

New Hampshire
State Board of Education
Minutes of the December 10, 2020 Meeting
Meeting held via Zoom webinar due to the COVID-19 State of Emergency

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 9:10 a.m. The meeting was held via Zoom webinar due to the COVID-19 state of emergency. Drew Cline presided as Chair.

Members present: Phil Nazzaro, Cindy Chagnon, Sally Griffin, Ann Lane, Kate Cassady, Helen Honorow, and Drew Cline, Chair. Also present were Frank Edelblut, Commissioner of Education, and Christine Brennan, Deputy Commissioner of Education.

AGENDA ITEM II. PLEDGE OF ALLEGIANCE

Drew Cline led the pledge of allegiance.

AGENDA ITEM III. PUBLIC COMMENT

There was no live public comment and written commentary was submitted and posted to the public materials on the Board's [webpage](#).

AGENDA ITEM IV. PRESENTATIONS/REPORTS/UPDATES**A. Student/Shaker Regional School Board ~ SB-FY-21-08-002**

This hearing was held in nonpublic at the parent's request.

MOTION: Cindy Chagnon made the motion, seconded by Ann Lane, to seal the minutes of the nonpublic hearing.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Phil Nazzaro, Helen Honorow, and Chair Cline.

B. Comprehensive Support and Improvement (CSI) School Presentations

Presenters included NHDOE Deputy Commissioner Christine Brennan, Mike Schwartz of Demonstrated Success, Principal Kelly Espinola of Parker Varney Elementary School, and Principal Stephanie Syre-Hager of Antrim Elementary School.

Principal Espinola expressed her pride in the dedicated teaching staff of Parker Varney. She detailed how math standards have been clarified so teachers,

students, and parents all understand where children should be in his/her learning. In 2019 the school started with math progression work, and by now all of the teachers are using the method very successfully. As a multi-grade level school, children are able to move up through to the next grade progression once they have mastered the work. The curriculum is highly individualized.

However, Principal Espinola did comment that test scores are not showing the same achievement that the progression data is showing even though the children are mastering standards. The school is working on figuring out how to show a correlation. They are looking forward to next year when they will be able to see data from two years under the same leadership to see the positive impact. One of the school goals is to look at innovations that highly engage students in their learning and to implement these innovations.

One of the main challenges in the school is the social-emotional learning component. Parker Varney used to use Responsive Classroom integrated with Choose Love, but an anonymous donor bought Leader in Me for the entire network. The school has now switched to Leader in Me and is implementing it to fidelity, while retaining a few components of Responsive Classroom that do not interfere with the program.

Chair Cline requested clarification on how Principal Espinola makes multi-age classrooms work, as competency-based learning is desirable yet difficult to

achieve. Principal Espinola explained that the children are divided between groups and, in a non-COVID world, can move between classrooms as necessary to have the appropriate level for each subject. With remote learning, the students are split into breakout rooms to individualize their instruction. For the fourth graders, who are the oldest at the school, they are able to remotely access small group instruction at another school via Zoom to receive higher instruction if necessary. Plans are being put into place for the children rising to fifth grade next year to continue with this style of instruction. Principal Espinola further mentioned that there are students requesting to switch in to the school, or requesting to stay at the school even if the family moves out of district, because the education is so wonderful even if the test scores do not yet show it.

A Board member queried how the school would continue on with this wonderful work once CSI funding ran out. Principal Espinola explained that grant money was being used for training to create teacher leaders, so that future teacher training in the progression method could take place in-house and would not require additional outside funding.

Principal Syre-Hager, who has been at the Antrim Elementary School for four years, then presented. Antrim is a very small K-4 school with only 100-120 students. During her tenure, the principal has drastically increased staff collaboration and teamwork and staff are now dedicated to the specific initiatives being implemented at the school, even during the COVID crisis. Principal Syre-

Hager discussed the positive behavioral interventions and supports (PBIS) implementation and the benefits that have been seen. Additionally, the school heavily uses Universal Design for Learning (UDL). All teachers have passed the Level I UDL certification, thanks to the Commissioner making that option free for all teachers.

