilize for Mentor 2.0 within a classroom setting.

GRADE-SPECIFIC FOCUS AREAS	
<b>9th Grade</b>	<b>11th Grade</b>
Develop a strong mentoring relationship	Define college preferences
Build resilience and self-advocacy skills	Research colleges
Cultivate intellectual curiosity	Develop critical thinking and study skills
Introduce college process and expectations	Prepare for standardized tests
	Identify and address academic challenges
<b>10th Grade</b>	<b>12th Grade</b>
Identify potential careers	Determine choices beyond high school
Make connections between school and work	Complete college applications
Develop leadership skills	Apply for financial aid and improve financial literacy
Address academic challenges	Choose post-secondary option
	Develop a high-school transition plan

(Image 4)

\*\*A more comprehensive overview of the curriculum is included that details the curriculum for grades 9-12 and each individual unit's set of learning goals and objectives.

## 9<sup>th</sup> GRADE

### Pair Goals

- Build a strong and trusting relationship through self-exploration and honest sharing of values, interests and cultural backgrounds
- Engage in goal setting and short term/long term planning as it relates to high school success
- Discuss career options and brainstorm fields that align with the mentee's interests, values, skills, and beliefs
- Explore summer opportunities that relate to career interests and goals

### Unit 1: Understanding the Program

This is a pre-platform unit, which introduces students to the iMentor program, the role of the mentor-mentee, and the way the curriculum and classes support them in this work. This unit prepares students to complete their new mentee applications for matching. At the end of the unit, students will be prepared to fully participate in the program, will understand the reasoning/benefits of the program, and be excited about their mentor.

### Unit 2: Becoming a Mentee

In this unit, students complete and explore iMentor systems that help mentees connect with their mentors and help iMentor assess the students. Students are introduced to the platform, where they will draft their first message to their new mentors. Then, students utilize the information from unit 1 to inform their answers on the beginning of the year survey. Once this unit is complete, pairs will understand how to utilize the platform to start building their new relationship. The pairs will also have broken the ice and have been introduced virtually to one another.

### Unit 3: Allow Me to Introduce Myself

This is the first unit after pairs have been matched and it gives the pairs the opportunity to launch their relationships and begin getting to know one another. Pairs will explore similarities and differences, make connections and share experiences that will deepen their relationship. At the end of this unit, pairs will have a basic understanding of each other's interests, backgrounds, motivation and day to day activities.

**Unit 4: Becoming a Pair**

Students will consider and celebrate similarities and differences with their mentors, explore what makes a healthy relationship and establish expectations for their mentor-mentee relationship.

**Unit 5: Goal Setting**

In this unit, students and mentors will practice using the SMART goal framework to develop short-term targets that are specific, measurable, ambitious, realistic, and time-bound. Students and mentors will share goals that they are setting for the month. Students will see the importance of setting a clear goal, tracking progress towards that goal, getting expert tips/feedback, and reflecting on their progress.

**Unit 6: Summer Enrichment**

In this unit, students and their mentors will create a plan for the summer ahead using the STEP document. Pairs will discuss and explore how students can pursue their interests and goals. The Fit Factors in the STEP document will make sure pairs communicate clearly about time and money constraints so they can collaborate well on summer plans and research. Mentors will offer suggestions and support their mentee's efforts to research, compare, evaluate, and apply for summer opportunities through Summer Teen Enrichment Projects (STEP).

**\*See the following page for the full 9<sup>th</sup> grade scope and sequence**

Week #	Unit/Phase	Lesson
Week 1	1. Understanding the Program	0. Welcome Back!
Week 2	1. Understanding the Program	1. The Power and Potential of Mentoring Relationships
Week 3	1. Understanding the Program	3. What I Want in a Mentor
Week 4	1. Understanding the Program	4. Matching Application
Week 5	2. Becoming a Mentee	2-3. Exploring Platform
Week 6	2. Becoming a Mentee	4. Mentor Reveal (Beginning of Year Survey)
Week 7	3. Allow Me to Introduce Myself	1. Five Questions About Me, Five Questions About You
Week 8	3. Allow Me to Introduce Myself	3. "I Am From" Poem
Week 9	4. Becoming a Pair	2. Healthy Relationships
Week 10	3. Allow Me to Introduce Myself	2. A Day in My Life
Week 11	3. Allow Me to Introduce Myself	4. Successes and Failures
Week 12	4. Becoming a Pair	1. Exploring Similarities and Differences
Week 13	4. Becoming a Pair	3. Give and Gets
Week 14	5. Goal Setting	1. The Power of Goal-Setting
Week 15	5. Goal Setting	2. SMART Goals
Week 16	5. Goal Setting	3. Expert Advice
Week 17	5. Goal Setting	4. Goal Tracking and Reflection
Week 18	6. Summer Enrichment	1. Summer Top 100
Week 19	6. Summer Enrichment	2. Personal Growth
Week 20	6. Summer Enrichment	3. Time and Money
Week 21	6. Summer Enrichment	4. STEP Planner
Week 22	7. Growth Mindset	1. Opportunities for Growth
Week 23	7. Growth Mindset	2. My Outlook
Week 24	7. Growth Mindset	3. Persistence
Week 25	8. Reflecting Back, Looking Forward	1. Freshman Year Check-In
Week 26	8. Reflecting Back, Looking Forward	2. College Sneak Peek
Week 27	8. Reflecting Back, Looking Forward	3. Planning My Path
Week 28	9. Launching Grade 10	1. Vision of the Future
Week 29	9. Launching Grade 10	2. Message From Sophomore Self
Week 30	9. Launching Grade 10	3. Summer SMART Goal
Week 31	9. Launching Grade 10	4. End of Year Survey
Week 32	9. Launching Grade 10	5. Closing Out the Year
Week 33	Enrichment Lesson	1. Professional Email Writing
Week 34 (TBD)	Enrichment Lesson	1. Current Events

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## **10th Grade**

### **Pair Goals**

- Build a strong and trusting relationship through self-exploration and honest sharing of values, interests and cultural backgrounds
- Explore career and post-secondary pathway options
- Engage in goal setting and short term/long term planning as it relates to high school success

### **Unit 1: Launching Grade 10**

In this first unit, students will be re-acquainted to the program. They'll work collaboratively to establish classroom norms and re-engage with their mentors. By taking time for students to reflect and refocus on the characteristics of a strong classroom culture and pair relationship, this unit places peer collaboration and the mentor-mentee relationship at the center of the year's work.

### **Unit 2: Get Involved**

In this unit, students will explore their interests, extending the work they did on this career question in 9th grade. Students will understand that interests grow into passions when fed with time and practice. Students will learn about, and commit to pursuing, extracurricular activities aligned to their interests or passions.

### **Unit 3: Building My Resume**

In this unit, students will identify their skills and strengths and discuss experiences that have helped them grow. They will then use this information to create a resume, which will help them to value their strengths, tell their personal story, and apply for summer jobs or programs. All of the work of this unit will help students identify reasons for attending college.

### **Unit 4: Summer Planning**

In this unit, students will begin planning their summer by understanding it as an opportunity to grow their skills or pursue their interests. With their mentor's guidance, each student will develop personalized criteria for selecting summer projects. Mentors will offer suggestions and support their mentee's efforts to research, compare, evaluate, and apply for summer opportunities through Summer Teen Enrichment Projects (STEP).

### **Unit 5: Reaching Your Goals**

In this unit, students will build on the goal-setting strategies they learned in 9th grade and apply them to academic planning. Students will begin by reflecting on long-term goals by envisioning their future selves. They will then establish a related intermediate goal followed by specific immediate goals using the SMART goal framework. Finally, students will develop and implement a plan for achieving a specific academic goal.

### **Unit 6: Social Capital**

In this unit, students will build a Social Capital Toolkit as a resource for the college process they'll undergo in 11th and 12th grade. Students will first learn the meaning and significance of social capital, building on the foundation established in 9th and 10th grade via STEP and the goal-setting exercises. Students will then map the social capital they already have in their lives



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and create a social capital directory. Finally, students will examine how to strengthen and expand social capital through the lens of social media.

### **Unit 7: Post-Secondary Landscape**

In this unit, students and mentors will gain a full understanding of the post-secondary landscape through a series of lessons and prompts around public and private institutions. This understanding of the options available to students will be immensely helpful to pairs, as the next two years of the match will be focused primarily on post-secondary planning.

### **Unit 8: Cultural Identity**

In this unit, students explore their culture in order to increase self-awareness by reflecting on their culture(s) and sharing about it with their mentors and peers. Increased self-awareness is an important step in helping students to identify their unique perspective, interests, and needs as they plan for their post-secondary lives and beyond.

**\*See the following page for the full 10<sup>th</sup> grade scope and sequence**

Week #	Unit/Phase	Lesson
Week 1	1. Launching Grade 10	0. Welcome Back!
Week 2	1. Launching Grade 10	1. Trust Check
Week 3	1. Launching Grade 10	3. Collaboration & Class Norms
Week 4	1. Launching Grade 10	4. Summer Reflections
Week 5	2. Get Involved!	1. Explaining Interests
Week 6	2. Get Involved!	2. How Interests Grow
Week 7	2. Get Involved!	3. Get Involved!
Week 8	3. Building My Resume	1. High School Resume
Week 9	3. Building My Resume	2. Identifying My Skills
Week 10	3. Building My Resume	3. Writing My Resume
Week 11	3. Building My Resume	4. Polishing My Resume
Week 12	4. Summer Planning	1. STEP: Personal Growth
Week 13	4. Summer Planning	2. STEP: Requirments
Week 14	4. Summer Planning	3. My STEP Research
Week 15	5. Reaching My Goals	0. SMART Goals
Week 16	5. Reaching My Goals	1. Picture of Happiness
Week 17	5. Reaching My Goals	2. Message from the Future
Week 18	5. Reaching My Goals	3. High School Graduation
Week 19	5. Reaching My Goals	4. My Academic Goals
Week 20	5. Reaching My Goals	5. Seeking Support
Week 21	5. Reaching My Goals	6. Acing the SAT
Week 22	5. Reaching My Goals	7. Problem-Solving
Week 23	6. Social Capital	1. What is Social Capital
Week 24	6. Social Capital	2. My Social Capital
Week 25	6. Social Capital	3. Mastering Social Capital
Week 26	6. Social Capital	4-5. End of Yr Survey/Closing Out Year
Week 27	7. Post-Secondary Landscape	1. Community College
Week 28	7. Post-Secondary Landscape	2. Public Universities
Week 29	7. Post-Secondary Landscape	3. Private Universities
Week 30	7. Post-Secondary Landscape	4. Comparing Options
Week 31	8. Culture and Identity	1. Defining Culture
Week 32	8. Culture and Identity	2. Cultural Markers
Week 33	8. Culture and Identity	3. Power of Photography
Week 34 (TBD)	8. Culture and Identity	4. My Cultural Photograph

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## 11<sup>th</sup> Grade

### **Pair Goals:**

- Reconnect as a pair
- Develop an understanding of career aspirations; potential pathways to get there.
- Further explore post-secondary options; create a short-list of 5-10 post-secondary options.
- Understand key components of financial aid and all documentation that is required to access aid
- Secure two letters of recommendation

### **Unit 1: Reconnecting**

In this phase, students will (re)connect with their mentors in order to start the year off strong. Mentees and mentors will know the expectations and goals for the year and will be able to use those as a base to which to come back to and strengthen their bond.

### **Unit 2: Career Exploration**

Students will carry out a set of self-reflection activities, with their mentor's support, to better understand their interests, skills and the links between their passions and career pathways.

### **Unit 3: Post-Secondary Research**

Pairs will identify the key components of match and fit so that they can research and select post-secondary pathways that are strong options for the mentee. An emphasis will be placed on academic match to ensure that students are not under-matching. Pairs will work together to create a list of 5-10 post-secondary options.

### **Unit 4: Professional Skill Building**

Mentees will identify potential summer opportunities of interest and begin to complete applications. With their mentor's support, they will work on a resume that they can use to apply to these summer opportunities of interest.

### **Unit 5: Preparing for the Summer**

This phase acts as a jump start for students on the college application process. Students will finalize their preliminary college list. They will plan summer tasks to complete in order to stay on track with the post-secondary application process and draft a summer communication plan with their mentors.

**\*See the following page for the full 11<sup>th</sup> grade scope and sequence**

Week #	Unit/Phase	Lesson
Week 1	1. (Re)Connecting	1. Get Inspired
Week 2	1. (Re)Connecting	2. It Takes Two
Week 3	1. (Re)Connecting	3. Successes and Failures
Week 4	1. (Re)Connecting	4. Advocating for My Needs
Week 5	1. (Re)Connecting	5. Goal Setting
Week 6	1. (Re)Connecting	6. Senior Panel
Week 7	1. (Re)Connecting	1. My Life in 10 Years
Week 8	2. Career Exploration	2. Financing Adulthood
Week 9	2. Career Exploration	3. My Top Careers
Week 10	2. Career Exploration	4. Mapping My Career Options
Week 11	2. Career Exploration	5. High School to Career Connection
Week 12	2. Career Exploration	1. Introduction to the Post-Secondary Landscape
Week 13	3. Post-Secondary Research	2. My Fit Factors - Part 1
Week 14	3. Post-Secondary Research	3. My Fit Factors - Part 2
Week 15	3. Post-Secondary Research	4. Considering Diversity as a Fit Factor
Week 16	3. Post-Secondary Research	5. Academic Match
Week 17	3. Post-Secondary Research	6. Post-Secondary Research Set Up
Week 18	3. Post-Secondary Research	7. Post-Secondary Research - Day 1
Week 19	3. Post-Secondary Research	8. Post-Secondary Research - Day 2
Week 20	3. Post-Secondary Research	1. My Resume
Week 21	4. Professional Skill Building	2. My Resume - Revisions
Week 22	4. Professional Skill Building	3. Making the Most of My Summer: Search
Week 23	4. Professional Skill Building	4. Making the Most of My Summer - Apply
Week 24	4. Professional Skill Building	1. Get Ready for the SAT
Week 25	5. Preparing for the Summer and the 12th Grade	2. Letters of Recommendation
Week 26	5. Preparing for the Summer and the 12th Grade	3. The Personal Statement
Week 27	5. Preparing for the Summer and the 12th Grade	4. Understanding Financial Aid
Week 28	5. Preparing for the Summer and the 12th Grade	5. Net Price
Week 29	5. Preparing for the Summer and the 12th Grade	6. My Post-Secondary Prep-Day 1
Week 30	5. Preparing for the Summer and the 12th Grade	7. My Post-Secondary Prep-Day 2
Week 31	5. Preparing for the Summer and the 12th Grade	8. Preparing for Summer
Week 32	5. Preparing for the Summer and the 12th Grade	9. Preparing for Summer

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## 12<sup>th</sup> Grade

### **Pair Goals**

- Understand how career interests align with desired pathway
- Finalize post-secondary options list
- Be able to describe financial aid processes; submit FAFSA/State-aid form if applicable
- Explore necessary life skills for post-secondary success (email, interview, finding employment, budgeting finances)
- Track post-secondary acceptances, wait-list, and rejections; review pros/cons; make final decision
- Develop post-secondary plan to stay connected with mentor

### **Unit 1: My Goals**

Pairs will be re-acquainted with the program. They'll work collaboratively to re-engage and build excitement for the 12th grade. Pairs will revisit the mentee's career interests and understand how these career interests can align with post-secondary pathways. At the end of this phase, pairs will understand what is expected of them this year, be reconnected, and be prepared to launch into the application process.

### **Unit 2: The Personal Statement**

Pairs will work on post-secondary applications. Every mentee will apply to at least one college and if they are interested in non-college options, to at least one other post-secondary pathway. Students must be able to identify why the pathway is a strong fit for them and understand the financial costs associated with the pathway.

### **Unit 3: The Post-Secondary Application**

Pairs will explore the life skills necessary to succeed in the professional world. Mentees will learn how to craft professional emails, interview professionally, network, understand the process of seeking employment, and budget their finances. Mentors will support mentees in practicing their newly acquired professional skills.

### **Unit 4: Paying for College**

Pairs will work towards reviewing the mentee's post-secondary options and analyzing the pros and cons of each option. Pairs will focus on financial aid and reading award letters to support the mentee in making a fiscally responsible decision. The phase will culminate in the mentee choosing a post-secondary pathway for themselves.

### **Unit 5: Life after High School**

Mentees will identify the steps necessary to transition from high school to their post-secondary pathway. With their mentors support, they will think through individuals they can turn to for assistance in the completion of each step.

**\*See the following page for the full 12<sup>th</sup> grade scope and sequence**

Week #	Unit/Phase	Lesson
Week 1	1. My Goals	1. My Next Chapter
Week 2	1. My Goals	3. Organizing for Applications and Leveraging Your Mentor
Week 3	2. The Personal Statement	1. Post Secondary Applctaions
Week 4	2. The Personal Statement	2. My Essay Topic
Week 5	2. The Personal Statement	3. Writing My Story
Week 6	2. The Personal Statement	4. Essay Revision
Week 7	3. The Post-Secondary Application	1. Application Prep
Week 8	3. The Post-Secondary Application	2. Completing Applications Day 1
Week 9	3. The Post-Secondary Application	3. Completing Applications Day 2
Week 10	3. The Post-Secondary Application	4. Completing Applications Day 3
Week 11	3. The Post-Secondary Application	5. Completing Applications Final Day
Week 12	4. Paying for College	1. Financial Aid Review
Week 13	4. Paying for College	2. Finding Scholarships
Week 14	4. Paying for College	3. FAFSA-Overview
Week 15	4. Paying for College	4. Completing the FAFSA
Week 16	4. Paying for College	5. Mid-Year Reflection
Week 17	5. Life After High School	1. New Responsibilities
Week 18	5. Life After High School	2. Post-Secondary Expectations
Week 19	5. Life After High School	3. Beyond Academics
Week 20	5. Life After High School	4. Balancing My Social Life
Week 21	6. Navigating Finances	1. My Personal Finances
Week 22	6. Navigating Finances	2. College Finances Simulation
Week 23	6. Navigating Finances	3. Understanding Credit
Week 24	6. Navigating Finances	4. Working in Colege
Week 25	7. Choosing My Path	1. Fit Factors
Week 26	7. Choosing My Path	2. Financial Aid Awards
Week 27	7. Choosing My Path	3. My New Price
Week 28	8. Transitioning to my Post-Secondary Pathway	1. Communicating and Collaborating After High School
Week 29	8. Transitioning to my Post-Secondary Pathway	2. Support for My Transition
Week 30	8. Transitioning to my Post-Secondary Pathway	3. Communities of Support
Week 31	8. Transitioning to my Post-Secondary Pathway	4. Cultivating Social Capital
Week 32	8. Transitioning to my Post-Secondary Pathway	5. Finding My Place

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### Core Competencies:

1. *Self-Knowledge competencies*- Develop a positive self-concept through confidence in their abilities to plan for a realize their career, education and life goals; understand how their decisions and action can affect all areas of their lives and effect attainment of their career and life goals.
2. *Communication skills competencies*- Develop skills in writing, speaking and listening and use those skills to effectively communicate. Use technology to generate and enhance accuracy of written communication. Student will describe either orally, visually or in writing how individual preferences and interests influence career choices and success.
3. *Professional Development*- Identify career opportunities, and/or secondary education options. Utilize resources exploration, development and growth.
4. *Educational and Occupational Exploration competencies*- See connections between their educational choices and performance and their chances for success in a desired career.
5. *Career Planning competencies*- Develop good decision-making skills; place career choices within the context of life goals; create pathways between their current situations and their goals-now and as they get older

Additionally, the iMentor competences are based on the Social and Emotional (SEL) Framework, which utilizes social and emotional learning to acquire and apply knowledge, skills, and attitudes to develop healthy identities, manage emotions, achieve goals, feel and show empathy for others, establish and maintain relationships, and make responsible and caring decisions. When in practice, SEL competencies while broad and interrelated include:

1. Self-Awareness
2. Self- Management
3. Social Awareness
4. Relationship Skills
5. Responsible Decision-Making

### Desired Outcomes

1. Successful completion of 4 year Mentor 2.0 program and iMentor curriculum
2. Annual growth of two or more non-cognitive skills; total growth of eight or more non-cognitive skills upon completion of high school.
3. Graduation rate (4 year) of 75% or higher; 2021 NH state average was 86.64%.\*
4. Dropout rate of 0% (4 year); 2021 NH state average 1.35%.\*
5. Post-secondary enrollment of 75% or higher.

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**7.0 A plan for recording student progress in meeting expected student outcomes for each course of instruction [Ed 1403.01(b)(1)(c)].**

Student progress can be measured and recorded in a variety of different ways and will be dependent upon what information the school partner is willing to share.

First, in accordance with BBBS national standards all matches will have annual Youth Outcome Development Plan (YODP) goals that the student will create in collaboration with their Mentor 2.0 program coordinator. Per BBBS standards, two YODP are required per year and must include the following information:

- Name of goal
- Category of goal (*Educational Expectations, Grades, Juvenile Justice Involvement, Parental Trust, Risk Attitude, Scholastic Competency, Social Acceptance, Special Adult, Truancy, Career Aspirations, Relationship Building, Social Skill Building, Future Planning, Use of Community Resources, Increasing Confidence, Self-regulating Skills or Interest Exploration*)
- Expected completion date
- Description of goal
- Action steps to meet objectives of goal
- Date of goal completion

YODP goals are to be objectively measured by the program coordinator who rely upon in-person observations due to Mentor 2.0 being site-based as well as feedback from the student's mentor and data collected regarding programming participation, specifically data from iMentor.

As part of the recording process, BBBSNH's partner iMentor offers a variety of tools through their online platform that can be used to measure and track individual and pair data by the program coordinator that can include lesson completion either on a weekly basis or for the duration of the school year and overall program engagement online or in-person (*images A, B and C*). Another important consideration is that all information within the on-line portal is accessible by the program coordinator meaning they can review all exchanges between pairs rather it be for an assigned lesson or through the more informal chat feature.



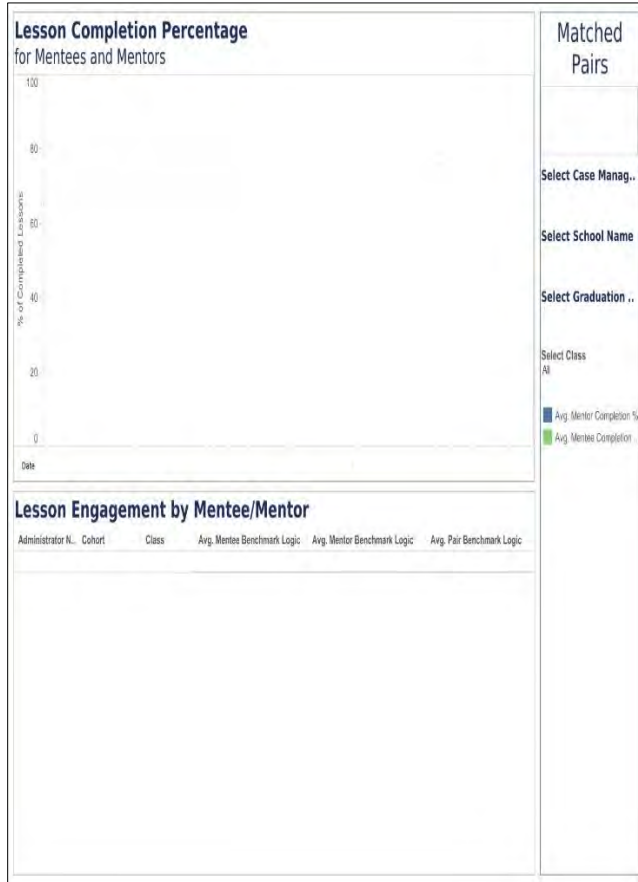


Image A



Image B

Summary Cohort and Class Mentee and Mentor Focus Finder Pair Search Tool											Matched Pairs	
School	Graduation Year	Mentee Name	Mentor Name	Mentor Email	Pair Id	YTD lessons assigned	Mentee Completion %	Mentor Completion %	Mentee - Mentor Diff	Pair Completion %	Total In Person Meetings	
Manchester West High School												Select Case Manager [Dropdown] Mentee Completion % 0.0 100.0 [Slider] Mentor Completion % 40.00 100.00 [Slider] Mentee or Mentor Complet... (All) [Dropdown] Pair Completion % 0.0 100.0 [Slider] Pair In-Person Meetings 0 1 [Slider] Meeting Lesson Benchmark (All) [Dropdown] Meeting In-Person Benchma... Not Meeting In-Person Be [Dropdown] Meeting Both Benchmarks Not Meeting Both Bench... [Dropdown]

Image C

In addition to all of the above-mentioned strategies for measuring and recording data, BBBSNH hopes to leverage any data supplied by the school partner, which may include but is not limited to:

- Daily attendance,
- Tardiness,
- Grades
- Graduation rates
- General feedback/information supplied by teachers or staff.

**8.0 A description of how the assessment of student learning outcomes will be done [Ed 1403.01(b)(1)(d)].**

Student learning outcomes will be assessed using the iMentor Core Metrics Benchmarks that use a system of measures and metrics to achieve the desired outcome/benchmark within three categories. These categories include *Program Execution Elements, Short-term Outcomes, and Long-term Outcomes.*

**1. Program Execution Elements**

**a. Engagement in Program**

<u>Measure</u>	<u>Metrics</u>	<u>Benchmark</u>
Frequency and consistency of online communication	Pairs online communication % YTD	65% or more of pairs have YTD communication % of 65+
Frequency and consistency of in-person meetings	Pairs in-person meetings YTD	65% or more of pairs have attended 2 in-person meetings per quarter (6 per year)
Pairs meeting expectations for both online and in-person meetings	Pairs YTD online communication % and in-person meetings	50% or more meet both online communication and in-person meeting benchmarks

**b. Develop Non-cognitive Skills Necessary for College Success**

<u>Measure</u>	<u>Metrics</u>	<u>Benchmark</u>
Mentees demonstrate growth in core non-cognitive skills	Mentees show growth in growth mindset	On average mentees demonstrate growth on 2 or more non-cognitive skills each year

	<p>Mentees show growth in optimism and excitement about future</p> <p>Mentees show growth in resiliency and perseverance</p> <p>Mentees show growth in help-seeking and self-advocacy skills</p> <p>Mentees show growth in social capital</p> <p>Mentees show growth in critical thinking skills</p>	
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**2. Short-term Objectives**

**a. Development of Post-Secondary Aspirations**

<u>Measure</u>	<u>Metrics</u>	<u>Benchmark</u>
Mentees understand the value of post-secondary education	Mentees report that they need to pursue post-secondary education in order to live the life they want to live	85% of mentees report they need to pursue post-secondary education in order to live the life they want to live
Mentees want to pursue post-secondary education	Mentees want to pursue post-secondary education	85% want to pursue post-secondary education
Mentees expect to earn a post-secondary certification/degree	Mentees expect to earn a post-secondary certification/degree	80% of mentees expect to earn a post-secondary certification/degree

**b. Develop Post-secondary Knowledge and Effectively Navigate Processes**

<u>Measure</u>	<u>Metrics</u>	<u>Benchmark</u>
Mentees complete post-secondary application by Feb. 1 <sup>st</sup> (12 <sup>th</sup> grade only)	Mentees complete post-secondary application by Feb. 1 <sup>st</sup> (12 <sup>th</sup> grade only)	40% of mentees not pursuing post-secondary education have clear post-secondary plans
Mentees accepted into post-secondary program of study	Mentees accepted into post-secondary program of study	
Mentees sign Letter of Intent to attend/enroll in post-secondary program of study	Mentees sign Letter of Intent to attend/enroll in post-secondary program of study	
Mentees not pursuing post-secondary education have clear post-secondary plans	Mentees not pursuing post-secondary education have clear post-secondary plans	

**3. Long-term Outcomes**

**a. High School Graduation**

<u>Measure</u>	<u>Metrics</u>	<u>Benchmark</u>
Mentees graduate high school in 4 years	Mentees graduate high school in 4 years	75% of mentees graduate high school in 4 years. iMentor 4 year graduation rate higher than comparable school

**b. College Enrollment**

<u>Measure</u>	<u>Metrics</u>	<u>Benchmark</u>
Mentees enroll in post-secondary education within 1 year of high school graduation	Mentees enroll in post-secondary education within 1 year of high school graduation	80% of mentees enroll in post-secondary education within 1 year of high school graduation

**9.0 The number of credits each proposed course of instruction will fulfill [Ed 1403.01(b)(1)(e)].**

Each yearlong course will be designated as HALF credit courses. Student can choose to continue education throughout their high school career (freshman year- ½ credit, sophomore year- ½ credit, junior year- ½ credit, senior year- ½ credit) equal to 2 credits for four years of participation.

**10.0 A description of the competency-based grading system to be used for each proposed course of instruction [Ed 1403.01(b)(1)(e)].**

Due to a number of variables, Mentor 2.0 will be a pass/fail course. The competency-based grading system that will be used for the proposed course instruction will focus primarily on:

**- Pair engagement**

In accordance with the benchmarks determined by iMentor, students will be expected to achieve and maintain a minimum YTD average of 65% for online (lesson completion) and in-person (event) engagement throughout the duration of the school year.

**- Non-cognitive Skills**

iMentor measures non-cognitive skills using methods commonly used in the social sciences. To measure non-cognitive skills, researchers develop a series of questions called a **scale**, collected from study participants through a survey. The scale represents multiple aspects of the overarching non-cognitive skill, and often asks similar questions to ensure responses are consistent throughout the survey. Researchers test these scales to determine whether the questions make sense with one another, are **reliable**, and **valid**. A scale is reliable when it produces similar results in similar survey administrations, testing environments, and populations. A scale is valid when it is determined that the scale measures what it is intended to measure. Each scale is tested for reliability and validity on thousands of respondents over multiple years. The beginning and end of year surveys contain scales for all six of the non-cognitive skills targeted in our short-term outcomes.

At each survey administration students get a **scale score** for each non-cognitive skill. The score is an aggregation of students' responses to the questions about that non-cognitive skill. Student responses are converted from a text response (i.e., strongly agree, sort of agree) to a numeric one (i.e., 4, 3). These responses are aggregated and expressed as a mean or a sum that represents that non-cognitive skill. To get a scale score for a non-cognitive skill, a student must answer at least half of the questions in that skill's scale.

**a) Assessing Change:** Having a large amount of beginning and end of year survey data is crucial for assessing whether there was a change across the program. Non-cognitive skill development can only be assessed for students who have scale scores at both time points. Beginning and end of year scale scores are tested using a **paired-samples t-test**. This statistical analysis determines whether there has been a meaningful (**statistically significant**) change in the group average for that non-cognitive skill from the beginning of the year to the end of the year. When a result is statistically significant, it means that there is only small likelihood that the change was the result of chance. You can then infer that the change was the result of something students experienced over the course of the year.

**b) The Importance of Sample Size-** Change in a non-cognitive skill can only be assessed at the group level. The minimum recommended sample size for an independent samples t-test is 30 respondents. However, small sample sizes lead to volatile results. Small samples can be

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easily **biased** or influenced by a **confounding variable**. Larger sample sizes can minimize the impact of those biases on the overall analysis.

- c) **Interpreting Results-** An independent samples t-test used in this analysis can have one of three results: (1) no statistically significant change in a non-cognitive skill, (2) a positive statistically significant change in a non-cognitive skill, or (3) a negative statistically significant change in a non-cognitive skill. A result using these methods is not necessarily evidence that there was an impact (or no impact). A very important caveat to these analyses is that there is no **comparison group**. Without a comparison group, changes in a non-cognitive skill could have other explanations such as students' natural development, factors at play in the school, or other college success organizations in the school. When programmatic impact on non-cognitive skill, it is important to remember that these scales and statistical methods are intended to assess change in the entire group. These tools are not designed to assess individuals. Large sample sizes are critical for reducing measurement bias in non-cognitive skill assessment. Attempting to assess an individual on non-cognitive skills using these methods reintroduces the potential for that bias. Therefore, it is not methodologically valid to state that an individual student can show growth in a non-cognitive skill based on these statistical methods.
- d) **Negative Change or No Change in Non-Cognitive Skill Growth-** When a t-test detects negative statistically significant change or no statistically significant change in a non-cognitive skills that does not necessarily mean that the program is ineffective. There are several potential explanations for this result. Factors may include a small sample size, meaning it may not be possible to detect an effect on a non-cognitive skill because the sample size used in the measurement is too small. This caveat is particularly relevant for small programs and smaller demographic groups in our analyses. Other variables may include a skill was not emphasized in programming due to variances in program, program managers, or specific grade levels that may emphasize specific non-cognitive skills to differing degrees. If a skill is not explicitly called out in programming, the curriculum or emphasized by a mentor then it may not be reasonable to expect positive growth of that skill. Duration of programming is also a worthwhile consideration since some skills may take more than one year of programming to effectively develop in a student. Research has shown that certain non-cognitive skills develop at different rates, which is why longitudinal growth of non-cognitive skills may get lost when looking at results with one program year. Additional research has found differing impacts on non-cognitive skills based on program engagement. For some non-cognitive skills, pairs who do not meet participation benchmarks show a negative change in that skill while pairs above the participation benchmark show no change. This pattern suggests that students who are above these benchmarks may experience some kind of protective effect of having a mentor. Adolescent development and certain non-cognitive skills may experience declines or flat growth during certain periods and it may be harder to impact a non-cognitive skill given the natural changes happening in this population at this time. Lastly, the ceiling effect is another consideration. It is possible that the measurement tools or the programming has reached the maximum detectable effect on a particular non-cognitive skill. Research again has shown that there may be a ceiling effect in several of the skills within the iMentor program. When a result of a non-cognitive skill assessment comes back as non-significant or as negative, data cannot be immediately interpreted as a failure or non-impact of the program and must be further explored during any debrief of the non-cognitive skills analysis.

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**11.0 A description of methods for admission which shall not be designed, intended, or used to discriminate or violate individual civil rights in any manner prohibited by law [Ed 1403.01(b)(2)(a)].**

This is a yearlong course that requires an application, parent approval, and interview. The application process is not designated, intended or used to discriminate or violate individuals civil rights in any manner prohibited by law, but is used by BBBSNH staff to assess student interest, goals, grade level, credit requirement(if any) and experience. Students seeking school credit will be required to disclose their school and district information, including the name and contact information for their school guidance department. BBBSNH Mentor 2.0 Coordinator will maintain an annually updated list of the appropriate Local Education Agencies with whom we may need to liaise for each student. Students are admitted on a first-come, first-served basis. There is no financial commitment to participate in program.

**12.0 A description of how the program will liaison with the local education agency (LEA) for students with an education plan pursuant to section 504 of the Rehabilitation Act [Ed 1403.01(b)(2)(b)].**

At the time of enrollment, BBBSNH will offer parents the opportunity to disclose any information regarding ongoing 504 education plan-related accommodations and modifications required for their child. With parents' permission, BBBSNH will contact the student's Local Education Agency (LEA) to coordinate recommended 504 accommodations and/or modifications in the Mentor 2.0 program.

Although BBBSNH instructors are not explicitly certified to work with students with 504 plans, they are trained to be caring, patient and compassionate and work with the students LEA representative to understand how to implement recommended accommodations and/or modifications. If BBBSNH determines it is unable to provide the required accommodations and or/or modifications for a student the parents will be informed before committing to enrolling their child in the program.

BBBSNH will appoint a point of contact and liaison with any school referring a student who has disabilities and learning differences. We understand that we have responsibilities to provide students with disabilities equal access and equal opportunities to participate in the Learn Everywhere Program, including by providing the student with accommodations outlined in the 504 or IEP plan.

**13.0 A description of how the program will liaison with the LEA for a student with disabilities, consistent with the student's IEP [Ed 1403.01(b)(2)(c)].**

BBBSNH is committed to providing an accessible learning opportunity for all students and will work with local education agencies to ensure that the learning experience is differentiated appropriately. We understand that we have responsibilities to provide students with disabilities equal access and equal opportunities to participate in the Learn Everywhere program, including providing reasonable accommodations for all students.

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- 14.0 A statement that the applicant understands that it has certain responsibilities, pursuant to Section 504 of the Rehabilitation Act, if it receives federal funds, or the Americans with Disabilities Act, as amended, to provide students with disabilities with equal access and equal opportunities to participate in the learn everywhere program, including by providing the student with reasonable accommodations [Ed 1403.01(b)(2)(d)].**

BBBSNH understands that it has certain responsibilities, pursuant to Section 504 of the Rehabilitation Act, if it receives federal funds, or the Americans with Disabilities Act, as amended, to provide students with disabilities with equal access and equal opportunities to participate in the learn everywhere program, including by providing the student with reasonable accommodations [Ed 1403.01(b)(2)(d)].

- 15.0 A description of facilities to be used for educational instruction and a description of how the facilities will meet the priorities of the program [Ed 1403.01(b)(3)(a)].**

Mentor 2.0 is an in person site-based program, with coursework done on the iMentor platform. All in person learning will take place within a school classroom setting. Students will be provided Chromebooks to complete curriculum. Additionally, students can access website from home computers and from their mobile devices to engage with their mentor outside of the classroom.

The Platform is proprietary software that helps iMentor fulfill the mission by facilitating communication between mentor and mentee pairs. The Platform also serves as administrative tool for our program managers to do pair support. The Platform is hosted with an industry leading cloud provider that is SOC 1, 2, and 3 compliant. IMentor uses a tiered structure of servers, with a production environment that forbids traffic from non-production resources. ACLs are used for component segregation and to filter communication between the servers at both IP address and port levels. Schools do not need to purchase any extra support to use this platform. A student is able to access this platform on any computer/laptop, they will have a secure login once accepted into the program that BBBSNH will administer to the student. Students PII is kept confidential at all times.

When working within a public school, BBBSNH will cooperate with the school in meeting their student information and privacy requirements under New Hampshire RSA 189:66.

- 16.0 A statement affirming that the facilities shall comply with all applicable federal and state health and safety laws, rules, and regulations [Ed 1403.01(b)(3)(b)].**

Mentor 2.0 is an in-person site-based program with the ability to become virtual if needed. The facilities provided will be at the discretion of the school partner, which may include but is not limited to a properly outfitted classroom, library, or cafeteria/multipurpose room. BBBSNH affirms that facilities to be used for the Mentor 2.0 program shall comply with all applicable federal and state health and safety laws, rules, and regulations.

- 17.0 Disclosure of insurance, if any, which would cover the participants in the Learn Everywhere program [Ed 1403.01(b)(4)].**

Upon enrollment of a student, BBBSNH will disclosed any insurance it holds that covers participants in the Learn Everywhere program to the student's parent/guardian.

**Additional Information**



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The applicant is encouraged to include any additional information in this application that further explains their program and how it will meet the needs of students through the Learn Everywhere program.

**\*\*See following page for the signed MOU between BBBSNH and Manchester West High school**

Memorandum of Understanding with  
West High School, Manchester, NH

## Introduction

This is a Memorandum of Understanding (MOU) between Big Brothers Big Sisters of New Hampshire (BBBSNH) and West High School (WHS). The mission of BBBS is to create and support one-to-one mentoring relationships that ignite the power and promise of youth. By partnering with schools, parents/guardians, volunteers, and others in the community, we are accountable for each child in our program achieving higher aspirations, greater confidence, and better relationships; avoidance of risky behaviors; and educational success. In service to WHS, BBBSNH will match students in grades 9-12, in a whole-school model.

### Purpose

The purpose of this MOU is to maintain a formal partnership between BBBSNH and WHS to collaborate on reducing high school drop-out rates and chronic absenteeism and increasing college and career readiness. The goals of this partnership are to:

- Develop and enhance Mentor 2.0, integrating BBBSNH Mentor 2.0 into the school culture. · Provide one-to-one mentoring services to 9<sup>th</sup>-12<sup>th</sup> grade WHS students.
- Enhance collaboration between BBBSNH and WHS to increase Mentor 2.0 attendance and participation, school attendance, and interventions to at-risk youth.
- Advance the knowledge of all stakeholders regarding the BBBSNH evidence-based one-to-one Mentor 2.0 mentoring model and its impact on absenteeism and school success. · Enhance the level of parental involvement in youth participating in Mentor 2.0, attending school, and preparing for college/career.
- Enhance the level of student leadership and peer support in Mentor 2.0 participation and school attendance.

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## **Youth Eligible for Big Brothers Big Sisters of New Hampshire Mentor2.0**

As of June 1, 2022, BBBSNH will match students starting in the 9th (through 12th) grade at WHS in a one-to-one mentoring relationship with a caring adult. BBBSNH will provide in class guided curriculum for 9<sup>th</sup> (through 12<sup>th</sup>) grade students at WHS. Option to renew each year.

### **Roles and Responsibilities**

#### **A. BBBSNH and WHS will:**

- Collaborate to develop Mentor 2.0 in Manchester, NH, enhancing a model that can be replicated statewide and nationwide.
- Participate in national Mentor 2.0 affinity work (16 states and growing) and other education collaborations to link with current prevention and data collection efforts and successes · Commit to fulfilling the highest objectives of matching youth in a full school model and providing quality, impactful curriculum to increase a youth's chance of succeeding in high school, college, and career
- Participate in all data collection, analysis, reporting, and planning needed; commit to continuous quality improvement and outcomes measurement.
- Participate in collaboration to create a unique and well-tailored MOU, implement data privacy measures, update plans for outcome measurement, obtain the necessary training, and discuss progress and challenges.
- Enhance the level of parental involvement in youth participating in Mentor 2.0, attending school, and preparing for college/career.
- Enhance the level of student leadership and peer support in Mentor 2. and school attendance · Meet monthly (lead staff at each school with school personnel).
- Work together to increase and enhance potential recruitment and fundraising opportunities (CEO and Principal presentations, school newsletters, other postings, etc.)

#### **B. BBBSNH will:**

- Provide all mentoring services to the enrolled students, including all staff necessary to carry out mentoring services
- Collaborate with school staff to maximize the effectiveness of program delivery, including in class and evening programming, and intervention efforts
- Conduct/coordinate training, coaching, and ongoing support to all team members participating in Mentor 2.0, and convene teams as needed
- Provide all documents, forms, and database support needed for the program per BBBSNH standards of practice
- Upon receipt of child application, interview and assess youth referred by school partner · Develop collaborative volunteer recruitment efforts, including marketing materials, presentations, and campaigns, and honoring existing school volunteer networks · Protect the privacy of youth in accordance with applicable state and federal law and ensure information during the course of this project will not be used for any unauthorized purpose, and ensure confidentiality

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- Be in attendance for grade level and/or college transition teams at the schools as appropriate per cohort
  - BBBSNH staff will provide a monthly newsletter for staff that opt in at the school in order to increase communication.
  - Provide:
    - Outreach and marketing to recruit volunteers to match every enrolled student – Volunteer screening, layered background checks including references
    - Interviewing, assessing, and selecting volunteers and youth
    - Selecting appropriate mentors for youth based on interests, preferences, needs, and strengths
    - Volunteer pre-match training and additional training for returning mentors
    - Confidential and accurate records on all matches per BBBSNH standards of practice
    - On- Site Program coordination with activities, materials, events and relationship support. - Safe environment for all participants in the Mentor 2.0 program, including but not limited to reporting of unusual incidents where the safety of a child may be threatened
    - Administer Strength of Relationship (SOR), Youth Outcome Surveys (YOS), Mentor2.0 surveys, collection of school data, and more, and report program results annually, at a minimum.

**C. WHS will:**

Commit to providing Baseline Data from which project will operate, including but not limited to:

- Chronic Absenteeism Rates overall and by grade cohort
- Attendance Rates overall and by grade cohort  
Grade Advancement, per grade cohort
- GPA overall and by grade cohort
- Graduation Rates, prior year
- College Enrollment rates, prior year
- Presenting information (includes deficiency in math or reading, Special Needs Learners, Free/reduced lunch, Ethnicity, Gender, Percent of First-Generation College Students, ESL Learners, and more)
- Commit to providing updated data on the aforementioned Baseline Data annually and as needed
- Ensure sufficient internet connection and computer access to allow each student use of a computer during their weekly Mentor 2.0 session
- Be an active partner in obtaining sustainable funding (may include helping to identify funders and/or participating in donor visits or grant writing as needed)
- Be an active partner in opening doors to potential volunteer pools (could include engaging current school partners, helping at times with presentations or press conferences, and more)

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- Be willing to embed Mentor 2.0 into school culture, college guidance efforts, and academic programming
  - Provide a clear and viable process for allowing students to opt-out of the program (if appropriate)
  - Implement grading policies (as appropriate) for work completed in Mentor 2.0 ·  
Appoint staff to:
    - Follow-up with students, outside of weekly session
    - Chaperone students to Mentor 2.0 events
  - Fully integrate program, including:
    - Class space for BBBSNH staff to implement Mentor 2.0 sessions
    - Assign weekly class time as the Mentor 2.0 session (occasionally for after school events)
    - Schedule all designated students in a weekly Mentor 2.0 class for all four grades
    - Develop grading policy for students participating in Mentor 2.0
    - Assign key staff members to attend debrief meetings with BBBS staff
    - Collaborate to establish dates for Mentor 2.0 events
    - Commit to embed Mentor 2.0 through all aspects of school (college prep, guidance, etc.)
    - Participate in Evaluation, including: - Provide a single point of contact to enable centralized data collection at the end of each school year and as needed
    - Provide access to students to complete pre and post evaluations
    - Facilitate communication to parents introducing them to Mentor 2.0 and keeping them updated on program progress
    - Work collaboratively with BBBS on all aspects of the program.

This Agreement shall be governed and construed in accordance with the laws of the State of New Hampshire. All amendments and modifications must be in writing, have a specified effective date, and be accepted by all parties.

The initial term of this Agreement is from the date last signed and will remain in effect until 6/1/2026 unless written notification of intent is provided by one party to the other within (30) calendar days, or as soon as practical, prior to the proposed termination date.

Upon execution, the parties attest to their acceptance of the terms and conditions of this agreement. At the expiration of this agreement, the undersigned parties will meet at an agreed-upon date prior to the end of this agreement to evaluate the partnership and define future partnership parameters.

## **AGREEMENT - ADDENDUM**

Between

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**MANCHESTER SCHOOL DISTRICT**

AND

**Big Brothers Big Sisters of New Hampshire**

The parties, Manchester School District (“District”) and BBBSNH entered into an agreement dated **September 12, 2022** regarding the involvement of this community partner in the District’s schools for the benefit of the District’s students. The parties additionally agree as follows:

- 1. Criminal Records Background Check.** All employees of BBBSNH will engage in the criminal background check process through the New Hampshire Department of State Police. No employee of BBBSNH may work with Manchester students in any capacity until this check has been completed.
  
- 2. Student Data Confidentiality.** BBBSNH has identified that it

Does

Does Not

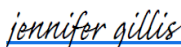
need access to student data in order to perform their services. Such access must be specifically limited to only the information that the partner requires to perform these services that serve a legitimate educational interest of the District’s students. *If yes, please complete the following:*

- a. BBBSNH requires access to the following student data in order to perform the services outlined in Section 1, above:
  - i. Attendance records, updates on student completion of Xello curriculum, Student’s GPA per semester**
  - ii. Description - as outlined in Section C, “WHS” of the original agreement.**
- b. BBBSNH further agrees to obtain parental permission to access this specified information.
- c. BBBSNH will abide by all state and federal laws in preserving the confidentiality of student data. Any information that the partner learns during the course of providing services to District students will be confidentially maintained, will not be shared with anyone outside of the organization, will not be provided to third parties for any reason (including disaggregated data) and will not be disclosed or used in any way other than for the legitimate educational purpose for which it was obtained.
- d. BBBSNH agrees that each employee involved in the District’s school has reviewed the Board policy Students 151: Student Data Confidentiality and by signing this agreement, BBBSNH agrees to abide by its terms.
- e. BBBSNH agrees to sign a separate Data Privacy Agreement in addition to this MOA regarding the confidential nature of student data.

- 3. Policies in MSD Schools.** BBBSNH hereby agrees that each employee or volunteer associated with its organization will review and abide by BOSC policies posted on the website at <http://bosc.mansd.org/policies> including, but not limited to:

  - a. Foundations 100 - Volunteers encouraged in schools
  - b. Foundations 102- Drug Free workplace and schools
  - c. Additional policies as may relate to the specific work to be performed by the Community partner.
  
- 4. COVID/ safety Requirements.** Any member of BBBSNH entering the District's buildings, attending any District activity, or engaging with District students must abide by the current COVID protocols in the schools. BBBSNH must agree to regularly check the [www.mansd.org](http://www.mansd.org) dashboard for information on the changing levels of protocols and to follow new protocols as they are implemented throughout the school year (i.e. wearing of masks or maintaining physical distance if/ when requested by the District, even if not required by state or federal guidance).
  
- 5. Performance.** Partners providing a service in the classroom agree to follow the MSD guidelines on when in-person vs. remote services are offered, and will make every effort to maintain in-person services as long as Manchester students are learning in person. The COVID-19 pandemic is known to the parties as of the signing of this agreement, and shall not excuse performance under this agreement by either party.
  
- 6. Liability:** BBBSNH agrees to indemnify and hold harmless the District, its officers, directors, agents, and employees, from and against any and all third party claims, demands, obligations, causes of action and lawsuits and all damages, liabilities, fines, judgments, costs and expenses, including reasonable attorney's fees, which may be incurred or sustained by reason of the failure of the BBBSNH to fully comply with the terms and obligations of this Agreement, or for their omissions, negligence, or intentional wrongdoing.
  
- 7. Insurance: BBBSNH** shall carry insurance of a minimum of \$1,000,000 individual and \$2,000,000 aggregate while providing services to students and shall include the Manchester School District and City of Manchester as an additional insured on their policy providing a certificate of insurance to the District.
  
- 8. Choice of Law.** Parties agree that this agreement shall be governed by the laws of the State of New Hampshire.

Signed this **14** Day of **September** 2022.



Jennifer Gillis (Sep 15, 2022 17:04 EDT)

Jennifer Gillis  
Superintendent  
Manchester School District



Stacy W Kramer (Sep 13, 2022 20:28 EDT)

Stacy W Kramer

## **Statement of Program Changes**



February 7, 2024

New Hampshire Department of Education  
Bureau of Educational Opportunities  
25 Hall Street  
Concord, NH 03301

RE: Ed 1403.04 Renewal of an Alternative Program for High School Graduation Credit

Mr. Carney,

Please find enclosed our initial Learn Everywhere application that was submitted, reviewed and approved by the New Hampshire Department of Education on April 23, 2023. In addition as part of the renewal process, we have enclosed a few of our student evaluation forms. There has been no changes to any of the program as outlined in 1403.01.

We appreciate the support of our endeavors and look forward in supporting more students in the coming years. Please let us know if there are any other supporting documents that are needed.

Sincerely,

**Jennifer Geary**  
Director of Program Initiatives  
Big Brothers Big Sisters of New Hampshire



# **Student Course Evaluations**

# LEARN EVERYWHERE COURSE EVALUATION

BIG BROTHER BIG SISTERS OF NEW HAMPSHIRE  
603.430.1140 cloeffler@bbbsnh.org

Course Name: Mentor 2.0

Completion Date: 6/2023

Student Name (optional): \_\_\_\_\_

Please rate the follow on a scale from 1-5. 1 being strongly disagree and 5 being strongly agree.

1. The Learn Everywhere program goals and competencies were clearly stated.

1    2    3    4    (5)

2. I was provided guidance and mentorship throughout the program.

1    2    3    4    (5)

3. The program met my expectations.

1    2    3    4    (5)

4. The instructor(s) were knowledgeable.

1    2    3    4    (5)

5. The instructor(s) were responsive.

1    2    3    4    (5)

6. The outcome of the program met or exceeded what I expected I would have received in a traditional classroom experience.

1    2    3    4    (5)

Additional comments:

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# LEARN EVERYWHERE COURSE EVALUATION

BIG BROTHER BIG SISTERS OF NEW HAMPSHIRE  
603.430.1140 cloeffler@bbbsnh.org

Course Name: Mentor 2.0

Completion Date: June 2023

Student Name (optional): Wyatt Sawyer

Please rate the follow on a scale from 1-5. 1 being strongly disagree and 5 being strongly agree.

1. The Learn Everywhere program goals and competencies were clearly stated.

1 2 3 4 5

2. I was provided guidance and mentorship throughout the program.

1 2 3 4 5

3. The program met my expectations.

1 2 3 4 5

4. The instructor(s) were knowledgeable.

1 2 3 4 5

5. The instructor(s) were responsive.

1 2 3 4 5

6. The outcome of the program met or exceeded what I expected I would have received in a traditional classroom experience.

1 2 3 4 5

Additional comments:

Casey needs a raise!



Frank Edelblut  
Commissioner

Christine M. Brennan  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
Office of Nonpublic Schools  
Division of Education Analytics and Resources  
25 Hall Street  
Concord, NH 03301  
TEL. (603) 491-8060

April 2024  
State Board of Education Meeting  
Identification of a Recognized Agency for Program Approval  
New England Association of Schools and Colleges  
Executive Summary

A. Action Needed

A vote is needed by the State Board of Education to accept the recommendation of the Nonpublic School Advisory Council (NSAC) to recognize the New England Association of Schools and Colleges (NEASC) as a program approval agency for nonpublic schools.

B. Rationale for Action

The New Hampshire Code of Administrative Rules, Ed 405 provides a process for the recognition of an agency for program approval for nonpublic schools. In accordance with these rules, the NSAC has reviewed the Cognia, Inc application and has voted to recommend the State Board of Education recognize Cognia, Inc. as an agency for program approval of nonpublic schools.

In accordance with Ed 405.01(e), the Board of Education shall review the NSAC recommendation and take one of the following actions:

- (1) Upon finding that the application meets the requirements of Ed 405.01(b) and Ed 405.01(c) the State Board of Education shall identify the applicant as a recognized agency for program approval; or
- (2) Disapprove the application if, in the opinion of a majority of State Board of Education members one or more of the following conditions exist:
  - a. Additional information has been received which indicates that the applicant is not eligible to be a recognized agency for program approval;
  - b. The information submitted by the applicant as required in Ed 405.01(b) and Ed 405.01(c) is determined by the state board to be incomplete, inaccurate, or false;
  - c. The NSAC misapplied a statute or administrative rule in making its recommendation; or
  - d. The NSAC did not follow proper procedures in reviewing the application.

C. Effects of this Action

Identification of NEASC as a recognized agency for nonpublic school program approval by the State Board of Education will allow NEASC to operate under that status for a period of 10 years.

D. Possible Motions

I move that the State Board of Education accept the recommendation of the NSAC and identify NEASC as a recognized program approval agency for nonpublic schools for the period of April 11, 2024 through April 11, 2034.

OR

I move that the State Board of Education disapprove the NEASC application based on the following \_\_\_\_\_.

**Frank Edelblut**  
Commissioner



**Christine M. Brennan**  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
**DEPARTMENT OF EDUCATION**  
Office of Nonpublic Schools  
Division of Education Analytics and Resources  
25 Hall Street  
Concord, NH 03301  
TEL. (603) 491-8060  
FAX (603) 271-1953

April 3, 2024

State Board of Education  
New Hampshire Department of Education  
25 Hall Street  
Concord, NH 03301

Re: Department Report to the State Board of Education  
Identification as a Recognized Agency for Program Approval - NEASC

State Board of Education,

This report has been prepared and is being submitted by the New Hampshire Department of Education (NHED) Administrator of Educational Pathways (AEP) to the New Hampshire State Board of Education (SBOE) to summarize the process followed, and the information provided by, the New England Association of Schools and Colleges (NEASC) in requesting SBOE recognition to be a program approval agency for New Hampshire nonpublic schools. NEASC's application and the subsequent review process has been completed in general accordance with the requirements of NHED rule Ed 405 – Approval of a Recognized Agency for Program Approval and Alternate Method for Program Approval.

**Application and Review Process**

- NEASC submitted the required letter of intent along with its initial application to NHED on January 21, 2024. The application was reviewed for content completeness by the AEP and comments were provided back to NEASC on January 23, 2024. NEASC provided a revised and complete application to NHED on February 13, 2024. A copy of the final completeness review checklist, based on a review of NEASC's revised application by the AEP, is attached.
- NEASC's revised application, along with a review guidance document, was sent to members of the Nonpublic School Advisory Council (NSAC) for their consideration on February 13, 2024.
- The NSAC discussed the NEASC application at their March 26, 2024 meeting. NEASC representatives also attended the March 26, 2024 NSAC meeting and answered questions posed by the NSAC members.

- The NSAC membership then voted unanimously to recommend the State Board of Education recognize NEASC as an as an agency for program approval of New Hampshire nonpublic schools. A copy of the draft NSAC March 26, 20204 meeting minutes is attached.

**Potential SBOE Actions**

In accordance with Ed 405.01(e), the Board of Education shall review the NSAC recommendation and take one of the following actions:

- (1) Upon finding that the application meets the requirements of Ed 405.01(b) and Ed 405.01(c) the State Board of Education shall identify the applicant as a recognized agency for program approval; or
- (2) Disapprove the application if, in the opinion of a majority of State Board of Education members one or more of the following conditions exist:
  - a. Additional information has been received which indicates that the applicant is not eligible to be a recognized agency for program approval;
  - b. The information submitted by the applicant as required in Ed 405.01(b) and Ed 405.01(c) is determined by the state board to be incomplete, inaccurate, or false;
  - c. The NSAC misapplied a statute or administrative rule in making its recommendation;or
  - d. The NSAC did not follow proper procedures in reviewing the application.

Identification of NEASC as a recognized agency for New Hampshire nonpublic school program approval by the State Board of Education will allow NEASC to operate under that status for a period of 10 years.

**Closing**

Please let our office know if you have any questions or need additional information to inform your decision.

Respectfully submitted,



Timothy C. Carney  
Administrator of Educational Pathways

Attachments : NEASC's Final Application Requesting Identification as a Recognized Agency for Program Approval  
Final Completeness Review Checklist  
Draft NSAC March 26, 2024 Meeting Minutes

**NEASC's Final Application Requesting Identification  
as a Recognized Agency for Program Approval**



# **LETTER OF INTENT**



NEW ENGLAND ASSOCIATION OF SCHOOLS AND COLLEGES

February 13, 2024

Mr. Tim Carney  
Office of Non-Public Schools  
New Hampshire Department of Education  
25 Hall Street  
Concord, New Hampshire 03301

Dear Mr. Carney:

I am writing in my role as the Chief Accreditation Officer on behalf of the New England Association of Schools and Colleges (NEASC) to request the renewal of our Association's approval as an accreditor of Non-Public Schools in New Hampshire.

The New England Association of Schools and Colleges has been accrediting Non-Public Schools in New Hampshire since 1929. We currently accredit 45 schools in New Hampshire and hope to be able to continue our work with them in the future. We also hope to be able to work closely with the Non-Public School Advisory Committee to serve the accountability and school improvement needs of the Non-Public Schools of New Hampshire.

Please let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink that reads "George H. Edwards". The signature is written in a cursive, flowing style.

George H. Edwards

GHE/GHE

# **APPLICATION**

## **New England Association of Schools and Colleges**

### **Application to Renew Approval as a Non-Public School Accreditor in New Hampshire**

#### **Ed 405.01 (b) (1) A Brief history of the agency**

The New England Association of Schools and Colleges (NEASC) is an independent, voluntary, nonprofit membership organization which partners with over 1500 public, independent, and international schools in the US and worldwide to assess, support, and promote high quality education for all students through accreditation, professional assistance, and pursuit of best practices. NEASC aspires to provide a process for meaningful, ongoing whole school improvement while honoring the unique culture and context of each institution we support. Founded in 1885 by the president of Harvard University, NEASC has a long tradition of school improvement across the six states of New England, other states in the US, and in more than 85 countries around the world.

Today NEASC focuses on the accreditation of schools spanning PK to Grade 12 and, as a deeply mission-driven organization, is guided by key priorities which include advancing equity, promoting innovation and excellence in education, and empowering students.

NEASC is an advocate of educational quality and its ongoing improvement; its purposes are exclusively educational. It serves the public interest, the educational community, and the students within the educational system by:

- establishing and maintaining high standards of educational excellence
- providing a framework for institutional self-reflection and objective peer review
- serving as a resource and support for ongoing, meaningful whole-school improvement and growth.

Drawing upon its considerable experience, NEASC serves as a public policy resource on issues related to the condition of education in New England, the US, and in the international learning communities it serves. The Association is a private, nonprofit corporation that adheres to fundamental principles of fairness and non-discrimination, thus NEASC is uniquely positioned to work in partnership with other organizations on a regional, national, and international scale as it works to sustain and advance the quality of education for all students.

#### **Ed 405.01 (b) (2) A statement as to the scope of operations and indicating whether it is a regional, national, or state agency.**

NEASC is a Regional, National and International organization. NEASC accredits over 1500 schools in the six states of New England, other states in the US, and in more than 85 countries around the world.

**Ed 405.01 (b) (3) A definition of the purpose, character, and scope of its activities as described in its charter or by-laws and written standards for accreditation or recognition.**

**Taken from the NEASC By-Laws**

[https://www.neasc.org/sites/default/files/downloads\\_neasc/NEASC%20Bylaws%202022-02.pdf](https://www.neasc.org/sites/default/files/downloads_neasc/NEASC%20Bylaws%202022-02.pdf)

Section 1.4 Purpose. The Association is organized exclusively for educational purposes under M.G.L. Chapter 180 and section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. Specifically, the purposes of the Association shall include: 1) advancing the cause of education for pre, elementary and high schools, colleges and programs in New England, in addition to other education institutions and programs in geographical areas designated from time to time by the Board of Trustees; 2) acting as a regional accrediting organization for the schools of New England, in addition to educational institutions in other geographical areas designated from time to time by the Board of Trustees; 3) developing cooperative relations, maintaining, and improving educational standards and promoting the interests common to schools, colleges, and programs; and 4) advancing the cause of education and the interests of entities and persons focused on assisting or promoting, directly or indirectly, the education and training of students, teachers, and educational administrators; and 5) receiving by gift, bequest, or otherwise monies and property to be devoted to the purposes of the Association and to accept and administer the same in the name of the Association in trust or otherwise.

NEASC Mission

NEASC partners with schools to assess, support, and promote high quality education for all students through accreditation, professional assistance, and pursuit of best practices.

*Approved by the NEASC Board of Trustees on December 13, 2018*

Our Goals

The New England Association of Schools and Colleges aspires to provide a process for meaningful, ongoing whole school improvement and growth while honoring the unique culture and context of each institution we support.

In this spirit, NEASC:

- Encourages the pursuit of a unique mission in distinctive circumstances by each member.
- Advocates for thoughtful self-reflection guided by objective peer review.
- Promotes public recognition of the challenges that accredited institutions face both in common and in particular.
- Elucidates the value, philosophy, and practice of accreditation for our member schools, the public, legislative bodies, and governing boards.
- Assists member schools in navigating accreditation in a context often dictated by federal, state, or local mandates and by limited means.

## Our Assurance

"Accredited by the New England Association of Schools and Colleges" assures that our members:

- Strive to achieve rigorous and common standards in education
- Demonstrate substantive institutional commitment to continual improvement
- Commit to balancing the creative tensions that exist between local autonomy and public authority
- Nurture individual creative accomplishment

Accreditation is a catalyst for school improvement and growth.

