

New Hampshire State Board of Education
Department of Education
Hugh J. Gallen State Office Park
101 Pleasant Street
Concord NH 03301

Wednesday, March 21, 2018



2nd REVISED AGENDA

- I. **CALL TO ORDER** - 9:00 A.M.
- II. **PLEDGE OF ALLEGIANCE**
- III. **PUBLIC COMMENT** (*LIMITED TO 5 MINUTES, BOARD WILL ASK CLARIFYING QUESTIONS ONLY, OTHERWISE NO FEEDBACK PROVIDED*)
- IV. **SPECIAL PRESENTATIONS** (*TIMES ARE APPROXIMATE*)
 - A. 9:15 AM - Student/Grantham School Board – SB-FY-18-12-008
 - B. 9:45 AM - Student/Merrimack Valley School Board – SB-FY-17-06-005
 - C. 10:15 AM - Keene School District 6th grade A.R.E.A. – *TIM RUEHR, SAU#29, Business Administrator*
 - D. 10:45 AM - Program Approval Report for Rivier University's Professional Educator Preparation Programs – *MICHAEL SEIDEL, Director, Division on Higher Education – Higher Education Commission*
- V. **OPEN BOARD DISCUSSIONS**
- VI. **LEGISLATIVE ISSUES/RULES**
 - A. 12:00-12:30 – **PUBLIC HEARING** – Special Education Aid (Ed 1128)
 - B. 12:30-1:00 – **PUBLIC HEARING** – Highly Qualified Teacher and Core Academic Subjects (Ed 1102 and Ed 1113)
 - C. Initial Proposal – Non-Public School Approval (Ed 403.03, Ed 405.01 and Ed 407.01)
 - D. Initial Proposal – Basic Academic Skills (Ed 513.01) Amendment to Existing Rules in Response to HB 1498
 - E. Final Proposal - Specialist in Assessment of Intellectual Functioning (SAIF) (Ed 507.19 and Ed 614.08)
 - F. Adopt – Manifest Educational Hardship (Ed 320)
- VII. **REPORTS AND NEW DEPARTMENT BUSINESS**
- VIII. **OLD BUSINESS**

IX. CONSENT AGENDA

A. Meeting Minutes of February 8, 2018

X. TABLED ITEMS

XI. NONPUBLIC SESSION

XII. ADJOURNMENT – 2:00 P.M.

If accommodations are needed for communication access such as interpreters, please call (603) 271-3144 at least 5 business days before the scheduled event. We request 5 business days' notice so that we may coordinate

interpreters' schedules. Although we will attempt to accommodate any requests made, we cannot guarantee the presence of the service. Thank you for your cooperation.

**The Keene Authorized Regional Enrollment Area Plan for Grade Six
for the School Districts of Keene, Stoddard, Sullivan and Surry**

January, 2018

This agreement is entered into pursuant to Chapter 195-A of the New Hampshire Revised Statutes, as amended. It is among the School Districts of Keene, Stoddard, Sullivan and Surry. The school districts are currently parties to tuition agreements and/or the “Keene A.R.E.A. Plan for Grades 7 and 8” and/or the Grades 9 through 12 Keene A.R.E.A. plan.

- A. The name of the organization shall be the Keene A.R.E.A. Plan for Grade Six.
- B. Stoddard School District, Sullivan School District and Surry School District shall be the sending districts, and the Keene School District shall be the receiving district; and together they shall form the region which shall be served by the A.R.E.A. school. The Keene School District guarantees to own and operate a fully approved middle school consistent with the standards as defined by the laws of the State of New Hampshire for the education of its own and sending district students in grade six.
- C. The rate of tuition shall be determined annually and shall be the estimated net operating expenses of the Keene Middle School for the current school year divided by the estimated average daily membership for the current school year. The operating expenses shall not include the cost of pupil transportation (except for athletics and field trips), expenses reimbursed by federal or state governments, the cost of capital equipment purchased using capital reserve funds derived from surpluses in the Middle School budget as determined by the comparison of the actual expenditures to the estimated expenditures used in the tuition calculation, the cost of debt service and any costs which are specifically designated for Keene resident students (e.g. special education tuition, tutoring, etc.). Certain revenue, such as rental income offsetting Middle School expenses, vocational school tuition, tuition from patrons, and athletic fees, shall be deducted from the operating expenses to arrive at the net operating expenses. In addition to the tuition rate, each sending district will be responsible for any costs which are specifically designated for such sending district’s resident students, e.g. special education services not included in the tuition calculation. The per pupil rental charge of 2% of the estimated replacement costs of the Middle School facility shall be added to the tuition rate to arrive at the full charge. The receiving district shall bill the sending districts on a semi-annual basis and the sending districts shall pay said tuition on a semi-annual basis not later than February 1, and June 21. The tuition for a pupil who attends a portion of the full school year shall be the product of the daily rate and his average daily membership.
- D. The following is an estimate of the initial enrollment in the A.R.E.A. School from each of the sending districts and of the receiving district:
Stoddard
Sullivan
Surry

Keene

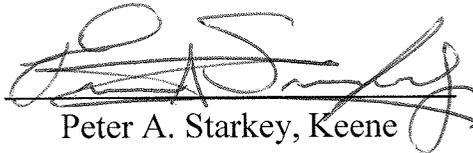
Other sending districts to KMS _____

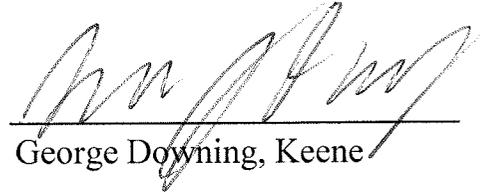
Total estimated KMS enrollment (2018 - 19)

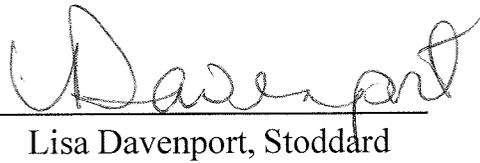
- E. The sending districts shall pay tuition to the Keene School District on a semi-annual basis, not later than February 1 and June 21 of each school year. The tuition for a pupil who attends a portion of the school year shall be the product of the daily rate and his/her average daily membership.
- F. Keene Middle School shall be deemed the assigned school for all Stoddard, Sullivan, and Surry pupils in grade 6 for purposes of school attendance laws, except (1) as provided in RSA 193:3 concerning decisions by the State Board of Education with respect to claims by individual students of manifest education hardship or (2) placements made by agreement of the Superintendent of Schools for Keene and the Superintendent of Schools for Stoddard, Sullivan, or Surry, as the case may be. It is further understood by Keene and each sending district that no tuition is due Keene for a sending district pupil who attends an approved private school as long as the private school's tuition is not partially or fully paid by the sending district or for a student who is receiving home education pursuant to RSA 193-A. Provided, however, that partial tuition as reasonably determined by the Superintendent of Schools for Keene shall be due to Keene from a sending district for a sending district private or home schooler who participates in a class or classes offered at Keene or in the co-curricular program at Keene.
- G. Guidance services will be made available to grade five pupils of the sending districts for sixth grade placement and subject placement.
- H. The same pupil regulations will apply to the students from the sending districts as to those of the receiving district.
- I. There shall be annually at least two (2) joint board meetings of the Keene, Stoddard, Sullivan and Surry school boards for the purpose of consulting and advising about any and all matters relative to the operation and educational program of the A.R.E.A. plan. These meetings will be held as part of the Grades Seven and Eight A.R.E.A. meetings.
- J. All member district boards will have access to educational records for legitimate educational purposes for pupils residing within their districts, all in accordance with the Family Educational Rights and Privacy Act, 20 USC 5. 1232g. All member districts will have access to educational records, with no identification of individual students, for the purpose of conducting evaluations of school programs.
- K. In case of disagreement as to the interpretation or application of this agreement, such controversy shall be submitted in writing to the State Board of Education which, after notice and hearing, shall make a decision.
- L. The date of operating responsibility shall be July 1, 2018. Amendments to this Agreement, to include, without limitation, withdrawal, addition, and substitution of member districts; changes in grades covered by the plan; or other changes in the rights and responsibilities of the member districts, shall be governed by the provisions of law then in force. Review of this agreement shall be conducted periodically in conjunction with review of the "Keene A.R.E.A. Plan for Grades 7 and 8".

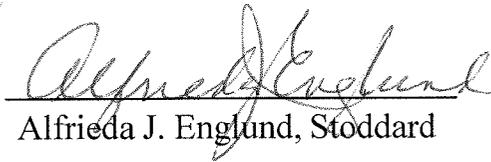
This Keene A.R.E.A. Plan for Grade Six is signed below by the area school planning board and will be submitted for public hearing in each of the four school districts. If the area school planning board reaffirms this agreement after the public hearings, then this Agreement will become effective upon approval of the New Hampshire State Board of Education, and approval by the voters of each district at the 2018 annual meetings of each school district.


Susan Hay, Keene

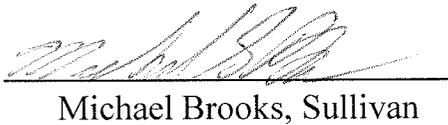

Peter A. Starkey, Keene


George Downing, Keene


Lisa Davenport, Stoddard


Alfrieda J. Englund, Stoddard


Cynthia Lake, Stoddard

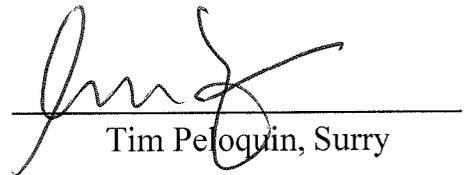

Michael Brooks, Sullivan


Stephanie Jacques Kleine, Sullivan


Stephanie Milotte, Sullivan


John Davis, Surry

Bonny LaRocca, Surry


Tim Peloquin, Surry

2017 SULLIVAN SCHOOL BOARD ANNUAL MEETING MINUTES

To the inhabitants of the Town of Sullivan in the County of Cheshire qualified to vote in School District affairs:

You are hereby notified to meet at the Town hall in said town, Tuesday, the fourteenth (14th) day of March next at 11:00 AM of the clock to act upon the following by written ballot; the polls not to close before 7:00 PM.

Article 1: To choose all necessary School District officers for the ensuing year.
NO SCHOOL POSITIONS OPEN FOR THIS ELECTION

You are hereby notified to meet at the Town hall in said town, Wednesday, the fifteenth (15th) day of March next at 7:00 PM of the clock to act upon the following subjects.

Article 2: To see if the District will vote to raise and appropriate the amount of **\$1,664,358** for the support of schools, for the payment of salaries for the School District Officials and Agents, and the payment of the statutory obligations of the district for the 2017-2018 Fiscal Year. The School Board and The Budget Committee recommend this appropriation. This article does not include appropriations voted in other warrant articles.

Motion made, seconded, Article 2 passes as written, I so do declare.

Article 3: To see if the Sullivan School District will vote to raise and appropriate up to **\$25,000** to add to the Special Education and Tuition Expendable Trust fund established by the voters of the District in March, 2013 and authorize the school board to transfer said sum from the year end unassigned fund balance (surplus) available on June 30, 2017. The School Board recommends this appropriation. The Budget Committee does/does not recommend this appropriation.

Motion made, seconded, Article 3 passes as written, I so do declare.

Article 4: To See if the Sullivan School District will vote to raise and appropriate **\$25,000** to add to the Special Education and Tuition Expendable Trust Fund established by the voters of the District in March, 2013. The School Board recommends this appropriation. The Budget Committee does/does not recommend this appropriation.

Motion made, seconded, Discussion: Al Merrifield stood and explained that \$25,000 will be left from Article 2, only two extra students. Melinda Scherpa stated that there may not be \$25,000 left over and it is recommended that the district should have approximately \$300,000 in the trust fund. We currently have \$95,000.

Moderator asks for a show of hands. 22 yeah, 20 opposed, Article 4 passes as written, I so do declare.

Article 5: Shall the Sullivan School District accept the provisions of the RSA 195-A (as amended) for the Sullivan School District to join an area school located in Keene which

serves grades 9 through 12 in a plan which currently includes the school districts of Chesterfield, Harrisville, Keene, Marlborough, Marlow, Nelson, Stoddard, and Westmoreland, all in accordance with the provisions of the plan on file with the district clerk?

Motion made, seconded, Discussion: Mr Pratt asks for explanation of Article 5. Stephanie Jacques explains that the board looked at area schools for grades 9-12 for 20 students. For a long term agreement of 10 or more years we are looking at a \$25,000 reduction for tuition.

Article 5 passes as written, I so do declare.

Article 6: Shall the Sullivan School District accept the provisions of RSA 195-A (as amended) for the Sullivan School District to join an area school located in Keene which serves grades 7 and 8 in a plan which currently includes the school districts of Harrisville, Keene, Marlow, Nelson, and Stoddard, all in accordance with the provisions of the plan on file with the district clerk?

Motion made, seconded, Article 6 passes as written, I so do declare.

Article 7: Shall the Sullivan School District create an area school planning committee consisting of Sullivan School Board members Stephanie Jacques Kleine, Stephanie Milotte, and Michael Brooks to study the advisability of forming a 6th grade A.R.E.A. in accordance with RSA 195-A.

Motion made, seconded, Article 7 passes as written, I so do declare.

Article 8: To see if the District will vote to accept reports of agents and committees as printed in the School District Annual Report contained within the Sullivan Town Report.

Motion made, seconded, Article 8 passes as written, I so do declare.

Article 9: To transact any business which may legally come before this meeting and to listen to opinions of a purely advisory nature as regards to the conduct of School District affairs for the ensuing year.

Discussion: Stephanie Jacques gives Thanks to Toni Ellsworth for her time when joining the board. Toni will be leaving the School Board and they are currently looking for another Treasurer.

Article 10: To see if the District will vote to approve and confirm a long-term, 12 year tuition contract between the District and the Nelson School District, which provides for the long-term education of Sullivan elementary students on a per student split cost basis between the two district (establish in 2013), and further, which contains provisions for the early withdrawal of either District and other provisions. A 2/3 vote is required.

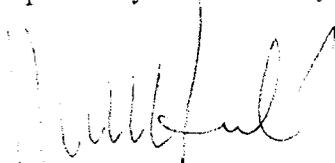
Motion made, seconded, Discussion: Melissa Scherpa explained that the Nelson school is crowded and our 6th graders are currently going to Keene Middle School. Nelson needs to add on. They are looking for a long term contract of 12 years. An early withdrawal of less than 12 years would mean we still have to pay \$50,000 per year for our portion of the Bond. However, sending our students to Keene would cost us \$70,000 per student per year so it is

still our most economical choice and the students like Nelson very much.
Stephen Hamilton asks what would happen if Nelson wants us to withdrawal? If Nelson
does that then they would have to pay the total portion of the bond.

Move to vote by ballot vote: 39 Yeah, 6 No.

Article 10 passes as written, I so do declare.

Respectively submitted by,

A handwritten signature in cursive script, appearing to read "Mary Hull".

Mary Hull
Sullivan School District Clerk

**STODDARD SCHOOL DISTRICT
ANNUAL MEETING MINUTES
Thursday, March 16, 2017 - 7:00PM
JAMES FAULKNER ELEMENTARY SCHOOL**

School Board Members:

Chairperson: Alfrieda Englund
Vice Chair: Lisa Davenport
Board Member: Cynthia Lake

Administrators:

Principal: Martha LeMahieu
Superintendent: Dr. Lorraine Tacconi-Moore
Assistant Superintendent: Dr. Jacqueline Coe
Director of Student Services: Mrs. Sandra Pickering
Technology Director: Mr. Greg Reinert
Business Administrator: Kathleen Sargent
Attorney: Barbara Loughman

Moderator: Daniel Eaton

Clerk: Jennifer Costa

Moderator Eaton opened the meeting at 7:00PM.

To choose by nonpartisan ballot the following School District officials:

1 School Board Member 3 year term

Article 01: Shall the Stoddard School District raise and appropriate the sum of \$493,000 (Four Hundred Ninety-Three Thousand Dollars) for the construction and original equipping of an addition to the James Faulkner Elementary School building, and to authorize the issuance of not more than \$172,000 (One Hundred Seventy-Two Thousand Dollars) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Stoddard School Board to issue and negotiate such bonds or notes and to determine the rate of interest thereon; furthermore, to authorize the withdrawal of \$321,000 (Three Hundred Twenty-One Thousand Dollars) from the Stoddard School Building Design, Expansion, Renovation and Construction Expendable Trust created for this purpose and further to raise and appropriate an additional sum of \$2,016 (Two Thousand, Sixteen Dollars) for the first year's interest payment on the bond? (THIS WARRANT ARTICLE IS SUPPORTED BY THE SCHOOL BOARD.) (2/3 Ballot Vote required.)

George Davenport made a motion to elect school district officials on a separate ballot from the vote for Article 1. This motion was seconded by Phil Hamilton. There was no discussion. **Motion approved by voice vote.**

Moderator Eaton initiated a discussion to determine if the District would approve delaying the discussion of Article 1 until Article 2 was discussed and voted on. The motion was made by Charles Fosberry and seconded by Patricia Putnam.
Motion approved by voice vote.

Article 02: Shall the Stoddard School District, if Article 1 is defeated, raise and appropriate the sum of \$493,000 (Four Hundred Ninety-Three Thousand Dollars) for the construction and original equipping of an addition to the James Faulkner Elementary School building, and to authorize the withdrawal of \$321,000 (Three Hundred Twenty-One Thousand Dollars) from the Stoddard School Building Design, Expansion, Renovation and Construction Expendable Trust created for this purpose and further to raise and appropriate an additional sum of \$172,000 (One Hundred Seventy-Two Thousand Dollars) to be raised from taxation for the payment of the construction? (THIS WARRANT ARTICLE IS SUPPORTED BY THE SCHOOL BOARD.) (Majority vote required.) (If Article 1 passes, this Article will be null and void.)

Vice Chair Lisa Davenport made a motion to accept the article as written. She then outlined the need to support this warrant article using a power point presentation.

- The proposed addition would include a 1100 square foot classroom added onto the existing Lucy B. Hill room. The total addition would be 1340 square feet in order to include a separate entryway.
- There are specific renovations that will need to be completed in addition to the new classroom construction. These include: an upgrade to the wiring system in the attic; redirecting of the water; electric and septic lines; and restoration of the playground area after construction.
- The need for the additional classroom was described (noise level; lack of space for students and the community; etc.).
- Use of the Lucy B. Hill Community Room would be available to the community again.
- Article 1- The proposed bond for \$172,000 would have a 1.99% interest rate over 5 years. On a \$200,000 home, the tax payer would pay \$116.00 each year for the next 5 years.
- Article 2- the proposed one-time payment of \$172,000 would be raised from taxation in 2017-2018. On a \$200,000 home, the tax payer would make a one-time payment of \$134.00.

Question: (Carol Clark) Will the building have a peaked roof or will it be a flat roof?

Answer: (Lisa Davenport) The roof will meet the appropriate guidelines that the state requires.

Question: (Brenda Breyer) What is this year's tax rate?

Answer: (Lisa Davenport) \$6.72. Last year there was a surplus and approximately \$250,000 was returned to the tax payers which lowers the overall tax rate for this year.

Question: (Fred Ward) What other schools have you looked into sending the students?

Answer: (Lisa Davenport) Marlow was a school that expressed interest in taking students, but they only had space for kindergarteners. The other schools explored included Gilsum and Harrisville, but the cost of tuition and transportation made those options not viable.

Question: (Fred Ward) What is the financial expense of sending students elsewhere?

Answer: (Lisa Davenport) It can cost \$18,000 in tuition for an elementary school student (this does not include transportation or special education costs). Middle school student tuition varies depending on the grade. For 6th grade students (not under A.R.E.A. agreement, see Article 6), tuition is \$12,351 (\$31,052 including special education services). For student in grades 7-8 (under the A.R.E.A agreement, see Article 6), tuition is \$12,126 (\$30,697 including special education services). For high school students the cost increases to \$13,242 (\$29,451 including special education services).

Question: (Frank Schofield) Is there enough money in the suggested budget to cover the cost of the addition?

Answer: (Lisa Davenport) Yes. The \$493,000 budget is the plan but the hope is that bids may come in lower and the remaining funds will be returned to the tax payer, under Article 2. If Article 1 passes and the bond is utilized, refunding money to the tax payers will not be an option.

Question: (Tim Rhuer) What is our current student population? What is the projected student population for the 2017-2018 school year?

Answer: (Lisa Davenport) We currently have 82 students and are projecting 75 students for the next school year.

Question: (Tim Rhuer) If Article 2 passes and we decide to save the cost of interest, would the School Board support that vote?

Answer: (Lisa Davenport) Yes

Question: (Aaron Costa) What is the original capacity of the school based on its current design?

Answer: (Lisa Davenport) The last renovation was in 1999 and at that time the school had 3 classrooms that were equipped to serve a maximum of 75 students.

Question: (George Davenport) Was this a petition or is there going to be a ballot vote on Article 2?

Answer: (Moderator Eaton) There was a motion made earlier in the evening to hold a ballot vote on this Article instead of a voice vote. For the vote on Article 1, the bond, a 2/3 vote is required. On all other Articles, there is a majority vote required.

After a ballot vote, Article 2 passes with a 2/3 vote (84 yes, 18 no).

Tim Ruehr moved to postpone indefinitely Article 1. Seconded by George Davenport. **Motion approved by voice vote.**

Article 03: Shall the Stoddard School District receive the reports of agents, auditors, committees and other officers chosen, as printed in the Annual Report, or to take any other action in relation thereto? (Majority vote required.)

Chair Alfrieda Englund made a motion to accept the Article as written. Seconded by Vice Chair Lisa Davenport. There was no discussion. **Motion approved by voice vote.**

Article 04: Shall the Stoddard School District set the salaries of the School Board and the compensation for any other officers of the District as printed in the 2017-2018 Budget, or to take any other action in relation thereto? (THIS WARRANT ARTICLE IS SUPPORTED BY THE SCHOOL BOARD.) (The 2017-2018 amount is included in Warrant Article 5, the operating budget.) (Majority vote required.)

Vice Chair Lisa Davenport made a motion to accept the Article as written. Lindsey Freese seconds the motion. There was no discussion. **Motion approved by voice vote.**

Article 05: Shall the Stoddard School District raise and appropriate as an operating budget, not including appropriations by special or separate warrant articles and other appropriations voted separately, the amount totaling \$2,883,921 (Two Million, Eight Hundred Eighty-Three Thousand, Nine Hundred Twenty-One Dollars) for the support of schools, for the payment of salaries of School District officials and agents, and for the payment of statutory obligations of the District? (THIS WARRANT ARTICLE IS SUPPORTED BY THE SCHOOL BOARD.) (Majority vote required.)