Antrim's scores are similar to those of Parker Varney, but the student body is so small that each individual student's score carries heavy weight. The school improvement plan is a fluid document that is revisited and revised as necessary. The school is addressing the identified problems with instructional rigor and academic expectations by fully immersing in the New Hampshire UDL innovation network hub learning program.

Principal Syre-Hager discussed the challenges involved in teaching during a pandemic. There were some technology barriers, and CSI funds were used to purchase Chromebooks and headsets for the students to facilitate remote learning. The District also helped supply hotspots to families without internet. Additionally, teacher collaboration is more difficult at the moment but they have found workarounds and are still collaborating.

One of Antrim's key successes is that they were able to conduct full in-person learning for all students who wanted to come in, prior to the post-Thanksgiving scheduled remote period. Furthermore, the school is on year 3 of

UDL programming and the entire staff is now involved. They do focused work through PBIS and Responsive Classroom and are seeing positive behavioral changes in the student body.

In response to a Board member's query, Principal Syre-Hager elaborated on how UDL works. The idea is to give students multiple methods of accessing the information as not all students can access information or showcase their knowledge in the same way. Teachers have learned about variability in the classroom and how to address it, through collaboration, practice, and self-reflection. The result is greater student engagement.

C. Report of the Nottingham Planning Committee

Karyl Martin, a community member appointed to the Nottingham Planning Committee, detailed that on March 10, 2020, the voters of Nottingham voted to create a study committee to review the options of remaining or withdrawing from SAU 44. The committee has regular meetings, sometimes even weekly, and has pursued inquiry and investigation relative to becoming a single-district SAU. The committee has carefully reviewed the Strafford Planning Committee's report and investigated other districts of similar size and demographics. Each one has been successful in their separation.

Ms. Martin continued to explain that the withdrawal will result in cost savings for Nottingham, with little to no financial impact on Northwood as the remaining single district in SAU 44. Other considerations include autonomy, local control over appropriations of community resources, and better focus on providing good education.

MOTION: Phil Nazzaro made the motion, seconded by Ann Lane, to approve the Nottingham Planning Committee proposal.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Phil Nazzaro, Helen Honorow, and Chair Cline.

D. Bullying Report for School Year 2019-2020 per RSA 193-F:6,11

Rich Farrell opened his report explaining that bullying numbers are down, partially due to COVID and partially due to an actual reduction in bullying. The numbers from March 15 - June 30 are skewed due to the pandemic and remote learning. Reported bullying incidents were as follows:

- Elementary school: 591
- Middle school: 463

- High school: 396

Mr. Farrell explained that extrapolating out the numbers that would have been expected during the March to June period, these numbers still show a downward trend.

Mr. Farrell continued to explain that there is nearly a 50% drop in the number of constituents contacting the Department of Education with complaints regarding bullying (26 reports). Middle school level tends to have the highest cyberbullying and bullying rates, but since 2011 those graphs are trending downward. High school rates have remained the same, and elementary schools are trending downward.

The complaints to the Department of Education are overwhelmingly complaints about process rather than the bullying itself. There is also an increasing number of parents calling in alleging bullying teacher-student contact. Most of these complaints are immediately changed from a bullying complaint to an educator misconduct complaint and are followed up appropriately.

Ann Lane asked what the process is after it has been determined that bullying that resulted in harm to a person or property took place. Mr. Farrell explained that usually it is a local disciplinary process. In rare cases it may turn

into legal proceedings - family court for minors, and simple assault charges in adult court for students over 18.

AGENDA ITEM V. CHARTER SCHOOL REPORTS/UPDATES

A. New Application for Gathering Waters Public Charter School

Jane Waterhouse, NHDOE, Charter School Administrator, introduced the founding members of Gathering Waters Public Charter School who are seeking Board approval for their new charter school. They prepared a comprehensive charter school plan after extensive research and preparation. The 13 review areas for charter schools are described in Ed 318.09(e).

