

New Hampshire  
State Board of Education  
Minutes of the July 15, 2015 Meeting

**AGENDA ITEM I. CALL TO ORDER**

The regular meeting of the State Board of Education was convened at 9:03 a.m. at the Department of Education, 101 Pleasant Street, Concord, NH. Tom Raffio presided as Chairman.

Members present: Tom Raffio, Bill Duncan, Cindy C. Chagnon, Gary Groleau, Helen G. Honorow, Gregory Odell, and Emma Rous. Virginia M. Barry, Commissioner of Education, and Paul K. Leather, Deputy Commissioner of Education, were also present.

**AGENDA ITEM II. PLEDGE OF ALLEGIANCE**

Emma Rous led the pledge of allegiance.

**AGENDA ITEM III. PUBLIC COMMENT**

Bonnie Dunham said she is very appreciative that the Department was willing to bring diverse stakeholders together for multiple meetings so that we could engage in collaborative discussions about the proposed restraint rules and reach points of agreement in the vast majority of areas where there had previously been disagreement. Bonnie has two remaining concerns involving listing the information to be included in records maintained by the school and if the complaint is dismissed because it contained insufficient information then she would like a statement that would give the complainant the opportunity to provide additional information.

Erin McIntyre said the Department would be requesting another waiver to extend until September 16, 2015 as this rule addresses many issues that impact not only children but educators. The Department continues to work closely with many of the key stakeholders that testified at the public hearing following the initial proposal of this rule.

**AGENDA ITEM IV. OPEN BOARD DISCUSSION**

## A. Follow-up from March 4 Retreat:

- Goals – Helen Honorow would like to be sure the Board goals align with Department priorities.
- Teacher Effectiveness
- Suspensions/Expulsions/Climate
- Protocol/Process-Teacher Layoffs (Will be discussed at Retreat)
- Date for July Retreat – July 24, 2015  
Chairman Raffio asked if there would be an opportunity to meet with Counsel during the Retreat. Commissioner Barry said several Department employees would be attending the Retreat to discuss Department issues.

B. Miscellaneous – Gregory Odell said that SAU #36 has been working collaboratively with their Culinary Arts students and NH Food Bank to feed children in his district. Week one fed an average of 50 children, week two fed 100 children and week three an average of 115 children. Feeding America's Children is fully funded by a USDA grant through the NH Food Bank. Commissioner Barry said that the Food and Nutrition Office here has done great work getting this summer program off the ground.

Chairman Raffio asked when the assessment results would be released to the public. Commissioner Barry said the Superintendents had met to define dates. There are eight trainings scheduled in the state with Superintendents, Principals and a staff member involved with testing. They will share this with teachers in mid-August. Commissioner Barry will be sharing a timeline for statewide trainings, release of data, and public release.

**AGENDA ITEM V. SPECIAL PRESENTATIONS**

A. Approval of New Charter School Application – New Hampshire Institute For Science & Technology, Grades 6-12 – Thomas Frischknecht, Founder, President and Chairman, Michael White, and Ali Rafieymehr, were present and spoke to this issue. Chairman Raffio mentioned the letter from Dyn and the letter from the Superintendent of Schools for the Salem School District. Mr. Frischknecht addressed the questions raised at the June 25<sup>th</sup> State Board meeting regarding the location, curriculum, mentoring program, governance, preference of faculty, support from parents/students, cooperation with local school districts, rationale for the expansion of student enrollment and explained the relationship between The Founders Academy Foundation and NH Institute for Science & Technology.

Board members expressed many concerns regarding the charter school application. Concerns expressed by the Superintendent of Schools for the Salem School District were noted regarding location. The Board noted concerns as to the location in Salem and the demand for a charter school in this area. Additionally, concerns were expressed that this charter application appears to be the same as the Founders Academy Foundation application. Concerns were expressed regarding the curriculum and the graduation requirement. The Board discussed the statewide need for STEM graduates. The Board also noted concerns with the number of students beginning with 100-500 students.

**MOTION:** Gary Groleau made the motion, seconded by Cindy Chagnon, that the State Board of Education authorizes the New Hampshire Institute for Science & Technology application to move forward with 400 students.

**VOTE:** This was done by a roll call vote: Emma Rous – No; Gary Groleau – Yes; Gregory Odell – No; Cindy Chagnon – Yes; Tom Raffio – Yes; Bill Duncan – No; Helen Honorow – No. The motion failed by a 4 – 3 vote.

B. Hearing – Student/Berlin School Board – SB-FY-15-02-008 – The issue in this matter is that the parents appealed the school board’s decision regarding Manifest Educational Hardship.

**MOTION:** Cindy Chagnon made the motion, seconded by Gregory Odell, that the State Board of Education voted to accept the Hearing Officer’s Report and adopt the Hearing Officer’s Recommendation.