Board Member Cynthia Lake made a motion to accept the Article as written. Pat Steves seconds the motion. There was no discussion. **Motion approved by voice vote.**

Article 06: Shall the Stoddard School District create an A.R.E.A school planning committee consisting of Mrs. Alfrieda Englund, Mrs. Lisa Davenport, and Mrs. Cynthia Lake to study the advisability of forming a sixth grade A.R.E.A. in accordance with RSA-195A? (THIS WARRANT ARTICLE IS SUPPORTED BY THE SCHOOL BOARD.) (Majority vote required.)

Fred Ward made a motion to accept the Article as written. Vice Chair Lisa Davenport seconds the motion. There was no discussion. **Motion approved by voice vote.**

George Davenport made a motion to adjourn the Annual Meeting at 8:30PM. Seconded by Donna Hamilton.

At the conclusion of the meeting the ballots were totaled. The following individual was sworn into their respective position shortly after 8:30PM:

School Board Member: Alfrieda Englund 3 year term

Respectfully submitted,

Jennifer Costa

Surry School District
Annual Meeting - March 16, 2017
MINUTES NOT YET APPROVED

Call to Order – 7:00PM

Officers Present:

Nancy Callender, Moderator

Frank Buffum

Caroll Lothrop

Bonny LaRocca

John Davis

Rebecca Russo, Treasurer, Assistant District Clerk

Officers Absent: Tim Peloquin

Also absent: Ken Dassau, SAU Superintendant

Pledge of Allegiance

Article 1 – Report of District Officers

To hear the reports of the District Officers

Motion, Bruce Smith. Second, Fred Fosher.

No Discussion, Reports accepted as written.

Article Passed.

Article 2 – Main Budget of \$1,770,053

To see if the Surry School District will vote to raise and appropriate the sum of \$1,770,053 for the support of schools, for the payment of salaries for the School District Officials and Agents, and for the payment for the Statutory Obligations of the District for the 2017-2018 Fiscal Year. The School Board and the Budget Committee recommend this appropriation. This article does not include appropriations contained in special or individual articles addressed separately. (Majority vote required)

Motion, David Lane. Second, Bruce Smith.

Caroll Lothrop briefly summarized how the School Board came to the proposed figure.

Article passed unanimously.

Article 3 - Shall the Surry School District accept the provisions of RSA 195-A (as amended) for the Surry School District to join an A.R.E.A. school located in Keene which serves grades 9 through 12 in a plan which currently includes the school districts of Chesterfield, Harrisville, Keene, Marlborough, Marlow, Nelson, Stoddard, and Westmoreland, all in accordance with the provisions of the plan on file with the district clerk?

Motion, Bruce Smith. Second, Matthew Barrett.

Caroll Lothrop briefly summarized why the School Board believes this is in the best interest of the taxpayers of the Town of Surry. The town would save a small percentage annually on its tuition bill in exchange for binding the town to Keene Middle School and High School.

Bruce Smith asked about what he read in the RSA, questioning if the RSA would bind the town to undesirable obligations in the future, especially if the town felt that it wanted to get out of the agreement.

Article passed without opposition.

Article 4 - Shall the Surry School District accept the provisions of RSA 195-A (as amended) for the Surry School District to join an A.R.E.A. school located in Keene which serves grades 7 and 8 in a plan which currently includes the school districts of Chesterfield, Harrisville, Keene, Marlborough, Marlow, Nelson, Stoddard, and Westmoreland, all in accordance with the provisions of the plan on file with the district clerk?

Motion, Laura Barrett, Second, Jay Croteau.

Caroll Lothrop stated that this article is identical to Article 3, but for grades 7 and 8.

Article passed without opposition.

Article 5 - Shall the Surry School District create an area school planning committee consisting of Surry School Board members John Davis, Tim Peloquin and Bonny LaRocca to study the advisability of forming a 6th grade A.R.E.A. in accordance with RSA 195-A.

Motion, Bruce Smith. Second, Josh Brooks

Bruce Smith asked for clarification on this Article. Because there is no area agreement for any other town involving the 6th grade, laws stipulate that both Keene and Surry must create school planning committees.

Article passed without opposition.

Article 6 - Terms.

To transact any other business which may legally come before the meeting.

No other matters raised.

Motion to dissolve the meeting, Bruce Smith. Second, Jay Croteau.

No Discussion, Meeting Ended – 7:16PM

Respectfully Submitted,

Rebecca H. Russo
Assistant District Clerk

RETURN OF VOTE - MARCH 14, 2017 - KEENE SCHOOL DISTRICT

ELECTION OF SCHOOL OFFICIALS

	<u>REC. CTR.</u> (Wards 1-5)	<u>FINAL TOTAL</u>	<u>WINNER</u>
SCHOOL BOARD MEMBER - 3 -YR TERM			
Jim Carley	213	213	X
Edward R. Murdough	224	224	X
Dawn M. Mutuski	228	228	X
Write-ins	18	18	
Total Votes	683	683	
SCHOOL CLERK- 3-YR TERM			
Beth Zinn	272	272	X
Write-ins	3	3	
Total Votes	275	275	
SCHOOL DISTRICT MODERATOR- 3-Yr TERM			
Kathleen O'Donnell	238	238	X
Chester L. Lapointe, III	54	54	
Write-ins	1	1	
Total Votes	293	293	

ATTEST OF VOTE - MARCH 14, 2017 - KEENE SCHOOL DISTRICT

<u>QUESTION</u>	<u>REC. CTR.</u>		
1 - District Operating Budget \$66,150,293	Yes	257	X
	No	51	
	Blanks	6	314
2 - Keene Para Collective Bargaining Agreement	Yes	254	X
	No	57	
	Blanks	3	314
3 - Special Meeting Should Question #2 be Defeated	Yes	249	X
	No	59	
	Blanks	6	314
4 - Create AREA planning committee for Grade 6	Yes	226	X
	No	70	
	Blanks	18	314
5 - Should Keene allow Sullivan to join AREA for grades 7 and 8	Yes	277	X
	No	33	
	Blanks	4	314
6 - Should Keene allow Surry to join AREA for grades 7 and 8	Yes	277	X
	No	32	
	Blanks	5	314
7 - Should Keene allow Sullivan to join AREA for grades 9 through 12	Yes	274	X
	No	33	
	Blanks	7	314
8 - Should Keene allow Surry to join AREA for grades 9 through 12	Yes	275	X
	No	31	
	Blanks	8	314

9 - School Buildings Maintenance Expendable Trust Fund	Yes	266		X
	No	46		
	Blanks	2	314	
10 - Special Education Expendable Trust Fund	Yes	252		X
	No	60		
	Blanks	2	314	
11 - Creation of a new Athletic Field Trust Fund	Yes	248		X
	No	61		
	Blanks	5	314	
12 - Lease or Purchase Land or Buildings	Yes	195		X
	No	111		
	Blanks	8	314	
Total Ballots Cast		3,768		

At the Second Session of the Special School District Meeting, Keene, New Hampshire, held Tuesday, March 14, 2017, the above votes of those present and qualified to vote upon the question presented to the voters, were by the voters given to the Moderator, and said Moderator, in the presence of the on-duty Selectmen and Clerks of the appropriate City wards, and assisted by them, sorted and counted said votes, and at the close of the polls made a public declaration of the whole number of ballots given in, with the voted counted as indicated above.

A true record, attest:

Beulah Zinn 3/14/17

Beulah Zinn, School District Clerk

**Minutes of the January 3, 2018 meeting of the
Grade 6 Keene A.R.E.A. Planning Board**

Planning Study Committee Present:

Michael Brooks, Sullivan School Board
Peter Starkey, Keene School Board
Cynthia Lake, Stoddard School Board
Alfrieda J. Englund, Stoddard School Board
Lisa Davenport, Stoddard School Board

Others Present:

Kenneth R. Dassau, Superintendent for Surry and Sullivan (representing Surry in lieu of Mr. Peloquin)
John Wrigley, Keene School District Attorney
Timothy L. Ruehr, SAU 29 Business Administrator

Meeting called to order at 6:19

Tim reminded those who were not present at the December 4 meeting that this evening's meeting was intended to address any questions regarding a proposed 6th Grade A.R.E.A. agreement and to finalize it for presentation to the New Hampshire State Board of Education, and to the voters of each of the four districts at the 2018 annual meetings of each school district.

The group discussed the issues related to ensuing legislation and a bill recently passed that may jeopardize the exclusivity of existing AREA agreements and the effect on the Grade Six agreement being contemplated. Ms. Davenport raised significant questions about section F. Mr. Ruehr summarized Keene's position had not changed and remains committed to the acceptance of all students into grade 6 from the applicable towns and that those towns would in turn send all of its students. Significant discussion related to "educational hardship" ensued. It was noted that Stoddard and Marlow had issues related to a few students' proximity to Keene vis-à-vis a neighboring school, and the homes in a town that had been deemed an educational hardship in the past. It was understood that the Keene Superintendent would remain the determiner of students who qualify for this exception. It was noted by Mr. Wrigley that this determination has not always been approved but that the system has been effective and worked for the towns and Keene for many years. Mr. Dassau noted that the provision has been effective in Surry allowing the board to have certainty when answering requests for exceptions. Ultimately the committee expressed an understanding of the pros and cons

Submitted by Tim Ruehr

of the arrangement and reiterating the need for home school stability and consistency. The purpose of the new AREA is to solidify a greater commitment to one another, potentially lower the cost of tuition and to bring certainty and stability to both the sending and receiving Districts.

1. Approval of the December 4, 2017 Minutes

Motion by Ms. Englund to approve the minutes as presented and Ms. Lake seconded. Motion approved 4 in favor and 1 abstention, Ms. Davenport who explained she was not in attendance for the December meeting.

2. Planning Committee and AREA Planning Board Members

Each of the four school districts represented in this meeting reported that the appointment of an area school planning committee had been accomplished at the respective 2017 annual meetings. The committees were:

Keene: Susan Hay, Christine L. Parshall and Peter A. Starkey. Ms. Parshall has resigned from the Board and a replacement on the Keene Planning Committee has not been appointed by the Keene Board.

Stoddard: Lisa Davenport, Alfrieda J. Englund, Cynthia Lake

Sullivan: Stephanie Jacques Kleine, Stephanie Milotte, and Michael Brooks

Surry: John Davis, Tim Peloquin, and Bonny LaRocca

3. Public Hearing Dates

The four groups identified their Public Hearing and local approval process for the Grade Six AREA. The Board decided to approve the agreement pending their public hearing and then each boards' approval as evidenced by their future decisions to place the applicable article on the warrants and ultimately to be decided by voters. Mr. Ruehr was asked to collect signatures from all committee members and file the proposed agreement with the New Hampshire State Board of Education.

4. Current Tuition Agreements (Grades 6, 7, & 8)

The area school planning board discussed the presently in effect tuition agreements as they are applicable for 6th grade as well as the Grade 7 and 8 Keene A.R.E.A. Agreement. Ms. Davenport raised questions about the current grade 6 agreement. Ms. Englund expressed the similarity between section f and the requirement of their current tuition agreement. It was noted that the intended tradeoff for lower tuitions in the A.R.E.A. Agreement would be a greater commitment by the sending districts. Actual enrollments would be unaffected.

A proposed 6th Grade A.R.E.A. Agreement had been forwarded to the committee/board members as amended at the committees December meeting, and it was reviewed.

5. Proposed A.R.E.A. Agreement

Submitted by Tim Ruehr

It was moved by Mr. Starkey and seconded by Ms. Lake and unanimously approved by those present; That the area school planning board recommend that there be established an authorized regional enrollment area plan for the 6th grade students of Keene, Stoddard, Sullivan and Surry to be located at Keene Middle School; and That the terms of the Grade 6 Keene A.R.E.A. Agreement shall be those set forth in the proposed "The Keene Authorized Regional Enrollment Area Plan for Grade Six for the School Districts of Keene, Stoddard, Sullivan and Surry."

6. Warrant Article

Mr. Wrigley asked if any District needed clarifications on the requirement of the warrant article needed to establish the AREA. Each board answered that they understood and were knowledgeable about the process in regards to the required article.

All four districts understood that this Grade 6 Keene A.R.E.A. agreement is subject to a public hearing in each district, approval by the State Board of Education, and voter approval by each District at their respective 2018 annual meetings.

7. Other

Ms. Englund asked if Stoddard School Board had indeed supplied all of the necessary documentation needed for submittal to the State Board. Mr. Ruehr answered that she had. No additional documentation is needed at this time. Evidence of the required upcoming meetings and District Meeting results will be requested at a future date.

Mr. Ruehr requested confirmation of 5th grade census information from Stoddard for the agreement. It was agreed he would update the numbers in the proposed agreement.

The Board asked Mr. Ruehr, upon adjournment, to amend the agreement for a typo in the spelling of Ms. Englund and supply three copies to be signed by members present.

It was moved by Mr. Starkey and seconded by Mr. Brooks and unanimously approved that the meeting be adjourned.

Meeting adjourned at 6:53

**Minutes of the December 4, 2017 meeting of the
Grade 6 Keene A.R.E.A. Planning Committee**

Planning Study Committee Present:

Kenneth R. Dassau, Superintendent for Surry and Sullivan
Michael Brooks, Sullivan School Board
Peter Starkey, Keene School Board
Cynthia Lake, Stoddard School Board
Alfrieda Englund, Stoddard School Board
Tim Peloquin, Surry School Board

Others Present:

John Wrigley, Keene School District Attorney
Tim Ruehr, SAU 29 Business Administrator

Meeting called to order at 6:02

Following introductions, Attorney Wrigley summarized the charge of the planning committee.

The group discussed the issues related to the current AREA for the older grades and the desire to create an AREA for grade 6. Discussion ensued with regard to recent legislative changes and what that may mean for AREA commitments and exclusivity. Each board representative concurred that the goal was a greater commitment both for the sending district and for Keene. The cost of tuition would likely be reduced and the agreement would be of a more permanent nature.

Mr. Ruehr and Mr. Wrigley summarized the need for each District to provide the following documentation in preparation for sending a future agreement to the State Board of Education;

1. Minutes approving the warrant article for the AREA agreement.
2. Public Hearing Posting (notice) 2018
3. Public Hearing Minutes 2018

Submitted by Tim Ruehr

The committee agreed to have Attorney Wrigley develop an agenda for the next meeting. The Committee decided to meet on January 3, 2018, 6:00 PM, at the SAU# 29 central office.

The committee felt strongly that if the committee decided to recommend a new AREA that it would be best served by creating a new document that exactly mirrored the existing agreement except with more explicit exclusivity language.

Meeting Adjourned at 6:41 PM

**Keene Board of Education
Public Hearing Minutes**

Date: January 16, 2018

Called to Order: 7:00pm

Time Adjourned: 7:47pm

Location: Auditorium, Keene High School, 43 Arch Street, Keene

Board Members Present:

Julia Atkins, Vice Chair
James Carley
George Downing, Chair
Inga Hansen
Susan Hay
Edward R. Murdough
Dawn Mutuski
Kris E. Roberts
Peter Starkey

Administrators Present:

Dorothy Frazier, Interim Assistant Superintendent
Robert Malay, Superintendent
Tim Ruehr, Business Administrator

Others Present:

Approximately 15 members of the public

Public Hearing #1

Chair Downing opened the public hearing at 7:00pm.

1. Proposed 2018-2019 Budget

Article 1 – Main Budget Article

Shall the District raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant, or as amended by vote of the first session, for the purposes set forth therein, totaling \$66,661,091. Should this article be defeated, the operating budget shall be \$66,327,189, which is the same as last year, with certain adjustments required by previous action of the District or by law; or the governing body may hold one special meeting in accordance with RSA 40:13, X and XVI, to take up the issue of the revised operating budget only. (Note: This appropriation does not include appropriations in Articles 2,4,7, 8,9 and 10)

Ms. Mutuski began the presentation of the budget to the public. She first presented slides and spoke about the cost per public trends over the past few years dating back to the 2007-2008 school year. These yearly numbers of cost per student were compared to the state average for those years. She explained declining enrollment were part of the reason for the recent rise in average compared to the state. Adjustments had since been made to address declining enrolment. The highest deviation from the state average was in the 2010-2011 school year at 15.9%. It declined in a pattern since then due to the mentioned changes to the district as a response. The 2016-2017 school year had the discrepancy of district cost per student to compared to state average down to 0.7%.

Ms. Mutuski then explained the budget, which she described as the majority being composed of salary and benefits, then non-discretionary spending.

Ms. Mutuski then presented Article 1, the main budget article. The proposed budget for the 2018-2019 school year was \$66,661,091 with the default budget set at \$66,327,189. This represented a net increase of 0.62%, or \$410,796.

The main budget changes were overviewed, including contractual increases to the budget, increase in special education contractual pupil services, and special education out of district tuition as the top three drivers of the budget increases.

Ms. Mutuski overviewed highlights from the rest of the budget including the additional of full time kindergarten paraprofessional, which would be offset currently by the reduction in tutor positions.

Chris Coates, of 30 Gilsum Street, spoke of the decrease in revenue in the budget, and also spoke of being excited for the electronic textbooks for language. He expressed concerns, however, around the special education costs. He asked what the money was set aside for in Co-Curricular.

Mr. Robert Malay, superintendent, explained most co-curricular activities had not seen any stipend adjustment for many years. A committee took a look at that, but the findings were not finalized. The \$25,000 would be spread out between all programs from kindergarten up, he explained.

Mr. Coates inquired about the teacher position at Symonds on leave for a year. Mr. Downing explained the cost in the budget was to cover that position for the year. The purpose of the sabbatical was to cover leadership training for the teacher to learn more to one day be a principal. The teacher would work with teachers in the district as well as visiting other districts.

Mr. Coates then spoke of transportation and out of district placements costs, and special education contracted services, and preschool others costs up. He asked what the increase was for in the career center.

Mr. Ruehr said it was due to the partnership with other schools to send them to partner career centers, and it was for transportation costs for those students to attend the other programs.

Mr. Coates then spoke of the out-of-district placements. He expressed concern in the increase of the out-of-district placements.

Dr. Rick Matte, Director of Student Services, spoke of students choosing to enroll in MC2 (Making Community Connections Charter School.) He explained the Keene School District was responsible for those costs when the students chose to enter the school. The number of students projected to attend next year was 20-25, and the district was obligated to cover those services.

Dr. Matte further explained the number of students at Keene High School were still increasing next year, even with the 25 projected to attend the other school. He further explained more outcome data would be obtained from students who went to MC2.

Mr. Coates spoke of wanting every child to have the best education available, but wanted that to be in the Keene School District.

Mr. Coates then inquired about the split of the special education students to the regular education students in the Jonathan Daniels Preschool. Mr. Matte explained the numbers were an average for the week. Mr. Ruehr stated the special education percentage was 42% currently, and the average at the end of the year would be 50/50. The 50 percentile range could not be exceeded, therefore a few spots were anticipated to be filled and bring the average back up to 50/50 at the end of the year figures.

Mr. Roberts spoke about the special education program and its past. Mr. Roberts also spoke of the current opioid crisis and correlation to a rise in developmental problems.

Mr. Coates then inquired about the school adjustment counselor position. Ms. Mutuski explained the position was akin to a social worker to assist with student needs at the middle school.

2. Proposed Warrant for February 10, 2018 First Session

Article 2 – Negotiations – KAPS Sanborn Article

Shall the District approve the cost items included in the collective bargaining agreement reached between the Board of Education and the Keene Association of Principals and Supervisors (KAPS), and accordingly shall the District raise and appropriate the sum of \$28,848 such amount required to fund in fiscal year 2018-2019 the increased costs of such new agreement over the funds that would be paid at current staffing levels in accordance with the current collective bargaining agreement? At current staffing levels, the increased cost of the new agreement for its terms of three years is estimated to be \$36,360 in 2019-2020; and \$33,548 in 2020-2021. (Note: This appropriation is in addition to Article 1, the operating budget article. The Board of Education recommends a “yes” vote upon the question.”

Article 3

Shall the District, if Article 2 is defeated, authorize the Board of Education to call one special meeting, at its option, to address Article 4 costs items only?

Ms. Atkins then overviewed Article 2, which was in regards to KAPS negotiations. She explained the budget impact of .08%, or 1/05% when combined with the budget increase, if passed.

Mr. Murdough presented Article, which was to allow a special meeting to be held if Article 2 was defeated.

Article 4 – AREA 6th Grade

Shall the District accept the provisions of RSA 195-A (as amended) for the establishment of an area school located in Keene to serve the 6th grade from the school districts of Keene, Stoddard, Sullivan, and Surry in accordance with the provisions of the plan on file with the district clerk?

Mr. Murdough then presented Article 4 about the 6th Grade AREA.

Article 5 – Unexpended Appropriations to Maintenance Fund

Shall the District raise and appropriate the sum of up to \$50,000 to be added to the “School Buildings Maintenance Fund.” For the purpose of repairing and maintaining the school buildings within the District as established by voters at the 2010 annual meeting? This sum will come from the June 30, 2018 unexpended balance of 2017-2018 appropriations available for transfer on July 1, 2018 and will not be raised by taxation in 2018-2019. (Note: The School Board recommends a “yes” vote upon this question.”

Mr. Murdough then presented Article 5, which was to put up to \$50,000 into the maintenance fund from unexpended balance. This would not be raised from taxation.

Mr. Coates asked why the amount was chose. Mr. Murdough explained the current balance of the fund was \$587,028.77. The amount of \$50,000 was chosen as what the board was comfortable with. The fund would also be capped at around 2.5 million dollars.

Article 6 – Unexpended Appropriations to SPED Fund

Shall the District raise and appropriate the sum of up to \$50,00 to be added to the “Special Education Trust Fund,” for the purpose of addressing unanticipated special education costs as may arise in the course of a fiscal year as established by the voters at the 2015 annual meeting? This sum will come from the June 30, 2018 unexpended balance of 2017-2018, and will not be raised by taxation in 2018-2019. (Note: The School Board recommends a “yes” vote upon this question.)

Ms. Hay presented Article 6, which was to put up to \$50,000 in the special education trust fund for unanticipated costs. This would come from unexpended funds and not raised by taxation. The current balance of the fund was \$100,217.

Mr. Coates suggested adding more than \$50,000 to this fund.