Gabrielle Schuerman and Janet Gordon gave a detailed presentation about the proposed school. The plan is to start with grades 1-9, adding a grade each year until the school covers grades 1-12. Year 1 capacity will be 135 students; 90 students have already expressed interest in applying. Approximately 23% of children in the area around the school are below the poverty line. The educational outlook will be a holistic Waldorf approach and technology will not be introduced until 7th grade. While the lessons do not perfectly align with Common Core standards, students will be caught up by 4th grade and will meet and exceed all standards by the time they reach 8th grade. Additionally, they have already spoken

with special education experts so they will be prepared for students with IEPs or 504s.

Helen Honorow questioned whether there might be a saturation in the area of Waldorf schools and whether they would be competing for the same funding and undermining each other. Ms. Schuerman explained that the different Waldorf schools are geographically far enough away from each other and each have their own separate focus and does not anticipate these concerns being a problem. On the flip side, adding another school like this could make the area very attractive for young families.

Ann Lane queried if the program will meet New Hampshire minimum standards and how students would be evaluated to ensure the standards are being met. Ms. Schuerman explained that in the budget there is pre-operational money for curriculum development, and that budget item is meant to allow the school to go through the official Waldorf curriculum and fully align it with New Hampshire requirements. While standards may be achieved at a different pace, they will all be met.

Phil Nazzaro raised a concern about charters having financial problems due to overestimation of enrollment. He asked what type of market analysis is behind the numbers provided and what type of marketing support they are utilizing to drive enrollment. Ms. Schuerman detailed that teachers are trained for grades 1-8 so if

one grade has more students and another grade has too few, they have the flexibility to compensate without changing staff. They are onboarding marketing people to assist with the marketing side. The region in general is strong in philanthropy and fundraising should not be a difficulty.

Chair Cline voiced an additional concern that they have not provided the Board with a list of trustees and their current list of people does not include a business / management / finance / fundraising person. Ms. Schuerman responded that COVID is making it difficult for some people to commit, but that they have been speaking widely with community members and there are several ready to sign on and assist the school as soon as the school has received approval. Ms. Gordon added that they already have a very strong advisory board and that additional people will be added to it as well.

Kate Cassady recommended that they take a second look at their budget as the fundraising numbers seem very high and the insurance numbers seem very low. Ms. Cassady strongly suggested onboarding someone with a background in business and educational accounting.

MOTION: Cindy Chagnon made the motion, seconded by Ann Lane, that the State Board of Education approve the initial charter for Gathering Waters Public Charter School.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Phil Nazzaro, Helen Honorow, and Chair Cline.

AGENDA ITEM VI. LEARN EVERYWHERE APPLICATIONS

A. New Hampshire Academy of Science

Peter Faletta, Executive Director of New Hampshire Academy of Science gave some background history of the Academy of Science. They have a lab operated by scientists from different branches of science. The lab has different types of very expensive equipment that most schools would never be able to afford. Students in the program plan and carry out research in groups, with intensive guidance from mentors. Students have the opportunity to present to the American Association for the Advancement of Science (AAAS), and in some cases their research is even published in peer-reviewed journals.

Students from all over the state participate in the program, with a breakdown of approximately 20% homeschool, 70% public school, and 10% private school. Students can receive financial aid to attend conferences. With the advent of Learn Everywhere, now students can receive academic credit for this science work.

Ann Lane asked if the program meets the Next Generation Science Standards (NGSS) adopted in 2016 and if it includes the provisions in the minimum science standards. Mr. Faletra explained that although it is project-based learning, the basic concepts are covered. Students need basic conceptual understanding for the specific projects they are working on and NH Common Core standards are met. There will naturally be some gaps in knowledge as the standards are so detailed that it is impossible for any student to realistically learn all of it. While they may have less breadth of knowledge, they will have far greater depth and understanding. The biggest challenge for students is the science writing as many of the students come in with poor writing skills. The mentors are invaluable in helping with this.

The Academy is currently in remote learning and moving forward should be able to cater to students in rural areas. They have a store of equipment that can be lent out to schools around the state, allowing students to start or continue with their research without coming physically to the Academy. The public schools so far are very excited to have the opportunity to borrow this equipment.