## Standards

### FOUNDATION STANDARD

#### 1. ENROLLED STUDENTS ALIGN APPROPRIATELY WITH THE MISSION

- 1.a. The school's enrollment and admissions process align with its Mission, core values, and cultural context.
- 1.b. The school identifies and addresses current enrollment trends and influencing factors.
- 1.c. The enrolled students are appropriate for the Mission, and the students' learning and behavioral needs can be fully met by the school's program and personnel.
- 1.d. The admissions and enrollment management policies and practices align with the school's beliefs and commitment to diversity, equity, and inclusion.
- 1.e. The granting of student financial assistance aligns with the Mission and is distributed equitably.
- 1.f. The school aspires and plans to strengthen its alignment with this Standard.

## 2. THE GOVERNING BODY/BOARD ASSURES THE SCHOOL REMAINS SUSTAINABLE AND TRUE TO ITS MISSION

2.a. With consideration of 'best practices,' and legal requirements for nonprofit boards in state of incorporation (if applicable), the Governing Body/Board understands and carries out its responsibilities to the school's:

- Mission
- Value proposition/Educational quality
- Fiscal integrity
- Support for the Head of School
- Long-term planning, with a minimum of a three-to-five-year horizon.

2.b. The Governing Body/Board accurately identifies and addresses significant opportunities and issues.

2.c. The Governing Body/Board undertakes its leadership role in developing, reviewing, and updating the school's strategic plan.

2.d. The Governing Body/Board seeks a balanced membership, representing the school community's diversity and critical areas of expertise, interest, and abilities.

2.e. The Governing Body/Board uses effective policies and procedures to identify, select, and mentor new members.

2.f. The Governing Body/Board appropriately and effectively communicates decisions and actions to the school community.

2.g. The Governing Body/Board manages its own leadership transition effectively.

2.h. The Governing Body/Board plans for Head of School transitions.

2.i. The Governing Body/Board effectively assesses its governance practices.

2.j. The school aspires and plans to strengthen its alignment with this Standard.

## 3. THE SCHOOL'S RESOURCES SUFFICIENTLY SUPPORT PRESENT AND PROSPECTIVE OPERATION

3.a. The school allocates, manages, and enhances available financial resources sufficient to support and advance its Mission.

3.b. The school accurately identifies current and long-term financial realities and challenges and can respond to emergencies or unforeseen circumstances.

3.c. Tuition and other revenue adequately support the school's stability and long-term financial sustainability.

3.d. The school maintains a system of documented internal controls, applicable Generally Accepted Accounting Principles, and complete financial transparency as a matter of legal compliance and ethical leadership.

3.e. The school's facilities appropriately support all students, faculty, and programs.

3.f. The school undertakes appropriate and effective facility planning to address needed, intended, and/or desired improvements and maintenance.

3.g. Technology infrastructure adequately supports educational programs and institutional operation.

3.h. The school's development/advancement program identifies and successfully achieves short- and long-term goals.

3.i. The school stewards its resources using best practices for environmental sustainability.

3.j. The school aspires and plans to strengthen its alignment with this Standard.

#### 4. THE SCHOOL EMPLOYS AN APPROPRIATE ADULT COMMUNITY TO IMPLEMENT THE MISSION OPTIMALLY

4.a. The faculty and staff are qualified and well-suited for their assigned roles and responsibilities.

4.b. Faculty are hired with an awareness of their commitment to the school's Mission and are provided with an orientation process that supports their assimilation into the school's core values and culture.

4.c. Personnel policies and hiring practices align with the school's beliefs and commitment to diversity, equity, inclusion, and belonging.

4.d. There are sufficient qualified faculty and staff to support the school's Mission and the students' needs.

4.e. The school has specific, inviolable procedures to check the legal and professional background of all employees and other adults who may come into regular contact with students.

4.f. Faculty and staff compensation, benefits, and work environment allow the school to attract and retain qualified personnel.

4.g. The school aspires and plans to strengthen its alignment with this Standard.

#### 5. A PROACTIVE CULTURE OF HEALTH AND SAFETY PERMEATES THE SCHOOL

5.a. School leadership embodies and cultivates a culture of health and safety within the entire school community and understands its accountability for the health and safety of the community.

5.b. The school understands its responsibility and commitment to each student's well-being and sense of belonging.

5.c. The school's culture of health and safety reflects the intentions of each of the following sections in the NEASC Commission on Independent Schools Health and Safety Considerations document:

- Physical and Emotional Safety of Students
- Information and Data Management
- Student Behaviors and Discipline
- Faculty and Staff Health Training, Policies, and Procedures
- Communication
- Facilities
- The Crisis Response Plan (shared with local fire, police, and EMT offices)

5.d. The school assures that it meets the NEASC required Child Protection Requirements for schools, noted below:

- Comprehensive due diligence in screening and hiring including background and reference checks
- Documented policies and procedures that ensure the safety and welfare of all students



- Appropriate and clearly outlined response if children are harmed, at risk of harm, or if allegations of harm to children are made
  - Clearly defined leadership responsibilities for child safety and reporting
  - Child protection training for all adults who work with students
  - Child protection, including online safety, is included in the formal learning program for students
  - Clear codes of conduct govern appropriate and acceptable behaviors for adult interactions with children and children's interaction with other children
  - Compliance with the legal, ethical, and cultural expectations and requirements regarding child abuse within the jurisdiction in which the school operates
- 5.e. The school has a risk management process with qualified personnel to accurately and regularly identify and address any area(s) warranting immediate and/or long-term attention.
- 5.f. The school aspires and plans to strengthen its alignment with this Standard.

6. PROPRIETARY SCHOOLS ENSURE EFFECTIVE LEADERSHIP, CLEAR ORGANIZATIONAL STRUCTURE, AND THE NECESSARY RESOURCES TO SUCCESSFULLY EXECUTE THE MISSION OF THE SCHOOL FOR THE FORESEEABLE FUTURE This Standard applies to for-profit schools only. Not-for-profit schools need not respond.

- 6.a. The owner and governing body share the values and Mission of the school and are committed to sustainability and student welfare.
- 6.b. The owner/governing body establishes and maintains policy-making processes with provisions for the participation of all stakeholders, as appropriate.
- 6.c. The school establishes and follows policies applicable to ownership that address conflicts of interest and provide protection against malfeasance by persons exercising control over the school.
- 6.d. There is a clear description for legal and tax purposes of the school's form of organization, and a clear organizational chart that defines the roles and responsibilities of the school's owner/governing body, administration, faculty and staff.
- 6.e. One person is designated as the chief administrator (Head, Principal, President, etc.) of the school; this person may be the owner.
- 6.f. The designated chief administrator is evaluated on an annual basis.
- 6.g. The Governing Body/Board includes at least a third of its members who represent the public interest, who have no contractual, employment or personal financial interest in the institution. Public representatives should be free from present or potential conflict of interest.
- 6.h. The school has a provision for thoughtful, deliberate, and transparent leadership transition. This is particularly important when the school leader and school owner are the same person.
- 6.i. The school aspires and plans to strengthen its alignment with this Standard.

## PROGRAM STANDARDS

### 7. COMMITMENT TO THE MISSION INFORMS DECISIONS, GUIDES INITIATIVES, AND ALIGNS WITH THE STUDENTS' NEEDS AND ASPIRATIONS

- 7.a. The school's Mission, aligned with the needs and aspirations of the students, inspires every dimension of the school's deliberations and actions.
- 7.b. The school effectively communicates the Mission to faculty, students, families, and the larger community.
- 7.c. Internal and external communications genuinely reflect the Mission.
- 7.d. The school annually assesses the Mission's relevance.
- 7.e. The school aspires and plans to strengthen its alignment with this Standard.

### 8. COMMITMENT TO INSPIRATION AND SUPPORT CHARACTERIZES THE APPROACH TO EACH STUDENT

- 8.a. The school recognizes, values, and nurtures the unique reality of every student at each stage of development.
- 8.b. The faculty regularly monitors the equitable development of all students, using universal screenings to make informed decisions about appropriate instructional and behavioral strategies.
- 8.c. The school seeks to understand and respond to the realities of each student's social and emotional experiences within and outside the school.
- 8.d. The school inspires and cultivates in its students the personal qualities valued by the school.
- 8.e. The school listens and appropriately addresses students' perspectives and opinions.
- 8.f. The school promotes and celebrates the inclusion of all students using an evidence-based approach to support and respond to the students' needs.
- 8.g. The school understands the unique needs of each student with a disability, including disability-based behaviors, and, within the United States, the rights offered to children with disabilities under IDEA.
- 8.h. The school inspires student engagement and belonging in the school community.
- 8.i. The school aspires and plans to strengthen its alignment with this Standard.

### 9. COMMITMENT TO EXCELLENCE DISTINGUISHES THE PROGRAM

- 9.a. A relentless commitment to excellence, as defined by the school, inspires the program.
- 9.b. The school's core values, beliefs, and educational philosophy inform and guide program planning at all levels.
- 9.c. The students' neurodiversity, personal identities, experiences, and particular backgrounds are intentionally reflected in the program's quality.
- 9.d. The school's current written curriculum, evidence-based best practices, and/or pedagogical research inform the program.
- 9.e. The written curriculum aligns horizontally and vertically.
- 9.f. Faculty have dedicated time to discuss the written curriculum and how to implement it effectively.

- 9.g. Faculty employ a range of assessment practices to appropriately promote learning, monitor growth, and consistently measure student progress.
- 9.h. Educational media and technology enhance the instructional program and meet the needs of the students and faculty.
- 9.i. The school's international programs and partnerships (if applicable) are aligned with its Mission and meet the needs of all engaged in or affected by them.
- 9.j. The school aspires and plans to strengthen its alignment with this Standard.

#### 10. COMMITMENT TO CONTINUOUS PROFESSIONAL LEARNING AND DEVELOPMENT PERMEATES THE ADULT CULTURE

- 10.a. The school creates a safe and supportive teaching environment for faculty and staff that promotes collegiality, collaborative professionalism, and the collective belief of the faculty and staff in their ability to affect their students' education positively.
- 10.b. Professional learning and development are determined by the needs of the students and informed by the personal and professional goals set by faculty and staff in alignment with the school's strategic planning.
- 10.c. The school's beliefs and commitments to diversity, equity, inclusion, and belonging support its professional learning and development.
- 10.d. The school's professional evaluation and assessment of all personnel ensure the effective implementation of their responsibilities.
- 10.e. The school values and encourages research, reflective practice, and the exploration of increasingly effective teaching practices.
- 10.f. The school defines clear lines of authority, the administration, faculty, and staff understand their roles and responsibilities, and communication among the school's constituents is clear and direct.
- 10.g. The school's leadership, faculty, and staff regularly participate in NEASC peer review visits.
- 10.h. The school aspires and plans to strengthen its alignment with this Standard.

#### 11. COMMITMENT TO ENGAGING WITH THE GREATER COMMUNITY ENHANCES THE STUDENT EXPERIENCE

- 11.a. The school equitably communicates and promotes a community of belonging for every family around its child's development.
- 11.b. The school and the local community interact and communicate effectively for mutual benefit.
- 11.c. The school effectively engages its alumni and friends to promote and support the Mission and goals of the school.
- 11.d. The school is committed to broadening students' perspectives and encouraging local, national, and global responsibility.
- 11.e. The school aspires and plans to strengthen its alignment with this Standard.

#### 12. COMMITMENT TO MEETING THE NEEDS OF EACH STUDENT DRIVES THE RESIDENTIAL LIFE PROGRAM Schools with five or more students boarding on campus together or separately must complete Standard 12. Schools with fewer than five students boarding on campus should

complete a narrative on how the school provides for the social, emotional, and physical well-being of its boarding students.

- 12.a. The residential life program and curriculum align with the school's Mission.
- 12.b. The residential life program, including evening, weekend, and vacation activities, is integrated into the total life of the school and promotes appropriate interaction with day students.
- 12.c. The residential life program intentionally promotes an inclusive community of belonging for the diversity of students.
- 12.d. Those responsible for organizing the rooming arrangements for students take into account the ever-evolving variety of considerations that go into each assignment.
- 12.e. The expectations for residential students and staff are clearly stated, written, and understood, including acceptable use of technology.
- 12.f. The residential students are included in planning and developing policies, expectations, and programs.
- 12.g. The residential staff is appropriately qualified and assigned to meet the needs of students under their care and supervision.
- 12.h. The residential staff is appropriately housed in ways that enhance the experience of the students, faculty, and their families.
- 12.i. The school aspires and plans to strengthen its alignment with this Standard.

**13. COMMITMENT TO THE HEALTH AND WELL-BEING OF EACH STUDENT GUIDES THE SCHOOL'S HOMESTAY PROGRAM** Schools with five or more students in homestays with unrelated families must complete Standard 13. Schools with fewer than five students in homestays should complete a narrative on how and how often the school monitors its homestay students' social, emotional, and physical well-being.

- 13.a. The homestay program aligns appropriately with the Mission of the school.
- 13.b. The school understands that it is ultimately responsible for each homestay student's health, well-being, and belonging and assigns appropriate school personnel to ensure their welfare.
- 13.c. The school has a well-defined process to include host families and school personnel in regularly reviewing the homestay program and confidential and regular opportunities for students to share their thoughts and feelings about their homestay.
- 13.d. The school has a formal agreement with homestay families if there is direct placement or with agencies that provide homestay placements, detailing the ethical and legal responsibilities of the school, the host families, the agencies, and the students.
- 13.e. The school can ensure that homestay facilities are safe and clean and provide sufficient, appropriate, and comfortable living spaces.
- 13.f. A clearly defined process is in place to ensure appropriate screening of host families, including thorough background checks and a process for matching student and family interests.
- 13.g. The school has clearly stated and understood expectations, published and disseminated in a handbook, for the school, host families, and students regarding the students' academic program and experiences during the school week and on weekends and vacations.

13.h. The school has procedures to integrate international students living in homestay situations into the school's social, cultural, and academic fabric.

13.i. Students are included in planning and developing policies, expectations, and programs.

13.j. The school ensures that the homestay students have host family experiences and opportunities for safe, enriching, and rewarding personal and social lives outside of school.

13.k. The school aspires and plans to strengthen its alignment with this Standard.

#### 14. COMMITMENT TO LONG-TERM VIABILITY AND INNOVATION GUIDES PLANNING

14.a. The school, led by its governing authority, continuously engages in thorough, realistic, aspirational, and actionable planning in all critical areas.

14.b. The school conducts research, collects data, and evaluates its program and resources to inform planning.

14.c. The school proactively identifies factors that must be addressed to ensure sustainability.

14.d. In its planning, the school considers its beliefs and commitments to diversity, equity, inclusion, and belonging.

14.e. The school has the capacity, competence, and commitment to achieve its goals.

14.f. The school's written strategic plan(s) determine responsibilities and include means to assess progress and demonstrate the completion of goals.

14.g. The school plans to celebrate its accomplishments, personnel, and programs that contribute to its identity and legacy.

14.h. The school regularly reviews and adapts its goals and plans to actual experiences and unanticipated realities.

14.i. The school aspires and plans to strengthen its alignment with this Standard.

#### **Ed 405.01 (b) (4) The Agency's organization including:**

##### **a. Its governance and administrative structure**

NEASC is governed by a Board of Trustees. There are currently eighteen members on the Board of Trustees representing all 6 New England states.

Section 3.1 General Powers. The Board has a fiduciary responsibility for the Association and the entire management and control of the property and affairs of the Association; all powers usually vested in a Board of a business corporation, and all powers possessed by the Association consistent with the laws of the Commonwealth of Massachusetts and these By-Laws, including but not limited to:

- furthering the financial health of the Association, including monitoring and oversight of key financial indicators.
- participating in the raising and management of funds necessary to support programs.
- final responsibility and jurisdiction over the actions of any officer, committee, commission, or employee of the Association.
- approving selection of an independent auditor to conduct an annual audit of the Association's accounts.
- reviewing and accepting the annual audit.
- requiring periodic reports from and action on the recommendations of committees and Commissions.
- appoint a President, who shall be responsible for the operations of the Association and who shall be under the direction of, and responsible to, the Board.
- annually evaluating the President and taking any employment action necessary

NEASC is administered by a President/CEO, a Chief Operating Officer, a Chief Accreditation Officer, and a Director of Accreditation and School Improvement for each of its Commissions (Independent Schools, International Schools, and Public Schools). Further, there is a Commission which reviews reports and makes accreditation decisions for the Commission on Independent Schools. This Commission is comprised of twenty members, all of whom are currently working in members' schools.

**b. A description of its ownership and control; and**

NEASC was formed as an educational entity in 1885. NEASC is an independent, voluntary, nonprofit membership organization. It is owned and controlled by its members who authorize the Board of Trustees, and by extension the President/CEO to act on their behalf.

**c. The type of legal organization, including but not limited to tax-exempt or proprietary**

NEASC received tax exempt status pursuant to 1954 Code section 501(c)(3) or its predecessor Code Section (July 1944, U.S. Department of the Treasury) and was incorporated as New England Association of Schools and Colleges, Inc. (changing the name from "New England Association of Colleges and Secondary Schools, Inc.") under Articles of Amendment, General Laws, Chapter 180, Section 7, of the Commonwealth of Massachusetts, filed December 10, 1971.

**Ed 405.01 (b) (5) Financial information including:**

**a. Fee Structure;**

**Commission Independent Schools 2023-2024 Dues**

Elementary Schools:

<b>Operating Budget Expense</b>	<b>Fee</b>
0-1,000,000	\$ 2,010.00
1,000,000-1,500,000	\$ 2,080.00
1,500,001-2,000,000	\$ 2,165.00
2,000,001-2,500,000	\$ 2,270.00
2,500,001-3,000,000	\$ 2,420.00
3,000,001-5,000,000	\$ 2,770.00
5,000,001-10,000,000	\$ 3,630.00
10,000,001-15,000,000	\$ 4,215.00
15,000,001-20,000,000	\$ 4,835.00
20,000,001-25,000,000	\$ 6,000.00
25,000,001	\$ 7,205.00

High Schools:

<b>Operating Budget Expense</b>	<b>Fee</b>
0-1,000,000	\$ 2,475.00
1,000,000-2,000,000	\$ 3,285.00
2,000,001-5,000,000	\$ 3,865.00
5,000,001-7,500,000	\$ 4,665.00
7,500,001-10,000,000	\$ 5,355.00
10,000,001-20,000,000	\$ 6,120.00
20,000,001-25,000,000	\$ 6,695.00
25,000,001-50,000,000	\$ 7,315.00
50,000,001	\$ 8,075.00

**b. Current operating statement; and**

Attached

**c. Most recent independent certified audit**

Attached

**Ed 405.01 (b) (6) A description of procedures used in the evaluation of schools by the agency, including documentation that a school shall be required to provide, which shall include a visit to verify the written documentation, and who participates in school visitations;**

All schools accredited by NEASC participate in a multi-step process. The first step is the Self Study.

### **Self-Study**

Having achieved candidacy status, a school has five years to gain full accreditation. When a school is ready to begin its self-study process, it should contact the Commission office. The Commission will provide resources and training. Administrators, faculty, and staff can prepare for the self-study process by attending a [NEASC Self-Study Workshop](#). Schools should begin the process 18 months to two years before submitting the self-study report to the Commission. Schools are advised, therefore, not to start this process later than the third year of candidacy.

The second step in the accreditation process is the school visit. All schools accredited by the Commission on Independent Schools are required to host an onsite visit as a part of the accreditation process.

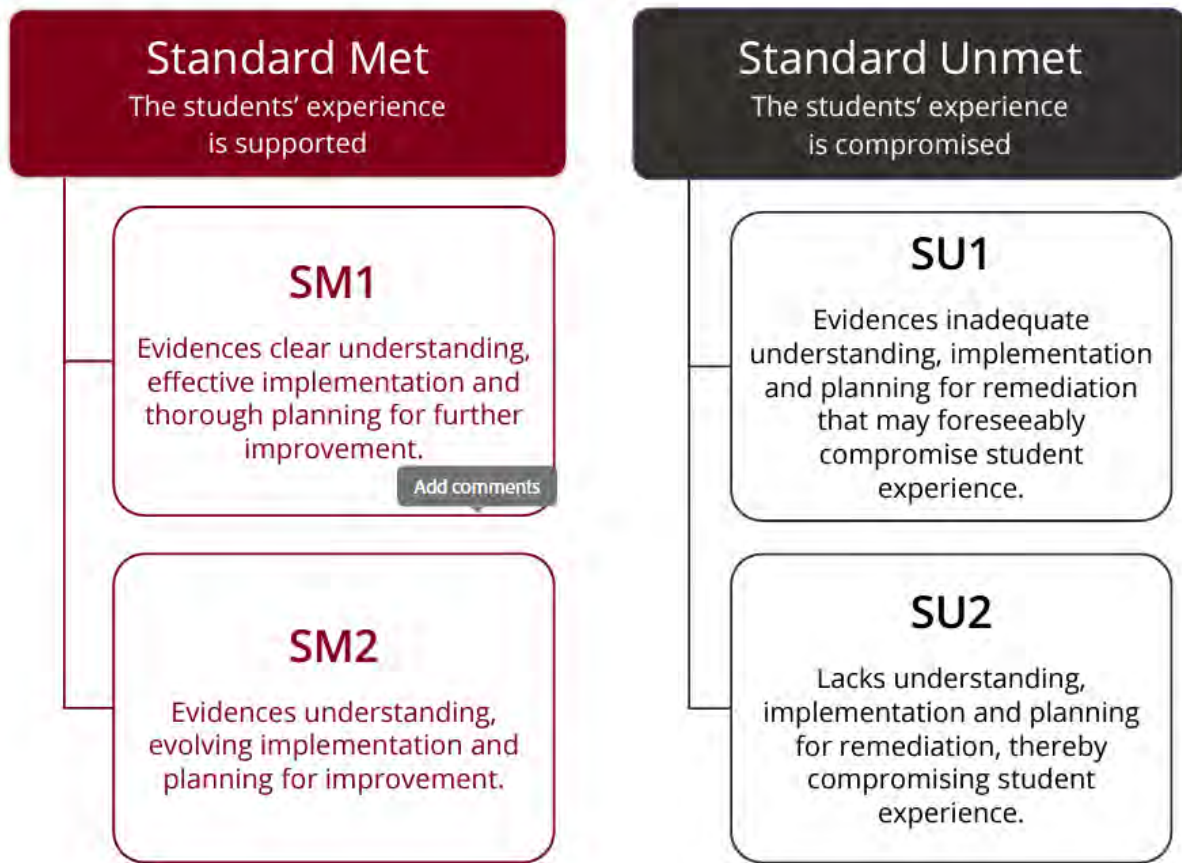
### **Visiting Team**

A school's onsite evaluation by a NEASC visiting team is scheduled about a year in advance. The Commission sets a date for the visiting team's evaluation of the Foundation Standards and a semester or season later for the Program Standards. After the visits and the evaluation, the visiting team prepares a report for the school that will assess attainment of the individual standards, formulate major recommendations and standard-specific recommendations for school improvement, and submits a separate recommendation to the Commission on the school's accreditation status. Visiting team members are selected from accredited member schools and are chosen based on their expertise and the needs of the school being visited.

### **Assessment of Standards**

Standards are assessed through the lens of student experience. The fundamental test is whether or not students are supported. When a Standard is "Met," student experience is reasonably whole, positive and creative. When it is "Unmet," students are – or maybe – adversely affected. While some Standards have more direct or immediate student effects, every Standard ultimately makes itself felt in the lives of a school's students.





During the Self-Study, schools rate themselves on every applicable Standard. During its visit, the Visiting Team also rates the school on every Standard. When the Team's ratings differ from the school's rating, the Team will explain its conclusions.

### Follow-up Actions

At the time of the visit, schools that do not meet one or more standards must document, within one year, how they have addressed the unmet standard.

- All schools must file a Two-Year Progress Report, addressing the Major Recommendations in the Self-Study and the Visiting Committee Report, in addition to providing information on Standard-Specific recommendations, enrollment trends, finances, and the school's strategic planning.
- All schools must file a Five-Year Progress Report addressing enrollment trends, improvements in the students' learning and experience, improvements in curriculum and instruction, the role of the school's governing body, strategic planning, and finances.
- The Commission may request a Special Progress Report on any subject and timetable.
- The Commission may schedule a Focused Visit to a school following a Special Progress Report.

**Ed 405.01 (b) (7) Definitions of levels of recognition or accreditation status and written procedures for providing due process in granting, denying, continuing, or revoking accredited or recognized status; and**

Schools can be recognized as candidates or accredited. Accredited schools who are struggling to meet the standards can be placed on warning or probation by the Commission.

**Warning Status**

When the Commission finds that an institution is in direct and immediate danger of losing its accreditation because of conditions that threaten its ability to comply with the requirements of affiliation and/or Standards for Accreditation and/or other policies, but when the Commission feels that it is not appropriate to use the Probation status, the Commission may place the school on Warning. (It is noted that Probation status is a matter of public record and must be made public by the school. Warning has no such requirement.)

The school that is placed on Warning will be required to file frequent reports and undergo, at a minimum, an annual visit from representatives of the Commission. If the institution does not show progress in correcting the conditions, the Commission will review its decision on Warning and will report to the Board of Trustees of the Association that the school has been placed on Probation, unless there are mitigating circumstances which would indicate a more appropriate course of action.

**Probation Status**

Probation is a public status signifying that the Commission on Independent Schools has found that conditions exist at the school which if left uncorrected pose a direct and immediate threat to the school's ability to retain its accreditation.

A school holding probationary status is subject to close scrutiny by the Commission. The school is expected to take appropriate corrective action within a specified time period. Failure to resolve the cause for probation will lead to an action asking the school to show cause why its accreditation should not be removed.

Probation is a public status indicated in any Association publication or communication about the affected school. The Association will also provide in its relevant publications notice of the availability of a statement regarding the school's probationary status as well as a plan to monitor the school. This statement will be developed by the Commission, and the Commission reserves the right to make final determination as to its nature and content.

A school on Probation is obliged to disclose its status as well as the availability of additional information on its probationary status to prospective students, those currently enrolled, and the public in its catalog and recruitment materials.

Member schools that have received any adverse action can use the NEASC Appeals process to exercise their right to due process.

### **Appeals of Adverse Action**

SECTION 1. Right of Appeal. An institution shall have the right to appeal an adverse accrediting action made by a Commission of the New England Association of Schools and Colleges. For purposes of this policy, an adverse accrediting action includes termination of candidacy for accreditation, denial of accreditation, or termination of accreditation. The accreditation status of the institution shall not change until all rights of appeal pursuant to this Policy and Procedure are exhausted. Actions regarding adverse accrediting actions and the review of those decisions shall be carried out in a timely and expeditious manner in order to insure protection of the institution, the public interest, and the integrity of the process.

SECTION 2. Adverse Accrediting Action. After the Commission approves an adverse accrediting action, if no notice of intent to appeal is filed as provided in Section 3 below, the adverse accrediting action becomes final. The Commission shall notify the institution in writing and specify the standards and/or criteria not met. A copy of this Policy and Procedure shall be provided to the institution along with the notice of the adverse accrediting action.

SECTION 3. Notice of Intent to Appeal and Filing the Appeal. An institution may appeal the adverse accrediting action of the Commission by filing a notice of intent to appeal no later than seven (7) days following receipt of the written notice of the Commission's adverse accrediting action (see Section 4 for the grounds for an appeal). A notice of intent to appeal may be filed only with the authorization of the governing board of the institution. The notice of intent to appeal must be sent by certified mail or by email to the President of the Association. The notice of intent to appeal should contain a statement of the ground(s) on which the appeal will be made but need not provide evidence in support of the appeal. Within fifteen (15) days of filing a notice of intent to appeal, the institution must submit its written appeal by certified mail or by email to the President of the Association who will forward a copy of the written appeal to the Commission. The written appeal shall set forth the institution's evidence and its argument in support of its appeal. There shall be no required format for the written appeal. Within fifteen (15) days following receipt by the Commission from the President of the written appeal, the Commission shall submit its response in writing to the President with a copy to the institution.

SECTION 4. Grounds for Appeal. The grounds on which an appeal may be made are (a) departure by the Commission from the procedures established by written policy or agreement; (b) the citing by the Commission of factually incorrect information as basis for its decision; (c) bias, as evidenced by a demonstrable intent on the part of evaluators, the Commission, or the

Commission's professional staff to prejudice the evaluation or other review of the institution's status of accreditation; (d) substantial evidence that was not available to the institution or the Commission at the time of the adverse accrediting action; or (e) the adverse accrediting action is arbitrary and capricious.

SECTION 5. Appeals Committee. Upon receipt of an institution's appeal the President shall appoint an Appeals Committee consisting of not less than three (3) nor more than five (5) persons. The Appeals Committee shall represent academic or administrative expertise commensurate with the constituency of the relevant Commission. The President shall send a copy of the institution's appeal documents and the Commission's response to each member of the Appeals Committee in advance of its meeting.

SECTION 6. Appeals Review. The President shall establish a date and place for the appeals review which shall be no later than thirty (30) days after the filing of the notice of intent to appeal with the President. The review may take place physically or electronically/virtually as agreed among the members of the Appeals Committee. The Appeals Committee shall consider evidence bearing only upon the grounds specified in the appeal. Additional written materials or evidence not presented to the Commission at the time of its original decision as a part of its review may not be presented to the Appeals Committee. The decision of the Appeals Committee shall be determined by majority vote. In the event of a tie vote, the appeal shall be deemed denied. The Appeals Committee shall meet in executive session (physically, electronically/ virtually as mutually agreed) to reach its decision following the close of the review. The Appeals Committee decision shall contain the Committee's ruling together with a rationale as well as any additional information deemed pertinent by the Committee. The Appeals Committee decision shall be communicated to the President within one week following the completion of the review. The Appeals Committee shall have the authority to affirm, amend, reverse or refer for further consideration by the Commission the adverse accrediting action. The Appeals Committee shall inform the institution, the Commission, and the President of its decision within seven (7) days of arriving at its decision. Notification to the institution shall be sent by certified mail or email, return receipt requested. The decision of the Appeals Committee is the final NEASC action.

SECTION 7. Fees. An institution appealing an adverse accreditation action shall pay a fee of \$ 2,000 at the time of submitting the appeal. If the appeal is granted or subsequent consideration by the Commission leads to a reversal of the adverse accreditation action the fee is refunded to the institution. If the appeal is denied, the fee is forfeited, and the appealing institution shall also be billed for additional expenses incurred by the members of the Appeals Committee, with total additional such expenses not exceeding \$ 5,000. The President may waive or extend any of these provisions concerning dates or fees for good cause.

**Ed 405.01 (b) (8) Frequency of evaluation of schools for continued accreditation or recognition.**

Accreditation is not a single event, but rather an ongoing, voluntary cycle of comprehensive internal and external assessments, short- and long-term strategic planning, and periodic reporting sustained by professional partnership and support. Member schools must periodically demonstrate continued alignment with NEASC Standards in order to maintain their NEASC Accreditation/Membership. Independent schools are accredited/reaccredited on a ten-year cycle.

<p>(c) Agencies seeking program approval shall have a process for reviewing nonpublic school programs which, at a minimum, evaluates the adequacy for ensuring the well-being of students enrolled based on the following criteria:</p>	<p><b>NEASC evaluates the adequacy for ensuring the well-being of students by assessing schools in the designated areas through the following Foundation and Program Standards.</b></p>
<p>(1) School mission statement and educational philosophy;</p>	<p><b>Program Standard 7: Commitment to the Mission Informs Decisions, Guides Initiatives, and Aligns with the Students' Needs and Aspirations.</b></p>
<p>(2) Governance;</p>	<p><b>Foundation Standard 2: The Governing Body/Board assures the School Remains Sustainable and True to Its Mission</b></p>
<p>(3) School facilities;</p>	<p><b>Foundation Standard 3: The School's Resources Sufficiently Support Present and Prospective Operation</b></p>
<p>(4) School health and safety programs;</p>	<p><b>Foundation Standard 5: A Proactive Culture of Health and Safety Permeates the School</b></p>
<p>(5) Curriculum;</p>	<p><b>Program Standard 9: Commitment to Excellence Distinguishes the Program</b></p>
<p>(6) Staff qualifications;</p>	<p><b>Foundation Standard 4: The School Employs an Appropriate Adult Community to Implement the Mission Optimally</b></p>
<p>(7) Admissions process;</p>	<p><b>Foundation Standard 1: Enrolled Students Align Appropriately with the Mission</b></p>
<p>(8) Graduation requirements for high schools only;</p>	<p><b>Program Standard 9: Commitment to Excellence Distinguishes the Program</b></p>
<p>(9) Process for assessing student performance;</p>	<p><b>Program Standard 9: Commitment to Excellence Distinguishes the Program</b></p>
<p>(10) Financial management;</p>	<p><b>Foundation Standard 3: The School's Resources Sufficiently Support Present and Prospective Operation</b></p>
<p>(11) Student support services;</p>	<p><b>Program Standard 8: Commitment to Inspiration and Support Characterizes the Approach to Each Student</b></p>
<p>(12) Co-curricular activities;</p>	<p><b>Program Standard 8: Commitment to Inspiration and Support Characterizes the Approach to Each Student</b> <b>Program Standard 9: Commitment to Excellence Distinguishes the Program</b></p>

(13) Parent involvement; and	<b>Program Standard 11 – Commitment to Engaging with the Greater Community Enhances the Student Experience</b>
(14) School and community relations.	<b>Program Standard 11 – Commitment to Engaging with the Greater Community Enhances the Student Experience</b>

**Final Completeness Review Checklist**



# Nonpublic School Accrediting Agency Application Completeness Review

**Name of Applicant:** NEASC

**Application Submittal Date:** 1/21/24

**Name of Reviewer:** Timothy Carney

**Date Initial Review Completed:** 1/23/24

**Application Type:**  Initial     Renewal

**Date Secondary Review Completed:** 2/13/24

**Purpose**

The purpose of this document is to allow NHED to complete a comprehensive review of an application from an Agency for Program Approval to assure the applicant has submitted the minimum information as required by Ed 405.01.

**Instructions**

This document shall be completed by the Administrator of Educational Pathways, or their designee, upon receipt of an application. Either “Yes” or “No” shall be selected for each criteria. Comments to address any questions or lack of clarity may be inserted in the comment section located below each criteria. If there are no comments required for a particular criterion, “No Comments.” should be typed into that area for clarity. Upon completion of review of the completeness of a Learn Everywhere application the applicant will be notified by email that their application is considered complete and that it will be forwarded to the Nonpublic School Advisory Council (NSAC) for consideration.

It should be noted that this document is being used to review for completeness of the application only. The suitability of the application content in meeting the Agency for Program Approval rules and programmatic intent is the responsibility of the NSAC.

Criteria	Yes	No	N/A
Applicants seeking approval from the state board as an agency recognized by NHED for program approval shall submit the following;			
Letter of Intent	X		
No comments.			
A brief history of the agency	X		
Page 1 - No comments.			
A statement as to the scope of operations, indicating whether it is a regional, national, or state agency	X		
Page 1 - NEASC is a Regional, National and International organization			
A definition of the purpose, character, and scope of its activities as described in its charter or by-laws and written standards for accreditation or recognition;	X		
Pages 2 through 10 - No comments.			
The agency's organization including its governance and administrative structures, a description of its ownership and control and the type of legal organization, including but not limited to tax-exempt or proprietary;	X		
Page 10 and 11. No comments.			
Financial information including its fee structure, current operating statement, and most recent independent certified opinion audit;	X		
Fee structure of page 11 and 12. Financial statement and audit as attachments. No comments.			
A description of procedures used in the evaluation of schools by the agency including documentation that a school shall be required to provide, which shall include a visit to verify the written documentation, and who participates in school visitations;	X		
Page 12 through 14. No comments.			



**Draft NSAC March 26, 2024 Meeting Minutes**



## **Nonpublic School Advisory Council Meeting**

New Hampshire Department of Education  
25 Hall Street | Concord, NH 03301  
Granite State College Building | Room 302

Tuesday, March 26, 2024

### **DRAFT MEETING MINUTES**

#### **I. Call to Order – 4:02 PM.**

The meeting was called to order at 4:02 pm.

#### **Members Physically Present**

David Thibault  
Andrea Elliot  
Matthew Hicks  
Ryan DeJoy  
Gina Powers  
Linda Johnson  
Dan Love

#### **Members Virtually Present**

Jill Grant  
Tobias Iselin  
Lisa Dias  
Susan Harrington

#### **Members Not Present**

Christy Whipple  
Chuck George  
Lissa Sirois

#### **Staff and Guests**

Tim Carney, NHED Administrator of Educational Pathways  
Lynette Ronchaquira, NHED Program Specialists III  
Marlon Austin, NHED School Facility Inspection Administrator  
George Edwards, New England Association of Schools and Colleges (NAESC) Chief Accreditation Officer  
Jim Mooney, NAESC Deputy Director for Accreditation and School Improvement  
Kate Baker, Executive Director of Children's Scholarship Fund New Hampshire (CSF)  
Matt Southerton, Director of Policy and Compliance (CSF)

**II. Review and approval of the January 23, 2024, draft meeting minutes.**

Members reviewed the draft meeting minutes from January 23, 2024. Linda Johnson was listed as remote and in-person but was only remote, and Gina Powers was listed as present in error. Unanimous roll call vote of all in favor, except for Gina Powers and Dan Love who abstained because they were not present for the last meeting.

**III. Public Comment Period.**

There were no public comments.

**IV. Introduction of George Edwards and Jim Mooney from New England Association of Schools and Colleges (NEASC).**

George Edwards and Jim Mooney attended the meeting on behalf of NEASC to discuss NEASC's application for recognition as a nonpublic school accrediting agency and answer questions as needed following initial council discussion.

- Linda Johnson asked how often the reaccreditation process happens. Tim Carney responded every ten years. Previously, NEASC was a default but in 2018, that was stricken out and NEASC's accreditation lapsed.
- Matthew Hicks asked what happens to schools who are currently accredited through NEASC. Tim Carney advised the accreditation of the school is still valid through the organization.
- Dan Love asked if a vote to approve recommendation to the State Board could be made at this meeting. David Thibault responded yes, but the council requested the visit today to give a brief presentation and answer any questions before the vote.
- Linda Johnson asked NEASC if there have been changes in the past ten years in what you expect from schools and if anticipated changes are foreseen. George Edwards responded that NEASC revised the standards for independent schools in 2020. Jim Mooney responded that two significant changes occurred. One, the self-study process has been divided into two parts, allowing the school to focus first on the foundation standards, and then the team from NEASC works with the school on program standards. Schools receive check-ins three times over the ten-year span. The result is that more is asked of schools annually and less of them every ten years. Also, program standards have become more student-centered. Second, issues related to

anxiety and depression are showing a subtle ramping up. Once dedicated to facility safety, the standard dedicated to health and safety has now taken on this other essential component. Relating to the anticipated changes is understanding the impact of AI and providing guiding principles around the use of technology and AI in schools. Jim Mooney added that NEASC continually looks at the process and standards to ensure they meet the needs of accredited schools.

- Dan Love made a motion that NSAC recommend NEASC be recognized as an accrediting agency for NH non-public schools. Matthew Hicks seconded. Unanimous roll call vote of all in favor.

## **V. Introduction of Kate Baker and Matt Southerton from Children's Scholarship Fund New Hampshire (CSF).**

Kate Baker and Matt Southerton attended the meeting on behalf of CSF to entertain questions about Education Freedom Account (EFA) and the Education Tax Credit (ETC) programs.

- Kate Baker explained the difference between the two programs and their different functions.
- Jill Grant asked about the letter of educational attainment. Does the report card have to be an end-of-the-year report card, or can it be a mid-year report card? Kate Baker responded that the Department of Education did not specify but said the report card can be substituted only for the portfolio evaluation letter. Most families are completing the applications towards the end of the year, so an end-of-the-year report card is usually available. Kate added that the report card does not replace the standardized test.
- Jill Grant advised that an email from CSF would be helpful as an administrator to inform families that the enrollment process has begun. Kate Baker responded that enrollment always begins in the first or second week of March, and the deadline is always July 15<sup>th</sup> because CSF must upload the AOI report to NHED. The only reason July 15<sup>th</sup> would change is if the day fell on a weekend. Then, it is moved to that Monday.
- Andrea Elliot commented that it is difficult for school leaders to determine what to award in financial aid without having access to the letter indicating what a family will receive from EFA. ETC letters are available online for administrators to take into consideration during financial aid determination. Matt Southerton clarified the difference between the laws in both and responded CSF is prohibited by law to provide that information. Kate Baker added ETC requires enrollment verification which is why it is available online. EFA is a grant given to families and they have parent agency on how funds are spent and initiating payments. CSF approves or rejects how families spend the allocated funds.
- Kate Baker clarified the state adequate education grant funding is a standardized amount no matter which school a child attends and explained the process of how additional funds are determined (i.e. special education, low income, and English language learner). Matt added, not everyone who

- qualifies for ETC applies for EBA, and not everyone who qualifies for free or reduced lunch applies for that money.
- Jill asked if children who qualify for additional services from school is included in the EFA. David Thibault and Kate Baker clarified IDEA is funded from federal dollars and is separate.
  - Andre Elliot commented that families have communicated some confusion on why other agencies used for financial aid by schools such as FACTS require the previous year's tax return, but EFA and ETC require the family's current year financial information. Kate responded EFA applications aim to use the most current household income information. David Thibault added, FACTS allows the previous year's household income information so the process can be started earlier. However, they request families update it as soon as new information becomes available.
  - David asked, if it is recommended that EFA application are completed before financial aid applications. Kate responded schools should have some knowledge of the aid that is being awarded to families because the tax credit scholarship is calculated on the tuition due after the aid. However, EFA is standardized so that information is not required. Kate added EFAs can be multi used for diverse educational needs. For example, purchasing a computer, or tutoring services not available through schools.
  - Jill Grant asked why the base amount last summer was expected to be \$3,450 but instead \$3,772. Matt responded the state law allows CSF to use up to 10% of the money for administrative fees for the cost of administering the program. CSF was able to come in a little under 8% so additional money was able to be given to students.
  - Susan Harrington asked if there is a process for independent schools to opt out of EFA. Matt responded you do not have to sign up for a class wallet account to accept direct payments, but as a nonpublic school approved by the state you can not discriminate against a family from enrolling in your school and then applying for reimbursement through their approved EFA. The new provider director will indicate that a school does not accept direct payment from EFA.
  - Susan Harrington asked if any other organization in New Hampshire receive these funds or is it only CSF. Kate confirmed only CSF.
  - Susan asked approximately how many children receive it. Kate responded approximately 4,932 as of this April.
  - Gina Powers asked how many years the contract between CSF and NHED is. Kate responded the contract is for five years.

## **VI. Introduction of Marlon Austin, NHED School Facility Inspection Administrator.**

Marlon Austin, School Facility Inspection Administrator gave a brief presentation to introduce himself and speak to the new ED 320 rules and how they will apply to nonpublic schools.

- David Thibault asked if the length of the approval is tied into the nonpublic schools. Tim Carney responded yes; the length is five years. There is no more three-year period. Marlon added the new standard date is June 30<sup>th</sup>.
- David asked if a new school is opening, will a site visit be conducted. Marlon responded both public and nonpublic new schools have a mandatory site visit. Renewals may or may not have a site visit due to volume. Marlon will have webinars available to ensure schools can meet the required laws.
- Jill Grant asked who performs site visits. Marlon Austin confirmed he will perform all site visits. Marlon added, he will send out a checklist before a visit to ensure schools are prepared and know exactly what he will be looking for.
- Jill asked when the nonpublic school application will be updated with this information. Marlon responded he will add the renewal information the first week of next month. There will be an instruction in the application for exactly what needs to be done.
- Ryan DeJoy asked if you need to publicize on your website, you are asbestos free. Tim Carney responded that is a federal requirement and can be on the website, in the handbook, etc. Ann at the Department of Environmental Services (DES) would be able to advise.
- Tim Carney clarified that non-profits are subject to federal O'HARA regulations but for profits are not.

**VII. Discussion of the Association of Christian Schools International (ACSI) application for recognition as a nonpublic school accrediting agency and review process for Christian Schools international (CSI) accrediting agency application.**

- Jill Grant asked for clarification on ACSI and CSI. Tim Carney responded that is correct.
- David Thibault asked how these agencies come to NHED. Tim confirmed they are working with schools in the state.
- The council confirmed at the next meeting they will be ready to discuss the ACSI application sent out by Tim Carney and have a representative available at the meeting to answer questions. CSI will be scheduled for the meeting after.

**VIII. NHED Office of Nonpublic Schools Report. (Tim Carney)**

- One new elementary school is in the works for approval.
- One school who is expanding grades.
- One school may be closing due to difficulty finding teachers. Tim clarified the only reason the state board will close a school is if you report zero students for two consecutive years.
- Twenty-seven nonpublic schools are going through the renewal process this year. Suggested deadline is April 1<sup>st</sup>. Currently sixteen out of twenty-seven applications have been received so far. Tim will reach out to schools after April 1<sup>st</sup>.



- The civics history requirement appears to be an issue for several schools. Tim clarified it must be one credit course in civics, not just embedded. Ryan DeJoy commented additional guidance on this issue would be helpful. Tim will look into this. The grievance policy is also a challenge for some schools. Gina Powers reported the graduation requirement has also been an issue for some schools.
- A local security administrator will be assigned to nonpublic school so people can be assigned for things such as naturalization test results.
- Andrea Elliot asked if the most updated version of the naturalization test will be updated. Tim Carney responded it is in legislation.
- Nonpublic awareness. Tim has been forwarding emails to ensure available training opportunities get out to everyone.
- In the next couple of months, Tim would like to get feedback and information on equitable services and the transportation law.

**IX. Open Council discussion.**

- a) The board considered a concern that was raised to a board member about nonpublic school regulations. The details of the discussion will not be public record for the privacy of the people involved.
- b) Rule change which requires NSAC to be responsible for helping to create the meeting agenda and taking their own minutes.
  - Tim confirmed he and Lynette will be available for the next meeting to assist with the transition.
  - David Thibault expressed the relationship between the council and NHED is to advise the Commissioner, so he wants to ensure it is still a shared enterprise especially in terms of the agenda.
  - This item will be added to the next meeting agenda for further discussion and planning.
- c) Other
  - Linda Johnson shared information about upcoming webinar.

**X. Public comment period.**

There were no public comments.

**XI. Adjournment**

Motion to adjourn was made by Andrea Elliot at 5:52 pm. Seconded by Gina Powers. Unanimous roll call vote of all in favor

Frank Edelblut  
Commissioner



Christine M. Brennan  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
25 Hall Street, Suite 304  
Concord, NH 03301  
TEL. (603) 271-3495

## EXECUTIVE SUMMARY

### Preliminary Objection Response Expedited Revision to Forms, Ed 505.08 Bureau of Credentialing Applications

**Response Deadline: April 29, 2024**

Submitted to the State Board of Education, April 11, 2024:

**A. ACTION NEEDED**

A vote is needed by the state board of education to approve the preliminary objection response to the expedited revision of forms Ed 505.08.

**B. RATIONALE FOR ACTION**

Because there is no conditional response option for this type of action, the agency agreed to move forward with a preliminary objection to make the necessary changes to the forms. The preliminary objection response consists of the rule text, the forms, and a letter outlining the changes (attached).

**C. EFFECTS OF THIS ACTION**

If the board votes to approve the preliminary objection response, it will be reviewed at the next regularly scheduled JLCAR meeting on April 19th.

**D. POSSIBLE MOTION**

I motion to approve the preliminary objection response to Ed 505.08, Bureau of Credentialing forms.



**Kate Cassady**  
Littleton

**Ann Lane**  
Dover

**Phil Nazzaro**  
Newmarket

**Drew Cline, Chair**  
Bedford

**Ryan Terrell**  
Nashua

**Jim Fricchione**  
Windham

STATE OF NEW HAMPSHIRE  
**STATE BOARD OF EDUCATION**  
25 Hall Street  
Concord, NH 03301  
TEL. (603) 271-3144

April 11, 2024

State of New Hampshire  
Joint Legislative Committee on Administrative Rules  
25 Capitol Street  
State House Annex, Room 219  
Concord, New Hampshire 03301-6312

Re: 2024-2 EXRF Preliminary Objection Response

Dear Committee:

On March 15, 2024, the State Board of Education (State Board) received a preliminary objection from the Joint Legislative Committee on Administrative Rules (Committee) for 2024-2 EXRF for Ed 505.08 and forms DOE-BOC 1-18. On April 11, 2024, the State Board voted on a preliminary objection response consisting of amendments in response to the Committee's determination that the rules are unclear and against the legislature's intent, as noted in the Committee Staff's written comments.

The State Board's response addresses the following:

- Ed 505.08(b)(2): The title of DOE-BOC 2 has been amended in the rule text and on the form to be "Approved Educator Preparation Program Application";
- Ed 505.08(b)(5)-(7): The school year has been removed from forms DOE-BOC 5, DOE-BOC 6, and DOE-BOC 7 and replaced with a fillable field to indicate the school year, thus eliminating the need for the form to be updated annually. The title of DOE-BOC 6 was also amended in the rule text to match the title on the form;
- Ed 505.08(b)(8)-(9): The requirement for any notarized forms have been removed from DOE-BOC 8. The other requirements listed on DOE-BOC 8 and DOE-BOC 9 are included in the rule text of the sections currently indicated and was not amended for this reason; and
- Ed 505.08(b)(18): The citation was amended to correctly reference where the certifications on the form can be found in rule text.

Please accept this letter and the attached annotated and amended Ed 505.08 proposal and accompanying forms as the State Board's response to the Committee's preliminary objection.

Sincerely,

Drew Cline, Chair  
State Board of Education

DC/js

**Readopt with amendment Ed 505.08, effective 2-22-23 (Document #13562), to read as follows:**

Ed 505.08 General Application Instructions.

(a) Persons interested in holding a New Hampshire educator credential shall complete and submit an application with the bureau either online or by mail as follows:

(1) By creating an account on the myNHDOE Educator Information System (EIS) at <https://my.doe.nh.gov/myNHDOE/Login/Login.aspx>; or

(2) Bureau of Credentialing  
Department of Education  
101 Pleasant Street  
Concord, NH 03301.

(b) Applicants for any credential shall complete their application through the portal in (a)(1) above, or complete and submit the appropriate form as follows:

(1) DOE-BOC 1 “Application – Statement of Eligibility (SOE)” form, March 2024, for applicants seeking an SOE as outlined in Ed 505.06(a);

(2) DOE-BOC 2 “~~Application for Licensure~~—Approved Educator Preparation Program Application Completer” form, March 2024, for all applicants seeking initial licensure or additional endorsements as outlined in Ed 505.05;

(3) DOE-BOC 3 “Educator Transmittal Form”, March 2024, for all New Hampshire licensed educators seeking to renew after recommendation as outlined in Ed 509.01;

(4) Renewal application forms for New Hampshire licensed educators seeking to renew directly to the bureau, as outlined in Ed 509.02, as follows:

a. DOE-BOC 4a “DOE Renewal Application – Educator” form, March 2024;

b. DOE-BOC 4b “DOE Renewal Form Paraeducator I and II and Educational Interpreter and Transliterator License” form, March 2024; or

c. DOE-BOC 4c “License Renewal Form for School Nurse I, II, and III” form, March 2024;

(5) DOE-BOC 5 “Emergency Authorization (EA)” form, March 2024, for senior educational officials requesting to employ an unlicensed educator as described in Ed 504.04;

(6) DOE-BOC 6 “Application ~~for~~ Emergency Authorization (EA)” form, March 2024, for any unlicensed educator employed by a school district for which the employer is seeking an emergency authorization as described in Ed 504.04;

(7) DOE-BOC 7 “In Process of Licensure Authorization (IPLA)” form, March 2024, for any senior educational official who seeks to hire an educator who is in the process of becoming a licensed educator as outlined in Ed 504.05;

(8) DOE-BOC 8 “Paraeducator License Application” form, March 2024, for any applicant seeking a paraeducator license as outlined in Ed 504.06 and Ed 504.07;

(9) DOE-BOC 9 “School Nurse Application” form, March 2024, for any applicant seeking a school nurse I or III license, or renewal of a school nurse II license, as outlined in Ed 504.08 through Ed 504.10;

- (8) DOE-BOC 10 “Name Change Request” form, March 2024, for any credential holder seeking a credential issued with an official name change;
- (11) DOE-BOC 11 “Application- Educational Interpreter and Transliterater for Children and Youth ages 3-21 Inclusive” form, March 2024, as outlined in Ed 504.11;
- (12) DOE-BOC 12 “Application- Credential Verification Request” form, March 2024, for any credential holder seeking a verification of their New Hampshire credential;
- (13) DOE-BOC 13 “Application for Licensure – Demonstrated Competencies” form, March 2024, for any applicant seeking licensure as outlined in Ed 505.07(b), Ed 505.07(c), and Ed 505.07(d);
- (14) DOE-BOC 14 “Application for Portfolio and Oral Board Review” form, March 2024, for all applicants seeking licensure as outlined in Ed 505.07(a);
- (15) DOE-BOC 15 “Intern Authorization Application” form, March 2024, for all applicants seeking licensure as outlined in Ed 504.03;
- (16) DOE-BOC 16 “Site-Based Licensing Plan Completer Application” form, March 2024, for all applicants who have completed their SBLP and are ready for full licensure as outlined in Ed 505.10(f)(17);
- (17) DOE-BOC 17 “Criminal History Record Check Clearance” form, March 2024, for bus drivers, transportation monitors, and Education Preparation candidates, as referenced in Ed 504.12; or
- (18) DOE-BOC 18 “Criminal History Record Check Clearance First time NH licenses only” form, March 2024, ~~including the certification in (f) below as referenced in Ed 505.10(g).~~

(c) The applicant’s social security number shall be used by the department for the purposes of generating data on teacher salaries or such other purposes as authorized by law including but not limited to RSA 161-B:11,VI-a.

(d) The applicant shall provide a social security number and agrees that the social security number shall be used to search the “National Association of State Directors for Teacher Education and Certification (NASDTEC) Clearinghouse” for action taken against the applicant’s license by other member states or jurisdictions. If any action is found in the NASDTEC Clearinghouse database, the application shall be referred to the governance unit for review, pursuant to Ed 511 and Ed 512.

(e) For Ed 505.08(b)(15), if an assessment of an applicant’s background determines that some or all of the education requirements have been completed prior to application, the applicant shall not be required to repeat any requirement already completed.

(f) All individuals who have not previously held a New Hampshire state board of education issued credential shall be considered first time applicants, and shall:

- (1) Agree to a criminal history record check as required under RSA 189:13-c, III;
- (2) Agree to a central registry check as described in RSA 169-C:35, VIII; and
- (3) Agree to waive the time limits prescribed by RSA 541-A:29 and acknowledge that the application will not be deemed approved or granted prior to the agency’s actual receipt and review of the applicant’s criminal history record check clearance.

(g) Filing of the completed application, supporting documentation, and application fee shall be the responsibility of the applicant.

(h) All applicants for any credential or endorsement issued by the state board shall acknowledge the following statements:

“By checking this box, I certify that I have read the Educator Code of Ethics.

[https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code\\_ethics.pdf](https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_ethics.pdf)

By checking this box, I certify that I have read the Educator Code of Conduct. In so certifying, I understand that the Educator Code of Conduct, Ed 510 sets forth 4 Principles: (1) Responsibility to the Education Profession and Educational Professionals; (2) Responsibility to Students; (3) Responsibility to the School Community; and (4) Responsible and Ethical Use of Technology, which as a certified educator, I am obligated to follow. A founded violation of any of the principles of the Educator Code of Conduct may result in a written reprimand, suspension or revocation of my Educator credential. Additionally, in so certifying, I understand that pursuant to Ed 510.05, I have a duty to report any suspected violation of the code of conduct. Failure to report a suspected violation of the Educator code of conduct may result in a written reprimand, suspension or revocation of my Educator credential. [https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code\\_conduct.pdf](https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_conduct.pdf)”.

### Appendix I

Rule	Statute
Ed 505.08	RSA 21-N:9, II(s); RSA 186:11, X(a)-(b); RSA 541-A:29

**Readopt with amendment the following forms incorporated by reference in Ed 505.08(b)(1)-(18), effective 2-22-23 (Document #13562), to read as follows:**

**DOE-BOC 1, “Application – Statement of Eligibility (SOE)”, February 2023**

**DOE-BOC 2, “Application for Licensure – Educator Preparation Program Completer”, February 2023**

**DOE-BOC 3, “Educator Transmittal Form”, February 2023**

**DOE-BOC 4a, “DOE Renewal Application – Educator”, February 2023**

**DOE-BOC 4b, “DOE Renewal Form Paraeducator I/ II and Educational Interpreter/Transliterator License”, February 2023**

**DOE-BOC 4c, “License Renewal Form for School Nurse I, II, and III”, February 2023**

**DOE-BOC 5, “Emergency Authorization (EA)”, February 2023**

**DOE-BOC 6, “Application for Emergency Authorization”, February 2023**

**DOE-BOC 7, “In Process of Licensure Authorization (IPLA)”, February 2023**

**DOE-BOC 8, “Paraeducator License Application”, February 2023**

**DOE-BOC 9, “School Nurse Application”, February 2023**

**DOE-BOC 10, “Name Change Request”, February 2023**

**DOE-BOC 11, “Application for Educational Interpreter/Transliterator for Children and Youth ages 3-21 Inclusive”, February 2023**

**DOE-BOC 12, “Application for Credential Verification Request”, February 2023**

**DOE-BOC 13, “Application for Licensure – Demonstrated Competencies”, February 2023**

**DOE-BOC 14, “Application for Portfolio and Oral Board Review”, February 2023**

**DOE-BOC 15, “Intern Authorization Application”, February 2023**

**DOE-BOC 16, “Site-Based Licensing Plan Completer Application”, February 2023**

**DOE-BOC 17, “Criminal History Record Check Clearance”, February 2023**

**DOE-BOC 18, “Criminal History Record Check First-Time NH Licenses Only”, February 2023**

**All the forms have the following changes:**

- **The word “optional” has been removed and replaced by an asterisk for the Social Security number field, with statutory reference to RSA 21-N:9, II(s) giving the Department of Education authority to require Social Security numbers, pursuant to 2022, 222:1, effective 8-16-22;**
- **The option of “Other” was added to the Gender field; and**
- **Additional options were added in the Ethnicity field, and the fillable field asking to indicate race is removed.**

**DOE-BOC 4b amends the title of the form to change the “/” to “and” to accurately reflect the title of the credential;**

**DOE-BOC 11 amends the title of the form to change the “/” to “and” to accurately reflect the title of the credential;**

**DOE-BOC 18 also amends the language in the certification by adding the following: “I understand that the central registry check will identify whether there are any substantiated allegations of child abuse against me and/or the existence of any open child abuse investigations, where I have been identified as an alleged perpetrator of child abuse. Further, I understand that any investigatory reports related to such substantiated allegations and/or open investigations may be received as part of this application.”**





State of New Hampshire, Department of Education  
 Bureau of Credentialing  
 25 Hall Street  
 Concord, NH 03301  
 Help Desk

Bureau of Credentialing office use only:	
Date Received:	_____
Fee amount:	_____
Check #:	_____

APPLICATION -STATEMENT OF ELIGIBILITY (SOE)

INSTRUCTIONS: This is a fillable form, please type directly into it, print and sign before mailing.

PAYMENT: Cash, money order or cashier's check, or school employer check on behalf of applicants, made payable to "Treasurer, State of New Hampshire". See [Fee Schedule](#) on our website for all fees.

**Important Notice**

If you are a first time applicant you must complete the Criminal History Records Check (CHRC) application and submit a copy of your Driver's License with this application.

A first time applicant is one who has never held a credential in New Hampshire including but not limited to BEL, EEL, IPLA, IA, EA, SOE, PARA, School Nurse, and MTL

ALL \*Fields are Required

Social Security Number \* \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ EdID # (if known)  
The applicant agrees that the social security number shall be used to search the "National Association of State Directors for Teacher Education and Certification (NASDTEC)" Clearinghouse in accordance with Ed 505.08(d) and RSA 21-N:9, II(s).

Name: \* First Name MI \* Last Name Previous Name

\* Gender: Male Female Other \*Date of Birth  
 \*Select Ethnicity: (check one) American Indian/Alaskan Native Asian/Pacific Islander Hispanic  
 African American/Non-Hispanic White/Non-Hispanic Other/do not wish to specify Multi-ethnic

\* Mailing Address:  
 Street / PO Box City State Zip

\*Primary Telephone Number Allow SMS/Text \*Alternate Telephone Number Allow SMS/Text

\*Primary Email Address \*Alternate Email Address

\*COLLEGE INFORMATION

DEGREE COLLEGE STATE MAJOR DATE GRANTED

**PLEASE LIST THE SPECIFIC AREAS IN WHICH YOU WISH TO BE CERTIFIED AND BY WHICH PATHWAY  
(example: Biology (SHORT); Mathematics (CLGRCS); Elementary Education (EEEK8) ;Health Science (CTESA)**

**SHORT** (Critical Shortage List)    **CLGRCS** College-Level Courses    **CTESA** Career and Technical Pathway Specialty Area

**EEEECE** Elementary Education K-6 or Early Childhood Education                      **EEK8** Elementary Education K-8

**NEWEND** New Endorsement                      **NOPATH** No other Available

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES      NO**

\*Have you ever been convicted or charged pending disposition of a Class A Misdemeanor or ANY Felony in New Hampshire or any other jurisdiction? (Minor traffic violations with the exception of DWI and drug related motor vehicle offenses are not reportable.)

\*Have you had any type of Education Credential suspended or revoked in New Hampshire or any other jurisdiction?

\*Have you had a corrective action related to an Educator Credential imposed upon you in New Hampshire or any other jurisdiction that did not result in suspension or revocation of your Education Credential?

\*Have you ever surrendered any Educator Credential in New Hampshire or any other jurisdiction to settle a disciplinary action?

\*Have you ever been investigated in your role as (including, but not limited to) an Educator, Education Personnel, Para-educator, Classroom Aid, or "Designated Volunteer" for allegations involving educator misconduct in New Hampshire or any other jurisdiction?

\*Are you currently under investigation in New Hampshire or any other jurisdiction related to allegations of educator misconduct against you while employed as (including, but not limited to) an Educator, Para-educator, Classroom Aid, Transportation Personnel, Education Personnel or "Designated Volunteer" in any public school, private school, charter school, or public academy?

**IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, ATTACH AN EXPLANATION**

	<p><b>*By checking this box, I certify that I have read the Educator Code of Ethics.</b>  <a href="https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_ethics.pdf">https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_ethics.pdf</a></p>
	<p><b>*By checking this box, I certify that I have read the Educator Code of Conduct. In so certifying, I understand that the Educator Code of Conduct, Ed 510 sets forth 4 Principles: (1) Responsibility to the Education Profession and Educational Professionals; (2) Responsibility to Students; (3) Responsibility to the School Community; and (4) Responsible and Ethical Use of Technology, which as a certified educator, I am obligated to follow. A founded violation of any of the principles of the Educator Code of Conduct may result in a written reprimand, suspension or revocation of my Educator credential. Additionally, in so certifying, I understand that pursuant to Ed 510.05, I have a duty to report any suspected violation of the code of conduct. Failure to report a suspected violation of the Educator code of conduct may result in a written reprimand, suspension or revocation of my Educator credential.</b>  <a href="https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_conduct.pdf">https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_conduct.pdf</a></p>

I hereby certify that I am the individual listed in this application, and that all information provided herein, including all accompanying documentation, is true, accurate, and complete to the best of my knowledge.