Article 7 – Land Purchase

Shall the District authorize the Board of Education to lease or purchase land or land and building for school purposes as such land and buildings may be adjacent to any school buildings within the District and/or adjacent to streets which border such school buildings within the District?

Mr. Downing presented Article 7, to allow the district to authorize the Board to purchase land that may become available adjacent to schools. If this were needed, an agreement could not be finalized without holding a public hearing.

Mr. Downing then read the three submitted petition articles.

Petition Article 1

Shall the District reduce the total average operating expense per enrolled student by \$500 every year until the district’s average operating expense per student matches the NH state average. This reduction will take effect on the 2018/2018 school budget.

Petition Article 2

Shall the District adopt the provisions of RDA 32:5-b, and implement a tax cap whereby the governing body (or budget committee) shall not be submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year’s actual amount of local taxes raised, by more than 1%. (3/5 majority required)

Petition Article 3

Shall we rescind the provisions of RSA 40:13 (known as SB 2), as adopted by the Keene School District in 1996, so that the official ballot will no longer be used for voting on all questions, but only for the election of officers and certain other questions for which the official ballot is required by state law? (3/5 majority required)

The Public Hearing ended at 7:47pm.

Respectfully Submitted,

Jennifer Samperisi, Stenographer

Final Approved

Stoddard School Board
Public Hearing: A.R.E.A. Grade 6 Agreement
DRAFT Minutes
February 15, 2018 – 6:45 P.M.
James Faulkner Elementary School

Present: Board Chair Alfrieda Englund, Board Vice Chair Lisa Davenport, Board Member Cynthia Lake, Superintendent Dr. Lorraine Tacconi-Moore, Assistant Superintendent Dr. Jacqueline Coe, Business Administrator Kathleen Sargent, Director of Student Services Sandra Pickering, Technology Director Gregory Reinert, Principal Martha LeMahieu and Recording Secretary Meredith Butler.

- 1. Opening:** Board Chair Alfrieda Englund opened the Public Hearing at 6:47pm.
- 2. Introduction:** Board Chair Alfrieda Englund shared the Public Hearing is on the A.R.E.A. agreement with Keene and includes Stoddard, Sullivan and Surry. She introduced Superintendent Dr. Lorraine Tacconi-Moore to present the agreement.
- 3. Presentation:** Superintendent Dr. Lorraine Tacconi-Moore presented the A.R.E.A. Agreement for Grade 6. She shared there is currently no agreement in place and this was established due to the increasing costs to send grade 6 to Keene. Dr. Tacconi-Moore recommends the agreement as it is a good agreement that will decrease tuition costs for 2018-2019. Board Chair Alfrieda Englund shared the background of establishing the agreement and that tuition costs would be stable and predictable with the agreement and Keene would be able to expect Stoddard as a reliable partner.
 - **Highlights of the A.R.E.A. Agreement for Grade 6:**
 - The proposed grade 6 agreement with Keene included Stoddard, Sullivan and Surry.
 - The tuition rates shall be determined annually.
 - There will be at least two joint School Board meetings annually between Keene, Stoddard, Sullivan and Surry School Boards.
 - Public Hearings are held in all four school districts and requires approval of the voters of each district at the 2018 annual school district meetings.
 - **Tuition Comparison:**
 - 2017-2018
 - Keene High School- Regular Ed \$13,242
 - Keene High School- Special Ed \$29,451
 - Keene Middle School- Regular Ed \$12,126
 - Keene Middle School- Special Ed \$30,697
 - Keene Grade 6- Regular Ed \$12,351
 - Keene Grade 6- Special Ed \$31,051
 - 2018-2019
 - Keene High School- Regular Ed \$13,451
 - Keene High School- Special Ed \$29,164
 - Keene Middle School- Regular Ed \$11,651
 - Keene Middle School- Special Ed \$29,016
 - Keene Grade 6- Regular Ed \$11,937
 - Keene Grade 6- Special Ed \$29,731

4. Public Comment:

- Community Member asked for clarification on the grade 6 tuition cost of \$11,937.
- Community Member asked for clarification on why special education tuition is higher than regular ed. Board Vice Chair Lisa Davenport explained why special education costs are higher and the district will be charged a flat rate regardless of the services required.
- Community Member asked if the tuition costs presented would be the cost for all districts included in the agreement and Board Chair Alfrieda Englund replied yes, the costs would be for all.

5. Adjournment:

- Board Chair Alfrieda Englund adjourned the Public Hearing at 7:01pm.

Respectfully Submitted,
Meredith Butler
Recording Secretary

DRAFT

**Sullivan School District #96
Meeting Minutes, January 23, 2018
Sullivan Town Hall**

**Public Hearing
Sullivan/Keene District 6th Grade AREA Agreement**

Board Members Present: Stephanie Jacques Kleine-chair, Stephanie Milotte, Paul Bolduc, Michael Brooks & Mary Hull, clerk

Public Attendees: Roger Sweet, Ann Sweet, Al Henry, Laura Merrifield, Joe Lewandowski, Michael Blanchard, Jeffrey Burbank, Kate Fuller, Chris Pratt, Marsha Cook, David Jakway, Al Merrifield and Leslie Casey.

Time of Hearing began at 6:45

Stephanie Jacques Kleine explained that the reason for the hearing is in regards to the development of a new 6th grade area regional education agreement between Sullivan and the school Districts of Keene, Surry and Stoddard.

This will be Warrant Article #5 in the School Districts Warrant to be voted on in March of 2018. It will read: Sixth Grade AREA, Shall the school district accept the provisions of RSA 195-A (as amended) for the establishment of an area school located in Keene to serve the 6th grade from the school districts of Keene, Stoddard, Sullivan and Surry in accordance with the provision of the plan on file with the district clerk?

There was discussion and it was explained that we are already under this agreement with grades 7-8 and 9-12. This will be to add the 6th grade now as well. This agreement originally started as a 20 year plan. We jumped in half way at the 10 year mark. By joining in with this agreement with the 6th grade, it does also reduce our tuition rates.

No more questions and the board resided at 6:52

Mary Hull
District Clerk

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Surry School Board will hold a Public Hearing on Monday, January 15, 2018 at 7:00pm at the Surry School, Surry, NH, regarding the development of a new 6th grade area regional educational agreement between Surry and the school Districts' of Keene, Sullivan and Stoddard.

Posted at Town Hall and Fire Station

~~B. Russo~~ - Deputy District Clerk 3:30 - 01/06/18

State of New Hampshire

Institutional Program Approval Report

Rivier University

The New Hampshire Department of Education
1/18/18

This report details Rivier University's Institutional Program Approval Process completed in December 2017. Findings are included on individual PEPP, the institution's clinical practice model and systems for candidate and program assessment.

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Section I: Executive Summary

Section II: Clinical Partnerships and Clinical Practice

Section III: Quality Control System: Candidate Assessment System and Program Assessment System

Section IV: Specific Certification Programs

Appendices

NEW HAMPSHIRE DEPARTMENT OF EDUCATION
PROGRAM APPROVAL REPORT
For
Rivier University's
PROFESSIONAL EDUCATOR PREPARATION PROGRAMS

Section I: Executive Summary

A. Context

Programs at Rivier University are connected by a core mission focused on teaching and serving the poor by making social justice and service to others a spotlight of all curricula. The institution is deeply committed to “transforming the hearts and minds of students to serve the world.” This institutional mission and hope for students provides a strong foundation for the school of education at Rivier University. Education and more specifically teaching is about service to and for others. The theme of service was evident throughout the review of Rivier’s educator preparation programs – from an examination of early fieldwork, to the diverse set of schools with which Rivier is fostering partnerships, and finally to rethinking of services that education candidates can offer to schools and organizations.

Teacher education has been a part of Rivier University since its inception. Beginning with an undergraduate degree in education in 1933, the University has expanded its offerings to include an increasing number of graduate degrees, and most recently, a Doctoral Program in Education Leadership and Learning and a Doctoral Program in Counseling and School Psychology. In 2012 the education building was renamed the Benoit Education Center, providing centrally located facilities and resources for all education students and faculty. As recently as March 2017, The Division of Education at Rivier made changes to programming with the submission of a *Substantive Change Request* (Appendix A) to the *Council for Teacher Education* (CTE). At the core of this change was a commitment to deeper and wider collaboration within the Division of Education and across programs that support the development of content knowledge of candidates. The existing delivery structure for programs created too many silos and limited interaction of both faculty and students across the full division and institution as a whole. While this change eliminated some programs, it also established a core curriculum for all educator preparation candidates, thereby fostering essential foundational knowledge and building structures for collaboration across all areas of certification.

Hallmarks of programing within the Division of Education include: tiered field experiences beginning within the first year of a program and gradually intensifying as candidates’ progress, learning opportunities highlighting cultural competence and positive psychology, human growth and development, and learning theory, in addition to strong faculty and student relationships supporting individual candidate needs and success.

Rivier's program approval process began with the development of a Memorandum of Understanding (MOU) between the NHDOE and institution detailing the arrangements for the approval process and site visit (Appendix B). From the development of the MOU, collaboration in preparing and planning was ongoing between the NHDOE and Rivier University. A formal orientation to the process of approval and what the institution had prepared occurred on November 17, 2017 at Rivier University. Following this orientation, access to Rivier's evidence demonstrating alignment to state standards at the unit and program level was made available to all members of the review team. This enabled reviewers to examine materials prior to the site visit. The site visit for program approval occurred on December 5th - 6th, 2017 at Rivier University (Appendix B, Agenda). On each day of the site visit, framing/orientation meetings were offered establishing a shared understanding of the scope of work to be completed and an overview of any updates if necessary. Each day concluded with an exit meeting with the institution, NHDOE liaison, and Co-Chairs of the visit. Between framing and exit meetings, the review team engaged in a series of interviews with stakeholders from across the institution and partner school districts. The purpose of such interviews was to clarify information/evidence shared in advance of the visit by the institution, to expand upon what was provided, and to verify claims and evidence submitted by the institution. The site visit concluded with an exit meeting detailing preliminary findings of the review. Attendees to this final meeting included the: President of the University, Chief Academic Officer, Dean of the Division of Education, Director of Educator Preparation Programs, the Program Approval Co-Chairs, and the NHDOE Liaison.

B. Key Findings (Holistic Summary of Accreditation Process)

Despite growth and development demonstrated within required progress reports, the NH DOE has granted Rivier University conditional approval for two years with plans for an additional full re-review prior to the expiration of approval on December 31, 2019. Conditional approval is the recommended outcome for the following broadly detailed reasons:

1. The institution lacks a system for collecting, monitoring, and analyzing data at the candidate level. This system is needed to support candidate development as an educator at the unit and program levels – Candidate Assessment System (Ed 606). While the system is lacking, the institution has some evidence demonstrating the warehousing of some data and information.
2. The institution lacks a system for collecting, monitoring, and analyzing data at the program level. This system is needed to support the expectation of continuous improvement (Ed 606). While the system is lacking, the institution has some evidence demonstrating the warehousing of some data and information.
3. Because systems were lacking, the ability to review individual programs was impeded because of limited outcome, evidence, and output data and information. Reviewers of individual programs were unable to complete a comprehensive review of programs for which they had expertise.

Conditional approval is offered as the program approval outcome rather than non-approval due to a few mitigating factors. The on-site review team engaged in several stakeholder interview sessions designed to confirm any information, data, and evidence the institution had submitted demonstrating alignment to state standards, in addition to the enhancement of such information. Time spent with students currently enrolled at the undergraduate, graduate, and doctoral levels consistently communicated that the programs at Rivier prepare candidates for the classroom and field. Furthermore, current candidates articulated a deep sense of pride and support for their institution and faculty based on several features: availability of faculty to provide support and guidance when needed, personalization of preparation to individual candidate needs, and thoughtful program and course design that prepares candidates for the realities of schools today. Similar feedback was echoed during stakeholder interviews with Rivier's evolving partner districts and a sample of cooperating practitioners. Districts within which Rivier places students highlighted high preparation levels of candidates and a strong hope to employ candidates from programs offered at Rivier.

Interviews during the onsite visit offered a perspective of Rivier that reviewers were unable to see and understand through the submitted output data. The review team felt the information gathered from all the stakeholder interviews provided a broader, possibly more accurate, and complete picture of programming at the institution.

Need for a Priority Progress Report and Re-Review

As a result of the 2017 program approval process for Rivier University, the institution will submit a total of two priority progress reports with the purpose of addressing specific findings over time.

- September 30, 2018
 - Rivier shall identify key assessments for a comprehensive candidate assessment system as well as key assessments for each certification program. This may include identifying existing assessments more clearly and/or developing new assessments (see recommendations below.)
 - Rivier shall begin to collect data for these systems for the fall of 2018.
- March 31, 2019
 - Rivier shall compile and present assessment data from Fall 2018 that matches the key assessments identified in September 2018.
- Full Re-Review – Fall 2019
 - Rivier shall present data sets from one-full year of collection based on the key assessments, aggregating and analyzing data for candidate assessment system and the program assessment system.

Recommendations that require responsive action:

a. Clinical Partnerships and Clinical Practice

- The University did not present student or program data and analysis related to clinical partnerships and experiences. Documenting, aggregating, and analyzing data will provide valuable insight about the programs' capacities and inform future decision-making. Documenting placements, partnerships, and student outcomes related to clinical experience is a necessary component of candidate and program assessment.

b. Candidate Assessment

- The University has not yet identified key assessment points throughout the PEPP (with articulated criteria for success) where the teacher candidate must demonstrate competence. These key assessment points need to be addressed between admission into the PEPP and the culminating field experience.
- The Division of Education is just beginning to collect and more recently analyze longitudinal data. The division needs to collect longitudinal data whereby the assessment of candidate progress can inform the PEPP with respect to both strengths and areas of weakness of teacher candidates.
- Two programs within the Division of Education have begun to systematically examine student dispositions. This should be a practice unit-wide. It is recommended that a consistent way of identifying and measuring the dispositions of pre-service candidates be developed and implemented across all 14 programs.

c. Program Assessment

- Continuous improvement is at the heart of the Ed 600's, which govern educator preparation programs. Rivier must develop a systematic cycle of continuous improvement that provides multiple benchmarks demonstrating student competence throughout a program. These benchmarks should provide evidence that the student knows and is able to execute the knowledge, skill, or disposition being assessed.
- An essential component of continuous improvement and program assessment is a system for maintaining, monitoring, and analyzing longitudinal data. Rivier shall maintain longitudinal data on student performance upon entry into a PEPP, while working through a PEPP, and upon completion of a PEPP. This data can then be utilized to measure the overall efficacy of the PEPP.

d. Specific Certification Programs (14)

- The materials included in the programs' self-studies do not yet provide evidence required to fully assess the alignment of each program to state standards. Full program approval will require each program to shift from an input-based approach to a focus on assessment and an outcome-based approach that focuses on specific Ed 612 standards for each program.

Section II: Clinical Partnerships and Clinical Practice

A. Clinical Partnerships

Summary of Findings

Materials provided and interviews conducted with students, program faculty, supervisors, and clinical practitioners reveal a range of P-12 school-University relationships. Rivier has numerous collegial relationships with schools and districts in the region. A diverse range of schools within a 25-mile radius of Rivier, including those in the Nashua School District, regularly host/ commit to semester-long placements for preservice teachers during their clinical experiences. Informal but long-standing, and seemingly mutually-beneficial, the relationship between Nashua and Rivier could be conceived as a partnership.

Rivier University also presented two other more formalized partnerships. As one reviewer describes, “field experience for early childhood majors includes placement at a laboratory school with infant/toddler and preschool classrooms. Field experiences are integrated with course content. Candidates plan lessons, consult with cooperating professionals and make revisions. The cooperating teacher observes during the implementation of the lesson and provides detailed feedback in person and in writing. Course instructor then also provides feedback. This partnership appears to be well developed and supports candidate teaching and learning processes effectively.”

A second formal partnership, devoted to supporting middle school students through positive psychology, exists between Hudson Middle School, the area YMCA, and Rivier. This partnership, as Rivier describes, “...ranged from professional development collaborations between faculty and local and regional schools and districts, program and course offerings at dedicated schools and school districts, and curriculum, program, and school interventions reflective of our recent restructuring of graduate programs based on the integration of counseling and education theory, research, and practice on behalf of students.”

All clinical experiences for initial teacher preparation are coordinated by the Director of Field Experiences. Upon learning of a required early clinical experience, preservice teachers must submit an application through an online system to the Director. Students may select placements on their own, however these placements must be coordinated through the Director and Live Text. The handbooks for undergraduate and graduate programs explain that “the placement office considers students’ schedules, course requirements, special considerations and cooperating teacher availability” and clearly describe the criteria for selecting a qualified cooperating teacher. Preservice teachers also must submit an application and meet with school administrators and teachers prior to beginning a semester-long culminating clinical experience/ student teaching. Prior to beginning an internship, a formal “Agreement for Supervision of Student Teaching / Interns” is submitted to the Director of Field Experiences.

All requirements necessary to meet the standards for Ed 604.03 are explained in the handbooks for undergraduate and graduate initial programs. Handbooks for each program clearly describe the role of intern, supervisor, cooperating teacher or

administrator, as well explanations for how Rivier responds to and supports struggling candidates with “action plans” as well as explains policies for removing an intern. Programs leading to initial teacher certification also ensure cooperating teachers meet the standards outlined by the Ed 604s by collecting teachers’ professional background information via a “Cooperating Teacher Profile.” The building administrator must also attest to the cooperating teacher’s “record of effective teaching.” Similar processes for selecting and securing qualified cooperating practitioners exist in graduate programs for administration, school psychology, and school counseling.

All programs also outline clear criteria for methods and criteria for evaluation which includes but is not limited to input from faculty and site supervisors, cooperating practitioners, and preservice teachers. Cooperating teachers provide much- if not all --of the supervision and feedback for early field experiences.

Suggestions

- The University might consider establishing a more formalized partnership with the Nashua School District, one which includes a Memorandum of Understanding (MOU), identified mutual benefits and commitments for a period of time, and an assessment plan. While this is not a stated expectation at this time in the Ed 600 rules, the state is moving in the direction of requiring formalized partnerships.
- It was unclear if the partnership with Hudson offered opportunities for clinical practice for preservice teachers. The university might consider if or how the partnership with Hudson might include preservice teachers as well as those directly involved with the project. Similarly, an MOU should be developed with the Hudson School District.
- The University might review and reconsider its practice of allowing students to select their own placements, particularly for the culminating clinical experience, to ensure equity of support for students and cooperating practitioners, as well as shared vision and benefits for all involved.

Recommendations that Require Responsive Action

- The University did not present data related to clinical experiences. Documenting the placements and partnerships in which their students complete clinical experiences will allow the University to assess the geographical range and diversity of its placements, formally ensuring that all interns experience and learn from a diverse range of schools. While many students spoke highly of their experiences in diverse settings, across grade-levels or in culturally or economically diverse schools, it is unclear if this range of experiences is available to all students in all programs. Documenting and analyzing data will also allow the University to identify schools and districts with which it might form more formalized partnerships.

B. Clinical Practice

Summary of Findings

Clinical practice at Rivier includes early and ongoing clinical experiences, preparing candidates for an extended, sustained and cohesive culminating clinical experience. Clinical experiences, which begin in the first semester of most initial teacher preparation programs, are integrated with courses in order to afford coherence across theory and practice. Rivier University teacher candidates accumulate 125-200 hours of field experience prior to student teaching. Further, Rivier requires that candidates in all programs successfully complete a sustained, and cohesive culminating field experience with sufficient opportunities to demonstrate the ability to acceptably perform the competencies described in Ed 610 and either Ed 612 or Ed 614. The principal certification program requires at least 200 hours. The school counselor preparation program requires at least 600 total hours of supervised internship experience, of which at least 300 hours shall be direct service clock hours. Culminating field experiences in teacher preparation programs are a semester-long and full-time.

Each program outlines the knowledge, skills, and dispositions required for clinical practice that align with Ed 610, 612 or 614. Notably, since 2013, Rivier has phased in the use of a tiered field experience model for all clinical experiences required for initial teacher preparation programs. Documents provided in Rivier’s self-study explain:

“A tiered system is aligned with Education coursework, allowing pre-service teachers to experience a gradual increase in the required knowledge, skills, instructional practice, and professional responsibility necessary for success in the K-12 learning environment. Specific evidence of field experience is required at the Tier 2 and Tier 3 levels. The purpose for mandatory evidence at the Tier 2 and Tier 3 levels of field experience is to provide increased opportunities for the practice of effective teaching with opportunities for performance feedback from cooperating teachers. Two documents were used to frame the tiered structure of field experience, suggested evidence for each tier of field experience and to frame benchmarks within each tier. The first document is *Our Responsibility, Our Promise* authored by the Council of Chief State School Officers (2012). The second document is the *Phase I Report* (October 2011) authored by the New Hampshire Task Force on Effective Teaching. The frameworks were used to establish benchmarks for the Tiered Field Experience System. Special attention was given to alignment with NH DOE professional and content area standards. The use of these frameworks demonstrates our commitment to preparing effective teachers for K-12 classrooms” (Field Experience Clinical System Revision Proposal).

Each tier becomes progressively more complex and is evaluated by a rubric with specific criteria, aligned with Ed 610s. Rivier has also identified evidence—including but not limited to observations, lesson plans, or reflections, which supervisors and cooperating teachers might use to assess criteria outlined on the rubric:

“Pre-service teachers complete field experience along with identified education courses. Field experience will be identified as Tier 1, Tier 2, or Tier 3. Tier 1 field experience begins with evidence intended to demonstrate understanding of content, pedagogy, and professional responsibility. Tier 2 field experience builds on the understanding with evidence intended to demonstrate through implementation of understandings, collection of analysis data, and increased participation with school communities. Tier 3 field experience culminates in the application of effective understanding of content, pedagogy, and responsibility. Each Tier requires the cooperating teacher to offer an overall recommendation of the preservice teacher to the next level of classroom responsibility with specific requirements for narrative comment when the recommendation is other than affirmative” (Handbook).

During their clinical experiences, candidates in all program receive support from university faculty through courses and required seminars, from supervisors assigned by the university, site-supervisors and/or clinical practitioners. Cooperating practitioners and site supervisors provide written evaluations for candidates, as well as formative feedback. Faculty or university supervisors also provide feedback and evaluation, though it appears that only the cooperating teacher completes a written evaluation (based on the tiered rubric) in early field experiences for initial teacher preparation candidates.

Candidates in all programs must complete an electronic portfolio aligned to NH DOE standards, for which they receive support in seminars. Portfolios are completed in Live Text, the University’s data management system.