**VOTE:** The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

C. Hearing – Student/Candia School Board – SB-FY-15-02-007 – Karen Hewes, Attorney for the Parents, Gordon Graham, Attorney for the Candia School District, the Parents, and Charles Littlefield, Superintendent of Schools for SAU #15, were present. Chairman Raffio asked the parties if they would like the hearing in public or nonpublic session. They elected to hold it in nonpublic session.

**MOTION:** Emma Rous made the motion, seconded by Cindy Chagnon, to go into nonpublic session pursuant to RSA 91-A:3.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes; Bill Duncan – Yes; Helen Honorow – Yes.

MOTION: Cindy Chagnon made the motion, seconded by Emma Rous to come out of nonpublic session.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes; Bill Duncan – Yes; Helen Honorow – Yes.

MOTION: Helen Honorow made the motion, seconded by Emma Rous, that the State Board of Education remand the Student/Candia School Board – SB-FY-15-02-007 – case back to the Candia School Board in light of the questions about due process to allow the parents to present all evidence.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes; Bill Duncan – Yes; Helen Honorow – Yes.

MOTION: Cindy Chagnon made the motion, seconded by Gregory Odell, to seal the Minutes of this case for an indefinite period.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – Yes; Cindy Chagnon – Yes; Tom Raffio – Yes; Bill Duncan – Yes; Helen Honorow – Yes.

D. Professional Educator Preparation Program Items

1. Antioch University New England – Virginia Clifford introduced the following people: Laura Thomas, Director, Antioch Center for School Renewal, Leatrice Oram, Associate Vice President for Academic Affairs, Visiting Team Dr. Dottie Bauer, Professor of Education, Keene State College and Michael Fournier, Principal, McKelvie Intermediate School, Bedford, were present. Antioch University New England requested a review for two proposed new programs in Education Technology Integrator and Library Media Specialist, which are both critical shortage areas in the state. The site visit for the proposed programs occurred on November 10, 2014. The University agreed to see the program review visit as an opportunity for feedback and technical assistance in the development of its candidate and program assessment systems, as part of the transition to the newly approved Ed 600s and program approval process.

The University modified its original proposal in response to the feedback to develop an improved implementation plan. Based on the final report, the Council for Teacher Education made the following recommendation.

**MOTION:** Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education grant three-year conditional approval to Antioch University New England for the Education Technology Integrator and Library Media Specialist professional educator preparation programs through August 31, 2018.

**VOTE:** This motion was adopted by unanimous vote of the Board present, with the Chairman voting.

2. Granite State College – Virginia Clifford introduced Dr. Mary Ford, Associate Dean of Education Programs. The March 31, 2015 on-site review of three proposals for new programs at Granite State College was conducted using the revised Department state approval process. The focus of the review was on how the institution utilizes evidence-driven decision-making systems to determine candidate and program effectiveness, address New Hampshire State Standards, and use this assessment evidence for continuous program improvement. Granite State College requested approval for Education Technology Integrator, School Principal, and Library Media Specialist programs. Based on the final report, the Council for Teacher Education made the following recommendation.

**MOTION:** Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education grant conditional approval to the following newly proposed professional educator preparation programs at Granite State College through December 31, 2016: Ed 612.19 Education Technology Integrator Program, Ed 614.04 School Principal Program and Ed 614.11 Library Media Specialist.

**VOTE:** The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

A. Update on Manchester School District – Paul Leather introduced Debra Livingston, Superintendent of Schools, David Ryan, Assistant Superintendent and Pat Snow, Executive Director of the Innovation Zone, from the Manchester School District. Deputy Commissioner Leather said that Commissioner Barry and he have spoken recently to the leadership of the Manchester School District and requested that they consider coming forward to the State Board to give an update.

MST was approved conditionally and there have been some developments there as well as the fact that Commissioner Barry has done several visits to the schools within the Innovation Zone and has been highly impressed with the approach the leadership has taken and the schools have taken with regards to that Innovation work. Although we all recognize Manchester has a difficult environment for education and that both Commissioner and I have complete support and belief in the direction the leadership being provided by Dr. Livingston and her staff. Dr. Livingston, David Ryan, and Pat Snow shared a number of innovative and coherent school improvement strategies they are employing within the Innovation Zone and across the whole district. They expressed their appreciation for the Department's support for this work. We are real excited that we are drawing a lot of attention to our excellence. You are probably aware that Parker Varney School who has been a priority school was named the New Hampshire Elementary School of the Year. They have a teacher who is a nominee as New Hampshire Teacher of the Year. Arthur Adamakos, Principal at Memorial High School, was named New Hampshire Principal of the Year. Bakersville School is a School of Excellence. Norma Gonzalez from Beech Street School received the New Hampshire After School Network Excellence in After School Network Excellence Award. We also have the distinguished Music Educator of the year in Diane Francoeur from West.