\_\_\_\_\_  
\*SIGNATURE

\_\_\_\_\_  
\*DATE



**PLEASE LIST THE SPECIFIC AREAS IN WHICH YOU WISH TO BE CERTIFIED AND BY WHICH PATHWAY**  
**Example: Life Science (AEPPNH) ; Upper Level Mathematics (AEPPoS)**

AEPPNH Approved Educator Preparation Program New Hampshire AEPPoS Approved Educator Preparation Program Out of State

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES NO**

\*Have you ever been convicted or charged pending disposition of a Class A Misdemeanor or ANY Felony in New Hampshire or any other jurisdiction? (Minor traffic violations with the exception of DWI and drug related motor vehicle offenses are not reportable.)

\*Have you had any type of Education Credential suspended or revoked in New Hampshire or any other jurisdiction?

\*Have you had a corrective action related to an Educator Credential imposed upon you in New Hampshire or any other jurisdiction that did not result in suspension or revocation of your Education Credential?

\*Have you ever surrendered any Educator Credential in New Hampshire or any other jurisdiction to settle a disciplinary action?

\*Have you ever been investigated in your role as (including, but not limited to) an Educator, Education Personnel, Para-educator, Classroom Aid, or "Designated Volunteer" for allegations involving educator misconduct in New Hampshire or any other jurisdiction?

\*Are you currently under investigation in New Hampshire or any other jurisdiction related to allegations of educator misconduct against you while employed as (including, but not limited to) an Educator, Para-educator, Classroom Aid, Transportation Personnel, Education Personnel or "Designated Volunteer" in any public school, private school, charter school, or public academy?

**IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, ATTACH AN EXPLANATION**

	<p><b>*By checking this box, I certify that I have read the Educator Code of Ethics.</b>  <a href="https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_ethics.pdf">https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_ethics.pdf</a></p>
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I hereby certify that I am the individual listed in this application, and that all information provided herein, including all accompanying documentation, is true, accurate, and complete to the best of my knowledge.

\_\_\_\_\_  
 \*SIGNATURE

\_\_\_\_\_  
 \*DATE



**PLEASE NOTE:**

**ANY EMPLOYED EDUCATOR WHOSE CREDENTIAL HAS EXPIRED AND HAS NOT RENEWED BY JUNE 30th OF THE YEAR THE CREDENTIAL IS DUE, WILL BE SUBJECT TO A LATE FEE.**

See [Fee Schedule](#) on our website for all fees.

**NOTE: The Special Education Teacher/Early Childhood Special Education Teacher endorsement must be maintained in order to renew a categorical area (Emotional and Behavioral Disabilities, Specific Learning Disabilities, Intellectual and Developmental Disabilities and Physical and Health Disabilities)**

I **DO NOT** wish to renew this endorsement(s) from my list:

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES NO**

\*Have you ever been convicted or charged pending disposition of a Class A Misdemeanor or ANY Felony in New Hampshire or any other jurisdiction? (Minor traffic violations with the exception of DWI and drug related motor vehicle offenses are not reportable.)

\*Have you had any type of Education Credential suspended or revoked in New Hampshire or any other jurisdiction?

\*Have you had a corrective action related to an Educator Credential imposed upon you in New Hampshire or any other jurisdiction that did not result in suspension or revocation of your Education Credential?

\*Have you ever surrendered any Educator Credential in New Hampshire or any other jurisdiction to settle a disciplinary action?

\*Have you ever been investigated in your role as (including, but not limited to) an Educator, Education Personnel, Para-educator, Classroom Aid, or "Designated Volunteer" for allegations involving educator misconduct in New Hampshire or any other jurisdiction?

\*Are you currently under investigation in New Hampshire or any other jurisdiction related to allegations of educator misconduct against you while employed as (including, but not limited to) an Educator, Para-educator, Classroom Aid, Transportation Personnel, Education Personnel or "Designated Volunteer" in any public school, private school, charter school, or public academy?

**IF YOU ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, ATTACH AN EXPLANATION**

	<p><b>*By checking this box, I certify that I have read the Educator Code of Ethics.</b>  <a href="https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_ethics.pdf">https://www.education.nh.gov/sites/g/files/ehbemt326/files/inline-documents/code_ethics.pdf</a></p>
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I hereby certify that I am the individual listed in this application, and that all information provided herein, including all accompanying documentation, is true, accurate, and complete to the best of my knowledge.

\_\_\_\_\_  
\*SIGNATURE

\_\_\_\_\_  
\*DATE



**Section A**

**(indicate if Professional Development already entered online in EIS)**

**45 Continuing Education Units aligned with Ed 505.03 Professional Education**

Additional sheets may be attached if necessary.

Activity Type	Date	# of Hours	Activity Title Description	Provider/Location
---------------	------	------------	----------------------------	-------------------

**Section B Goals for next 3 years**

**INDIVIDUAL PROFESSIONAL DEVELOPMENT PLAN**

Describe how your Individual Plan (IPDP) is linked to the [NH Department of Education Statewide Professional Development Master Plan](#) or for employed Superintendents, your local Professional Development Master Plan.

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES NO**

\*Have you ever been convicted or charged pending disposition of a Class A Misdemeanor or ANY Felony in New Hampshire or any other jurisdiction? (Minor traffic violations with the exception of DWI and drug related motor vehicle offenses are not reportable.)

\*Have you had any type of Education Credential suspended or revoked in New Hampshire or any other jurisdiction?

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Have you ever surrendered any Educator Credential in New Hampshire or any other jurisdiction to settle a disciplinary action?

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\*SIGNATURE

\_\_\_\_\_  
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**Section A**

**(indicate if Professional Development already entered online in EIS)**

**50 Continuing Education Units of related professional development activities is required**

Additional sheets may be attached if necessary.

Activity Type	Date	# of Hours	Activity Title Description	Provider/Location
---------------	------	------------	----------------------------	-------------------

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES NO**

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**Section A**

**(indicate if Professional Development already entered online in EIS)**

**45 Continuing Education Units of School Nurse related professional development activities is required**

Additional sheets may be attached if necessary.

Activity Type	Date	# of Hours	Activity Title Description	Provider/Location
---------------	------	------------	----------------------------	-------------------

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES NO**

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\*SIGNATURE

\_\_\_\_\_  
\*DATE





State of New Hampshire, Department of Education  
 Bureau of Credentialing  
 25 Hall Street  
 Concord, NH 03301  
 Help Desk

Bureau of Credentialing office use only:	
Date Received:	_____
Fee amount:	_____
Check #:	_____

APPLICATION -EMERGENCY AUTHORIZATION (EA)

This is not an application for licensure.

**INSTRUCTIONS:** This is a fillable form, please type directly into it, print and sign before mailing.

Please also submit with this form a transcript with registrar's signature conferring at least a Bachelor's degree.

**PAYMENT:** Cash, money order or cashier's check, or school employer check on behalf of applicants, made payable to "Treasurer, State of New Hampshire". See [Fee Schedule](#) on our website for all fees.

**Important Notice**

If you are a first time applicant you must complete the Criminal History Records Check (CHRC) application and submit a copy of your Driver's License with this application.

A first time applicant is one who has never held a credential in New Hampshire including but not limited to BEL, EEL, IPLA, IA, EA, SOE, PARA, School Nurse, and MTL

**ALL \*Fields are Required**

Social Security Number \* \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ EdID # (if known)  
The applicant agrees that the social security number shall be used to search the "National Association of State Directors for Teacher Education and Certification (NASDTEC)" Clearinghouse in accordance with Ed 505.08(d) and RSA 21-N:9, II(s).

Name: \* First Name MI \* Last Name Previous Name

\*Gender: Male Female Other \*Date of Birth

\*Select Ethnicity: (check one) American Indian/Alaskan Native Asian/Pacific Islander Hispanic

African American/Non-Hispanic White/Non-Hispanic Other/do not wish to specify Multi-ethnic

\* Mailing Address:

Street / PO Box City State Zip

\*Primary Telephone Number Allow SMS/Text \*Alternate Telephone Number Allow SMS/Text

\*Primary Email Address \*Alternate Email Address

**\*COLLEGE INFORMATION**

DEGREE COLLEGE STATE MAJOR DATE GRANTED

**An Emergency Authorization is not a license. Employment by the SAU is authorized for the above individual for one school year.**

Emergency Authorization      ---      School Year

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES      NO**

\*Have you ever been convicted or charged pending disposition of a Class A Misdemeanor or ANY Felony in New Hampshire or any other jurisdiction? (Minor traffic violations with the exception of DWI and drug related motor vehicle offenses are not reportable.)

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\_\_\_\_\_  
 \*SIGNATURE

\_\_\_\_\_  
 \*DATE





**Information from Employer**

We have confirmed with the Department of Education Credentialing Office that this candidate has applied/paid the fee for full licensure. This candidate has been found by the Credentialing Office to be eligible for issuance of full licensure upon receipt of passing test scores as indicated below.

**Date of Hire**

**Major Assignment Endorsement Area**

**SAU# or Agency Name**

**School Name**

**Praxis Core Test Scheduled (Provide Date)**

**Praxis Content Test Scheduled (Provide Date and Test Number)**

**Pearson’s Foundations of Reading Test Scheduled (Provide Date)**

Please visit [Credentialing HD Knowledge Base](#) to find out more about test center closure status and remote testing options.

THIS FORM ALLOWS THE CANDIDATE UP TO **ONE SCHOOL YEAR** TO COMPLETE THE LICENSURE PROCESS.

AN IPLA IS NOT RENEWABLE.

**THIS IPLA IS ISSUED FOR THE SCHOOL YEAR**

**AN IPLA IS NOT RENEWABLE.**

Email for SAU receipt of finalized form

**\*Print Name: Senior Educational Official**

**Date**

\_\_\_\_\_  
**\*Senior Educational Official Signature**

**Date**

\_\_\_\_\_  
**Authorized NHDOE Credentialing Signature**

**IF YOU FAX or EMAIL THIS FORM, PLEASE DO NOT ALSO MAIL THE ORIGINAL**



State of New Hampshire, Department of Education  
 Bureau of Credentialing  
 25 Hall Street  
 Concord, NH 03301  
 Help Desk

Bureau of Credentialing office use only:	
Date Received:	_____
Fee amount:	_____
Check #:	_____

**PARAEDUCATOR LICENSE APPLICATION**

**INSTRUCTIONS:** This is a fillable form, please type directly into it, print and sign before mailing.

**PAYMENT:** Cash, money order or cashier’s check, or school employer check on behalf of applicants, made payable to "Treasurer, State of New Hampshire". See [Fee Schedule](#) on our website for all fees.

**Important Notice**

If you are a first time applicant you must complete the Criminal History Records Check (CHRC) application and submit a copy of your Driver's License with this application.

A first time applicant is one who has never held a credential in New Hampshire including but not limited to BEL, EEL, IPLA, IA, EA, SOE, PARA, School Nurse, and MTL

**ALL \*Fields are Required**

Social Security Number \* \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ EdID # (if known)  
The applicant agrees that the social security number shall be used to search the "National Association of State Directors for Teacher Education and Certification (NASDTEC)" Clearinghouse in accordance with Ed 505.08(d) and RSA 21-N:9, II(s).

Name: \* First Name MI \* Last Name Previous Name

\*Gender: Male Female Other \*Date of Birth

\*Select Ethnicity: (check one) American Indian/Alaskan Native Asian/Pacific Islander Hispanic  
 African American/Non-Hispanic White/Non-Hispanic Other/do not wish to specify Multi-ethnic

\* Mailing Address:

Street / PO Box City State Zip

\*Primary Telephone Number Allow SMS/Text \*Alternate Telephone Number Allow SMS/Text

\*Primary Email Address \*Alternate Email Address

**\*EDUCATIONAL INFORMATION**

DEGREE School STATE MAJOR DATE GRANTED

**PLEASE CHECK WHICH PARAEDUCATOR LEVEL YOU ARE REQUESTING:**

**Paraeducator I:** Submit a copy of High School Diploma or GED with the application.

**Submit the documents described in ONE of the following options.**

**Paraeducator II:**

Official college transcript of Associate’s or Bachelor’s degree conferred OR showing a minimum of 48 college credits.

**OR**

Official High School transcript in a school sealed envelope OR copy of High School Diploma or GED AND A copy of passing scores for the ParaPro Assessment Praxis test or equivalent.

**OR**

Official High School transcript in a school sealed envelope OR copy of High School Diploma or GED

**AND**

Assessment of Candidate’s Strengths and Professional Development Needs form. All competencies must be checked as met with evidence indicated in the assessment column. Activities used as evidence must be at the college level. Evidence for English and Math must be at the second year college level.

All documentation of evidence indicating how all competencies have been met.

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES NO**

\*Have you ever been convicted or charged pending disposition of a Class A Misdemeanor or ANY Felony in New Hampshire or any other jurisdiction? (Minor traffic violations with the exception of DWI and drug related motor vehicle offenses are not reportable.)

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 \*DATE



## Application Type (Please check one)

**School Nurse I:** Submit an official transcript (Associate’s nursing degree level or higher), a copy of a valid New Hampshire issued RN license, an employer verified letter showing 3 years of clinical pediatric nursing or related work experience under a valid RN license.  
**\*\*Must be enrolled in a Nursing Program leading to a BSN within 6 years of hire.**

**School Nurse III:** Submit an official transcript (Bachelor’s nursing degree level or higher), a copy of a valid New Hampshire BSN RN license, an employer verified letter showing 3 years of clinical pediatric nursing or related work experience under a valid BSN RN license.

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES      NO**

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 Bureau of Credentialing  
 25 Hall Street  
 Concord, NH 03301  
 Help Desk

Bureau of Credentialing office use only:	
Date Received:	_____
Fee amount:	_____
Check #:	_____

**APPLICATION FOR LICENSURE -DEMONSTRATED COMPETENCIES**

**INSTRUCTIONS:** This is a fillable form, please type directly into it, print and sign before mailing.

**PAYMENT:** Cash, money order or cashier’s check, or school employer check on behalf of applicants, made payable to "Treasurer, State of New Hampshire". See [Fee Schedule](#) on our website for all fees.

**Important Notice**

**If you are a first time applicant you must complete the Criminal History Records Check (CHRC) application and submit a copy of your Driver's License with this application.**

A first time applicant is one who has never held a credential in New Hampshire including but not limited to BEL, EEL, IPLA, IA, EA, SOE, PARA, School Nurse, and MTL

**ALL \*Fields are Required**

Social Security Number \* \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ EdID # (if known)  
The applicant agrees that the social security number shall be used to search the "National Association of State Directors for Teacher Excellence and Certification (NASDTEC)" Clearinghouse in accordance with Ed 505.08(d) and RSA 21-N:9, II(s).

Name: \* First Name MI \* Last Name Previous Name

\*Gender: Male Female Other \*Date of Birth

\*Select Ethnicity: (check one) American Indian/Alaskan Native Asian/Pacific Islander Hispanic

African American/Non-Hispanic White/Non-Hispanic Other/do not wish to specify Multi-ethnic

\* Mailing Address:

Street / PO Box City State Zip

\*Primary Telephone Number Allow SMS/Text \*Alternate Telephone Number Allow SMS/Text

\*Primary Email Address \*Alternate Email Address

**\*COLLEGE INFORMATION**

DEGREE COLLEGE STATE MAJOR DATE GRANTED



**PLEASE LIST THE SPECIFIC AREAS IN WHICH YOU WISH TO BE CERTIFIED AND BY WHICH PATHWAY**

**Example: Life Science (DCNR) ; Upper Level Mathematics (DCEX); Principal (DCTA)**

DCNR National/Regional License    DCEX Experience Out-of-State    DCTA Transcript Analysis

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES      NO**

\*Have you ever been convicted or charged pending disposition of a Class A Misdemeanor or ANY Felony in New Hampshire or any other jurisdiction? (Minor traffic violations with the exception of DWI and drug related motor vehicle offenses are not reportable.)

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\_\_\_\_\_  
\*SIGNATURE

\_\_\_\_\_  
\*DATE



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**Example: Life Science (DCPOB)**

DCPOB Demonstrated Competencies portfolio oral board

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES NO**

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\*DATE



**PLEASE LIST THE SPECIFIC AREAS IN WHICH YOU WISH TO BE CERTIFIED AND BY WHICH  
PATHWAY Example: Life Science (SBLP)**

SBLP Site Based Licensing Plan

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES      NO**

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SBLP Site Based Licensing Plan

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\_\_\_\_\_  
\*DATE





# Application Type

Is this a new Application or Renewal? Please check one       New Applicant       Renewal

**School Bus Driver**      Submit this application, a copy of a valid drivers license, and fee.  
All applicants for school bus driver licensure are subject to a criminal history records check in accordance with RSA 189:13-b.

**Ed Prep Program Candidates**      Submit this application, a government issued ID, and fee.  
All Educational Preparation Program candidates are subject to a criminal history records check in accordance with RSA 189:13-a,c.

Institution Name:

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES      NO**

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I hereby certify that I am the individual listed in this application, and that all information provided herein, including all accompanying documentation, is true, accurate, and complete to the best of my knowledge. By signing this document I agree that I am subject to a criminal history records check in accordance with RSA 189:13-c as well as a check for findings of abuse on the Division for Children Youth & Families (DCYF) central registry pursuant to RSA 169:C-35, and subject to other states central registry lists. I understand that the central registry check will identify whether there are any substantiated allegations of child abuse against me and/or the existence of any open child abuse investigations, where I have been identified as an alleged perpetrator of child abuse. Further, I understand that any investigatory reports related to such substantiated allegations and/or open investigations may be received as part of this application. By executing this agreement, I hereby waive the time limits prescribed by RSA 541-A:29 and acknowledge that this application will not be deemed approved or granted prior to the agency's actual receipt and review of my Criminal History Record Check.

\_\_\_\_\_  
 \*SIGNATURE

\_\_\_\_\_  
 \*DATE



**Educational interpreter/transliterater” 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;**

**PLEASE CHECK APPROPRIATE ANSWERS**

**YES NO**

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\*DATE



Frank Edelblut  
Commissioner



Christine M. Brennan  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
25 Hall Street, Suite 304  
Concord, NH 03301  
TEL. (603) 271-3495

## EXECUTIVE SUMMARY

### Adoption, Ed 1400 Learn Everywhere

Submitted to the State Board of Education, April 11, 2024:

- A. **ACTION NEEDED**  
A vote is needed by the state board to adopt Ed 1400, relative to Learn Everywhere.
- B. **RATIONALE FOR ACTION**  
The conditional approval response was accepted by JLCAR and the board is approved to adopt the rules.
- C. **EFFECTS OF THIS ACTION**  
If the board votes to adopt the rules, they will become effective at midnight on April 12th.
- D. **POSSIBLE MOTION**  
I motion to adopt Ed 1400 regarding Learn Everywhere.

**Readopt with amendment Ed 1400, effective 6-10-22 (Document #13393), to read as follows:**

CHAPTER Ed 1400 LEARN EVERYWHERE PROGRAM FOR HIGH SCHOOL GRADUATION CREDIT

PART Ed 1401 PURPOSE AND SCOPE

Ed 1401.01 Purpose. Part Ed 1401 through Part Ed 1407 provide rules of procedure to ensure uniform application of RSA 193-E:2-a, V(b), relative to the approval of alternative programs for granting credit leading to graduation, referred to as learn everywhere programs. The department will develop and implement this program in conjunction with the state board of education.

Ed 1401.02 Scope.

(a) These rules shall apply to any for-profit or non-profit entity applying to offer an educational program, consistent with these rules, that meets the minimum standards for approval to grant credit leading to graduation.

(b) These rules shall apply to students, emancipated minors, or students with disabilities in accordance with their individualized education program (IEP) as determined by the IEP team.

(c) Successful completion of approved learn everywhere programs shall result in a certificate award by the learn everywhere program redeemable for high school credit leading to graduation in the approved subject matter pursuant to Ed 306.27(v) table 306-2.

(d) These rules shall apply to all school districts, chartered public schools, public academies, or local education agencies (LEAs).

PART Ed 1402 DEFINITIONS

Ed 1402.01 Definitions.

- (a) "Administrator" means the administrator of the learn everywhere program.
- (b) "Alternative" means a choice of one or more opportunities.
- (c) "Alternative program" means a learn everywhere program as defined in Ed 1402.01(j).
- (d) "Applicant" means any for-profit or non-profit entity applying to offer an educational program consistent with these rules.
- (e) "Commissioner" means the commissioner of the department of education.
- (f) "Competency" means "state competency" as defined in Ed 1402.01(o).
- (g) "Department" means the department of education.
- (h) "Individualized education program (IEP)" means "individualized education program" as defined in 34 CFR 300.22 and which meets the requirements in Ed 1109.
- (i) "Instructor" means an individual who is employed, a volunteer, or contracted by and provides instruction in a learn everywhere program.
- (j) "Learn everywhere program" means a state board approved alternative program for granting credit leading to graduation.
- (k) "Local education agency (LEA)" means "local education agency" as defined in 34 CFR 300.28.



(l) "Sponsor organization" means an entity that submits an application for a learn everywhere program that is approved by the state board of education.

(m) "Program" means a sequence of instruction over a period of time, which meets the state competencies of a subject or subjects listed in Ed 306.27(v) resulting in a granting of credit leading to high school graduation.

(n) "School" means a New Hampshire public school, public academy, or chartered public school that contains any of the grades 9 through 12.

(o) "State competency" means the expected content, concepts, and skills to be mastered in a course deemed equivalent to graduation competencies in accordance with Ed 306.02(j) solely for the purpose of granting credit in the areas enumerated in Ed 306.27(v) table 306-2.

(p) "State board" means the New Hampshire state board of education.

#### PART Ed 1403 PROGRAM APPROVAL

##### Ed 1403.01 Initial Application Requirements.

(a) An applicant, as described in Ed 1401.02(a), seeking state board approval for a learn everywhere program shall submit to the department the information in (b) below in any format.

(b) The information submitted by the applicant shall include the following items:

(1) The sponsoring organization's purpose, mission statement, or both;

(2) The name and contact information of the individual responsible for oversight and administration of the program for which approval is sought;

(3) A description of demonstrated qualifications and a statement assuring that the instructors satisfy those qualifications, which shall not be construed to imply that instructors require an educator credential; and

(4) In the area of criminal records check policy, either:

a. A criminal history records check policy that provides for an annually recurring records check or a one-time records check upon employment and includes a statement affirming that the sponsoring entity shall not allow instruction or student contact by a person who has been charged pending disposition for, or convicted of, any violation or attempted violation of any of the offenses outlined in RSA 189:13-a, V; or

b. A statement that a criminal history records check policy is not included in the applicant's learn everywhere program.

(c) The applicant shall notify the parents, in writing, regarding its criminal records check policy prior to the enrollment of a student in the learn everywhere program.

(d) The applicant's criminal records check policy shall be included with the learn everywhere program information on the department's website as described in Ed 1404.01(f).

(e) In addition to the requirements outlined in (b) above, an applicant shall also submit:

(1) In the area of instructional program:

a. Identification of the required subject from Ed 306.27(v) for which students completing the learn everywhere program shall receive high school credit(s);

- b. An outline of each program for which approval is sought, which includes goals, competencies, a detailed description of the course of instruction, and a description of expected student outcomes;
  - c. A plan for recording student progress in meeting expected student outcomes;
  - d. A description of assessments of student learning outcomes, including, but not limited to:
    - 1. Instructor observation of project-based learning, including off-site learning projects;
    - 2. Competency-based or performance-based assessments;
    - 3. Instructor observations of student performance;
    - 4. Project evaluation rubrics used to evaluate program proficiencies; and
    - 5. Other assessment approaches as determined by the applicant's learn everywhere program;
  - e. The number of credits the program will fulfill; and
  - f. A description of the competency-based grading system;
- (2) In the area of admission:
- a. A description of methods for admission which shall not be designed, intended, or used to discriminate or violate individual civil rights in any manner prohibited by law;
  - b. A description of how the program will liaison with the LEA for students with an education plan pursuant to section 504 of the Rehabilitation Act;
  - c. A description of how the program will liaison with the LEA for a student with disabilities, consistent with the student's IEP to include, but not be limited to coordinating:
    - 1. Required special education programs;
    - 2. Support services; and
    - 3. Least restrictive environment; and
  - d. A statement that the applicant understands that it has certain responsibilities, pursuant to Section 504 of the Rehabilitation Act, if it receives federal funds, or the Americans with Disabilities Act, as amended, to provide students with disabilities with equal access and equal opportunities to participate in the learn everywhere program, including by providing the student with reasonable accommodations;
- (3) In the area of facilities:
- a. A description of facilities to be used for educational instruction and a description of how the facilities will meet the priorities of the program; and
  - b. A statement affirming that the facilities shall comply with all applicable federal and state health and safety laws, rules, and regulations, including, but not limited to the following:
    - 1. Fire safety; and

2. Barrier-free access under Abfd 300, code for barrier-free design, and the Americans with Disabilities Act of 1990 (ADA), as amended by the ADA Amendments Act of 2008; and

(4) Disclosure of insurance, if any, which would cover the participants in the learn everywhere program.

Ed 1403.02 Review by Department of Application for State Board Approval.

(a) Upon receipt of an application, the department shall form a learn everywhere program application evaluation team comprised of the following members appointed by the commissioner or designee:

(1) From the department:

- a. The administrator or designee; and
- b. Department representatives with content area expertise, curriculum competency expertise, or both; and

(2) Additional members, whose availability shall not interfere with the timely review of the application, including:

- a. An extended learning opportunity representative; and
- b. No less than one and no more than 2 New Hampshire state board licensed educators licensed in the content area enumerated on the application, where at least one shall be currently teaching in that content area in a school, as defined in Ed 1402.01(n).

(b) If the proposed program is not directly related to a licensed content area, the administrator shall determine the closely related content area license.

(c) The department shall review the application submitted for state board approval within 30 business days of receiving the application to verify completeness and:

- (1) If the application is incomplete, shall notify the applicant by email of the requirements for completion; and
- (2) If the application is complete, shall notify the applicant by email that the application is received and complete.

(d) The department shall provide support to the applicant during the application process, which may include but not be limited to:

- (1) Providing example applications for guidance;
- (2) Meeting either in person or remotely to review and discuss the application; and
- (3) Offering feedback to ensure completeness of the application.

(e) The learn everywhere program evaluation team shall review the completed application for submission to the board using the following criteria:

- (1) The purpose or mission statement expresses a clear and focused purpose for the program that supports student learning;

- (2) The description of the facilities includes sufficient detail to indicate that priorities will focus on a facility that is appropriate for the activities and students to be served, and that facilities need not comply with any state or federal law specifically applicable to a school that the facility does not otherwise have to satisfy;
  - (3) The program outline being proposed aligns with the selected Ed 306.27(v) subject;
  - (4) The educational goals, competencies, and methods for assessment that will be used to measure student progress toward meeting program goals and competencies;
  - (5) An adequate description is provided for staff member qualifications;
  - (6) Verification of a criminal background check policy pursuant to Ed 1403.01(a)(4) and an assurance that it will be disclosed to parents in writing upon enrollment; and
  - (7) The program description includes how coordination with LEAs will take place to address student needs and to ensure that the program meets the requirements of Ed 1403.01(e)(2)b. and c.
- (e) Within 30 days of the notification of a completed application, the department shall notify the applicant in writing of the date and time of the meeting where the application will be discussed and voted on by the state board.
- (f) The administrator shall submit the evaluation report to the commissioner, who shall submit such report and a recommendation to the state board along with the application materials for review.

Ed 1403.03 State Board Approval.

- (a) The review of applications shall be an item on the agenda of a regularly scheduled state board meeting, not to exceed 60 days after receipt of a completed application.
- (b) The state board shall approve, conditionally approve, or deny the application and notify the applicant in writing of its decision.
- (c) The state board shall approve the application, after reviewing the application and the department's evaluation under Ed 1403.02, if it determines the application is in compliance with Ed 1403.01.
- (d) If the application is not in compliance with the standards set forth in Ed 1403.01, the application shall be conditionally approved if the state board determines that the remaining issues can be addressed in a time frame not to exceed 90 days, otherwise the application shall be denied.
- (e) If the state board conditionally approves an application, the state board shall include in the notification:
  - (1) A written explanation of the reasons for conditional approval;
  - (2) The conditions the applicant shall meet for final approval;
  - (3) Whether students are awarded completion certificates during the conditional approval period;
  - (4) The deadline for submission of the conditional approval response; and
  - (5) The consequence for failure to comply with the conditional approval requirements.
- (f) If the state board denies an application, the state board shall include in the notification:
  - (1) A written explanation of the reasons for the denial;

- (2) The areas deemed deficient by the state board; and
- (3) An explanation that the applicant may reapply for approval at any time.

(g) When the state board receives a timely response to a conditional approval from an applicant, the state board shall review the response at the next regularly scheduled state board meeting for discussion and vote and shall notify the applicant in writing of either a final approval or a denial of the application.

(h) The applicant may appeal a denial or conditional approval by the state board in accordance with Ed 213.

Ed 1403.04 Renewal of an Alternative Program for High School Graduation Credit.

(a) Ninety days prior to the expiration of a program approval, pursuant to Ed 1403.03(c), an applicant seeking renewal of a learn everywhere program approval shall submit the following to the department:

- (1) A statement signed by the sponsor entity stating that there have been no changes to any of the programs or documentation required, as outlined in Ed 1403.01, since the previous application period; or
- (2) A statement signed by the sponsor entity stating there have been changes to one or more approved programs, a list of the changes, and supporting documentation as outlined in Ed 1403.01.

(b) Upon receipt of a request for renewal and a statement provided in accordance with (a)(1) above, the administrator shall provide the application and related documentation to the commissioner for a recommendation to the state board, in accordance with Ed 1403.03.

(c) Upon receipt of a renewal application and a statement provided in accordance with (a)(2) above, the department shall follow the review procedures as outlined in Ed 1403.02.

(d) The state board shall consider renewal applications following the procedures outlined in Ed 1403.03.

(e) The state board shall not issue a renewal of a 3-year approval without reviewing all student program evaluations received pursuant to Ed 1407.01 and any written monitoring reports prepared pursuant to Ed 1408.01.

Ed 1403.05 Changes to Application Information. Any changes to any of the information enumerated in Ed 1403.01 during either the 3-year approval period or any subsequent 5-year renewal periods shall be submitted in writing to the department for review and submitted to the state board following the procedures enumerated in Ed 1403.03.

PART Ed 1404 PROGRAM APPROVAL, REVOCATION, AND WITHDRAWAL

Ed 1404.01 State Board Approval.

(a) If the state board approves an initial application or a conditional approval of an initial application for a learn everywhere program, the state board shall issue a 3-year approval, which can be renewed following the procedures outlined in Ed 1403.04.

(b) If the state board approves a renewal application, the state board shall issue a 5-year approval, which may be renewed every 5 years following the procedures outlined in Ed 1403.04.

(c) If the state board conditionally approves a renewal application for a learn everywhere program, the applicant shall have no more than 180 days to satisfy the conditions of the conditional approval. The renewal

applicant shall provide a response to the state board before the deadline demonstrating satisfaction of the conditions for approval.

(d) When the state board receives the conditional approval response from the renewal applicant, the state board shall review the response at the next regularly scheduled state board meeting for discussion and vote and shall notify the applicant in writing of either a 5-year program approval or the denial of the renewal application.

(e) If the renewal applicant fails to provide a response to the state board before the deadline demonstrating satisfaction of the conditions for approval, the conditional approval shall expire and the program shall terminate. The program shall not be authorized to issue completion certificates after the termination of the program approval.

(f) A list of approved learn everywhere programs and their approval status shall be maintained on the department's website.

## PART Ed 1405 REPORTING REQUIREMENTS

### PART Ed 1405 REPORTING REQUIREMENTS

Ed 1405.01 Alternative Program for High School Graduation Credit Reporting Requirements. Each approved program shall annually, in October, submit to the state board a report including, at a minimum, the following:

- (a) A brief statement explaining how the program is meeting the goals of its mission statement; and
- (b) The number of students enrolled in the program and the number of students awarded certificates leading to high school credits for the previous school year.

## PART Ed 1406 STUDENT ENROLLMENT REQUIREMENTS

### Ed 1406.01 Responsibility of the LEA.

(a) If a child with an IEP notifies the school of his or her intent to participate in a learn everywhere program, the LEA shall:

- (1) Follow the procedures enumerated in Ed 1109.03(h) and 34 CFR 300.324 to schedule an IEP team meeting; and
  - (2) If requested by the child's parent or member of the IEP team, invite a representative from the learn everywhere program to attend the IEP team meeting.
- (b) If the IEP team decides to redraft, revise, amend, or modify the IEP, the IEP team shall:
- (1) Determine what, if any, special education, related services, supplementary aids and services, accommodations, and modifications the student needs to participate in the program; and
  - (2) Be responsible for providing the student with the special education, related services, supplementary aids and services, accommodations, and modifications the IEP team has determined the student needs pursuant to (1) above.

(c) The IEP team ~~may~~ shall decide not to redraft, revise, amend, or modify the IEP for reasons including, but not limited to:

- (1) The program would not assist the student in making progress towards one or more of the student's annual goals or appropriate measurable post-secondary goals in the student's IEP, regardless of whether the program will result in the student earning a high school credit;

(2) The program is not necessary for the student to receive a free appropriate public education (FAPE); or

(3) The program is not safe for the student, even if the student were provided with special education, related services, accommodations, and other supports and services.

(d) If a student's parent disagrees with the determination of the IEP team regarding the student's placement in a learn everywhere program, the parent may follow the procedures outlined in Ed 1121 through Ed 1123 regarding complaints, alternative resolutions, and due process hearings.

#### PART Ed 1407 PROGRAM COMPLETION CERTIFICATES AND ISSUING CREDIT

##### Ed 1407.01 Program Completion Certificates.

(a) Within 30 days of a student's successful completion of a program and submission of a learn everywhere program evaluation, a completion certificate shall be issued to the student.

(b) Certificates shall be signed by the person designated in Ed 1403.01(b)(2) and the instructor(s) of the program.

(c) Certificates shall contain course identification and credit information, including, but not limited to:

(1) Course title;

(2) Course minimum standard alignment as indicated in Ed 1403.01(e)(1)a.;

(3) Number of credits awarded; and

(4) Either:

a. "Mastery" to indicate completion of the program having met or substantially met all state competencies which results in a granting of credit; or

b. "Participate" to indicate the program was completed without having met or substantially met all state competencies.

(d) An IEP team may conclude that participation shows growth toward one or more of a student's annual or appropriate measurable post-secondary goals.

##### Ed 1407.02 Issuing Credit for Graduation.

(a) Notwithstanding Ed 306, schools shall accept at least 1/3, and may accept as much as 100 percent if approved by the superintendent, of the total number of credits required for high school graduation, if requested by a student pursuant to (c) below.

(b) Schools shall grant students with valid completion certificates from approved learn everywhere programs high school credit, leading to graduation in the area enumerated on the certificate. Credits earned from learn everywhere programs shall appear on high school transcripts but shall not negatively affect the student's grade point average.

(c) The student shall submit the completion certificate to the high school where they wish to be granted credit, or they shall not receive credit.

(d) Students applying more than the required credit leading to graduation may petition the school to allow that credit to count toward another required subject enumerated in Ed 306.27(v). If that petition is denied,

the credit shall be applied to the designated credit area and the student will have accumulated excess credits in that credit area.

#### PART Ed 1408 DEPARTMENT MONITORING OF APPROVED LEARN EVERYWHERE PROGRAMS

##### Ed 1408.01 Monitoring.

(a) To determine if all standards are met as specified in the application and approval and as specified in Ed 1403.01, each approved learn everywhere program shall be reviewed and have an on-site monitoring visit conducted by the administrator as follows:

- (1) One on-site visit during the 3-year provisional approval; and
- (2) At the discretion of the department any time during any approval period.

(b) The administrator shall issue a written report of findings related to the learn everywhere program's compliance with these rules to the commissioner.

(c) The commissioner shall submit the report of findings to the state board no later than 30 days after receiving the report.

(d) If the state board determines from the report that an approved program is not being implemented as approved, the department shall initiate an investigation as outlined in Ed 1409.

#### PART Ed 1409 COMPLAINTS, REVOCATION, AND WITHDRAWAL

##### Ed 1409.01 Complaints and Investigations.

(a) Complaints shall be submitted in writing to the department identifying one or more of, but not limited to, the following circumstances which the complainant alleges:

- (1) The sponsor organization committed a material violation of any of the conditions, standards, or procedures set forth in its application;
- (2) The sponsor organization failed to disclose or violated its disclosed criminal history records check policy;
- (3) The sponsor organization made a material misrepresentation in its application;
- (4) The sponsor organization became insolvent; or
- (5) The sponsor organization violates a law and the violation undermines the purpose of the program.

(b) All complaints shall be investigated, and, upon receipt of the complaint, the department shall notify the sponsor organization within 15 days of receipt of the complaint that an investigation has been opened.

(c) After completion of an investigation, the department shall present its findings to the state board at the next regularly scheduled state board meeting.

(d) If the board determines that the sponsor organization has not met one or more of the circumstances enumerated in (a) above, the sponsor organization shall be notified in writing within 10 days of the board's finding.

##### Ed 1409.02 Suspension, Revocation, and Withdrawal.



(a) The department shall immediately suspend a program’s approval if the department finds that public health, safety, or welfare requires emergency action and incorporates a finding to that effect.

(b) The state board shall revoke a program’s approval prior to the expiration of its term if the state board finds any of the circumstances outlined in Ed 1409.01(a) and notify the sponsor organization in writing within 10 days of the state board’s determination.

(c) A sponsor organization may appeal the board’s decision pursuant to Ed 213.

**Appendix I**

<b>Rule</b>	<b>Statute</b>
Ed 1401-1402	RSA 193-E:2-a, V(b)
Ed 1403.01	RSA 193-E:2-a, V(b)
Ed 1403.02-Ed 1403.04	RSA 193-E:2-a, V(b); RSA 541-A:29
Ed 1404-Ed 1405	RSA 193-E:2-a, V(b)
Ed 1406	RSA 186-C:7; RSA 193-E:2-a, V(b)
Ed 1407.01	RSA 186-C:7; RSA 193-E:2-a, V(b)
Ed 1407.02	RSA 193-E:2-a, V(b)
Ed 1408	RSA 193-E:2-a, V(b)
Ed 1409	RSA 193-E:2-a, V(b); RSA 541-A:29; RSA 51-A:30-a, I

*Please note this is a draft and not yet approved by the State Board.*



**New Hampshire State Board of Education  
Department of Education  
25 Hall Street, Concord, NH 03301  
Minutes of the March 14, 2024, Meeting**

**I. CALL TO ORDER**

The regular meeting of the State Board of Education convened at 10:00 a.m. Drew Cline presided as chair.

**In Attendance:** Ryan Terrell, Kate Cassady, Drew Cline (Chair), Jim Fricchione, and Phil Nazzaro. Ann Lane was not able to attend due to a prior commitment.

Also in attendance were Commissioner of Education, Frank Edelblut, and Deputy Commissioner of Education, Christine Brennan.

**II. PLEDGE OF ALLEGIANCE**

Students from the Academy of Science and Design led the Pledge of Allegiance.

**III. RULEMAKING/LEGISLATIVE UPDATES (part I) - JULIE SHEA, NHED,  
Administrative Rules Coordinator**

**A. Conditional Approval Response - Visual Arts Teacher Interim (Ed 507.09)**

**Motion:** Kate Cassady made the motion, seconded by Phil Nazzaro, that the State Board of Education approve the condition approval response relative to Ed 507.09, Visual Arts Teacher Interim.

**Vote:** The State Board of Education approved the motion.

**March 14, 2024**

*Please note this is a draft and not yet approved by the State Board.*

**IV. PRESENTATIONS/REPORTS/UPDATES**

**A. 2024 Teacher of the Year - Elizabeth Duclos**

Elizabeth spoke to the board about her positive experience as the New Hampshire 2024 Teacher of the Year.

**V. BUREAU OF EDUCATIONAL OPPORTUNITIES**

**A. Office of Public Chartered Schools - TAL BAYER, NHED, Administrator, Office of Public Chartered Schools**

**1. Arts Academy of New Hampshire - renewal**

**Motion:** Kate Cassady made the motion, seconded by Jim Fricchione, that the State Board of Education approve the renewal of the Arts Academy of New Hampshire.

**Vote:** The State Board of Education approved the motion.

**2. The Founders Academy Public Charter School - renewal and charter amendment**

**Motion:** Ryan Terrell made the motion, seconded by Phil Nazzaro, that the State Board of Education approve the amendments of the Founders Academy Charter of Public Schools charter, along with the charter renewal of the Founders Academy Charter of Public Schools charter.

**Vote:** The State Board of Education approved the motion.

**3. Academy for Science and Design - charter amendment**

**Motion:** Phil Nazzaro made the motion, seconded by Ryan Terrell, that the State Board of Education approve the amendment of the Academy for Science and Design School charter.

**Vote:** The State Board of Education approved the motion.

**March 14, 2024**

*Please note this is a draft and not yet approved by the State Board.*

**4. Seacoast Classical Academy Charter Public School - charter amendment**

**Motion:** Ryan Terrell made the motion, seconded by Phil Nazzaro, that the State Board of Education approve the amendment of the Seacoast Classical Academy Charter Public School charter.

**Vote:** The State Board of Education approved the motion.

**B. Office of Learn Everywhere Programs - TIM CARNEY, NHED, Administrator, Educational Pathways**

**1. UpReach Therapeutic Equestrian Center - new application**

**Motion:** Phil Nazzaro made the motion, seconded by Ryan Terrell, that the State Board of Education approve the new Learn Everywhere Program application for the UpReach Therapeutic Equestrian Center.

**Vote:** The State Board of Education approved the motion.

**2. Laconia Flight Academy/Sky Bright Aviation - new application**

**Motion:** Ryan Terrell made the motion, seconded by Kate Cassady, that the State Board of Education approve the new Learn Everywhere Program application for the Laconia Flight Academy/Sky Bright Aviation center.

**Vote:** The State Board of Education approved the motion.

**12:30 p.m. - 1:30 p.m.** - Special student presentations and school building tour.

**VI. HEARINGS**

**A. Student/Pittsfield School District (SB-FY-24-11-013) - Open Enrollment**

**Motion:** Phil Nazzaro made the motion, seconded by Jim Fricchione, that the State Board of Education move to

**March 14, 2024**

***Please note this is a draft and not yet approved by the State Board.***

table the Student/Pittsfield School District (SB-FY-24-11-013) open enrollment hearing.

**Vote:** The State Board of Education approved the motion.

**VII. RULEMAKING/LEGISLATIVE UPDATES (part II) - JULIE SHEA, NHED, Administrative Rules Coordinator**

**A. Initial Proposal - School Nurse (Ed 504.08 - Ed 504.10)**

**Motion:** Ryan Terrell made the motion, seconded by Kate Cassady, that the State Board of Education approve the initial proposal for Ed 504.08 through Ed 504.10, School Nurse.

**Vote:** The State Board of Education approved the motion.

**B. Final Proposal - Criminal History Record Checks (Ed 504.12)**

**Motion:** Phil Nazzaro made the motion, seconded by Ryan Terrell, that the State Board of Education approve the final proposal for Ed 504.12 regarding criminal history record checks.

**Vote:** The State Board of Education approved the motion.

**C. Final Proposal - Investigations and Disciplinary Procedures (Ed 511)**

**Motion:** Ryan Terrell made the motion, seconded by Kate Cassady, that the State Board of Education approve the final proposal for Ed 511 regarding investigations and disciplinary procedures.

**Vote:** The State Board of Education approved the motion.

**D. Final Proposal - Computer Science Teacher (Ed 507.54)**

**Motion:** Phil Nazzaro made the motion, seconded by Ryan Terrell, that the State Board of Education approve the final proposal for Ed 507.54 regarding Computer Science Teacher licensure.

**March 14, 2024**

*Please note this is a draft and not yet approved by the State Board.*

**Vote:** The State Board of Education approved the motion.

**E. Adopt - Visual Arts Teacher Interim (Ed 507.09)**

**Motion:** Phil Nazzaro made the motion, seconded by Ryan Terrell, that the State Board of Education adopt Ed 507.09, Visual Arts Teacher Interim.

**Vote:** The State Board of Education approved the motion.

**VIII. COMMISSIONER'S UPDATE**

Commissioner Frank Edelblut noted that a contract was awarded to Discovery Education upon Governor and Council approval as a result of the work done by the Commission on New Hampshire Civics.

The Commissioner Edelblut and Chair Cline noted that they have been meeting and working with the Ed 306 Rules Team.

New Hampshire ranks first in the nation for the percentage of Advanced Placement (AP) exams taken.

Governor and Council also approved \$10 million of the safety grant for New Hampshire schools.

**IX. OPEN BOARD DISCUSSIONS**

There was no open board discussion.

**X. CONSENT AGENDA**

**A. Meeting Minutes of February 15, 2024**

**Motion:** Ryan Terrell made the motion, seconded by Kate Cassidy, that the State Board of Education approve the February 15, 2024, meeting minutes.

**Vote:** The State Board of Education approved the motion.

**XI. TABLE ITEMS**

**March 14, 2024**

*Please note this is a draft and not yet approve by the State Board.*

**A. Initial Proposal – Visual Arts Teacher (Ed 507.09)**

**XII. ADJOURNMENT**

**Motion:** Phil Nazzaro made the motion, seconded by Ryan Terrell, that the State Board of Education adjourn the meeting at 3:00 p.m.

**Vote:** The State Board of Education approved the motion.

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Secretary

**March 14, 2024**

**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION  
DISPUTE RESOLUTION PROCESSES**

**PERFORMANCE AUDIT REPORT  
MARCH 2024**







MICHAEL W. KANE, MPA  
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## State of New Hampshire

OFFICE OF LEGISLATIVE BUDGET ASSISTANT  
State House, Room 102  
Concord, New Hampshire 03301

CHRISTINE L. YOUNG, CPA  
Director, Audit Division  
(603) 271-2785

### *To The Fiscal Committee Of The General Court:*

The purpose of the audit was to determine whether the Department of Education effectively managed special education dispute resolution processes during State fiscal years 2020 through 2022. The audit was to address the recommendation made to you by the joint Legislative Performance Audit and Oversight Committee. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

*Office of Legislative Budget Assistant*

Office of Legislative Budget Assistant

March 2024

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**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION PROCESSES**

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## ABBREVIATIONS AND GLOSSARY OF TERMS

<i>1991 Performance Audit</i>	<i>Developmental Services System Performance Audit Report April 1991</i>
<i>1999 Performance Audit</i>	<i>Department of Education Special Education Catastrophic Aid Program Performance Audit Report July 1999</i>
Ad Hoc Rule	Uncodified and unenforceable clarification or interpretation of an insufficiently detailed adopted rule.
<i>Administrative Procedure Act</i>	RSA 541-A
Administrative Rule	Each regulation, standard, form, or other statement of general applicability adopted by an agency to (1) implement, interpret, or make specific a statute enforced or administered by such agency; or (2) prescribe or interpret an agency policy, procedure or practice requirement binding on persons outside the agency, whether members of the general public or personnel in other agencies.
Alternative Dispute Resolution	Special education dispute resolution options available to the public as an alternative to a due process complaint or State complaint.
BSES	Bureau Of Special Education Support
Child With A Disability	A child evaluated as having an intellectual disability, a hearing impairment, a speech or language impairment, a visual impairment, a serious emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, another health impairment, a specific learning disability, or multiple disabilities, and who, by reason thereof, needs special education and related services.
<i>Code Of Ethics</i>	RSA 21-G:21 through RSA 21-G:35
Due Process Complaint	A complaint filed by a parent or public agency for any matter occurring within the two prior years related to the identification, evaluation, or education placement of a child with a disability or the provision of a free and appropriate public education.
FAPE	Free Appropriate Public Education
Fraud	Obtaining something of value through willful misrepresentation.
<i>Hearing Officers' Guide</i>	<i>Hearing Officers' Guide To Administrative Process, 2020</i>
<i>IDEA</i>	<i>Individuals With Disabilities Education Act Of 2004</i>
IEP	Individualized Education Program

Judgmental Sample	A nonrandom selection of cases chosen to review for which results cannot be projected to the population.
LBA	Legislative Budget Assistant
LEA	Local Educational Agency
Local Dispute Resolution	Process developed by the local educational agency intended to resolve a special education issue without New Hampshire Department of Education involvement. This does not include individualized education program team meetings, or resolution meetings as part of due process.
Local Educational Agency	A public board of education or other public authority legally constituted with administrative control or direction of, or to perform a function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision, or for a combination of school districts or counties. This term includes individual schools, school districts, and school administrative units.
NHED	New Hampshire Department Of Education
PII	Personally Identifiable Information
Public Agency	Any agency, authority, department, or office of the State or of any county, town, municipal corporation, school district, school administrative unit, chartered public school, or other political subdivision.
SAC	State Advisory Committee On The Education Of Children/Students With Disabilities
SFY	State Fiscal Year
SJD	Supplemental Job Description
<i>Special Education</i>	State special education law under RSA 186-C.
Stakeholder	Any person, group, or organization interested in or knowledgeable about special education dispute resolution.
State Complaint	A complaint filed by any organization or individual alleging that a local educational agency or New Hampshire Department of Education failed to meet federal special education requirements under Part B of the <i>Individuals With Disabilities Education Act of 2004</i> within the year prior.
Waste	Using or expending resources carelessly, extravagantly, or to no purpose, primarily due to mismanagement, inappropriate actions, or inadequate oversight.

**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION PROCESSES**

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**EXECUTIVE SUMMARY**

We found the New Hampshire Department of Education (NHED) did not effectively manage special education dispute resolution processes. NHED did not adequately:

- ensure the rights of children with disabilities and their parents were protected;
- encourage early resolution of disputes;
- identify trends, issues, and unmet needs to provide assistance to local educational agencies (LEA) and other stakeholders; and
- monitor performance of, and enforce compliance with, special education requirements.

Ineffective management of these processes and the resulting issues we identified negatively impacted stakeholders. Compliance and public transparency were compromised, and parents were inappropriately burdened with enforcement responsibilities.

Six special education dispute resolution processes were available through NHED to help parents and LEAs resolve special education disputes – primarily issues related to students with an individualized education program (IEP). Between July 1, 2019, and June 30, 2022, there was an average of 29,968 students identified with a disability in New Hampshire. According to our review of NHED records, there were 331 dispute resolution complaints and requests filed with the Department during the same period. State law also allowed LEAs to develop processes to facilitate early resolution of issues without NHED involvement, but NHED was not aware of any locally developed dispute resolution processes.

**System Of Controls And Compliance With Requirements Needs Improvement**

NHED lacked adequate controls to: 1) ensure requirements were consistently implemented and enforced, 2) reduce risk of fraud and waste, and 3) identify and address conflicts of interest or potential conflicts of interest. Without effective controls, State eligibility for federal assistance was also potentially at risk. Existing controls were limited, informal, inconsistently implemented, and not clearly documented or communicated. Management relied significantly on staff institutional knowledge to understand requirements and administer processes. Trends and needs affecting dispute resolution processes were not always identified and addressed. Monitoring controls were not well-designed, which resulted in unfulfilled dispute resolution enforcement responsibilities.

NHED lacked procedures to help ensure necessary changes to its dispute resolution regulatory framework were timely and comprehensive. State law and rule inconsistently reflected federal requirements, conflicted with each other or were ambiguous, and did not include authority for two of the six dispute resolution options available. NHED's ability to effectively manage certain processes was limited in part due to unclear and conflicting record restrictions in State law. Many dispute resolution practices and requirements were informally developed over time without appropriate adoption into rule, were not properly communicated internally and externally, and could not be enforced. Burdensome and confusing requirements were also a cost and barrier to stakeholders, which NHED did not fully address. Some weaknesses we identified have existed for many years. We first reported on unnecessarily complex requirements in 1991.



### **Processes And Outcomes Need Better Monitoring**

NHED lacked a comprehensive performance measurement system informed by strategy and risks. State requirements and operational processes were not connected to expected outcomes. NHED did not have a public communication system to consistently obtain and objectively evaluate stakeholder feedback to help make comprehensive process or performance improvements. Performance measurement was focused on limited federal outputs. Other quantifiable goals, objectives, and targets were not developed, monitored, and routinely reported.

Records were incomplete, missing, or not timely provided to NHED by contractors. Staff tracked dispute resolution processes in various formats without procedures to ensure information collected was complete and accurate. Resulting data was unreliable which compromised federal reporting and was insufficient to determine effectiveness or achievement of outcomes. Systemic defects with records management and uncontrolled data also made some controls, processes, practices, and transactions unauditible.

### **Processes Need To Be Adequately Designed, Resourced, And Administered**

Organizational changes occurred in 2017 without a documented strategy or plan which impacted special education dispute resolution operations and contributed to deficiencies. NHED did not detail costs and resources necessary to administer special education dispute resolution processes prior to or after making changes to demonstrate improved efficiency and effectiveness. Dispute resolution processes continued to be administered generally independent of each other without aligning processes and objectives to NHED's mission and vision. Most contractors and the NHED staff overseeing them also had non-special education responsibilities. However, staff responsibilities were not inventoried, properly assigned or delegated, and clearly communicated to ensure continuity of operations and that resources were sufficient. Neither did NHED evaluate whether it could improve efficiency by contracting with stakeholder organizations that provided similar services to some NHED responsibilities. Lack of documented policies and procedures and staff turnover contributed to knowledge loss and unfulfilled responsibilities.

Contract management controls for dispute resolution processes were not comprehensive. NHED contracted with investigators, hearing officers, and facilitators to conduct the six processes. Contract terms and conditions were incomplete, limited controls were not always implemented or enforced, and contractors were inconsistently held accountable for noncompliance or unmet deliverables. Documentation in case records also inconsistently supported contractor payments. Neither did management ensure NHED consistently contracted with enough qualified individuals to fulfill dispute resolution regulatory and contract requirements. NHED lacked ongoing training requirements, certain scheduling requirements in State law were unimplemented, and some processes were inconsistently available to the public.

### **NHED Needs To Develop A Strategy To Address Deficiencies**

Making improvements to the special education dispute resolution regulatory framework and NHED's management control framework will likely be a multi-year undertaking. This report presents 20 observations with recommendations that are intended to help NHED management

improve controls, improve administration of dispute resolution processes, ensure implementation of dispute resolution results, achieve intended outcomes, and ensure rights are protected. In May 2023, we provided NHED management our detailed review of dispute resolution requirements related to our specific audit objectives. However, a comprehensive analysis of NHED's dispute resolution regulatory framework will still be necessary to ensure deficiencies are systematically identified and addressed.

Additionally, evaluating current responsibilities, developing a risk-based approach to prioritize needs, and developing and implementing related plans should assist NHED with making necessary changes. While management recognized many issues we identified, and reported beginning to address deficiencies, most NHED responses to our recommendations lacked enough detail to make clear whether, how, and when management will remediate deficiencies. Improvements will be difficult to make without a strategy outlining clearly defined goals and objectives, effective management oversight, and sufficient resources for ensuring full implementation.

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**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION PROCESSES**

**RECOMMENDATION SUMMARY**

<b>Observation Number</b>	<b>Page</b>	<b>Legislative Action May Be Required</b>	<b>Recommendations</b>	<b>Agency Response</b>
1	27	No	Evaluate manager and staff responsibilities, conduct a risk assessment, develop plans to implement and monitor controls, and hold staff accountable for performance.	Concur
2	31	No	Develop a risk-based strategy and plans aligned with the Department of Education's (NHED) mission and vision, incorporate goals and objectives, assign responsibilities for implementing plans, develop performance measures, and use data and objective assessments to support decisions.	Concur In Part
3	35	No	Develop organizational plans aligned with strategy, assign responsibilities for implementation, ensure rules and published materials accurately reflect NHED's organizational structure, inventory and evaluate dispute resolution workloads and implement necessary adjustments, ensure supplemental job descriptions accurately reflect responsibilities, formalize delegations of authority, routinely monitor performance, and refine plans as needed.	Concur In Part
4	40	No	Formalize processes for identifying and engaging with stakeholders, develop methods to obtain stakeholder feedback, determine whether contracting with stakeholder organizations would be beneficial, and collaborate to identify unmet needs and improve services between NHED and stakeholder organizations.	Concur
5	45	No	Develop policies and procedures for managing contracts, ensure contract terms are complete, formalize and implement ongoing training requirements, and implement performance evaluations for all contractors.	Concur

Observation Number	Page	Legislative Action May Be Required	Recommendations	Agency Response
6	50	No	Periodically conduct a comprehensive and strategic assessment to determine the appropriate number of contractors and whether contract redesigns are necessary, review and amend existing contracts to reflect each contractor’s required scope of work, and ensure contractors fulfill all requirements.	Concur In Part
7	55	Yes	Develop ethics guidance; address gaps between federal and State impartiality requirements; develop comprehensive policies and procedures to implement requirements and for disclosing conflicts of interest; ensure staff review, address, and document reported conflicts of interest; and provide conflict of interest training to staff and contractors.	Concur
8	60	No	Implement procedures to determine costs associated with dispute resolution processes for staff, contractors, and stakeholders; ensure salaries and activities are funded and expended appropriately; implement existing controls and establish time limits and supporting documentation requirements for contractors to submit invoices; ensure staff timely reconcile invoices and record contractor payments; identify potential fraud risks and periodically conduct reviews of contractor payments; determine NHED’s liability for repayment and obligation to recoup certain costs; conduct cost benefit analyses for dispute resolution processes; and objectively minimize costs and barriers to stakeholders.	Concur In Part
9	65	No	Conduct periodic assessments to ensure rules accurately reflect federal requirements; request necessary changes to rules; and develop procedures to implement, monitor, and enforce federal requirements.	Concur In Part

Observation Number	Page	Legislative Action May Be Required	Recommendations	Agency Response
10	69	Yes	Develop procedures for improving, monitoring, and implementing State dispute resolution requirements; ensure statute consistently reflects requirements and rules interpret statute; routinely assess the regulatory environment; determine whether to seek changes to procedural requirements in statute; request necessary changes to statute and rules; ensure all requirements in excess are annually identified and published; enforce NHED compliance with requirements; and discontinue offering processes without authority.	Concur In Part
11	73	No	Develop controls to ensure consistent compliance with the <i>Administrative Procedure Act</i> ; conduct periodic assessments of laws, rules, guidance, and practices to identify ad hoc rules and inconsistencies; reconcile Ed 200, Ed 1100, and Jus 800 rule issues; and request necessary rule changes, including form requirements.	Concur
12	77	No	Develop comprehensive policies and procedures, ensure applicable policies and procedures are subjected to the required public comment process, develop a periodic review process, and ensure consistent implementation.	Concur
13	80	No	Develop a plan to comprehensively address NHED website, guide, and manual issues; periodically review each source of information for effectiveness; monitor and enforce local educational agency (LEA) compliance with procedural safeguard notice content requirements; and hold required public hearings for input on procedural documents.	Concur In Part
14	82	No	Develop procedures to implement targeted training and education, evaluate and address deficiencies with current related activities, ensure staff training and education responsibilities are fulfilled, ensure training and education includes relevant requirements	Concur In Part

Observation Number	Page	Legislative Action May Be Required	Recommendations	Agency Response
14 (Continued)	82	No	for LEA special education dispute resolution compliance and local dispute resolution development options, and address related prior audit findings.	
15	88	No	Formalize goals and objectives with quantifiable performance measures to demonstrate achievement of expected outcomes, evaluate and report on the effectiveness of dispute resolution processes, address records management and data quality deficiencies, develop effective dispute resolution data collections processes department-wide, and incorporate performance data into decision making.	Concur
16	93	No	Identify and implement monitoring and enforcement requirements, ensure responsibilities are fulfilled, identify dispute resolution requirements LEAs are responsible for implementing, conduct a risk assessment of LEA requirements, implement monitoring controls for LEA compliance, implement procedures and guidance for issuing and reviewing the appropriateness of corrective actions, implement processes to identify and track corrective actions, assess the effectiveness of controls, and issue enforcement actions for noncompliance with orders.	Concur In Part
17	98	Yes	Develop controls to ensure agreements meet requirements, enforce agreements which incorporate amendments to individualized education programs (IEP), ensure contractors provide agreements to NHED, require LEAs provide copies of agreements for resolution meetings and applicable local level dispute resolution processes, seek legislation and necessary rule changes, develop procedures and guidance for complying with Right-to-Know requests, and consider developing additional optional procedures to expand NHED enforcement responsibilities of agreements.	Concur In Part

Observation Number	Page	Legislative Action May Be Required	Recommendations	Agency Response
17 (Continued)	98	Yes	We suggest the Legislature consider reviewing usage of agreements and determine whether State policy changes regulating aspects of agreements would benefit participants and improve dispute resolution processes.	
18	101	Yes	Develop a public communication system with an intake process, clear reporting lines, and procedures for managing external communications; establish timeliness goals and objectives for posting and notification requirements; review processes for collecting public communication data; ensure all allegations and requests are addressed and communicated; seek appropriate changes to contact and filing information in laws, rules, and guidance materials; and publicize communication processes.	Concur In Part
19	105	No	Review records requirements, develop controls for records and data management, provide contractors training on documentation requirements and timeliness, develop cost-effective systems to track and manage dispute resolution processes, and periodically assess record completeness and data reliability.	Concur
20	110	Yes	Develop procedures guiding practices and provide training for deleting personally identifiable information (PII) from due process hearing decisions, consider delegating deletion of PII responsibilities to individuals familiar with case details, implement a formal review process of redacted decisions, develop controls over facilitated IEP team meeting records, and seek legislation to remove conflicting record requirements.	Concur



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**STATE OF NEW HAMPSHIRE**  
**SPECIAL EDUCATION DISPUTE RESOLUTION PROCESSES**

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**BACKGROUND**

As a recipient of federal special education grant funds, the New Hampshire Department of Education (NHED) was required to ensure a free appropriate public education (FAPE) was available to children with disabilities under the *Individuals with Disabilities Education Act of 2004 (IDEA)* in the least restrictive environment. FAPE emphasized special education and related services be designed to meet students' unique needs, and prepared them for further education, employment, and independent living. Least restrictive environment required children with disabilities be provided education and services with other students to the maximum extent appropriate. If there were allegations or disagreements related to a student's special education, several dispute resolution options were available through NHED for parents and local educational agencies (LEA) to help resolve issues. As of October 1, 2022, there were 30,917 students identified with a disability in New Hampshire.

**Special Education Dispute Resolution Options**

NHED managed six dispute resolution processes and supporting contractors. In accordance with *IDEA*, NHED was required to establish and maintain procedures for State complaints, due process complaints, and mediation to ensure children with disabilities were guaranteed procedural safeguards. NHED could develop additional dispute resolution options through procedures established in State law and rule. Over time, NHED made available neutral conferences, third party moderated discussions, and facilitated individualized education program (IEP) team meetings, but corresponding procedures were not always established in law and rule. State law also encouraged LEAs to develop local dispute resolution options and resolve disputes without the involvement of NHED. However, there was no required reporting or monitoring of local dispute resolution options. Table 1 summarizes the regulatory structure and associated contract for each dispute resolution process.