Suggestions

- Rivier is not yet using the New Hampshire Teacher Candidate Assessment of Performance (NH TCAP). The NH TCAP could provide an additional source of evidence with which to assess candidate quality and readiness. It would also serve as an instructional tool, in addition to an evaluative one.

Recommendations that require responsive action

- The University has not provided aggregate data or analysis data related to clinical experience evaluations, nor any data from the electronic portfolios, though it does indicate plans to do so. Documenting, aggregating, and analyzing data will provide valuable insight about the programs’ capacities and inform future decision-making.
- Conversations with students and supervisors revealed that not all interns have the opportunity to be formally supervised by someone in their field. A math intern might have a university supervisor with certification in English, for example. The standards only require supervisors to be knowledgeable of the appropriate 612s, unlike the more clearly stated requirement for mentor teachers. Still, the University should consider how to achieve this opportunity for all.

- Conversations with students also revealed that the tiered evaluations are not always accessible to students until after the semester ends. The University might consider how the tiered evaluations might be integrated into clinical experiences and used as opportunities for formative feedback.

Section III: Quality Control System: Candidate Assessment System and Program Assessment System

A. Candidate Assessment System

Summary of Findings

The Assessment Systems standards (Ed 606) for professional educator preparation at the baccalaureate and post baccalaureate levels require a comprehensive system that ensures demonstrated proficiency in numeracy and literacy by passing a nationally approved test of academic proficiency; the identification of key assessment points – including acceptable levels of performance – that are based on beginning educator program standards; and the assessment of candidate performance consisting of multiple measures with articulated written performance criteria. Additionally, the assessment of candidate performance should inform on-going program improvement.

The Division of Education at Rivier offers programs of study in Early Childhood, Elementary, Middle Secondary, Special Education for initial certification. Upon acceptance to the University, students declare a major in one of these program areas. Each program has specific degree requirements and competencies. Students meet with the program director and advisor each semester to ensure they are meeting program requirements.

Admission to the University as a candidate for the baccalaureate or master’s degree does not mean acceptance to the Professional Educator Preparation Program (PEPP). Students must apply for acceptance to the Professional Educator Preparation Program after successfully completing the required credit hours (see table below). Applications to the PEPP are available in the Division of Education handbook. In addition to completing the necessary credit hours, students must meet the following criteria:

	Undergraduate	Graduate
APPLICATION TO PEPP REQUIREMENTS	<ul style="list-style-type: none"> • Completion of fall semester sophomore year • Praxis Core Academic Skills: passing scores • GPA: 2.5 • EFE Assessment Rubrics: Proficient or Better 	<ul style="list-style-type: none"> • 12 credits • Praxis Core Academic Skills: passing scores • GPA: 3.0 • EFE Assessment Rubrics: Proficient or Better

After review of the PEPP application, the Program Director submits the student’s application and supporting documentation for review to the Division of Education Curriculum Committee (DCC). One of the following decisions is made:

- 1) Acceptance into the program;

- 2) Conditional acceptance into the program; or,
- 3) Denial of admission to the program.

After the Division Curriculum Committee (DCC) has acted upon the applications, the DCC notifies the student in writing.

Professional Studies Students: Admission to PEPP

Students in the Professional Studies Program must seek admission to the PEPP programs after successful completion of six credits in the education major. Students must possess a cumulative 2.5 GPA and passing scores on Praxis Core Academic Skills.

The program areas in the Professional Educator Preparation Program are designed for education majors seeking NH DOE teacher certification. There is established criteria, oversight and advancement through the program with a process for the determination of necessary remediation and improvement. The Division of Education Curriculum Committee is responsible for the oversight of the following:

- monitoring student achievement and maintenance of GPA;
- communicating failure to meet established criteria to students, academic advisors, and directors;
- monitoring submission of passing Praxis Core Academic Skills scores;
- evaluation of student application to student teaching internship.

**Professional Educator Preparation Programs Early Childhood, Elementary,
Middle/Secondary, Special Education
BENCHMARKS**

	Undergraduate	Graduate
APPLICATION TO PEPP REQUIREMENTS	<ul style="list-style-type: none"> • Completion of fall semester sophomore year • Praxis Core Academic Skills: passing scores • GPA: 2.5 • EFE Assessment Rubrics: Proficient or Better 	<ul style="list-style-type: none"> • 12 credits • Praxis Core Academic Skills: passing scores • GPA: 3.0 • EFE Assessment Rubrics: Proficient or Better
APPLICATION TO STUDENT TEACH/INTERN	<ul style="list-style-type: none"> • Semester prior to student teaching • GPA: 2.5 • EFE Assessment Rubrics: Proficient or Better • Professional Development Units: 6 	<ul style="list-style-type: none"> • Semester prior to student teaching • GPA: 3.0 • EFE Assessment Rubrics: Proficient or Better • Professional Development Units: 3
REQUIREMENTS FOR RECOMMENDATION FOR CERTIFICATION	<ul style="list-style-type: none"> • Degree conferred • Verification of Program Completion Form (RU) • Student Teaching Grade: B or better • Praxis II and Foundations of Reading if required • Eportfolio complete 	<ul style="list-style-type: none"> • Degree conferred • Verification of Program Completion Form (RU) • Internship Grade: B or better • Praxis II and Foundations of Reading if required • Eportfolio complete

The Professional Development program and opportunities that are provided in the Division of Education, are aligned with the NH Teacher Preparation Standards, to ensure

that students have the knowledge and skills needed to refine their competencies and achieve the highest levels of proficiency with the standards. Professional educators and community leaders who participate, enhance and strengthen the perspective and outlook of students.

The Program Directors may hold one professional development meeting each semester. The goals of the Professional Development meetings are designed to:

- Reinforce the principles that underlie the core beliefs and professional commitments;
- Introduce new research, development in practice, and examples of leadership in the field of education;
- Develop expertise in disciplinary concentration, teaching strategies, use of technology, and other elements of effective teaching and learning;
- Promote continuous inquiry;
- Foster dialogue between theory and practice; and,
- Develop a professional learning community among students.

Undergraduate students are required to earn six units and graduate students must earn three units of professional development to qualify for student teaching. These units are accumulated beginning in the freshmen year through attendance at Education Professional Development Meetings and other professional development opportunities. The Division of Education notifies students of the meetings.

The Early Field Experience enables students to acquire competencies for assuming the roles and responsibilities of a professional educator. Opportunities are designed to integrate theory and practice. Through scaffolding of experiences and interactions with children or adolescents and teaching professionals, the students acquire the competencies necessary to assume the roles and responsibilities of the professional educator. Rivier University students accumulate 125-200 hours of field experience prior to student teaching depending upon the certification program(s). Each early field experience is 25 hours.

Pre-service teachers will complete field experience along with identified education courses. Field experience will be identified as Tier 1, Tier 2, or Tier 3. Tier 1 field experience begins with evidence intended to demonstrate understanding of content, pedagogy, and professional responsibility. Tier 2 field experience builds on the understanding with evidence intended to demonstrate through implementation of understandings, collection of analysis data, and increased participation with school communities. Tier 3 field experience culminates in the application of effective understanding of content, pedagogy, and responsibility. Each Tier requires the cooperating teacher to offer an overall recommendation of the preservice teacher to the next level of classroom responsibility, with specific requirements for narrative comment when the recommendation is other than affirmative.

Suggestions:

- Utilize the e-portfolio as a mechanism whereby teacher candidates produce varied measures of progress and development towards demonstrating the knowledge, skills, and dispositions necessary to be a teacher.
- Provide multiple opportunities for the candidate to be assessed during the tiered field experiences. This assessment protocol can include the same measure (showing growth) and be shared directly with the candidate for immediate feedback.
- Provide an opportunity for teacher candidates to be observed by university faculty during each clinical experience.

Recommendations that require responsive action:

- Identify key assessment points throughout the PEPP (with articulated criteria for success) where the teacher candidate must demonstrate competence. These key assessment points need to be addressed between admission into the PEPP and the culminating field experience.
- Collect longitudinal data whereby the assessment of candidate progress can inform the PEPP with respect to both strengths and areas of weakness of teacher candidates.
- With the exception of School Counselor and School Psychologist, PEPP's do not have an articulated manner in which the dispositions of teacher candidates are assessed. It is recommended that identifying and measuring the dispositions of pre-service candidates be developed and implemented.

B. Program Assessment System

Summary of Findings

A PEPP at the baccalaureate or post-baccalaureate level shall provide an assessment system necessary to ensure that an individual who completes the PEPP can demonstrate the competencies in the certification standards for the certification(s) sought by the candidate. The assessment system shall:

- Continuously and systematically gather data to monitor and improve the program of study, the facilitation of learning, the assessment of candidates and the overall performance of programs;
- Demonstrate a process to make judgments based on the data collected;
- Use the process for continuous program improvement to ensure the quality of individual candidate preparation;
- Include data from reports that indicate the number and percentage of program graduates still working in the profession;
- Include information and data gathered for federal and state reporting requirements as well as reports required for regional and national accreditation; and
- Include an analysis of state and national data relative to oversupply and critical shortage areas to ensure that programs are aligned with supply and demand.

The assessment system shall be designed to utilize data regarding learning indicators of PK-12 students served by the PEPP's program completers, including but not

limited to data provided to the institution by the department, for purposes of program assessment and continuous program improvement.

With respect to program assessment at Rivier University's Teacher Preparation Programs, the institution began defining its process in 2015. According to the Self Study provided to the NH Department of Education, Rivier has developed a process to monitor student performance on the PRAXIS Examination and the Foundations of Reading Assessment. Rivier concluded that there is a correlation between a student's early standardized assessment scores (e.g., SAT) and grade point average. Additionally, Rivier identified test anxiety as a factor in how their students perform on these two assessments.

Below are two self-identified short-term goals developed to address the above findings:

1. The statistical analysis of student performance on the PRAXIS Examination identified two areas to address: (1) Review the curriculum mapping of specific courses within identified programs related to Foundations of Reading in the Graduate and Undergraduate Programs; and (2) Review the curriculum mapping of the Core Academic Skills in the Early Childhood Education Program. The purpose of the review was to put in place a system of data driven decision making based on an assessment of student performance specific to the Foundations of Reading and Core Academic Skills Examinations.
2. The five strategies for improvement identified for the Foundations of Reading Test Scores delineated a process and timeline for continuous monitoring across academic years. This cycle of continuous improvement includes:
 - Continue a systematic process of syllabus review for continuous improvement begun in the fall of 2015.
 - Review literacy and Reading courses in the new undergraduate program to insure improvement in pass rates for the Foundations of Reading Assessment.
 - Insure that the content of SPED 315, Assessing Students with Disabilities, maps to the subtests of the Foundations of Reading Assessment.
 - Monitor student cumulative GPA and grades in Reading Courses, and offer additional academic support for students at risk of failing the Foundations of Reading Assessment.
 - Focus attention on students in the Early Childhood Education (ECE) program with extra support, and integrate additional course content that maps to the FOR test.

Below are the ten self-identified long term goals developed to address the above findings:

1. The institutionalization of continuous monitoring of student performance across each students' program of study, by the Division Curriculum Committee, has been put in place to ensure learning outcomes, standards, assignments and assessments are incorporated into course syllabi. The course syllabi review must be put on a continuous cycle of review every three years.

2. In a similar way Program Directors must monitor cumulative GPA and grades on a semester-by-semester basis, beyond the identification of problematic situations/circumstances that arise in the course of instruction or the identification of deficiencies.
3. In each content area of core academic skills, remedial instruction must be initiated to improve performance of students with identified academic challenges. This must be initiated in the areas of Mathematics, English, and Social Studies. The steps in the process:
 - Mapping of the subject matter content to the identified and relevant course syllabi
 - The alignment of assignments and assessments to specific knowledge, skills, and abilities.
 - The monitoring of student performance on deficiencies in knowledge, skills, and abilities.
 - Direct instructor intervention into identified and targeted knowledge, skills, and abilities in the context of the course and outside the course.
 - The development of an Action Plan for students who are recognized as deficient in specific knowledge, skills, and abilities.
 - The identified steps in the Action Plan are:
 - Identified Instructor
 - Specific goals and objectives
 - Targeted Learning Outcomes
 - Designated Instruction
 - Timeline
 - Performance Assessment
4. The PRAXIS Examination is now required of Education students in the following program areas: Elementary, Early Childhood, Middle Secondary, Special Education, and Counseling. The content knowledge on the specific areas of performance that our students are identified as deficient to date are the following:
 - Specific Elements of Foundation of Reading
 - Mathematics.
5. The focus on content cannot eclipse the accompanying social anxiety that accompanies many student's performance on these examinations. To address the test anxiety that many students experience and report, I suggest a designated topic of test anxiety be the focus of the upcoming academic year program for education majors.
6. To address the anxiety that accompanies the examinations, the following steps are proposed.
 - Topics for the Education major's meetings:

- Identification of links on specific interventions, strategies, and tips for test taking, test anxiety, and increase performance.
- Identification of specific links for test preparation on-line in small groups and focus groups for students who are identified as deficient.
- Identification of specific courses and class times to address skills preparation for subareas of the examinations will be a focus of each instructor.
- Scheduling of counseling faculty to go to identified education courses to focus on test anxiety, test taking, and positive approaches to view examinations.
- Required workshop for all education students at two points in their program:
 - prior to admission to the teacher preparation program to address test preparation and essential knowledge, skills, and abilities in training programs
 - in follow-up workshops for directed and targeted instruction in preparation for the examination.
- Required screening:
 - test(s) in identified classes from the PRAXIS test preparation workbooks to identify students with potential difficulty on examination anxiety;
 - voluntary screening for social and test anxiety follow-up confidence boosting measures with groups of students.
- Identification of specific faculty for “intervention and support meetings” for students at a designated time for the following groups of students:
 - identified students on action plans
 - students identified for low GPA
 - individual students course performance

7. Resource allocation to be determined after Fall 2016 semester for 2017-2018 academic year.

8. Initiation of systemic, organizational, and institutional response to the following areas of student performance:

- Writing
- Reading Comprehension
- Grammar and Structure of Language
- Mathematics (up to Algebra)
- Content Knowledge: Mathematics, Social Studies, English

9. Institutional response to the following:

- identification and tracking of student performance,
- identification and tracking of vulnerable and at-risk students,

- education student profile of analysis,
 - identification of faculty time addressing examination preparation, social and examination anxiety
 - analysis of the performance of students on action plans.
10. Systemic review and annual comparative analysis of PRAXIS examination data for patterns and trends in performance over a three-year basis.

Suggestions:

- Utilize NHTCAP as a means of commonly assessing the preparedness/readiness of teacher candidates to enter the workforce.

Recommendations:

- Develop a systematic cycle of continuous improvement that provides multiple benchmarks demonstrating student competence throughout a program. These benchmarks should provide evidence that the student knows and is able to execute the knowledge, skill, or disposition being assessed.
- Maintain longitudinal data on student performance upon entry into a PEPP, while working through a PEPP, and upon completion of a PEPP. This data can then be utilized to measure the overall efficacy of the PEPP.

Section IV: Specific Certification Program/s

Summary of Findings

Program specific reviewer/s review specific programs via the program and candidate assessment system for the specific certification area. Because Rivier did not present comprehensive data and evidence of assessment aligned with Ed 612s for any one program, program reviewers could not complete full-reports for individual programs. Therefore, the co-chairs and NHDOE liaison have reviewed all individual reports and compiled them into a mastery summary report for the institution to use in making unit and program specific revisions and enhancements addressing the state standards. Many findings exist at the unit level yielding consistent areas for development and improvement across all programs.

Rivier presented program reports for fourteen programs leading to certification, graduate and/or undergraduate programs, each offered as part of the Division of Education, Department of Education:

- Ed 612.03 Early Childhood Education;
- Ed 612.04 Elementary Education (K-8) (K-6);
- Ed 612.05 English Language Arts for Grades 5-12;
- Ed 612.07 General Special Education;
- Ed 612.10 Program for Emotional and Behavioral Disabilities;
- Ed 612.11 Program for Specific Learning Disabilities;
- Ed 612.17 Mathematics for Grades 5-8;
- Ed 612.18 Secondary Mathematics for Grades 7-12;
- Ed 612.25 Life Sciences for Grades 7-12;
- Ed 612.28 Social Studies for Grades 5-12;

- Ed 612.29 Social Studies for Grades 5-8;
- Ed 614.03 School Counselor;
- Ed 614.04 School Principal;
- Ed 614.06 School Psychologist.

Reviewers, each a specialist in his or her field, examined syllabi, curricula, and NH DOE self-assessment worksheets and interviewed students, faculty, administrators, and supervisors to assess each program according to the Ed 612 standards. Reviewers found strengths in educator preparation programs at Rivier and identified several promising practices and course assignments which hold capacity to meet the Ed 612s. Yet, overall, the materials included in the programs' self-studies do not yet provide evidence required to fully assess each program. Full program approval will require each program to shift from an input approach to a focus on assessment and outcome-based approach that focuses on specific Ed 612 standards for each program.

Suggestions

- **Program Assessment**

As previously stated, programs will need to identify a small set of key or signature assessments that clearly align to specific Ed 612s for their programs. These might include but are not limited to the following:

- Praxis II;
- Course grades in content courses;
- Transcript Analysis (for graduate students who are entering a certification program);
- Child Studies;
- Subject-specific lesson or unit planning;
- Portfolios;
- Analysis of K-12 student work;
- The Teacher Candidate Assessment of Performance;
- Evaluation of Clinical Experiences (or portions of evaluations) which focus on specific 612s;
- Teacher Action Research.

Once identified, programs can collect and aggregate data to inform program and design, revision, decision-making.

- **Curriculum Committee**

Though certification programs are offered through the Division of Education, Department of Education, many candidates take content courses in the Division of Arts and Sciences. Effective assessment will require strategic communication between the Ed Department and the Arts and Science faculty. Rivier might reconsider its current use of the Curriculum Committee to determine the most effective systematic, focused structure in which to do this work. What role should and could the Division of Arts and Sciences serve in a certification program's assessment systems? Determining the role of the Division of Arts and Sciences will depend on the design of each programs' key assessments. Using course grades as a measure of content knowledge, for example, requires very little

of the faculty in the Division of Arts and Sciences. Housing a specific assessment and the regular collection of an assessment requires more involvement, by contrast.

- **Supervision of Internships**

Conversations with faculty, supervisors, and interns revealed that not all interns had the opportunity to have a supervisor with content-expertise or a certification in the area in which the intern sought certification. While the Ed 604s do not specify this as a requirement, as are specified for mentor teachers, Rivier programs might consider the benefit of content-specific supervision, in particular how content-specific supervision might support candidates' pedagogical content knowledge.

Recommendations that Require Responsive Action

- Each program must provide specific and concrete evidence of how the program meets the Ed 612s for their program. To do this, all programs at Rivier must shift from an input approach to assessment (e.g. descriptions of assignments and courses, reflections of class activities) to an output approach. One reviewer stated, "evidence provided could be strengthened by indicating course projects, outcomes, and assessments used to determine candidate mastery. Note that self-assessment worksheets did not provide descriptions of the candidate performance/assignment that supported each standard. It is this reviewer's opinion that the IHE is responsible for providing that information to the reviewer." An existing assignment described in programs' syllabi might serve as one in a set of key or signature assessments. Identifying program assessments, in most if not all cases, might be more a mining expedition and less a development project.
- Further, each program must identify a *distinct* set of assessments. Similar programs, such as the Program for Emotional and Behavioral Disabilities or General Special Education or Math 5-8 and Math 7-12, may share a few assessments, but they must also show how assessments are unique for each specific set of Ed 612 standards. How will candidates in each program demonstrate a unique set of competencies? It might be important to distinguish between graduate and undergraduate assessments, if candidates take different courses or complete different assessments. Program assessments designed to meet Ed 612 must also function differently than those designed for candidate assessment or the Ed 610s (standards on which candidates in all programs are assessed). One reviewer reflected, "there are [assessments] specific to overall education, and there are also specific [assessments] for each endorsement. It has been difficult to determine if these [assessments] align to the standards outlined in ED 612.04 based on what has been provided for review. While a course list for the Elementary Education certification has been provided, there were no documents provided that detailed how [the assessments used in those courses] meet or connect to standards."
- As Rivier shifts from inputs to outputs, programs will need to collect, aggregate, and analyze data from each assessment. "More information about specific projects

used to demonstrate candidate competence in each of the standard areas would provide stronger evidence of candidate ability to meet each standard. This would also provide the institution with the ability to more systematically assess and monitor candidate and program improvement,” observed one reviewer. Programs will need to show how the evidence they collect is used to inform decision-making at the program level.

Appendix A

Program Performance Levels

4 Highly Effective - Teacher Preparation programs performing at the *Highly Effective Level* consistently do the following:

Consistently advance candidate growth and achievement. They set and maintain high expectations for learning and achievement for all candidates and create an environment of mutual respect, inquisitiveness, and caring. Highly effective programs demonstrate extensive knowledge of content, standards, and competencies, and connect them to relevant local and global issues. These programs model and encourage innovation, creativity, critical thinking, and engagement on the part of their candidates, and use their expertise and skills to engage their candidates in authentic, accessible, and meaningful learning opportunities aligned to the content, standards, and competencies. Highly effective programs facilitate personalized learning through intentional, flexible, and research-based strategies. They are literate in multiple forms of assessment and incorporate and model these multiple assessment strategies to evaluate candidate and program performance and adjust curriculum and programs accordingly. Highly effective programs integrate and model technology into their instructional and assessment approaches in ways that advance candidate learning opportunities. Highly effective programs consistently demonstrate leadership in their contributions to their college/university and K-12 school partners' progress and culture of growth. They engage productively in learning communities and continuously strive to maximize their own self-directed professional growth. These programs consistently uphold high standards of professional practice.

3 Effective - Teacher Preparation programs performing at the *Effective Level* consistently do the following:

Programs performing at the effective level generally advance candidate growth and achievement. They set and maintain high expectations for learning and achievement for all candidates, create an environment of mutual respect and caring, and engage candidates in appropriate learning opportunities. Effective programs demonstrate sound knowledge of content, standards, and competencies, and connect them to relevant real-world issues. These programs model and encourage innovation, creativity, critical thinking, and candidate engagement, and use their expertise and skills to engage their candidates in authentic, accessible, and meaningful learning opportunities aligned to the content, standards, and competencies. Effective programs facilitate personalized learning through research-based strategies and model these strategies for candidates. They use multiple forms of assessment to evaluate candidate and program performance and adjust curriculum and programs accordingly. Effective programs appropriately integrate and model use of technology into their instructional and assessment approaches.

