

New Hampshire
State Board of Education
Minutes of the January 7, 2016 Meeting

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 9:25 a.m. at the Department of Education. Tom Raffio presided as Chairman.

Members present: Tom Raffio, Cindy C. Chagnon, Bill Duncan, 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

Bill Duncan led the pledge of allegiance.

AGENDA ITEM III. PUBLIC COMMENT

There was no Public Comment at this meeting.

AGENDA ITEM IV. OPEN BOARD DISCUSSION

A. Update on Charter Dashboard – Dr. Scott Mantie and Mr. Keith Burke presented an update of the Charter School Dashboard project. Keith recapped the project by stating it was developed in response to an original request from the Board, and that the charter leaders earlier had agreed to the basic dashboard variables. A subsequent prototype dashboard was developed and presented to the Board with a suggested data collection system. The development of the data collection tool has been delayed due to diminished capacity of the technical staff. However, work is continuing on the data collection tool and dashboard displays. Dr. Mantie explained that he believes this project affords two important opportunities. First the charter schools will be incorporated into the newly developed school approval process currently being conducted by Keith Burke and Jerry Frew. Secondly, the dashboard project provides an opportunity to work with the charter schools to develop a multiple measures approach to accountability in accordance with the new ESSA legislation. The result is that the standards for charter schools and New Hampshire public schools will become more closely aligned. Dr. Mantie stated that he would provide regular progress updates to the Board in the future.

B. Update on Science Standards – This item will be discussed at the February meeting. Chairman Raffio wants to be sure the stakeholder process is followed.

C. ESSA – Every Study Succeeds Act – Cindy Chagnon said the No Child Left Behind Act has been replaced by this Act. The ESSA addresses local governance and flexibility that support innovation programs and effectiveness for continued gains in student achievement among all students.

D. Most Likely to Succeed – Chairman Raffio attended the showing of the documentary film in Portsmouth last night and was on the panel with Producer Ted Dintersmith and John Shea. It is a great representation of New Hampshire policy. Commissioner Barry said that the film had been presented at Bow High School earlier and will be presented to all regions in the state. It is a high school documentary but they would like to have the elementary and middle schools involved in a documentary.

E. Visit – Commissioner Barry is arranging a visit by officials of the United States Department of Education to Rochester, Sanborn, and Souhegan in the next month.

F. 65/25 – Chairman Raffio said this goal is gaining a lot of support from the Business and Education Coalition.

G. Budget – Gregory Odell said that at the last meeting of the Board he had mentioned that some irate taxpayers said that Coos County was one of the poorest in the country and Cindy found out that it doesn't even meet the bottom 100 that the poorest ones are in the low 20,000 household income and that Coos is in the 40,000 for low income. It's the poorest in New Hampshire but it didn't hit the top 100. They have names on a petition warrant article to reduce SAU #36's budget by a million dollars.

AGENDA ITEM V. SPECIAL PRESENTATIONS

A. The LEAF Charter School Application – Dakota Benedetto, Katy Haas, and Barbara Davis, were present and spoke regarding this charter school. In the fall of 2016, The LEAF Charter School plans to open with 28 students in grade 9. In the future this charter school intends to offer grades 9-12. The LEAF Charter School will provide expanded educational opportunities for all students, through an intellectually rigorous STEAM curriculum and strong partnerships with creative professionals. The students will graduate prepared for 21st century careers and communities. The school name embodies the major tenets of the charter: **L**earning from Local Leaders, **E**xperiential Education, **A**rts Integration & Academic Achievement, **F**reedom & Flexibility.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education voted to authorize The LEAF Charter School application to move forward.

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

B. Video (25 Minutes) – NH’s Success with Dropout Prevention in Rural Schools - The New Hampshire video highlighting our success to reducing dropouts in rural areas was produced by the Clemson University Media Center in conjunction with a USDOE Rural Dropout Prevention Project that included fifteen states. In addition to highlighting the efforts taken to reduce dropouts through policy and funding changes at the state level, the video focuses on comprehensive Dropout Prevention Programs at Concord and Kennett High Schools. New Hampshire has a significantly lower dropout rate than any of the other fourteen states that participated in the project.

C. Public Hearing – Ed 506.07 Special Education Administrator and Ed 614.15 Special Education Administrator Program – Chairman Raffio opened the hearing at 11:00 a.m. There was no public testimony. Ed 506.07 contains the certification requirements for Special Education Administrators and Ed 614.15 contains the requirements for the Special Education Administrator Program. The rules are being proposed or updated with competencies consistent with current standards and practice. Chairman Raffio closed the hearing at 12:00 p.m.

Gregory Odell left the meeting at 11:45 a.m.

D. Teen Cook-Off Program – Emily Bernhardt, Physical Education Teacher at Pittsburg School, and Stacy Purslow, NH Farm to School Coordinator, met with the Board. Emily presented a concept for a statewide “Teen Cook-Off.” Emily has been working with the Coordinator from UNH Sustainability Institute on this concept. She established this program in 2011 in Pittsburg, then expanded it in 2014 for students from Pittsburg, Stewartstown, and Colebrook. They would like to take it statewide and wanted to share the idea with the Board. “TEEN Cook-Off” stands for **T**eenagers, **E**ating, **E**verything, **N**utritious. Emily feels it would build community involvement, college/career development, and statewide school connections.