Table 1

## Summary Of NHED-managed Dispute Resolution Processes

Dispute Resolution Process	Regulatory Structure			Contract
	Federal Regulations	State Law	State Rule	
State Complaint	X		X	Investigator
Due Process Complaint	X	X	X	Hearing Officer
Mediation	X	X	X	Hearing Officer
Neutral Conference		X	X	Hearing Officer
Third Party Moderated Discussion				None <sup>1</sup>
Facilitated IEP Team Meeting				Facilitator

Note:

<sup>1</sup> Third party moderated discussions were conducted by hearing officers, but the dispute resolution process was not in the associated contract.

Source: LBA analysis of federal regulations, State law and rule, and NHED contracts.

### ***State Complaint***

The State complaint, sometimes referred to as a “special education complaint,” was first established in federal regulations in 2004. This process was available if it was believed that an LEA or state educational agency (i.e., NHED) violated special education laws under Part B of *IDEA*. Any organization or individual could file a State complaint specific to a child or for systemic issues. The reported violation had to occur within one year prior to the complaint being filed.

State complaints were to be investigated and have a written decision issued within 60 days of NHED receiving the complaint. The 60-day time limit could be extended if there were exceptional circumstances, or the LEA and other party agreed in writing to extend the time limit to engage in other dispute resolution proceedings. If a State complaint contained allegations that were also the subject of a due process hearing, NHED had to set aside any part of the State complaint that was being addressed in the hearing until it concluded. Remaining allegations had to be resolved in accordance with State complaint procedures within the 60-day time limit.

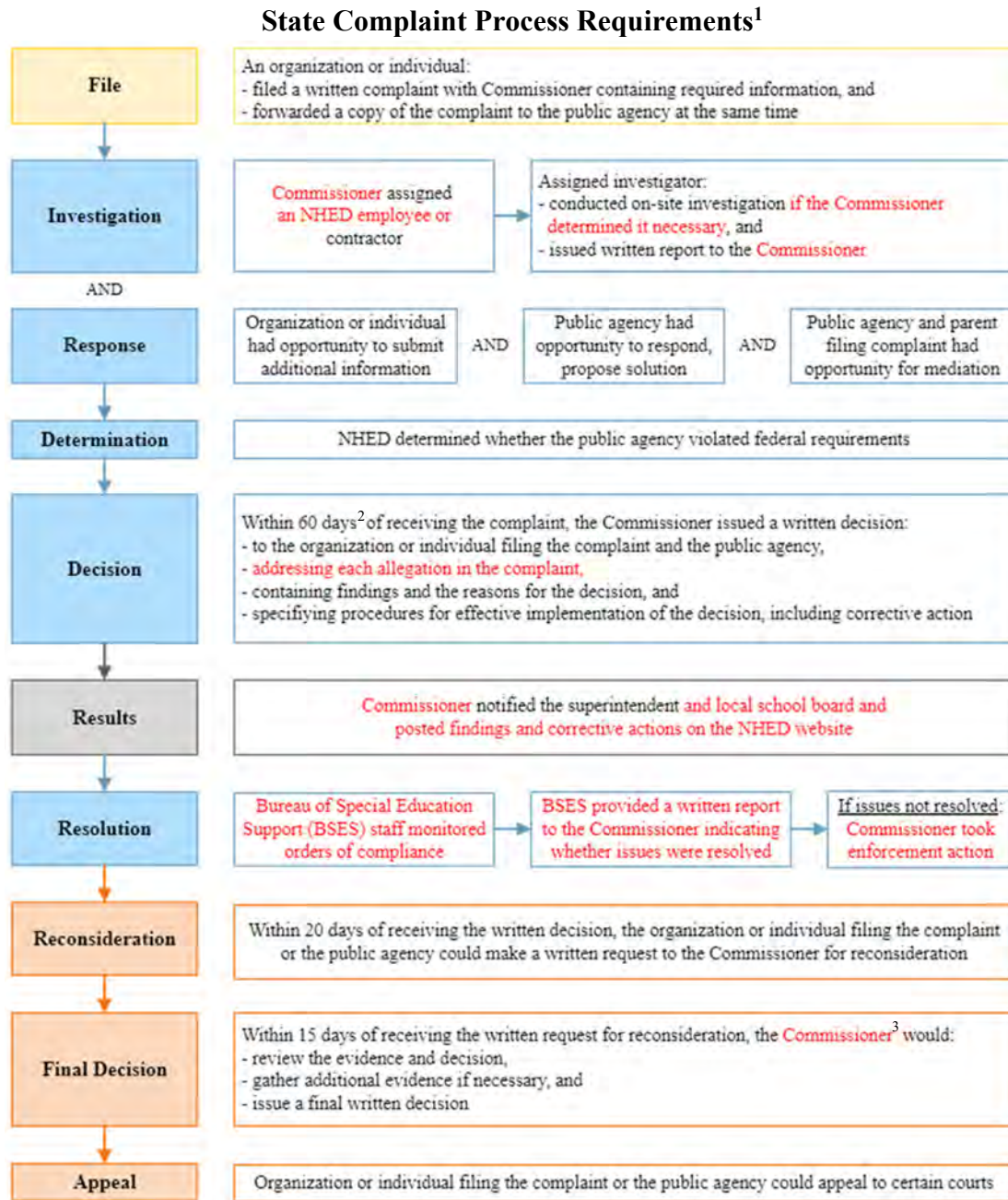
At a minimum, a State complaint had to include:

- a statement the public agency violated Part B of *IDEA*,
- facts on which the statement was based,
- the filing party’s signature and contact information, and
- if specific to a child, name and address of the child, and name of the school the child attended.

The filing party was required to forward a copy of the State complaint to the public agency providing services to the child at the same time it was filed with NHED. If NHED determined the complaint met minimum requirements, an independent investigator was assigned to gather information surrounding the allegation. The investigator had to send a completed investigation report to the Commissioner who then issued a written decision on whether allegations were substantiated, and if applicable, included corrective action and a timeframe for the LEA to address violations. Either party could appeal the decision to the Commissioner for reconsideration within 20 days. If a party was still dissatisfied after reconsideration, appeals could be made to the New Hampshire Supreme Court or a New Hampshire Superior Court. Figure 1 summarizes requirements for the State complaint process.

During State fiscal years (SFY) 2020 through 2022, 114 State complaints were filed, and three investigators were contracted as of June 30, 2022.

Figure 1



Notes:

1. Red text shows federal and State requirements that were not followed in practice. Figure does not include all time limits, exceptions to time limits, or process requirements.
2. Federal regulations allowed the 60-day time limit to be extended under certain circumstances.
3. The Governance Unit's Education Consultant I was responsible for reviewing the evidence and decision, and gathering additional evidence if necessary.

Source: LBA analysis of federal law and regulations, administrative rules, NHED guidance, interviews, and State complaint records.

### ***Due Process Complaint***

The due process complaint was first established in federal law in 1973. A due process complaint, or request for a due process hearing, was available for matters related to the identification, evaluation, or educational placement of a child with a disability; or the provision of FAPE. A parent or LEA could file a due process complaint for alleged violations occurring within the previous two years. The initial time limit was dependent on whether the moving or filing party was a parent or LEA. Parent-filed due process complaints had a time limit of 75 days for a decision while an LEA-filed complaint had 45 days. However, a range of factors could extend, shorten, or restart time limits, all of which could occur during a single complaint. Additionally, if a due process complaint met certain criteria, an expedited hearing had to occur within 20 school days of the filed complaint, and a decision issued within 10 school days of the hearing.

At a minimum, a due process complaint had to include:

- the name and address of the child,
- name of the school the child was attending,
- a description and facts related to the problem regarding the proposed or refused initiation or change, and
- a proposed resolution to the problem.

The filing party had to provide the other party the due process complaint and forward a copy to NHED. Staff assigned a hearing officer, scheduled dates for a due process hearing, and provided an opportunity for parties to attend mediation. A due process complaint was deemed sufficient unless the party receiving the complaint notified the hearing officer and other party in writing within 15 days that it was believed the complaint did not meet requirements. If it was determined insufficient, the hearing officer could grant permission for the moving party to file an amended due process complaint. An amended due process complaint restarted the time limit.

The LEA had to hold a resolution meeting within 15 days of receiving a due process complaint. A resolution meeting was not required if the LEA filed the complaint, the parent waived the meeting in writing, or parties agreed to substitute the meeting with mediation. If the complaint was not resolved through a resolution meeting or mediation, a due process hearing occurred. Until July 2021, State law required the filing party to have the burden of proof. Changes to State law subsequently required the LEA have the burden of proof in all due process hearings regardless of who filed the due process complaint. Parents had the right to have their child present during proceedings and the hearing open to the public. After personally identifiable information was deleted, NHED staff made hearing officer decisions public and transmitted decisions to the State Advisory Committee On The Education Of Children/Students With Disabilities (SAC) through a link to NHED's website.

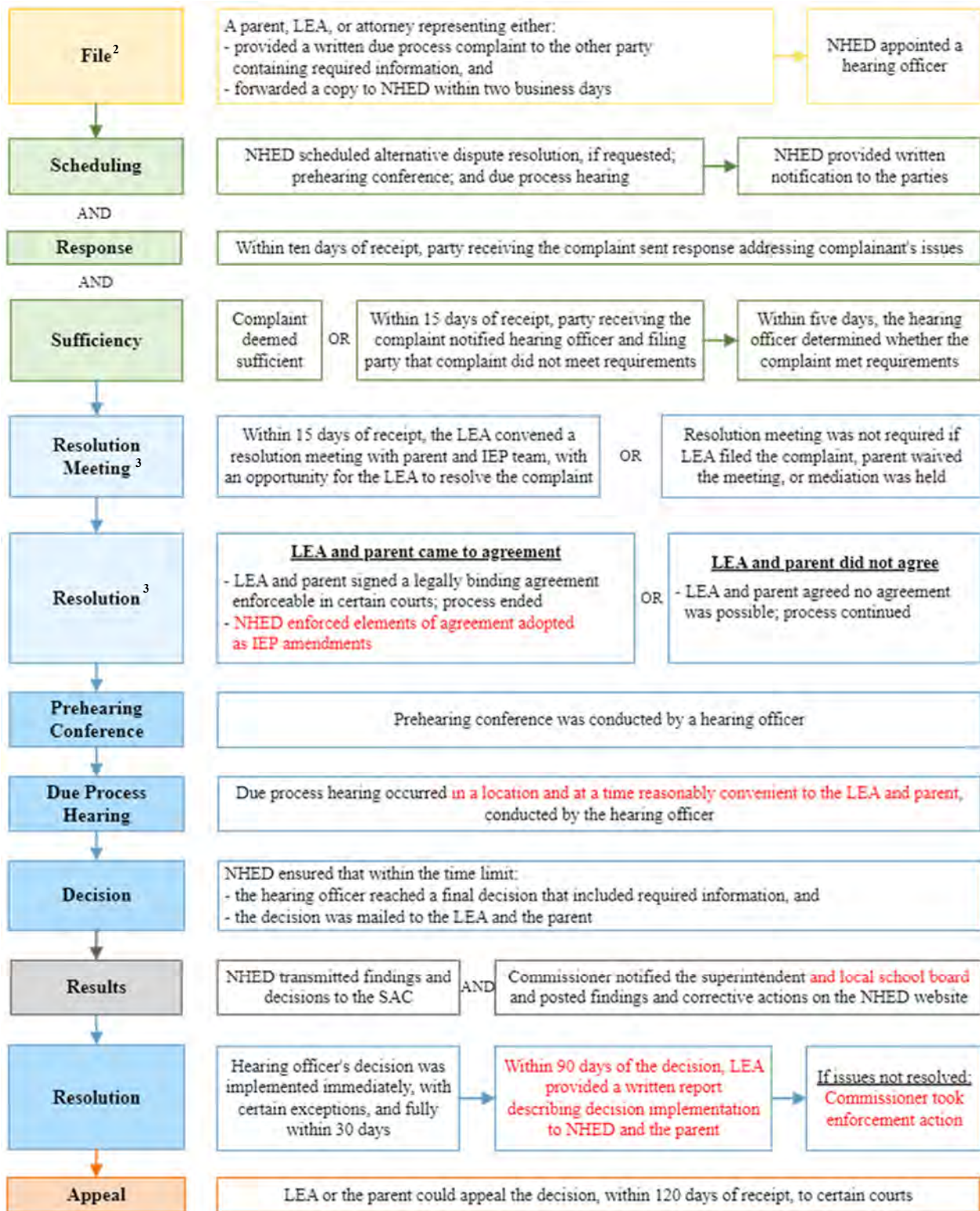
NHED was responsible for ensuring implementation of due process hearing decisions. LEAs had to implement the decision within 30 days and submit a report on implementation of the decision to NHED and the parent within 90 days. The same issues addressed through a due process hearing complaint could not be raised again through another due process complaint or State complaint once a decision was issued. However, parties could appeal decisions through a court of competent

jurisdiction within 120 days from receipt of the final decision. Figure 2 summarizes requirements for the due process complaint process.

During SFYs 2020 through 2022, 115 due process complaints were filed, and six hearing officers were contracted as of June 30, 2022.

Figure 2

**Due Process Complaint Process Requirements<sup>1</sup>**





Notes:

- <sup>1</sup> Red text shows federal and State requirements that were not followed in practice. Figure does not include all time limits, exceptions to time limits, or process requirements.
- <sup>2</sup> Federal requirements allowed a complaint to be amended and specified time limits started over once an amended complaint was filed.
- <sup>3</sup> When a parent filed a due process complaint, a 30-day time limit applied to a resolution period. When an LEA filed a due process complaint, there was no resolution period.

Source: LBA analysis of federal law and regulations, State law and rules, NHED guidance, interviews, and due process complaint records.

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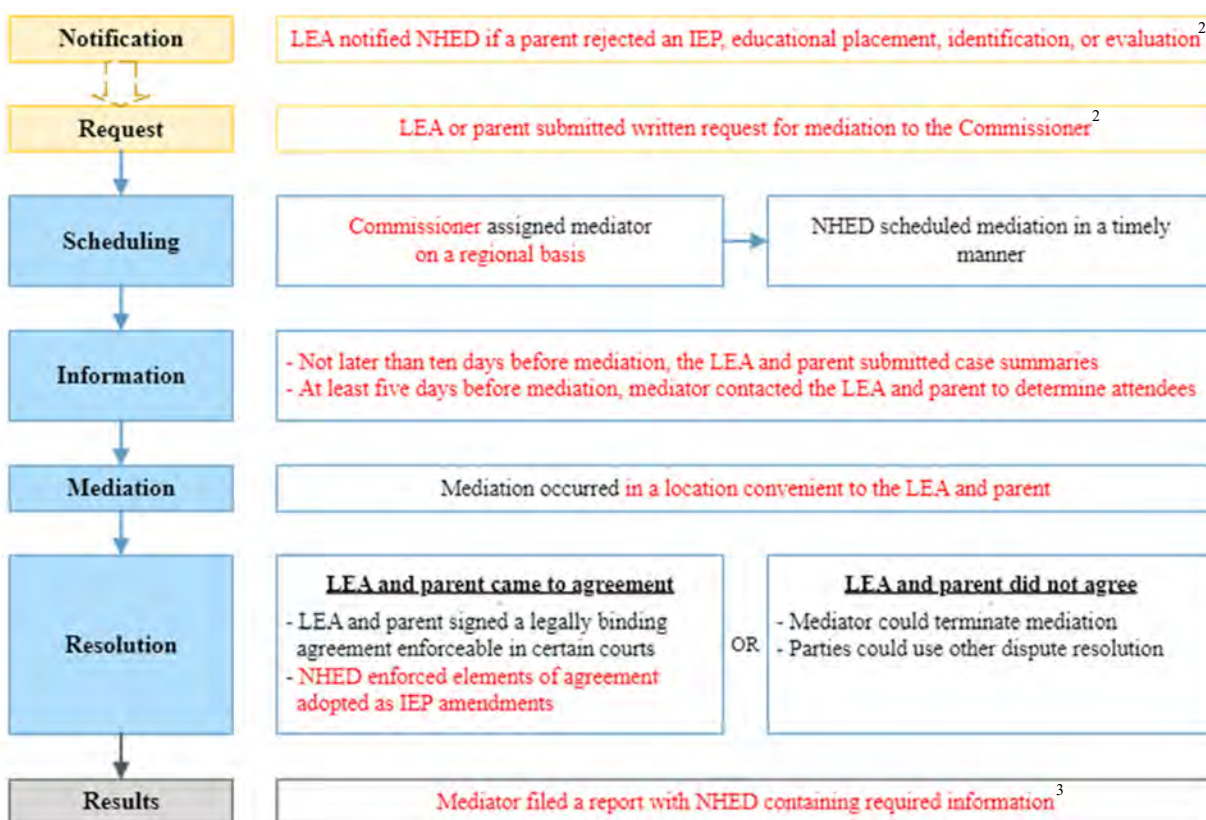
### ***Mediation***

Mediation was first established in federal law in 1990. Mediation was a voluntary process available as an alternative to filing a due process or State complaint, or it could be used during either complaint process to attempt to resolve special education issues before a decision was issued. To initiate mediation independent of due process and State complaint procedures, State law required LEAs notify NHED in writing of a parent's rejection of an IEP, placement, identification, or evaluation. NHED had to provide the parent a description of available alternative dispute resolution, including mediation. The parent and LEA could then voluntarily agree to request and participate in mediation if chosen. However, a request for mediation could be made at any time by a parent or LEA and was not dependent on the LEA notification requirement. It had to be a written request specifying issues and desired resolution.

The Commissioner was to assign an impartial mediator, who was trained in effective mediation techniques, on a regional basis. Pending the result of mediation, no change could be made to the child's IEP, classification, or placement unless both parties agreed. Information, statements, and evidence provided during mediation proceedings were to remain confidential, but issues could be raised again separately through another dispute resolution option. Disputes resolved through mediation had to result in a legally binding agreement with a statement acknowledging confidentiality requirements, and be signed by both the parent and authorized representative of the LEA. NHED was responsible for enforcing agreements or portions of agreements which resulted in an amendment to the IEP. Agreements were otherwise enforceable through a court of competent jurisdiction. Figure 3 summarizes requirements for the mediation process.

During SFYs 2020 through 2022, there were 34 requests for mediation independent of a due process complaint. As of June 30, 2022, responsibilities for the six individuals under the hearing officer contract included mediation. However, if parties chose to participate in mediation during a due process complaint, the same contractor could not be assigned to conduct both the mediation and due process hearing.

Figure 3

Mediation Process Requirements<sup>1</sup>

## Notes:

- <sup>1</sup> Red text shows federal and State requirements that were not followed in practice.
- <sup>2</sup> Statute established two processes to initiate mediation with associated time limits. The first was a required *notification* process with mediation to be conducted within 30 days of notification. The second was a required *request* process with mediation to be conducted within 30 days of receipt of the written request.
- <sup>3</sup> Statute allowed only certain information to be recorded if mediation did not result in an agreement. Rule established three reporting requirements with associated time limits.

Source: LBA analysis of federal law and regulations, State law and rules, NHED guidance, interviews, and mediation records.

**Neutral Conference**

In 1994, State *Special Education* law established a neutral conference process as an additional alternative option to filing a due process or State complaint. Neutral conferences offered the parent and LEA an opportunity to present abbreviated case facts and issues to a neutral individual who was responsible for reviewing the strengths and weakness of a case and issuing a recommendation. After receiving required written LEA notification of a parent's rejection of an IEP, placement, identification, or evaluation, NHED had to provide the parent a description of a neutral conference

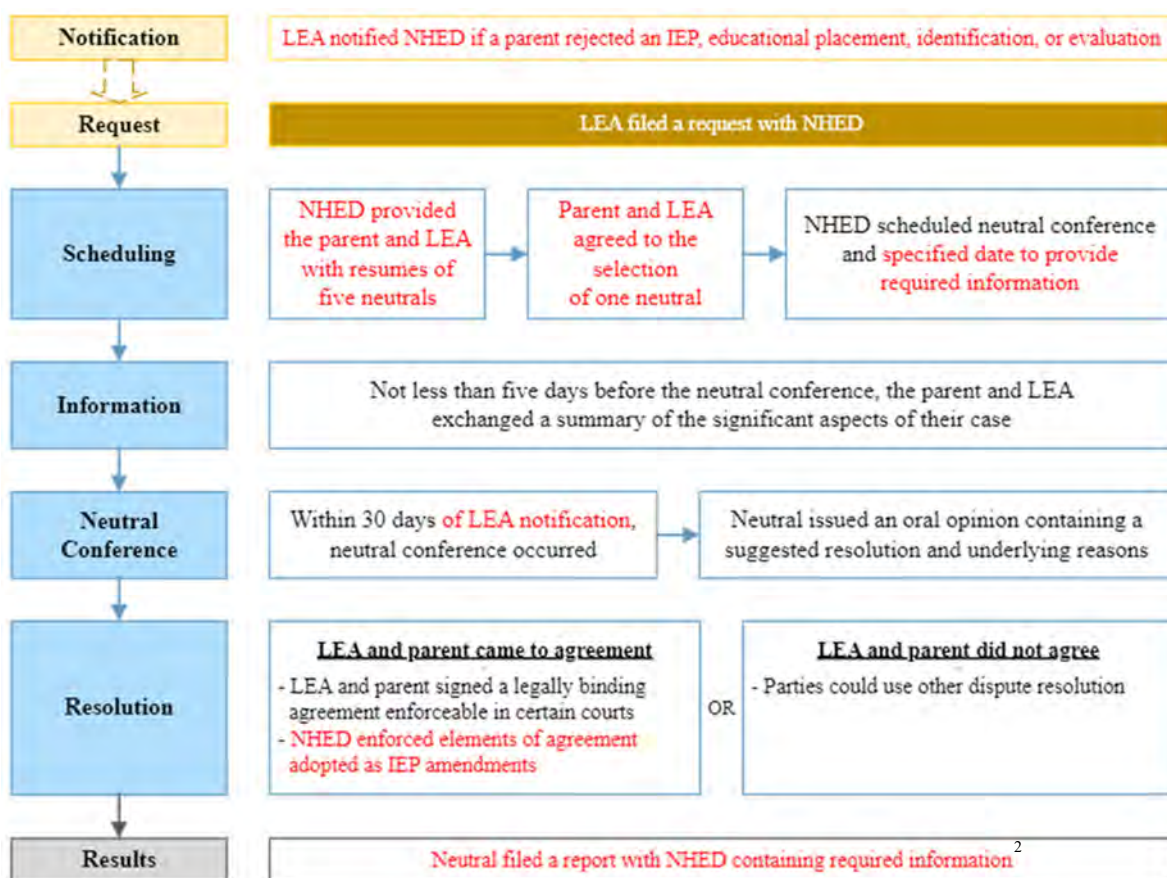
as an option to resolve a dispute. The LEA and parent could then voluntarily agree to request and participate in a neutral conference. Formal procedures were not established to request a neutral conference without the LEA notification requirement, but independent requests were accepted.

If parties chose a neutral conference, the NHED was required to provide resumes of five neutral individuals for parties to agree on selection of one individual to conduct the conference. NHED was to schedule parties for a two-hour conference with the selected neutral individual and specify dates for providing required information. Parties had to exchange summaries of significant aspects of their case in four pages or less through the neutral individual prior to the conference. During the conference, the parent and LEA were limited to 30 minutes each to provide supplemental oral statements about their written summaries. The neutral individual then issued an oral opinion to the parties suggesting a settlement or other disposition, and reasons for the opinion.

Information, statements, and evidence provided during neutral conference proceedings were to remain confidential, but issues could be raised again separately through another dispute resolution option. Disputes resolved through a neutral conference had to result in a legally binding agreement and be signed by both the parent and authorized representative of the LEA. NHED was responsible for enforcing agreements or portions of agreements which resulted in an amendment to the IEP. Agreements were otherwise enforceable through a court of competent jurisdiction. Figure 4 summarizes requirements for the neutral conference process.

During SFYs 2020 through 2022, there were three requests for a neutral conference. As of June 30, 2022, responsibilities for the six individuals under the hearing officer contract included neutral conferences. However, if parties chose to participate in a neutral conference during a due process complaint, the same contractor could not be assigned to conduct both the neutral conference and due process hearing.

Figure 4

Neutral Conference Process Requirements<sup>1</sup>

Notes:

<sup>1</sup> Red text shows federal and State requirements that were not followed in practice. Dark shaded boxes with white text indicate unauthorized, informal practices.

<sup>2</sup> Statute allowed only certain information to be recorded regarding a neutral conference. Rules established a reporting requirement with associated time limit.

Source: LBA analysis of federal law and regulations, State law and rules, NHED guidance, interviews, and neutral conference records.

### Third Party Moderated Discussion

NHED developed third party moderated discussions in 2013. After the Department of Justice indicated to NHED that existing administrative rules were sufficient to establish the third party moderated discussion process, NHED established ad hoc requirements and procedures in participant and contractor guides. The third party moderated discussion was a voluntary process for the parent and LEA to have a confidential and non-adversarial discussion led by a moderator about any special education disagreement. The moderator's role was to listen to each party's perspective, provide insight on how a hearing officer would view the matter and whether proposed

resolutions were permitted under regulations, and offer other resolution options for parties to consider.

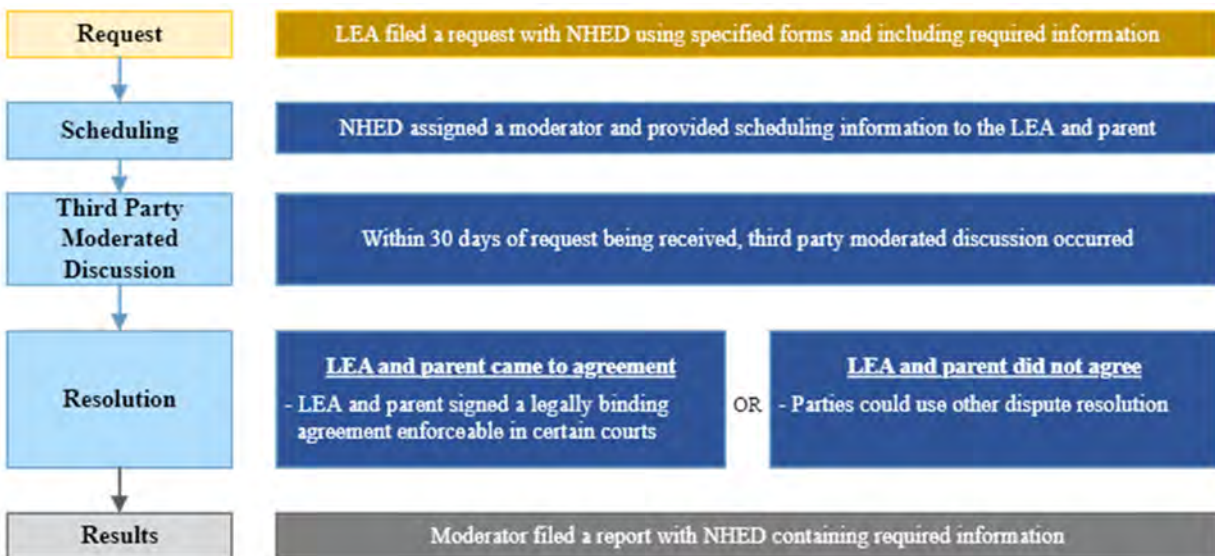
If both parties agreed, the LEA made a written request for a third party moderated discussion to NHED. Both parties were to select mutually agreeable dates to meet, specify issues to be discussed, propose a preferred resolution, and disclose whether each party would attend with an attorney or advocate. NHED staff assigned a moderator after receiving the request. During the moderated discussion, each party was limited to 15 minutes to speak about their perception of the matter, but there was no time limit for discussing possible resolutions.

Although confidential, there were no restrictions for raising disagreements and related information or statements from third party moderated discussions again through another dispute resolution process. Disputes resolved through third party moderated discussions were to result in a legally binding agreement that was enforceable in a court of competent jurisdiction. Figure 5 summarizes the informal third party moderated discussion process.

During SFYs 2020 through 2022, there were five requests for a third party moderated discussion related to a special education disagreement. As of June 30, 2022, responsibilities were not included in contracts, but the six individuals under the hearing officer contract were expected to conduct third party moderated discussions.

**Figure 5**

**Third Party Moderated Discussion Process Requirements**



Note: Dark shaded boxes with white text indicate unauthorized, informal practices.

Source: LBA analysis of federal law and regulations, State law and rules, NHED guidance, interviews, and third party moderated discussion records.

### Facilitated IEP Team Meeting

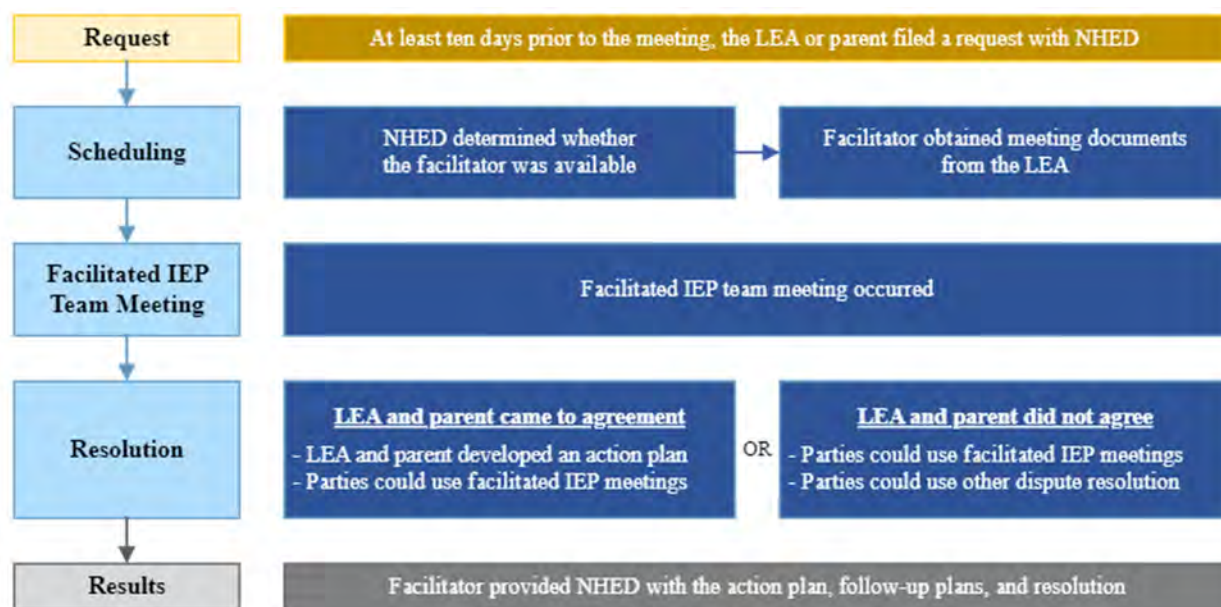
Facilitated IEP team meetings were established in State *Special Education* law in 2008 as an alternative to filing a due process or State complaint, but the option was repealed in 2015. The facilitated IEP team meeting process continued to be administered according to NHED staff's institutional knowledge without establishing other requirements and procedures.

A facilitated IEP team meeting took place when a facilitator attended an IEP team meeting to guide discussions and ensure parties progressed toward resolving disagreements. The facilitator did not provide input on disagreements or issues. After both the parent and LEA agreed to using a facilitator, requests were to be made to NHED at least ten days prior to a scheduled IEP team meeting. The NHED then assigned a trained facilitator to coordinate schedules with parties and conduct an IEP team meeting or several meetings. The facilitator submitted copies of action plans developed during IEP team meetings to NHED. Figure 6 summarizes the informal facilitated IEP team meeting process.

NHED did not have data for facilitated IEP team meetings. However, we identified 60 initial requests for facilitated IEP team meetings from SFYs 2020 through 2022. There was one contracted facilitator as of June 30, 2022.

Figure 6

#### Facilitated IEP Team Meeting Process Requirements



Note: Dark shaded boxes with white text indicate unauthorized, informal practices.

Source: LBA analysis of federal law and regulations, State law and rules, NHED guidance, interviews, and facilitated IEP team meeting records.

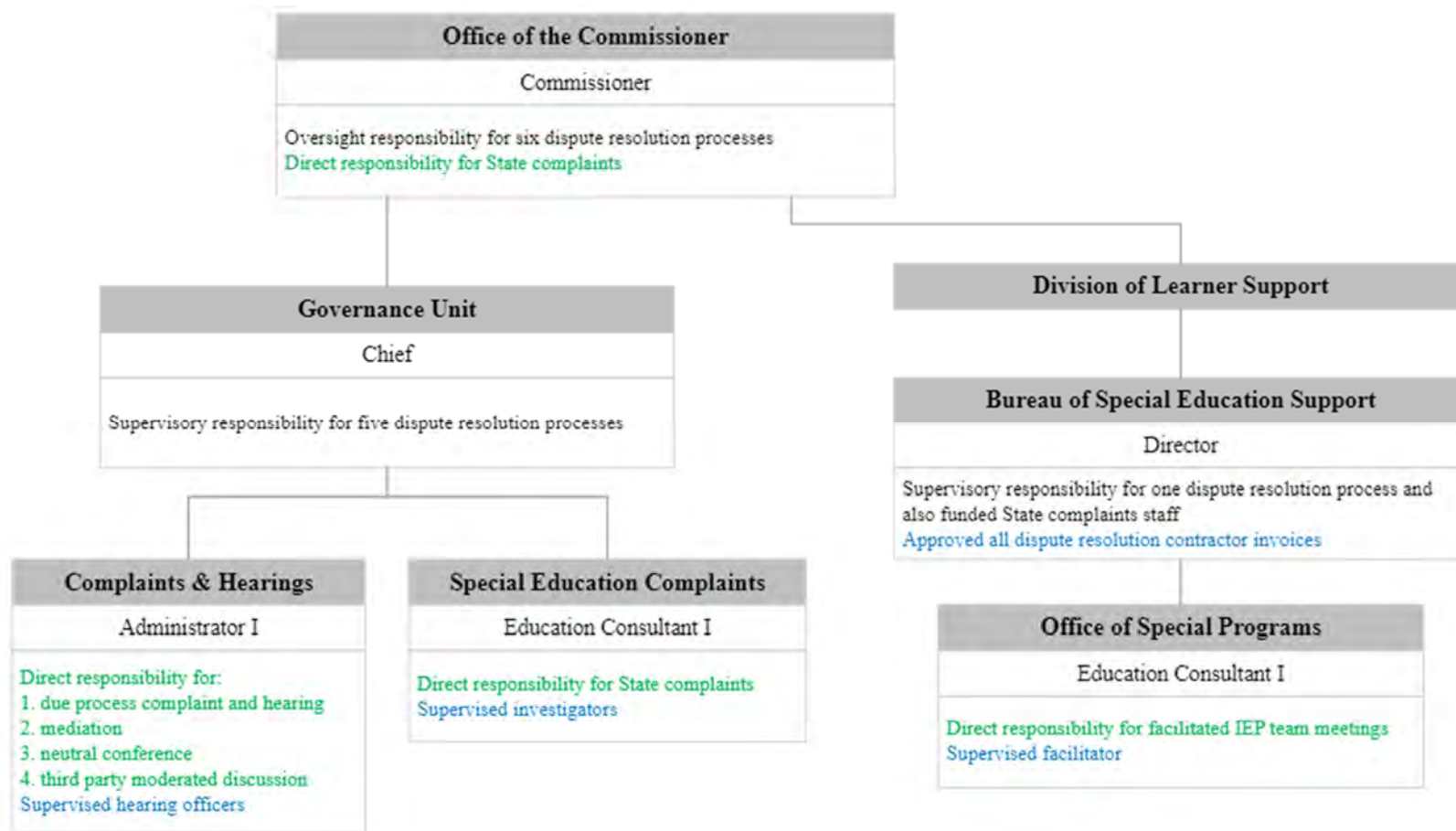
## **Special Education Dispute Resolution Organizational Structure And Staffing**

Six full-time staff held special education dispute resolution responsibilities, five of whom were in classified positions. Staff and responsibilities were assigned to multiple units within NHED, as shown in Figure 7. Statute required special education due process hearings be located within the Commissioner's Office. NHED restructured in 2017, establishing the Governance Unit. The Governance Unit was responsible for five of six dispute resolution processes.

- One staff member had responsibility for four processes, including oversight of contracted hearing officers. The staff member had additional non-special education dispute resolution responsibilities.
- One staff member had responsibility for one process, including oversight of the contracted IEP team meeting facilitator. The staff member had other special education responsibilities.
- One staff member and the Commissioner had responsibility for one process, State complaints. The staff member's responsibilities also included oversight of contracted investigators, but no other non-special education dispute responsibilities during the audit period.

Figure 7

**NHED Special Education Dispute Resolution Organizational Structure,  
As Of June 30, 2022**



Note: Black font indicates supervisory responsibilities over NHED staff. Green font indicates direct responsibilities for NHED processes. Blue font indicates supervisory responsibilities related to dispute resolution contractors.

Source: LBA analysis of NHED organizational charts, supplemental job descriptions, and interviews.



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**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION PROCESSES**

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**MANAGEMENT CONTROL**

Management’s directives, attitude, and behaviors should reflect the integrity and values expected throughout the organization. Management’s internal controls should include plans, policies, and procedures used to strategically achieve goals and objectives through effective stewardship of public resources. A strong organizational culture with a positive focus on internal controls was particularly important as staff were responsible for implementing and operationalizing management controls, and for reporting issues to management so they could be addressed timely. Without an emphasis on these values, an organization’s ability to identify and respond to risk could be incomplete or inappropriate, control activities may not be effective, and monitoring may be insufficient to identify and address issues.

Effective management oversight includes designing, implementing, and monitoring appropriate control activities to ensure responsibilities are fulfilled and operations remain consistent. Control activities should be designed to achieve objectives and respond to risks, clearly documented and communicated, and implemented with appropriate oversight for accountability. Properly maintained and documented controls help retain organizational knowledge and reduced the risk of knowledge loss during periods of staff turnover.

**Observation No. 1**

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**Improve Oversight Of Internal Controls**

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Department of Education (NHED) oversight of internal controls was ineffective. Management did not adequately design, implement, or monitor special education dispute resolution process controls. Existing controls were limited, informal, inconsistently updated, and not clearly documented or communicated. Instead, management relied significantly on staff institutional knowledge to carry out operations. This was insufficient to ensure consistent and effective operations or reduce organizational knowledge loss risk. These were known risks during the audit period, which likely existed for many years. There were no strategies, plans, policies, or procedures for supporting decisions and managing dispute resolution processes; records and databases supporting processes were inadequate; and staff turnover occurred, all of which contributed to operational deficiencies and knowledge loss.

We reviewed over 1,600 special education dispute resolution requirements. While our work was focused on controls, it was not designed to review implementation of every requirement. However, we identified many operational deficiencies which adversely affected special education dispute resolution processes and limited accountability. Specifically, deficiencies resulted in:

- noncompliance with, or unenforced, requirements at the State and local levels;
- untimeliness with dispute resolution process time limits and related reporting requirements;
- unmitigated risks, such as conflicts of interest, fraud, and waste;
- unaddressed longstanding issues identified in prior evaluations or audits;
- resource constraints;
- limited and inaccurate output data; and

- a lack of public transparency.

We provided the detailed results of our review of requirements to NHED management in May 2023.

### **Lack Of Continuity And Unfulfilled Responsibilities**

Inadequate controls hindered effective supervision of, and operational continuity across, staff dispute resolution process responsibilities. Dispute resolution processes were generally managed independently of one another throughout NHED. Understanding staff responsibilities and providing effective oversight were particularly important for management considering the dispersed dispute resolution organizational structure and staff turnover risks.

The State complaint staff position experienced turnover during State fiscal year (SFY) 2020, and the replacement staff member left the full-time equivalent position in February 2023 for another position within NHED. There were no plans in place to fill the State complaint staff position with another full-time equivalent. Staff specifically expressed concerns about continuity in administering four other special education dispute resolution processes if the individual responsible for those processes left NHED. However, managers were not always aware of all responsibilities performed by their subordinates, or thought their subordinate held some responsibilities performed in practice by another staff member. Staff responsible for dispute resolution processes did not have a complete understanding of specific responsibilities and requirements associated with other staff members' assigned dispute resolution processes.

Inadequate controls limited management's ability to ensure responsibilities were consistently fulfilled. Unfulfilled responsibilities we identified included training, policy development, and monitoring of final dispute resolution decisions. Management also did not monitor rules for compliance or consistency with federal and State laws. There was no integrated process to proactively update relevant NHED requirements, guides, manuals, or supplemental job descriptions (SJD). Additional examples of unfulfilled responsibilities are shown in Table 2.

**Table 2**

**Examples Of Responsibilities Not Performed As Required**

<b>Source</b>	<b>Responsibility</b>	<b>Issue</b>
<b>State Laws</b>	Required the “Bureau of Special Education” Administrator to provide a written report to the Commissioner on corrective action resulting from orders of compliance.	Not performed
	Required the Commissioner to issue a report annually on all proposed or adopted special education rules exceeding the minimum requirements of State or federal law.	Incomplete reports
	Required NHED evaluate the effectiveness of alternative dispute resolution procedures annually and report findings to the State Advisory Committee on the Education of Children/Students with Disabilities (SAC).	Not performed
<b>SJDs</b>	Ensure rules and policy were in compliance with federal and State law.	Not performed
	Oversee corrective actions for due process hearing complaints.	Not performed
	Ensure hearings were handled in compliance with rules and statute.	Inconsistently performed
	Assess policy effectiveness and develop or modify operational procedures.	Inconsistently performed

Source: LBA analysis of statute, rules, SJDs, and interviews.

**Recommendations:**

**We recommend NHED management:**

- **evaluate manager and staff responsibilities;**
- **conduct a risk assessment to determine gaps in controls and potential areas where knowledge loss would be imminent or most detrimental;**
- **develop related plans to design, implement, and monitor appropriate controls to facilitate operational continuity and knowledge transfer;**
- **document and clearly communicate established controls;**
- **develop operational and staff performance goals and measures;**
- **routinely monitor performance; and**
- **hold managers and staff accountable for their performance and achievement of assigned responsibilities.**

**NHED Response:**

*We concur with the recommendations.*

*NHED makes the following remarks related to the auditors’ observations:*

*NHED strives to work with families who are in crisis and timely addresses issues to ensure children are provided with an education to succeed. While NHED agrees that there are areas in which management oversight of the process controls could be strengthened, NHED has supported numerous families over the years through its special education dispute resolution processes. NHED also recognizes policies and procedures should be formalized and become more comprehensive, and in doing so, can better serve families. Additionally, within the Governance Unit there has always been a strong understanding of the special education dispute resolution process and the Unit has been working to continually update and formalize relevant policies and procedures in accordance with federal and State guidelines as processes have continually evolved.*

*The Governance Unit (previously titled Office of Legislation and Hearings) has existed at NHED in one form or another since approximately the 1980s. Organizational changes in 2017 were meant, in part, to facilitate operational continuity and knowledge transfer. Staff turnover is an inherent part of State government. The positions within the Governance Unit often have areas of redundancy and overlap which help preserve operational efficiency and position and job knowledge. The positions within the Governance Unit are designed to work collaboratively with inherent overlap. This was a purposeful design to ensure that all members of the Unit have a natural understanding of each position. However, NHED recognizes formal and comprehensive policies and procedures are necessary to improve operations.*

*The Governance Unit and Bureau of Special Education Support (BSES) is in the process of creating an internal Dispute Resolution and Constituent Complaint Policy and Procedure manual to identify and set forth the roles and responsibilities of the Dispute Resolution positions. This document will be reviewed and updated on a consistent basis.*

*NHED continuously and consistently works with stakeholders to address their concerns as they relate to NHED's dispute resolution processes and will continue to engage relevant stakeholders as the Governance Unit and BSES works to improve and formalize its policies and procedures. The Governance Unit and BSES worked collaboratively with stakeholders to create an updated Parents Guide to help clarify the processes for parents.*

*NHED will take the opportunity to review SJDs and class specifications to ensure all required roles and responsibilities are adequately covered and that all required responsibilities are addressed. All NHED SJDs include "other duties as assigned" to help facilitate a purposeful, dynamic, and responsive organization. The NHED conducts annual reviews of staff and hearing officers, which helps to hold managers and staff accountable for their performance and achievement of assigned responsibilities.*

## **Strategic Management**

Strategy and planning are essential for effective management control. When properly developed and implemented, strategic planning is a comprehensive and systematic management approach that helps management develop objective risk-based assessments, timely respond to issues or changes, and improve operations in accordance with established goals and objectives. Effective strategic planning processes include:

- stakeholder collaboration to identify related concerns, needs, and priorities;
- developing formal goals, measurable objectives, and specific activities consistent with a shared mission and vision;
- written plans detailing assigned responsibilities, priorities, and target dates for achieving goals and objectives;
- establishing performance measures and using reliable data to monitor and report on progress toward achieving goals and objectives; and
- periodic reviews to ensure plans remained relevant.

Strategic planning with well-designed corresponding controls could have helped NHED improve dispute resolution communication, efficiency, and effectiveness.

## **Observation No. 2**

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### **Develop Strategic Management Controls**

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NHED did not develop a strategic plan with clearly defined goals and objectives for special education dispute resolution processes. Staff managed dispute resolution processes generally independent of each other without a connection to NHED's mission. NHED also did not connect expected outcomes to State requirements and operational processes it developed. Management did not proactively evaluate and address issues or provide adequate oversight of controls. Consequently, dispute resolution processes were ineffectively managed, which negatively impacted NHED stakeholders.

### **Lack Of Strategic Planning Processes**

NHED's department-wide mission and vision were not incorporated into plans or operations to facilitate achievement of expected dispute resolution outcomes. Informally, managers and staff generally reported the purpose of NHED dispute resolution processes was to provide impartial, compliant, and timely services to parents and local educational agencies (LEA) for when special education disagreements elevated from the local level to the State level. Federal laws and regulations were similarly designed for this purpose and encouraged early resolution when possible. State law also encouraged LEAs develop options for local level resolution.

A clear understanding of mission, goals, objectives, and activities was essential to help ensure operations consistently focused on achieving expected outcomes. This was particularly important given a lack of an effective management control system and reliance on dispersed staff institutional knowledge to make decisions affecting the public. However, NHED did not implement strategic planning processes with goals, objectives, and activities in alignment with NHED's mission, or to facilitate achievement of impartial, compliant, timely, and early or local resolution when possible. Existing formal goals or objectives were limited to minimal outputs required for federal grant compliance and reporting. The outputs were: 1) insufficient for demonstrating achievement of outcomes, and 2) not applicable to all six NHED dispute resolution process options.

## **Lack Of Supported Decisions**

With no written strategy or plans, staff did not have a sufficient understanding of dispute resolution requirements and responsibilities. Management decisions were reactive and not supported by quantitative assessments or objective information which contributed to ineffectiveness and compromised public transparency. The following were some areas in which dispute resolution process operations were negatively impacted:

- Management did not conduct risk assessments to proactively identify and timely respond to changes or issues of noncompliance. Instead, issues were addressed on a case-by-case basis when they were brought to management's attention without systematic approaches to ensure resolution was comprehensive and effective.
- Management did not demonstrate its organizational structure contributed to dispute resolution efficiency or effectiveness. Organizational structure changes reportedly occurred in 2017 without underpinning plans, assessments, or objectives to support related decisions and evaluate results. Dispute resolution processes were managed without adequate controls, performance measures, and workforce planning to facilitate compliance with requirements and continuity in operations.
- Management did not proactively evaluate and monitor dispute resolution process requirements to ensure consistent and appropriate incorporation into State laws, rules, policies, and procedures. Neither did management objectively demonstrate the need for additional dispute resolution processes that NHED developed. Dispute resolution process performance was not evaluated, and cost-benefit analyses did not occur to determine efficiency and effectiveness.
- Management did not assess each dispute resolution process' contract requirements, scope of work, desired and required contractor qualifications, and scheduling requirements to objectively determine contracting needs and design appropriate contracts. Contractors inconsistently fulfilled expectations. Recruitment, retention, and availability issues also occurred.
- Management did not identify trends and address unmet stakeholder needs related to dispute resolution training and education. NHED and non-NHED resources were not evaluated to determine sufficiency of existing information and services provided to stakeholders, which hindered NHED's ability to make necessary and comprehensive improvements.

## **Recommendations:**

**We recommend NHED management:**

- **develop risk-based, data-informed strategy and plans aligned with NHED's mission and vision through collaborative efforts with key staff and stakeholders to identify needs and priorities;**

- **incorporate measurable goals, objectives, activities, target dates, and assigned accountability for implementation and achieving expected outcomes;**
- **develop performance measures, regularly and formally monitor performance, and refine the strategy and plans as warranted; and**
- **use performance data and objective assessments to support decisions in accordance with strategy and plans.**

NHED Response:

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*NHED has a shared vision and mission across the organization. This vision and mission reflect the important work of the agency reaching back to work begun in 2005 and consistently transitioned as changes in leadership have occurred over that period.*

*That initial work in 2005 centered around student learning and the importance of recognizing student learning – competency – as more relevant than time spent learning. This vision is inculcated throughout agency rules. As one example, unlike any other state, schools are required to offer 180 days of instruction, but students advance on proficiency.*

*Under the current leadership, in the fall of 2017, the agency contracted with the Council for Chief State School Officers and McKensey & Company, a leading global management consulting firm, to continue to extend this vision. During a two-day, off-site meeting, agency leadership gained consensus around its vision and developed an organizational structure to implement that vision most effectively.*

*In this work with McKensey, the placement of the Governance Unit (Previously titled Office of Legislation and Hearings) under the Deputy Commissioner's purview since 1984, was determined to be the correct alignment for NHED. Within this structure, the five processes which focused on conflict resolution aligned with the mission of the Governance Unit. The IEP facilitation process was retained in the BSES as it dealt with conflict avoidance compared to the other processes which focused on conflict resolution. NHED will revisit this decision and, as appropriate, recommend change if it believes the initial decision should be changed.*

*In the fall of 2019, the leadership once again convened an off-site meeting refreshing and validating its commitment to its vision, which included commitments to meet as individual bureaus. In turn, the bureaus would review the vision and mission and collaborate on how the vision and mission related to the work of the individual bureaus. These meetings were facilitated internally by division leadership.*

*In the Spring of 2021 (post COVID disruption) and again in the Spring of 2022, BSES convened to review its work and the alignment of that work with the shared agency vision and mission.*



*Since 2017, individuals hired from outside of NHED interview with the Commissioner and, as part of that interview process, the vision and mission as a learner centered organization are shared with prospective employees. This helps them understand the vision and mission of NHED and inculcate the organization with a learner centric culture.*

*As a result of this work, leadership believes that staff throughout the agency, even if they cannot articulate the specific words, understand the mission of supporting learners consistent with the agency vision and mission of:*

*Vision: Live Free and Learn*

*Mission: NHED advances learner centered opportunities that create bright futures.*

*In continuing its work toward its vision and mission, NHED, in response to the auditors' observations, will continue the on-going work of making sure there is organizational and strategic alignment, that NHED uses data-informed strategies that incorporate goals and objectives, and that it regularly evaluates progress against those goals. Relative to the dispute resolution processes, the Governance Unit and BSES will evaluate its work and mission in relation to overall agency mission and its contribution thereto and develop performance measures and dashboards to support the execution of its work.*

**LBA Comment: We acknowledge NHED had a department-wide mission and vision in the Observation. However, the mission was not incorporated into plans or operations to facilitate achievement of expected dispute resolution outcomes.**

**While NHED reports it held meetings regarding a mission and vision, NHED did not provide documented plans, assessments, or evaluations which confirms our conclusions that management lacked a risk-based, data-informed strategy and plans with goals and objectives to assess performance and to support decision making.**

## **Organizational Structure**

Organizational structure consists of units, assignment of responsibilities, delegation of authority, and reporting lines to ensure clear internal and external communication. An effective organizational structure could have helped NHED manage risk, ensure compliance, and achieve special education dispute resolution outcomes. Clearly assigned responsibilities could have enabled dispute resolution staff to operate in an efficient and effective manner, follow applicable laws and regulations, and reliably report quality information. Assessing workforce needs would have assisted management in determining whether there was an appropriate number of staff with necessary knowledge, skills, and abilities assigned to handle dispute resolution responsibilities.

**Observation No. 3**

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**Improve Controls Over Organizational Structure**

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NHED lacked adequate controls over its organizational structure, adversely affecting dispute resolution process efficiency and effectiveness. An ineffective organizational structure hindered achievement of outcomes. Allocation of staff, assignment of responsibilities and workloads, and reorganization occurred without an overall strategy or workforce planning. Organizational structure and associated controls were not always documented, accurate, or effective at communicating responsibilities. Dispersed responsibilities negatively affected operations. It was unclear whether assignments were appropriate or workloads manageable, and some responsibilities were unfulfilled.

We reviewed special education dispute resolution requirements but did not review every responsibility assigned to NHED or individual staff. While our work was focused on NHED controls and not designed to find every issue, we identified several issues related to organizational structure. We provided the detailed results of our review to NHED management in May 2023.

**Lack Of Strategy And Planning**

NHED did not strategically manage its dispute resolution organizational structure. NHED lacked a strategy, goals and objectives, and operational plans. Management lacked a systematic approach to understand how much time staff spent performing dispute resolution responsibilities, or what the cost was to the State.

***Organizational Planning***

Management did not assess organizational structure effectiveness to determine whether changes were necessary to improve operations or demonstrate the reorganization was the most effective option. Neither did management assess the effect of reorganization on performance generally, staffing levels and workloads, or NHED costs. Our *Developmental Services System Performance Audit Report April 1991 (1991 Performance Audit)* found dispute resolution responsibilities were not always clearly assigned, and recommended consolidation under the Office of the Commissioner. The most recent NHED reorganization in 2017 was intended, in part, to consolidate responsibility for State complaints. However, the reorganization occurred without a strategic plan, inventory of dispute resolution responsibilities, or workforce planning.

Reorganization also appeared to have unintended consequences due to inadequate controls over assignments, knowledge management, and internal communications. For example, management did not assess whether keeping responsibility for facilitated IEP team meetings under the Bureau of Special Education Support (BSES) was most effective. Managers and staff expressed varying opinions on this arrangement.

***Workforce Planning***

Management lacked a strategic approach to workforce planning and relevant strategy or plans. Staff had skills and knowledge that could not be replaced by others in NHED. Without adequate

workforce planning and knowledge management, management's ability to maintain critical staff knowledge and skills and ensure continuity of operations was at risk. Staff turnover was a known and near-term risk. As of December 2022, three of five classified staff with responsibilities related to two dispute resolution processes had entered their position within the past two to five years. As of December 2022, one staff member responsible for four processes had extensive institutional knowledge and was eligible for retirement. Staff expressed substantial concerns about NHED's ability to ensure this individual's responsibilities could be performed in their absence. In February 2023, one staff member responsible for State complaints transferred to a different position within NHED.

### **Inadequate Controls Over Organizational Structure**

Control deficiencies affected the reorganized structure. There were no organizational rules. Special education rules reportedly were not updated after the reorganization and no longer accurately reflected dispute resolution staff assignments. Organizational charts incompletely reflected the reorganization. NHED rules, guides, and manuals contained 90 outdated or discrepant organizational references. Information on how the public could contact staff about special education dispute resolution processes was inconsistent, unclear, or outdated.

### **Unclear Assignment Of Responsibilities**

Management did not always clearly assign responsibilities, and some were also assigned informally or on an improvised basis as dispute resolution processes developed over time. Monitoring and enforcement responsibilities were unclear even to managers. Consequently, there was essentially no monitoring or enforcement of dispute resolution process requirements.

Management should have ensured SJDs described each position's accountability, authority, and assigned responsibilities, and were accurate and up-to-date. However, some SJDs were inaccurate and reflected responsibilities held by other staff, as shown in Table 3. Some SJDs omitted key dispute resolution responsibilities. For example, the Governance Unit's Education Consultant I oversaw State complaint investigators, but the position's SJD did not include this responsibility.

**Table 3**

**Examples Of Inaccurate Or Unclear Assignment Of Responsibilities In SJDs**

<b>Position</b>	<b>Assigned Responsibility</b>	<b>Responsibility Performed By</b>
<b>Attorney IV, Governance Unit</b>	Administers and coordinates all hearings <sup>1</sup>	Administrator I, Governance Unit
	Ensures hearings <sup>1</sup> are handled in an appropriate and timely manner in compliance with rules and statutes	Administrator I, Governance Unit
<b>Education Consultant I, Governance Unit</b>	Supervises State complaints	Attorney IV, Governance Unit
	Coordinates due process hearings	Administrator I, Governance Unit
	Oversees corrective actions <sup>2</sup>	Education Consultant I (State complaints)
		No staff (Due process complaints)
	Plans and coordinates technical assistance and support for the implementation of IEPs	BSES staff

Notes:

- <sup>1</sup>. Includes special education due process hearings.
- <sup>2</sup>. Education Consultant I oversaw corrective action for State complaints, but not for due process complaints. Although the Education Consultant I also held responsibility for due process complaint corrective actions, staff reported the BSES actually held responsibility. In practice, there were no monitoring processes for due process complaint corrective actions.

Source: LBA analysis of NHED SJDs, rules, procedures, and interviews.

**Potentially Unreasonable Workloads**

Without a comprehensive system to manage staff performance, it was insufficiently clear whether workloads were reasonable and the number of dispute resolution staff and contractors was appropriate. Managers and staff did not perceive some workloads to be reasonable. Some staff workloads increased due to staff performing certain contractor responsibilities, which were initially intended to assist NHED with effective contract oversight. Consequently, staff reportedly prioritized certain responsibilities, leaving other responsibilities unfulfilled. This subjective prioritization of work contributed to noncompliance.

**Delegations Of Authority**

Management did not consistently and formally delegate authority to staff, as shown in Table 4. Management could delegate authority for certain responsibilities to staff, but remained responsible for ensuring those responsibilities were met. When made, delegations should have been in writing and clearly communicated the authority being delegated, any limitations to the authority, and

performance expectations. We requested delegations of authority from NHED, but none were provided.

**Table 4**

**Examples Of Responsibilities Improperly Delegated To Staff**

<b>Source</b>	<b>Responsibility</b>	<b>Formally Delegated</b>	<b>Responsibility Performed By</b>
<b>State Law</b>	<i>NHED</i> shall evaluate the effectiveness of alternative dispute resolution annually.	No	No one
<b>Rule</b>	The <i>Commissioner</i> or <i>designee</i> shall appoint staff to monitor orders of compliance.	No	No one
	<i>NHED</i> shall assign a mediator. The <i>Office of Legislation and Hearings</i> schedules. <sup>1</sup>	No	Administrator I, Governance Unit
	The <i>Commissioner</i> shall assign investigations.	No	Education
	The <i>Commissioner</i> shall review evidence and gather evidence for reconsideration.	No	Consultant I, Governance Unit

Note:

<sup>1</sup> Rules seemingly delegated authority on behalf of the Commissioner to the *Office of Legislation and Hearings*. However, authority could not be delegated through a definition in rules, and there was no office by that name.

Source: LBA analysis of statute, rules, SJDs, and interviews.

**Recommendations:**

**We recommend NHED management:**

- **develop organizational, workforce, succession, and contingency plans aligned with strategy;**
- **assign accountability and oversight responsibilities for implementation;**
- **ensure rules, guides, and other published materials accurately reflect NHED organizational structure and contact information;**
- **request the State Board of Education adopt organizational rules that accurately reflect NHED organizational structure and request other necessary changes to rules;**
- **inventory and evaluate dispute resolution assignments and workloads to determine and implement necessary adjustments;**
- **ensure SJDs accurately and clearly reflect current position responsibilities;**
- **review, formalize, and clearly communicate delegations of authority in writing; and**
- **formally monitor performance and refine plans as needed.**

NHED Response:

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*NHED has a shared vision and mission across the organization. This vision and mission reflect the important work of NHED reaching back to work begun in 2005 and consistently transitioned as changes in leadership have occurred over that period.*

*That initial work in 2005 centered around student learning and the importance of recognizing student learning – competency – as more relevant than time spent learning. This vision is inculcated throughout agency rules. As one example, unlike any other state, schools are required to offer 180 days of instruction, but students advance on proficiency.*

*In the fall of 2017, the agency contracted with the Council for Chief State School Officers and McKensy & Company, a leading global management consulting firm, to help facilitate organizational design and reorganization. During a two-day off-site meeting, agency leadership gained consensus around its vision and developed an organizational structure to implement that vision most effectively.*

*This work included the restructuring of, among other functions, the six dispute resolution processes. Through this work, the five processes which focused on conflict resolution were aligned in the Governance Unit (previously titled Office of Legislation and Hearings) reporting to the Commissioner through the Deputy Commissioner. The IEP facilitation process was retained in the BSES as it dealt with conflict avoidance compared to the other processes focused on conflict resolution. NHED will revisit this decision and, as appropriate, recommend change if it believes the initial decision should be changed.*

*In the fall of 2019, the leadership once again convened an off-site meeting refreshing and validating its commitment to its vision, which included commitments to meet as individual bureaus. In turn, the bureaus would review the vision and mission and collaborate on how the vision and mission related to the work of the individual bureaus. These meetings were facilitated internally by division leadership.*

*Since 2017, individuals hired from outside of NHED interview with the Commissioner and, as part of that interview process, the vision and mission as a learner-centered organization are shared with prospective employees. This helps them understand the vision and mission of NHED and inculcate the organization with a learner-centric culture.*

*As a result of this work, leadership believes that staff throughout the agency, even if they cannot articulate the specific words, understand the mission of supporting learners consistent with the agency vision and mission of:*

*Vision: Live Free and Learn*

*Mission: NHED advances learner centered opportunities that create bright futures.*

*In continuing its work toward its vision and mission, the agency, in response to the auditors' observations, will continue the on-going work of making sure there is organizational alignment, that NHED utilizes data informed strategies that incorporate goals and objectives, and that NHED regularly evaluates progress against those goals. In all these systems, NHED will continue to implement appropriate performance measures that are consistent with, for example, statutory timelines for dispute resolution and transparent communication about performance against those measures. NHED will also work to ensure that administrative rules are updated as necessary and conduct a review of staff's SJDs to ensure that they reflect the appropriate responsibilities and delegation of duties.*

**LBA Comment: We acknowledge NHED had a department-wide mission and vision in Observation No. 2. However, it was not incorporated into plans or operations to facilitate achievement of expected dispute resolution outcomes.**

**While NHED reports it held meetings regarding organizational structure decisions, NHED did not provide documented plans, assessments or evaluations which confirms our conclusion that management lacked a strategy, plans, and performance measures to demonstrate effectiveness and support changes NHED made to the organizational structure.**

## **Stakeholder Engagement And Collaboration**

A stakeholder is any person, group, or organization interested in or knowledgeable about special education dispute resolution. Management is responsible for understanding NHED objectives, related risks, and stakeholder expectations. Stakeholders could affect or be affected by NHED objectives making their engagement a critical part of effective dispute resolution management and necessary for setting expectations. Consistent stakeholder engagement and collaboration also promotes transparency, supports process improvement, and aids in using resources efficiently.

### **Observation No. 4**

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#### **Formalize Stakeholder Engagement And Collaboration Processes**

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Stakeholder engagement and collaboration processes were limited or informal. NHED did not assess responsibilities to determine whether it would benefit from leveraging resources through stakeholder partnerships. State law required NHED hire personnel or contract for services to ensure special education responsibilities were fulfilled, including monitoring, compliance, and support to stakeholders. Some stakeholder organizations independently provided certain related services and activities to the public. Formal processes would have helped NHED consistently and strategically obtain stakeholder feedback, identify needs, and prioritize and allocate resources. Without formal processes, NHED staff did not always fulfill statutory responsibilities, meet stakeholder expectations, or ensure transparency with dispute resolution processes.