Effective programs contribute collaboratively to their college/university and K-12 partner's progress and culture of growth by engaging in learning communities, fostering their own self-directed professional growth, and frequently providing leadership to support improvements in their colleagues' performance. These programs consistently uphold professional standards of practice.

2 Needs Improvement - Teacher Preparation programs performing at the *Needs Improvement Level* do the following:

Programs performing at the needs improvement level inconsistently advance candidate growth and achievement. They establish expectations for learning and achievement for most candidates and engage candidates in appropriate learning opportunities. Programs performing at the needs improvement level demonstrate knowledge of content, standards, and competencies. These programs use their knowledge and skills to engage their candidates in accessible and meaningful learning opportunities aligned to the content, standards, and perhaps competencies. Programs performing at this level attempt to facilitate personalized learning using a mix of research-based and other strategies. They use multiple forms of assessment to evaluate candidate and program performance but do not consistently use the results to adjust curriculum and programs accordingly. Programs performing at the needs improvement level may use technology in their instruction and assessment approaches. Programs performing at this level participate in learning communities, but do not consistently attend to their own self-directed professional growth. These programs uphold professional standards of practice.

1 Ineffective -Teacher Preparation programs performing at the *Ineffective Level* consistently do the following:

Programs performing at the ineffective level may advance some candidate growth and achievement, but frequently fail to improve most candidates' growth. They are unable to establish ambitious and reasonable expectations for candidate learning for most and may be unable to engage candidates in appropriate learning opportunities. Programs performing at the ineffective level may have some knowledge of content, standards, and competencies, but these programs do not use their knowledge and skills to engage their candidates in accessible and meaningful learning opportunities aligned to the content, standards, and perhaps competencies. Programs performing at the ineffective level may attempt to facilitate personalized learning using a mix of research-based and other strategies but cannot prove consistent improvement in candidate learning. Programs performing at the ineffective level participate in learning communities, but do not attend to their own self-directed professional growth and/or support the growth of their colleagues. These programs generally uphold professional standards of practice.

Appendix B



**New Hampshire Department of Education
Site Team Visit**

**December 4, 2017
Tentative Agenda**

- 9:00-9:15 Arrival and Greeting (ED302)
- 9:15-10:15 Welcome and Overview (ED302)
a. Role of reviewers
b. Orientation and purpose of program approval
- 10:30-11:45 Undergraduate Candidates (ED302)
a. Panel interview
b. Site visit team debrief
(6) Emily Wehring, Taylor Thomas, Gordon Berry, Laura Davidson, Bethany Trevino, Colby Wygant
- 12-2:00 Lunch and Meeting with Faculty (Perreault Room, Madeleine Hall)
a. Purpose of visit and evidence the state seeks
b. Panel interview faculty
c. Individual reviewer time with program specific faculty
- 3:30-4:15 Student teachers (UG)/Interns (G)/Graduate Candidates (ED302)
a. Panel interview
b. Site visit team debrief
(9) Charlie Savard, Jenna Sheridan, Emma Carnazzo, Troye Fennell, Meghan Tesini, Shannon Keele, Jennifer Langevin, Zoe Stamoulis, Alyssa Blanchard
- 4:30-5:15 Supervisors (UG faculty)/Mentors (cooperating practitioners from field)/Administrators (supervise candidates within administration programs) (ED302)
(8) Cherrie Fulton, Meghan Wilson, Keith Bowen, Theodora Tufts, Phyllis Schlichter, Michelle Oro, Pam Osgood, Peter Bonaccorsi, Angela Mousseau
- 5:15-6:00 Exit Meeting (NHDOE Liaison, Review Co-Chairs, & Rivier Leadership ONLY) (ED321)
a. Debrief of the day
b. Outstanding questions (standards driven)
c. Fine-tuning of day 2agenda

**New Hampshire Department of Education
Site Team Visit**

December 5, 2017

Tentative Agenda

- 9:00-9:15 Arrival and Greeting (ED302)
- 9:15-9:45 Welcome and Overview (ED302)
a. Review of the agenda
b. Questions to be answered
- 10:00-12:00 Reviewers complete draft program level reports (ED302)
- 10:00-12:00 Co-Chairs complete their meeting/interview schedule (ED321)
(details determined at the close of day 1)
- 12:00-12:45 Working Lunch – *progress check* (ED302)
- 1:00-2:00 Reviewers complete program reports and submit for review (ED302)
- 2:00-3:00 Exit Meeting (NHDOE Liaison, Review Co-Chairs, & Rivier Leadership) (ED302)
a. Review of the visit
b. Detailing of “unofficial findings”
c. Outline of timeline moving forward

Driving Directions

Directions to Benoit Education Center, [29 Clement St. Nashua, NH](#)

Take Route 3 North to Nashua, NH. From Route 3/F.E. Everett Turnpike, take Exit 4, turn right at lights onto East Dunstable Road. Take a right at the third light (about 1 mile) onto Main Street. At the roundabout (rotary), take the second right onto the campus. You are now on S. Main St. Clement Street is your first left off of S. Main St. Go up the hill and the Benoit Education Center is on your right. Parking is available in front and in back of the building. Take the elevator or stairs to the 3rd floor for check-in in room 302.



- | | | | | |
|---|--|--|--|---|
| <ul style="list-style-type: none"> 1 Madeleine Hall
Admissions Office 2 Heritage Plaza 3 Adrienne Hall
Academic Advising, Academic Affairs, Business Office, Financial Aid, Registrar's Office 4 Molloy Hall
President's Office, Human Resources 5 Trinity Hall
Student Residence | <ul style="list-style-type: none"> 6 Presentation Hall
Student Residence 7 Dion Center
Bookstore, Dining Center, Reception Room, Public Safety and Security, Student Affairs 8 Benoit Education Center
Classrooms, Faculty Offices, Cho Educational Resource Center 9 Landry Early Childhood Center 10 Brassard Hall
Student Residence | <ul style="list-style-type: none"> 11 Sylvia Trottier Hall
Classrooms, Computer Center, McLean Center for Finance and Economics, Nursing Labs, Faculty Offices 12 Athletic Fields 13 St. Joseph Annex
Religious Studies, Athletic Offices 14 Muldoon Fitness Center 15 Mendel Hall
Classrooms, Faculty Offices, BAE Student Research Lab | <ul style="list-style-type: none"> 16 Regina Library 17 Guild Hall
Student Residence 18 Facilities Management 19 Clinical Psychology Lab 20 Memorial Hall
Classrooms, Faculty Offices, Global Engagement, Art Gallery, Rivier Institute for Senior Education (RISE) 21 Sharon McOsker Tamposi Alumni Legacy Garden | <ul style="list-style-type: none"> 22 Regis Hall
Faculty Offices 23 Resurrection Chapel 24 The Learning Commons
Advancement and Alumni Relations, Career Development Center, Counseling and Wellness Center, Disability Services, Service Learning, Student Success Programs, Writing and Resource Center |
|---|--|--|--|---|

Appendix C

Rivier University Program Approval Reviewers

Program Number and Name	Program Reviewer
Ed 612.03 Early Childhood Education	Dottie Bauer, Retired KSC
Ed 612.04 Elementary Education (K-8) (K-6)	Adam Marcoux, Nashua School District
Ed 612.05 English Language Arts for Grades 5-12	Megan Birch, Associate Professor English, PSU
Ed 612.07 General Special Education	Jenn Pomykato, NHASE Abby Bergen , McKelvie Middle School Bedford
Ed 612.10 Program for Emotional and Behavioral Disabilities	Santina Thibedeau, State Administrator Special Education
Ed 612.11 Program for Specific Learning Disabilities	Jenn Pomykato, NHASE Abby Bergen, McKelvie Middle School Bedford
Ed 612.17 Mathematics for Grades 5-8 Ed 612.18 Secondary Mathematics for Grades 7-12	Judy Curran Buck President, ATMNE Mathematics Education Support Services
Ed 612.25 Life Sciences for Grades 7-12,	Barbara Hopkins, NHDOE Science Consultant
Ed 612.28 Social Studies for Grades 5-12 Ed 612.29 Social Studies for Grades 5-8	Nicole Heimarck, NH DOE Liaison Mike Fournier, McKelvie Intermediate School Prinicipal
Ed 614.03 School Counselor	Susan Antico, Hampton School District
Ed 614.04 School Principal	Christine Brennan, Deputy Commissioner
Ed 614.06 School Psychologist	Chris Nelson, SAU 29

Surry School Board Minutes
January 15, 2018

In Attendance : Tim Peloquin, Bonny LaRocca, Caroll Lothrop, John Davis, Frank Buffum, Becky Russo, Ken Dassau. No members of the public attended.

7:00 pm -- Public Hearing on 6th Grade AREA agreement

On January 3, 2017, Ken Dassau, as representative for the Surry School District, met with representatives from the Keene School District to finalize the 6th AREA agreement. The agreement will be written using the 7 & 8th grade agreement as a model. Bonny LaRocca, Tim Peloquin and John Davis need to sign it so it can go to the State.

7:10 pm –

Tim Peloquin made a motion to end the Public Hearing on the AREA agreement and move to the regular monthly meeting of the Surry School Board. Caroll Lothrop seconded. Unanimous.

Readopt with amendment Ed 1128, effective 3-24-17, (Doc #12141), to read as follows:

PART Ed 1128 SPECIAL EDUCATION [~~CATASTROPHIC~~] AID

Ed 1128.01 Definitions. The following definitions shall apply for the purposes of Ed 1128.

(a) “**Special education** [~~Catastrophic~~] aid” means financial assistance for special education costs distributed under RSA 186-C:18, III to a responsible school district.

(b) “Contributed funds” means funds contributed to defray the cost of a special education and by any party or agency other than the LEA.

(c) “Direct costs” means those costs which can be identified specifically with the provision of special education and related services, as included in a child’s IEP.

(d) “Emergency assistance” means funds appropriated for special education costs as provided in 186-C:18, III.

(e) “Indirect costs” means those costs which have been incurred for common or joint objectives and which cannot be identified with the provision of special education and related services as included in a particular child’s IEP.

(f) “Responsible school district” means a school district which is responsible for a child with a disability for whom the costs of special education exceed the formula established by RSA 186-C:18, III.

Source. (see Revision Note at chapter heading for Ed 1100) #9197, eff 6-28-08; ss by #12141, eff 3-24-17

Ed 1128.02 Reimbursement. A responsible school district shall be reimbursed for **special education** [~~catastrophic~~] aid if the requirements of this section are met.

(a) The special education costs for which the district is seeking payment shall exceed the statutory threshold established by RSA 186-C:18, III.

(b) Each child with a disability for whom the responsible district is seeking **special education** [~~catastrophic~~] aid reimbursement shall be:

(1) Enrolled in an approved special education program that:

a. Provides FAPE; and

b. Meets the requirements established in:

1. Ed 1128.02;
2. Ed 1128.03;
3. Ed 1128.05; or
4. Ed 1117; or

(2) In a placement for which a hearing officer, pursuant to Ed 1123, orders the responsible school district to reimburse parents in accordance with 34 CFR 300.148.

(c) The responsible school district shall report evaluation, placement, and eligible cost data for a child with a disability for **special education** [~~catastrophic~~] aid in accordance with Ed 1128.07.

(d) The information entered into NHSEIS under Ed 1128.04 shall be verified on the Superintendent's Verification of **SPECIAL EDUCATION** [~~CAT~~] AID form signed and dated by an individual authorized to make application for **special education** [~~catastrophic~~] aid on behalf of the responsible school district. The verification form shall be submitted to the department no later than 4:30 p.m. on August 15 or, if August 15 falls on a weekend, no later than 4:30 p.m. on the next business day.

Source. (see Revision Note at chapter heading for Ed 1100) #9197, eff 6-28-08; ss by #12141, eff 3-24-17

Ed 1128.03 Limitations on Reimbursement. A responsible school district shall:

(a) Be eligible for reimbursement only for those direct costs which are included in the IEP of a child with a disability, and which qualify as special education and related services; and

(b) Not be reimbursed for:

(1) Costs which exceed rates established by Ed 1129 for tuition, instruction, room and board, and related services; or

(2) Indirect costs.

Source. (see Revision Note at chapter heading for Ed 1100) #9197, eff 6-28-08; ss by #12141, eff 3-24-17

Ed 1128.04 Application for **Special Education** [~~Catastrophic~~] Aid. To apply for the **special education** [~~catastrophic~~] aid, a responsible school district shall:

(a) Enter the following program information into the NHSEIS database system:

(1) Instructional costs;

(2) Room and board costs;

(3) Tuition costs;

(4) Costs for related services, for which the department has approved a rate under Ed 1129, including:

a. Counseling, both individual and group;

b. Occupational therapy, both individual and group;

c. Physical therapy, both individual and group; and

d. Speech pathology, both individual and group;

(5) Costs for related services for which the department had not approved a rate under Ed 1129, provided such services are included in the IEP of the child with a disability;

(6) Transportation costs;

(7) Exceptional costs, including diagnostic costs for services defined under Ed 1107; and

(8) Any contributed funds; and

(b) Send supporting documentation to the department for:

- (1) Transportation costs under (a)(6) above in excess of \$5,000;
- (2) Exceptional costs under (a)(7);
- (3) Instruction, room and board, and tuition costs from out-of-state facilities, if applicable;
- (4) Instructional costs from public programs; and
- (5) All related services when no rate is set.

[Source.](#) (see Revision Note at chapter heading for Ed 1100) #9197, eff 6-28-08; ss by #12141, eff 3-24-17

Ed 1128.05 Calculation of Cost of Special Education. The cost of special education for a particular child with a disability shall equal the costs entered into NHSEIS under Ed 1128.04(a)(1) – (7), less contributed funds entered into NHSEIS under Ed 1128.04(a)(8).

[Source.](#) (see Revision Note at chapter heading for Ed 1100) #9197, eff 6-28-08; ss by #12141, eff 3-24-17

Ed 1128.06 Emergency Assistance.

- (a) Emergency assistance shall be available pursuant to RSA 186-C 18, III.
- (b) When a responsible school district applies for emergency assistance, it shall:
 - (1) Enter information into NHSEIS as provided in Ed 1128.04(a); and
 - (2) Supply supporting documentation as provided in Ed 1128.04(b).
- (c) An application for emergency assistance for the school year in progress shall be submitted to the department by a responsible school district no later than 4:30 p.m. on the first Friday of May.
- (d) On applications for emergency assistance, a responsible school district shall document that:
 - (1) The district could not have anticipated the need of this child with a disability for a comprehensive special educational program;
 - (2) The district is experiencing a financial crisis and could not, through line item budget transfers or other financial management techniques, appropriate the funds necessary to provide this child with a disability with FAPE; and
 - (3) There are no other sources of financial support available to assist the district with the funding of this placement.
- (e) If a responsible school district receives emergency assistance funds for certain children with a disability, it shall not receive *special education* [~~catastrophic aid~~] for these same children.

[Source.](#) (see Revision Note at chapter heading for Ed 1100) #9197, eff 6-28-08; ss by #12141, eff 3-24-17

Ed 1128.07 Proration. Pursuant to RSA 186-C:18,IX, when a child with a disability transfers from one responsible school district to another during the school year, the following shall apply to the proration of *special education* [~~catastrophic~~] aid and emergency assistance among responsible districts:

(a) Each district shall be reimbursed for only each school day on which the child was a resident of the district; and

(b) Each district shall file separate application forms.

Source. (see Revision Note at chapter heading for Ed 1100) #9197, eff 6-28-08; ss by #12141, eff 3-24-17

Ed 1128.08 State Aid For In-District Programs.

(a) For the purposes of this section, “Supplemental costs” means the difference between the district’s average per pupil cost and the cost of education for the child with a disability.

(b) A liable school district shall be reimbursed for the development or maintenance of an in-district special education program, under this paragraph, if the following requirements are met:

(1) The costs for which the district is seeking reimbursement shall establish or support a school district-based program for a child with disabilities who was in an out-of-district placement in the previous school year as required in RSA 186-C:18, XI;

(2) The in-district program shall be approved pursuant to the provisions of Ed 1126.02;

(3) The child for whom the district is seeking reimbursement shall have been placed in the in-district program pursuant to the provisions of Ed 1111.02;

(4) The child for whom the district shall be seeking reimbursement is receiving a FAPE;

(5) The liable school district shall report eligible cost data for a child with a disability pursuant to Ed 1128.04, (a), (1) through (5) and in accordance with Ed 1128.07, if applicable;

(6) The information entered into NHSEIS under Ed 1128.04 shall be verified on a state aid verification form signed and dated by an individual authorized to make application for state aid on behalf of the liable school district;

(7) The verification form shall be submitted to the department no later than 4:30 p.m. on August 15 or, if August 15 falls on a weekend, no later than 4:30 p.m. on the next business day; and

(8) Payment to the school district, under this paragraph, shall be on or before January 1.

(c) Limitations on reimbursement shall be as follows:

(1) A liable school district shall be eligible for reimbursement under this paragraph only for children with disabilities whose placement has changed from an out-of-district placement to an in-district program developed or maintained by the responsible school district, and only for:

a. The direct costs that are included in the IEP in accordance with (b) (5) above; and

b. The direct costs that qualify as special education and related services, that allow the student with disabilities to be educated in the local school district program;

(2) A liable school district shall not be reimbursed for:

a. Costs which exceed rates established by Ed 1129 for tuition, instruction, and related services;

- b. Indirect costs; or
- c. Contributed funds;

(3) The reimbursement amount the school district shall receive shall be the greater of:

- a. The supplemental costs incurred by the school district to educate the child in the in-district program; or
- b. The amount the school district received for the child in the last year of the out-of-district program, prior to placing the student in the in-district program, under this paragraph; and

(4) The reimbursement under (c) (3) above shall be made for 3 years, as follows:

- a. Reimbursement under (c) (3) a. above the supplemental amount for all 3 years; or
- b. Reimbursement under (c) (3) b. above:
 - 1. In year one, 70 percent of the total amount in (c) (3) b. above;
 - 2. In year 2, 50 percent of the total amount in (c) (3) b. above; and,
 - 3. In year 3, 30 percent of the total amount in (c) (3) above.

(d) Funds distributed under RSA 186-C:18, XI shall be:

- (1) Made in accordance with the provisions of (b) above;
- (2) Prorated in accordance with RSA 186-C:18, III (a), if insufficient funds are appropriated; and
- (3) Used to assist school districts in meeting *special education* [~~catastrophic~~] aid costs in their special education programs to the extent that they are not used to fund the program set out in RSA 186-C:18, XI.

[Source.](#) #9694, eff 4-16-10; ss by #12141, eff 3-24-17

Readopt with amendment Ed 1102, effective 3-24-17, (Doc #12141), to read as follows:

PART Ed 1102 DEFINITIONS

Ed 1102.01 Definitions A-C.

~~{(y) “Core academic subjects” means “core academic subjects” as defined in 34 CFR 300.10.}~~

(y)[(z)] “Court” means a court of competent jurisdiction.

(z)[(aa)] “Curriculum” means all of the courses and other educational opportunities offered by the responsible local education agency.

(aa)[(ab)] “Curriculum for preschoolers” means all of the organized educational activities, experiences, or both that are offered within the early childhood program to address all aspects of development and to promote meaningful learning experiences regarding preschoolers, their families and their community.

Ed 1102.03 Definitions H-M.

(a) “Health care facility” means any hospital, nursing home, sheltered home or other facility licensed under RSA 151.

(b) “Health Evaluation” means an evaluation that provides the IEP team with information on the child’s physical condition and may include, but is not limited to:

- (1) A physical assessment, health screening, or both;
- (2) A review of a child’s medical history;
- (3) Classroom observations of the child with health related concerns; and
- (4) Identification of health barriers to learning, as determined by the IEP team.

~~(e) “Highly qualified teacher” means “highly qualified teacher” as defined in 34 CFR 300.18 and 34 CFR 300.156(e).~~

(c)[(d)] “Home education” means “home education” as defined in RSA 193-A:4, and includes the term homeschooling.

(d)[(e)] “Home for children” means:

- (1) Any orphanage, or institution for the care, treatment, or custody of children;
- (2) As defined by RSA 170-E: 25 any child care agency, child care institution, experiential wilderness facility, and independent living home; or
- (3) Any residential school approved under RSA 186-C:5.

(e)[(f)] “Home instruction” means a home-based LEA placement as detailed in Ed 1111.04 that provides home instruction for school-aged children.

(f)[(g)] “Independent educational evaluation” means “independent educational evaluation” as defined in 34 CFR 300.502(a)(3)(i).

(g)~~(h)~~ “Individualized education program” (IEP) means “individualized education program” as defined in 34 CFR 300.22 and which meets the requirements in Ed 1109.

(h)~~(i)~~ “Individualized education program team” (IEP team) means “individualized education program team” as defined in 34 CFR 300.23 and which meets the requirements in Ed 1103.01(b) and (c).

(i)~~(j)~~ “Individualized family service plan” or (IFSP) means “individualized family service plan” as detailed in 34 CFR 300.323. The term includes individualized family support plans.

(j)~~(k)~~ “Individuals with Disabilities Education Act (IDEA) and Individuals with Disabilities Education Improvement Act (IDEIA)” each mean the Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq., as amended by the Individuals with Disabilities Education Improvement Act of 2004, and as implemented by the U.S. Department of Education’s regulations, 34 CFR 300 et seq.

(k)~~(l)~~ “Interim alternative educational setting” means the setting, as determined by the IEP team pursuant to 34 CFR 300.530(g) through 34 CFR 300.532, in which a child with a disability receives services when removed from placement for disciplinary reasons.

(l)~~(m)~~ “Interpreter services” means interpreting services provided by an interpreter for the deaf and hard of hearing who is licensed in accordance with Int 300 and RSA 326-I:2,IV that are necessary for a parent, surrogate parent, guardian, or adult student to participate in the special education process.

(m)~~(n)~~ “Interpreting services for a child with a disability” means “interpreting services for a child with a disability” as defined in 34 CFR 300.34(c)(4) and 300.322(e).

(n)~~(o)~~ “Local education agency” (LEA) means “local education agency” as defined in 34 CFR 300.28.

(o)~~(p)~~ “Local school board” means the elected governing body of the LEA which is responsible for providing elementary and secondary education to all children who reside in the district.

(p)~~(q)~~ “Local school district” means the political subdivisions of the state as defined in RSA 194:1, RSA 195:1, and RSA 195-A:1,I.

