

New Hampshire  
State Board of Education  
Minutes of the August 15, 2016 Meeting

**AGENDA ITEM I. CALL TO ORDER**

The regular meeting of the State Board of Education was convened at 9:05 a.m. at the State Department of Education, 101 Pleasant Street, Concord, NH. Tom Raffio presided as Chairman.

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

**AGENDA ITEM II. PLEDGE OF ALLEGIANCE**

Gary Groleau 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 Science Standards – Deputy Commissioner Leather was happy to announce that Barbara Hopkins had been hired to oversee science for the department. Barbara will be starting full-time in October; however, she will be working to schedule focus groups on the Science Standards process throughout September. Barbara Hopkins is a very well-known and experienced science educator, and has provided much in the way of professional development to folks around the state and the department is very pleased to have her.

Chairman Raffio asked about the timetable being affected and Deputy Commissioner reported that it was back on schedule.

Emma Rous commented that Barbara Hopkins was a fantastic choice.

Barbara Hopkins was present at the meeting and was invited to speak. Barbara mentioned that she had been before the Board approximately a year ago pressing for the Science Standards to be updated and is confident in being able to move this initiative forward.

Helen Honorow welcomed Barbara and stated she had a great deal of confidence in Barbara's abilities and asked Barbara if she anticipated any obstacles that would somehow prevent her moving forward and how would she deal with those obstacles. The only obstacle Barbara could see would be a period of warm-up for some of the teachers that have not had a science background or science training (i.e., K-8). It's a pedagogical change.

B. Farmington – Teacher/Farmington School Board – SB-FY-14-08-004  
 Attorney James Allmendinger representing Demetria McKaig was present. There was no representative present for the Farmington School District. Attorney Allmendinger spoke to the Board regarding the two motions presented to the Board.

Chairman Raffio thanked Attorney Allmendinger for being prepared and succinct in his testimony. Chairman Raffio requested that the matter be tabled until the September meeting.

Attorney Allmendinger stated that he would submit today's testimony in a memo for the Board to address at the September meeting.

Helen Honorow wanted to clarify that the intent of the motion is to have both sides present in September to address the issue of timeliness and the remedies that Ms. McKaig is seeking.

MOTION: Chairman Raffio made a motion, seconded by Emma Rous to table the matter until the September 15, 2016 meeting.

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

Attorney Allmendinger thanked the Board for the opportunity to speak.

## **AGENDA ITEM V. SPECIAL PRESENTATIONS**

A. Franklin School District Plan for Withdrawal from SAU#18  
 Present were Attorney Matthew Upton, representing the Franklin School District, Attorney Ed Lawson, representing the Hill School District and George Dzunja, City Counselor for Franklin and appointed to represent the public in this matter. Chairman Raffio swore in Mr. Dzunja, as he is not an attorney. Attorney Lawson addressed the Board and spoke of the withdrawal plan that complies with the requirement of the statute and adequately addresses the issues that were presented to the Board. Since the plan was filed, the two school districts have entered into a Memorandum of Understanding (MOU), endorsed by the withdrawal study committee, which deals with the division of all the assets, future liabilities and any monies left over after the audits are complete. Attorney Upton

wasn't sure if a copy of the MOU had been given to the Board, but is happy to do so if one had not been supplied. Chairman Raffio asked if there were any questions for Attorney Upton.

Cindy Chagnon asked if the repayment of the middle school bond, as it was negotiated with the Town of Hill, would be affected by the dissolution of the SAU. Does it change any fiscal analysis for the Town of Hill? Attorney Upton responded that it does not.

Helen Honorow stated that in the materials provided to the Board the public hearing minutes indicate that the withdrawal committee voted to consider a consolidation and that the vote was 4 to 3, but it was not addressed in the plan.