## **Inconsistent Stakeholder Engagement And Collaboration**

Stakeholder engagement and collaboration were inconsistent during the audit period. NHED used materials from, or referred parents and LEAs to, stakeholder organizations for additional resources. At times, NHED created working groups consisting of staff and certain stakeholders to provide input on dispute resolution guidance or manuals. One manager also reported periodically communicating with advocates and associations, maintaining a stakeholder list to communicate updates or procedural changes, and holding routine calls with LEA special education administrators. However, we found collaboration and engagement varied among stakeholders which hindered NHED's ability to effectively identify needs and expectations, as described below:

- LEA special education administrators responding to our survey generally reported NHED communication was positive and effective, but some additional comments indicated inconsistent or ineffective collaboration occurred.
- Two stakeholder organizations reported decreases in collaboration, communication, and engagement, one of which specified declines occurred after NHED made changes to its operations in 2017. A third stakeholder organization reported routinely participating in NHED meetings and trainings.
- Although response rates were reportedly low, NHED staff consistently sent feedback questionnaires to participants of four dispute resolution processes. None were sent to participants of the other two processes.
- NHED working groups used for stakeholder input on manuals and guides were organized as needed without connection to an underpinning strategy. Staff acknowledged identifying stakeholders was challenging, and working groups did not always include appropriate representatives to obtain quality feedback and input.
- SAC members reported its relationship with NHED was generally positive but needed improvement. Members suggested more collaboration and that NHED provide necessary information to the SAC so it could effectively carry out its responsibility to advise the Commissioner on unmet special education needs.

Additionally, legislation created the Office of the Advocate for Special Education in July 2022. The new agency was to operate independently of NHED. However, there were certain overlapping duties between the Office of the Advocate for Special Education and NHED. Collaboration would be necessary to ensure overlapping responsibilities and expectations were understood, and resources were allocated efficiently. NHED reported there were no plans to collaborate and formalize expectations between the two agencies.

## **NHED And Stakeholder Resources Not Evaluated**

NHED did not evaluate staff resources and responsibilities or services provided by stakeholder organizations to hire sufficient personnel or contract for services according to State law. Some staff workloads were perceived to be unmanageable and certain responsibilities related to dispute



resolution monitoring, compliance, and support to stakeholders were unfulfilled. At times, staff reported they could not assist parents or LEAs without compromising neutrality.

NHED also did not develop controls to ensure information and services provided by stakeholder organizations aligned with NHED dispute resolution processes and addressed unmet needs. As a result, staff across NHED did not have a consistent understanding of non-NHED dispute resolution resources available to the public. Staff reported concerns about the sufficiency of services and information provided by stakeholder organizations. Some stakeholder organizations provided services in addition to or similar to certain NHED dispute resolution responsibilities and requirements. One stakeholder organization was federally required to carry out related activities such as providing training and information, helping parents with dispute resolution process options and procedural safeguards, and reporting on alternative dispute resolution. NHED management acknowledged developing a formal relationship and improving collaboration with appropriate stakeholder organizations could help address resource issues and provide the public better assistance.

### **Recommendations:**

**We recommend NHED management:**

- **formalize processes for identifying stakeholders, routinely collaborate and engage with stakeholders, and prioritize needs and expectations;**
- **develop methods to consistently obtain participant feedback from all dispute resolution processes;**
- **evaluate staff resources and stakeholder organizations' services to determine whether it would be beneficial to contract for certain services; and**
- **collaborate with stakeholder organizations to identify unmet stakeholder needs and inconsistencies between services provided to improve transparency and public assistance.**

### **NHED Response:**

*We concur with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*Auditors have appropriately defined "stakeholders" to mean "any person, group, or organization interested in or knowledgeable about special education dispute resolution." NHED routinely collaborates and engages with stakeholders and will evaluate its processes to determine if additional formalization of those processes is appropriate.*

*NHED will review the processes for receiving feedback on the varying dispute resolution processes and develop a consistent procedure for obtaining feedback.*

*NHED surveys all clients at the conclusion of a dispute resolution process—due process complaints, mediation, and neutral conference—to obtain feedback on how well that process is*

functioning. NHED has historically viewed IEP facilitation as a pre-cursor to the conflict resolution process. As such, NHED has not surveyed participants in IEP facilitations, however NHED will evaluate the value of implementing feedback on facilitated IEPs.

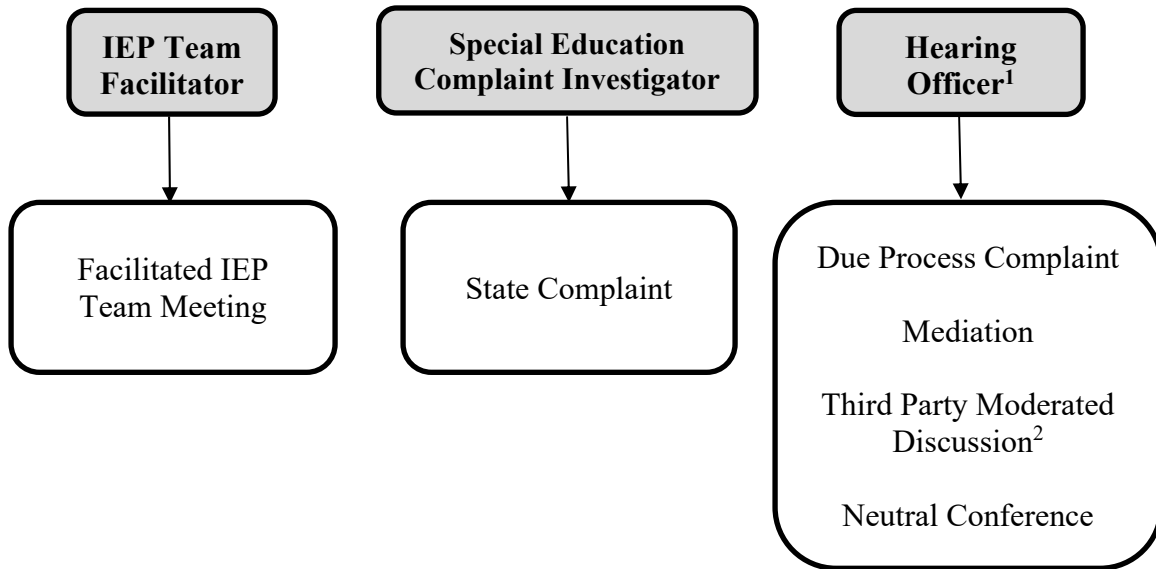
### Contract Management

Effective contract management helps agencies fulfill responsibilities and public expectations, support programmatic objectives, and reduce fraud and waste risks. Clear and comprehensive contract terms provide contractors with applicable requirements and expectations. Management was responsible for developing procedures to train, monitor, and evaluate contractor performance to ensure accountability, qualifications were maintained, and expectations were met.

NHED staff managed three types of dispute resolution contracts during the audit period. Figure 8 shows the contract type and corresponding dispute resolution processes.

Figure 8

#### Contract Type And Corresponding Processes



Notes:

<sup>1</sup>. Contract included other non-special education dispute resolution processes not shown here.

<sup>2</sup>. Contract did not specify third party moderated discussions. However, contractors conducted work and billed for this process under the hearing officer contract.

Source: LBA analysis of NHED contracts.

Facilitated IEP team meeting, State complaint, and due process complaint options were only available for special education disputes. Three dispute resolution process options – mediation,

neutral conference, and third party moderated discussion – were available for both non-special education and special education disputes.

- *Facilitators* improved communication among parties during IEP team meetings.
- *Investigators* conducted impartial investigations of State complaints which resulted in a written report with recommendations to the Commissioner.
- *Hearing officers* were also referred to as “mediators,” “neutrals,” or “moderators” and provided different impartial services depending on the process they were assigned. Hearing officers also conducted two additional non-special education dispute resolution processes, which we did not review for effectiveness.

Hearing officer contracts were funded with 35 percent federal funds and 65 percent State general funds. Investigator and facilitator contracts were funded with 100 percent federal funds. Table 5 shows authorized contract amounts, payments made according to invoice date, and payments made according to payment date from SFYs 2020 through 2022. We did not reconcile discrepancies between payments according to invoice date and payments according to payment date.

Table 5

## NHED Contractor Payments, SFYs 2020–2022

	Authorized Contract Amounts	Payments By Invoice Date <sup>1</sup>	Payments By Payment Date <sup>2</sup>
<b>SFY 2020</b>			
Facilitators	\$ 5,000	\$ 2,380	\$ 2,518
Investigators	\$ 84,000	\$ 46,160	\$ 44,713
Hearing officers <sup>3</sup>	\$ 77,500	\$ 30,411	\$ 30,065
<b>Total</b>	<b>\$ 166,500</b>	<b>\$ 78,951</b>	<b>\$ 77,296</b>
<b>SFY 2021</b>			
Facilitators	\$ 5,000	\$ 1,443	\$ 1,443
Investigators	\$ 84,000	\$ 35,679	\$ 35,484
Hearing officers <sup>3</sup>	\$ 77,500	\$ 30,232	\$ 43,129
<b>Total</b>	<b>\$ 166,500</b>	<b>\$ 67,354</b>	<b>\$ 80,056</b>
<b>SFY 2022</b>			
Facilitators	\$ 5,000	\$ 3,940	\$ 3,190
Investigators	\$ 60,000	\$ 33,967	\$ 39,935
Hearing officers <sup>3</sup>	\$ 77,500	\$ 23,355	\$ 28,035
<b>Total</b>	<b>\$ 142,500</b>	<b>\$ 61,262</b>	<b>\$ 71,160</b>

## Notes:

- <sup>1</sup> Invoices may not have been submitted in the same SFY in which services were provided.
- <sup>2</sup> Payments may have not been made in the same SFY in which invoices were submitted or services were provided.
- <sup>3</sup> Includes due process complaints, mediations, neutral conferences, third party moderated discussions, and other hearings, some of which were non-special education.

Source: LBA analysis of vendor contracts and NH FIRST data.

**Observation No. 5****Develop And Implement Contract Management Controls**

Special education dispute resolution contract management was ineffective. NHED lacked comprehensive controls. Existing controls were limited and unimplemented, and monitoring was inadequate. NHED did not centralize or standardize contract controls which resulted in inconsistent contract management throughout NHED and contractor noncompliance. Instead, three staff were individually responsible for oversight of each contract associated with the corresponding special education dispute resolution processes they administered.

## **Incomplete Contract Terms**

Contract requirements and scope of services were incomplete. Contract terms should have been clear, detailed expectations for deliverables and training, and included specifically, or by reference, relevant laws, rules, and policies or procedures to ensure contractors were aware of all requirements. Hearing officers were contracted to conduct some of the most complex and different types of work compared to the other two types of contractors. While hearing officer contracts appropriately included a larger scope of work compared to the investigator and facilitator contracts, none had complete contract terms which accurately reflected expectations and requirements. Incomplete contract terms contributed to ineffective contract management and contractor noncompliance.

Facilitator and investigator contract scope of services were minimal and generalized without specifying details of deliverables, training expectations, or relevant regulations or policies. A single requirement was specified that the facilitator conduct up to eight NHED-assigned IEP team meetings each year. Investigator contract requirements were included for written investigation reports and monthly reports but excluded detailed expectations on deliverables.

Hearing officer contracts included a 28-point scope of services outline with a reference to a procedural handbook and expected deliverables. However, it did not include training requirements, relevant regulations, or invoice due dates such as monthly submissions or upon case closure. Additionally, although hearing officers were assigned by NHED to conduct third party moderated discussions, the process was not included in their contracts.

## ***Unfulfilled Contract Requirements***

NHED lacked comprehensive controls to ensure contractors fulfilled contract expectations. Policies and procedures did not exist, and other controls were informal or unimplemented. Certain requirements and deliverables were unfulfilled for all three contract types.

### ***IEP Team Facilitator***

Staff reported tracking scheduled meetings, documentation received, and meeting requests. However, tracking was not used to ensure contract requirements were fulfilled or implemented for most of the audit period. Some controls that were once in place were no longer managed by NHED. For example, management was unable to locate a NHED copy of a December 2016 manual the facilitator reportedly used for their work. Consequently, IEP team meeting records inconsistently contained documentation demonstrating fulfillment of general responsibilities. The facilitator also scheduled several IEP team meetings without informing NHED, instead of NHED assigning the facilitator to IEP team meetings per the contract. The contractor exceeded the contractual limit of eight facilitated IEP team meetings in two out of three SFYs in the audit period.

### ***Special Education Complaint Investigator***

NHED lacked controls to ensure on-site visits occurred when necessary. Although on-site visits were contractually required, staff reported investigations were conducted through remote or

telephone interviews supported with electronic documentation. In-person meetings or visits did not occur; however, an investigator reported making on-site visits to assist with certain investigations. During part of the audit period, one investigator could not fulfill the on-site visit requirement due to living in another state.

### *Hearing Officer*

Contract requirements that also served as procedural controls were unenforced and not fulfilled, including: 1) following the *Hearing Officers' Guide to Administrative Process (Hearing Officers' Guide)*, 2) using NHED checklists to maintain records and conduct prehearings, and 3) filing weekly case reports. Additionally, the purpose of the *Hearing Officers' Guide* contradicted the contract requirement to follow it by stating, “[i]t is simply a presentation of some recommended procedures and sample forms.” NHED staff and one contractor also reported forms and checklists within the *Hearing Officers' Guide* were not required. As a result, invoice submissions were uncontrolled and case records were incomplete and untimely. Instead of submitting weekly reports, case status updates were informal, untimely, and inconsistently prompted by staff on a case-by-case basis.

### **Regulatory Noncompliance**

NHED lacked controls to ensure contractors complied with federal and State special education laws and rules during dispute resolution processes. Other State laws were not incorporated in requirements and enforced, such as records management laws. Rather than proactively reducing noncompliance risk through effective supervision and monitoring, staff reported specific noncompliance was addressed when it was brought to their attention. Inadequate oversight of contractor compliance also risked providing stakeholders inconsistent and subjective dispute resolution services which compromised parental rights.

We could not always determine contractor compliance during the audit period due to: 1) records management issues, 2) a low population of applicable cases, or 3) the amount and complexity of due process hearing requirements. Additionally, 2015 legislation repealed facilitated IEP team meetings from statutory alternative dispute resolution process options. Third party moderated discussions were not appropriately adopted in State law or rules. Therefore, any specific facilitator or moderated discussion requirements were ad hoc rules and could not be enforced for compliance. However, we did identify several areas of contractor noncompliance or indicated noncompliance.

Some State complaint investigation decisions exceeded the 60-day time limit, none of which had extensions. Hearing officers inconsistently complied with requirements related to case record documentation, adjudicative processes, challenges to the sufficiency of due process complaints, extensions, due process hearing recordings, and dispute resolution result submissions. Contractors were not always assigned to cases in accordance with independence or scheduling requirements for investigations, mediations, and neutral conferences. We provided NHED management our detailed review of the regulatory framework in May 2023 which included examples of contractor noncompliance.

## **Insufficient Contractor Training And Evaluations**

NHED lacked controls to ensure contractors received ongoing training and performance evaluations. Ongoing training and performance evaluations would have helped management establish expectations, assess contractor work quality, ensure qualifications were maintained, and address areas for improvement. In practice, ongoing training and performance evaluations were dependent on the contractor type and NHED staff.

One investigator reported receiving more formalized consistent training prior to the audit period, but other contractors reported receiving informal, inconsistent, or no training during the same time period. During the audit period, hearing officer training was not formalized or always mandatory. However, staff reported NHED held several informational meetings, encouraged contractors use nationally available professional development resources for due process hearings, and allowed hearing officers to consult with each other as part of contracted work. Except for one investigator training session in July 2020, investigators and facilitators did not receive ongoing training during the three-year audit period. A statutorily required 2016 independent evaluation of the BSES recommended management ensure investigators specifically received ongoing trainings.

While hearing officers received performance evaluations, the other two types of contractors did not. Lack of ongoing training and performance evaluations contributed to noncompliance with regulatory and contract requirements. Several stakeholders and nine of 23 parents (39.1 percent) responding to our survey also reported dissatisfaction or concerns with contractor compliance, knowledge, or skills.

### **Recommendations:**

#### **We recommend NHED management:**

- **develop comprehensive policies and procedures for managing contracts, regularly monitoring contractors for compliance, and enforcing requirements;**
- **incorporate clear, detailed, and complete contract terms including expectations for deliverables, training, and relevant regulatory and procedural requirements;**
- **formalize and implement ongoing training that focuses on maintaining qualifications and areas of improvement; and**
- **implement periodic performance evaluations for all contractors.**

**NHED's responses to our recommendations are presented below. NHED additionally provided detailed comments, which are in Appendix B.**

#### **NHED Response:**

*We concur with the recommendations.*

*The Division of Learner Support has a current policy in place for contracting that the BSES follows as all contracting and invoicing related to special education dispute resolution procedures*

*runs through BSES. BSES will continue to follow that policy as this policy was not previously implemented for these contracts.*

*Facilitators are provided an opportunity to take advantage of a national training each year. BSES will consider formalizing training requirements for facilitators.*

*NHED will assess the need to develop additional internal controls and update existing policies and procedures relating to contract development, training, and standardization for drafting of contract terms, contract management, oversight review of deliverables under contracts, formalized training of contractors, and implementation of formal performance evaluations for contractors to ensure consistency across the agency.*

*The Governance Unit strives to hold consistent meetings with the Hearing Officers to identify and discuss issues which have arisen during hearings and relevant statutory changes. All Hearing Officers are offered and encouraged to attend the Center for Appropriate Dispute Resolution in Special Education (CADRE) training courses. NHED will continue to offer consistent training opportunities to the Hearing Officers and assess whether to include training requirements as part of the contract.*

*NHED will continue to provide State complaint Investigators appropriate training opportunities and will assess whether that training requirement should be part of the contract.*

*NHED has used the third-party discussion lead by moderator since 2013 on the advice of the Attorney General's Office after meeting with stakeholders. Emails from the Attorney General's office documenting this guidance were provided to the auditors. NHED is seeking legislation to add elements of the third-party discussion lead by moderator into its neutral conferencing process to preserve the beneficial attributes of third-party discussion lead by moderators.*

*NHED has worked with stakeholders for approximately the past two years to update its Parent Guide and will work to update the Hearing Officer Guide to ensure that it is consistent with the administrative rules.*

*NHED has sought assistance and training for the development of Request for Proposals from the Attorney General's office and anticipates NHED staff may receive additional training to permit the improvement of internal processes during the fourth quarter of FY 2024.*

### ***Sufficient And Strategic Contracting***

Effective management of an agency's workforce, including recruiting and retaining contractors, is essential to achieving intended results. Successful contracting approaches operate strategically by establishing goals and objectives to support a broader agency mission. Periodic assessments are necessary to inform timely contract designs and amendments. Special education dispute resolution contracting processes should have received periodic assessment based on review of regulatory requirements, NHED and stakeholder needs, contractor performance, and expected vacancies.



Six of eight dispute resolution processes offered through NHED-contracted services were available for special education disputes. Management was responsible for ensuring there were enough qualified contractors to impartially conduct special education dispute resolution processes.

### **Observation No. 6**

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#### **Implement Strategic Contracting Processes And Assessments**

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NHED lacked processes to strategically assess its contracting needs. Management did not ensure NHED consistently contracted with enough qualified individuals to fulfill dispute resolution regulatory and contract requirements. Although no formal assessments were undertaken, staff reported difficulties in recruiting enough individuals for all six special education dispute resolution processes. As a result, noncompliance with scheduling requirements occurred, some contractors did not conduct certain processes for which they were contracted, and some processes were inconsistently available to the public.

#### **Issues With The Number Of Contracted Facilitators**

The number of facilitated IEP team meetings conducted exceeded contract limitations in two out of three SFYs. The facilitator was inconsistently available for requested IEP team meetings. NHED facilitated IEP team meeting records were unreliable, and the total number of meetings during the audit period was unknown. Based on available records, we identified 60 requests for a facilitator from SFYs 2020 through 2022, 44 (73.3 percent) of which we could determine a meeting occurred. Staff reported three to five facilitators were preferred, but NHED contracted with one individual since December 2016. Although the facilitator was limited to up to eight meetings each year of the contract, we found ten facilitated meetings occurred in SFY 2020, six in SFY 2021, and 28 in SFY 2022. We separately identified two additional meetings in SFY 2020 and one in SFY 2022 which were reported on contractor invoices without supporting documentation.

The facilitator implemented personal scheduling restrictions, was unavailable at other times due to accepting requests without NHED staff's knowledge, and did not accept requests from certain LEAs to avoid potential conflicts of interest. Additionally, parties dissatisfied with facilitator services did not have the option to request another facilitator. We identified six requests (10.0 percent) that resulted in delays because the facilitator was unavailable. There were four instances wherein parties expressed concerns about the facilitator and services provided. Facilitated IEP team meetings were described as a process to help communication between parties, usually before seeking another dispute resolution process option. Without enough facilitators, parties sometimes had to decide whether an IEP team meeting could occur without a facilitator or choose to spend more time and resources to file a request for one of the other dispute resolution process options. If facilitated IEP team meetings were ordered as part of an agreement or corrective action from other dispute resolution process results, there was also a risk they could not be fully implemented. In May 2023, management reported a second facilitator had been contracted.

#### **Issues With The Number Of Contracted Investigators**

The number of contracted State complaint investigators negatively impacted scheduling, and one investigator could not always fulfill a statutory requirement included in their contract. According

to NHED records, there were 114 State complaints filed from SFYs 2020 through 2022, 88 (77.2 percent) of which a contractor conducted an investigation. Staff reported NHED could contract with up to five individuals, and that was the preferred number of investigators. Although NHED contracted with four investigators in SFY 2020, there were three investigators for most of the audit period. State complaint investigations were assigned nearly evenly among these three investigators. However, scheduling issues reportedly happened occasionally when multiple State complaints were filed, but no investigators were available. Additionally, one of the three investigators could not consistently fulfill the requirement to conduct on-site visits when necessary due to living in another state for part of the audit period.

Regardless of scheduling issues, the 60-day federal time limit for an investigation and final decision had to be met. We reviewed a judgmental sample of 39 State complaints, 26 (66.7 percent) of which resulted in a report to the Commissioner and final decision. Sixteen of 26 decisions (61.5 percent) were issued on day 60, and five (19.2 percent) were issued past the 60-day time limit. It was unclear which cases were affected by scheduling issues. Staff did not document dates investigators were assigned State complaint investigations.

Contracting and retaining enough investigators continued to be an issue. In June 2022, management reported NHED was in the process of contracting a fourth investigator. In February 2023, management also reported an investigator indicated they would not submit a bid for contract renewal.

### **Issues With The Number Of Contracted Hearing Officers**

The number of contracted hearing officers was not enough for NHED to comply with certain scheduling requirements. Not all hearing officers conducted each contractually required dispute resolution process which further restricted scheduling options. Contracting and retaining enough hearing officers was a longstanding issue. Hearing officers could be any individual knowledgeable about special education laws and due process hearing requirements. In practice, NHED only contracted with attorneys to conduct due process hearings. The number of qualified attorneys in the State was reportedly low and it was difficult to attract their services. Additionally, hearing officers became responsible for more dispute resolution processes over time without formal assessments to support contracting decisions. Neutral conferences were added to their responsibilities in 1994, mediations were added in 1996, and third party moderated discussions were added in 2013. Mediations were previously conducted by volunteers, but the process reportedly became too complicated for volunteers to effectively manage.

Based on available records, hearing officers were assigned to 223 dispute resolution cases from SFYs 2020 through 2022, of which 169 (75.8 percent) were for special education issues. However, the total number of assignments during the audit period was unknown. Mediation as part of a due process hearing was not required, and assignments were not included in NHED data. We separately identified and included 11 assignments to mediation as part of due process hearings. We could not determine the number of additional applicable assignments.

Staff reported hearing officers were assigned to dispute resolution cases on a rotational basis. Staff also described five or six hearing officers as sufficient including when caseloads increased. During

SFYs 2020 through 2021, NHED contracted with five hearing officers. A sixth hearing officer was contracted in SFY 2022. However, hearing officers were inconsistently available for assignments as noted below:

- One hearing officer requested to not conduct due process and other types of hearings.
- A second hearing officer had limited availability for part of the audit period due to personal circumstances.
- A third hearing officer was in training during the audit period and was not assigned cases.

Additionally, assigning cases on a rotational basis was not always compliant with statutory requirements. Hearing officers, or mediators, had to be assigned to mediations on a regional basis. For neutral conferences, NHED had to provide parties resumes of five hearing officers, or neutrals, and parties agreed on a neutral for appointment. Staff acknowledged there were not enough hearing officers to comply with mediation scheduling requirements. Neutral conference scheduling requirements were unimplemented. Regardless, distribution of both special education and non-special education dispute resolutions indicated assignments were not always equal or based on rotation as shown in Table 6.

Hearing officers B and D were assigned over half of the total cases with 131 out of 223 (58.7 percent) assigned between the two. The same two hearing officers received over half of due process hearing assignments with 89 out of 114 (78.1 percent) assigned between the two. Hearing officer C did not conduct any due process hearings, while Hearing officer E did not conduct any mediations. There were not enough neutral conference or third party moderated discussion cases during the audit period to conclude on assignment distribution for these processes. Noncompliance with scheduling requirements and inconsistent availability for contracted dispute resolution processes hindered public transparency and risked the appearance of bias.

**Table 6**

**Hearing Officer Assignments For Special Education  
And Non-special Education Dispute Resolutions,  
SFYs 2020–2022**

<b>Hearing Officer Assigned</b>	<b>Special Education Dispute Resolution Assignments</b>					<b>Non-Special Education Dispute Resolution Assignments</b>			<b>Total</b>
	Due Process Hearing	Mediation As Part Of Due Process	Mediation	Neutral Conference	Third Party Moderated Discussion	Mediation	Third Party Moderated Discussion	Other <sup>1</sup>	
<b>A</b>	6	2	13	1	1	0	1	4	<b>28</b>
<b>B</b>	44	1	4	1	1	0	0	4	<b>55</b>
<b>C</b>	0	6	12	1	2	0	1	18	<b>40</b>
<b>D</b>	45	2	7	0	1	1	1	19	<b>76</b>
<b>E</b>	19	0	0	0	0	0	0	5	<b>24</b>
<b>Total</b>	<b>114</b>	<b>11</b>	<b>36</b>	<b>3</b>	<b>5</b>	<b>1</b>	<b>3</b>	<b>50</b>	<b>223</b>

Notes:

<sup>1</sup> Category includes two dispute resolution processes only available for non-special education issues.

Source: LBA analysis of unaudited NHED data.

Contracting issues continued after the audit period which further emphasized the importance of strategically assessing requirements, NHED and stakeholder needs, contractor performance, and vacancies. Staff reported no cases were going to be assigned to the hearing officer who was in training during the audit period. Staff did not provide a reason for lack of case assignments when we inquired, but one stakeholder had specific concerns about the hearing officer's qualifications. Instead of ending the contract due to the inability to fulfill contract requirements, NHED planned to have the hearing officer serve the remainder of the contract through SFY 2023 without any assignments. Additionally, the services of a long-serving hearing officer became unavailable after the audit period due to circumstances for which NHED could have prepared to timely address if it had conducted periodic assessments and developed related plans.

**Recommendations:**

**We recommend NHED management:**

- **establish procedures to periodically conduct a comprehensive and strategic assessment of contract and regulatory requirements, NHED and stakeholder needs, contractor performance, and expected vacancies;**
- **incorporate contracting goals and objectives into a strategic plan;**
- **determine the appropriate number of contractors to impartially assign dispute resolution processes in compliance with scheduling requirements;**
- **evaluate and timely implement changes to existing contracts to accurately reflect each contractor's required scope of work;**
- **determine whether contract redesigns are necessary to effectively acquire contracted services and achieve goals and objectives; and**
- **ensure contractors fulfill all requirements for which they are contracted.**

**NHED Response:**

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*BSES conducts Requests for Proposals seeking qualified individuals as hearing officers and special education complaint investigators on a regular basis. A tight job market makes the recruitment of qualified individuals difficult and it would be unsatisfactory to our constituents to provide them with unqualified support services. For example, NHED budgets and posts for five (5) special education complaint investigators but was only able to secure and fill three (3) positions. NHED will continue to seek additional avenues of recruitment to include mediation firms or other qualified resources to continue to meet the need of the organization.*

*While mediators do not have to be attorneys, it is important to note that NHED previously utilized non-legal mediators but has since made a policy decision to use attorneys. This decision overcame the problem of school district attorneys treating mediators poorly and gave the process more "weight" and effectiveness.*

*Facilitated IEP team meeting records are available. The NHED will evaluate compiling the data and its reporting needs and requirements. The language regarding the number of meetings is a difference of interpretation between NHED and the auditors. The BSES has historically called all of the meetings in a case for facilitation as one meeting per the Individuals with Disabilities Act of 2004 (IDEA). The IEP meeting is one “meeting” over several days. The BSES will review the contracts with IEP facilitators for accuracy in documenting the number of meetings.*

*BSES and the Governance Unit will review the existing contracts to ensure they accurately reflect the scope of work required. BSES reviews contracts each time they are set to end to ensure that the terms of the contract meet the on-going business needs. The number of appropriate contractors is determined for each area of dispute resolution.*

*The Division of Learner Support has a current policy in place for contracting that BSES follows as all contracting and invoicing related to special education dispute resolution procedures runs through the BSES. BSES will continue to follow that policy. This policy was not previously implemented for these contracts.*

*With the implementation of the procedure for contracts from the Division of Learner Support, the invoicing requirements will clearly outline if the contract requirements have been fulfilled. The BSES currently has a policy in place by which invoices for special education hearings which are submitted late are not paid. The Governance Unit will modify hearing officer contracts to require invoices be submitted to NHED within 90 days of service to be eligible for payment and look to see if it can create similar policies for other hearing officer activities which are submitted late.*

## **Impartiality And Independence**

Federal laws and regulations required impartiality and independence for State complaint, due process complaint, and mediation processes. Management was responsible for identifying related risks and establishing procedures to ensure impartiality and independence during all special education dispute resolution processes NHED offered. State *Code of Ethics* laws provided minimum standards to help NHED increase transparency and avoid related risks, such as conflicts of interest. Developing supplemental guidance to address issues specific to dispute resolution processes would have helped reduce conflict of interest risks for staff, contractors, and participating stakeholders.

### **Observation No. 7**

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#### **Improve Controls Over Conflicts Of Interest**

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NHED lacked adequate controls over potential and actual conflicts of interests to ensure staff and contractors fully understood, implemented, and followed impartiality and independence requirements. NHED laws and rules reflected broad federal requirements with some additional impartiality requirements specific to: 1) hearing officers during a due process hearing, and 2) scheduling contractors for neutral conferences and mediations. There were limited disclosure requirements and no formal procedures for staff, contractors, and parties to disputes to disclose

potential conflicts of interest. NHED did not develop optional supplemental guidance for State *Code of Ethics* laws.

We reviewed special education dispute resolution regulatory requirements. While our work was focused on NHED controls and not designed to find every issue, we found gaps between federal and State impartiality requirements, some requirements were informally established resulting in ad hoc rules, and staff inconsistently identified and addressed conflicts of interest during dispute resolution processes. We provided the detailed results of our review to NHED management in May 2023.

### **Lack Of Comprehensive Impartiality And Independence Requirements**

NHED lacked comprehensive impartiality and independence requirements. Federal requirements were limited. Specifically, hearing officers and mediators could not: 1) be an NHED employee, 2) be an employee of the LEA involved with education of the child, or 3) have a personal or professional interest which compromised their objectivity. Mediators also had to be appointed on a random, rotational, or other impartial basis. State complaints required independence during investigations and final decisions.

State law and rule expanded on federal requirements for certain dispute resolution processes but not others. State law required mediators be assigned on a regional basis and neutral conference contractors had to be appointed after NHED provided five resumes for parties to agree on a neutral individual. Rule established eligibility requirements for serving as an impartial hearing officer and circumstances for recusal during due process hearings. Rule also prohibited an individual who conducted a mediation or neutral conference to be appointed as a hearing officer on the same issue if it progressed to a due process hearing. There were no additional impartiality State requirements for State complaints, and none were established for third party moderated discussions or facilitated IEP team meetings.

Other informal requirements were established in guides resulting in ad hoc rules or conflicts with State law or rule. For example, guides included an exception for hearing officers to recuse themselves from a due process hearing, while rules did not provide for exceptions in the same circumstances. Additionally, NHED contracted individuals to serve as hearing officers for multiple dispute resolution processes. However, hearing officer impartiality requirements were not clearly applicable to all processes for which these individuals were contracted. Requirements were adopted in a section of rules specific to due process hearings which stated “[t]he commissioner... shall enter into contracts with... individuals... to serve as impartial *due process hearing officers at administrative due process hearings.*” [emphasis added] Hearing officer impartiality requirements were also incorporated under the due process hearing section of guides but not other sections.

### **Lack Of Procedures For Identifying And Disclosing Conflicts Of Interest**

NHED did not develop and implement procedures to identify and disclose conflicts of interest and ensure impartiality. Neither did it develop controls to consistently implement limited impartiality

requirements it did establish. Examples of unimplemented procedures and lack of controls are described below:

- NHED did not establish procedures to identify and disclose conflicts of interest for five of six dispute resolution processes. Neutral conferences had some disclosure requirements in State law, but other disclosure requirements were informal and limited to the contractor having to disclose a conflict after being assigned a case. None of the requirements for these processes specified how to disclose a conflict, addressed how *parties* should disclose conflicts they may have during the dispute, or included instructions on documenting the disclosure in the case record. Staff reported if disclosures were received, they were generally communicated via telephone or email.
- NHED did not develop controls to implement impartiality requirements established in law and rule for individuals conducting due process hearings, mediations, and neutral conferences. For example, management did not require attestations that no conflicts existed prior to contractors accepting and conducting each process.
- NHED established an incomplete ad hoc process in guides to disclose conflicts of interest during due process hearings. It was limited to a party's disclosure of a conflict with a hearing officer. It also conflicted with rules for adjudicative proceedings, which required a motion instead of a request. The process itself also inherently posed a potential conflict of interest. Parties who had a conflict of interest with their hearing officer had to disclose their conflict to that same hearing officer. That hearing officer was also then responsible for deciding whether to recuse themselves from the case. There was no NHED review to objectively determine whether a conflict existed.
- NHED did not implement statutorily required mediation and neutral conference scheduling requirements which were intended to help ensure transparency and prevent bias. Instead, scheduling reportedly occurred on a rotational basis among all contractors, but some contractors did not conduct certain dispute resolution processes as required. This compromised transparency and created a potential appearance of bias.
- NHED was federally required to develop procedures to ensure independent investigations and decisions occurred, but procedures were limited and did not sufficiently reduce impartiality and independence risks.

### **Identified Conflicts Of Interest Inconsistently Addressed**

Conflicts of interest were inconsistently identified by staff, addressed, and documented during the audit period. Three respondents to our parent survey claimed conflicts of interest occurred with either the contractor or other individuals, but stated they did not know how to report the conflicts of interest. Follow up responses to our survey question indicated these instances were not addressed. Other stakeholders reported concerns regarding unaddressed conflict of interest risks such as the same hearing officer being assigned one type of dispute resolution process over others, or parties receiving the same contractor for multiple dispute resolution processes which could lead to bias over time.



NHED did not sufficiently address conflicts of interest for facilitated IEP team meetings. NHED contracted with one facilitator during the audit period. The facilitator reported they would not conduct meetings for a specific LEA due to a potential conflict of interest. Staff were unaware of any conflicts or potential conflicts of interest but reported if one was identified, parties would not be able to receive requested facilitated IEP team services since no other contractors were available. While we did not identify explicit conflict of interest issues in the 60 facilitated IEP team meeting requests we reviewed, parties expressed concerns about using the contracted facilitator for their meeting in two separate cases.

In our review of a judgmental sample of 39 State complaints, staff noted on an internal tracking spreadsheet that an investigator was reassigned to one case due to a conflict of interest. However, the reason was not provided, and there was no indication or documentation of a conflict in the case record. We also identified three additional State complaints containing conflicts of interest. An investigator reported a fourth which was not part of our review. Staff and the investigator did not identify these as a conflict of interest when they occurred. These four instances are described below:

- In the first case, a former staff member responsible for administering State complaints initiated a complaint against an LEA on behalf of NHED. The NHED Commissioner was responsible for making the final decision on the complaint based on an independent investigator report. Although federal regulations allowed organizations to file a State complaint, it also required NHED develop procedures and take appropriate actions to ensure an independent investigation and decision occurred. However, NHED did not develop adequate procedures and take appropriate actions. The same staff member who filed the State complaint continued to administer the complaint, an independent investigator was not assigned, and an investigation did not occur. The Commissioner subsequently issued an untimely decision without a required investigation. Required corrective actions were also not sufficiently verified.

When we inquired with NHED about this case, current staff speculated the State complaint was initiated to address systemic issues from multiple complaints. Staff also acknowledged there were no corresponding procedures. However, NHED was required to monitor the special education program, including LEAs for compliance. Well-designed monitoring controls could have helped NHED avoid conflict of interest risks and use appropriate resources efficiently and effectively to identify and address systemic issues.

- In the second and third cases, an LEA response to a State complaint included information noting an NHED staff member formerly responsible for administering complaints assisted in an investigation of a prior complaint against the LEA. State law allowed the Commissioner to assign staff for conducting independent investigations. However, NHED only used independent contractors to conduct investigations, and there were no procedures to appoint independent staff. Also in the LEA response, the same staff member reportedly provided inaccurate information to the LEA which adversely affected a student's services. This inaccurate information directly contributed to LEA noncompliance and resulted in the eventual State complaint against the LEA. The staff member continued to administer this complaint and a subsequent complaint against the same LEA.

- In the fourth case, an investigator reported an NHED staff member assisted with an on-site investigation. The staff member who assisted was the same individual responsible for administering the State complaint.

### **Recommendations:**

#### **We recommend NHED management:**

- **develop supplemental ethics guidance to identify and address risks specific to dispute resolution;**
- **address gaps between federal and State impartiality requirements and develop procedures to ensure requirements are consistently implemented;**
- **comply with State complaint independence and investigation requirements, adopt required procedures, and ensure procedures effectively address independence;**
- **develop procedures for parties and contractors to disclose conflicts of interests;**
- **seek necessary changes to laws and request rules from the State Board of Education;**
- **update guides to reflect impartiality requirements and disclosure processes adopted in laws and rules;**
- **develop comprehensive policies and procedures for staff to identify, review, address, and document reported conflicts of interest; and**
- **provide conflict of interest training to staff and contractors.**

### **NHED Response:**

*We concur with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*NHED has consistently addressed conflicts of interest with IEP facilitators, special education complaint investigators, and hearing officers verbally and has handled specific conflicts of interest on a case-by-case basis. However, NHED will take this opportunity to create written policies which address conflicts of interest and incorporate a provision about conflicts of interest into the contracts with IEP facilitators, State complaint investigators, and hearing officers to ensure consistency on this issue.*

### **Special Education Dispute Resolution Costs**

NHED, LEAs, parents, and other stakeholders incurred both monetary and non-monetary costs to administer or use special education dispute resolution processes. NHED was federally required to implement and offer three dispute resolution process options – State complaints, due process complaints, and mediation. Federal laws and regulations were designed to alleviate some associated costs with these three processes. For example, certain payments or fees were prohibited, information for free or low-cost services had to be provided in specific circumstances, administrative and procedural burden on LEAs was restricted, and local resolution when possible

was encouraged. NHED could offer additional dispute resolution process options after obtaining statutory authority and adopting required rules and procedures.

NHED was responsible for ensuring its rules and procedures were at the minimum level necessary to implement laws without needlessly increasing the impact on stakeholders. A fiscal impact statement was statutorily required for each proposed rule. The statement had to include a narrative of the intended action with supporting data as to the costs and benefits to the State, the public, and political subdivisions. The Commissioner also had to issue an annual report on all special education rules exceeding minimum requirements in State or federal laws, including for dispute resolution processes.

A comprehensive understanding of costs was essential to develop and administer dispute resolution processes efficiently and effectively, comply with related requirements, and demonstrate achievement of outcomes. Conducting cost benefit analyses would have specifically helped NHED demonstrate effectiveness and returns on resources invested by LEAs, parents, and other stakeholders. Adequate controls could have helped ensure continued effectiveness and reduced the risk of fraud and waste.

### **Observation No. 8**

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#### **Obtain An Understanding Of Costs And Develop Financial Controls**

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Controls over administration of dispute resolution processes and contractor payments were inadequate which resulted in waste and increased fraud risk. NHED lacked procedures to accurately track staff and contractor special education dispute resolution costs. NHED did not fully understand costs stakeholders incurred to use dispute resolution processes. Management could not determine effectiveness and make necessary improvements without adequate controls and a comprehensive understanding of associated costs.

#### **Unidentified NHED Costs**

NHED did not track costs to determine the amount of time managers and staff specifically spent on special education dispute resolution versus unrelated responsibilities and activities. Its organizational structure may have further complicated NHED's ability to accurately determine costs and efficiently distribute resources. Managers and staff with special education dispute resolution responsibilities were located in offices, units, and divisions across NHED. During the audit period, four of five managers and staff had other non-special education dispute resolution responsibilities, and the fifth eventually acquired other unrelated responsibilities. Salaries were also paid from multiple NH FIRST accounting units dispersed throughout NHED's special education and non-special education budgets. This further complicated management's ability to determine staff costs specific to special education dispute resolution.

Additionally, some salaries and activities were funded from a mix of sources. Federal funds could be used for eligible special education program costs, with portions reserved for specific activities. Special education federal funds could not be used for ineligible costs or activities. Some dispute resolution process options were also available for non-special education issues, which were not part of the special education program. We identified two mediation cases and three third party

moderated discussion cases which were miscategorized or not clearly categorized as a special education or non-special education dispute in NHED data. NHED wasted dispute resolution resources in one of these third party moderated discussion cases. Specifically, the issue was not related to special education *and* not applicable to the purpose of providing third party moderated discussion. Without sufficient cost tracking and controls, NHED could not ensure State and federal funds were consistently expended appropriately.

### **Inadequate Contractor Payment Controls**

Contractor payment controls were inadequate and insufficient to reduce fraud risk. NHED lacked procedures to ensure an accurate accounting of contractor work, invoices, and payments. We reviewed contractor payment data provided by NHED for SFYs 2020 through 2022. We found NHED data was incomplete after comparing it with information we retrieved from NH FIRST, the State's financial management system.

Although invoices received secondary approval prior to payment, other controls intended to facilitate effective oversight of payments were not comprehensive and not always implemented. Contractors inconsistently submitted invoices on a timely basis. Staff inconsistently reconciled invoices with sufficient evidence verifying work was performed. For example, hearing officers and facilitators filled out a template describing work performed with a corresponding invoice. However, NHED did not consistently establish or enforce time limits for submitting invoices, and no other documentation was specifically required at the time of submission to support the information provided on the template and invoice. Records management issues also hindered NHED's ability to verify the accuracy of invoice submissions.

During our file review of dispute resolution cases, we identified seven contractor payment transactions for further review. Of these transactions:

- one appeared to be appropriate, but was not documented in the primary database staff used to track corresponding dispute resolution processes;
- two were supported by documentation in case records;
- two lacked supporting documentation in case records, and invoiced work could not be confirmed; and
- two conflicted with documentation in case records indicating invoiced work did *not* occur, resulting in potentially fraudulent payments.

In June 2023, we brought the two potentially fraudulent payments to NHED's attention and recommended management further investigate contractor payments to determine the scope of the issue and take certain actions as necessary.

Conversely, one contractor did not submit any invoices from November 2019 through June 2022. We were unable to determine the exact amount of unpaid work due to lack of documentation and limited scope of our file review. Based on available case assignment information, the contractor conducted a minimum of \$12,325 in unpaid work over the three-year audit period. NHED could not ensure expenditures were recorded in the proper SFY without corresponding controls.

### **Stakeholder Costs Not Objectively Evaluated**

NHED did not develop procedures to objectively evaluate the extent of stakeholder costs. Nineteen of 25 parents (76.0 percent) responding to our survey reported costs associated with all six special education dispute resolution processes. Some parents also provided testimony to legislators expressing concerns about resource barriers during dispute resolution processes. Reported costs ranged from two dollars to over \$100,000. Costs were associated with copies, evaluations or assessments, research, travel, lost wages, advocates, and attorneys. Stakeholders expressed concerns that NHED did not fully understand the costs and barriers parents experienced. We found stakeholder concerns were valid.

NHED did not systematically evaluate its dispute resolution information, procedures, and other resources to identify issues, make improvements, and minimize related costs to parents. Staff sent questionnaires to parties who participated in four of six dispute resolution processes, but the questionnaires: 1) did not include a cost component, 2) received a low response rate, and 3) were not developed and sent to participants of the other two processes. Other stakeholder engagement and collaboration practices were informal or inconsistent during the audit period. NHED lacked corresponding controls to ensure quality information could be obtained, and that relevant input was addressed or incorporated into processes as appropriate.

NHED staff and published materials stated there was no cost to use most dispute resolution processes. Federal guidance described due process hearings as more formal, costly, time-consuming, and adversarial, and some staff acknowledged LEAs and parents could incur costs hiring attorneys, using specialists, or preparing for due process hearings. Staff generally understood navigating laws, rules, and procedures could be challenging. However, staff did not specify or provide analyses detailing cost impact of its dispute resolution rules and procedures on the public and LEAs.

NHED did not effectively address known barriers for users of dispute resolution processes. It was reportedly common practice for LEAs to use attorneys for dispute resolution processes, which made some parents feel at a disadvantage without the assistance of an attorney or advocate. While federal laws and rules regulated the use of attorneys during due process hearings, NHED did not objectively evaluate the use of attorneys during other processes and determine whether implementing changes to regulate usage would be beneficial.

Other parents felt overwhelmed by dispute resolution processes and unable to independently use available options successfully without hiring attorneys or advocates. NHED developed materials to assist the public with dispute resolution processes as well as referred individuals to stakeholder organizations. However, staff were inconsistently aware and confident about the quality of available resources to help minimize costs. Stakeholders also reported NHED information was not sufficiently clear or accessible, and not all parents could afford attorneys or advocates.

### **Lack Of Cost-benefit Analyses And Fiscal Noncompliance**

NHED did not conduct cost-benefit analyses which potentially contributed to waste. NHED did not annually report on effectiveness of certain dispute resolution processes as required in State

law, nor could it demonstrate effectiveness without objective analyses. Management did not ensure all dispute resolution processes NHED developed were properly adopted into laws, rules, and contracts resulting in noncompliance with State appropriations laws.

Mediation, neutral conferences, third party moderated discussions, and facilitated IEP team meetings were intended to be alternative options to a more costly due process hearing and formal State complaint. NHED was responsible for establishing procedures and implementing mediation in accordance with federal requirements, while the other three processes were developed by NHED over time. Additional dispute resolution process options were developed in part to address stakeholder concerns regarding costs and “encourage informal resolution of differences of opinion.” Guidance from the Center for Appropriate Dispute Resolution in Special Education emphasized the importance of conducting cost-benefit analyses when developing additional dispute resolution process options. However, NHED lacked procedures to objectively analyze and determine effectiveness. Specifically, it did not:

- identify costs prior to implementing the processes,
- establish measurable goals and objectives,
- determine tangible benefits such as decreased attorney fees or decreased due process hearing complaints,
- determine other benefits such as improved relationships,
- compare dispute resolution costs versus costs prior to implementing processes, and
- assess benefits and demonstrate effectiveness of processes.

Additionally, third party moderated discussion and facilitated IEP team meeting procedures were not adopted in law and rules as required. Third party moderated discussions were also not incorporated into contracts resulting in hearing officers conducting work that was not contracted for *or* statutorily authorized since 2013. State appropriations law prohibited the use of public funds for any other purpose than for which they were appropriated. In June 2023, we brought this issue to NHED’s attention and recommended management immediately discontinue offering third party moderated discussion until procedures were properly adopted and contracts amended.

### **Recommendations:**

#### **We recommend NHED management:**

- **develop and implement procedures to effectively determine costs associated with special education dispute resolution processes for staff, contractors, and stakeholders;**
- **review NHED costs and funding sources to ensure salaries and activities are funded and expended appropriately;**
- **consistently implement existing controls intended to facilitate effective contract oversight;**
- **establish and enforce time limits and documentation requirements for contractors to submit invoices;**
- **develop processes to ensure staff consistently reconcile invoices and record contractor payments in the appropriate SFY;**

- **conduct an assessment to identify potential fraud risks and periodically conduct reviews of contractor payments;**
- **determine NHED’s obligation to recoup costs for identified improper contractor payments and liability for repayment of inappropriate expenditures;**
- **conduct cost benefit analyses on dispute resolution processes to determine and report on effectiveness; and**
- **objectively evaluate and develop plans to strategically minimize costs and barriers to stakeholders.**

NHED Response:

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditor’s observations:*

*NHED dispute resolution processes are available without costs to stakeholders. Stakeholders who utilize third party services to support them in dispute resolution or facilitated IEP processes can result in significant costs to a stakeholder, which is borne by the stakeholder.*

*NHED currently has procedures in place to effectively determine the costs associated with special education dispute resolution processes for staff, contractors, and stakeholders that are paid through federal IDEA funds. However, in discussions with the auditors, they would like to see a robust, comprehensive system by which all costs associated with the dispute resolution processes can be accurately documented and subsequently obtained. The creation and implementation of such a system is a strategic idea that management will consider, but may include substantive obstacles, not the least of which would be participants sharing costs with NHED. NHED will review procedures in place for costs and funding sources to ensure salaries and activities are funded and expended appropriately.*

*BSES currently has procedures in place by which invoices for special education hearings which are submitted late are not paid. The Governance Unit will modify hearing officer contracts to require invoices be submitted to NHED within 90 days of service to be eligible for payment and look to see if it can create similar policies for other hearing officer activities which are submitted late. The Division of Learner Support has had bureau training on procedures and policies of invoicing and will continue to provide these trainings on a continual and consistent basis.*

*NHED follows the Department of Administrative Services contracting process. NHED will ensure that the Governance Unit also use State and agency contracting and invoicing procedures. A new practice has been implemented requiring the Governance Unit to approve invoices verifying the delivery of services prior to authorization of payment by BSES.*

*NHED will assess the need to develop additional internal controls and update existing policies and procedures relating to the following: contract development, identification of fraud risk, improper payments, ability to recoup costs for any identified improper contract payments, and contractor payments in the appropriate SFY.*

**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION PROCESSES**

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**REGULATORY FRAMEWORK**

Federal law and regulations framed the special education program and established procedural safeguards, including special education dispute resolution processes. States had to adopt and maintain procedures guaranteeing procedural safeguards for children with disabilities and their parents, but had flexibility to design special education dispute resolution processes.

State *Special Education* law imposed additional dispute resolution processes and requirements. The Department of Education (NHED) was responsible for implementing and administering dispute resolution processes according to federal requirements and State law. Rules should have provided transparency and specified what the public needed to do to use those processes. Additionally, the Commissioner was to adopt practices to improve NHED’s efficiency and the provision of services. Documenting practices through policies and procedures, and ensuring those policies and procedures were appropriately communicated and understood, were necessary for facilitating effective implementation of requirements.

NHED management was responsible for ensuring both NHED and local educational agencies (LEA) met special education dispute resolution requirements. Well-designed, consistently implemented, routinely monitored, and refined requirements could have helped NHED ensure compliance and safeguard parental rights.

**Observation No. 9**

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**Implement And Monitor Federally Required Rules And Processes**

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NHED lacked controls over federal special education procedural safeguard requirements. It neither ensured rules completely and accurately adopted federal requirements, nor consistently followed or enforced federal requirements. Issues resulted in increasingly complex dispute resolution processes and the imposition of ad hoc rules, or unenforceable informal requirements. This compromised parental rights. Without effective controls, State eligibility for federal assistance was also potentially at risk.

We reviewed special education dispute resolution requirements but did not review every federal law or regulation. While our work was focused on NHED controls and not designed to find every issue, we identified many examples of noncompliance with federal requirements. We provided the detailed results of our review to NHED management in May 2023.

**Federal Requirements Inconsistently Adopted In State Rules**

NHED lacked controls to ensure rules consistently and timely adopted federal procedural safeguard requirements, including some requirements dating to 2006. Federal law and regulations imposed requirements for procedural safeguard notices, State complaints, due process complaints, mediations, and monitoring and enforcement. Our requirements review identified 58 federal requirements not adopted in rules. The federal government published a voluntary self-assessment in 2015, encouraging states to review State complaint, due process complaint, and mediation rules and processes. The 2015 federal self-assessment included many of the requirements we identified.



For example, rules lacked certain processes to develop legally binding agreements for resolution meetings and mediations. Rules also lacked:

- a process for parents to request a copy of the procedural safeguard notice;
- time limits to hold expedited due process hearings;
- certain processes to determine the sufficiency of, or amend, due process hearing complaints;
- processes to address issues subject to, or decided by, a due process hearing submitted as part of a State complaint;
- processes to provide individuals the opportunity to submit additional information about allegations as part of a State complaint;
- a process for electronic signatures on State complaints and due process complaints; and
- time limits to correct LEA noncompliance after it was identified.

Neither did rules clearly implement a requirement to allow State complaints to be filed against a public agency allegedly violating federal law. NHED inappropriately dismissed a State complaint filed against multiple entities and required it be refiled as separate complaints, without corresponding rules.

### **Federal Requirements Incompletely Or Inaccurately Adopted In Rules**

NHED lacked controls to ensure adopted rules completely and accurately implemented all federal requirements. Our requirements review identified 23 incomplete rules based on federal requirements and 13 rules that conflicted with federal requirements. As a result, both adopted and ad hoc rules were complex and unclear. This issue was reported by stakeholders and also identified by both our *Developmental Services System Performance Audit Report April 1991 (1991 Performance Audit)* and *Department of Education Special Education Catastrophic Aid Program Performance Audit Report July 1999 (1999 Performance Audit)*. The 2015 federal self-assessment included implementation guidance on many issues we identified, including the following examples:

- Federal regulations imposed a 60-day time limit to issue a written decision on a State complaint, with extensions allowed in certain situations, including exceptional circumstances. Federal guidance reiterated the importance of requirements on receipt and extensions. However, rules on receipt and extensions simply referred to federal regulations, without specifying how NHED implemented federal requirements. Notably, rules did not address how receipt was to be determined, how to request an extension, or what constituted exceptional circumstances.

In one State complaint case we reviewed, NHED staff stopped investigating a complaint so the parties could engage in mediation. Rules did not establish a process to place investigations on hold for mediation, and there was no documentation of an extension. The request for mediation was not received until a week *after* the State complaint decision was due. The complaint was eventually settled through mediation and closed 213 days after a final State complaint decision should have been issued.

- Federal regulations required mediation sessions be at a convenient location for both parties, which federal guidance reiterated. Rules specified that NHED determined the location, without mentioning how it ensured the location was convenient. Ad hoc rules provided mediation sessions were held at NHED offices or a convenient location, if requested. Rules did not adopt a process for parties to make such a request.

Additionally, rules:

- prohibited exceptions to a 45-day time limit for expedited due process hearings, but the time limit was 20 school days, and federal regulations allowed specific exceptions;
- prohibited extensions *and* also established an extension process for expedited hearing time limits, while federal requirements did not allow for – and federal guidance specifically prohibited – extensions; and
- did not establish a process for parents to open due process hearings to the public despite being a federally-established parental right, an omission brought to NHED’s attention during calendar year 2021 legislative testimony.

### **Federal Requirements Inconsistently Implemented, Followed, Or Enforced**

NHED lacked controls to ensure it and LEAs fully and timely implemented and followed federal requirements, including those intended to protect parental rights. NHED was responsible for meeting federal requirements. Federal law also required states to monitor and enforce LEAs’ compliance with federal requirements. To be eligible for federal grant funding, federal law required LEAs to demonstrate children with disabilities and their parents were provided all rights and procedural safeguards.

For example, LEAs were required to convene a resolution meeting with parents in certain situations to discuss due process complaints. Resolution meetings were intended to provide an opportunity for informal resolution prior to a due process hearing. Meetings were required, unless waived or parties agreed to use mediation instead. Federal guidance emphasized states must have procedures in place to enforce this requirement within a 15-day time limit. However, rules only reiterated the federal requirement to convene the resolution meeting and did not establish waiver processes. NHED guidance inconsistently reflected federal requirements, incorrectly stating in one publication an LEA had to offer – not convene – a resolution meeting. We identified 10 cases in which a resolution meeting was required through our review of a judgmental sample of due process hearing complaints. There was no documentation of a meeting, waiver, or mediation in seven cases (70.0 percent). Two of 13 parents responding to our survey (15.4 percent) also reported they were not offered a resolution meeting when it was required.

NHED did not consistently implement, follow, or enforce additional federal requirements and rules. Noncompliance affected monitoring, enforcement, oversight, and transparency. NHED did not:

- consistently document, monitor, or enforce implementation of due process hearing orders, and parties filed multiple State complaints due to non-implementation of orders;

- consistently follow State complaint requirements, and dismissed a general complaint that was not specific to a child, which was allowed under federal regulations, and required it be refiled with child-specific information;
- address each allegation made in a State complaint as required, while also not investigating or addressing additional noncompliance identified during investigations;
- consistently enforce procedural safeguard notice distribution requirements, as some special education administrators responding to our survey reported not providing the notice when required, and many parents reported not receiving it;
- enforce a requirement that LEAs inform parents of free or low-cost legal services when a due process complaint was filed, and LEAs inconsistently complied with this requirement according to special education administrators responding to our survey; and
- monitor or enforce compliance with all federal time limits, reportedly due in part to an inadequate database management system.

### **Recommendations:**

#### **We recommend NHED management:**

- **conduct periodic assessments to ensure rules accurately reflect and interpret all federal dispute resolution requirements;**
- **request necessary changes to rules from the State Board of Education; and**
- **develop comprehensive procedures to implement, monitor, and enforce federal requirements.**

#### **NHED Response:**

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditor's observations:*

*The Governance Unit has processes to help ensure that it complies with federal and State timelines and will assess where these procedures can be developed so that they are more comprehensive and formal.*

*NHED agrees with the LBA's recommendation that the administrative rules should be periodically reviewed to ensure that NHED's rules accurately reflect and interpret both State and federal requirements for dispute resolution. However, it is important to note that neither NHED nor the Commissioner of NHED has independent rulemaking authority and NHED's rules require adoption and cooperation by the State Board of Education. NHED will review and determine whether it should make recommendations for revisions to the administrative rules to the State Board of Education.*

## Observation No. 10

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### Improve, Implement, And Monitor State Dispute Resolution Requirements

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NHED lacked adequate controls over special education dispute resolution requirements in State law and rule, and did not ensure staff were aware of, implemented, understood, and consistently followed requirements. Without effective controls:

- State law and rule did not always reflect NHED operations or requirements imposed on the public;
- NHED did not always implement State law or rules;
- management did not identify or address certain longstanding issues with State requirements; and
- staff often relied upon informal practices to implement State law and rules, which contributed to ad hoc rulemaking, or unenforceable informal requirements.

We reviewed special education dispute resolution requirements but did not review every State law or rule. While our work was focused on NHED controls and not designed to find every issue, we identified numerous issues with requirements and examples of noncompliance. We provided the detailed results of our review to NHED management in May 2023.

#### **Inadequately Designed State Requirements**

NHED lacked controls to ensure statute and rules were effectively designed, comprehensive, and clear, contributing to the development of 472 ad hoc requirements. Management did not routinely or comprehensively assess the regulatory environment, including systemically or timely reviewing changes to statute, rules, and NHED operations. Ongoing assessment could have allowed management to understand and respond timely to changes affecting dispute resolution processes or address identified issues with requirements. However, statute and rules were inconsistent with one another and at times did not reflect federal requirements, while some NHED-instituted practices conflicted with requirements.

#### ***Contradictory, Complex, And Incomplete Requirements***

NHED lacked controls to identify and request necessary updates to statute and rules, despite known issues with contradictory, complex, and incomplete requirements. NHED lacked statutory authority, and rules did not contain necessary procedures, for two dispute resolution processes. Third party moderated discussions began in 2013, at which time Department of Justice staff informally indicated to NHED that neutral conference rules provided authority. Statute authorized facilitated individualized education program (IEP) meetings from 2008 to 2015, when inaccurate stakeholder testimony resulted in its repeal from State law. NHED offered both processes through June 2023, although staff recognized the need for authority and to have rules establishing requirements.

Additionally, some statutory requirements:

- conflicted with other statutory requirements,
- did not fully reflect federal requirements,
- were inefficient and limited NHED's monitoring ability,
- were not reflected in rules, and
- conflicted with rules.

Management also did not ensure rules reflected all requirements and NHED practices. Specifically, rules:

- did not contain complete requirements for the other four dispute resolution processes,
- did not contain complete requirements on conflicts of interest,
- did not contain complete requirements to monitor and enforce compliance, and
- contained internally conflicting requirements for two of the four processes.

### ***Need For Rules Not Demonstrated, And Excess Requirements Rarely Reported***

Requirements were not always demonstrated to be essential and transparent. Substantial changes to dispute resolution rules occurred in March 2017 without relevant analysis. Federal law required the State to identify rules not federally required, and statute required an annual report of all special education rules that exceeded minimum federal or State requirements. NHED's November 2020 report, the most recent available, identified three dispute resolution rules that were in excess of requirements. Our requirements review identified over 100 rules that exceeded minimum federal and statutory requirements, an issue also identified by our *1999 Performance Audit*. While it may have been necessary for some rules to exceed minimum requirements, NHED could not demonstrate it had conducted such an analysis. Management reportedly could not locate a review requested by the Governor in January 2017 to demonstrate all rules had a clear need, were the minimum necessary, and were not unduly burdensome.

### ***Unaddressed Stakeholder Concerns And Recommendations***

NHED lacked processes to proactively and comprehensively identify and respond to stakeholder concerns and recommendations affecting its regulatory environment. Our requirements review found rules were complex and unclear, an issue reported by stakeholders, and also identified by both our *1991 Performance Audit* and *1999 Performance Audit*. NHED reportedly had no plans to address recommendations in a relevant report released in November 2021 by the Committee to Study Special Education Dispute Resolution Options and the Burden of Proof in Due Process Hearings. NHED also lacked procedures to address recommendations from the State Advisory Committee on the Education of Children/Students with Disabilities (SAC). Additionally, one manager was unaware of recommendations from a statutorily required 2016 independent evaluation of the Bureau of Special Education Support (BSES).

## State Requirements Inconsistently Implemented, Followed, Or Enforced

NHED lacked controls to ensure it fully and timely implemented and followed statute and rules, including requirements intended to monitor dispute resolution processes, enforce orders, and protect parental rights. NHED was responsible for meeting, and helping school districts meet, federal and statutory requirements. Our requirements review found NHED did not always comply with statute and rules, an issue also identified by our *1999 Performance Audit*. Neither did NHED always enforce compliance with rules. Without ongoing assessment and a comprehensive understanding of the regulatory environment, noncompliance contributed to inconsistency and unnecessary complexity.