(q)~~(r)~~ “Local school board officials” means the administrators of the local school district.

(r)~~(s)~~ “Manifestation determination” means the process by which the IEP team determines whether the behavior that violated a student code of conduct is a manifestation of a student’s disability pursuant to 34 CFR 300.530(e).

(s)~~(t)~~ “Mediation” means an alternative dispute resolution process in which an impartial mediator assists the parties in resolving issues in dispute pursuant to RSA 186-C:24.

(t)~~(u)~~ “Migratory child with disabilities” means a “migratory child” as defined in 20 U.S.C. 6399(2) who has been identified as a child with a disability.

(u)~~(v)~~ “Modification” means any change in instruction or evaluation determined necessary by the IEP team that impacts the rigor, validity or both, of the subject matter being taught or assessed.

Readopt with amendment Ed 1113, effective 3-24-17, (Doc #12141), to read as follows:

Ed 1113.12 Personnel Standards.

~~[(a) Personnel providing services to children with disabilities in public elementary and secondary schools shall be highly qualified special education teachers as required under 34 CFR 300.18 and 34 CFR 300.156, except as provided in Ed 1113.12 (b) and (c) for paraprofessional personnel.]~~

(a)[(b)] Paraprofessional personnel providing services to children with disabilities shall:

- (1) Work under the supervision of a certified special education teacher;
- (2) Be supervised and observed by a certified special education teacher under whom they work as often as deemed necessary by the LEA, but no less than once each week;
- (3) Implement a plan designed by the certified educator;
- (4) Monitor the behavior of children with whom they are working; and
- (5) Assist in the provision of special education and related services.

(b)[(e)] Paraprofessional personnel providing services to children with disabilities shall not:

- (1) Design programs;
- (2) Evaluate the effectiveness of programs;
- (3) Assume responsibilities of a teacher or a substitute teacher; or
- (4) Instruct a child with a disability.

Source. (see Revision Note at chapter heading for Ed 1100) #9197, eff 6-28-08; ss by #12141, eff 3-24-17

C. Effects of this Action

Approval of this action allows the department to enter into the rulemaking process by filing this rule with the Office of Legislative Services (OLS) for review.

D. Possible Motion

Move that the State Board approve the initial proposal for the amended Ed 403.03, Ed 405.01 and Ed 407.01.

Readopt with amendment Ed 403.03, effective 6-15-13 (Doc. #10360), to read as follows:

Ed 403.03 Annual Reports.

(a) Each nonpublic school shall ~~file~~ *complete* a Form A3N as described in this section with statistics as of the last day of school of the year of filing. The form shall be ~~filed with the department~~ *completed online at <https://my.doe.nh.gov/myNHDOE/Login/Login.aspx>* by July 15 of each year. ~~to the following address:~~

~~New Hampshire Department of Education
Division of Program Support, Bureau of Data Management
101 Pleasant Street
Concord NH 03301-3860~~

(b) On Form A3N the nonpublic school shall provide the following information for each nonpublic school:

- (1) The name of the nonpublic school, if not provided on the form by the department;
- (2) The name, telephone number, and e-mail address of the contact person;
- ~~(3) The administrator's signature;~~
- (43) The number of students by grade registered during the year;
- ~~(54)~~ Student progress table by grade;
- (65) The total number of high school graduates by gender; and
- ~~(76)~~ The number of dropouts from grades 9-12.

(c) Each nonpublic school shall file a Form A12C as described in this section with statistics as of October 1 of the reporting year. The form shall be ~~filed with the department~~ *completed online at <https://my.doe.nh.gov/myNHDOE/Login/Login.aspx>* by October 15 of each year. ~~to the following address:~~

~~New Hampshire Department of Education
Division of Program Support, Bureau of Data Management
101 Pleasant Street
Concord NH 03301-3860~~

(d) On Form A12C the nonpublic school shall provide the following information for each nonpublic school:

- (1) The name of the nonpublic school;
- (2) The name and telephone number of the contact person;
- ~~(3) The administrator's signature;~~
- (43) The telephone number and fax number of the school;
- ~~(54)~~ The e-mail address and website address of the school, if applicable; and

(65) The number of students enrolled on October 1 by grade divided into male and female.

(e) The nonpublic school shall provide the number of full time equivalent (FTE) positions for the following staff categories divided into male and female:

- (1) Preschool teachers;
- (2) Kindergarten teachers;
- (3) Regular education classroom teachers;
- (4) Special education classroom teachers;
- (5) Regular instructional aides; and
- (6) Special education aides.

Readopt with amendment Ed 405.01, effective 6-15-13 (Doc. #10360), to read as follows:

Ed 405.01 Identification of Recognized Agencies for Program Approval.

~~(a) The New England Association of Schools and Colleges (NEASC) shall be the recognized accrediting agency.~~

~~—(b) Other Accrediting agencies that want to be considered for recognition shall be identified in one of the following ways:~~

- (1) An accrediting agency may directly request recognition;
- (2) A school seeking program approval may request recognition of an accrediting agency; or
- (3) A member of the NSAC may request recognition of an accrediting agency.

~~(eb)~~ Applicants seeking approval from the state board as an agency recognized by the department for program approval shall:

- (1) Make application for recognition to the state department with a letter of intent and the following:
 - a. A brief history of the agency;
 - b. A statement as to the scope of operations, indicating whether it is a regional, national or state agency;
 - c. 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;
 - d. The agency's organization including its governance and administrative structures, a description of its ownership and control and type of legal organization, including but not limited to tax-exempt or proprietary;
 - e. Financial information including its fee structure, current operating statement and most recent independent certified opinion audit;

f. A description of procedures used in the evaluation of schools by the agency including documentation that a school shall be required to provide, ~~whether there is~~ **which shall include** a visit to verify the written documentation, and who participates in school visitations;

g. 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

h. Frequency of evaluation of schools for continued accreditation or recognition; and

(2) Submit documentation of the agency's accreditation by a recognized accrediting agency.

(~~dc~~) 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:

- (1) School mission statement and educational philosophy;
- (2) Governance;
- (3) School facilities;
- (4) School health and safety programs;
- (5) Curriculum;
- (6) Staff qualifications;
- (7) Admissions process;
- (8) Graduation requirements high schools only;
- (9) Process for assessing student performance;
- (10) Financial management;
- (11) Student support services;
- (12) Cocurricular activities;
- (13) Parent involvement;
- (14) School and community relations; and
- (15) Residential life if applicable.

(~~ed~~) The NSAC shall review applications for program approval. If the NSAC finds that the application meets the requirements of Ed 405.01(b) and Ed 405.01(c) it shall recommend the agency to the state board for recognition.

(~~fe~~) The state board 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 shall identify the applicant as a recognized agency for program approval;
 - (2) Disapprove the application if, in the opinion of a majority of state board 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.
- (~~g~~f) The department shall publish the list of recognized agencies for program approval at least annually.
- (~~h~~g) An agency may at any time submit written notification to the department that it does not wish to be recognized. Upon receipt of such a request the department shall remove the agency's name from the list of recognized agencies and shall notify all schools that have previously been granted program approval through accreditation by the withdrawing agency.
- (~~i~~h) Program approval status for any school previously accredited by an agency whose name has been withdrawn from the list of recognized accrediting agencies shall remain in effect until the date of expiration of the most recent approval by the state board.
- (~~j~~i) The NSAC shall review those agencies previously recognized for program approval every 10 years and make one of the following approval recommendations to the state board:
- (1) Full approval for a period of 10 years, if the NSAC finds that the agency meets the requirements of *Ed 405.01(b) and Ed 405.01(c)*;
 - (2) Conditional approval for a period of 2 to 3 years when deficiencies are found that are not serious enough to warrant non-approval, but are serious enough to warrant attention and review; or
 - (3) Non-approval.
- (~~k~~j) Previously recognized agencies shall be reviewed by the NSAC prior to the expiration of the most recent approval when information becomes known to the NSAC which indicates:
- (1) The agency may no longer be meeting the requirements of Ed 405.01(c); or
 - (2) The agency has acted in an unfair or unlawful manner in conducting accreditations.

- (H) Agencies that have been recognized for program approval may request to be removed from the list of recognized agencies.

Readopt with amendment Ed 407.01, effective 6-15-13 (Doc. #10360), to read as follows:

Ed 407.01 Student Records.

- (a) Each non-public school shall permanently maintain individual student records that include:
- (1) Pupil registers as required by RSA 189:27-a that include the following information:
 - a. Name;
 - b. Sex;
 - c. Date of birth;
 - d. Place of birth;
 - e. Town of legal residence; and
 - f. Parent/guardian contact information;
 - (2) Transcripts of academic performance; and
 - (3) Record of award of high school diploma including the date of award.
- (b) In the event of a school closing or termination of operations, the school shall notify the department where student records shall be maintained permanently, or the school shall deposit these records with the department or a location approved by the department.
- (c) Records shall be maintained in a format determined by the school. ~~A hard copy of pupil registers shall be maintained as required by RSA 189:27 b.~~

PART Ed 513 REQUIREMENTS FOR INITIAL CERTIFICATION

Ed 513.01 Basic Academic Skills and Subject Area Assessment.

(a) *Except as described in paragraph (b)* ~~E~~each candidate seeking initial teacher certification under one of the alternatives listed in Ed 505 shall pass a nationally recognized test of academic proficiency required by paragraph (ed).

(b) A candidate for initial certification in a career and technical education specialty area under Ed 505.04 or Ed 505.05 may substitute the following in lieu of a nationally recognized test of academic proficiency required by paragraph (d):

(1) Three years of full time experience in the area for which certification is sought;

(2) Current industry-recognized credential approved by the department in a published list of accepted credentials and appropriate to the CTE area in which certification is sought; and

(3) A written report from the superintendent/head of school documenting the candidate's success in applying the basic academic skills in reading, writing, and mathematics as described in paragraph (d) in their practice of teaching and a rating of effective or higher for at least two years under the local educator evaluation system.

~~(bc)~~ Each candidate seeking teacher certification in any one of the major areas of concentration in which the state board has established a passing score shall pass a subject assessment test.

~~(ed)~~ The test used for the purposes of the basic academic skills assessment under (a) shall be a basic competency test, such as, but not limited to, the Praxis Core Academic Skills for Educators administered by Educational Testing Service, intended to measure the test taker's basic academic skills in the areas of reading, writing, and mathematics. In the area of reading, such a test shall measure reading comprehension and require the test taker to analyze content in a reading selection. In the area of writing, such a test shall measure ability to use grammar and language effectively and to communicate effectively in writing. In the area of mathematics, such a test shall measure a test taker's understanding of key mathematical concepts and ability for problem-solving, reasoning, and estimating.

~~(de)~~ The test used for the purposes of the subject assessment under (b) shall be a basic subject assessment test, such as, but not limited to, the subject area assessments administered by Educational Testing Service or Pearson Education, intended to measure the test taker's knowledge of the specific subject area of concentration in which the test taker seeks certification for a beginning teacher.

~~(ef)~~ The board shall assign the following qualifying scores following validation studies conducted in accordance with Ed 513.02, after considering recommendations of the validation studies and qualifying scores set by other states:

(1) Qualifying scores on each of the 3 Praxis Core Academic Skills for Educators assessments, namely, reading, writing, and mathematics;

(2) Performance at or above the fiftieth percentile on a nationally recognized test in the areas of reading, writing and mathematics such as, but not limited to, the SAT, GRE, or ACT; or

(3) Qualifying scores on each of the subject assessments in (b).

(fg) Candidates shall be responsible for the actual cost of all assessments.

(gh) A candidate may take a basic academic skills assessment or the subject area assessment as often as they are administered until the candidate passes the assessment.

DRAFT

HB 1498 - AS INTRODUCED

2018 SESSION

18-2538
06/03

HOUSE BILL **1498**

AN ACT relative to alternate certification pathways for career and technical education
instructors.

SPONSORS: Rep. Ladd, Graf. 4; Rep. Hoelzel, Rock. 3; Rep. J. Graham, Hills. 7; Rep. L. Ober,
Hills. 37; Rep. Cordelli, Carr. 4

COMMITTEE: Education

ANALYSIS

This bill permits local school boards to offer a certificate of eligibility to a person interested in becoming a career and technical educator in an identified specialty area.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT relative to alternate certification pathways for career and technical education instructors.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subdivision; Alternative Certification for Career and Technical Education Educator.
2 Amend RSA 188-E by inserting after section 29 the following new subdivision:

3 Alternative Certification for Career and Technical Education Educator

4 188-E:30 Three-Year Certificate of Eligibility for Career and Technical Education Educator.

5 I. The local school board, in consultation with the superintendent, principal, or CTE
6 director, may offer a one-time, 3-year certificate of eligibility to any person interested in becoming a
7 career and technical educator in an identified specialty area, on a full-time or part-time basis,
8 without requiring the person to possess a teaching credential, teaching license, or other teaching
9 certification provided that such person:

10 (a) Demonstrates competence in basic academic skills in reading, writing, and
11 mathematics as documented in a professional portfolio that includes:

12 (1) A detailed statement or report of competence and evidence of the applicant's
13 success in applying knowledge and skills in the workplace; and

14 (2) Other information including but not limited to: transcripts of all education
15 attained including career and professional development training, business and industry
16 recommendations, and a complete employment resume to include positions of supervision and
17 leadership.

18 (b) Is qualified for the position by relevant, verifiable work experience of 5 or more
19 years with a minimum of 180 full-time days per year in a career and technical content-specific field;
20 and

21 (c) Has successfully completed and received a work-related recognized technical
22 training certificate or credential delivered by an experienced industry certified training specialist if
23 such a certificate or credential is an expectation or requirement of workers in the related industry.

24 II. The local school board shall submit a request to the department for a waiver of the
25 requirement for a formal basic competency assessment such as, but not limited to, the Praxis Core
26 Academic Skills for Educators. The department may waive such requirement on the request of the
27 superintendent, principal, or CTE director.

28 III. The employing school district shall complete a criminal history records check on every
29 selected applicant pursuant to RSA 189:13-a.

30 IV. The local school board, with input from the superintendent or CTE director, shall
31 formulate the terms of the certificate of eligibility that shall identify a career and technical

HB 1498 - AS INTRODUCED

- Page 2 -

1 education specialty area aligned to the teaching assignment and that shall contain no tenure
2 provisions.

3 V. The department of education shall be notified of the issuance of all certificates of
4 eligibility within 30 days of the date of issuance.

5 VI. Upon satisfactory completion of the 3-year certificate of eligibility and also contingent
6 upon earning a rating of "effective" or above on the teacher evaluations from the evaluating
7 supervisor for at least the last 2 years of the 3-year certificate period, the teacher shall be eligible to
8 be certified as a career and technical educator only in the identified specialty area and in a career
9 and technical education center.

10 VII. Any person who has had a teaching credential, teaching license, or other teaching
11 certification revoked under RSA 189:14-c or RSA 189:14-d, or who has been rendered ineligible to be
12 employed as a teacher under another provision of law, shall not be eligible to teach under this
13 section.

14 VIII. No person shall be offered more than one certificate of eligibility under this section.

15 2 Effective Date. This act shall take effect upon its passage.

NHDOE – Amanda Phelps - Credentialing

The following are the issues preliminarily identified in HB 1498 that are of concern to the Department of Education and/or the Credentialing office. It is possible that some of these issues could be addressed by the Professional Standards Board and the State Board through the regulatory process, others not so.

1. Intent

- Is this new credential (Certificate of Eligibility for Career and Technical Education Educator) intended to replace, add to, or provide an alternative to the current process/pathway for CTE teachers through Alternative 4?
- Does this apply only to CTE specialty area endorsements (e.g. Automotive Repair, Welding, Cosmetology) or also to the Comprehensive (e.g. Comprehensive Business Education, Comprehensive Family and Consumer Sciences, etc.) endorsements that require a minimum of a bachelors degree?
- Can all potential CTE teachers utilize this process or only ones directed to do so by the SAU for a particular reason? Will the DOE no longer certify any CTE teachers through existing pathways?

2. It appears that this process must be completed before the Certificate of Eligibility (COE) can be issued. This will have a significant impact on timeframe with late hires. Additional issues:

- Under what credential will the candidate be teaching? This is not the same as a DOE-issued Intern license. This could have significant implications for compliance regarding education of special education students, ELL students, etc.
- Since this is not a credential issued by the DOE the usual check of the NASDTEC database for credential suspension and revocation in other states will not be performed.
- Also because this is not a DOE credential educator conduct rules, the new Code of Educator Ethics, as well as the ability for the DOE to suspend and/or revoke the credential will not apply.
- Where are the records kept and by whom? Will they be transferred to the DOE at the expiration of the COE or completion in support of the request to issue certification?

3. Competence is not defined? To what minimum level? Current language in the administrative rule specifies:

“In the area of reading, such a test shall measure reading comprehension and require the test taker to analyze content in a reading selection. In the area of writing, such a test shall measure ability to use grammar and language effectively and to communicate effectively in writing. In the area of mathematics, such a test shall measure a test taker’s understanding of key mathematical concepts and ability for problem-solving, reasoning, and estimating.”

4. Multiple issues:
 - There is no oversight by the NHDOE in this process prior to issuing the Beginning Educator Certificate to a candidate.
 - Is the COE transferable to another SAU or does it automatically expire upon leaving the issuing SAU?
 - What constitutes a “detailed statement or report of competence”? In this instance competence relates to reading, writing, and mathematics without detail. What evidence is sufficient to support this report?
 - What evidence will be sufficient to document a candidate’s “success in applying knowledge and skills (in regard to reading, writing, and mathematics) in the workplace”?
5. The DOE does not currently have regulatory authority to grant such a waiver, only the ability to substitute a comparable test or to accept a higher-level test such as the SAT, ACT, or Graduate Record Examination.
 - Once certified through this process could the candidate become certified in another endorsement (such as General Special Education) area without passing the Praxis Core?
6. “May waive”? Can the DOE reject such a request? On what basis?
7. What is meant by the statement “shall contain no tenure provisions”?
8. “shall be eligible to be certified”
 - By the DOE? On what basis could the DOE deny certification?
 - This bill appears to circumvent the DOE requirement that all educators must meet the Professional Education certification standards as well as the CTE Specialty Area, and CTE Teacher certification standards.
 - What documentation to support certification must be provided to the DOE?
 - What will be the credential that is issued given that the parameters are different than those of our other certificates.
 - Our current CTE certificate does not restrict work setting only to CTE centers. Will this person be able to teach a minor assignment outside of their area of certification?
 - While not the intent, this legislation could possibly be construed as creating a lower tier credential for some CTE specialty teachers, not comparable to other educators including other CTE teachers of the same subject area.
9. “No person shall be offered more than one certificate of eligibility under this section.” Does this mean ever or only at one time? A lack of specificity here could lead to confusion over interpretation in the future.

Readopt with amendment Ed 507.19, effective 1-26-17 (Doc #12089), to read as follows:

Ed 507.19 Specialist in Assessment of Intellectual Functioning (SAIF).

(a) To be certified as a specialist in assessment of intellectual functioning (SAIF), an individual shall:

- (1) Hold a master's degree and a valid:
 - a. Certification from the department in education, school counseling, administration, or speech language specialist;
 - b. License as a psychologist from the New Hampshire board of psychologists;
 - c. License as an occupational therapist from the governing board of occupational therapists; or
 - d. License as a speech-language pathologist from the governing board of speech-language pathologists;
- (2) Have at least 4 years of documented school experience in education, school counseling, administration, speech therapy, or occupational therapy; and
- (3) Either:
 - a. Have successfully completed a SAIF program approved by the state board of education; or
 - b. Have acquired the competencies, skills and knowledge described in (b) below through other experiences and training so as to qualify under Ed 505.03, Alternative 3: Demonstrated Competencies and Equivalent Experiences.

(b) ~~Qualifications for SAIF shall include the following skills, competencies, and knowledge~~**To qualify as a SAIF, an individual shall have the following:**

- (1) Knowledge of:
 - ~~a.~~ **a.** Relevant local, state, and federal laws, policies, regulations, and procedures pertaining to education;
 - ~~b.~~ **b.** Expertise in the nature, uses, and limitations of a variety of psychological educational assessments;
 - ~~c. Knowledge of~~ **c.** General principles of learning and research-validated teaching strategies;
 - ~~d. Knowledge of~~ **d.** Human development theory, including application to children in a school setting;
 - ~~e. Knowledge of~~ **e.** The learning characteristics of individuals with disabilities;
 - ~~f.~~ **f.** Expertise in research-validated educational accommodations, modification, supports, and interventions;

- (7) **g.** Knowledge of statistics, research methods, and professional literature pertinent to the processes of assessment and program development;
 - (8) **h.** Knowledge of those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights of individuals as set forth in *the* National Association of School Psychologists Principles for Professional Ethics (2010) as referenced in Appendix II; and
- (92) Competency and skill in:
- a. Developing professional interactions for the purpose of obtaining and communicating information;
 - b. Consulting with staff members and parents regarding students' current and future needs;
 - c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;
 - d. Administering, scoring, and interpreting assessments of individual intelligence and cognitive processing, assessments of academic achievement, and assessments of functional achievement;
 - e. Conducting a test session with sufficient proficiency to ensure fluent administration and adding meaningful clinical observation concerning the test session, as well as having sufficient expertise to reflect on the student's performance and its implication for further assessment;
 - f. Integrating background information and assessment results into a description of how the child learns;
 - g. Developing appropriate recommendations based upon assessments and best practices;
 - h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; and
 - i. Assisting the administration in planning and facilitating professional development and improvement efforts.

Readopt with amendment Ed 614.08, effective 1-26-17 (Doc #12089), to read as follows:

Ed 614.08 Specialists in the Assessment of Intellectual Functioning. The program for specialists in the assessment of intellectual functioning shall provide the candidate with skills, competencies, and knowledge outlined in Ed 507.19(b).

Appendix I

Rule	Statute
Ed 507.19	RSA 21-N:9, II(s)
Ed 614.08	RSA 21-N:9, II(r)

Appendix II

Rule	Title	Publisher; How to Obtain; Cost
Ed 507.19(b)(8) and Ed 614.08(a)(8)	NASP Principles of Professional Ethics (2010)	Go to http://www.nasponline.org/assets/Documents/Standards%20and%20Certification/Standards/1_%20Ethical%20Principles.pdf No cost for PDF document National Association of School Psychologists 4340 East West Highway, Suite 402 Bethesda, MD 20814 Phone: (301) 657-0270 Toll Free: (866) 331-NASP Cost: Member Price: \$48.00; Nonmember Price: \$60.00

2/2

JAN 03 2018

APPENDIX II-C

RULEMAKING NOTICE FORM

NOTE: ADDITIONAL NOTICE
See page one of the instructions regarding additional notice.