MOTION: Bill Duncan made the motion, seconded by Cindy Chagnon, that the State Board of Education endorse the Teen Cook-Off Program and have Chairman Raffio send a letter stating that the Board endorses the program.

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

Commissioner Barry said she would check to see if she can find some funding and that this could also be put up on the Department's website.

E. PACE Update and Discussion – Paul Leather and Scott Marion updated the Board on PACE. Dr. Marion said the report was submitted to Washington by the deadline of October 31st. He presented a power point describing the public release of PACE results that went out in December, and how they differ from the SBAC results.

F. Newport School District Withdrawal Plan From SAU #43 – Cindy Gallagher, Superintendent of Schools for SAU #43, met with the Board. Prior to submitting this plan to the State Board of Education, RSA 194-C:2, I (b)(1) calls for at least one public hearing on the plan within the proposed school administrative unit and shall give such public notice of the hearing at least two weeks before the hearing and in all affected school districts. Since there was not a two week notice the State Board of Education did not have the authority to vote on this item.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education accepts the Newport School District Withdrawal Plan from SAU #43 but notes deficiencies in the plan; not all statutory requirements were met. The plan was returned to the Newport School District due to a lack of proper notice for the public hearing.

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

Board members decided they would hold a special meeting before the February 11th Board meeting, if needed, to vote on this item.

G. Croydon School District Plan for Withdrawal from SAU #43 – Cindy Gallagher, Superintendent of Schools for SAU #43, met with the Board. Prior to submitting this plan to the State Board of Education, RSA 194-C:2, I (b)(1) calls for at least one public hearing on the plan within the proposed school administrative unit and shall give such public notice of the hearing at least two weeks before the hearing and in all affected school districts. Since there was not a two week notice the State Board of Education did not have the authority to vote on this item.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education accepts the Croydon School District Withdrawal Plan from SAU #43 but notes deficiencies in the plan; not all statutory requirements were met. The plan was returned to the Croydon School District due to a lack of proper notice for the public hearing.

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

H. Windham Academy Charter School Application – Andrea Alexander, Esq. from The Foundation for Student Achievement, met with the Board. Since there were deficiencies in the application, Board members decided to return the application to the parties and schedule the presentation for the February 11th State Board meeting. Chairman Raffio said that the Board is supportive of charter schools. The revised application should be sent to the Department by January 31st as it needs to be forwarded to Board members for review.

AGENDA ITEM VI. LEGISLATIVE ISSUES

A. Initial Proposal – ED507.48 Comprehensive Family and Consumer Science Education Teacher and Ed 612.31(g) Comprehensive Family and Consumer Science Preparation Program – A vote is needed by the Board to enter the rulemaking process to adopt the Initial Proposal for Ed 507.48 Comprehensive Family and Consumer Science Education Teacher and Ed 612.31(g) Comprehensive Family and Consumer Science Education Preparation Program. The comprehensive family and consumer science teacher and program rules are being updated to reflect current standards and practices. If the Board adopts the Initial Proposal, the Department will enter the rulemaking process by filing it with the Office of Legislative Services, along with a request for fiscal impact statement. The Board will hold a public hearing at its March 2016 meeting. This information will be published in rulemaking next month.

MOTION: Cindy Chagnon made the motion, seconded by Bill Duncan, that the State Board of Education adopt the Initial Proposal for Ed 507.48 Comprehensive Family and Consumer Science Education Teacher and Ed 612.31(g) Comprehensive Family and Consumer Science Education Preparation Program. The Board will hold a public hearing on this rulemaking filing for March 24, 2016 at 11:00 a.m.

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

B. Adopted Rule – Ed 306, Minimum Standards for Public School Approval – A vote is needed by the Board to adopt ED 306, relative to the minimum standards for public school approval filing 2015-136. The Office of Legislative Services has determined the rules have been amended in accordance with the conditional approval and RSA 541-A:13, V9A), the State Board may now adopt the rule.

MOTION: Cindy Chagnon made the motion, seconded by Bill Duncan, that the State Board of Education adopt Ed 306 (various), relative to the minimum standards for public school approval filing 2015-135.

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

C. Amended Final Proposal – Ed 1200 Restraint and Seclusion for Children – A vote is needed to adopt the amended final proposal for Ed 1200. The Department has made changes to the final proposal in response to the Administrative Rules Office staff attorney's recommendations. If the Board adopts the amended final proposal, it will be submitted to JLCAR for its review. It will then go before the JLCAR Committee for a public hearing and review. If it is approved by the committee, the State Board will then be able to adopt the final rule at its next regularly scheduled meeting.

MOTION: Cindy Chagnon made the motion, seconded by Helen Honorow, that the State Board of Education adopt the final proposal for Ed 1200.