For example, since 1990, State law required LEAs to notify NHED when a parent had rejected an IEP, educational placement, identification, or evaluation. The notification began a 30-day window for NHED to inform parents of their alternative dispute resolution options and allow for voluntary use of those processes. However, rules did not address the requirement or structure a notification process. NHED did not implement the notification process, and staff were reportedly unaware of the requirement. Most special education administrators responding to our survey reported their LEA did not provide written notification to NHED, and not all LEA staff were aware of the requirement.

NHED did not consistently or clearly implement, follow, or enforce additional statutory requirements and rules. Noncompliance affected monitoring and enforcement, as NHED did not:

- monitor due process hearing, neutral conference, and mediation processes, although management recognized a monitoring process was needed;
- conduct on-site monitoring for remediation of State complaints or noncompliance with dispute resolution requirements;
- monitor orders of compliance issued from due process hearings and State complaints, although management reported a process was needed;
- report on whether LEAs took corrective action to comply with federal and State law;
- enforce orders of compliance from due process hearings and State complaints and certain elements of agreements, although management recognized a process was needed; or
- enforce a requirement that LEAs provide a written report within 90 days of a due process hearing decision describing implementation of the decision.

Noncompliance affected recordkeeping, oversight, and transparency, as NHED did not:

- implement procedures to ensure compliance with dispute resolution process time limits;
- notify local school boards of findings and corrective actions;
- notify the SAC of all findings, remedies, and sanctions issued in orders or decisions resulting from State complaints, due process hearings, and monitoring activities;
- enforce a requirement that contractors for neutral conferences provide a written opinion to the parties within 48 hours; or
- enforce requirements that contractors for neutral conferences and mediations report results to NHED.

Noncompliance also affected process consistency and efficiency, as NHED did not follow or enforce certain requirements related to parental rights and procedural dispute resolution requirements.

**Recommendations:**

**We recommend NHED management:**

- **develop comprehensive procedures for improving, monitoring, and implementing State dispute resolution requirements;**
- **identify all relevant dispute resolution requirements and ensure statute consistently reflects federal and State requirements and rules interpret statute;**
- **routinely and fully assess its regulatory environment, including identifying external evaluation results, third-party evaluation results, and stakeholder recommendations and concerns;**
- **determine how best to simplify and clarify State requirements;**
- **determine whether to seek changes to procedural requirements in statute, and if so, seek their repeal and request the State Board of Education adopt procedural requirements in rules;**
- **request necessary changes to statute and rules;**
- **ensure all requirements in excess are annually identified and published;**
- **ensure statute and rules are fully implemented; and**
- **monitor and enforce NHED compliance with statute and rules.**

**Additionally, we recommend NHED management discontinue offering dispute resolution processes without authority. If NHED objectively determines these dispute resolution processes should be available to the public, we recommend management seek statutory authority and request the State Board of Education adopt required rules.**

**NHED Response:**

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*BSES created an improved monitoring process and will determine where this process can be amended to include the monitoring of the dispute resolution process to ensure that the decisions are implemented. Additionally, NHED is exploring the possibility of whether NHSEIS can generate an automated report for this notification to better facilitate the management of the notification.*

*NHED has used the third-party discussion lead by moderator since 2013 on the advice of the Attorney General's office (emails from the AG were provided to the auditors). NHED is currently seeking legislation to add elements of the third-party discussion lead by moderator into its neutral conferencing process to preserve the beneficial attributes of third-party discussion lead by moderators.*

*NHED consistently works with the legislature to request changes which are necessary in statute and then implements such legislative changes in the subsequent rules. NHED tracks pending legislation and has frequent, internal meetings to address pending legislative issues. The Governance Unit has processes to help ensure that it complies with federal and State timelines and will assess where these procedures can be developed so that they are more comprehensive and formal. NHED staff who oversee rulemaking is notified of any pending laws which require rulemaking so that rulemaking efforts can begin in a prompt and effective manner.*

*NHED continuously and consistently works with stakeholders to address their concerns as it relates to the NHED's Dispute Resolution Processes and related statutes and rules. However, it is important to note that neither NHED nor the Commissioner of NHED has independent rulemaking authority and the agency's rules require adoption and cooperation by the State Board of Education. NHED will continue review and determine whether it should make recommendations for revisions to the administrative rules to the State Board of Education.*

### **Administrative Rule Requirements**

The *Administrative Procedure Act* required agencies adopt rules to: 1) implement, interpret, or make specific a statute enforced or administered by an agency; and 2) prescribe or interpret an agency policy, procedure, or practice requirement binding on persons outside the agency, including members of the general public. The State Board of Education was responsible for adopting rules to implement State special education laws, including dispute resolution requirements and procedures. State law required the NHED Commissioner establish procedures to assist school administrative units with addressing problems and resolving disputes.

The *Administrative Procedure Act* promoted transparency and helped ensure public rights were protected. It mandated any requirement imposed on the public be adopted under the administrative rules process. When properly adopted, rules created clear procedures for the public to follow, provided NHED with the legal authority to enforce requirements not specified in State law, and facilitated equal and consistent treatment of the public. Internal NHED policies and procedures should have further specified how staff implemented and applied the requirements set by federal and State policy makers.

All State agencies were required to follow the *New Hampshire Drafting And Procedure Manual For Administrative Rules*. In determining whether an agency procedure should be in rule, it stated agencies had to pay special attention to whether the procedure affected private rights or changed the substance of another rule binding on the public. Without clear and comprehensive rules, there was a risk of ambiguity and inconsistencies across requirements. Substantial changes to relevant special education dispute resolution rules last occurred in 2017.

### **Observation No. 11**

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#### **Comply With The *Administrative Procedure Act***

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NHED lacked controls to ensure consistent compliance with the *Administrative Procedure Act*. We reviewed special education dispute resolution requirements. While our work was not designed



to identify every issue, we identified 505 issues related to rules adopted for special education dispute resolution requirements. Rules were: 1) internally inconsistent; 2) inconsistent with federal laws or regulations, State laws, or NHED practices; or 3) ambiguous or not comprehensive. Issues resulted in the imposition of ad hoc rules, which were unenforceable informal requirements. We provided the detailed results of our review to NHED management in May 2023.

### **Unnecessarily Complex Rules**

Special education dispute resolution rules were not comprehensive, and it was not always clear which rules applied to each special education dispute resolution process, creating unnecessary complexity and burden on the public. We first identified complexity of certain dispute resolution rules as an issue in our *1991 Performance Audit*. Stakeholders continued to identify it as an issue throughout the audit period.

### ***Inadequate Citations To External Requirements***

Some rules contained citations to federal or other external requirements without adopting the procedural language from external requirements or including necessary additional procedures. For example, requirements in rule for filing a State complaint stated, “[a] complaint shall be filed according to the provisions of 34 CFR 300.153.” As a result, stakeholders had to use multiple resources to identify requirements in laws and rules. Citations to external requirements were allowed in rules but had to be specific to ensure: 1) an accurate legal framework, and 2) that the intended requirement to be implemented was clearly communicated. However, we identified 227 issues related to special education dispute resolution citations in rule. Citations were missing, inaccurate, or not always specific. Other requirements cited by rules were not always independently clear or comprehensive for NHED to implement without establishing additional procedures. This contributed to ad hoc rulemaking. Additionally, stakeholders reported a supplemental guide, which was developed to publish all requirements in one location, was incomplete.

### ***Applicability Of Rules Unclear***

Rules adopted special education dispute resolution requirements under both Ed 200, *Rules of Practice and Procedure* and Ed 1100, *Standards for the Education of Students with Disabilities*, without clear guidance on which rules applied and when. Practice and procedure rules had to be in an agency’s 200 section of rules unless they were appropriately adopted under the specific chapter or section of rules for an individual program. NHED staff reported applicable special education dispute resolution rules were adopted under section Ed 1100 requirements. However:

- Ed 200 practice and procedure rules contained a single exemption for special education hearings, and the exemption was inaccurately cited;
- no other exemptions permitted Ed 1100 rules to supersede Ed 200 rules;
- Ed 1100 rules did not contain all dispute resolution processes, leaving certain processes uncontrolled without the use of Ed 200 rules; and
- Ed 200 and Ed 1100 rules conflicted in other areas.

NHED also referenced Ed 200 as the appropriate section for special education mediations and neutral conferences in a February 2021 federally required performance report. This was contrary to staff's reported understanding of applicable rules.

Due process hearings – as an adjudicative process – had an additional layer of complexity. We found hearing officers inconsistently complied with adjudicative processes, and some parents reported hiring an attorney at their own expense to assist with navigating requirements. Ed 1100 rules included some, but not all, adjudicative requirements. Where Ed 1100 rules did not provide guidance, the Department of Justice's *Model Rules of Practice and Procedure* (Jus 800) applied. However, NHED did not clearly communicate the applicability of Jus 800 rules or enforce requirements.

### **Ad Hoc Rulemaking And Requirements**

Rules did not adopt all processes, practices, and procedures affecting the public. As a result, NHED did not have the authority to offer certain dispute resolution processes or require the public, including LEAs and other stakeholders, to follow practices or informal procedures. Ad hoc rulemaking and establishing ad hoc requirements compromised public transparency and due process, and contributed to ineffective management of dispute resolution processes.

Rules had to be specific, clear, and detailed enough to be understood and implemented without additional interpretation. Forms had to be adopted in rules either by reference or inclusion of the specific requirements of the forms in rules. Unclear or ambiguous rules that required interpretation or set requirements without proper adoption in rules resulted in ad hoc rulemaking. Ad hoc rules were invalid and could not be enforced. We identified 472 ad hoc rules in our review of requirements, and 80 ad hoc rules in a separate review of 23 NHED guides, manuals, and other published materials, some of which overlapped.

### ***Processes Or Practices Not In Rule***

None of the requirements to request a neutral conference were in rule. Instead, the ad hoc request process was established in a guide. Some ad hoc State complaint processes in other guides or templates included: 1) time limits for parties to provide State complaint investigators with documentation, 2) withdrawal of a complaint following agreement to a proposed resolution, and 3) NHED revising or opening a new complaint at its discretion.

NHED was not authorized to offer two other dispute resolution processes – third party moderated discussion and facilitated IEP team meetings. Third party moderated discussions were not in rule due to the Department of Justice informally indicating to NHED that neutral conference rules provided the authority. Alternative dispute resolution rules previously included facilitated IEP team meetings until 2015, when inaccurate stakeholder testimony resulted in facilitated IEP team meetings being repealed from statutory alternative dispute resolution options. In May 2023, management indicated it would review both processes, then determine whether to seek authority and request rules be adopted or discontinue offering these processes.

Other NHED practices conflicted with procedures in rule and should not have occurred without amending rules to include those practices. The following are some examples we identified during our review of dispute resolution cases:

- Final decisions had to be issued for due process hearings. However, NHED provided the option, and established informal procedures in guides, for hearing officers to issue a summary judgment instead of a decision. Statutory authority for summary judgments was unclear, and rules did not provide for a summary judgment process.
- Rules included some filing procedures for due process complaints and the option for parties to use mediation as part of due process. There were no procedures for combining due process hearing filings or to convert a due process case to mediation independently of the due process hearing. However, NHED practices conflicted with established procedures in two instances. In the first, staff combined an LEA's two separately filed due process hearing complaints into one, resulting in one decision being issued for two cases. In the second, staff converted a due process complaint to a mediation case instead of requiring a motion to withdraw and new request filing for mediation, or continuing mediation as part of due process.
- Rules reflected federal regulations for which an expedited due process hearing would be made available in limited circumstances. However, staff and hearing officers reportedly accommodated requests for "emergency" due process hearings to hold proceedings earlier than scheduled. There were no provisions in rule for emergency due process hearings.

### ***Form Requirements Not In Rule***

NHED did not adopt forms by reference or specify all form requirements in rule. Forms should have included the information necessary to file requests and complaints without placing unnecessary burden on the public. Federal regulations required agencies to develop model forms for parties to file due process complaints and State complaints, but prohibited agencies from requiring parties *use* the forms. However, specific requirements imposed on parties filing those complaints still had to be adopted in rule. We identified 79 ad hoc requirements included in model forms.

All other NHED-developed forms could be required once properly adopted in rule. NHED developed 13 additional forms to facilitate compliance, consistency, and effective administration of dispute resolution processes, but none were adopted in rule. As a result, information submitted to NHED as part of, or in addition to, requests and complaints was inconsistent, and did not always comply with the limited requirements established in statute or rule.

### **Recommendations:**

**We recommend NHED management:**

- **develop controls to ensure consistent compliance with the *Administrative Procedure Act*;**

- **conduct periodic assessments of laws, rules, guidance, and practices to identify ad hoc rules and inconsistencies;**
- **reconcile Ed 200, Ed 1100, and Jus 800 rule issues and clearly communicate applicability to staff and stakeholders;**
- **review form requirements to ensure only information necessary to administer dispute resolution processes are included; and**
- **request necessary rule changes from the State Board of Education, including form requirements.**

NHED Response:

*We concur with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*NHED agrees with the LBAs recommendation that the administrative rules should be periodically reviewed to ensure that the NHED's rules accurately reflect and interpret both State and federal requirement for dispute resolution and that all rules governing the adjudicatory processes should be consistent. NHED staff who oversee rulemaking are notified of any pending laws which require rulemaking so that rulemaking efforts can begin in a prompt and effective manner. However, it is important to note that neither NHED nor the Commissioner of NHED has independent rulemaking authority and the NHED's rules require adoption and cooperation by the State Board of Education. Regardless, NHED will continue to review and determine whether it should make recommendations for revisions to the administrative rules to the State Board of Education.*

## **Documenting Policies And Procedures**

Controlling activities through established policies and procedures is a core component to an effective internal control system. Management was responsible for policy and procedure development, documentation, and implementation. Federal regulations required public hearings for any policies and procedures created or amended under Part B of the *Individuals with Disabilities Education Act (IDEA)* which included special education dispute resolution rights and responsibilities.

Comprehensive and consistently followed policies and procedures contribute to transparent and objective decision-making. Documentation also helps communicate organizational knowledge amongst staff and reduced the risk of knowledge loss due to staff turnover.

## **Observation No. 12**

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### **Develop Policies And Procedures**

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NHED lacked formal special education dispute resolution policies and procedures for training, monitoring, and administering processes. Management relied heavily on institutional knowledge of staff to carry out responsibilities. Some staff reported receiving insufficient informal on-the-job

training and at times sought out individuals with institutional knowledge to clarify implementation of requirements. While some NHED directives were communicated as needed through memorandums, other informal policies and procedures were incorporated inconsistently in guides or undocumented entirely.

Lack of policies and procedures negatively impacted operations. Affected areas of special education dispute resolution operations included the following:

- NHED experienced institutional knowledge loss during the audit period. It continued to be a risk for a key position responsible for administering four of six dispute resolution processes.
- NHED did not assess where standardized procedures could benefit all dispute resolution processes, resulting in inconsistently controlled processes and inefficiencies.
- Monitoring of laws, rules, and staff responsibilities did not occur resulting in noncompliance, inconsistent application of requirements, ad hoc rulemaking, and unfulfilled staff responsibilities.
- Public information was insufficiently communicated, conflicted with requirements at times, and created unnecessary complexity for stakeholders. Required public hearings also did not occur for applicable policies and procedures informally established in guides.
- Records management issues were prevalent which impacted the auditability of certain requirements and some case records altogether. These issues contributed to unreliable NHED data.
- Contractors were ineffectively or inconsistently managed resulting in noncompliance with laws and rules and untimely or unmet contract deliverables.
- Conflicts or potential conflicts of interest were inconsistently identified and addressed.
- Monetary and non-monetary costs associated with dispute resolution processes for staff and stakeholders were not comprehensive, accurately tracked, and fully understood.

After the audit period, NHED staff acknowledged the need for formal policies and procedures and reported the documentation process had begun.

### **Recommendations:**

**We recommend NHED management:**

- **develop comprehensive policies and procedures with sufficient detail to ensure efficient and effective implementation of administrative operations based on review of laws, rules, and supplemental job descriptions (SJD);**

- evaluate current informal policies, procedures, and practices to ensure consistent and compliant processes are adopted in formal policies and procedures;
- determine inconsistencies in managing dispute resolution processes and identify areas which would benefit from establishing controls applicable to all dispute resolution processes;
- ensure applicable policies and procedures receive required public hearings;
- develop formal communication processes in policy to ensure directives and changes to policies or procedures are effectively issued and retained;
- incorporate a periodic review process and delegate responsibility for ensuring controls remain relevant and effective; and
- implement policies and procedures consistently and objectively.

NHED Response:

*We concur with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*Staff turnover is an inherent part of State government. The positions within the Governance Unit often have areas of redundancy and overlap which help preserve operational efficiency and position and job knowledge. The positions within the Governance Unit are designed to work collaboratively with inherent overlap. This was a purposeful design to ensure that all members of the Unit have a natural understanding of each position. NHED will revisit this decision and, as appropriate, recommend change if it believes the initial decision should be changed. NHED also recognizes formal and comprehensive policies and procedures are necessary to improve operations.*

*The Governance Unit and BSES have processes for the Dispute Resolution and Constituent Complaint processes, but it will assess where procedures can be developed so that they are more comprehensive and formal. As such, the Governance Unit and BSES are in the process of creating an internal Dispute Resolution and Constituent Complaint Policy and Procedural manual that sets forth the roles and responsibilities of the Dispute Resolution positions. This manual will help ensure consistent and compliant processes and ensure that directives and changes to policies and procedures are effectively issued and retained. The manual will be reviewed and updated on a consistent basis. In creating this policy and procedure manual, NHED will take the opportunity to review SJDs and class specifications to ensure all required roles and responsibilities are adequately covered and addressed. All NHED SJDs include "other duties as assigned" to help facilitate a purposeful, dynamic, and responsive organization.*

*NHED consistently conducts annual reviews of staff and the Hearing Officers which helps to hold managers and staff accountable for their performance and achievement of assigned responsibilities. NHED currently has checklists for the Hearing Officers and it will work to ensure the materials are used consistently. NHED will look to implement similar policies and procedures for the investigators and facilitators.*

*NHED continuously and consistently works with stakeholders to address their concerns related to NHED's dispute resolution processes and will continue to engage relevant stakeholders as the Governance Unit works to improve its processes. The Governance Unit and BSES worked collaboratively with stakeholders to create an updated Parents Guide to help clarify the process for parents.*

## **Communicating Procedural Requirements**

Providing readily available, clear, and understandable information for special education dispute resolution options and procedures to the public promotes transparency, early engagement in processes, and contributes to achieving agency objectives. Federal law specifically required the procedural safeguards notice be “written in an easily and understandable manner.” Management was responsible for using appropriate tools to effectively communicate needed information based on the audience, type of information, and cost. Management was also responsible for developing formal processes to consistently identify risks, expectations, and requirements to incorporate into information. Useful information could only be maintained through periodic evaluations assessing its effectiveness.

### **Observation No. 13**

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#### **Improve NHED Website, Guides, And Manuals**

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NHED lacked adequate controls to ensure NHED-published resources were easily accessible, understandable, and contained accurate information. NHED posted special education dispute resolution information to its website. Information was either directly posted or contained in guides or manuals. However, special education dispute resolution process information was not in one easily retrievable location. We found relevant dispute resolution process information located across nine different webpages and 13 documents. There were issues with each source of information identified, which contributed to difficulties with understanding dispute resolution processes.

NHED did not have strategies, plans, or procedures to comprehensively address issues with information and materials published to the website. Management and staff reported changes to the website, guides, and manuals were reactive or prompted by stakeholder input. At times, NHED organized working groups consisting of staff and certain stakeholders to provide input. Some publications were created by external stakeholder organizations. Management and staff reported all website information, guides, and manuals received internal review before being posted. However, NHED processes during the audit period did not include review of existing materials to ensure information was consistent across publications and the website; accurately reflected laws, rules, and NHED practices; and was up-to-date. Neither did processes include holding federally required public hearings for any policies and procedures created or amended for compliance with Part B of *IDEA*, which included special education dispute resolution rights and responsibilities.

Stakeholders reported NHED-published resources were difficult to understand, unclear, overwhelming, and it was hard to find specific information. We reviewed website information guides, and manuals available during the audit period. Two guides, which were updated or in the

process of updates, and a third guide that was being created to add to existing information were not part of the review. We identified 339 issues including:

- inconsistencies between NHED-published information and laws or rules,
- informal guidance that was an ad hoc rule and could not be enforced,
- conflicting information across resources,
- missing and unclear guidance which affected consistent implementation of requirements,
- outdated information such as broken web links or references to former NHED offices and practices, and
- single source guidance wherein information was limited to one place making it difficult to locate and access.

NHED also did not ensure the procedural safeguards notice it produced, or other notices LEAs produced, complied with federal requirements. Stakeholders reported procedural safeguard notices were not easily understandable and contained inaccurate information. We identified similar issues in our review of NHED's notice related to unclear, inconsistent, or incomplete requirements. In May 2023, staff reported the procedural safeguards notice was one of the documents undergoing review with stakeholder input.

### **Recommendations:**

**We recommend NHED management:**

- **develop a plan with measurable goals and objectives to comprehensively address website, guide, and manual issues;**
- **develop processes to monitor and enforce LEA compliance with procedural safeguard notice content requirements;**
- **ensure procedural documents receive required public hearings to obtain public input; and**
- **document procedures, and incorporate relevant plans into a strategy, for conducting periodic reviews to ensure NHED's website, guides, and manuals effectively communicate accurate information.**

NHED Response:

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*As noted in the audit, NHED does have documents and resources on its website available to the public. NHED continues to work to make this information easier to understand and readily accessible to the public through its website. NHED will continue its practice of continually assessing where these documents and resources can be improved upon so that they are more comprehensive and formal.*



*NHED continuously and consistently works with stakeholders to address their concerns and to improve access to information as it relates to NHED's Dispute Resolution Processes. The Governance Unit and BSES worked collaboratively with stakeholders to create an updated Parents Guide, to help clarify the process for parents. By way of example, NHED updated its procedural safeguards document in November of 2023.*

## **Training And Educating Stakeholders**

Training and education are essential for implementing effective special education dispute resolution processes and achieving local resolution when possible. Training and education should include various methods of communication, LEA professional development, coordinated research and distribution of information, monitoring of the dispute resolution processes, and technical assistance. NHED management was responsible for establishing standards, developing clear guidance, and providing technical assistance opportunities to stakeholders.

Passive technical assistance activities could include developing publicly available resources such as guides, manuals, and memorandums. More active or strategic activities would include proactive approaches incorporating targeted distribution of information and resources to stakeholders in efforts to facilitate: 1) effective implementation of relevant policies and procedures, 2) establishing a well-informed public, and 3) achieving LEA compliance.

## **Observation No. 14**

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### **Provide Stakeholder Training And Education**

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NHED did not provide proactive special education dispute resolution training and education to parents, LEAs, or other stakeholders. Management relied on NHED and non-NHED resources to have information and guidance available to the public. NHED resources included procedures outlined in statute and rule, documents and posted information located across agency webpages, and institutional knowledge among staff and management throughout NHED. Non-NHED resources included information or services offered by stakeholder organizations such as the Disability Rights Center, Parent Information Center, Center for Appropriate Dispute Resolution in Special Education, and other legal support agencies. However, there were issues with both types of resources, and neither was independently sufficient to meet public needs.

### **Noncompliance With Requirements And Unmet Needs**

NHED lacked strategies, plans, goals, policies, and procedures to proactively ensure it met requirements in federal and State laws and rules to address stakeholder needs related to dispute resolution training and education. NHED was responsible for:

- ensuring parents and educators had the necessary tools to improve educational outcomes for children with disabilities;
- communicating federal and State regulatory and policy changes to LEAs;
- encouraging development of local dispute resolution options; and

- identifying trends, issues, and unmet needs to provide assistance to stakeholders and help ensure LEA regulatory compliance.

Additionally, the SAC was a federally required advisory panel responsible for providing special education policy guidance. Duties included advising the Commissioner about special education issues and NHED regarding unmet educational needs throughout the State, and promoting communication and cooperation among special education participants. However, the SAC was unable to effectively identify issues and provide stakeholder training and education recommendations to the Commissioner. Instead, NHED management relied on passive technical assistance activities and reactively addressed issues.

### ***Trends, Issues, And Unmet Needs Not Identified***

Although SAC members reported dispute resolution training and education would benefit stakeholders, the SAC did not provide formal recommendations to the Commissioner. The SAC was reportedly ineffective due to quorum issues and untimely member appointments, which resulted in its restructuring during the audit period. Neither did NHED provide the SAC with all federally and statutorily required information which could have helped the SAC effectively identify unmet stakeholder needs for training and education when membership was stable.

Additionally, there was no central intake and tracking process to manage informal complaints, questions, concerns, or special education dispute resolution processes. Inquiries were instead addressed by staff and management throughout NHED on a case-by-case basis. NHED management was unable to target training and education to stakeholders or ensure stakeholder organizations identified and addressed parent and LEA training and education needs.

### ***NHED Resource Issues***

NHED resources contained outdated, inconsistent, or conflicting information. Parents, LEAs, and other stakeholders also reported difficulty in finding and understanding necessary information from NHED resources. Parents responding to our survey indicated a need for training and education stating they did not know their dispute resolution process options, legal information, or how to execute actions such as filing a motion. Eleven of 25 parents (44.0 percent) reported having to hire an attorney, and 15 (60.0 percent) hired an advocate to assist with dispute resolution. The highest reported cost for legal services was over \$100,000, and nine of 15 parents (60.0 percent) reported advocate costs of \$1,500 or more.

### ***Inconsistent LEA And Stakeholder Organization Training And Education***

LEA and stakeholder organization training and education were inconsistent. Twenty out of 25 special education administrator survey respondents (80.0 percent) reported NHED did not provide special education dispute resolution training during the audit period, while another five (20.0 percent) did not know if it was provided. Certain special education administrators also commented NHED cancelled important calls with school districts, school districts needed guidance and training, changes were not effectively communicated, and overall helpful interactions were inconsistent. While one stakeholder organization reported receiving periodic NHED trainings and

participating in stakeholder meetings, it did not specify if special education dispute resolution processes were part of those trainings or meetings. Three other stakeholder organizations did not report receiving dispute resolution training and education. Although NHED referred the public to stakeholder organizations for additional resources, staff and management had concerns about the quality of training and education services these organizations provided.

Lack of NHED proactive training and education also contributed to LEAs being unaware of certain regulatory requirements and noncompliance such as the following:

- Eighteen of 26 special education administrator survey respondents (69.2 percent) reported they did not notify NHED when a parent rejected an IEP-related action, and another five (19.2 percent) did not know if NHED was notified.
- Four of 26 special education administrator survey respondents (15.4 percent) reported LEAs did not inform parents about low-cost legal and other relevant services. One special education administrator was unaware of this requirement while another stated staff needed training.

Additionally, there was minimal evidence LEAs were aware of the statutory option to develop local dispute resolution processes and submit related plans to NHED. NHED staff and management also reported no plans were submitted for review.

### **Unfulfilled SJD Responsibilities**

NHED did not ensure responsibilities for training and education activities were fulfilled. We identified four NHED staff and management SJDs which required relevant special education dispute resolution training and education support, or activities be provided to stakeholders. Duties consisted of providing technical assistance; promoting and recommending special education programs; reviewing and explaining laws, rules, and policies; and responding to complaints and inquiries to help resolve issues. However, NHED made changes to its operations in 2017 without conducting a formal review to determine whether responsibilities, including stakeholder training and education, could be fulfilled under organizational changes. While staff reported answering inquiries on a case-by-case basis, responsibilities to proactively provide training and education were unfulfilled.

### **Unaddressed Issues From Prior Audits**

NHED lacked formal processes to strategically address issues identified in prior audits related to dispute resolution training and education needs. Our *1999 Performance Audit* included an Other Issue And Concern. We commented that while LEAs routinely sought mediation as an alternative dispute resolution to due process, neutral conferences were rarely used. NHED staff and stakeholders continued to report the public was less aware of neutral conferences and third party moderated discussion options for dispute resolution. During the three-year audit period, we found neutral conferences and third party moderated discussions were used for special education dispute resolution three and five times, respectively.

**Recommendations:**

**We recommend NHED management:**

- **develop procedures to identify trends, issues, and unmet needs to implement targeted training and education;**
- **incorporate formal stakeholder training and education goals and objectives into a strategic plan;**
- **evaluate passive technical assistance activities, including NHED resources and the intake process for public inquiries, and address deficiencies;**
- **determine which stakeholder groups would benefit from proactive training and education;**
- **ensure training and education includes all relevant requirements for LEA special education dispute resolution compliance and local dispute resolution development options;**
- **collaborate with stakeholder organizations to ensure sufficient training and education services are provided;**
- **review SJDs and ensure training and education responsibilities are fulfilled; and**
- **implement stakeholder training and education to address prior audit findings.**

**NHED Response:**

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*As an initial matter, NHED remains open to providing training and support to parents and is always willing to work with stakeholders to identify necessary training areas. As such, NHED will evaluate current policies and procedures and will engage stakeholders to assess the need for additional training and professional development that NHED staff can provide to LEAs, parents, and other stakeholders. However, it is important to note that in accordance with IDEA, trainings on special education dispute resolution for parents and other stakeholders do not fall completely within the purview of the state agency. Therefore, the statement, "NHED did not provide proactive special education dispute resolution training and education to parents, LEAs, or other stakeholders" is not accurate, as NHED provides a Handbook for Dispute Resolution and procedural safeguards. NHED will assess where these resources can be improved upon and strengthened to be a more complete and comprehensive resource for parents. Rather, pursuant to IDEA, NHED is responsible for ensuring that children with disabilities receive a free and appropriate public education (FAPE). Through that directive, it is implied that NHED provides training on special education dispute resolution to the LEAs, but that training requirement is not specifically enumerated in the law. NHED does, however, work collaboratively and pro-actively with the Office of Special Education Programs funded, Parent Information Center to provide various trainings and education to parents.*

**LBA Rejoinder: NHED relied significantly on passive resources to be made available to the public for educational purposes. However, there were issues with both NHED and non-**

**NHED resources, and neither was independently sufficient to provide necessary training and education. Our recommendations are specifically meant to address gaps identified through our audit work as it relates to special education dispute resolution training and education. It is not clear how NHED could fulfill the regulatory requirements in the Observation without developing proactive approaches to special education dispute resolution training and education.**

*As noted in the audit, NHED has developed a website and continues to update, modify, and expand the content of its website to address requests for information and common constituent inquiries. NHED is working to comprehensively and holistically address issues with these resources. NHED continues to work to make dispute resolution processes and available procedures easier to understand and readily accessible to the public through its website.*

*NHED has processes to address both formal and informal constituent complaints, such as processes for dispute resolution procedures, State complaints, and facilitated IEP meetings. Complaints directed or relevant to the numerous programs administered by the NHED are channeled directly to the program for resolution and escalated through the management structure, as appropriate. NHED will evaluate its website to determine if revisions to the website would make information more easily accessed by parents and stakeholders.*

*NHED continuously and consistently works with stakeholders to address their concerns and to improve access to information as it relates to NHED's dispute resolution procedures. By way of example, NHED updated its procedural safeguards document in November of 2023. NHED will continue to collaborate with its stakeholders to improve special education dispute resolution processes.*

*NHED will take the opportunity to work with the Division of Personnel to review SJD and class specification to ensure all required roles and responsibilities are adequately covered and that all required responsibilities are addressed. All NHED SJDs include "other duties as assigned" to help facilitate a purposeful, dynamic, and responsive organization. NHED consistently conducts annual reviews of staff and hearing officers which helps to hold managers and staff accountable for their performance and achievement of assigned responsibilities.*

**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION PROCESSES**

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**PERFORMANCE AND ENFORCEMENT**

The Department of Education (NHED) was responsible for monitoring performance, enforcing compliance with special education requirements, and ensuring the rights of children with disabilities and their parents were protected. Effective performance management helps provide a basis for making objective and data-informed strategic decisions. Well-controlled enforcement procedures could have increased the likelihood NHED efficiently and effectively achieved outcomes.

Performance management includes:

- establishment of a mission with quantifiable goals, objectives, and targets;
- assignment of accountability for achieving expected outcomes and compliance;
- assurance of reliable, transparent, and timely monitoring, measurement, evaluation, and reporting; and
- evidence-based decision making resulting in revision of expectations and processes.

Performance measurement rests upon quantifying inputs, process performance, outputs, and outcomes.

- *Inputs* are resources needed for special education dispute resolution operations, such as complaints or requests submitted, and staff or contractors allocated.
- *Process performance* includes: 1) consistency, the extent to which a process or procedure was regularly followed; 2) effectiveness, the extent to which goals, objectives, and targets were achieved; 3) efficiency, the extent to which processes minimized resource waste; 4) timeliness, how quickly processes were completed; and 5) compliance, assurances processes were conducted in accordance with requirements in laws and rules.
- *Outputs* are measures of services provided, such as the number of due process hearings conducted, or number of State complaints investigated.
- *Outcomes* are the results achieved from outputs, and measured the degree to which intended results were achieved. Outcomes are essential for assessing effectiveness. Intermediate outcomes are directly supported by outputs and include consistently conducting each dispute resolution process in compliance with laws and rules. Expected programmatic or special education dispute resolution process outcomes are underpinned by intermediate outcomes and demonstrate a connection to a mission.

**Required Performance Measurement**

Performance measurement and demonstrating achievement of outcomes were necessary for NHED to comply with federal and State requirements. As part of federal grant requirements, NHED annually reported on the number of resolution meetings and mediations, number of agreements from resolution meetings and mediations, and target percentage results of each. Staff also had to

track and report compliance with federal time limits for due process hearings and State complaints. Federal guidance for implementing requirements specifically stated agencies had to have adequate tracking processes to ensure timeliness and compliance with special education dispute resolution requirements.

State law required NHED annually report to the State Advisory Committee on the Education of Children/Students with Disabilities (SAC) on the effectiveness of alternative options to due process hearings and State complaints.

### **Observation No. 15**

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#### **Develop And Implement Performance Management Controls**

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NHED lacked a comprehensive performance measurement system informed by strategy and risks. NHED did not and could not evaluate efficiency and effectiveness of administering special education dispute resolution processes or demonstrate achievement of outcomes. Dispute resolution processes were administered generally independent of each other without aligning operations to NHED's mission or vision. Outputs were limited and primarily focused on federal reporting requirements. Other quantifiable goals, objectives, and targets were not developed, monitored, and routinely reported. Available data were insufficient and unreliable for evaluating and reporting on performance.

#### **Unreliable Required Performance Data And Inaccurate Reporting**

NHED did not ensure databases and informal methods used for tracking dispute resolution processes were sufficient. Data used for federal performance reporting requirements were not reliable and resulted in overreported compliance. Records management issues contributed to unreliable data generally.

Compliance with State complaint requirements and resulting performance could not be determined based on existing data alone. Spreadsheets used to track State complaint processes during the audit period were incomplete and inadequate for performance measurement. For example, NHED did not require an extension in one State complaint case that exceeded the 60-day time limit due to parties attending mediation. While mediation was permitted and could extend the time limit, the State complaint was not compliant with federal time limits without a properly filed extension and should not have been reported as timely.

The primary database used to track four dispute resolution processes, including those subject to federal reporting, was insufficient for performance and monitoring needs. Sufficient and reliable systems for tracking due process hearings were especially important because time limits were dependent upon a range of factors which could extend, shorten, or restart time limits, all of which could occur during a single complaint. The initial time limit was dependent on whether the moving party was a parent or local educational agency (LEA). Parent-filed due process complaints had a time limit of 75 days for a decision while an LEA-filed complaint had 45 days. At a minimum, NHED needed to be able to consistently verify and document the following for accurate reporting:

- Date the non-moving party *received* the complaint – this started the time limit.
- Sufficiency challenges to a complaint, compliance with intermediate time limits, and corresponding results – this could restart the time limit.
- Compliance with required resolution meetings when applicable, intermediate time limits, and whether legally binding agreements resulted – this could shorten, extend, or end the time limit.
- Whether optional mediations occurred, compliance with intermediate time limits, and whether legally binding agreements resulted – this could shorten, extend, or end the time limit.
- Compliance with requested and approved extensions – this could extend the time limit.
- Date the decision was issued – this ended the time limit.

We reviewed a judgmental sample of twelve due process complaint cases out of 115 from State fiscal years (SFY) 2020 through 2022. We found due process timelines were not sufficiently tracked in the database for reporting requirements. Staff acknowledged the database was outdated and insufficient for tracking needs. Specifically, we found the following issues:

- Start Date – NHED lacked procedures for confirming the date the non-moving party received the complaint which negatively impacted overall case duration tracking and accurate monitoring of federal time limits. In nine cases, documentation in the record conflicted with the start date documented in the primary database, or we could not confirm the start date. The primary database also documented five of the nine cases (55.6 percent) had longer case durations, and three (33.3 percent) had shorter durations than what we determined from case records.
- Sufficiency Challenge – NHED did not consistently track sufficiency challenges to complaints and compliance with intermediate time limits for submitting and granting challenges. We identified four cases with sufficiency challenges. Two (50.0 percent) were documented in the primary database. These two were also noted as timely submitted but were not. In one case, the hearing officer accepted the untimely sufficiency challenge which effectively restarted the time limit albeit inappropriately. However, the primary database did not document the amended start date and updated time limit.
- Resolution Meeting – NHED lacked procedures for tracking required resolution meetings and related compliance. Resolution meetings were required in ten cases, and parties participated in a resolution meeting in one additional case that was not required. Required resolution meetings had to be held unless parties agreed in writing to either waive a resolution meeting or substitute it with mediation.

Based on NHED records, we determined three of the ten required resolutions (30.0 percent) were held but could not determine the status of the other seven (70.0 percent). We were



also not able to identify the date one of the three resolution meetings occurred. The primary database documented that the optional resolution meeting was held. It did not document whether the other ten required resolution meetings were held, waived, or substituted.

- Optional Mediation – NHED did not consistently track optional mediations and related compliance. Mediation was voluntary. It could occur in substitution or in addition to a resolution meeting, or independently when a resolution meeting was not required. Staff scheduled optional mediation and assigned a corresponding contractor each time a complaint was filed unless: 1) the option was declined on a complaint submission form, or 2) it was an expedited complaint.

Staff scheduled mediation in ten due process complaint cases. Based on NHED records, we determined two scheduled mediations (20.0 percent) were held and two (20.0 percent) were later declined. We could not determine the status of the other six scheduled mediations (60.0 percent). The primary database documented that two mediations (20.0 percent) were held. It did not document whether the other eight (80.0 percent) were held or declined.

- Extension – NHED did not ensure extensions were valid, timely, and documented resulting in noncompliance with time limits. Eight due process complaint cases had one or more extensions. We determined all eight cases had invalid, untimely, or undocumented extensions. The primary database documented seven of the eight cases with extensions (87.5 percent). Although none of the eight cases had fully compliant extensions, the primary database documented one of the eight cases (12.5 percent) did not meet federal time limit requirements.

Additionally, resolution meeting and mediation documented results were inconsistent with federal requirements. Staff documented results as “successful.” However, NHED did not develop a definition for “successful,” and federal requirements did not define or use it as a performance measure. Disputes resolved through resolution meetings and mediations had to result in a legally binding agreement which was the federal performance measure used for reporting. Rule also required contractors submit to NHED in writing whether the agreement resolved all issues in the due process complaint or resulted in a signed withdrawal request for due process. NHED did not monitor or enforce compliance with these requirements. It could not ensure accurate reporting without verifying agreements and related compliance.

### **Performance Management Not Informed By Strategy Or Risks**

NHED did not develop additional formal performance measures, monitoring, and routine reporting. A strategy and plans should have identified what data to collect to assess performance. Systematic performance management tied to strategy and informed by risk assessments could have helped ensure objectives were met and performance was within established risk tolerances. However, NHED:

- lacked a strategy, plans, and formalized goals, objectives, and targets for each dispute resolution process making performance measurement problematic were it to occur;

- did not formally assign or clearly communicate performance monitoring, measurement, evaluation, or reporting responsibilities to staff, resulting in lack of accountability and noncompliance with annual effectiveness reporting requirements;
- lacked risk tolerances or comprehensive acceptable performance variations to be able to understand whether performance was within acceptable limits; and
- did not evaluate effectiveness of controls or how efficiently responsibilities were performed.

Consequently, limited outputs were collected and inconsistently reported, including the number of neutral conferences or third party moderated discussions with corresponding immediate results such as the number “withdrawn” or “settled.” Data used for informal reporting were similarly unreliable with some processes miscategorized, and results not always supported with case documentation. There were no timeliness measurements, and compliance with related limited State law and rule requirements were generally unauditably. Another dispute resolution process, facilitated individualized education program (IEP) meetings, lacked formal or informal performance measures and reporting. Staff inconsistently documented meeting requests, number of meetings conducted, and did not track results of meetings.

### **Tracking And Data Collection Not Connected To Outcomes**

NHED lacked department-wide tracking of dispute resolution processes. Existing systems and data collection methods were not developed to allow for comprehensive assessment of dispute resolution effectiveness and demonstration of achievement of outcomes. NHED did not track dispute resolution processes to determine occurrences of parties using multiple processes to address the same issues. Neither did it track and evaluate dispute resolution results through full implementation of decisions, agreements, and corrective actions.

Excluding resolution meetings and mediation as part of due process hearing complaints, two staff separately reported one case each – two total – in which the parties participated in a second dispute resolution process to address the same issue. However, nine of 15 parents responding to our survey (60.0 percent) reported using multiple dispute resolution processes for the same issue during the audit period. In our review of 116 special education dispute resolution cases for six processes, 19 (16.4 percent) indicated more than one process was used to address issues, including failure to implement decisions, agreements, or corrective actions. We could not determine the number of processes used for each case with indicated overlap due to inadequate data and records management issues. NHED could not understand and report on effectiveness of dispute resolution processes as required without accurate and comprehensive department-wide data collection.

### **No Measuring And Monitoring For Process Improvements**

NHED did not measure or monitor activities to identify areas of inefficiency and implement process improvements. For example, staff were unaware or did not understand the extent of unnecessary delays while administering dispute resolution processes, as described below:

- Contractors were reportedly not always immediately available when a complaint or dispute resolution request was filed, but staff did not document timeliness in assigning contractors

to determine inefficiencies in scheduling practices and impact on dispute resolution processes.

- State complaint decisions could have been issued earlier, but staff did not measure days between completed investigations and the final decision date. In our review of a judgmental sample of 39 State complaints, 26 resulted in an investigation and decision. On average, the final decision was issued on day 59 of the 60-day federal time limit. However, 17 investigation reports (65.4 percent) were completed more than 15 days before the final decision was issued, with one case having as many as 40 days between the report and final decision.
- Controls developed to help ensure timely case closures for certain dispute resolution processes were not enforced resulting in inefficient practices for determining case statuses. Staff did not measure and monitor case closures to determine the impact of unenforced controls.

We reviewed 43 dispute resolution process cases for due process complaints, mediations, third party moderated discussions, and neutral conferences to determine closure timeliness. Nine cases were unauditible due to unimplemented requirements and records management issues, and five were not applicable due to limitations in our review. Of the remaining 29 cases, we found nine (31.0 percent) received a final update for closure more than 12 days after the actual result date. Average days between the final update for closure and the actual result date was 80 days, with one case receiving a final update 1,016 days later.

### **Recommendations:**

**We recommend NHED management:**

- **develop, implement, and refine a performance management system with quantifiable performance measures tied to strategy, risk tolerances, and achievement of expected outcomes;**
- **formally assign performance management responsibilities to NHED staff and ensure fulfillment of those responsibilities;**
- **ensure performance measurement is based upon reliable data;**
- **develop comprehensive and sufficient dispute resolution data collection processes department-wide;**
- **collect and process data timely, regularly assess performance measurement, and publicly report results periodically;**
- **assess effectiveness of alternative options to due process hearings and State complaints and annually report to the SAC; and**
- **incorporate performance data into decision making, and revise performance expectations and processes as necessary.**

NHED Response:

*We concur with the recommendations.*

NHED makes the following remarks related to the auditors' observations:

*The Governance Unit has dispute resolution data collection processes and will assess where these procedures can be strengthened. It will also assess whether new technology can assist in ensuring a comprehensive data collection process. For example, the Department of Information Technology has implemented the Sales Force solution for management of complaints that has been implemented at the Governor's Office and the New Hampshire Office of Professional Licensure and Certification. NHED has expressed interest in incorporating this technology into its processes to coordinate constituent responses across the organization. Such a solution would replace existing ACCESS database tracking as well as the use of Excel for State complaints. Given the number of State complaints and dispute resolution cases (fewer than 50 per year), these existing solutions were intended to meet the needs of the organization. Although NHED believes that a technology solution would be more efficacious, staff managing these processes regularly confer among each other to ensure that there is not a duplication of efforts. However, incorporating a technology solution, such as JIRA, to this issue would likely require additional funds.*

*NHED will take the opportunity to work with the Division of Personnel to review supplemental job descriptions and class specification to ensure all required roles and responsibilities are adequately covered and addressed. All NHED supplemental job descriptions include "other duties as assigned" to help facilitate a purposeful, dynamic, and responsive organization. The NHED consistently conducts annual reviews of staff which helps to hold managers and staff accountable for their performance and achievement of assigned responsibilities.*

## **Monitoring And Enforcing Compliance**

Monitoring and holding LEAs accountable for noncompliance is essential to provide reasonable assurance rights were protected. Proactive monitoring controls are designed to be a preventative measure. These controls are intended to help NHED and LEAs meet special education dispute resolution requirements *before* rights are affected. Reactive monitoring occurs *after* rights are affected, such as overseeing the implementation of orders or corrective actions following identified noncompliance.

State laws and rules provided some monitoring activities and available enforcement actions for identified noncompliance. A risk-based approach to proactively monitor compliance, combined with reactive monitoring controls, would have helped NHED efficiently and effectively achieve expected outcomes.

## **Observation No. 16**

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### **Monitor LEA Compliance And Implement Enforcement Actions**

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NHED did not proactively monitor LEAs for compliance with special education dispute resolution requirements. Existing controls were inadequate or unimplemented. NHED monitoring reviews of LEAs during the audit period – intended to be proactive – were limited in scope and excluded compliance with special education dispute resolution process requirements. NHED did not develop procedures to actively encourage and monitor LEA-developed dispute resolution processes to

resolve disputes locally whenever possible. NHED inconsistently used available enforcement actions designed to address LEA noncompliance. Consequently, NHED could not provide reasonable assurance the rights of children with disabilities and their parents were protected.

### **Identified LEA Noncompliance With Requirements**

NHED lacked a risk-based approach to proactively monitor LEAs for compliance with requirements. Our ability to comprehensively assess NHED monitoring and enforcement of LEA compliance with each applicable requirement was hindered by inadequate controls combined with: 1) records management issues, 2) a small number of applicable cases, and 3) the number and complexity of due process complaint requirements. Additionally, facilitated IEP team meetings and third party moderated discussion process requirements were ad hoc rules and could not be enforced for compliance without being appropriately adopted in State law and rules. However, we did identify several areas where NHED lacked controls, resulting in LEA noncompliance or indicated noncompliance. We provided NHED management detailed results of our review in May 2023.

Some areas where NHED lacked controls over LEA compliance with requirements included:

- dispute resolution agreement contents,
- written notification of an IEP-related parent rejection,
- procedural safeguards notice content and distribution,
- convening a resolution meeting within applicable time limits, and
- informing parents of free or low-cost legal and other relevant services for due process hearings.

### **Ineffective Reactive Monitoring Practices**

Responsibilities for ensuring compliance with orders and corrective actions were unimplemented or unenforced. Unimplemented requirements and informal reactive practices inappropriately placed the burden on parents or other stakeholders to initiate allegations of LEA noncompliance with requirements. NHED staff reported noncompliance was generally addressed on a case-by-case basis following a public inquiry, State complaint filing, or filing with the judicial system independent of NHED. Our parent survey and file review results indicated some parents initiated similar actions to try to address LEA noncompliance with orders or corrective actions.

NHED did not enforce a requirement that LEAs report on the implementation of due process hearing decisions within 90 days of a decision being issued. A staff member was assigned responsibility for overseeing due process hearing decision orders, but the responsibility was unfulfilled, and no reports were submitted during the audit period. One due process hearing decision we reviewed specifically ordered NHED to monitor implementation of the decision. In August 2022, after we requested information from NHED about the requirement, staff began redirecting communications from parents who inquired about the 90-day reports to the assigned staff member.

Staff responsible for ensuring LEA implementation of State complaint corrective actions inconsistently enforced requirements. In our review of a judgmental sample of 39 State complaints from SFYs 2020 through 2022, 21 decisions required LEA corrective action to address noncompliance. In 16 of the 21 State complaint records (76.2 percent), there was:

- no evidence corrective action was implemented,
- insufficient evidence LEA corrective actions fully addressed noncompliance, or
- untimely corrective action.

NHED also had to enforce certain dispute resolution agreements that resulted in amendments to a student's IEP. However, NHED did not develop relevant controls, and the requirement was unimplemented.

### **Lack Of Procedures For Issuing Corrective Actions**

NHED lacked procedures and adequate guidance for staff and contractors to determine appropriate corrective actions to address identified noncompliance. Staff were also not always aware of orders or agreements that included corrective actions requiring NHED action.

Corrective actions were not always effective or appropriate. Contractors had broad discretion to specify corrective actions in orders and agreements, after consideration of case details and input from dispute resolution parties. The Commissioner had similar broad discretion for issuing corrective actions in State complaint decisions. We did not review the appropriateness of specific corrective actions in orders, agreements, and decisions. However, we identified certain practices which contributed to ineffective oversight of corrective action determinations and potential inappropriateness such as the following:

- One contractor reported NHED staff did not provide procedures or formal guidance for determining appropriate corrective actions. The contractor instead relied on their judgment and sought assistance from staff or other contractors as needed.
- NHED established an informal time limit of 21 days – an ad hoc rule – for all LEAs to hold facilitated IEP team meetings required as part of corrective actions.
- One State complaint decision did not address a party's proposed resolution to hold mediation. Neither did the required corrective action include specific activities or time limits, which made it ineffective for addressing noncompliance.
- Staff and contractors reportedly did not include on-site monitoring as part of corrective actions, an effective option to address noncompliance when properly implemented.

Management did not monitor or review orders and agreements to identify required NHED follow up. Certain dispute resolution processes could be required as part of a corrective action in an agreement or order, necessitating NHED action such as timely contractor scheduling or conducting specific monitoring activities. However, one contractor reported they were not always informed by NHED staff that dispute resolution was required in an order or agreement. Parties to the dispute disclosed the requirement to the contractor instead. We also identified a due process hearing case

which specifically required NHED monitor implementation of the decision. Although the due process hearing decision was provided to NHED, communications in the record indicated staff were not aware of the requirement until the parent contacted staff with concerns about related LEA noncompliance.

### **Enforcement Actions Not Used**

NHED did not use available enforcement actions established by State law and rule to address LEA noncompliance with implementation of orders in due process hearing and State complaint decisions. The Commissioner was statutorily required to issue enforcement actions to LEAs that were noncompliant with orders. Available enforcement actions included 12 sanctions such as requiring corrective action plans and monitoring, professional development, and repayment or loss of federal funding. However, management and staff inaccurately reported noncompliance could only be addressed if parties filed another State complaint or through a judicial process independent of NHED. No enforcement actions were issued by NHED during the audit period.

### **Recommendations:**

**We recommend NHED management:**

- **identify and implement federal and State monitoring and enforcement requirements;**
- **establish, implement, and monitor procedures to ensure staff dispute resolution monitoring and enforcement responsibilities are fulfilled;**
- **identify dispute resolution requirements LEAs are responsible for implementing;**
- **conduct a risk assessment of LEA requirements to establish priority monitoring objectives;**
- **design and implement efficient and effective monitoring controls for LEA compliance, including proactive controls;**
- **develop and implement procedures and formal guidance for issuing and reviewing the appropriateness of corrective actions, including on-site monitoring;**
- **develop and implement processes to identify and track corrective actions requiring timely follow up from NHED; and**
- **conduct periodic assessments to determine the effectiveness of monitoring and enforcement controls.**

**We also recommend the Commissioner begin issuing enforcement actions for noncompliance with orders as statutorily required, and ensure corresponding rules, procedures, guidance, and delegations of authority are properly adopted.**

### **NHED Response:**

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*NHED currently has procedures for implementing State dispute resolution requirements. However, NHED will take this opportunity to ensure that such procedures are comprehensive.*

*The Bureau of Special Education Support (BSES) utilized a risk monitoring system for approximately 15 years to ensure that LEAs were compliant with special education requirements. In 2019, NHED determined that a more effective risk monitoring system would help ensure a greater degree of compliance and began the development and implementation of a new system. This process occurred during the audit period. BSES has developed its comprehensive monitoring system which includes a risk assessment for LEA determinations. NHED is working to address the concerns that were raised by the audit in this observation to ensure they will be adequately addressed by the current monitoring system, to include enforcement actions as enumerated in RSA 186-C:5, V(e)(1)-(13). The current monitoring system aligns with the requirements for general supervision from the Office of Special Education Programs at the U.S. Department of Education.*

*During discussions with the auditors, NHED was informed that under the law, NHED has full jurisdiction over local processes—see NH Ed 1122.02 and 1123.17(k)—as such, NHED was encouraged to exercise its full authority to oversee local school district alternative dispute resolution programs. However, to effectuate the NHED’s full authority in this area would be taking on a role that NHED has not historically played and would require NHED to create a more robust monitoring system in relation to dispute resolution which may be challenged by school districts. There are outstanding questions as to whether the NHED, could in fact, legally oversee resolutions which NHED is not party to, at the local level.*

### **Special Education Dispute Resolution Agreements**

Written agreements developed as part of a resolution to a dispute were allowed, and in certain circumstances were required. If a dispute was resolved through a mediation, neutral conference, or resolution meeting, parties had to execute a legally binding agreement signed by both the parent and authorized representative of the educational agency.

Proceedings and discussions during both mediation and neutral conference were confidential. Neutral conference agreements did not require an explicit statement on confidentiality, but mediation agreements had to include a statement that all discussions during mediation would remain confidential and could not be used as evidence in a subsequent due process hearing or civil proceeding. Confidentiality protections did not apply to resolution meetings, but including a similar provision in an agreement was not prohibited. Other aspects of dispute resolution agreement contents were unregulated. Parties could include any other agreed to terms and conditions.

NHED was responsible for ensuring agreements were compliant with regulatory requirements. It was also responsible for enforcing elements of any agreement, developed in accordance with laws and rules, that resulted in amendments to a student’s IEP. This included agreements developed through local level processes – dispute resolution processes used to resolve issues between the parent and LEA without NHED involvement. Agreements were otherwise enforceable in a court of competent jurisdiction.



## Observation No. 17

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### Develop Controls Over Dispute Resolution Agreements

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NHED did not develop controls to ensure special education dispute resolution agreements were compliant with requirements. Neither did it develop procedures to implement related enforcement requirements. Stakeholders expressed concerns about the use and content of agreements, but NHED did not conduct objective assessments to determine the validity of those concerns and how to address them. Without effective controls and oversight, compliance and public transparency were compromised, and parents were inappropriately burdened with enforcement responsibilities.

### Lack Of Controls To Implement And Enforce Requirements

NHED did not have a control framework and comprehensive monitoring controls to oversee implementation and enforce agreement requirements. Requirements did not apply to third party moderated discussions and facilitated IEP team meetings because neither process was authorized in State law and rule. For applicable dispute resolution processes, management did not develop procedures to ensure agreements: 1) were developed when required, 2) included specific language, 3) and were signed by authorized parties. Additionally, there were no formal requirements to provide copies of dispute resolution agreements to NHED. If contractors or parties provided agreements, staff did not review agreements for compliance and conditions requiring NHED follow up action. State law also prohibited NHED from retaining certain mediation and neutral conference records which contributed to inadequate controls over agreements. Consequently, the following requirements were unimplemented or unenforced which negatively impacted compliance and effectiveness:

- Authorized Representatives – There were no procedures to verify authorized representatives signed agreements. Processes for parties to submit authorization information to NHED were ad hoc rules, or unenforceable informal requirements. Staff inconsistently received and documented authorization information. NHED could not verify signature compliance without documented authorization and copies of agreements.
- Performance – There were no procedures to ensure accuracy of federal performance reporting. Neither could NHED demonstrate achievement of outcomes. Assurance that agreements were legally binding and compliant with requirements was necessary for accurate federal reporting. Copies of agreements were also necessary for NHED to understand immediate dispute resolution results, terms and conditions, results of implementation, and additional actions taken to address unimplemented agreements if applicable. Management was unable to determine and report on dispute resolution effectiveness and outcomes without obtaining agreements.
- Required Actions – There were no procedures to review agreements for required enforcement or NHED follow up actions included in terms and conditions. Neither were agreements incorporated into NHED’s monitoring controls to facilitate compliance and enforcement. NHED also did not inventory local level dispute resolution processes and require parties submit applicable agreements for enforcement. As a result, NHED was

noncompliant with requirements, parents were unnecessarily burdened with enforcement responsibilities, and agreements were inconsistently implemented.

- **State Records And Access To Governmental Records Laws** – There were no procedures to ensure NHED retained custody of agreements in accordance with State records law. Agreements were part of a dispute resolution case record, but contractors inconsistently provided records to NHED as required. NHED also did not develop procedures or LEA guidance for releasing agreements as part of a governmental records request also known as a Right-to-Know request. The inclusion of a confidentiality provision or nondisclosure clause did not allow NHED and LEAs to be noncompliant with relevant laws. After deleting personally identifiable information (PII), agreements were public records which had to be provided upon request. However, some LEA special education administrators responding to our survey reported nondisclosure provisions were specifically used to prevent public release of agreements. Other stakeholders also reported difficulties in obtaining information about agreements.

### **Concerns About Unregulated Agreement Contents**

Agreement contents were generally unregulated resulting in stakeholders expressing concerns about the use of certain terms and conditions. At times, agreements contained nondisclosure and non-disparagement clauses or provisions outlining terms in which participants could not disclose details of the agreement or negatively discuss their experience without being subjected to costly penalties. While these were not prohibited, provisions at times contributed to an atmosphere of mistrust and damaged relationships between the parties involved. It also hindered the ability for NHED and legislators to obtain LEA representatives' and parents' opinions on dispute resolution processes. However, the use of nondisclosure clauses could have also helped LEAs and parents reach an agreement. Other stakeholders thought it was possible that fewer disputes would be resolved through alternatives to due process complaints and State complaints if certain terms and conditions were prohibited.

Some parents reported feeling forced or pressured to sign agreements, left with no other options to obtain necessary services, and fearful of retaliation or consequences. Sixteen of 25 parents responding to our survey (64.0 percent) reported they were asked to sign agreements with nondisclosure provisions, 14 (87.5 percent) of which were for mediation. Special education administrators responding to our survey inconsistently knew whether their LEA used nondisclosure provisions in agreements. We found enforceability of certain provisions to be questionable, such as holding minor students accountable to nondisclosure or non-disparagement terms and conditions. Although certain provisions and circumstances surrounding signing agreements raised concerns, parents would have to initiate judicial proceedings to obtain a final ruling on the validity and enforceability of agreements, which many parents reported not having the resources to do.

We requested participant input about dispute resolution processes. NHED and legislators have also requested participant input. However, some parents stated they would not provide information due to nondisclosure clauses and fear of consequences if violated. Our survey response rates and results were negatively affected when we attempted to obtain parent input on dispute resolution processes.

NHED also requested feedback from participants for four of six dispute resolution processes, but response rates were reportedly low. Making process improvements would be difficult without the ability to consistently obtain quality information.

**Recommendations:**

**We recommend NHED management:**

- **develop controls to ensure agreements for mediations, neutral conferences, and resolution meetings comply with federal and State requirements;**
- **identify gaps in current monitoring and enforcement practices and develop procedures to effectively monitor agreements, enforce compliance, and implement required enforcement of amendments to IEPs or other follow up actions;**
- **ensure contractors obtain and provide copies of agreements as part of submitting dispute resolution results and case records;**
- **require LEAs provide copies of agreements for resolution meetings and applicable local level dispute resolution process agreements requiring NHED enforcement or follow up actions;**
- **seek legislation, and request necessary rule changes from the State Board of Education, to require and allow for retention of all applicable agreements, including for third party moderated discussions and facilitated IEP team meetings if NHED objectively determines processes are beneficial and should be offered; and**
- **develop procedures for staff, and provide LEAs guidance, for redacting agreements and complying with Right-to-Know requests.**

**Additionally, we recommend NHED management consider developing additional optional procedures to expand enforcement responsibilities of agreements, as allowed under federal regulations, which would help alleviate the financial burden placed on parents left to seek enforcement through a court of competent jurisdiction.**

**We suggest the Legislature consider reviewing usage of agreements, including nondisclosure and non-disparagement clauses, and determine whether State policy changes regulating aspects of agreements would benefit participants and improve dispute resolution processes.**

**NHED Response:**

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*During discussions with the auditors, NHED was informed that under the law, NHED has full jurisdiction over local processes—see NH Ed 1122.02 and 1123.17(k)—as such, NHED was encouraged to exercise its full authority to oversee local school district alternative dispute resolution programs. However, to effectuate the NHED's full authority in this area would be taking on a role that NHED has not historically played and would require NHED to create a more robust monitoring system in relation to dispute resolution which may be challenged by school districts.*

*The BSES would have to evaluate the cost benefit of intervening in agreements between independent parties that have been resolved through its dispute resolution processes. Additionally, there are outstanding questions as to whether NHED, could in fact, legally oversee resolutions which NHED is not party to, at the local level.*

*NHED management will consider developing additional optional procedures to expand enforcement responsibilities of agreements to alleviate the financial burden on parents; however, any such procedures would likely require legislative authority. This new, additional procedure would most likely require more staff.*

*BSES and the Governance Unit will work collaboratively to create policies and procedures to develop controls to ensure the enforcement of agreements for mediations, neutral conferences, and resolution meetings, which NHED has access to. BSES has created a new position which will help with the enforcement of agreements.*

### **Timely And Effective Communication**

Establishing clear reporting lines for external stakeholders opens two-way communication necessary for effective and fair dispute resolution processes. Under the *Administrative Procedure Act*, all requests, applications, or petitions to NHED had to be sent an initial response within 30 days, and if applicable, a final response within 60 days. Certain dispute resolution process options, such as due process hearing requests and State complaints, had other processing time limits and requirements for publicly releasing final decisions. Management was responsible for ensuring quality information was timely communicated, and that stakeholders were aware of processes or procedures for using lines of communication.

### **Observation No. 18**

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#### **Develop A Public Communication System**

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NHED lacked adequate controls to ensure complaints and public inquiries were fully addressed, and communication to external stakeholders was timely and effective. NHED did not establish an intake process or clear reporting lines for public communication resulting in some requests not being fully addressed and an inability to manage timeliness. Formalizing communication processes for the public, including consistent personal assistance to provide information, could have helped identify and resolve issues, and provide additional opportunities to suggest appropriate special education dispute resolution process options.