Notice Number 2018-2 Rule Number Ed 507.19 and Ed 614.08

<p>1. Agency Name & Address:</p> <p>State Board of Education c/o Department of Education 101 Pleasant Street Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 21-N:9, II (s) and (r)</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u> x </u></p>
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5. Short Title: **Specialist in Assessment of Intellectual Functioning**

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

Ed 507.19 contains the certification requirements for Specialist in Assessment of Intellectual Functioning (SAIF), and Ed 614.08 contains the requirements for the Specialist in Assessment of Intellectual Functioning (SAIF) preparation program. These rules outline competencies consistent with current standards and practice in the field. These rules were recently revised and effective on January 26, 2017. Upon implementation of the rules the Department found errors in the wording of Ed 507.19(a). The placement of the word "or" after (a)(3) suggests that a candidate could qualify for certification having only met one of the criteria listed in that section. Ed 614.08 is being amended to point to Ed 507.19(b) as has been the practice with all credentialing rules going forward in the past year.

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

The affected groups of the changes will include Specialist in Assessment of Intellectual Functioning teachers and Institutes of Higher Education with Specialist in Assessment of Intellectual Functioning professional educator preparation programs.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Statute
Ed 507.19	RSA 21-N:9, II(s)
Ed 614.08	RSA 21-N:9, II(r)

APPENDIX II-C (Continued)

RULEMAKING NOTICE FORM - Page 2

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Amanda Phelps** Title: **Program Assistant II**
Address: **Department of Education** Phone #: **(603) 271-2408**
101 Pleasant Street Fax#: **(603) 271-4134**
Concord, NH 03301 E-mail: **amanda.phelps@doe.nh.gov**
TTY/TDD Access: Relay NH 1-800-735-2964
or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **February 20, 2018**

Fax E-mail Other format (specify):

9. Public hearing scheduled for:

Date and Time: **February 8, 2018 at 1:00 p.m.**
Place: **State Board Room, 101 Pleasant Street, Concord, NH 03301**

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

FIS # 17:191, dated 12/29/17

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

Relative to Part I, Article 28-a of the N.H. Constitution, there are no added costs for these proposed rules to the state. These rules provide the requirements for the credentialing and educator preparation program approval processes. These processes are already in place. The credentialing and program approval procedures are self-funded activities of the NH Department of Education from the credentialing fee revenues.

Fiscal Impact Statement for State Board of Education rules governing Specialist in Assessment of Intellectual Functioning. [Ed 507.19 and Ed 614.08]

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

There is no difference in cost when comparing the proposed rules to the existing rules.

2. Cite the Federal mandate. Identify the impact on state funds:

No federal mandate, no impact on state funds.

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

None.

Readopt with amendment Ed 507.19, effective 1-26-17 (Doc #12089), to read as follows:

Ed 507.19 Specialist in Assessment of Intellectual Functioning (SAIF).

(a) To be certified as a specialist in assessment of intellectual functioning (SAIF), an individual shall:

(1) Hold a master's degree and a valid:

- a. Certification from the department in education, school counseling, administration ~~or~~ speech language specialist;
- b. License as a psychologist from the New Hampshire board of psychologists;
- c. License as an occupational therapist from the governing board of occupational therapists; or
- d. License as a speech-language pathologist from the governing board of speech-language pathologists;

Edit: comma

Edit: comma

(2) Have at least 4 years of documented school experience in education, school counseling, administration, speech therapy ~~or~~ occupational therapy; **and**

(3) ~~Have successfully completed a SAIF program approved by the state board of education; or~~
Either:

See "Edit" comment on p. 4.

a. Have successfully completed a SAIF program approved by the state board of education; or

(4) **b.** Have acquired the competencies, skills and knowledge described in (b) below through other experiences and training so as to qualify under Ed 505.03, Alternative 3: Demonstrated Competencies and Equivalent Experiences.

(b) Qualifications for SAIF shall include the following skills, competencies, and knowledge:

- (1) Knowledge of relevant local, state ~~and~~ federal laws, policies, regulations, and procedures pertaining to education;
- (2) Expertise in the nature, uses, and limitations of a variety of psychological educational assessments;
- (3) Knowledge of general principles of learning and research-validated teaching strategies;
- (4) Knowledge of human development theory, including application to children in a school setting;
- (5) Knowledge of the learning characteristics of individuals with disabilities;
- (6) Expertise in research-validated educational accommodations, modification, supports, and interventions;
- (7) Knowledge of statistics, research methods ~~and~~ professional literature pertinent to the processes of assessment and program development;

Edit: comma

Edit: comma

(8) Knowledge of those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights of

Edit: "the"

individuals as set forth in National Association of School Psychologists Principles for Professional Ethics (2010) as referenced in Appendix II; and

(9) Competency and skill in:

- a. Developing professional interactions for the purpose of obtaining and communicating information;
- b. Consulting with staff members and parents regarding students' current and future needs;
- c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;
- d. Administering, scoring, and interpreting assessments of individual intelligence and cognitive processing, assessments of academic achievement, and assessments of functional achievement;
- e. Conducting a test session with sufficient proficiency to ensure fluent administration and adding meaningful clinical observation concerning the test session, as well as having sufficient expertise to reflect on the student's performance and its implication for further assessment;
- f. Integrating background information and assessment results into a description of how the child learns;
- g. Developing appropriate recommendations based upon assessments and best practices;
- h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; and
- i. Assisting the administration in planning and facilitating professional development and improvement efforts.

Readopt with amendment Ed 614.08, effective 1-26-17 (Doc #12089), to read as follows:

Ed 614.08 Specialists in the Assessment of Intellectual Functioning.

(a) The program for specialists in the assessment of intellectual functioning shall provide the candidate with the following skills, competencies, and knowledge: ***outlined in Ed 507.19(b)***.

Edit: "the"

- ~~(1) Knowledge of relevant local, state and federal laws, policies, regulations, and procedures pertaining to education;~~
- ~~(2) Expertise in the nature, uses, and limitations of a variety of psychological educational assessments;~~
- ~~(3) Knowledge of general principles of learning and research validated teaching strategies;~~
- ~~(4) Knowledge of human development theory, including application to children in a school setting;~~
- ~~(5) Knowledge of the learning characteristics of individuals with disabilities;~~

- ~~(6) Expertise in research-validated educational accommodations, modifications, supports, and interventions;~~
- ~~(7) Knowledge of statistics, research methods and professional literature pertinent to the processes of assessment and program development;~~
- ~~(8) Knowledge of those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights of individuals as set forth in the National Association of School Psychologists Principles for Professional Ethics (2010) as referenced in Appendix II; and~~
- ~~(9) Competency and skill in:
 - ~~a. Developing professional interactions for the purpose of obtaining and communicating information;~~
 - ~~b. Consulting with staff members and parents regarding students' current and future needs;~~
 - ~~c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;~~
 - ~~d. Administering, scoring, and interpreting assessments of individual intelligence and cognitive processing, assessments of academic achievement, and assessments of functional achievement;~~
 - ~~e. Conducting a test session with sufficient proficiency to ensure fluent administration and adding meaningful clinical observation concerning the test session, as well as having sufficient expertise to reflect on the student's performance and its implication for further assessment;~~
 - ~~f. Integrating background information and assessment results into a description of how the child learns;~~
 - ~~g. Developing appropriate recommendations based upon assessments and best practices;~~
 - ~~h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; and~~
 - ~~i. Assisting the administration in planning and facilitating professional development and improvement efforts.~~~~

~~_____ (b) The program shall provide an adequate and appropriate field-based experience of no fewer than 6 cases in a school setting below the senior high level other than one confined to children with disabilities, and with intensive step-by-step supervision by persons who hold a valid New Hampshire specialist in the assessment of intellectual functioning (SAIF) certification, or equivalent as determined by the current SAIF certification standards, and who are under contract to the training institution.~~

Note to Agency on Authority: JLCAR staff comments are based on the presumption that Ed 507.19 is in effect. It has come to JLCAR staff attention that Ed 507.19 may not have been properly filed with the JLCAR pursuant to RSA 541-A:23, I(b). It appears that in 2016, the last time Ed 507.19 went through the rulemaking process, it was the intent of the State Board of Education (Board) to change certain language in the section. The Board submitted a Conditional Approval Request which was received by JLCAR staff on September 13, 2016. (See attached). It was the language of this Conditional Approval Request which was approved by the JLCAR at its meeting on September 15, 2016 and confirmed on October 24, 2016 in the Board's Conditional Approval Response. Then in January of 2017, the Board appears to have made a mistake when adopting and filing Ed 507.19 because the version filed with OLS was the Final Proposal (See attached) text and not the Conditional Approval Request text which was approved by the JLCAR. OLS also made a mistake when it accepted Ed 507.19 because it was the wrong version. JLCAR staff does not hold a position as to the validity of Ed 507.19, but there could be an argument made to a court that these rules are not effective pursuant to RSA 541-A:23, I(b).

~~(c) After successful completion of (b) above, the program shall provide the student with appropriate supervision for a period of one school year while the student completes an internship.~~

Edit: Ed 507.19(b) reads as a repetitive and grammatically incorrect sentence. Please consider rearranging this paragraph to read as follows:

- (b) To qualify as a SAIF, an individual shall have the following:
- (1) Knowledge of:
 - a. Relevant local, state, and federal laws, policies, regulations, and procedures pertaining to education;
 - b. General principles of learning and research-validated teaching strategies;
 - c. Human development theory, including application to children in a school setting;
 - d. The learning characteristics of individuals with disabilities;
 - e. Statistics, research methods, and professional literature pertinent to the processes of assessment and program development;
 - f. Those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights of individuals as set forth in the National Association of School Psychologists Principles for Professional Ethics (2010) as referenced in Appendix II; and
 - g. Expertise in:
 1. The nature, uses, and limitations of a variety of psychological educational assessments; and
 2. Research-validated educational accommodations, modification, supports, and interventions; and
 - (2) Competency and skill in:
 - a. Developing professional interactions for the purpose of obtaining and communicating information;
 - b. Consulting with staff members and parents regarding students' current and future needs;
 - c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;
 - d. Administering, scoring, and interpreting assessments of individual intelligence and cognitive processing, assessments of academic achievement, and assessments of functional achievement;
 - e. Conducting a test session with sufficient proficiency to ensure fluent administration and adding meaningful clinical observation concerning the test session, as well as having sufficient expertise to reflect on the student's performance and its implication for further assessment;
 - f. Integrating background information and assessment results into a description of how the child learns;
 - g. Developing appropriate recommendations based upon assessments and best practices;
 - h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; and
 - i. Assisting the administration in planning and facilitating professional development and improvement efforts."

Appendix I

Rule	Statute
Ed 507.19	RSA 21-N:9, II(s)
Ed 614.08	RSA 21-N:9, II(r)

Appendix II

Edit: Increase font size.

Rule	Title	Publisher; How to Obtain; Cost
Ed 507.19(b)(8) and Ed 614.08(a)(8)	NASP Principles of Professional Ethics (2010)	<p>Go to http://www.nasponline.org/assets/Documents/Standards%20and%20Certification/Standards/1_%20Ethical%20Principles.pdf No cost for PDF document</p> <p>National Association of School Psychologists 4340 East West Highway, Suite 402 Bethesda, MD 20814</p> <p>Phone: (301) 657-0270 Toll Free: (866) 331-NASP</p> <p>Cost: Member Price: \$48.00; Nonmember Price: \$60.00</p>

Adopt Ed 507.19, previously effective 8/3/06 (Doc #8699), and expired 8/3/14, to read as follows:

Ed 507.19 Specialist in Assessment of Intellectual Functioning (SAIF).

(a) To be certified as a specialist in assessment of intellectual functioning (SAIF), an individual shall:

(1) Hold a master's degree and a valid:

a. Certification from the department in education endorsement areas such as but not limited to, school counseling, administration or speech language specialist;

b. License as a psychologist from the New Hampshire board of psychologists;

c. License as an occupational therapist from the governing board of occupational therapists;
or

d. License as a speech-language pathologist from the governing board of speech-language pathologists;

(2) Have at least 4 years of documented school experience in education endorsement areas such as but not limited to, school counseling, administration, speech therapy or occupational therapy;

(3) Have successfully completed a SAIF program leading to a Master's degree or above as approved by the state board of education; or

(4) Hold a Master's degree or above in a related area and H-have acquired the competencies, skills and knowledge described in (b) below through other experiences and training so as to qualify under Ed 505.03, Alternative 3: Demonstrated Competencies and Equivalent Experiences.

(b) Qualifications for SAIF shall include the following skills, competencies, and knowledge:

(1) Knowledge of relevant local, state and federal laws, policies, regulations, and procedures pertaining to education;

(2) Expertise in the nature, uses, and limitations of a variety of psychological educational assessments;

(3) Knowledge of general principles of learning and research-validated teaching strategies;

(4) Knowledge of human development theory, including application to children in a school setting;

(5) Knowledge of the learning characteristics of individuals with disabilities;

(6) Expertise in research-validated educational accommodations, modification, supports, and interventions;

(7) Knowledge of statistics, research methods and professional literature pertinent to the processes of assessment and program development;

(8) Knowledge of those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights of individuals as set forth in National Association of School Psychologists Principles for Professional Ethics (2010) as referenced in Appendix II; and

(9) Competency and skill in:

- a. Developing professional interactions for the purpose of obtaining and communicating information;
- b. Consulting with staff members and parents regarding students' current and future needs;
- c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;
- d. Administering, scoring, and interpreting assessments of individual intelligence and cognitive processing, assessments of academic achievement, and assessments of functional achievement;
- e. Conducting a test session with sufficient proficiency to ensure fluent administration and adding meaningful clinical observation concerning the test session, as well as having sufficient expertise to reflect on the student's performance and its implication for further assessment;
- f. Integrating background information and assessment results into a description of how the child learns;
- g. Developing appropriate recommendations based upon assessments and best practices;
- h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; and
- i. Assisting the administration in planning and facilitating professional development and improvement efforts.

Adopt Ed 614.08, previously effective 8/3/06 (Doc #8699), and expired 8/3/14, to read as follows:

Ed 614.08 Specialists in the Assessment of Intellectual Functioning.

(a) The program for specialists in the assessment of intellectual functioning shall provide the candidate with the following skills, competencies, and knowledge:

- (1) Knowledge of relevant local, state and federal laws, policies, regulations, and procedures pertaining to education;
- (2) Expertise in the nature, uses, and limitations of a variety of psychological educational assessments;
- (3) Knowledge of general principles of learning and research-validated teaching strategies;

- (4) Knowledge of human development theory, including application to children in a school setting;
- (5) Knowledge of the learning characteristics of individuals with disabilities;
- (6) Expertise in research-validated educational accommodations, modification, supports, and interventions;
- (7) Knowledge of statistics, research methods and professional literature pertinent to the processes of assessment and program development;
- (8) Knowledge of those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights of individuals as set forth in National Association of School Psychologists Principles for Professional Ethics (2010) as referenced in Appendix II; and
- (9) Competency and skill in:
 - a. Developing professional interactions for the purpose of obtaining and communicating information;
 - b. Consulting with staff members and parents regarding students' current and future needs;
 - c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;
 - d. Administering, scoring, and interpreting assessments of individual intelligence and cognitive processing, assessments of academic achievement, and assessments of functional achievement;
 - e. Conducting a test session with sufficient proficiency to ensure fluent administration and adding meaningful clinical observation concerning the test session, as well as having sufficient expertise to reflect on the student's performance and its implication for further assessment;
 - f. Integrating background information and assessment results into a description of how the child learns;
 - g. Developing appropriate recommendations based upon assessments and best practices;
 - h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; and
 - i. Assisting the administration in planning and facilitating professional development and improvement efforts.

(b) The program shall provide an adequate and appropriate field-based experience of no fewer than 6 cases in a school setting below the senior high level other than one confined to children with disabilities, and with intensive step by step supervision by persons who hold a valid New Hampshire specialist in the assessment of intellectual functioning (SAIF) certification, or equivalent as determined by the current SAIF certification standards, and who are under contract to the training institution.

(c) After successful completion of (b) above, the program shall provide the student with appropriate supervision for a period of one school year while the student completes an internship.

4

Appendix I

Rule	Statute
Ed 507.19	RSA 21-N:9, II(s)
Ed 614.08	RSA 21-N:9, II(r)

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**FINAL
PROPOSAL**

Adopt Ed 507.19, previously effective 8/3/06 (Doc #8699), and expired 8/3/14, to read as follows:

Ed 507.19 Specialist in Assessment of Intellectual Functioning (SAIF).

2016-64
SAIF, an individual

(a) To be certified as a specialist in assessment of intellectual functioning (SAIF), an individual shall:

(1) Hold a master's degree and a valid:

a. Certification from the department in education, school counseling, administration or speech language specialist;

b. License as a psychologist from the New Hampshire board of psychologists;

c. License as an occupational therapist from the governing board of occupational therapists; or

d. License as a speech-language pathologist from the governing board of speech-language pathologists;

(2) Have at least 4 years of documented school experience in education, school counseling, administration, speech therapy or occupational therapy;

(3) Have successfully completed a SAIF program approved by the state board of education; or

(4) Have acquired the competencies, skills and knowledge described in (b) below through other experiences and training so as to qualify under Ed 505.03, Alternative 3: Demonstrated Competencies and Equivalent Experiences.

(b) Qualifications for SAIF shall include the following skills, competencies, and knowledge:

(1) Knowledge of relevant local, state and federal laws, policies, regulations, and procedures pertaining to education;

(2) Expertise in the nature, uses, and limitations of a variety of psychological educational assessments;

(3) Knowledge of general principles of learning and research-validated teaching strategies;

(4) Knowledge of human development theory, including application to children in a school setting;

(5) Knowledge of the learning characteristics of individuals with disabilities;

(6) Expertise in research-validated educational accommodations, modification, supports, and interventions;

(7) Knowledge of statistics, research methods and professional literature pertinent to the processes of assessment and program development;

(8) Knowledge of those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights

of individuals as set forth in National Association of School Psychologists Principles for Professional Ethics (2010) as referenced in Appendix II; and

(9) Competency and skill in:

- a. Developing professional interactions for the purpose of obtaining and communicating information;
- b. Consulting with staff members and parents regarding students' current and future needs;
- c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;
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- f. Integrating background information and assessment results into a description of how the child learns;
- g. Developing appropriate recommendations based upon assessments and best practices;
- h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; and
- i. Assisting the administration in planning and facilitating professional development and improvement efforts.

Adopt Ed 614.08, previously effective 8/3/06 (Doc #8699), and expired 8/3/14, to read as follows:

Ed 614.08 Specialists in the Assessment of Intellectual Functioning.

(a) The program for specialists in the assessment of intellectual functioning shall provide the candidate with the following skills, competencies, and knowledge:

- (1) Knowledge of relevant local, state and federal laws, policies, regulations, and procedures pertaining to education;
- (2) Expertise in the nature, uses, and limitations of a variety of psychological educational assessments;
- (3) Knowledge of general principles of learning and research-validated teaching strategies;
- (4) Knowledge of human development theory, including application to children in a school setting;

- (5) Knowledge of the learning characteristics of individuals with disabilities;
- (6) Expertise in research-validated educational accommodations, modification, supports, and interventions;
- (7) Knowledge of statistics, research methods and professional literature pertinent to the processes of assessment and program development;
- (8) Knowledge of those ethical principles applicable to the professional school psychology practice in the reporting of assessment results to school teams aimed at protecting the rights of individuals as set forth in National Association of School Psychologists Principles for Professional Ethics (2010) as referenced in Appendix II; and
- (9) Competency and skill in:
- a. Developing professional interactions for the purpose of obtaining and communicating information;
 - b. Consulting with staff members and parents regarding students' current and future needs;
 - c. Translating referral questions and concerns into a set of assessment procedures that follow Ed 1107 and 20 U.S.C. 1400;
 - d. Administering, scoring, and interpreting assessments of individual intelligence and cognitive processing, assessments of academic achievement, and assessments of functional achievement;
 - e. Conducting a test session with sufficient proficiency to ensure fluent administration and adding meaningful clinical observation concerning the test session, as well as having sufficient expertise to reflect on the student's performance and its implication for further assessment;
 - f. Integrating background information and assessment results into a description of how the child learns;
 - g. Developing appropriate recommendations based upon assessments and best practices;
 - h. Assisting team members in planning strategies and interventions for students and assessing their effectiveness; and
 - i. Assisting the administration in planning and facilitating professional development and improvement efforts.

(b) The program shall provide an adequate and appropriate field-based experience of no fewer than 6 cases in a school setting below the senior high level other than one confined to children with disabilities, and with intensive step by step supervision by persons who hold a valid New Hampshire specialist in the assessment of intellectual functioning (SAIF) certification, or equivalent as determined by the current SAIF certification standards, and who are under contract to the training institution.

(c) After successful completion of (b) above, the program shall provide the student with appropriate supervision for a period of one school year while the student completes an internship.



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Adopt Ed 320, previously effective 7-16-16 (Document # 11139, Interim) and expired 1-12-17, to read as follows:

PART Ed 320 MANIFEST EDUCATIONAL HARDSHIP

Ed 320.01 Change of School Assignment.

(a) Any person having custody of a child may apply to the school board of residence to change the child's school assignment if the person having custody thinks that the child's attendance at the assigned school will result in a manifest educational hardship to the child.

(b) A person having custody of said child may apply for a change of school assignment to:

- (1) Attend another public school or public academy in the same district; or
- (2) Attend a public school or public academy in another district.

(c) To establish a manifest educational hardship, as set forth in (f)(1)-(3), the person having custody shall demonstrate that attendance at the assigned school will have a detrimental effect on the child's education. The person having custody may also demonstrate that another public school or public academy, either within the district or in another district, can reasonably meet the child's educational needs.

(d) Each school board shall establish a written policy, which authorizes the school board to act, with the recommendation of the superintendent, on an application to change a child's school assignment to another public school or public academy within the district or to request a change of assignment to a public school or public academy in another district when a manifest educational hardship has been demonstrated.

(e) Upon receipt of a request from a person having custody for a change of a child's school assignment based on a claim of a manifest educational hardship, the school board shall order a hearing, pursuant to their local rules, within 30 days.