Helen Honorow asked if the teachers or mentors at the Academy have Advanced Placement (AP) course certification and additionally asked what the costs associated with participating in the program are. Mr. Faletra clarified that while teachers require certification to teach an AP course, students are not required to take an AP course in order to take an AP test. The Academy is not

offering AP courses, and yet students who have gone through the program may take the AP test. From a financial perspective, the organization is very healthy and about 45% of current students are on full financial aid, with an additional 20% on partial financial aid.

MOTION: Cindy Chagnon made the motion, seconded by Sally Griffin, that the State Board of Education approve the Learn Everywhere application of the New Hampshire Academy of Science.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Phil Nazzaro, Helen Honorow, and Chair Cline.

AGENDA ITEM VII. LEGISLATIVE UPDATES

A. Emergency Rule ~ Vocational Rehabilitation Programs (Ed 1000)

Amanda Phelps, NHDOE, Administrative Rules Coordinator, explained that regular rulemaking was stalled due to some changes that needed to be made, so the previous proposal was withdrawn from regular rulemaking. The current emergency rule expires in January, so a new emergency rule is needed to go into

effect January 10. The initial proposal for regular rulemaking will be ready for the January State Board meeting. This request is being made under the reasoning that otherwise it could cause substantial fiscal harm to citizens pursuant to 541(a) (18) because of the impact it could have on employment for people with disabilities.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady, that the State Board of Education adopt the emergency rule for Vocational Rehabilitation Programs (Ed 1000) with an effective date of January 10, 2021.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Phil Nazzaro, Helen Honorow, and Chair Cline.

B. Interim Rule Proposal ~ Criminal History Record Check Clearance (Ed 504.12, Ed 505.07(b) & (d), and Ed 505.08)

Amanda Phelps explained the interim rule proposal. The idea is to get rules into place faster than they normally would happen, and regular rulemaking would be started immediately as well. These rules are being proposed because of the new legislation which amended some current RSAs and added credentialing

standards for bus drivers and transportation monitors to the State Board's rulemaking authority.

Ann Lane questioned who would pick up the cost for the background checks, as it seems punitive to force a law-abiding citizen to spend \$100 proving they are a law-abiding citizen. Chair Cline responded that he already clarified this and that the actual bus companies or the districts would be covering the fee, either outright or on a reimbursement basis. Steve Appleby, NHDOE, Director, Division of Educator Support and Higher Education, pointed out that this new system will be safer as it requires a new background check every 5 years.

MOTION: Ann Lane made the following motion, seconded by Kate Cassady, that the State Board of Education approve the Interim Rule Proposal for Ed 504.12, Ed 505.07(b) & (d), and Ed 505.08 regarding criminal history record check clearance credentials.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Phil Nazzaro, Helen Honorow, and Chair Cline.

C. Final Proposal ~ Remote Instruction (Ed 306.18(a)(7) and Ed 306.22)

Amanda Phelps reminded the Board that these rules were discussed at the November meeting and have not been amended since then. Chair Cline discussed the feedback received last month that language be included to ensure that individual education plans (IEPs) and 504s plans must be still being met. He does not agree with such a change, that adding it would require doing the same for every rule in order to avoid misinterpretation. Chair Cline explained that educational provision for students with IEPs and 504s is already required by law and does not need to be separately specified in these rules. Steve Appleby concurred, saying that adding in the requested wording has the potential to create ambiguity.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady, that the State Board of Education approve the final proposal of Ed 306.18(a)(7) and Ed 306.22 Remote Instruction.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Cindy Chagnon, Phil Nazzaro, Helen Honorow, and Chair Cline.

AGENDA ITEM VIII. COMMISSIONER'S UPDATE

Commissioner Edelblut discussed the state of COVID funding. School districts have not drawn down all the COVID funds made available to them. In May, approximately \$34 million in grant funds were made available to New Hampshire school districts, and in September only \$1.7 million had been drawn down. Additionally, the Governor made \$45 million available to school districts through the Coronavirus Aid, Relief, and Economic Security (CARES) Act funding - \$200 per student, and an additional \$10 million of application grants that were funded at 67%. The Commissioner explained that the CARES Act funding has a time limit and is being used first, whereas the other funding does not expire until September 2021 and that is undoubtedly why less of it has been utilized to date.