#### **Incomplete And Informal Communication Processes**

Inquiries were addressed on a case-by-case basis across NHED and inconsistently tracked. In addition to administering four special education dispute resolution processes, other non-special education dispute resolution processes, and managing corresponding contractors, one staff member was responsible for responding to general stakeholder complaints and inquiries as well as providing assistance to help resolve issues. No public communication system was established to ensure this staff member's public communication responsibilities could be fulfilled. Instead, staff

throughout NHED responded to general complaints and inquiries. Some stakeholders reported dissatisfaction or concerns about NHED staff communication such as being directed to multiple staff, timeliness, professionalism, availability, and ability to offer assistance. During our file review, we also observed some communications from the public were internally sent across NHED, such as to staff, directors, and the Commissioner, without a clear understanding of which staff were ultimately responsible for addressing the inquiries.

Certain staff tracked formally filed requests for special education dispute resolution processes in various formats. Other related general requests, concerns, or inquiries were documented only if it was received by the same staff member who maintained a corresponding public communication database. However, instructions for stakeholders to formally file requests and complaints in laws, rules, or guidance materials were unclear, incomplete, or contained outdated information such as references to NHED offices that no longer existed and inaccurate personnel titles. Additionally, although public communication database reports were shared with management weekly, the database was incomplete and limited in its purpose. It was not used to measure communication effectiveness or timeliness, was missing certain inquiries we identified in our file review, and did not include requests or inquiries received by other staff across NHED.

### **Unaddressed Allegations And Communication Noncompliance**

NHED lacked procedures to ensure allegations that were included in filed requests and complaints, but were not applicable to special education dispute resolution processes, were redirected to appropriate staff to address. NHED also inconsistently complied with due process hearing and State complaint communication requirements and did not develop controls to ensure timeliness.

#### ***Insufficient Allegation Communications***

Communications to parties of due process and State complaints inaccurately and incompletely reflected issues and allegations provided in initial filings. For due process complaints, NHED had to notify parties of hearing scheduling information in writing, including a short plain statement of the issues involved. However, due process hearing notifications contained one or two words such as “placement” or “evaluation” instead of a plain statement of the issues, and did not always reflect all allegations. In one case we reviewed, staff acknowledged issues on the written notifications were not always accurate.

State complaint decisions had to address all allegations in the complaint. In practice, NHED sent a letter to parties verifying the State complaint was received with a description of applicable allegations to be investigated. It did not include specific allegations not applicable to State complaints and final decisions did not address allegations that were not investigated. If additional noncompliance was found, allegations were not completely addressed, or there were non-special education allegations during dispute resolution processes, staff reported a new State complaint could be opened, other dispute resolution process options could be used, or allegations would be redirected to appropriate NHED staff. However, procedures were not formalized, and stakeholders were not adequately informed of these processes. Two State complaint investigation reports we reviewed appeared to identify additional noncompliance, but there was no evidence new complaints were opened. In cases in which non-special education allegations were also filed as

part of either type of complaint, there was no evidence those allegations were redirected to appropriate staff.

Additionally, NHED inconsistently communicated results of corrective actions and State complaint decisions after reconsideration to both parties, and did not communicate implementation results of due process hearing orders to parents, which further hindered transparency and reassurance to the public that founded allegations were fully addressed.

### ***Final Posting And Notification Noncompliance***

NHED did not consistently and timely communicate redacted due process hearing decisions. NHED also did not comply with requirements to communicate monitoring and corrective actions resulting from due process hearing or State complaint decisions. After deleting PII, NHED was federally required to transmit findings and due process hearing decisions to the SAC and make both available to the public. However, SAC members reported NHED staff inconsistently informed members of where due process decisions could be found on the website. NHED also lacked procedures to monitor decisions for court appeals to ensure final decisions were communicated as required. Staff and management did not track court-appealed decisions, but one contractor recalled certain due process hearing decisions were overturned.

While due process hearing decisions had to be issued to parties within a federal time limit, NHED did not establish time limits or controls to ensure redacting and publicly posting decisions were timely. We reviewed six decisions and found days between the decision date and date the decision was provided to NHED for redaction ranged from zero to 183 days. In one case wherein we could also determine the posted date, there were 35 days between when NHED was provided the unredacted decision and public posting.

The Commissioner was statutorily required to post to the NHED website and notify superintendents, local school board, and the SAC of due process hearing and State complaint decisions with findings and recommendations for corrective action. Posting and notification requirements included orders for on-site monitoring. The Commissioner also had to notify the SAC of related enforcement findings, remedies, and sanctions. No procedures were developed nor were responsibilities delegated to post and notify appropriate contacts of due process hearing and State complaint monitoring, corrective actions, and enforcement. With the exception of notifying SAC members of posted due process hearing decisions, staff were unaware of these additional responsibilities and requirements were unimplemented.

### **Changes Ineffectively Communicated**

NHED lacked procedures to ensure changes to dispute resolution processes were communicated consistently and effectively to stakeholders. Timely and effectively communicating changes to stakeholders was necessary to help implement requirements, facilitate compliance, and achieve NHED objectives. Although staff and management reported changes to laws, rules, or NHED policies were communicated as necessary, stakeholders indicated it was not always adequate. LEA special education administrators commented NHED cancelled calls with school districts, changes were not effectively communicated, and overall helpful interactions were inconsistent. One

contractor reported, and we also found evidence, that changes to laws or rules were not always timely and clearly communicated. Additionally, NHED did not hold required public hearings when creating or making changes to special education dispute resolution procedures outside of rules. Ineffective communication practices contributed to LEA and contractor noncompliance, and stakeholders not fully understanding dispute resolution process requirements.

**Recommendations:**

**We recommend NHED management:**

- **improve on existing communication processes by developing a holistic public communication system with an intake process, clear reporting lines for communication, and procedures for managing external communication;**
- **evaluate staff responsibilities and current communication practices to determine where changes are necessary to improve efficiency and effectiveness;**
- **establish timeliness goals and objectives for redactions, postings, and notifications;**
- **review processes for collecting public communication data throughout NHED;**
- **develop a tracking system which would allow for measuring communication timeliness and effectiveness;**
- **review relevant requirements and ensure responsibilities are delegated appropriately and fulfilled;**
- **ensure all allegations and requests are addressed and communicated as required;**
- **review laws, rules, and guidance materials to identify inconsistencies and ensure NHED dispute resolution filing information is comprehensively updated; and**
- **publicize communication processes.**

**NHED Response:**

*We concur in part with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*NHED has processes to address both formal and informal constituent complaints, such as processes for dispute resolution procedures, State complaints, and facilitated IEP meetings. Complaints directed or relevant to the numerous programs administered by NHED are channeled directly to the program for resolution and escalated through the management structure, as appropriate.*

*The Department of Information Technology has implemented the Sales Force solution for management of complaints that has been implemented at the Governor's Office and the New Hampshire Office of Professional Licensure and Certification. NHED has expressed interest in incorporating this technology into its processes to coordinate constituent responses across the organization.*

*The Center for Appropriate Dispute Resolution in Special Education (CADRE) has recently just created and launched a National and State Dispute Resolution Data Dashboard, which NHED will consider using to track dispute resolution data in a clear and consistent manner.*

*NHED has developed a comprehensive website and continues to update, modify, and expand the content of its website to address requests for information and common constituent inquiries. NHED holds trainings annually for constituents, including parents, educators, school board members, community members, and legislators, and provides access to a wide variety of information on its website.*

*The Governance Unit has implemented a procedure for redactions by Hearing Officers and shall revisit that policy to determine if that policy is consistent with constituent needs while meeting the privacy protections needs of participants.*

*The Governance Unit posts redacted due process cases on its website. While there is no requirement under federal law for State complaints to be posted on the website, the Governance Unit is reviewing relevant State law, RSA 186-C:5, VI, to determine how NHED can meet its obligation under this section while being mindful of privacy rights pursuant to RSA 91-A.*

*The Governance Unit and BSES is in the process of creating a Dispute Resolution and Constituent Complaint Policy and Procedure manual to identify and set forth the roles and responsibilities of the Dispute Resolution positions. This document will be reviewed and updated on a consistent basis.*

## **Records And Data Management**

Management was responsible for developing and maintaining an efficient records management program for a broad set of records. State law defined a record as any document or recording, regardless of physical form or characteristics, made or received “pursuant to law or in connection with the transaction of official business.” Records had to be retained by the agency and could not be removed or destroyed unless law specified otherwise. Records without permanent or historical value could be destroyed after a retention period of four years. Federal laws and regulations had confidentiality requirements for special education dispute resolution and student records.

Reliable and quality data is essential for measuring performance, accurate reporting, supporting decisions, evaluating risk, and developing strategy. Reliable data cannot be established unless records are adequately maintained.

### **Observation No. 19**

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#### **Develop Records Management And Data Controls**

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Records were incomplete, missing, or not timely provided to NHED. NHED lacked policies and procedures making records management for special education dispute resolution processes ineffective. Dispute resolution processes were tracked in various formats without procedures to ensure information collected was complete and accurate.



Data resulting from deficient records was limited and unreliable. Staff maintained records of dispute resolution processes for which they were responsible for administering. Multiple sources were often required to create a complete record for a dispute resolution process from a mix of hardcopy and electronic documents. Contract requirements did not include clear expectations for timely providing NHED required documentation, which contributed to records management issues. Incomplete and untimely records negatively affected NHED's ability to manage dispute resolution processes and made certain requirements unauditably.

### **Lack Of Controls For Facilitated IEP Team Meeting Records**

NHED lacked controls over facilitated IEP team meeting records. Facilitated IEP team meeting records were electronically stored in one location but were inconsistently organized and incomplete. Management did not establish facilitated IEP team meeting documentation requirements, specify time limits for providing documentation, or develop procedures to ensure documentation was complete and adequate. Although some templates were available for conducting meetings, one contractor reported the previous contractor did not use templates and none were required.

Meeting documentation was inconsistently provided to NHED and untimely with some documentation reportedly not provided until a year after a meeting occurred. In one case we reviewed, a contractor stated certain documents would be destroyed following a meeting, which was noncompliant with State records law. NHED did not collect and maintain facilitated IEP team meeting data. However, any resulting data would have been unreliable and insufficient for supporting decisions and determining outcomes.

Staff reported tracking scheduled meetings, but the total number of actual meetings was unknown due to incomplete records. Based on available records and additional invoices we located, we identified 60 facilitated IEP team meeting requests from State fiscal years (SFY) 2020 through 2022. Of those 60 meetings initially requested:

- 25 (41.7 percent) were missing a documented request, either formal or informal;
- 24 (40.0 percent) had a formal request form;
- seven (11.7 percent) included an email as the request; and
- four (6.7 percent) referenced a request form, but the form was not in the record.

We were able to determine 44 meetings (73.3 percent) occurred from the initial 60 requests but, due to insufficient documentation, could not determine if five meetings (8.3 percent) occurred. In addition to meeting requests and scheduling notifications, a contractor reported creating consistent documentation of an agenda and action plan for all meetings. However, of those 44 meeting records:

- 12 (27.3 percent) lacked an agenda or action plan; and
- two (4.5 percent), and three additional subsequent meetings, lacked any documentation and were only identifiable through their inclusion on an invoice or scheduling notification.

### **Inadequate Controls Over State Complaint Records**

Controls over State complaint records were inadequate. State complaint records were in hardcopy format and relatively organized but incomplete. Management did not establish comprehensive State complaint documentation requirements, formalize time limits for providing documentation, or develop procedures to ensure documentation was complete and adequate. Inadequate controls also contributed to the loss of documentation during staff transitions.

State complaint decisions had to be issued within 60 days of the complaint being filed. Staff relied on contractors to track and maintain documentation as part of their investigation. However, staff and contractors created informal intermediate time limits to provide documentation instead of developing procedures or establishing time limits in rule. Checklists created by previous staff to administer State complaints were not used. Spreadsheets developed to track State complaints were incomplete, unreliable, and insufficient to support decisions and determine outcomes.

We reviewed a judgmental sample of 39 out of 114 State complaints filed during SFYs 2020 through 2022. In 23 of the 39 cases, we requested clarification and missing documentation for 53 individual items. Staff was unable to clarify or locate 40 items (75.5 percent) from our request. Missing individual documentation included:

- investigation documents,
- information to support certain complaint dismissals,
- amended decisions sent to parties after reconsideration,
- evidence corrective action was implemented,
- confirmation corrective action was sufficient,
- follow up on untimely implementation of corrective action,
- letters to parties confirming State complaint closure, and
- relevant internal communications about certain cases.

### **Inadequate Controls Over Records For Four Other Processes**

Controls over records for due process complaints, mediations, neutral conferences, and third party moderated discussions were inadequate. Dispute resolution documentation was inconsistently provided to NHED and untimely.

Records included hardcopy and electronic documentation in various locations and were incomplete. A combination of physical files, emails, and two databases had to be used to create a single case record of a dispute resolution. Management did not establish comprehensive documentation requirements, specify time limits for contractors to provide documentation, or develop procedures to ensure documentation was complete and adequate for these dispute resolution processes. Guidance and checklists developed to assist contractors with documentation compliance were not required or enforced. One contractor reported inconsistently providing records to NHED, and also retaining copies of dispute resolution case documentation for an indefinite amount of time, which was noncompliant with State records law. State law also prohibited NHED from retaining certain mediation and neutral conference records which contributed to inadequate controls and incomplete records.

Further, the primary database was insufficient to monitor and manage these four dispute resolution processes. It was outdated, inadequate for tracking compliance with required time limits, and lacked sufficient information technology support. Some dispute resolutions were incorrectly categorized or not clearly categorized as a non-special education dispute or special education dispute. Related data were limited, unreliable, and insufficient to support decisions and determine outcomes.

### ***Missing Records***

We reviewed a judgmental sample of 12 out of 115 due process complaint cases (10.4 percent) and 13 out of 34 mediation requests (38.2 percent) filed from SFYs 2020 through 2022. We also reviewed all three requests for neutral conferences and five requests filed for third party moderated discussions during the same period. We found record issues with all 33 special education dispute resolution cases we reviewed. Records did not consistently support information documented in the primary database management system, or inconsistently contained:

- all participants of the dispute resolution, including parents or guardians, advocates, attorneys, or other knowledgeable individuals;
- forms for requests, agreements to enter a dispute resolution, or authorizations;
- evidence of compliance with federal or statutory time limits, including applicable extensions;
- evidence a dispute resolution process occurred, including applicable resolution meeting sessions;
- written results of the dispute resolution, including applicable agreements; and
- other relevant communications.

Due process hearings were also subject to additional adjudicative process records requirements. We found ten cases (83.3 percent) were missing records required under adjudicative processes such as docket files, motions, objections, orders, rulings, recordings, and evidence submitted.

### ***Untimely Records***

We further inventoried electronic files for due process complaint cases during our file review and found eight case records (66.7 percent) had evidence of untimeliness or missing files. In some cases, untimely documentation was provided to NHED only after we requested specific cases for review. On average, untimely files were provided to NHED 315 days past case closure with some files provided as many as 519 days past case closure. Of 278 relevant and unduplicated electronic due process complaint files, we identified:

- 109 (39.2 percent) were untimely, and
- 15 (5.4 percent) were encrypted and could no longer be retrieved due to expired links.

We did not inventory electronic files for the other three dispute resolution processes but identified similar timeliness issues.

**Recommendations:**

**We recommend NHED management:**

- review applicable records requirements in federal and State laws and regulations,
- develop and formalize comprehensive policies and procedures for records and data management;
- review existing guidance and checklists, make necessary changes consistent with requirements, and ensure implementation;
- develop and implement additional guidance and checklists for staff and contractors to enforce records requirements and facilitate compliance;
- provide contractors training on documentation requirements and expectations for timely providing documentation;
- evaluate current tracking processes and needs to develop cost-effective systems to track and manage dispute resolution processes; and
- implement processes to periodically assess record completeness and data reliability.

**NHED Response:**

*We concur with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*The Governance Unit has procedures for records and data management, but it will assess the adequacy of these procedures. The Governance Unit will also evaluate the current tracking processes to ensure that it is a sufficient system which adequately addresses the needs. It is possible that a new system might be required to meet the needs of the Unit and this could require additional funding for software and training. Presumably, any new such system would include a function by which the processes are periodically reviewed.*

*The Governance Unit and BSES is in the process of creating an internal Dispute Resolution and Constituent Complaint Policy and Procedure manual to identify and set forth the roles and responsibilities of the Dispute Resolution positions. This document will be reviewed and updated on a consistent basis.*

*The Governance Unit holds consistent meetings with the Hearing Officers to identify and discuss issues which have arisen during hearings. All Hearing Officers are offered and encouraged to attend Center for Appropriate Dispute Resolution in Special Education (CADRE) training courses. The Governance Unit has and will continue to provide training to the Hearing Officers on the documentation requirements and will set clear expectations for providing documentation in a timely manner.*

*NHED acknowledges that training and education for records management requirements is necessary and will be implemented with other training opportunities.*

## Observation No. 20

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### Improve Management Of Confidential Records

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NHED inconsistently complied with federal and State laws for managing confidential records. NHED's ability to effectively manage certain processes was limited due to statutory restrictions or lack of controls.

#### Inconsistent Deletion Of PII

NHED lacked procedures guiding practices for deleting PII from due process hearing decisions. Deletions or redactions made to decisions were arbitrary and not always limited to PII. Federal regulations defined PII as:

- the name and address of the student, parents, or other family members;
- personal identifiers such as a social security number;
- other indirect identifiers such as the student's date of birth or mother's maiden name; and
- other information that would allow an individual who does not have personal knowledge of the circumstances to identify the student with reasonable certainty.

PII had to be deleted before publicly releasing due process hearing decisions. Public decisions also had to be transmitted to the SAC to help members identify special education issues and unmet educational needs.

General policies for disclosure could not be applied for determining deletion of PII. Federal guidance specified deletion of PII had to be completed by considering the contents of each due process hearing findings and decision to determine which information would make it possible to identify the child. Guidance also recommended the individual completing deletion of PII be familiar enough with the case to consider factors such as the student's disability, size of the school district, and parent's advocacy work in the community.

In practice, NHED implemented an informal policy, contrary to federal guidance, to delete the name of the school district in all decisions unless the case was from Nashua or Manchester school districts. Staff also reported an individual who was familiar with details of the cases did not always complete deletion of PII. Certain hearing officers deleted PII for their decisions, but NHED administrative staff deleted PII for other decisions. NHED staff would reportedly review hearing officer redacted decisions and complete further deletions of PII if necessary. SAC members reported decisions included unnecessary deletions which hindered the SAC's ability to identify special education issues and unmet education needs. Other stakeholders also had concerns about inappropriate redactions and lack of transparency. One hearing officer acknowledged they deleted more information than necessary in some decisions.

We compared all 12 original decisions for SFYs 2020 through 2022 to the publicly released versions and found stakeholder concerns were valid. At times, information was deleted from decisions that did not appear to identify or trace the identity of the student. Other decisions contained inconsistent redactions throughout the decision, some of which included PII.

## **Conflicting And Unenforced Record Requirements**

Conflicting and unclear State laws prevented NHED from retaining mediation and neutral conference records which were necessary to effectively manage processes. Federal law and regulations required discussions during mediation remain confidential. State law imposed confidentiality requirements for neutral conferences. Agreements resulting from both processes had to be written in a legally binding document.

State law further restricted records for mediation and neutral conferences. Since 1990, mediators had to document the date and participants at the meeting if mediation did not result in an agreement. Otherwise, a legally binding agreement had to be documented. No other reported results and record of the mediation could be made. Similar neutral conference requirements were adopted in 1994. Language preventing any other record of the mediation or neutral conference did not clearly limit confidentiality to discussions *during* the meetings for these processes. For example, statutory requirements prohibited NHED from retaining *any* records associated with mediation and neutral conference cases. This included information necessary to manage contractors and ensure compliance with requirements such as general inquiries or communications, scheduling, timeliness, and obtaining participant feedback. However, NHED inconsistently retained statutorily prohibited records.

We reviewed a judgmental sample of 13 mediation cases out of 34 and an additional ten mediation cases scheduled as part of due process from our file review for SFYs 2020 through 2022. Not all requirements for neutral conferences could be reviewed for compliance due to a low population of cases. We also found mediation and neutral conference records to be generally unauditible partially due to State law prohibiting retention of certain records. Additionally, contractors did not always report required results of mediation, as noted below:

- In nine of 13 mediation cases (69.2 percent), results were either not reported, or we could not determine if mediation occurred.
- In seven of ten scheduled mediations as part of due process (70.0 percent), results were either not reported, or we could not determine if the scheduled mediation occurred.

## **Lack Of Controls Over Student Records**

NHED lacked controls over State records for facilitated IEP team meetings. Facilitated IEP team meeting documents were also student records governed by the *Family Educational Rights and Privacy Act*. One contractor used a personal email address to exchange communications and documents during facilitated IEP team meeting processes. Other contractors were provided State-affiliated email addresses to use during dispute resolution processes. NHED could not ensure student records exchanged through a contractor's personal email were secure and managed in compliance with regulatory requirements without establishing effective controls.

**Recommendations:**

**We recommend NHED management:**

- **develop procedures guiding practices and provide training for deleting PII from due process hearing decisions;**
- **consider delegating deletion of PII responsibilities to individuals familiar with case details;**
- **implement a formal review process to ensure PII deletion is compliant with requirements;**
- **develop controls over facilitated IEP team meeting records and consider providing a NHED-affiliated email to corresponding contractors; and**
- **seek legislation to remove conflicting mediation and neutral conference record requirements which would allow retaining documentation for effective management of these processes.**

**NHED Response:**

*We concur with the recommendations.*

*NHED makes the following remarks related to the auditors' observations:*

*NHED recognizes the importance of identifying and protecting PII. Currently the Hearing Officers have responsibility for the redaction of due process decisions. The Governance Unit will evaluate the creation of a procedures guiding practices to ensure that PII deletion is formalized and comprehensive and consistently applied. The Governance Unit is in the process of developing an internal Dispute Resolution and Constituent Complaint Policy and Procedure manual that identifies and sets forth the roles and responsibilities of the Dispute Resolution position. It is anticipated that this will reiterate the existing responsibility for the Hearing Officers' role in redaction and will include a section on PII redaction responsibilities.*

*BSES has already provided all relevant dispute resolution contractors with an affiliate email address.*

*NHED will consider seeking legislative changes necessary to remove conflicting mediation and neutral conference record requirements which would allow retaining documentation for effective mediation and neutral conference management.*

**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION PROCESSES**

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**APPENDIX A  
SCOPE, OBJECTIVE, AND METHODOLOGY**

In May 2022, the Fiscal Committee of the General Court adopted a joint Legislative Performance Audit and Oversight Committee recommendation to conduct a performance audit of the New Hampshire Department of Education’s (NHED) special education dispute resolution processes. We held an entrance conference with NHED management in June 2022.

**Scope And Objective**

We designed the audit to answer the following question:

*How effectively did the NHED manage special education dispute resolution processes during State fiscal years 2020 through 2022?*

**Methodology**

To gain an understanding of special education dispute resolution processes and determine if applicable internal controls were properly designed and implemented, we:

- reviewed relevant federal laws, regulations, and guidance interpreting federal regulations;
- reviewed State laws and rules relating to special education dispute resolution, and other relevant laws and rules relating to agency requirements;
- reviewed the NHED website, reports, directives, policies, procedures, manuals, process guides, other relevant guidance, organizational charts, supplemental job descriptions, dispute resolution contracts, and relevant news articles;
- interviewed NHED personnel and dispute resolution contractors for each process;
- surveyed special education administrators and parents who filed, or were party to, a special education dispute during the audit period;
- attended a State Board of Education meeting;
- reviewed State Advisory Committee On The Education Of Children/Students With Disabilities and State Board of Education meeting minutes;
- reviewed audits and evaluations of NHED, other states’ audits and evaluations, and guidance from national organizations; and
- analyzed NHED data and judgmental samples or the population of cases from each dispute resolution process.

To gain an understanding of stakeholders’ experiences with special education dispute resolution processes we:

- surveyed special education administrators and parents who filed or were party to a special education dispute during the audit period,
- conducted telephone interviews with a selection of members from the State Advisory Committee On The Education Of Children/Students With Disabilities,



- reviewed legislative testimony,
- interviewed Parent Information Center personnel, and
- sent questionnaires to external stakeholder organizations.

### **Data Limitations Effect On Our File Reviews**

We encountered data limitations and records management control deficiencies which required us to modify certain file reviews and data collection methods. NHED lacked department-wide tracking of dispute resolution processes. Data was unreliable, not readily available, or did not exist depending on the dispute resolution process. Staff tracked dispute resolution processes in various formats without procedures to ensure information collected was complete and accurate. Multiple sources were often required to create a complete record for a single dispute resolution process. Records did not always contain complete case documentation or support documented transactions or results. Some requirements were not implemented or enforced and could not be audited for compliance. Certain restrictions in State law and inadequate data and records management controls contributed to deficiencies.

These limitations made it difficult for us to assess timeliness, instances of multiple dispute resolution processes used for the same issue, and regulatory compliance in general. Consequently, we qualify our use of, and conclusions that rest upon, the incomplete records we obtained and used in this report. Users of the audit should take into account that NHED data was not complete, but was the only data collected by NHED that could be used to partially assess their performance. We collected file review data between October 2022 and February 2023 to determine compliance with requirements and assess implementation of NHED controls.

### ***State Complaint File Review***

We reviewed hardcopy records to determine consistency and compliance with federal law and regulations, administrative rule, contract terms and conditions, and NHED guidance where requirements were not established in law and rule. In July 2022, NHED provided a spreadsheet staff used to manually track State complaints filed during State fiscal years (SFY) 2020 through 2022. We wanted to review files based on a percentage of each category of results represented in the population which included dismissed, withdrawn, suspended, decision, and reconsideration. We judgmentally selected files from each category for a total of 39 out of the 114 State complaints filed during that period. Our sample was not designed to be statistically representative, and we did not intend to project the results to the general population.

### ***Due Process Complaint File Review***

We reviewed a combination of hardcopy records, emails, and copies of two databases to determine consistency and compliance with federal law and regulations, State laws and rules, and NHED guidance where requirements were not established in laws and rules. In August 2022, NHED provided data extracted from the primary database which included due process complaints filed during SFYs 2020 through 2022. Staff also provided case numbers for due process complaints containing extensions and challenges to the sufficiency of the complaint to ensure additional requirements could be reviewed for compliance in the sample selection. We wanted to review files

based on a percentage of each category of results represented in the population which included dismissed, settled, withdrawn, mediated, resolved at local level, summary judgment, and decision. We judgmentally selected files from each category for a total of 40 out of the 115 due process complaints filed during that period.

Due to the extensive number of requirements, number of sources necessary to review a single case record, and audit timeliness concerns, we determined it would be more efficient to reduce the sample size to 13 due process complaints filed. However, NHED combined two due process complaints resulting in one decision. Therefore, 12 due process complaint cases were fully reviewed. The final selection of files was based on a percentage of each category of results represented in the population. The reduced sample was sufficient to conclude on management controls for due process complaints. Our sample was not designed to be statistically representative, and we did not intend to project the results to the general population.

We also reviewed due process hearing decisions from an additional seven cases to compare deletion of personally identifiable information practices for all 12 decisions issued during the same period.

### ***Mediation File Review***

We reviewed a combination of emails and copies of two databases to determine consistency and compliance with federal law and regulations, State laws and rules, and NHED guidance where requirements were not established in laws and rules. In August 2022, NHED provided data extracted from the primary database which included mediation requests filed during SFYs 2020 through 2022. We wanted to review files based on a percentage of each category of results represented in the population which included mediated, withdrawn, and mediated unsuccessful. We judgmentally selected an initial sample size of 15 out of 36 special education mediation requests filed during that period to review. We amended the sample size after it was determined that two cases were not related to special education. We removed and did not substitute the two nonapplicable cases. The final sample size was 13 out of 34 special education mediation requests. Our sample was not designed to be statistically representative, and we did not intend to project the results to the general population.

### ***Neutral Conference File Review***

We reviewed a combination of emails and copies of two databases to determine consistency and compliance with State law and rules, and NHED guidance where there were gaps between requirements in law and rules. In August 2022, NHED provided data extracted from the primary database which included neutral conference requests filed during SFYs 2020 through 2022. We reviewed all three neutral conference special education requests filed during that period. Results are for the population. However, not all requirements could be reviewed for compliance due to a low population of cases.

### ***Third Party Moderated Discussion File Review***

We reviewed a combination of emails and copies of two databases to determine consistency and compliance with NHED guidance where requirements were not established in laws and rules. In August 2022, NHED provided data extracted from the primary database which included third party moderated discussion requests filed during SFYs 2020 through 2022. We initially selected all nine third party moderated discussion special education requests filed during that period to review. We amended the selection after it was determined four cases in the population were not related to special education. The remaining five third party moderated discussion special education requests were reviewed. Results are for the population. However, not all requirements could be reviewed for compliance due to a low population of cases.

### ***Facilitated Individualized Education Program Meeting File Review***

We reviewed electronic records provided by the NHED to determine consistency; timeliness; and individualized education program (IEP) team meeting compliance with federal regulations, rules, and practices. We also reviewed records to determine consistency with NHED guidance and reported contractor practices where requirements were not established in regulations and rules. Records reportedly represented all facilitated IEP team meetings during the audit period; however, the population was unknown. We identified 60 meeting requests between SFY 2020 and SFY 2022, which resulted in 44 meetings.

### **Review Of Contractor Payments**

We reviewed several transactions from our mediation and neutral conference file reviews to assess relevant controls and determine whether contractor payments documented in the primary database were accurate and supported by case documentation. We judgmentally selected seven transactions for further review based on identified discrepancies between case record documentation and payments documented in the primary database. Invoices for these transactions were also retrieved from NH FIRST, the State's financial management system. Our review was limited in accordance with our audit objectives. We did not request access to the population of contractor payments and case records. Our selection was not statistically representative, and results were not intended to be projected to the general population.

### **Review Of Federal And State Requirements**

We reviewed 1,664 federal and State requirements related to the NHED's six dispute resolution processes, monitoring and enforcement responsibilities, procedural safeguards notices, and model forms to assess the regulatory framework and determine whether relevant controls were properly designed and implemented. These included requirements from:

- 20 USC chapter 33, section 1400 *et seq.*;
- 34 CFR part 300;
- RSA 186-C and RSA 541-A; and
- Ed 200, Ed 1100, and Jus 800.

We assessed NHED procedures and practices against requirements we identified. The analysis was specific to our audit objectives and intended to identify any common deficiencies and areas in which improvements were needed. It was not intended to substitute NHED's need to conduct its own analysis to identify deficiencies and make comprehensive improvements. We provided our analysis to NHED in May 2023.

### **Uncooperative Local Educational Agencies**

Some local educational agencies (LEA) did not provide statutorily required information when we requested. Certain LEAs refused to comply with State law requiring entities authorized to expend State funds to provide information we requested to support our audit objectives. In May 2022, the Legislative Performance Audit and Oversight Committee directed us to contact LEAs and parent participants as part of the audit. NHED did not have complete contact information for the population of participants. We determined contacting LEA special education administrators would be an efficient and effective method to collect necessary information for parent survey distribution. We requested special education administrators provide email addresses of parents who were party to a filed or requested dispute resolution process in their school district during SFYs 2020 through 2022. We received inquiries from LEAs and legal counsel representing LEAs about student privacy and our authority to access parent email addresses. NHED supported our request when staff received inquiries from LEAs or other representatives.

We obtained additional guidance from the U.S. Department of Education and provided relevant information to all LEA representatives. Federal guidance confirmed state auditors were allowed to access requested records for audit purposes. Additionally, State law required political subdivisions and other entities authorized to spend State funds to provide requested information, including confidential and privileged information. Several LEA representatives continued to refuse to provide required information or did not respond to our requests. It was unknown how many LEAs were impacted by questionable legal advice to not provide parent email addresses for audit purposes. LEAs inconsistently understanding the regulatory framework and applicable requirements were issues we also identified in other audit work. Consequently, parent participants may not have all received an opportunity to provide input on special education dispute resolution processes, and we may not have identified all parent issues for consideration bearing on the audit objectives.

### ***Parent Survey***

NHED lacked a system to track participants of special education dispute resolution processes. We contacted special education administrators to provide email addresses of parents who participated or were party to a dispute filed during SFYs 2020 through 2022. LEAs inconsistently responded and cooperated with our request resulting in 88 parent email addresses being provided. We supplemented these email addresses with an additional 28 we obtained during our file reviews of due process, mediation, neutral conference, third party moderated discussion, and facilitated IEP team meetings. An additional three email addresses were provided directly by parent participants. Seven of the 119 email addresses obtained were no longer valid at the time of our survey.

In January 2023, we sent a web-based survey link to 112 parents who participated or were party to a dispute filed during the audit period to solicit feedback and determine whether relevant controls were consistently implemented in accordance with requirements. We received 25 complete responses, for a 22.3 percent response rate. Responses were anonymous. However, some parents refused to take the anonymous survey out of fear of potentially violating nondisclosure agreements, or citing legal advice, which impacted results and response rates to an unknown extent.

We combined and simplified similar answers to open-ended questions and presented them in topical categories; multi-part responses were counted in multiple categories where applicable. The results of this survey can be found in Appendix C.

### ***Special Education Administrators Survey***

In January 2023, we sent a web-based anonymous survey link to 118 LEA special education administrators listed on the NHED website at the time to solicit feedback and determine whether relevant controls were consistently implemented in accordance with requirements. We received 26 complete responses, for a 22.0 percent response rate. It was unknown whether legal advice also impacted special education administrator participation in the survey. We combined and simplified similar answers to open-ended questions and presented them in topical categories; multi-part responses were counted in multiple categories where applicable. The results of this survey can be found in Appendix D.

### **Stakeholder Organization Questionnaires**

In January 2023, we sent a questionnaire via email to eight organizations providing services to parents and families of children with disabilities, LEAs, and other advocacy organizations. We solicited feedback about services provided, interactions with NHED, and special education dispute resolution processes generally. We received four responses, for a 50.0 percent response rate. We analyzed responses to identify trends or additional evidence for use throughout our report.

### **Internal Control**

According to generally accepted government auditing standards, internal control is defined as a process effected by an entity's oversight body, management, and other personnel that provides reasonable assurance that the objectives of an entity will be achieved. Auditing standards require we identify and determine which, if any, internal control components are significant to the audit. We use the definitions and concepts of internal control from the *Standards for Internal Control in the Federal Government* to conduct performance audits in accordance with auditing standards.

We identified five internal control components and 16 underlying principles that we considered significant to the audit objective.

1. Control Environment – All five principles which require management demonstrate integrity, oversee the internal control system, establish an organizational structure with assigned responsibilities, recruit and retain competent individuals, and evaluate

performance for internal control responsibilities were significant to the audit objective. We found NHED did not consistently establish or adhere to standards of conduct (Observation No. 7); provide adequate oversight of the internal control system (Observation No. 1); establish organizational controls (Observations No. 3 and No. 12); conduct strategic workforce planning assessments, establish training requirements and ensure maintenance of competency for staff or contractors (Observations No. 3, No. 5, and No. 6); or consistently hold individuals accountable for internal control responsibilities (Observations No. 1, No. 3, No. 5, and No. 16).

2. Risk Assessment – All four principles which require management define objectives and identify, analyze, and respond to risks were significant to the audit objective. We found NHED did not define special education dispute resolution process objectives and risk tolerances (Observations No. 2 and No. 15); conduct risk assessments or identify and timely respond to risks such as control deficiencies, staff turnover, conflicts of interests or potential conflicts of interests, fraud, and waste (Observations No. 2, No. 3, No. 7, No. 8, and No. 15); or identify and timely respond to significant changes that impacted operations and the internal control system such as organizational, regulatory, and dispute resolution process changes (Observations No. 3, No. 9, No. 10, and No. 11).
3. Control Activities – Two of three principles which require management design and implement control activities were significant to the audit objective. We found NHED did not develop written policies and procedures and lacked comprehensive controls. Limited controls it did develop were inconsistently implemented (Observations No. 1 and No. 12).
4. Information And Communication – All three principles which require management use and communicate quality information were significant to the audit objective. We found NHED did not ensure data and underlying records were reliable and sufficient to support management decisions (Observations No. 15, No. 19, and No. 20), develop procedures to clearly communicate necessary information internally and externally (Observations No. 13, No. 14, No. 18, and No. 20), formalize procedures to consistently obtain and incorporate stakeholder input (Observation No. 4), and evaluate methods of communication for effectiveness (Observations No. 13 and No. 18).
5. Monitoring – Both principles which require management monitor the internal control system, evaluate results, and timely remediate deficiencies were significant to the audit objective. We found NHED did not monitor and evaluate control activities for performance and process improvements (Observations No. 1, No. 9, No. 10, and No. 17), consistently conduct required assessments and report on dispute resolution performance (Observations No. 8, No. 15, and No. 17), monitor and enforce LEA compliance with requirements (Observation No. 16 and No. 17), and comprehensively and timely address deficiencies, including those from prior audit findings (Observations No. 1, No. 9, No. 10, No. 11, and No. 14).

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**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION PROCESSES**

**APPENDIX B  
DEPARTMENT OF EDUCATION  
DETAILED COMMENTS ON OBSERVATION NO. 5**

**Observation No. 5**

**Develop And Implement Contract Management Controls**

*We concur with the recommendations.*

*The following chart reflects contractor trainings during the audit period, including:*

<b>Year</b>	<b>Month</b>	<b>Training/Meeting</b>	<b>Subject Matter of Meeting</b>
2019	Oct 8	Meeting/Training	<i>Dear Colleague Letters from USDOE, State Board, SPED, Format, Decisions, Computers</i>
2020	Jan 27	Meeting/Training	<i>Dear Colleague Letters from USDOE, State Board, SPED, Format, Decisions, Computers</i>
2021	Jul-Sep	<i>New Hearing Officer training</i>	<i>Audit/training of several hearings/mediations held by seasoned hearing officers</i>
2021	Oct 21	<i>Hearing Officer Professional Development</i>	<i>Professional Development at national level</i>
2021	Nov 9, 10	<i>CADRE Hearing Officer Training</i>	<i>Professional Development at national level</i>
2022	Feb 1	<i>CADRE outside analysis of SPED decisions (sent by email for training purposes)</i>	<i>National level review/analysis of SPED decisions nation-wide; focus for NH on Findings of Fact and Rulings of Law</i>
2022	May 22	<i>Process discussion SPED with Disability Rights Center rep and parent advocate</i>	<i>Discussion of process concerns, changes to Users' Guide, Supported Decision maker, further ideas for process improvement</i>
2022	May 25	<i>Administrative Hearings: A Review of Virtual Hearing Procedures Used During Pandemic and After</i>	<i>Administrative Hearings: A Review of Virtual Hearing Procedures Used During Pandemic and After</i>



Post-audit, contractors have been provided the following training opportunities.

<b>Year</b>	<b>Month</b>	<b>Training/Meeting</b>	<b>Subject Matter of Meeting</b>
2022	Jul 7	<i>Due Process/Alt Dispute discussion with parent advocates, Disabilities Rights Center</i>	<i>Discussion of process improvement, outreach to parents/districts, development of manual</i>
2022	Jul 12	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>	<i>Parent guide development, review SPED laws, rules</i>
2022	Aug 2	<i>Due Process/Alt Dispute discussion</i>	<i>Parent guide development, review SPED laws, rules</i>
2022	Sep 15	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>	<i>Parent guide development, review SPED laws, rules</i>
2022	Oct 27	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>
2022	Nov 22	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>
2022	Dec 6	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>
2022	Dec 22	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>
2023	Jan 5	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>
2023	Jan 26	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>
2023	March 20	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center</i>	<i>Due Process/Alt Dispute discussion with parent advocates, Disability Rights Center As of October 16, 2023, Guide under review by Chief of Governance Unit</i>

2023	Jul 11-14	CADRE IDEA Administrative Law Judges and Impartial Hearing Officers in Region	Professional Development
2023	Jul-Sep	New Hearing Officer training	Audit/training of several hearings/mediations held by seasoned hearing officer as well as attend first cases of new Hearing Officer
2023	Oct 24	Meeting/Training	SPED, documentation, Legislative update, Joint Motions, Sum Judgments, uploading records, Moderator sessions to Neutral Conferences, etc.

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**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION**

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**APPENDIX C  
SPECIAL EDUCATION DISPUTE RESOLUTION PARENT SURVEY**

In January 2023, we sent a survey link to 112 parents who participated or were party to a filed special education dispute during July 1, 2019, through June 30, 2022. We received 25 complete responses for a 22.3 percent response rate. We combined and simplified similar answers to open-ended questions and presented them in topical categories; multi-part responses were counted in multiple categories where applicable. Some totals in the following tables may not add up to 100 percent due to rounding or where respondents could provide multiple responses to the same question. We also redacted or deleted comments if responses included personally identifiable information or specific case details.

<b>Question 1. Were you a parent/guardian who was a party to at least one special education dispute resolution process at some point between July 1, 2019, and June 30, 2022?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	<b>25</b>	100.0%
No	<b>0</b>	0.0%
<i>respondent answered question</i>		<b>25</b>
<i>respondent skipped question</i>		<b>0</b>

<b>Question 2. Which of the following options were you aware of prior to engaging in a State special education dispute resolution process? Please check all that apply.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Facilitated individualized education program (IEP) team meeting	17	68.0%
Third party moderated discussion	7	28.0%
Neutral conference	5	20.0%
Mediation	17	68.0%
Due process hearing	20	80.0%
Special education State complaint	17	68.0%
<i>respondent answered question</i>		<b>25</b>
<i>respondent skipped question</i>		<b>0</b>

**Question 3. Which State special education dispute resolution process(es) did you participate in at some point from July 1, 2019, through June 30, 2022? Please check all that apply.**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Facilitated IEP team meeting	15	60.0%
Third party moderated discussion	5	20.0%
Neutral conference	2	8.0%
Mediation	17	68.0%
Due process hearing	8	32.0%
Special education State complaint	14	56.0%

*respondent answered question*                    **25**  
*respondent skipped question*                    **0**

**Question 4. Does your school district offer a local dispute resolution option? A local dispute resolution process is any process developed by the school or district intended to resolve a special education issue without NHED involvement. This does not include IEP team meetings.**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	6	24.0%
No	10	40.0%
Don't know	9	36.0%

*respondent answered question*                    **25**  
*respondent skipped question*                    **0**

**Question 5. Did you participate in a school district's local dispute resolution process at some point from July 1, 2019, through June 30, 2022?**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	5	83.3%
No	0	0.0%
Don't know	1	16.7%

*respondent answered question*                    **6**  
*respondent skipped question*                    **19**

**Question 6. Please briefly describe the local dispute resolution process offered by the school district.**

<b>Comments</b>	<b>Count</b>
Contacted the superintendent's office.	1
School district was unwilling to provide reasonable accommodations. Accommodations were offered after going through mediation or contacting the superintendent.	2
Defined by NHED. Only required when a parent files for a due process hearing (unless the parties agree to waive it or to use mediation instead).	1
Not educating the child.	1

*provided comment*                    **5**

**Question 7. How many times did you or the school district initiate a local or State special education dispute resolution process from July 1, 2019, through June 30, 2022?**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
1	10	40.0%
2 to 5	10	40.0%
6 to 9	3	12.0%
10 or more	2	8.0%

*respondent answered question*                    **25**  
*respondent skipped question*                    **0**

**Question 8. Did you or the school district initiate multiple special education dispute resolution processes for the same issue(s)?**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	9	60.0%
No	4	26.7%
Don't know	2	13.3%

*respondent answered question*                    **15**  
*respondent skipped question*                    **10**

**Question 9. Thinking about the most recent issue in which multiple special education dispute resolution processes were used, which of the following processes were used? Please check all that apply.**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Local dispute resolution	2	22.2%
Facilitated IEP team meeting	6	66.7%
Third party moderated discussion	3	33.3%
Neutral conference	2	22.2%
Mediation	6	66.7%
Due process hearing	3	33.3%
Special education State complaint	5	55.6%

*respondent answered question*                    **9**  
*respondent skipped question*                    **16**

**Question 10. When did the school or school district provide you with a copy of the procedural safeguards notice (information about the procedural safeguards available to parents of a child with a disability)? Please check all that apply.**

Answer Options	Count	Percent
At the time of the initial referral or request for evaluation.	7	28.0%
When I filed a request for due process.	0	0.0%
While I filed a special education State complaint.	1	4.0%
At my request.	1	4.0%
Once every year since my child received their IEP.	12	48.0%
I was never provided a procedural safeguards notice.	0	0.0%
Other - please describe	10	40.0%

*respondent answered question* **25**

*respondent skipped question* **0**

Question 10. Text responses, Other - please describe	Count
IEP Meetings	3
Cannot recall when specifically, or from what agency (e.g., school district, NHED, Parent Information Center, etc.), but indeed received and retained a copy of this document, dated December 2011.	1
7 years after I first requested, 2+ years after I reported a qualifying diagnosis from a private eval, and after I obtained a private evaluation with a more severe diagnosis.	1
The district gives me their version of the procedural safeguards which was written by their lawyer. I do get this periodically but there is some factually inaccurate information and I don't think that telling parents to contact the school if they're having problems is an adequate solution as there are already problems and they are aware. I also don't think they provide good info on what parent options are.	1
It was provided every year and at the majority of the meetings involving the dispute, however it was usually and old, out of date copy.	1
At every meeting Schools are/were allowed to modify the procedural safeguards to incorporate their own language make it confusing and inconsistent with the state and federal guidelines.	1
They did not provide it to us but started to provide it to us when we engaged with an attorney. <i>[parts of comment removed due to case specific/personally identifiable details]</i>	1
When they remembered during meetings.	1
My district only sends electronic copies. It is important to note that NH procedural safeguards are missing IDEA components and are written to fragment information. OSEP cautioned states to avoid getting overly creative. Letter to Clayton, 50 IDELR 77 (OSEP 2007). Failure to include mandatory information could amount to a procedural violation of the IDEA.	1

*provided comment* **10**

**Question 11. Did you use an attorney during any of the special education dispute resolution processes?**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	11	44.0%
No	14	56.0%
Don't know	0	0.0%

*respondent answered question*           **25**  
*respondent skipped question*           **0**

**Question 12. For which special education dispute resolution processes did you use an attorney? Please check all that apply.**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Local dispute resolution	3	25.0%
Facilitated IEP team meeting	6	50.0%
Third party moderated discussion	1	8.3%
Neutral conference	0	0.0%
Mediation	10	83.3%
Due process hearing	4	33.3%
Special education State complaint	2	16.7%

*respondent answered question*           **12**  
*respondent skipped question*           **13**

**Question 13. Did the school district have an attorney present during any of the special education dispute resolution processes?**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	18	72.0%
No	7	28.0%
Don't know	0	0.0%

*respondent answered question*           **25**  
*respondent skipped question*           **0**

**Question 14. During which special education dispute resolution process did the school district have an attorney? Please check all that apply.**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Local dispute resolution	4	22.2%
Facilitated IEP team meeting	5	27.8%
Third party moderated discussion	4	22.2%
Neutral conference	1	5.56%
Mediation	15	83.3%
Due process hearing	10	55.6%
Special education State complaint	5	27.8%

*respondent answered question*           **18**  
*respondent skipped question*           **7**



<b>Question 15. In your opinion, would having an attorney represent you during certain special education dispute resolution process(es) have been beneficial? Please briefly explain why or why not.</b>	
<b>Comments</b>	<b>Count</b>
Yes, to help parents understand and have someone who specializes in special education laws and processes.	12
Yes, ensures transparency from the school and helps accountability.	8
Yes, but too expensive and unaffordable for most parents/schools use taxpayer money for attorneys.	7
Yes, schools use attorneys (including some at IEP team meetings), which parents feel intimidated/at a disadvantage.	5
Yes, also used an advocate, or used an advocate instead of an attorney.	4
Yes, ensures the process goes smoothly and is resolved quicker than without one.	3
No, too expensive and easier to pay out of pocket for necessary services than hire an attorney. Also had enough educational background to go through mediation without one.	1
No, but would hire one if it became contentious.	1
No, the school district always feels threatened.	1
<i>provided comment</i>	<b>25</b>

<b>Question 16. Did you use an advocate during any of the special education dispute resolution process(es)?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	15	60.0%
No	10	40.0%
Don't know	0	0.0%
<i>respondent answered question</i>	<b>25</b>	
<i>respondent skipped question</i>	<b>0</b>	

<b>Question 17. For which special education dispute resolution processes did you use an advocate? Please check all that apply.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Local dispute resolution	8	47.1%
Facilitated IEP team meeting	10	58.8%
Third party moderated discussion	4	23.5%
Neutral conference	1	5.9%
Mediation	10	58.8%
Due process hearing	5	29.4%
Special education State complaint	6	35.3%
<i>respondent answered question</i>	<b>17</b>	
<i>respondent skipped question</i>	<b>8</b>	

<b>Question 18. To the best of your knowledge, what were the advocate's qualifications?</b>	
<b>Comments</b>	<b>Count</b>
Licensed/Certified/Trained advocate	5
Relevant/Personal experience	4
Master's degree or higher	4
Former special education/Reading teacher	3
Other qualifications and affiliations related to child development and children with disabilities.	3
I don't recall, but her presence at the IEP meetings seemed to further the resolve of the district not to budge. So we let her go and hired an attorney.	1
Great	1
<i>provided comment</i>	<b>15</b>

<b>Question 19. Please briefly describe how the advocate assisted you during your special education dispute resolution process(es).</b>	
<b>Comments</b>	<b>Count</b>
One advocate, as a participating healthcare representative with a medical perspective on the matter under dispute. Both advocates, as witnesses to proceedings and consultants pre- and post-proceedings.	1
She helped me to understand the laws and what was a right for my child in the education process of NH, that was too much information for me to understand on my own.	1
Advocate helped with support regarding legal info. Advocate also participated in discussions around the student.	1
Was with us during each piece of the process - meetings, behind the scenes drafting language, etc.	1
My advocate has represented my child as if it was her own child. She has worked around the clock, and I mean all hours submitting laws, documentations, complaints and she also spoke on things when I didn't know about them or how to. She has tried to help the district and I work together for my child's needs. However, [Attorney] fights and violates the law. My advocate writes letters on our behalf and wrote our due process as I didn't know how to and helped me file complaints.	1
The advocate was able to find suitable options for my child at [school] however [school] refused to agree to the same or similar accommodations.	1
She was great however when the school has 4 attorneys working on their case and several district staff it is overwhelming. The advocate is not the problem it is the way parents and children are treated when sticking up for the kids education. The more you fight the less you get, parents are bullied, harassed, suffer retaliation, a form of racism to kids of special needs. School districts should be ashamed of the treatment of these parents and students.	1
Advised me about educational options, walked me through the process of advocating for my child in the public school system, attended school meetings, met with alternate program staff to find options that would best meet my child's needs, worked with the lawyer to prepare for mediation and hearing.	1

She advised us on strategy, informed us on state law and district practices, crafted language for our IEP, represented us at IEP meetings, and consulted for us on obtaining evaluations to measure our child's progress.	1
She wrote the letter to the state and the school. Participate in multiple IEP meetings prior.	1
She held the district accountable to the letter of the law, was neutral, keep emotions cool and levelheaded.	1
Every week she would assist on how to handle the district.	1
She brought up some good points, but she was from [another state], and we were in NH, which was a cause of some disdain/ridicule from the district. (i.e., "that's not how we do things in NH" etc.)	1
During the course of exercising my protected advocacy rights, the advocate guided me through all the malicious compliance the school and (their law firm) continued to engage in, to resolve/negotiate all the procedural and substantive violations my child suffered, and to deal with the retaliation other children and I experienced. As a result of the advocate's help, I was able to defend myself against the district and law firm that attempted to remove my first amendment rights through gag orders and additional confidentiality agreements from birth to death for my child, as well as responsibility for others who knew about my due process complaint.	1
I was lucky to get this advocate as again even advocates are expensive. She did file my due process for us, helped prepare and went to the prehearing and mediation previously. She has continued to advocate for my child's best interest.	1

*provided comment* **15**

<b>Question 20. Was there a cost to receiving assistance from the advocate?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
\$0 (no cost)	3	20.0%
\$1 - \$499	1	6.7%
\$500 - \$999	0	0.0%
\$1000 - \$1499	1	6.7%
\$1500 or more	9	60.0%
Don't know	1	6.7%

*respondent answered question* **15**  
*respondent skipped question* **10**

<b>Question 21. Please rate your satisfaction with the information provided to you by the advocate or advocate's organization.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Dissatisfied	0	0.0%
Somewhat Dissatisfied	0	0.0%
Neither Satisfied Nor Dissatisfied	2	13.3%
Somewhat Satisfied	4	26.7%
Satisfied	9	60.0%
Don't know	0	0.0%

*respondent answered question* **15**

*respondent skipped question* **10**

**Question 22. If you found any of your interactions with an advocate to be less than satisfactory, please describe ways in which the advocate was less than satisfactory. Otherwise, please respond "not applicable."**

Comments	Count
I was very dissatisfied with the attorney I had who pushed me to settle even though my student was not getting services in the IEP. I was also dissatisfied with the mediator who was not impartial and pushed me to accept the school deal and promised that things would be added later because he wanted to leave early. I also was charged several thousand dollars for a file review and for the lawyer to sit in mediation to have them bring me back the exact same offer the school had given me before the mediation. The school breaks the law and has no consequences, so they don't care if they don't provide services to the child. There are no consequences for them. They even say stuff like the NHED has no jurisdiction over them.	1
I do not have direct complaints about the service the advocate provided, but the cost is prohibitive, and I was not able to navigate the school system without this support. I have [an educational background in] special education and was stunned to discover how broken and punitive our public school system is.	1
Her knowledge of High School special ed was not as comprehensive. I should have been advised to obtain an attorney.	1
Its unfortunate families need to seek this route and out of pocket expenses can limit a family who doesn't have the funds.	1
Low-income and disability-related organizations in the state ARE LESS THAN SATISFACTORY. Rather than taking on cases, the New Hampshire Disabilities Rights Center (DRC) accepts families' stories and information for grant purposes. DRC cites a lack of staffing, but contracts with EdLaw for cases. This practice is very secretive and selective, and the public is not informed of it. New Hampshire Parent Information Center (PIC) does not support families in any of the dispute resolution processes. PIC has volunteer advocates, yet families have no access to them. NHLA does not take any special education or education issues. The Office of Child Advocate does not take on any special education or education issues.	1
Not applicable	10

*provided comment* **15**

**Question 23. In your opinion, would an advocate have been beneficial during certain special education dispute resolution process(es)? Please briefly explain why or why not.**

Comments	Count
Yes, generally beneficial, supports the parents, and some advocate organizations help.	8
Yes, help parents understand and have someone who has knowledge about special education laws and processes.	6
Yes, parents need an advocate or attorney to help ensure transparency from the school and accountability.	6
Maybe, depends on the advocate and their education/background/knowledge.	5
No, it would not have made a difference. Need an attorney and financial resources.	3
No.	1

*provided comment*                      **25**

**Question 24. Were you asked to sign a nondisclosure agreement after any of the special education dispute resolution processes?**

Answer Options	Count	Percent
Yes	16	64.0%
No	7	28.0%
Don't know	2	8.0%

*respondent answered question*                      **25**  
*respondent skipped question*                                      **0**

**Question 25. During which special education dispute resolution processes were you asked to sign a nondisclosure agreement? Please check all that apply.**

Answer Options	Count	Percent
Local dispute resolution	1	6.3%
Facilitated IEP team meeting	1	6.3%
Third party moderated discussion	2	12.5%
Neutral conference	0	0.0%
Mediation	14	87.5%
Due process hearing	2	12.5%
Special education State complaint	0	0.0%

*respondent answered question*                      **16**  
*respondent skipped question*                                      **9**

<b>Question 26. Is there anything you would like to share about nondisclosure agreements in the special education dispute resolution processes?</b>	
<b>Comments</b>	<b>Count</b>
Should not be allowed	5
There use do not support transparency/equity/accountability	5
Parents feel threatened or pressured to not share their experience due to fear of the consequences.	3
Schools violate nondisclosure agreements without consequence	2
All dispute resolution processes short of a special education due process hearing favor the interests of the LEA in preparation for a special education due process hearing.	1
We agreed to financial terms for a portion of the award from the due process hearing. Because I would not agree to the language in a non-disclosure agreement, the district has refused to pay and the Hearing Officer's decision has not been implemented.	1
If the schools and NHED are doing their jobs and supporting students and families as they should be these wouldn't be needed.	1
There is already confidentiality in the law and this violates first amendment rights to speak about my experiences as well as barring families from taking further action when services are not followed.	1
We did not sign because we never came to a suitable resolution and ultimately my [child] was taken out of the [school] program.	1
It prevents parents who have been forced to litigate to keep that experience secret. We live in a system that encourages families who can afford it to pull special ed kids out of public school and seek private placement, rather than funding comprehensive services in our public schools. This leaves families without financial means to be faced with ineffective options and it hurts our children.	1
There are dozens, maybe hundreds of families who are in desperate need of the services we received after 2.5 years of advocacy with the aid of an attorney and advocate. We are grateful to have been able to fund these services, but many people are not. Nondisclosure agreements (NDA) prevent families from sharing information that could be vital to other families obtaining a free appropriate public education (FAPE), which their children have been promised by the school districts and guaranteed by federal and state law.	1
I also don't feel it is a good idea to sign as it is harder to get assistance when it is violated since you can't share.	1
It felt odd not to be able to tell our families that we "won" our mediation just two weeks before our Due Process date and that I needed to be vague about the (successful) outcome. I felt that the nondisclosure was needed just so the district wouldn't "look bad" or be embarrassed. The nondisclosure felt childish.	1

Under IDEA, discussions that occur during mediation sessions must remain confidential. 34 C.F.R. § 300.506(b)(6) and (8). Therefore, a parent’s or public agency’s participation in the mediation process may not be conditioned on the party’s agreement to sign a confidentiality pledge. ( <a href="https://sites.ed.gov/idea/idea-files/policy-letter-july-31-2020-to-anonymous/">https://sites.ed.gov/idea/idea-files/policy-letter-july-31-2020-to-anonymous/</a> ). In my mediation, my confidentiality agreement was different from my advocates. This was not discovered until afterward. I notified the NHED that [NHED staff], the mediator, needed to pick up on the differences. I did not agree that there was a need for the mediation agreement when IDEA has a confidential clause already. In my NDA, I had to sign that I would not speak of any of my child's education in the past and in the future, I was held responsible for my child if he/she shared any educational details (past and present), I was held responsible for other individuals who had knowledge of my child's experiences with the school district and the law firm, I could not speak ill of anyone in the district by name or job title, and I would be held responsible for paying back any compensatory funds used if I breached the NDA. I did not agree, and the mediator told me that the NDA was a normal part of the process. It is important to note, that my due process, which I filed, the district had an obligation to fund my IEE request or file for due process, and they ignored their obligation under IDEA.	1
I wasn't allowed to bring the agreement made in mediation to due process, even though it was vital to my case.	1

*provided comment* **15**

**Question 27. Did your dispute result in a decision or agreement requiring the school district to implement changes or corrective action?**

Answer Options	Count	Percent
Yes	15	60.0%
No	8	32.0%
Don't know	2	8.0%

*respondent answered question* **25**  
*respondent skipped question* **0**

**Question 28. If your dispute resulted in an agreement with the school, do you know if your agreement was implemented?**

Answer Options	Count	Percent
Yes	11	73.3%
No	3	20.0%
Don't know	0	0.0%
Not applicable	1	6.7%

*respondent answered question* **15**  
*respondent skipped question* **10**



**Question 29. If your dispute resulted in a special education State complaint or due process decision requiring the school district to implement changes or corrective action, was the decision fully implemented?**

Answer Options	Count	Percent
Yes	5	33.3%
No	7	46.7%
Don't know	2	13.3%
Not applicable	1	6.7%

*respondent answered question*                    **15**  
*respondent skipped question*                    **10**

**Question 30. Which of the following actions did you use to attempt to address all or part of the unimplemented decision? Please check all that apply.**

Answer Options	Count	Percent
No action taken	0	0.0%
Contacted NHED staff	5	71.4%
Contacted the school district personnel	6	85.7%
Contacted the School Administrative Unit (SAU)	5	71.4%
Contacted the hearing officer or investigator	3	42.9%
Requested a facilitated IEP team meeting, neutral conference	1	14.3%
Filed a new due process or special education State complaint	1	14.3%
Other - please specify	4	57.1%

*respondent answered question*                    **7**  
*respondent skipped question*                    **18**

Question 30. Test responses, Other - please specify	Count
Federal Court review of other portions of the decision.	1
Filed a complaint with the US Department of Education Office of Special Education Programs (OSEP)	1
Continuing to try to fix it. May need to go back to due process or court.	1
Requested multiple IEP meetings	1

*provided comment*                    **4**

**Question 31. Did the NHED monitor the decision and notify you of the school district's progress in implementing the changes or corrective action?**

Answer Options	Count	Percent
Yes	3	25.0%
No	8	66.7%
Don't know	1	8.3%

*respondent answered question*                    **12**  
*respondent skipped question*                    **13**

<b>Question 32. Did a conflict of interest or potential conflict of interest arise involving you or someone in your party during your special education dispute resolution process(es)?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	3	12.0%
No	17	68.0%
Don't know	5	20.0%

*respondent answered question*                    **25**  
*respondent skipped question*                    **0**

<b>Question 33. With whom did you or someone in your party have a conflict of interest or potential conflict of interest? Please check all that apply.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
IEP facilitator	1	33.3%
Moderator	0	0.0%
Neutral	0	0.0%
Mediator	0	0.0%
Hearing officer	0	0.0%
Investigator	0	0.0%
NHED staff	0	0.0%
Other - please specify	3	100.0%

*respondent answered question*                    **3**  
*respondent skipped question*                    **22**

<b>Question 33. Text responses, Other - please specify</b>	<b>Count</b>
Our child's case manager is [their] teacher. That created a huge conflict of interest in that she could not function as an objective party when she was implementing and evaluating the directives of the team. In addition, a number of experts brought in to comment on the evaluations we had paid to have done had a stake in criticizing the results because they are employed by the district.	1
The school district attorney and non attorney lawyer	1
	1

*provided comment*                    **3**

<b>Question 34. How did your party or the other party report the conflict of interest or potential conflict of interest?</b>	
<b>Comments</b>	<b>Count</b>
We were not given a venue. This is the first opportunity we have been given to report this conflict of interest.	1
A non-attorney, deployed by the law firm, handled all my emails and made decisions for the IEP team. The attorney of the law firm that employed the non attorney was involved in the due process/mediation, so it seems like a conflict of interest. The law firm for the district provided the NH hearing officers training, so my hearings officer was trained by the attorney involved in my due process	1
We didn't.	1
<i>provided comment</i>	<b>3</b>

<b>Question 35. In your opinion, was the conflict of interest or potential conflict of interest sufficiently addressed?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	0	0.0%
No	2	66.7%
Don't know	1	33.3%
<i>respondent answered question</i>	<b>3</b>	
<i>respondent skipped question</i>	<b>22</b>	

<b>Question 36. Please describe ways in which the reported conflict of interest or potential conflict of interest was not sufficiently addressed.</b>	
<b>Comments</b>	<b>Count</b>
The teacher is still the case manager, and to our knowledge these experts continue to exercise biased and excessive influence in IEP meetings. That has not been addressed. <i>[Rest of comment removed due to case specific/personally identifiable details.]</i>	1
I reported the conflict on my evaluation form, provided by the NHED (which I had to request) of the hearing officer in additional pages as the questions on the evaluation did not provide for additional comments or truly address the issues I experienced.	1
<i>provided comment</i>	<b>2</b>