(f) The local school board shall issue a finding of manifest educational hardship if it determines that there is clear and convincing evidence that:

- (1) A compelling amount of a child's academic, physical, personal, or social needs cannot be met by the assigned school or are not found within the student body of the assigned school;
- (2) The attendance at the assigned school will impair the educational progress of the child; and
- (3) Another public school or public academy, either within the district or in another district, can reasonably meet the child's educational needs.

(g) If a school board determines that manifest educational hardship has been found, the school board shall issue a waiver of the school assignment and the child shall be reassigned to a public school or public academy, in the district or in another district, which can reasonably meet the child's educational needs.

(h) If a person having custody is aggrieved by the decision of the school board, he or she may appeal to the state board in accordance with the provisions of Ed 200.

Appendix

Rule	Statute Implemented
Ed 320	RSA 193:3, I, II

New Hampshire
State Board of Education
Minutes of the February 8, 2018 Meeting

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 10:05 a.m. at the State Department of Education, 101 Pleasant Street, Concord, New Hampshire. Drew Cline presided as Chairman.

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

AGENDA ITEM II. PLEDGE OF ALLEGIANCE

Board members led the Pledge of Allegiance.

AGENDA ITEM III. PUBLIC COMMENT

There were no public comments.

AGENDA ITEM IV. SPECIAL PRESENTATIONS

A. North Country Charter Academy – Lisa Lavoie, Principal, introduced members of her board of trustees. The Vice Chairman of the Board of Trustees, Nancy Wilson, provided comments of support and thanks to Principal Lavoie and her staff for their continued dedication and commitment. Today's presentation is to provide an update to the Board of Education of the continued successes of the academy. Board Member and Superintendent of Lin-Wood Public Schools, Ms. Judith McGann, added that the very tight collaborative environment between all the school boards, superintendents, administrators, counselors, and families has been an important factor to the academy's success and its student population covers approximately 4,000 square miles of the northern part of the state. Students of the academy have the choice to graduate with their school district peers or with their academy peers, or participate in both ceremonies. The North Country communities are dedicated and invested in the programs which enable sustainability to be successful. Ms. McGann thanked the Board for listening and their continued support.

Ms. Lavoie introduced the charter school students, their parents and charter school staff attending today's presentation. The year-end report for the 2016/2017 school year has been provided to the State Board for review. The year-end report is a symbol of accountability and highlights the successes of a

nontraditional model of education that has been working for 14½ years. Ms. Lavoie noted that the American Legion has recently been added to the list of donors to the academy's scholarship fund, and each year the academy's project-based and community-oriented learning projects continue to expand. These projects center on poverty, substance misuse, social justice and more.

Student speakers Lucy Bissonnette, Jared Gagnon, Lucas Poole, and Emily Treyhan each spoke to the Board about their experiences and successes since coming to the academy.

Ms. Bissonnette presented a portion of a podcast created as a charter school project about the opioid epidemic. This project was started last year and was presented last May at the North Country Youth Summit on Substance Abuse at the Rialto Theater in Lancaster, NH.

Mr. Scott Kleinschrodt of the academy presented Commissioner Edelblut with a photograph taken of the Commissioner at graduation with last year's graduating class and thanked him for his support.

Chairman Cline thanked everyone and requested a link for access to the podcast.

Ms. Honorow expressed her pleasure at receiving the year-end reports from the academy each year and added that it is a wonderful representation of work that's done in charter schools particularly in the North Country where the academy continues to do more than has been asked.

Ms. Chagnon stated this is a prime example of good that can occur when there is collaboration and congratulated and thanked everyone.

B. Verville/School Administrative Unit #53 – SB-FY-18-07-000 - Mr. Verville was sworn in by Chairman Cline. Mr. Verville summarized his case for the State Board. The original complaint in 2016 was that SAU #53 did not meet the legal requirement for establishing a new administrative position. The SAU Board made district decisions that the law says must be made by the districts, not the SAU, and a 60% threshold vote to pass such decisions was not met. He disagrees with the report of the Hearing Officer and believes that the State Board of Education meeting is the correct forum for his appeal. He requested the State Board consider the merits of his case and asked that board deliberations for this hearing be made public.

Attorney Dean Eggert, representing SAU #53, provided a supplemental memorandum of law to the State Board and reminded them that they lacked jurisdiction to enforce and interpret statutory law. Mr. Verville's position is that each district should have gone back to their respective school districts and the

members of those school boards vote separately rather than as a whole. In response to a question from a Board member, he noted that SAU #53 did ascertain 60% vote approval needed on October 27, 2016. Attorney Eggert stated that Mr. Verville's case does not meet statutory definition under administrative procedure act. He asked the State Board to affirm and accept the report and recommendation of the Hearing Officer.

Chairman Cline stated Ed 212.02 requires all deliberations to be held in a nonpublic session; however, it's been noted there may be a conflict between the statute and the Right to Know law. In keeping with the Right to Know law and Mr. Verville's request, board deliberations will be in public.

Chairman Cline referenced the statute, RSA 194-C:5, I (c), and stated that Mr. Verville's interpretation may have some merit in the way the statute is written. Ms. Chagnon agreed and had questions about the quorum issue and administrative position definitions.

Ms. Honorow stated she was disinclined to have the State Board be the decider of the facts in this situation. The merits have not been addressed sufficiently because of a jurisdictional question that happened. She urged fellow board members to focus more on finding out what happened and provide each party the opportunity to do that. She did not think this was a dispute under RSA

21-N:11 and that the board may have some supervisory authority under RSA 186:5 to try and address this situation.

MOTION: Helen Honorow made the following motion, seconded by Ann Lane that the State Board reviewed the Hearing Officer Report and Recommendation and considered the arguments of the parties at the State Board meeting held on February 8, 2018. The State Board accepts the Hearing Officer report to the extent it held that the matter does not constitute a “dispute” under RSA 21-N:11, III. The State Board does not accept the report to the extent it held that the State Board does not have jurisdiction to consider the issues raised in the appeal. Rather, the State Board has authority to consider complaints regarding the operation of school districts under its general supervisory authority set forth in RSA 186:5. Accordingly, the State Board refers Mr. Verville’s complaint to the Department for further review and investigation, and after that, come back, if necessary, with some sort of report or recommendation to this State Board, but not through the hearing process.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

Chairman Cline summarized the motion by explaining this came before the Board of Education as a dispute to be resolved in adjudication. The motion would accept the Hearing Officer's report to the extent that it says this is not something that we can adjudicate. However, it would not accept the portion of the report that says we have no authority. We are asserting authority under RSA 186:5 to hear this complaint, not to resolve the dispute in the adjudicatory process.

C. Student/Dresden School Board – SB-17-05-004 – Attorney Dean

Eggert is before the State Board to give them the opportunity to correct what he feels is a procedural defect. The State Board of Education remanded this matter back to the school board in December because there had been no school board hearing and this Board felt the parents were entitled to that hearing. Attorney Eggert feels the proper procedure for the State Board would have been to recommend the Hearing Officer review his decision.

Ms. Chagnon explained that she still feels the local school board jumped to the issue of denial of reimbursement before having a hearing on the manifest educational hardship as a result of bullying.

Attorney Eggert proceeded to explain what the courts look at in regards to relief whether there is jurisdiction to grant the relief being sought. In October

2014 the request was for tuition reimbursement and the statute indicates it is the parent's burden to demonstrate manifest educational hardship.

Chairman Cline reminded Attorney Eggert statute RSA 193:3 gives local school boards and State Board of Education authority to remedy a situation if it is found there is a manifest educational hardship; however, the local board and the State Board are handicapped in that ability if there is no hearing to determine hardship. There can be no remedies discussed unless there is first a determination of hardship, which was never done.

Ms. Nancy Menton and Mr. Daniel Mendelsohn (parents) were sworn in by Chairman Cline. Ms. Menton provided a history of this process and what led them to be before the State Board. This matter goes back to 2014 and their daughter has since graduated. There was never a hearing by the Hearing Officer or anyone regarding manifest educational hardship. Bullying incidents leading to a change of schools was well documented and due process was denied at the very beginning. The Hearing Officer and the school board are stuck on the reimbursement aspect and refuse to hear them.

Ms. Menton and Mr. Mendelsohn chose to have the State Board's deliberations held in public.

Chairman read the statute and explained process and said the bottom line is the Board is not at a point to talk about remedies. The school district's position was not to have a hearing. The Board's point was the determination of hardship.

Ms. Honorow stated the request before us is the motion for reconsideration. The school district has brought that motion, the parents have objected, and we need to focus on this.

MOTION: Helen Honorow made the following motion, seconded by Cindy Chagnon, that the State Board of Education deny the motion for reconsideration.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

D. Capital City Charter School, Concord, NH - Ms. Stephanie Alicea, founder and director, provided handouts and reviewed biographies of her board members. The goals and overview materials were submitted on November 9, 2017 and Ms. Alicea provided an overview of the program and a short video from a teacher's perspective of the service learning curriculum. Capital City Charter plans to provide an integration of service using a researched-based teaching method of guided classroom learning to create an alternative choice for grades 6

through 8 beginning in the first year for 60 students and 4 teachers with a goal of serving grades 9 through 12 by the fifth year with 330 students and 21 teachers.

Once approval is granted by the State Board, February and March will be spent creating policies and developing curriculum with assistance from Cathryn Berger Kaye who is an international service learning and education consultant. The Board of Trustees will be established and plans will be solidified for the building and information sessions will be begin and run from March to August. Plans are to advertise for staff in March and April and in July conduct a three-day service learning-based staff training seminar in New York. July and August will be dedicated to teacher orientation and training.

Ms. Chagnon stated she has researched the concept and feels it is very well thought out but had concerns about space. Ms. Alicea stated that they were working on the purchase of a newer building that will be accessible for students and buses with no disruption to traffic.

In response to questions regarding the appearance of a lean budget and concern about covering expenses, it was explained that there have been many offers from advocates and community members willing to donate different items, such as Chrome Books and furniture. Local merchants have also offered discounts for purchases and fundraising is planned. There was also discussion about starting salaries.

Ms. Honorow questioned how they plan to meet or exceed the state standards and asked if competencies were being drafted. Ms. Alicea responded that Ms. Cathryn Berger Kaye will assist with this and the K-12 service learning standards overlap with our state standards and there will be a compare and contrast of those standards to make sure there are no deficiencies. Ms. Honorow asked for clarification on page 29 of 45 regarding transportation of students. There appears to be a word missing. It was clarified that students living within the school district can take advantage of the existing school district bus routes and efforts will be made to assist those living outside the Concord area.

There was also a concern about the short school day. It was explained that drop off of students could begin at 7:15 AM with an open time for homework, service projects or other activities before classes officially start at 8:45 AM. The State Board was assured that the school would meet the required school hours and can make adjustments to the school day if there are issues.

Mr. Nazzaro asked if there was a plan to link content to standards (i.e., standards map). Ms. Alicea responded that linking content to standards was their intention. Mr. Nazzaro asked about attrition and if there was a plan in place for enrollment activities. Mr. Nazzaro also noted that “fundraising” was

referenced several times and he encouraged the school to think of more along the lines of “development activities”, that fundraising may not be enough.

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education approve the application for Capital City Charter School.

VOTE: The motion was approved by a vote of the Board with Kate Cassady opposed and the Chairman abstaining.

E. NH ESSA Plan Update – Heather Gage, Director, Division of Educational Improvement let the State Board know that the New Hampshire Every Student Succeeds Act (ESSA) plan that was submitted to the U.S. Department of Education on September 18, 2017 has been approved. Initial feedback was received on December 20, 2017, with a turnaround time of 15 calendar days for resubmission with clarifications. Ms. Gage publicly thanked everyone engaged in meeting the short turnaround deadline that took place over the holidays. The next steps will be putting together the business rules, the accountability system, making sure all sections of the ESSA plan focus on ensuring traditionally underserved students have excellent educational opportunities.

Today’s presentation will be conducted by Susan Lyons from the Center for Assessment, and will focus on the accountability section within ESSA to

address specific questions asked by the U.S. Department of Education regarding the plan. Ms. Lyons provided a slide presentation that included a broad overview of ESSA accountability. A foundation has been laid for designing a system with indicators. The two indicators chosen were accountability and reporting. The accountability indicators are dictated by federal law. To make sure indicators aren't penalizing schools with large proportions of students with limited English proficiency New Hampshire has chosen the option to have first year students' scores not included for accountability. They would take it the second year where growth would count but not achievement, and in the third year, achievement starts counting. Accountability systems for grades 3 through 8 and high school are listed separately. The accountability taskforce chose an equity indicator for grades 3 through 8 designed to incentivize schools to work closely with their lowest performing students. The high school indicator is postsecondary readiness.

Goals have to be set by law on the indicators of academic achievement, graduation rate, and English language proficiency. The taskforce wanted to base goalsetting on reality of past growth, historical achievement trends, and reasonable expectations going forward. These goals are statewide and the plan is to produce individual goals for all schools and the goals are only a barometer of how we are doing as a state, making sure we stay on track and continue to make progress. The summative determinations are used to identify schools for

support. Schools with subgroups performing below the threshold will be flagged and improvement plans will be created by districts.

In response to a question about the Performance Assessment for Competency Education (PACE), Commissioner Edelblut noted that the waiver for the program is expiring and a renewal waiver request will be filed to continue the pilot that program. Ms. Gage added the renewal waiver application is not a request for grant dollars, it is to allow the continued utilization of the PACE program. There is continued interest from schools to be part of the Tier III program and the search for private grants to help support the program are ongoing.

Ms. Chagnon stated she was on the initial taskforce for No Child Left Behind and said the statement that ESSA has the potential to improve our educational system compared to No Child Left Behind is the understatement of the universe. This is the way to move forward and is pleased that New Hampshire is moving forward with this model.

AGENDA ITEM V. OPEN BOARD DISCUSSIONS

There was no Open Board Discussion.

AGENDA ITEM VI. LEGISLATIVE ISSUES/RULES

A. PUBLIC HEARING – Specialist in Assessment of Intellectual Functioning (SAIF) (Ed 507.19 and Ed 614.08) - The Public Hearing opened at 1:00 p.m. and closed at 1:30 p.m. There were no speakers.

B. Adopt – “Guiding Principles: The Code of Ethics for New Hampshire Educators” and Initial Proposal – Professional Education Requirements (Ed 505.07 and Ed 610.02) – Ms. Nicole Heimarck, with the New Hampshire School Board Association, introduced herself and other members of the Commissioner’s taskforce that were present. The Commissioner’s taskforce on ethics has been involved in this work since September of 2016. The Professional Standards Board (PBS) worked on the proposed code from September 2015 to about June 2016. There was some dissatisfaction with the original proposal and Commissioner Edelblut felt the code of ethics should be universally shared and shouldn’t have variations from district to district. At the same time, the legislature passed House Bill 210 which gave the State Board of Education rulemaking authority to engage in a Code of Ethics for educators which is to be implemented by July 1, 2018. The previous Code of Ethics expired in 1999 and the differences between Code of Ethics and Code of Conduct needed to be updated. Key recommendations of the taskforce are outlined in the executive summary. The groups involved included major professional organizations across the state to ensure a broad perspective.

Presentations and trainings are planned to prepare for Public Hearings and Public Comments here at the State Board level in April. The Code of Ethics is designed to be a support and set of guidelines for educators; whereas, a Code of Conduct is designed to draw a clear line in the sand and define that line. This will be proactive and provide guidance and tools to educators. There was a realization in New Hampshire that the field of education was lacking clarity particularly when it came to conduct and the investigatory process here at the Department of Education. The New Hampshire Principles of Professional Conduct defines that line in the sand and says what an educator can or cannot do and typically has sanctions tied to it. The Code of Ethics operates in the circumstances where there is no right or best answer to a situation.

The key point to note with the Code of Conduct is that it is attached to licenses and educator certificates and applies to certified individuals in schools and that the State Board of Education has the authority to grant or remove an educator's certificate. It is also important to mitigate risks to schools, districts, educators, families and students and to protect student welfare. Ms. Heimarck reviewed highlights in the executive summary and pointed out important terms and definitions for both codes.

Clarity was needed around the differences between revocation and suspension. Public notification for suspensions were discussed and it was felt since suspension is temporary then publication should be temporary. Chairman

Cline felt the resolution of a case also needed to be provided. A disciplinary measure has been added at the Department of Education which would be a written reprimand placed in the educator's file. The Department wanted to have a mechanism in place to collect history if necessary to establish patterns of behavior. It was noted that an immediate suspension of a license would be pursued if an educator is arrested for one of the Section V violations.

Chairman Cline questioned the use of the word "advocating" being legal or constitutional. Attorney Diana Fenton responded and explained it has to be put in context because the Code of Ethics is an aspirational document, not a requirement. In her opinion, there is no issue but will be looked at again. Ms. Heimarck added they recognize it's not possible to design codes that address all hypotheticals but with the Code of Ethics specifically, a preamble was developed with the goal to put contextual elements to it that address concerns that may surface by different interpretations. All questions and concerns will be taken back to the taskforce for interpretation and solutions.

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education approve the "Guiding Principles: the Code of Ethics for New Hampshire Educators" and approve the Initial Proposal for Ed 505.07 and Ed 610.02 Professional Educational Requirements with a Public Hearing set for April 12, 2018.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

C. Initial Proposal – Professional Code of Conduct and Investigations (Ed 501)

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady, that the State Board of Education approve the initial proposal for Ed 501.01 and Ed 501.02 Purpose and Definitions, Ed 502.01 Confidentiality of Educator Certification Records, Ed 510 Principles of Professional Conduct, Ed 511 Investigations and Disciplinary Procedures, and Ed 512 Denial of Certification with a Public Hearing set for April 12, 2018.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

D. Initial Proposal – Mathematics Teacher; General Requirements Ed 507.26; Middle Level Ed 507.27; Upper Level Ed 612.17; Mathematics – Middle Level Ed 612.17 and Mathematics – Upper Level Ed 612.18

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education adopt Initial Proposal Mathematics Teacher; General Requirements Ed 507.26; Middle Level Ed 507.27; Upper Level Ed 612.17; Mathematics Middle Level Ed 612.17 and Mathematics Upper Level Ed 612.18 with a Public Hearing set for April 12, 2018.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

E. Final Proposal – Alternative Education and Career and Technical Education (Ed 1300)

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education approve the Final Proposal for Alternative Education and Career and Technical Education (Ed 1300).

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

F. Final Proposal - Manifest Educational Hardship (Ed 320) – Attorney Diana Fenton explained that copies containing edits from the Office of Legislative Services (OLS) attorneys were provided to the State Board. Most edits are editorial in nature with a few substantive comments. At Chairman Cline’s request two versions were created. Version one has the editorial and the substantive changes OLS wanted with comments from Bonnie Dunham incorporated and Version two contains the editorial changes.

Ms. Honorow has significant concerns about the removal of the word “substantial” and prefers language that would make it clearer versus taking it out. Ms. Chagnon agreed and discussion centered on changes to the language. Commissioner Edelblut expressed his feelings that this approach doesn’t have fidelity to the law and feels the focus should be shifted away from a determination of hardship to relief. Ms. Honorow stated she did not interpret the statute the same way and noted that the State Board only sees a fraction of the cases that parents bring forward to their local school boards.

Chairman Cline stated the rule has to include a process for determining hardship and the controversy surrounding the rule is the perception that it is a gateway to getting tuition to another school. Ms. Chagnon pointed out the legislature is currently working on a new manifest educational hardship law and Ms. Honorow reminded her that the State Board knew this last spring and should not wait any longer for a new law to pass.

Chairman Cline suggested use of the word “compelling” to replace “substantial”. There is also a concern with “shall or may demonstrate” and Ms. Honorow suggested adding a comma after the word “may”. Attorney Fenton will take suggested changes back for review.

MOTION: Cindy Chagnon made the following motion, seconded by Phil Nazzaro, that the State Board of Education approve the Final Proposal for Ed 320 Manifest Educational Hardship, Version One, as amended.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

AGENDA ITEM VII. REPORTS AND NEW DEPARTMENT BUSINESS

There were no reports or new department business.

AGENDA ITEM VIII. OLD BUSINESS

There was no old business scheduled and Chairman Cline wanted to use this opportunity to discuss an issue from Agenda Item B Verville/School Administrative Unit #53 case. This case is very similar to the Green case from

last month and is essentially the same legal case for categorization purposes. The Order in the Green case was issued and received by the parties. Since that case was deliberated in a nonpublic session and in compliance with RSA rules, Chairman Cline requested a motion to make those minutes publicly available.

MOTION: Helen Honorow made the following motion, seconded by Ann Lane, that the State Board of Education unseal the minutes from the nonpublic session of the Green case held on January 11, 2018.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

At this time, the Chairman requested the same categorization of the Green case as in the Verville case. This would mean rescinding the current Order and issuing a new one.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady, that the State Board of Education rescind the State Board of Education's Final Order in the Green case and recategorize the Green case as a complaint under authority of RSA 186:5.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

MOTION: Helen Honorow made the following motion, seconded by Ann Lane, that the State Board of Education reviewed the Hearing Officer Report and Recommendation and considered the arguments of the parties at the State Board meeting held on January 11, 2018. The State Board accepts the Hearing Officer report to the extent it held that the matter does not constitute a “dispute” under RSA 21-N:11, III. The State Board does not accept the report to the extent it held that the State Board does not have jurisdiction to consider the issues raised in the appeal. Rather, the State Board has authority to consider complaints regarding the operation of school districts under its general supervisory authority set forth in RSA 186:5. Accordingly, the State Board refers Ms. Green’s complaint to the Department for further review and investigation.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

Chairman Cline explained to Ms. Green that the motion authorizes the Department of Education to investigate her complaint.

AGENDA ITEM IX. CONSENT AGENDA

- A. Meeting Minutes of January 11, 2018

- B. Mill Falls Charter School Request for an Increase in Student Enrollment Starting in the 2018-2019 School Year.

MOTION: Cindy Chagnon made the following motion, seconded by Kate Cassady, that the State Board of Education approve the Consent Agenda.

VOTE: The motion was approved by vote of the Board with Phil Nazzaro, Sally Griffin and the Chairman abstaining.

AGENDA ITEM X. TABLED ITEMS

There were no tabled items.

AGENDA ITEM XI. NONPUBLIC SESSION

There was no nonpublic session.

AGENDA ITEM XII. ADJOURNMENT

The meeting was adjourned at 4:50 p.m.

MOTION: Cindy Chagnon made the following motion, seconded by Phil Nazzaro, that the State Board of Education adjourn the meeting.

VOTE: The motion was approved by unanimous vote of the Board with the Chairman abstaining.

Secretary