David Ryan spoke about the academics in the Manchester School System. They worked through the New Hampshire College and Career Readiness Standards which was probably the best professional development our teachers could have had. There is a major shift in our classrooms. Mr. Ryan said they are working with the College Board relative to advanced placement. The College Board said that Central High School placed highest in the Nation. They are establishing partnerships with other agencies.

Dr. Livingston said that Manchester will be renovating five buildings this summer. MST is in phase one and phase two next year. We are revamping our adult education program at 521 Maple Street which will be the center for adult education. We have a partnership with UNH Manchester where they are going to house five classrooms for our adult education students so they can be together there and there will be a partnership with the teachers. We have received a couple of historic preservation awards through renovations last year to Bakersville Elementary School as well as the Hallsville Elementary School because the clock has been reinstated there.

The first graduating class at MST will be next year. Starting in the fall we have all four grade levels for the high schools and they will be filled. There are over one hundred freshmen students coming in. Dr. Livingston reported that they have been very intentional regarding class size. We have a team of teachers to the middle schools in our current budget making sure that our budget moves forward and we are focusing on teachers in the classroom. One of the major areas we are focusing on are the middle schools and that we are meeting the standards in all of our classrooms at the beginning of our school year.

Mr. Ryan said that the use of technology for the college career program expanded the PSAT program for all of our sophomore class and that eighty per cent of the sophomores participated in the tests. We will increase it for the juniors to participate in PSAT.

#### **AGENDA ITEM VI. NEW DEPARTMENT BUSINESS**

A. New Hampshire Ensuring Equitable Access for All Students to Excellent Educators – Karen Soule shared with the State Board that the Ensuring Equitable Access to Excellent Educators for All Student Plan was submitted and that it is clearly just the first step in an on-going process. She also shared that since the submission of the plan the initial development of a communication plan with stakeholders has begun. We need to draw on their expertise and resources as we move forward. In addition, dates for quarterly meetings of the Stakeholder group have been established and we are also making sure that we have a truly representative group. We have not as yet had feedback from the USED on the plan. We have already had one meeting with Manchester and a second is planned so that we can determine possible next steps. As this unfolds we will keep the State Board updated.

#### **AGENDA ITEM VII. LEGISLATIVE ISSUES**

A. Final Proposal – Chapter Ed 1200 Restraint and Seclusion for Children – A vote is needed by the Board to readopt with amendment the Final Proposal for Ed 1200, Chapter Ed 1200 Restraint and Seclusion for Children, Part Ed 1201 Limiting the Use of Child Restraint Practices. The Department has made changes to the draft Final Proposal in response to comments from the public and from the Administrative Rules Office staff attorney. The Final Proposal will be submitted to the JLCAR for its review. After approval by the JLCAR, the Board may then adopt the final rule at its next regularly scheduled meeting.

MOTION: Bill Duncan made the motion, seconded by Gary Groleau, that the State Board of Education adopt the Final Proposal for Ed 1200 Restraint and Seclusion for Children.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

B. Changes to Final Proposal – Conditional Approval – Ed 505.03(e), 506.05 Curriculum Administrator, and Ed 614.12 Curriculum Administrator – A vote is needed by the Board to adopt the conditional approval. The conditional approval is based on changes to the final proposal as discussed with the JLCAR at its June 19, 2015 public hearing. If we make the following changes, the Office of Legislative Services can determine we have amended the rules in accordance with the conditional approval and issue a letter to that affect. The conditional approval includes deleting part of Ed 506.05(d) (1) (f) and Ed 614.13 (b) (f) which referenced the National Association of State Directors of Teacher Education and Certification of Ethics for Educators (2015) (p. 2 and 5) and the addition of (c) to Ed 506.06, which outlines what the Department will review in determining whether candidates for certification have the required skills, competencies, and knowledge. Once reviewed by the Office of Legislative Services to determine the rules have been amended in accordance with the conditional approval and RSA 541-A:13, V(a), the Board may then adopt the final rule.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, that the State Board of Education adopt the changes to the Final Proposal for Ed 505.03(e), 506.05 Curriculum Administrator, and Ed 614.13 Curriculum Administrator to comply with the conditional approval for rule filing 2014-188.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

C. Final Proposal – Ed 507.16 and Ed 612.21 Physical Education, Ed 506.04 Principal and Ed 506.08 Assistant Principal – A vote is needed by the Board to adopt the Final Proposal for Ed 507.16 and Ed 612.21 Physical Education, Ed 506.04 Principal and Ed 506.08 Assistant Principal. The Department has made changes to the initial proposal as annotated in response to comments from the staff attorney for JLCAR. The Final Proposal will be submitted to the JLCAR for its review. After approval by the JLCAR, the Board may then adopt the final rule at its next regularly scheduled meeting.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, that the State Board of Education adopt the Final Proposal for Ed 507.16 and Ed 612.21 Physical Education, Ed 506.04 Principal and Ed 506.08 Assistant Principal.



VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

D. Initial Proposal – Ed 306.31 Arts Education Program, Ed 306.37 English/Language Arts, Ed 306.40 Health Education Program, Ed 306.41 Physical Education Program, Ed 306.42 Information and Communication Technologies Program, Ed 306.43 Mathematics Program, Ed 306.45 Science Education Program, Ed 306.46 Social Studies Program – A vote is needed by the Board to enter the rulemaking process to adopt the Initial Proposal. There are currently emergency rules in place. The Board has 180 days from the date of adoption of the emergency rules (June 25, 2015) to adopt rules covering these minimum standards. If the Board adopts the initial proposal, the Department will enter the rulemaking process by filing it with the JLCAR, along with a request for a fiscal impact statement. The Board will hold a public hearing at its September meeting. This information will be published in the Rulemaking Register next month.

MOTION: Cindy Chagnon made the motion, seconded by Bill Duncan, that the State Board of Education adopt the Initial Proposal for Ed 306.31 Arts Education Program, Ed 306.37 English/Language Arts, Ed 306.40 Health Education Program, Ed 306.41 Physical Education Program, Ed 306.42 Information and Communication Technologies Program, Ed 306.43 Mathematics Program, Ed 306.45 Science Education Program, Ed 306.46 Social Studies Program, Ed 306.47 Technology/Engineering Education Program, and Ed 306.48 World Languages Program with a public hearing held on September 9, 2015 at 11:00 a.m.

VOTE: This motion was adopted by unanimous vote of the Board present, with the Chairman voting.

E. Various Items and Related Bills – Bill Duncan reported that Governor Hassan has signed HB 323 and that the Governor, Board and Department are on the same side. Chairman Raffio said that Bill Duncan had been very helpful tracking the different bills.

Mr. Leather said the House passed their version of the reauthorization of ESEA and the Senate will vote on their version this week. In the Senate version there is an innovation demonstration section for accountability that is modeled on New Hampshire PACE.

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

Commissioner Barry reported on the following items:

1. The Department had a second call with USDE on the waiver to answer further questions.
2. Scott Mantie will be at the Retreat to present the time line for Smarter Balanced Assessment.
3. The College Board has been extremely supportive of providing technical assistance in the assessment.
4. The SAT testing will be April 12. Nate Greenberg has a presentation regarding SAT testing that will be shown at a Board meeting.
5. Eric Feldborg is our new STEM Administrator.
6. We have hired Nicole Himarck for our higher education program approval process.
7. I have been meeting with the school nurses in the state on school nursing issues. We are meeting on August 20 to discuss these concerns.
8. Tim Carney has taken Lisa Danley's position in CTE.

**AGENDA ITEM IX. OLD BUSINESS**

There was no Old Business at this meeting.

**AGENDA ITEM X. CONSENT AGENDA**

A. Minutes of June 25, 2015 Meeting

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, to approve the Minutes of June 25, 2015.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

B. Minutes of Nonpublic Hearing - July 10, 2015

MOTION: Cindy Chagnon made the motion, seconded by Bill Duncan, to approve the Minutes of July 10, 2015 Hearing and to seal the Minutes for an indefinite period.

VOTE: The motion was adopted by a 5 – 0 vote with Emma Rous and Gary Groleau abstaining.

C. Home Education Advisory Council

1. George D’Orazio – Mr. D’Orazio serves on the Home Education Advisory Council and this would enable him to continue and represent Catholics United for Home Education – NH for the term 2015-2018.

MOTION: Cindy Chagnon made the motion, seconded by Bill Duncan, that the State Board of Education approves the nomination of George D’Orazio to continue representing Catholics United for Home Education-NH on the Home Education Advisory Council for the term 2015-2018.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

2. Amy Gall – Amy Gall serves as Chair of the Home Education Advisory Council and this would enable Amy to continue and represent the NH Homeschooling Coalition on the Council for a term since her current term ended in June 2015.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education approves the re-nomination of Amy Gall to continue representing the NH Homeschooling Coalition on the Home Education Advisory Council for a term since her current term ended in June 2015.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

**AGENDA ITEM XI. TABLED ITEMS**

There were no Tabled Items at this meeting.

**AGENDA ITEM XII. NONPUBLIC SESSION**

The Board went into Nonpublic Session under Special Presentations.

**AGENDA ITEM XIII. ADJOURNMENT**

MOTION: Cindy Chagnon made the motion, seconded by Bill Duncan, to adjourn the meeting at 2 pm.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

*Virginia M. Barry*

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Secretary