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

D. Various Items and Related Bills – Bill Duncan reported that he is looking for an opportunity to brief House and Senate leadership and the Governor's Office on the results of the first year of the PACE process.

Bill Duncan discussed the funding for the charter school oversight position that Senator Dan Feltes has submitted. There are two problems with the bill: 1. Governor and Council approval makes it a political position; 2. the duties are not oversight duties but promotional duties. Bill thinks that the House would submit an amendment removing G & C and changing the duties to oversight duties and not promotional. Commissioner Barry said the Board and Department have come to a great place with charter schools. We are incredibly supportive. Our administration is working with charter schools. Commissioner Barry feels that the

staff person should not be politically motivated. Bill said that he and the Chairman can work with legislators to make the Board's views known.

Bill said the Department does not have the capacity for oversight that Commissioner Barry has been carrying out the duties. Bill said that he thought Rep. Ladd might combine the proposals into a single bill. The Board said that Chairman Raffio could testify on changing the job description to be more toward oversight and not promotional.

Bill Duncan said that the Board needs to decide on a process for the seventy bills that have been submitted. There would not be seventy bills that the Board would need to testify on. Bill suggested that the Chairman could circulate proposed testimony by email and hearing no objection from Board members could present it as Board testimony. This item should be an agenda item for the February 11th State Board meeting to establish the Board's position on which the Board might want the Chairman to testify.

E. Charter Testimony – Chairman Raffio said that Bill Duncan has prepared draft testimony to HB 126 Charter School and Special Education Commission for discussion. Board members discussed and agreed that Chairman Raffio could use this testimony.

AGENDA ITEM VII. COMMISSIONER'S REPORT AND NEW DEPARTMENT BUSINESS

Commissioner Barry reported on the following items:

- Commissioner meet with the Higher Education Oversight Committee along with Todd Leach and Tom Schram. All public institutions were represented. The focus was on preparing teachers and leaders in competency-based education, math and science preparation. There was a discussion on SAT scores.
- Hired part-time School Nurse Consultant – Nancy Wells – Office of School Wellness.
- Hired new Business Administrator – Tammy Vaillancourt.
- Hired new CTE Director – Eric Feldborg – The CTE program will be moving to Londergan Hall.
- We will be recruiting and hope to hire soon a STEM Director since Eric is the new CTE Director.
- ESSA Plan – This document focuses on equity for all children. The Department will be developing a plan. We continue to have our current waiver until August 1st.
- The Guidelines for SAT was released yesterday and dates established for SAT testing.

AGENDA ITEM VIII. OLD BUSINESS

A. Discussion on Student/Greenland School District – SB-FY-15-10-004 – Chairman Raffio said that at its September 2015 meeting, the Board issued a decision that contained several rulings, including an order that the Greenland School District “send a letter to the parents of all students attending the school where the bullying incidents took place notifying them” of the State Board’s decision. The Board ordered that this letter discuss bullying and sensitivity. On October 2, 2015, the Greenland School District submitted a Motion for a Rehearing. The school district requested that the State Board of Education reconsider its order requiring that a letter be issued. At the November 18, 2015 State Board meeting the Board voted to deny the Motion for Rehearing. By denying this motion, the Board’s original order was reinstated. During the hearing members of the State Board proposed that a draft letter be submitted to the State Board for review. The family of the child, at the center of this hearing, also offered to review the school district’s letter. However, the ultimate motion that was proposed and voted on by the Board did not include a requirement that the State Board and child’s family review and approve the letter prior to it being mailed. Chairman Raffio said he is extremely disappointed by the Greenland School Board’s unwillingness to have the letter reviewed and approved by the State Board and the family. The State Board felt that it was important that the community know that bullying did occur and that it was concerning.

MOTION: Bill Duncan made the motion, seconded by Gary Groleau, that the State Board members authorize Chairman Raffio to write a letter to the Greenland School Board expressing in the terms in which he has been expressing our dissatisfaction with their resolution to the Board.

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

Helen Honorow said that the letter should include that it is important for the community to understand that these incidents have occurred.

AGENDA ITEM IX. CONSENT AGENDA

A. Minutes of December 14, 2015 Meeting

MOTION: Cindy Chagnon made the motion, seconded by Bill Duncan, to approve the Minutes of December 14, 2015.

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

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B. Tuition Agreement Between the Nottingham School Board and Coe-Brown Northwood Academy – Board members approved a temporary Memorandum of Understanding at the December meeting.

MOTION: Cindy Chagnon made the motion, seconded by Bill Duncan, that the State Board of Education voted to approve the Tuition Agreement between the Nottingham School Board and Coe-Brown Northwood Academy commencing July 1, 2016 and ending on June 30, 2023.

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

AGENDA ITEM X. NONPUBLIC SESSION

Board members did not go into Nonpublic Session at this meeting.

AGENDA ITEM XI. ADJOURNMENT

MOTION: Cindy Chagnon made the motion, seconded by Bill Duncan, to adjourn the meeting at 2:10 p.m.

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



Secretary