Commissioner Edelblut also discussed the Department of Health and Human Services' (DHHS) COVID dashboard. It is currently the best place to receive up-to-date information on specific schools, their policies, their infection rates, their learning models, etc. Approximately 60% of all schools have submitted their information and the Department is working on onboarding the remaining schools.

Sally Griffin asked what the COVID funds are for besides technology. Commissioner Edelblut responded that there is a lot of technology investments, and there are also increased cleaning and sterilization protocols. Additionally, additional transportation needs as fewer children ride on each bus to abide by social distancing protocols, and therefore more buses and drivers are needed.

Ann Lane asked if there have been any large incidents of cleaning or transportation personnel contracting COVID from students. Commissioner Edelblut answered in the negative. There are minimal levels of transmission in the learning environment. Most cases at schools are a result of community transmission. Some schools are successfully in school 5 days per week, whereas others are fully remote, and the full gamut in between. When instruction is disrupted, it is usually due to teachers who need to quarantine due to known exposure.

Sally Griffin asked if there is regular COVID testing for the students. Commissioner Edelblut said that they had rejected a plan to test in schools, as it would encourage sick people to show up at schools. Instead, they are focusing on making testing readily available in the communities and in a timely fashion.

AGENDA ITEM IX. OPEN BOARD DISCUSSIONS

Chair Cline discussed the difficulties of scheduling a second Charter School Retreat.

AGENDA ITEM X. OLD BUSINESS

There was no old business.

AGENDA ITEM XI. CONSENT AGENDA

A. Meeting Minutes of November 12, 2020

B. Meeting Minutes of October 27, 2020 Charter School Retreat

Chair Cline suggested the following amendments:

- Once Matt Southerton began his testimony, whenever Matt would represent a bill in the legislature, the bills were mistakenly transcribed as HD/SD rather than HB/SB. This needs to be corrected throughout Matt's testimony.
- Page 14, paragraph 2, there is a statement that "two charter schools aren't open yet, one being Capital City". That's not correct.
- Page 32, miss described the joint legislative committee on administrative rules, the transcript says "academic rules".
- Page 50 and also later, Katelyn's name is misspelled.
- Page 51, "Charter schools have different issues than a public school", that should be "than a traditional public school".
- Page 55, Chair Cline was relaying a story about a legislator he met and the legislator is referred to as "he" but it should just be "Legislator" or "the legislator".

MOTION: Ann Lane made the motion, seconded by Kate Cassady, to approve the consent agenda for December 10, 2020 as amended.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Kate Cassady, Sally Griffin, Ann Lane, and Chair Cline. Phil Nazzaro, Cindy Chagnon, and Helen Honorow abstained.

AGENDA ITEM XII. NONPUBLIC SESSION

MOTION: Ann Lane made the motion, seconded by Cindy Chagnon, to move to nonpublic session under RSA 91-A:3, II(c).

VOTE: The motion was approved at 3:15 p.m. by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Phil Nazzaro, Cindy Chagnon, Helen Honorow, and Chair Cline.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady, that the State Board of Education to leave nonpublic session and return to public session at 3:58 PM.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Phil Nazzaro, Cindy Chagnon, Helen Honorow, and Chair Cline.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady, to seal the minutes indefinitely of the nonpublic session.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Sally Griffin, Ann Lane, Kate Cassady, Phil Nazzaro, Cindy Chagnon, Helen Honorow, and Chair Cline.

AGENDA ITEM XIII. ADJOURNMENT

MOTION: Cindy Chagnon made the motion, seconded by Ann Lane, to adjourn the meeting at 4:00 p.m.

VOTE: The motion was approved by roll-call vote by State Board of Education Members Kate Cassady, Phil Nazzaro, Ann Lane, Cindy Chagnon, Sally Griffin, Helen Honorow, and Chair Cline.

Secretary