**Question 37. How clear were the following NHED public resources in explaining the facilitated IEP team meeting process. If you did not seek information about, or participate in this process, please choose "not applicable."**

<b>Answer Options</b>	<b>Unclear</b>	<b>Somewhat unclear</b>	<b>Neither clear nor unclear</b>	<b>Somewhat clear</b>	<b>Clear</b>	<b>Not applicable</b>	<b>Total</b>
Website	5 (20.0%)	7 (28.0%)	0 (0.0%)	4 (16.0%)	2 (8.0%)	7 (28.0%)	25
Manuals and other guides	4 (16.0%)	8 (32.0%)	0 (0.0%)	5 (20.0%)	2 (8.0%)	6 (24.0%)	25
Administrative rules	5 (20.0%)	10 (40.0%)	0 (0.0%)	3 (12.0%)	2 (8.0%)	5 (20.0%)	25
State law	3 (12.0%)	9 (36.0%)	2 (8.0%)	3 (12.0%)	3 (12.0%)	5 (20.0%)	25

*respondent answered question*      **25**

*respondent skipped question*      **0**

**Question 38. How clear were the following NHED public resources in explaining the third party moderated discussion process. If you did not seek information about, or participate in this process, please choose "not applicable."**

<b>Answer Options</b>	<b>Unclear</b>	<b>Somewhat unclear</b>	<b>Neither clear nor unclear</b>	<b>Somewhat clear</b>	<b>Clear</b>	<b>Not applicable</b>	<b>Total</b>
Website	6 (24.0%)	4 (16.0%)	0 (0.0%)	4 (16.0%)	2 (8.0%)	9 (36.0%)	25
Manuals and other guides	6 (24.0%)	3 (12.0%)	0 (0.0%)	4 (16.0%)	2 (8.0%)	10 (40.0%)	25
Administrative rules	6 (24.0%)	3 (12.0%)	0 (0.0%)	3 (12.0%)	2 (8.0%)	11 (44.0%)	25
State law	5 (20.0%)	3 (12.0%)	1 (4.0%)	3 (12.0%)	2 (8.0%)	11 (44.0%)	25

*respondent answered question*      **25**

*respondent skipped question*      **0**

**Question 39. How clear were the following NHED public resources in explaining the neutral conference process. If you did not seek information about, or participate in this process, please choose "not applicable."**

Answer Options	Unclear	Somewhat unclear	Neither clear nor unclear	Somewhat clear	Clear	Not applicable	Total
Website	6 (24.0%)	2 (8.0%)	0 (0.0%)	3 (12.0%)	2 (8.0%)	12 (48.0%)	25
Manuals and other guides	6 (24.0%)	2 (8.0%)	0 (0.0%)	2 (8.0%)	2 (8.0%)	13 (52.0%)	25
Administrative rules	6 (24.0%)	2 (8.0%)	1 (4.0%)	2 (8.0%)	2 (8.0%)	12 (48.0%)	25
State law	5 (20.0%)	2 (8.0%)	2 (8.0%)	2 (8.0%)	2 (8.0%)	12 (48.0%)	25

*respondent answered question* 25  
*respondent skipped question* 0

**Question 40. How clear were the following NHED public resources in explaining the mediation process. If you did not seek information about, or participate in this process, please choose "not applicable."**

Answer Options	Unclear	Somewhat unclear	Neither clear nor unclear	Somewhat clear	Clear	Not applicable	Total
Website	4 (16.7%)	10 (41.7%)	2 (8.3%)	2 (8.3%)	3 (12.5%)	3 (12.5%)	24
Manuals and other guides	4 (16.7%)	9 (37.5%)	1 (4.2%)	2 (8.3%)	3 (12.5%)	5 (20.8%)	24
Administrative rules	5 (20.8%)	7 (29.2%)	1 (4.2%)	2 (8.3%)	3 (12.5%)	6 (25.0%)	24
State law	4 (16.7%)	7 (29.2%)	3 (12.5%)	3 (12.5%)	2 (8.3%)	5 (20.8%)	24

*respondent answered question* 24  
*respondent skipped question* 1

**Question 41. How clear were the following NHED public resources in explaining due process. If you did not seek information about, or participate in this process, please choose "not applicable."**

Answer Options	Unclear	Somewhat unclear	Neither clear nor unclear	Somewhat clear	Clear	Not applicable	Total
Website	5 (20.8%)	4 (16.7%)	2 (8.3%)	5 (20.8%)	3 (12.5%)	5 (20.8%)	24
Manuals and other guides	5 (20.8%)	3 (12.5%)	2 (8.3%)	6 (25.0%)	3 (12.5%)	5 (20.8%)	24
Administrative rules	5 (20.8%)	3 (12.5%)	2 (8.3%)	4 (16.7%)	4 (16.7%)	6 (25.0%)	24
State law	5 (20.8%)	3 (12.5%)	1 (4.2%)	5 (20.8%)	4 (16.7%)	6 (25.0%)	24

*respondent answered question* 24  
*respondent skipped question* 1

**Question 42. How clear were the following NHED public resources in explaining the special education State complaint process. If you did not seek information about, or participate in this process, please choose "not applicable."**

Answer Options	Unclear	Somewhat unclear	Neither clear nor unclear	Somewhat clear	Clear	Not applicable	Total
Website	6 (25.0%)	4 (16.7%)	2 (8.3%)	3 (12.5%)	5 (20.8%)	4 (16.7%)	24
Manuals and other guides	5 (20.8%)	4 (16.7%)	3 (12.5%)	6 (25.0%)	3 (12.5%)	3 (12.5%)	24
Administrative rules	5 (20.8%)	4 (16.7%)	2 (8.3%)	6 (25.0%)	4 (16.7%)	3 (12.5%)	24
State law	6 (25.0%)	3 (12.5%)	2 (8.3%)	5 (20.8%)	4 (16.7%)	4 (16.7%)	24

*respondent answered question* 24  
*respondent skipped question* 1

**Question 43. If you found any NHED public information resources to be less than clear, please describe the ways in which NHED public resources were less than clear. Otherwise, please respond "not applicable."**

Comments	Count
Difficult to understand or needed expert assistance	9
Unclear how to handle noncompliance by the school district	4
Not comprehensive/No description of procedures or timing is given	4
Parents are at a disadvantage due to the cost/need for an attorney	2
NHED is aligned with the school district needs rather than the child's	2
They all implement them in different ways and say they're right regardless of what is truly intended in the laws and resources.	1
Basically as parents to add to the mess of special education it should not be left up to the parents to do all this crap just give my kid the special education they deserve as a human being. My child has got nothing from the school in 2 years. They are unable to attend because they were hurt at school and the school refuses to keep [them] safe. So now they are home with nothing. Thank you to all the rules and laws and bla bla bla does nothing for my child.	1
I don't have specific complaints, it is a general lack of honesty about how broken the process is. Whether my hearing would result in support for my child was completely dependent on which person was assigned to make the decision. If a particular person is assigned, the district will push for the hearing because they know they will "win" (meaning not have to meet the child's needs). If a different judge is assigned, the district is motivated to find resolution in mediation. That is not explained on [NHED] website or in [NHED] materials. (nor should that be how it all works).	1
The school immediately told us that it would have consequences for our child if we would go that route. It was also explained to us that it would be extremely expensive, during the process our child would not get any support, and that we would not get what we wanted.	1

There was no specific contact person/department to reach out to. I feel stating a specific department would have expedited the process.	1
1. The state complaint findings, our state does not provide transparency or post them, with the redaction of personally identifiable information and publicly displaying school districts. 2. In the due process decision, the public school's names and attorneys are redacted, and the decision does not have a standard operating procedure in writing them (Note one Hearing Officer has been involved in more than 85% of the ones listed) Commissioner had a blanket policy to redact all public school names as to protect the identity of the student. Redaction of public schools and attorney goes against RSA 91-A.	1
Also facilitated meeting we were told there was no one and then suddenly we got someone	1
Not applicable	4
<i>provided comment</i>	<b>24</b>

<b>Question 44. Did you use other public resources to obtain information for your special education dispute resolution process(es)?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	13	54.2%
No	11	45.8%
	<i>respondent answered question</i>	<b>24</b>
	<i>respondent skipped question</i>	<b>1</b>

<b>Question 45. Please list the other public resources you used to obtain relevant information.</b>	
<b>Comments</b>	<b>Count</b>
Parent Information Center	6
Websites	3
Disabilities Rights Center	2
Wrightslaw.com	2
Office of Civil Rights	2
Community Bridges	1
	<i>provided comment</i>
	<b>11</b>

<b>Question 46. For your purposes, were other public resources sufficient?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	4	30.8%
No	7	53.9%
Don't know	2	15.4%
	<i>respondent answered question</i>	<b>13</b>
	<i>respondent skipped question</i>	<b>12</b>

<b>Question 47. Please describe ways in which public resources were not sufficient.</b>	
<b>Comments</b>	<b>Count</b>
Did not provide answers to all situations/questions	5
Volume of material is overwhelming	2
A mess like everything to do with special education	1
All of these places have too many calls coming in to assist everyone who needs help. Regardless of how desirable a situation is if it is on their mission of the year and if they have additional staff you may receive help.	1
Parent Information Center seems to be only on the school district's side and are not neutral.	1
Selective in cases from Dec Civil rights not easy and no local resources	1
<i>provided comment</i>	<b>9</b>

<b>Question 48. Excluding advocate costs, if applicable, was there a monetary cost for you to participate in special education dispute resolution?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	14	58.3%
No	10	41.7%
Don't know	0	0.0%
<i>respondent answered question</i>	<b>24</b>	
<i>respondent skipped question</i>	<b>1</b>	

<b>Question 49. Excluding advocate costs, what costs were associated with your special education dispute resolution process(es)? Next to each of the following processes, please list what you spent money on (e.g., attorney, evaluation, witness fees, copies, etc.) and approximate associated costs. If you were not a party in a certain process, please state "not applicable." You may also list "none" if there were no associated costs.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Local dispute resolution	4	30.8%
Facilitated IEP team meeting	6	46.2%
Third party moderated discussion	2	15.4%
Neutral conference	2	15.4%
Mediation	8	61.5%
Due process hearing	4	30.8%
Special education State complaint	4	30.8%
<i>respondent answered question</i>	<b>13</b>	
<i>respondent skipped question</i>	<b>12</b>	



<b>Question 49. Text responses – Associated costs</b>	
<b>Comments</b>	<b>Count</b>
<b><i>Local Dispute Resolution</i></b>	
\$200 records copies	1
\$500	1
\$8,000	1
None	1
<b><i>Facilitated IEP Team Meeting</i></b>	
\$2.00	1
\$350	1
\$3,500 attorney, evaluations	1
\$15,000	1
None	2
<b><i>Third Party Moderated Discussion</i></b>	
\$3,500 attorney and more evaluations	1
\$3,500	1
<b><i>Neutral Conference</i></b>	
\$2,500 attorney	1
\$3,500	1
<b><i>Mediation</i></b>	
\$3,500	1
\$4,000 attorney, specialized evaluations, copies	1
\$8,000 attorney	1
\$8,700	1
\$10,000	2
\$30,000	1
\$15,000 and more for EA and attorney, \$100,000 for private placement [until dispute resolved]	1
<b><i>Due Process Hearing</i></b>	
\$450	1
\$10,000	1
\$60,000 attorney	1
\$70,000	1
<b><i>Special Education State Complaint</i></b>	
Data collection, photocopy costs	1
More than \$2.00	1
None	2

*provided comment*

**12**

<b>Question 50. Is there anything else you would like to share about your special education dispute resolution process(es) costs?</b>	
<b>Comments</b>	<b>Count</b>
Parents have to fight hard for free and appropriate education.	5
Expensive	5
There is an imbalance between parents having to pay for lawyers and what the school districts have to pay.	3
According to NHED, family legal costs were generally nonrecoverable, irrespective of the outcome of a due process hearing.	1
I have spent well more than \$100,000 on attorney's fees - most families could not afford that. There is a disincentive for school districts to resolve matters and many actively work to harm families, further exacerbating issues. Special education costs are increasing. The Hearing Officer failed to follow established legal precedent which also increased my costs, necessitating review in court.	1
There are no free legal resources. State bar gives no referrals for education. Attorneys demand a huge retainer. DRC doesn't accept any cases and just says stupid stuff like you sound smart, you can act like an attorney (this is illogical and ignorant). They have even sent people in to do pro se representation with zero guidance other than sheets they printed off the website. Legal aid only takes cases related to landlord/tenant and not special ed.	1
Not only did we end up with nothing and no money left but our child does not get any services or schooling from the crooked school district in which we live where their abuse is supported by the NHED and its minutia of rules and laws. My wife and I have worked in public schools [which makes the experience worse]. Also, absolutely sick of the points program, where we are pointed in all directions for help, but no one actually helps. Parents do not have the bandwidth to read all the laws, read all the rules, decipher the timelines and BS. Parents in crisis need immediate solutions not more bs and red tape The passing of HB581 has had little effect. I always [thought] NHED would be the last stop where my child would get what they deserve. I was wrong. I myself and my wife and many other parents are forced to watch their children get older and not get what they need because of some of the issues I have outlined. School district cause heart break, Mine breaks everyday my child gets nothing, and I have no money left to get them what they need. I have little to nothing good to say about the special education in NH and the laws and rules supposedly made to protect children because they certainly do not.	1
The process is not streamlined.	1
This was an awful experience, that ultimately resulted in my child receiving the support needed, but there is nothing to celebrate. My child is in private residential school instead of home with me, because our public school system is broken. Other children are struggling in ineffective placements because of the same broken system.	1
Our advocate costs were \$7,800.00. It's a travesty.	1
It is time to protect the children.	1

It kills me that after literally YEARS of dispute, the district decided to agree to ALL of our requests, all at once, in mediation, just weeks before our Due Process hearing. I'm just sad I had to fight so hard.	1
[School administrator] was the primary problem that we faced when managing our IEP meetings as well as our due process filings.	1
The school district (and their attorney) refused to provide me with an electronic copy of my child's educational records under Family Educational Rights and Privacy Act (FERPA), [and] they wanted to charge me an obscene amount of money. When I finally received his/her educational records (FERPA) there were only a few pages. I had to take time from work without pay.	1

*provided comment* 13

**Question 51. Based on your interaction with NHED contractors (facilitator, moderator, neutral, mediator, hearing officer, investigator) during your special education dispute resolution process(es), how satisfied were you with the following:**

Answer Options	Dissatisfied	Somewhat dissatisfied	Neither satisfied nor dissatisfied	Somewhat satisfied	Satisfied	Don't know	Not applicable	Total
Communication	4 (16.7%)	2 (8.3%)	5 (20.8%)	3 (12.5%)	9 (37.5%)	0 (0.0%)	1 (4.2%)	24
Professionalism	3 (12.5%)	2 (8.3%)	3 (12.5%)	2 (8.3%)	12 (50.0%)	1 (4.2%)	1 (4.2%)	24
Timeliness	4 (16.7%)	3 (12.5%)	2 (8.3%)	8 (33.3%)	6 (25.0%)	0 (0.0%)	1 (4.2%)	24
Knowledge	6 (25.0%)	1 (4.2%)	2 (8.3%)	3 (12.5%)	11 (45.8%)	0 (0.0%)	1 (4.2%)	24
Addressed all concerns	8 (33.3%)	2 (8.3%)	1 (4.2%)	3 (12.5%)	9 (37.5%)	0 (0.0%)	1 (4.2%)	24
Complied with federal and State requirements	6 (25.0%)	2 (8.3%)	1 (4.2%)	3 (12.5%)	10 (41.7%)	1 (4.2%)	1 (4.2%)	24

*respondent answered question* 24

*respondent skipped question* 1

**Question 52. If you found any of your interactions with NHED contractors to be less than satisfactory, please describe ways in which NHED interactions were less than satisfactory. Otherwise, please respond "not applicable."**

<b>Comments</b>	<b>Count</b>
Mediator/Hearing officer biased, unethical, or not impartial	5
Mediator was a harsh communicator.	1
As stated above, Hearing Officer failed to follow established legal precedent and the state has failed to follow up on the area where there was an award.	1
The hearing officer however I did not find any issues with.	1
Not good	1
All they ever did was just tell the school to do what they already were not doing in the first place. There needs to be more of a heavier fine/ disciplinary action than just do it.	1
I feel that they did not reach out to speak with me until after the district reached out. This opened me up to uncomfortable conversations with the district without being given a clear understanding of my rights. It would have also been helpful if they provided email follow up of our conversations with resources to support me through the process.	1
Their position on our situation was neutral. So, ultimately they were of no help? The NHED offered no help beyond providing information on what the due process was and everything said get a lawyer. The NHED is on the side of the schools that are keeping our kids out of school and cheating these children out of their education. The only one advocating for the children are the lawyers their family may or may not be able to afford.	1
Not applicable	13

*provided comment* **24**

**Question 53. Based on your interaction with NHED staff during your special education dispute resolution process(es), how satisfied were you with the following:**

<b>Answer Options</b>	<b>Dissatisfied</b>	<b>Somewhat dissatisfied</b>	<b>Neither satisfied nor dissatisfied</b>	<b>Somewhat satisfied</b>	<b>Satisfied</b>	<b>Don't know</b>	<b>Not applicable</b>	<b>Total</b>
Communication	4 (16.7%)	1 (4.2%)	4 (16.7%)	3 (12.5%)	8 (33.3%)	1 (4.2%)	3 (12.5%)	24
Professionalism	4 (16.7%)	0 (0.0%)	2 (8.3%)	3 (12.5%)	10 (41.7%)	1 (4.2%)	4 (16.7%)	24
Timeliness	5 (20.8%)	1 (4.2%)	2 (8.3%)	5 (20.8%)	7 (29.2%)	1 (4.2%)	3 (12.5%)	24
Addressed all concerns	6 (25.0%)	1 (4.2%)	1 (4.2%)	4 (16.7%)	8 (33.3%)	1 (4.2%)	3 (12.5%)	24
Complied with federal and State requirements	5 (20.8%)	0 (0.0%)	2 (8.3%)	2 (8.3%)	10 (41.7%)	2 (8.3%)	3 (12.5%)	24

*respondent answered question* **24**

*respondent skipped question* **1**

<b>Question 54. If you found any of your interactions with NHED staff to be less than satisfactory, please describe ways in which NHED interactions were less than satisfactory. Otherwise, please respond "not applicable."</b>	
<b>Comments</b>	<b>Count</b>
NHED/Hearing officer /mediator biased or not impartial	4
Rude	2
Would not return calls or provide accurate information	2
Refused to take/investigate complaints	2
NHED staff constantly fail to enforce or make corrections to schools. Three NHED Administrators are either not fulfilling their responsibilities, noncompliant with regulations, or defensive.	1
[NHED staff member] was always polite and answered questions they could, or would point me in the right direction of whom to speak with. The Commissioner would call and tell me I was right but never did anything to help. The Hearing Officer I believe followed the laws and ruled on what he could and dismissed without prejudice what he could not.	1
Lack of professionalism. School staff did not have needed resources.	1
Some of them were very as a matter of fact. We as parents calls upset already so they should be more understanding.	1
The timelines was a concern.	1
As a result of past commissioners making internal changes, the NH School Board Association and the NH Association of Special Education Administrators have both registered state lobbyists who are stakeholders that have removed rights, fragmented access to rights, and (impacted the NH Procedural Safeguards available to families.).	1
They were able to provide info on how things happen. But not able to offer assistance.	1
Told there was no facilitators we were ready to get an attorney we had volumes of documents and recordings from IEP meetings that school was dishonest and non-transparent.	1
Not applicable	15

*provided comment* **24**

**Question 55. Based on your interaction with the local school district during your special education dispute resolution process(es), how satisfied were you with the following:**

Answer Options	Dissatisfied	Somewhat dissatisfied	Neither satisfied nor dissatisfied	Somewhat satisfied	Satisfied	Don't know	Not applicable	Total
Communication	15 (62.5%)	5 (20.8%)	2 (8.3%)	1 (4.2%)	1 (4.2%)	0 (0.0%)	0 (0.0%)	24
Professionalism	16 (66.7%)	2 (8.3%)	3 (12.5%)	0 (0.0%)	3 (12.5%)	0 (0.0%)	0 (0.0%)	24
Timeliness	16 (66.7%)	1 (4.2%)	4 (16.7%)	0 (0.0%)	3 (12.5%)	0 (0.0%)	0 (0.0%)	24
Knowledge	16 (66.7%)	0 (0.0%)	3 (12.5%)	2 (8.3%)	3 (12.5%)	0 (0.0%)	0 (0.0%)	24
Addressed all concerns	19 (79.2%)	1 (4.2%)	2 (8.3%)	1 (4.2%)	1 (4.2%)	0 (0.0%)	0 (0.0%)	24
Complied with federal and State requirements	15 (62.5%)	1 (4.2%)	2 (8.3%)	3 (12.5%)	2 (8.3%)	1 (4.2%)	0 (0.0%)	24

*respondent answered question* 24  
*respondent skipped question* 1

**Question 56. If you found any of your interactions with the local school districts to be less than satisfactory, please describe ways in which the local school district interactions were less than satisfactory. Otherwise, please respond "not applicable."**

Comments	Count
Unprofessional/unethical/possibly illegal behavior by school district	7
School district did not follow/implement IEP or did not fully implement IEP	6
School district's only interest is to reduce spending/Not interest of child	4
Retaliation/Threats of retaliation	3
School district blocks my calls/communications	2
Decisions are predetermined by school district	2
I'm horrified by [my former] school district. It runs the gamut: coming to meetings not knowing what programs offered or even what city and state they were located in. The program I selected was clearly better suited for my child AND was substantially less expensive	1
I think it's very counter active to put people in multiple meetings year after year if the teachers are not allowed to voice their real opinion about the child's educational need when they know the school district does not have the means to produce or follow through per a child's actual needs.	1
There are too many ways to list how dissatisfied the school district is. They treat my out if district placed child differently than they would if [child] were in district. They force multiple embarrassments to this child so they can "collect data." They don't support [child] appropriately creating an environment where they are an enigma and something to be avoided. [Parts of comment removed due to case specific/personally identifiable details.]	1

SPED director refuses to fully staff the department. Not knowledgeable on the law. Says every sped kid will be in menial labor. Fails to comply with the law. Tries to stop parents from speaking out at school board meetings.	1
She refused the recommendations for applicable schools for my child, including those from her own people. We lost 2 1/2 years of my child's education trying to find schools and bumping between those which seemed okay on the surface but were geared for juvenile delinquents, not intelligent neurodivergent kids.	1
Although we did not have a lawyer to prove it my child's rights were violated by [school] and when I requested copies of communications it was clear to me that they actively tried to circumvent those rights.	1
School district brought Attorney to all meetings and they both consistently told me I had no say it was unilaterally up to the district, told me they didn't agree so I had to move on didn't let me advocate for my child. Discriminated against my child by hiring people only for my [child]'s situation that still wouldn't listen. Made meetings contentious.	1
Until the final outcome of the mediation that the district finally worked with us. Since that time, they have done what we have asked in a timely fashion. But from the fall of 2019 until the fall of 2022 (and to a lesser degree for a few years leading up to 2019), the district repeatedly and persistently resisted our efforts to advocate for services our child needed to receive a free and appropriate public education. Not only did my child not make progress, it is documented my child was regressing. <i>[Rest of comment removed due to case specific/personally identifiable details.]</i>	1
Could not provide any options that would meet my child's needs, but did not say so- instead, sat in a meeting listing off random thoughts about possible places that might take a child of the age and diagnosis, but no certainty about those thoughts. Essentially head scratching and shrugging.	1
As mentioned before, the school district did nothing to prevent failures in the local school to happen again. They pressured us to not go to the state. They were not knowledgeable about specific complex needs, they did not engage with the local school to get past the school records above the table. The previous school district on the other hand was extremely helpful. They ultimately connected with the school and told them what they needed to do, the documents they needed to provide us, and they were not afraid to reach out to the state.	1
Teachers are not trained on time. I meet with the school at the very least 4 times a year.	1
When an administrator calls a child a name for expressing his feelings. There is something wrong with them.	1
Too numerous to write after a years-long dispute.	1
I filed 5 state complaints within 7 years. It is a law-abiding document so there is no excuse.	1

1. The LEA ignores families, so you can not address the unmet needs of your child or meet to work in partnership with your child and the IEP Team.	1
2. As I have stated before, the local school districts with their paid memberships into the NH School Board Association, NH Association of Special Education Administrators, NH School Superintendent Association, and the NH Business Administrator Associations receive bundled legal services with law firms that are embedded in the IEP process.	
The district will do what it takes to make sure they are right. No matter what the complaint is.	1
Not applicable	2
<b>provided comment</b>	<b>24</b>

<b>Question 57. Did you file a request for due process?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	13	54.2%
No	11	45.8%
Don't know	0	0.0%
<b>respondent answered question</b>		<b>24</b>
<b>respondent skipped question</b>		<b>1</b>

<b>Question 58. Were you offered a resolution meeting?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	10	76.9%
No	2	15.4%
Don't know	1	7.7%
<b>respondent answered question</b>		<b>13</b>
<b>respondent skipped question</b>		<b>12</b>

<b>Question 59. Did you participate in a resolution meeting?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	8	80.0%
No - please provide a brief explanation as to why you did not participate.	2	20.0%
<b>respondent answered question</b>		<b>10</b>
<b>respondent skipped question</b>		<b>15</b>

<b>Question 59. Comments</b>	<b>Count</b>
The first due process yes. They violated the mediation agreement, denied my child FAPE. So we filed another due process.	1
It was a mess schools so crooked it didn't matter.	1
<b>provided comment</b>	<b>2</b>



<b>Question 60. Did the resolution meeting occur within 15 calendar days of filing the request for due process?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	7	87.5%
No	1	12.5%
Don't know	0	0.0%
<i>respondent answered question</i>		<b>8</b>
<i>respondent skipped question</i>		<b>17</b>

<b>Question 61. Who was present at the resolution meeting? Please check all that apply.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Hearing officer	2	25.0%
School district representative (e.g., school personnel)	8	100.0%
School district attorney	4	50.0%
IEP team member	6	75.0%
Parent advocate	4	50.0%
Parent attorney	2	25.0%
Other - please specify	3	37.5%
<i>respondent answered question</i>		<b>8</b>
<i>respondent skipped question</i>		<b>17</b>

<b>Question 61. Text responses, Other - please specify.</b>	<b>Count</b>
Parent, someone who I think maybe was the superintendent	1
The district hired a private lawyer to represent them.	1
Held over zoom, the resolution was recorded, and I am unsure who had access afterward. I was not provided a copy of the recording	1
<i>provided comment</i>	<b>3</b>

<b>Question 62. Did the resolution meeting resolution resolve your special education dispute?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	3	37.5%
No	5	62.5%
<i>respondent answered question</i>		<b>8</b>
<i>respondent skipped question</i>		<b>17</b>

<b>Question 63. Is there anything else we should know about your resolution meeting?</b>	
<b>Comments</b>	<b>Count</b>
No, the resolution meeting went smoothly.	2
The purpose of the meeting was to determine what information the parent had for the due process hearing.	2
Position of school district was immovable at this meeting.	1
They should not have had any type of attorney there since I did not	1
We had to have a second resolution meeting. And resolved the issue during mediation as a result of it.	1
Without listing to the specifics, our resolution meeting was because the school district was counting services that were not provided on day my child was absent. We do not feel like this was appropriate. The special education Director said that this was the school policy. This is what led us to filing a due process, because even with mediation meetings, we did not get the school to acknowledge services were not administered.	1
The goal of the LEA's resolution meeting was to avoid resolving the issues or having a meaningful discussion. IEP Team members were silent and did not participate.	1
<i>provided comment</i>	7

<b>Question 64. Is there anything else we should know about your experience with special education dispute resolution processes?</b>	
<b>Comments</b>	<b>Count</b>
Schools violate laws/IEPs/agreements/orders and are not held accountable by the NHED.	6
Parents should not have to fight so hard to get their child the education they were promised in law.	2
Unfortunately, too much to share in this space.	1
Probably, but it is all so very exhausting. There are no winners here, but the kids are definitely losing.	1
I think it's shameful that in this day in age with all money that is available in grants or federal aid, that we can't address this with our children. The school district, who plays a very important role in molding our children. 6 hours a day, 5 days a week, 10 months a year, needs to realize, this effects the whole family as well not just the children. I am happy to say that my child is now learning in an environment that is programmed for [them], education wise. I must say that [they are] still scared by the process we went through to get [them] to where [they are] today, and reminds us all of it frequently. It not only affected [them] emotionally and physically, but our whole family as well. <i>[Rest of comment removed due to case specific/personally identifiable details.]</i>	1

<p>I know you don't see many issues or complaints, that's because they're hidden and protected to the best of the school's ability and they've everything on their side, and parents are left with air and struggling to make a difference in their child's already difficult circumstances only to find that we've nothing left after to continue fighting with. Our sick time and vacation time from work is gone because of all the IEP/504 or other special education meetings. Our finances are reduced because of all those meetings that we have to attend and we don't get paid time off like others. Then our finances are reduced even more because we've to fight with everything we have including funding a lawyer to get the minimum support our children need to even attend school. Our actual functioning reduced because we've already stretched ourselves out to the maximum going to therapy appointments multiple times a week, extra outside of school classes, doctor appointments and researching and learning and looking up law after law after law on our own time because there is no handbook to explain that residential district and receiving district rules and roles and responsibilities. None of this is easy, and it's being placed on families that already have more than most to deal with. So, when you ask why doesn't this seem like an issue think about those families that are actually living this life and what it looks like for them. Maybe try to find where they've the time to even survive, yet somehow, they manage to. Special education programs if you do the research show that a well-supported student will excel and make gains. Our special education system is based not on support but damage. Proving a need for support means failure over and over and over and over for these children in my school district. That is NOT how you create an environment of support, growth and inclusion and that is not what children should be subjected to.</p>	<p>1</p>
<p>There are so many things. I have been through IEP facilitation, state complaint, due process, mediation. I have gone to the school board, the superintendent. There have been numerous complaints filed against the sped director by different parents through different avenues. The process was not impartial. There have been numerous parents who have pointed these issues out.</p>	<p>1</p>
<p>I am very involved in my child's education. I have lost count of how many times members of the IEP team have said how lucky my child is to have a parent so involved. I can't imagine what happens to kids whose parents aren't as aware, don't have the time to be as aware or don't care. The kids must just get trampled over. And even for me being so involved, it was an awful experience.</p>	<p>1</p>
<p>It is no good. So what is the point in have FAPE and IDEA if you allow the schools to fail our children. Then retaliate and make their experience worse to the point they want to kill themselves and leaving parents feeling helpless. Shame on this whole system. There should be laws passed for parents to have free representation and schools to be held accountable.</p>	<p>1</p>
<p>There are way more parents with bad experiences than good despite what the schools say. They LIE.</p>	<p>1</p>
<p>I think I hit the main areas. I hope this survey results in actual change.</p>	<p>1</p>
<p>We did not file a due process complaint because a resolution would have come after graduation</p>	<p>1</p>

Please find a way that parents are not intimidated by the process and the school. We had the money to hire an attorney and put pressure on the principal and the school district. Many parents do not have that opportunity. What we have seen is simply shocking.	1
Process itself was not terrible.	1
The process felt archaic and cumbersome. Knowing that this process is a legal dispute allows the school to stand behind a very, very wide knowledge gap with regards to file for a due process or a resolution meeting. I do not believe that [school administrator] or [school] provides adequate and appropriate tools for parents to understand their students' rights.	1
Attorney fees can be a part of the resolution agreements. Resolution agreements are not written into the IEPs, and IEP Teams need to learn of the agreements. This is a barrier when there is not shared information with the IEP Teams	1
It shouldn't require a family to part with thousands of dollars just to be heard and come to an agreement.	1
When we finally received a facilitator, they were phenomenal for the child. The investigator for the two NHED complaints were honest and found in our favor. The civil rights complaint fold were good.	1

*provided comment*

**18**

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**STATE OF NEW HAMPSHIRE  
SPECIAL EDUCATION DISPUTE RESOLUTION**

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**APPENDIX D  
SPECIAL EDUCATION DISPUTE RESOLUTION  
LOCAL EDUCATIONAL AGENCY SURVEY**

In January 2023, we sent a survey link to 118 New Hampshire special education administrators to each complete one survey on behalf of the school district or local educational agency (LEA) they represented. We received 26 complete responses for a 22.0 percent response rate. We combined and simplified similar answers to open-ended questions and presented them in topical categories; multi-part responses were counted in multiple categories where applicable. Some totals in the following tables may not add up to 100 percent due to rounding or where respondents could provide multiple responses to the same question.

<b>Question 1. What is your current job title?</b>	
<b>Comments</b>	<b>Count</b>
Director of Student Services	9
Director of Special Education	5
Director of Special Services	4
Student Services Coordinator/Administrator	3
Director of Pupil Support/Services	2
Assistant Super/Student Services	2
School Psychologist	1
Coordinator of Special Education	1
<i>provided comment</i>	<b>26</b>

<b>Question 2. How many schools do you represent in your current role?</b>	
<b>Comments</b>	<b>Count</b>
1	3
2	2
3	6
4	3
5	1
6	4
7	3
8	2
11	1
18	1
<i>provided comment</i>	<b>26</b>

<b>Question 3. Has your school district(s) developed a local special education dispute resolution process? A local dispute resolution process is any process developed by the school or district intended to resolve a special education issue without New Hampshire Department of Education (NHED) involvement. This does not include individualized education program (IEP) team meetings, or resolution meetings as part of due process.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	7	26.9%
No	16	61.5%
Don't know	3	11.5%
<i>respondent answered question</i>		<b>26</b>
<i>respondent skipped question</i>		<b>0</b>

<b>Question 4. Did your school district(s) submit the local dispute resolution option(s) to the NHED for review?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	2	25.0%
No	1	12.5%
Don't know	5	62.5%
<i>respondent answered question</i>		<b>8</b>
<i>respondent skipped question</i>		<b>18</b>

<b>Question 5. Did your school district(s) participate in the local dispute resolution process(es) at some point from July 1, 2019, through June 30, 2022?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	3	37.5%
No	4	50.0%
Don't know	1	12.5%
<i>respondent answered question</i>		<b>8</b>
<i>respondent skipped question</i>		<b>18</b>

<b>Question 6. Please briefly describe the local dispute resolution process offered by the school or school district.</b>		
<b>Comments</b>	<b>Count</b>	
A parent filed a complaint. The complaint was found valid. We fulfilled the corrective action plan.	1	
Reconvening of meetings with additional staff or individuals with knowledge of the student. Providing information to parents of additional resources they could access.	1	
Contact me or the Superintendent to rectify concerns and then follow district policy in regard to resolution.	1	
<i>provided comment</i>		<b>3</b>

**Question 7. Which State special education dispute resolution process(es) did your school district(s) participate in at some point from July 1, 2019, through June 30, 2022? Please check all that apply.**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Facilitated IEP team meeting	3	11.5%
Third party moderated discussion	1	3.9%
Neutral conference	0	0.0%
Mediation	11	42.3%
Due process hearing	6	23.1%
Special education State complaint	7	26.9%
None of the above	11	42.3%

*respondent answered question*      **26**

*respondent skipped question*      **0**

**Question 8. About how many times was your school district(s) party to a State or local special education dispute resolution process from July 1, 2019, through June 30, 2022?**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
1	3	11.5%
2 to 5	10	38.5%
6 to 9	1	3.8%
10 or more	0	0.0%
Not applicable	12	46.2%

*respondent answered question*      **26**

*respondent skipped question*      **0**

**Question 9. Did a parent or the school district(s) initiate multiple special education resolution processes for the same issue(s)?**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	1	7.1%
No	11	78.6%
Don't know	2	14.3%

*respondent answered question*      **14**

*respondent skipped question*      **12**



**Question 10. Thinking about the most recent issue in which multiple special education dispute resolution processes were used, which of the following processes were used? Please check all that apply.**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Local dispute resolution	1	100.0%
Facilitated IEP team meeting	1	100.0%
Third party moderated discussion	0	0.0%
Neutral conference	0	0.0%
Mediation	0	0.0%
Due process hearing	0	0.0%
Special education State complaint	0	0.0%

*respondent answered question*            **1**  
*respondent skipped question*        **25**

**Question 11. Did your school district(s) notify the NHED in writing when an IEP educational placement, identification, or evaluation of a student has been rejected by the parent?**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	3	11.5%
No	18	69.2%
Don't know	5	19.2%

*respondent answered question*        **26**  
*respondent skipped question*        **0**

**Question 12. How often did the NHED communicate descriptions of alternative dispute resolution processes to the parent following the school district's notification? Alternative dispute resolution processes are optional processes that are not due process or special education State complaint.**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Always	1	33.3%
Sometimes	0	0.0%
Never	1	33.3%
Don't know	1	33.3%

*respondent answered question*        **3**  
*respondent skipped question*        **23**

**Question 13. When both parties agreed to an alternative dispute resolution process communicated by the NHED, how often did the NHED schedule and conduct a conference within 30 days of receiving the notification?**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Always	1	100.0%
Sometimes	0	0.0%
Never	0	0.0%
Don't know	0	0.0%
Not applicable	0	0.0%

*respondent answered question*           **1**  
*respondent skipped question*       **25**

**Question 14. When did your school district(s) provide parents with a copy of the procedural safeguards notice (information about the procedural safeguards available to parents of a child with a disability)? Please check all that apply.**

<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
At the time of the initial referral or request for evaluation.	23	88.5%
When a parent filed a request for due process.	14	53.9%
When parent filed a special education State complaint.	12	46.2%
At parent request.	18	69.2%
Once every year since a child received their IEP.	24	92.3%
My school district did not provide a procedural safeguards notice.	1	3.9%
Other - please describe	13	50.0%

*respondent answered question*       **26**  
*respondent skipped question*       **0**

<b>Question 14. Text responses, Other - please describe:</b>	<b>Count</b>
At every meeting	4
In email correspondence	4
No applicable complaints	3
Provided at time of notice	2
Provided upon determination of eligibility	2
I can only state that this is the expectation for this year as this is my first year in this position.	1
When parents made unilateral decisions, such as placement, or requested an IEE	1

*provided comment*                   **13**

<b>Question 15. What did your school district(s) provide to parents as a procedural safeguards notice?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
The New Hampshire Special Education Procedural Safeguards Handbook available on the NHED's website.	23	92.0%
A document developed by the school district.	2	8.0%
Other - please describe	0	0.0%

*respondent answered question* **25**

*respondent skipped question* **1**

<b>Question 16. For which special education dispute resolution process did your school district(s) use attorney representation? Please check all that apply.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Local dispute resolution	0	0.0%
Facilitated IEP team meeting	0	0.0%
Third party moderated discussion	0	0.0%
Neutral conference	0	0.0%
Mediation	11	42.3%
Due process hearing	6	23.1%
Special education State complaint	4	15.4%
None of the above	5	19.2%
Not applicable	9	34.6%

*respondent answered question* **26**

*respondent skipped question* **0**

<b>Question 17. Did your school district(s) inform the parent of low-cost legal services and other relevant services within the area? Please check all that apply.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes, when the parent requests the information.	6	23.1%
Yes, when a due process complaint is filed by the parent or school district.	5	19.2%
No, my school district does not inform parents of this information.	4	15.4%
Other - please specify	17	65.4%

*respondent answered question* **26**

*respondent skipped question* **0**

<b>Question 17. Text responses, Other - please specify</b>	<b>Count</b>
No disputes/Unnecessary	5
Procedural safeguards	4
Upon request	3
Don't know	3
When necessary	3
Withy every written prior notice	2
Staff need to be trained on this	1
When due process complaint is filed	1
In both cases the parents initiated the filing through their own legal representation.	1

*provided comment*                      **17**

<b>Question 18. Please briefly describe the information on low-cost legal services or other relevant services your school district provided.</b>	
<b>Comments</b>	<b>Count</b>
Haven't had to	5
Referral to Disability Rights Center	5
Referral to Parents Information Center	3
Referral to community-based agencies	2
Procedural safeguards	2
Consultation with administration, facilitated IEP meetings, meditation etc.	1
It is on our web site.	1
Not applicable	4

*provided comment*                      **22**

<b>Question 19. To the best of your knowledge, how effective were advocates in assisting parents during special education dispute resolution processes?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Ineffective	2	7.7%
Somewhat ineffective	0	0.0%
Neither ineffective nor effective	5	19.2%
Somewhat effective	5	19.2%
Effective	3	11.5%
Don't know	11	42.3%

*respondent answered question*                      **26**

*respondent skipped question*                      **0**

<b>Question 20. Please describe ways in which advocates were less than effective.</b>	
<b>Comments</b>	<b>Count</b>
Advocate not clear on special education process or laws	4
Some advocates disrupt the meetings/create an adversarial environment	4
Advocates provide misinformation to parents	3
Requesting evaluations unrelated to child's disability	1
They spend too much time sharing personal stories and their own needs. Students' needs get lost.	1
Parent had an attorney for mediation not an advocate	1
Advocates often do not tell parents when the request that they have is unreasonable, not applicable, etc. A good advocate will tell a family that. A money hungry, unknowledgeable about SPED, and ineffective one will not.	1

*provided comment* **12**

<b>Question 21. Has your school district(s) used nondisclosure agreements for any special education dispute resolution process?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	9	34.6%
No	9	34.6%
Don't know	8	30.8%

*respondent answered question* **26**  
*respondent skipped question* **0**

<b>Question 22. During which special education dispute resolution process have nondisclosure agreements been implemented? Please check all that apply.</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Local dispute resolution	0	0.0%
Facilitated IEP team meeting	0	0.0%
Third party moderated discussion	0	0.0%
Neutral conference	0	0.0%
Mediation	9	100.0%
Due process hearing	3	33.3%
Special education State complaint	1	11.1%
Don't know	0	0.0%

*respondent answered question* **9**  
*respondent skipped question* **17**

<b>Question 23. Please briefly describe reasons why a nondisclosure agreement would be used during a special education dispute resolution process.</b>	
<b>Comments</b>	<b>Count</b>
Used to ensure all parties remained in confidence the amounts were fair and not to be changed at any point.	1
Parent requested confidentiality due to agreement but allowed certain things to be included in IEP.	1
The result was financial.	1
Legal agreement for confidentiality around staff/student information involved in the concerns raised.	1
Terms of the settlement were not to be made public.	1
Non-disclosure agreements confine communication to those parties who need to the information in order to affect implementation of the agreement. The purpose is to ensure that all parties are mutually respectful of the privacy of the student, emotionality that may have been part of the proceedings (especially for the family) and to ensure that misinformation or skewed information that cannot be refuted by the district due to FERPA regulations is not disseminated.	1
When we agree to a compromise and do not need to move further in the process.	1
Keeps details about the agreement confidential for both parents & school district.	1
To prevent situations where requests for the same resolution are requested by other parents/advocates for situations that are not the same as the resolution pertains to and to eliminate the "but they got it" kind of situation. Not all resolutions apply to every situation.	1

*provided comment* 9

<b>Question 24. Did any of your school district's disputes result in a special education State complaint or due process decision requiring the school district to implement changes or corrective action?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	5	19.2%
No	10	38.5%
Don't know	2	7.7%
Not applicable	9	34.6%

*respondent answered question* 26

*respondent skipped question* 0

<b>Question 25. Did the NHED actively monitor the district's implementation of decisions requiring changes or corrective action?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	3	60.0%
No	0	0.0%
Don't know	2	40.0%

*respondent answered question*           **5**  
*respondent skipped question*           **21**

<b>Question 26. Excluding due process and special education State complaints, did any of your school district's special education disputes result in an agreement requiring the school district to implement changes or corrective action?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	3	11.5%
No	12	46.2%
Don't know	2	7.7%
Not applicable	9	34.6%

*respondent answered question*           **26**  
*respondent skipped question*           **0**

<b>Question 27. Between July 1, 2019, and June 30, 2022, how often did your school district's special education dispute result in an agreement between the school district and the parent?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Always	2	66.7%
Sometimes	0	0.0%
Never	1	33.3%
Don't know	0	0.0%
Never	0	0.0%

*respondent answered question*           **3**  
*respondent skipped question*           **23**

<b>Question 28. Did the NHED actively monitor the district's implementation of agreements?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	1	33.3%
No	0	0.0%
Don't know	2	66.7%

*respondent answered question*                    **3**  
*respondent skipped question*                    **23**

<b>Question 29. Did the NHED provide your school district(s) with procedures or guidance for addressing conflicts of interest or potential conflicts of interest during special education dispute resolution processes?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	5	19.2%
No	16	61.5%
Don't know	5	19.2%
Other - please specify	0	0.0%

*respondent answered question*                    **26**  
*respondent skipped question*                    **0**

<b>Question 30. Please describe the procedures or guidance for addressing conflicts of interest that the NHED provided your school district(s).</b>	
<b>Comments</b>	<b>Count</b>
Teams work closely with parents to reach mutually agreeable decisions. On occasion, central office personnel will work with teams and parents to reach agreement. Outside specialists are often invited to provide feedback or guidance.	1
Use of mediator provided when requested	1
NHED Users' Guide To Administrative Process	1
More around regulation and rules	1
They were available to answer questions through processes.	1

*provided comment*                    **5**



<b>Question 31. If your school district(s) used procedures or guidance, other than those provided by the NHED, for addressing conflicts of interest, please describe. Otherwise, respond "not applicable."</b>	
<b>Comments</b>	<b>Count</b>
Legal counsel	1
We work hard to understand parent and student needs and reach agreement	1
I don't know	1
Not applicable	23
<i>provided comment</i>	<b>26</b>

<b>Question 32. Did a conflict of interest or potential conflict of interest arise involving your school district(s) during a special education dispute resolution process(es)?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	0	0.0%
No	13	50.0%
Don't know	3	11.5%
Not applicable	10	38.5%
<i>respondent answered question</i>	<b>26</b>	
<i>respondent skipped question</i>	<b>0</b>	

<b>Question 33. With whom did your school district(s) have a conflict of interest or potential conflict of interest? Please check all that apply.</b>	
<b>Answer Options</b>	<b>Count</b>
IEP facilitator	0
Moderator	0
Neutral	0
Mediator	0
Hearing officer	0
Investigator	0
NHED personnel	0
Other - please specify	0
<i>respondent answered question</i>	<b>0</b>
<i>respondent skipped question</i>	<b>26</b>

<b>Question 34. How did your school district(s) report the conflict of interest or potential conflict of interest?</b>	
<i>respondent answered question</i>	<b>0</b>
<i>respondent skipped question</i>	<b>26</b>

<b>Question 35. In your opinion, was the reported conflict of interest or potential conflict of interest sufficiently addressed?</b>	
<b>Answer Options</b>	<b>Count</b>
Yes	0
No	0
Don't know	0

*respondent answered question*                    **0**  
*respondent skipped question*                    **26**

<b>Question 36. Why was the reported conflict of interest or potential conflict of interest not sufficiently addressed?</b>
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*respondent answered question*                    **0**  
*respondent skipped question*                    **26**

**Question 37. How clear were the following NHED public resources in explaining the facilitated IEP team meeting process? If information was not sought about, or your school district(s) did not participate in this process, please choose "not applicable."**

<b>Answer Options</b>	<b>Unclear</b>	<b>Somewhat unclear</b>	<b>Neither clear nor unclear</b>	<b>Somewhat clear</b>	<b>Clear</b>	<b>Not applicable</b>	<b>Total</b>
Website	3 (11.5%)	2 (7.7%)	0 (0.0%)	2 (7.7%)	5 (19.2%)	14 (53.8%)	26
Manuals and other guides	3 (11.5%)	2 (7.7%)	1 (3.8%)	0 (0.0%)	6 (23.1%)	14 (53.8%)	26
Administrative rules	3 (11.5%)	2 (7.7%)	0 (0.0%)	1 (3.8%)	6 (23.1%)	14 (53.8%)	26
State law	3 (11.5%)	1 (3.8%)	1 (3.8%)	1 (3.8%)	6 (23.1%)	14 (53.8%)	26

*respondent answered question*                    **26**  
*respondent skipped question*                    **0**

**Question 38. How clear were the following NHED public resources in explaining the third party moderated discussion process? If information was not sought about, or your school district(s) did not participate in this process, please choose "not applicable."**

<b>Answer Options</b>	<b>Unclear</b>	<b>Somewhat unclear</b>	<b>Neither clear nor unclear</b>	<b>Somewhat clear</b>	<b>Clear</b>	<b>Not applicable</b>	<b>Total</b>
Website	3 (12.0%)	1 (4.0%)	0 (0.0%)	3 (12.0%)	3 (12.0%)	15 (60.0%)	25
Manuals and other guides	3 (12.0%)	1 (4.0%)	1 (4.0%)	1 (4.0%)	4 (16.0%)	15 (60.0%)	25
Administrative rules	3 (12.0%)	1 (4.0%)	0 (0.0%)	2 (8.0%)	3 (12.0%)	16 (64.0%)	25
State law	3 (12.0%)	1 (4.0%)	1 (4.0%)	1 (4.0%)	3 (12.0%)	16 (64.0%)	25

*respondent answered question* **25**

*respondent skipped question* **1**

**Question 39. How clear were the following NHED public resources in explaining the neutral conference process? If information was not sought about, or your school district(s) did not participate in this process, please choose "not applicable."**

<b>Answer Options</b>	<b>Unclear</b>	<b>Somewhat unclear</b>	<b>Neither clear nor unclear</b>	<b>Somewhat clear</b>	<b>Clear</b>	<b>Not applicable</b>	<b>Total</b>
Website	3 (12.0%)	1 (4.0%)	0 (0.0)%	2 (8.0%)	3 (12.0%)	16 (64.0%)	25
Manuals and other guides	3 (12.0%)	1 (4.0%)	1 (4.0%)	0 (0.0)%	4 (16.0%)	16 (64.0%)	25
Administrative rules	3 (12.0%)	1 (4.0%)	0 (0.0)%	2 (8.0%)	2 (8.0%)	17 (68.0%)	25
State law	3 (12.0%)	1 (4.0%)	1 (4.0%)	0 (0.0)%	3 (12.0%)	17 (68.0%)	25

*respondent answered question* **25**

*respondent skipped question* **1**

**Question 40. How clear were the following NHED public resources in explaining the mediation process? If you did not seek information about, or participate in this process, please choose "not applicable."**

<b>Answer Options</b>	<b>Unclear</b>	<b>Somewhat unclear</b>	<b>Neither clear nor unclear</b>	<b>Somewhat clear</b>	<b>Clear</b>	<b>Not applicable</b>	<b>Total</b>
Website	3 (12.0%)	2 (8.0%)	2 (8.0%)	5 (20.0%)	4 (16.0%)	9 (36.0%)	25
Manuals and other guides	3 (12.0%)	1 (4.0%)	3 (12.0%)	4 (16.0%)	4 (16.0%)	10 (40.0%)	25
Administrative rules	3 (12.0%)	1 (4.0%)	2 (8.0%)	4 (16.0%)	4 (16.0%)	11 (44.0%)	25
State law	3 (12.0%)	1 (4.0%)	2 (8.0%)	3 (12.0%)	5 (20.0%)	11 (44.0%)	25

*respondent answered question* **25**

*respondent skipped question* **1**

**Question 41. How clear were the following NHED public resources in explaining due process? If you did not seek information about, or participate in this process, please choose "not applicable."**

<b>Answer Options</b>	<b>Unclear</b>	<b>Somewhat unclear</b>	<b>Neither clear nor unclear</b>	<b>Somewhat clear</b>	<b>Clear</b>	<b>Not applicable</b>	<b>Total</b>
Website	2 (8.0%)	2 (8.0%)	2 (8.0%)	2 (8.0%)	5 (20.0%)	12 (48.0%)	25
Manuals and other guides	2 (8.0%)	1 (4.0%)	3 (12.0%)	0 (0.0%)	7 (28.0%)	12 (48.0%)	25
Administrative rules	2 (8.0%)	1 (4.0%)	2 (8.0%)	1 (4.0%)	6 (24.0%)	13 (52.0%)	25
State law	2 (8.0%)	1 (4.0%)	3 (12.0%)	1 (4.0%)	5 (20.0%)	13 (52.0%)	25

*respondent answered question* **25**

*respondent skipped question* **1**

<b>Question 42. How clear were the following NHED public resources in explaining the special education State complaint process? If you did not seek information about, or participate in this process, please choose "not applicable."</b>							
<b>Answer Options</b>	<b>Unclear</b>	<b>Somewhat unclear</b>	<b>Neither clear nor unclear</b>	<b>Somewhat clear</b>	<b>Clear</b>	<b>Not applicable</b>	<b>Total</b>
Website	2 (8.0%)	1 (4.0%)	2 (8.0%)	4 (16.0%)	4 (16.0%)	12 (48.0%)	25
Manuals and other guides	2 (8.0%)	1 (4.0%)	3 (12.0%)	2 (8.0%)	5 (20.0%)	12 (48.0%)	25
Administrative rules	2 (8.0%)	1 (4.0%)	2 (8.0%)	3 (12.0%)	4 (16.0%)	13 (52.0%)	25
State law	2 (8.0%)	1 (4.0%)	3 (12.0%)	2 (8.0%)	4 (16.0%)	13 (52.0%)	25

*respondent answered question* **25**

*respondent skipped question* **1**

<b>Question 43. If any of the NHED resources were less than clear, please describe the ways in which NHED resources were less than clear. Otherwise, please respond "not applicable."</b>	
<b>Comments</b>	<b>Count</b>
The website is difficult to navigate	1
Not only are things not clear to the reader, they are difficult to find on the website. Nothing is accessible. The website changed and is very difficult to navigate. Everything takes time to review and guidance from an outside reviewer (consultant or attorney).	1
As a new director I would not even know where to find this information and I would be completely reliant on my district's lawyer.	1
The website, while improved over the prior version is still not super user friendly and can be difficult to locate desired resources.	1
They don't review the process in practical terms nor provide any training or support. Nor are they handled in a fair manner (point of view from previous district). NHED staff doesn't understand the how to reasonably calculate FAPE and compensatory education.	1
The NHED website in general is very unclear for students, families and schools.	1
Info buried in the NHED site, hard to find. Not outlined with details about process in any manual or law.	1
Not applicable	18

*provided comment* **25**

**Question 44. Did your school district(s) use other public resources to obtain information on any of the special education dispute resolution process(es)?**

Answer Options	Count	Percent
Yes	1	4.0%
No	18	72.0%
Don't know	6	24.0%

*respondent answered question*      **25**

*respondent skipped question*      **1**

**Question 45. Please list the other public resources your school district(s) used to obtain relevant information.**

Comments	Count
New Hampshire Association of Special Education Administrators	1

*provided comment*      **1**

**Question 46. Excluding low-cost attorneys and other relevant resources, did your school district(s) offer parents resources for special education dispute resolution processes?**

Answer Options	Count	Percent
Yes	6	24.0%
No	11	44.0%
Don't know	8	32.0%

*respondent answered question*      **25**

*respondent skipped question*      **1**

**Question 47. Please describe the resources your school district(s) provided to parents for special education dispute resolution processes.**

Comments	Count
Procedural safeguards	2
Parents Information Center	2
Meetings with District Student Services or Special Education Director	1
Facilitated IEP meeting (explanation from the NHED)	1

*provided comment*      **6**

<b>Question 48. Based on your school district's interactions with NHED contractors (facilitator, moderator, neutral, mediator, hearing officer, investigator) during special education dispute resolution process(es), how satisfied were you with the following?</b>								
<b>Answer Options</b>	<b>Dissatisfied</b>	<b>Somewhat dissatisfied</b>	<b>Neither satisfied nor dissatisfied</b>	<b>Somewhat satisfied</b>	<b>Satisfied</b>	<b>Don't know</b>	<b>Not applicable</b>	<b>Total</b>
Communication	0 (0.0%)	0 (0.0%)	0 (0.0%)	1 (4.0%)	13 (52.0%)	1 (4.0%)	10 (40.0%)	25
Professionalism	0 (0.0%)	0 (0.0%)	0 (0.0%)	0 (0.0%)	14 (56.0%)	1 (4.0%)	10 (40.0%)	25
Timeliness	0 (0.0%)	0 (0.0%)	0 (0.0%)	1 (4.0%)	13 (52.0%)	1 (4.0%)	10 (40.0%)	25
Knowledge	0 (0.0%)	0 (0.0%)	0 (0.0%)	2 (8.0%)	12 (48.0%)	1 (4.0%)	10 (40.0%)	25
Addressed all concerns	0 (0.0%)	0 (0.0%)	0 (0.0%)	2 (8.0%)	12 (48.0%)	1 (4.0%)	10 (40.0%)	25
Complied with federal and State requirements	0 (0.0%)	0 (0.0%)	0 (0.0%)	1 (4.0%)	13 (52.0%)	1 (4.0%)	10 (40.0%)	25

*respondent answered question*     **25**  
*respondent skipped question*     **1**

<b>Question 49. If your school district(s) found any interactions with NHED contractors to be less than satisfactory, please describe ways in which interactions were less than satisfactory. Otherwise, please respond "not applicable."</b>	
<b>Comments</b>	<b>Count</b>
Overall satisfaction with experience. Had only one mediator one time appear uninterested in moving toward resolution - presented as disinterested and not engaged.	1
Don't know	1
Not applicable	23

*provided comment*     **25**

<b>Question 50. Based on your school district's interactions with NHED staff during or regarding special education dispute resolution process(es), how satisfied were you with the following?</b>								
<b>Answer Options</b>	<b>Dissatisfied</b>	<b>Somewhat dissatisfied</b>	<b>Neither satisfied nor dissatisfied</b>	<b>Somewhat satisfied</b>	<b>Satisfied</b>	<b>Don't know</b>	<b>Not applicable</b>	<b>Total</b>
Communication	2 (8.0%)	0 (0.0%)	1 (4.0%)	1 (4.0%)	11 (44.0%)	1 (4.0%)	9 (36.0%)	25
Professionalism	1 (4.0%)	0 (0.0%)	0 (0.0%)	2 (8.0%)	12 (48.0%)	1 (4.0%)	9 (36.0%)	25
Timeliness	1 (4.0%)	1 (4.0%)	0 (0.0%)	2 (8.0%)	9 (36.0%)	1 (4.0%)	11 (44.0%)	25
Knowledge	2 (8.0%)	1 (4.0%)	1 (4.0%)	1 (4.0%)	10 (40.0%)	1 (4.0%)	9 (36.0%)	25
Addressed all concerns	2 (8.0%)	0 (0.0%)	2 (8.0%)	1 (4.0%)	10 (40.0%)	1 (4.0%)	9 (36.0%)	25
Complied with federal and State requirements	1 (4.0%)	1 (4.0%)	2 (8.0%)	1 (4.0%)	9 (36.0%)	1 (4.0%)	10 (40.0%)	25

*respondent answered question*    **25**

*respondent skipped question*    **1**

<b>Question 51. If your school district(s) found any interactions with NHED staff to be less than satisfactory, please describe ways in which NHED interactions were less than satisfactory. Otherwise, please respond "not applicable."</b>	
<b>Comments</b>	<b>Count</b>
Lack of trained staff, failure to respond (this is beyond just this process), lack of support to school districts, a State Director who does not know or understand the law	1
Staff are polite and kind. Many of the staff do not have experience in the special education process and interpretation of state and federal laws can be flawed. The information system is cumbersome and often drives decisions rather than teams making decisions in the best interest of the student.	1
I don't know	1
No interaction about dispute resolution during the time frame in question.	1
When a parent makes a complaint the Director at the SAU level should be notified so they can communicate with the parent to resolve the issue. Usually, they have dealt with the concern at the building level but have not talked with the Director at the SAU level to resolve it. Let's make this a collaborative process.	1
Not applicable	21

*provided comment*    **25**



<b>Question 52. Did the NHED provide your school district(s) with training on special education dispute resolution processes between July 1, 2019, and June 30, 2022?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Yes	0	0.0%
No	20	80.0%
Don't know	5	20.0%

*respondent answered question*                      **25**

*respondent skipped question*                      **1**

<b>Question 53. For which of the following special education dispute resolution processes did the NHED provide training? Select all that apply.</b>	
<b>Answer Options</b>	<b>Count</b>
Facilitated IEP team meeting	0
Third party moderated discussion	0
Neutral conference	0
Mediation	0
Due process hearing	0
Special education State complaint	0
Don't know	0
Other - please specify	0

*respondent answered question*                      **0**

*respondent skipped question*                      **26**

<b>Question 54. Was NHED training adequate to be able to understand special education dispute resolution processes?</b>	
<b>Answer Options</b>	<b>Count</b>
Yes	0
No	0
Don't know	0

*respondent answered question*                      **0**

*respondent skipped question*                      **26**

<b>Question 55. Please describe ways in which training was not adequate.</b>
--

*provided comment*                      **0**

<b>Question 56. How effectively did the NHED inform school districts of changes to special education laws, rules, policies, and practices?</b>		
<b>Answer Options</b>	<b>Count</b>	<b>Percent</b>
Ineffectively	2	8.0%
Somewhat ineffectively	3	12.0%
Neither ineffectively nor effectively	4	16.0%
Somewhat effectively	7	28.0%
Effectively	7	28.0%
Don't know	2	8.0%

*respondent answered question*      **25**

*respondent skipped question*      **1**

<b>Question 57. Please describe ways in which NHED's communication of changes were less than effective.</b>	
<b>Comments</b>	<b>Count</b>
Communication through memorandum only	2
Inconsistent messages	2
Lack of collaboration	1
Webinars/Calls/Meetings frequently canceled	1
Feedback via desk audits only	1
Difficult getting communications in writing	1
Communications change with frequency	1
Communications have improved with new staff	1
We are notified of changes but not always informed of the implications.	1
Untimely responses	1
Would be beneficial to have a statewide training/updates in the summer prior to the start of the new school year.	1
The state does not send out information on rule/law changes. Most of our information about rule/law changes comes from the school district attorneys in their professional updates.	1
More modalities	1
They sent out memos, but often times the memos left remaining questions. Some of the procedures and processes implemented were provided with no actual guidance.	1

*provided comment*      **14**

<b>Question 58. Is there anything else we should know about your school district's experience with the special education dispute resolution processes or the NHED?</b>	
<b>Comments</b>	<b>Count</b>
While there is an outlined process and availability of options that NH should be proud of, the Commissioner will go above the process and at times has overturned hearing officer decisions. He caters to a certain parent population and the State Director follows suit and has said publicly many times she gets her hand slapped when she gives us a different answer or does not get his approval.	1
I think that Dispute Resolution, while not a go-to method, serves a very necessary purpose. Mediation in particular can be a positive and productive tool. Relative to the NHED, specifically, my concerns lie more in the support and respect granted to the Bureau of Special Education. It often feels that Special Education is an afterthought on the part of Department Administration. It appears as though the field is more inconvenient than some members might like. It is something that I have experienced myself when interacting with members of the department outside of the Bureau - a sense of being dismissed. This is an unfortunate reflection on education in New Hampshire. Our students with disabilities have value. Our educators who have dedicated their careers to students with disabilities have value and our administrators and state leaders who support this population have value. The current culture as it represents itself is simple inappropriate and unacceptable.	1
I have been pleased that the Bureau of Special Education reviews complaints to ensure that before resources are expended that the complaint raises a special education matter that is in the jurisdiction of the Department.	1
The NHED did not provide any training in changes.	1
Needs to be more collaborative, not deemed punitive, but that we are working together to solve the issue and come to a mutually agreed upon resolution.	1

*provided comment* **5**