Mr. Dzunja responded and stated one of the reasons why they were looking at this was because of the financial challenges with the school and the city. The Town of Hill did not want to be part of any consolidation efforts; therefore, it was taken off the table. Mr. Dzunja, continued by saying that with the loss of revenue from adequacy, and by the stabilization grants, and from everything else, it's imperative that we all work together and some of that working together has to do with collaboration and consolidation to make better judgments on what is to be done.

Attorney Upton added that the deep political divide between the two School Boards added to the decision not to consolidate.

MOTION: Cindy Chagnon made a motion, seconded by Gary Groleau to approve the Franklin School District Plan for Withdrawal from SAU #18 for submission to the voters of Franklin because it meets the statutory requirements for a withdrawal plan.

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

B. Home Education Advisory Council Annual Report

Amy Gall, Chair, Home Educator NH Homeschooling Coalition, presented an in-depth report. Deputy Commissioner Leather asked if an electronic copy of the report could be provided to the Department and the Board to review and see where assistance and/or direction can be provided to the Home Education Advisory Council.

Chairman Raffio asked that follow up to the report be included on the September meeting agenda.

C. Public Hearing – Ed 504.05 Paraeducator II & Ed 504.06 Paraeducator I – Chairman Raffio opened the hearing at 10:25 a.m. There was no testimony. Chairman Raffio closed the hearing at 11:30 a.m.

D. Public Hearing – Ed 507.14 & Ed 614.07 School Social Worker I – Chairman Raffio opened the hearing at 10:45 a.m. There was no testimony. Chairman Raffio closed the hearing at 11:30 a.m.

E. Public Hearing – Ed 507.49 & Ed 612.32 – Dance Education – Chairman Raffio opened the hearing at 10:45 a.m. There was no testimony. Chairman Raffio closed the hearing at 11:30 a.m.

F. Public Hearing – Ed 507.12 & Ed 614.02 – Reading & Writing Specialist Preparation – Chairman Raffio opened the hearing at 10:35 a.m. Bonnie Dudham testified and made language recommendations which will be sent electronically to Ginny Clifford. Chairman Raffio closed the hearing at 11:30 a.m.

G. Student/Monadnock Regional School Board – SB-FY-16-04-009

MOTION: Helen Honorow made the motion, seconded by Cindy Chagnon, to accept and adopt the State hearings officer's recommendation.

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

H. SAT College Board Update

Deputy Commissioner Paul Leather explained that the department is preparing a news release and will get it out to the Board as soon as it is ready. The good news is that we had much higher participation rate with SAT in 11<sup>th</sup> grade than we had in the previous year with Smarter Balanced and our inference that students had a reason to take it, that it would matter in their lives in the future really seemed to take hold. We have been able to use it for accountability purposes as well. Results are pretty good. 67% of students met college entry writing benchmarks in English Language Arts through this administration, which is an improvement from last year's 60% and 41% met Mathematics, an improvement from last year's 37%. Remember, these are two different assessments and the relatedness between these percentages are not entirely psychometrically comparable, but with that being said, we feel pretty good about the college board determined college entry readiness benchmark. This is the entry ready benchmark SAT uses nationally and has been negotiated with colleges and universities across the country as to what the score would need to be for a student to most likely succeed their first year of college. There will be additional information in the news release, but wanted the Board to know that we had a good experience with the SAT so far.

Chairman Raffio commented that free SAT was a great example of listening to the public and asked if there would ever be a metric to see the result if the state paid for students to take the SAT, there would be more students applying to college?

Deputy Commissioner Leather responded that it would be difficult to know if they applied, but in terms of college “going” the Department is looking at that metric. The Department is hopeful, as it happened in Maine, to see an uptick in college “going” because of the SAT. The increase is a result of some students not expecting to do well, but find out after taking this assessment that they are prepared for college and do well on the assessment. Just this bit of information aids in their decision to go forward in applying to college.

Cindy Chagnon wondered how many students were aware of the free SAT tutoring that was available online and that it is computer reactive in showing areas of weakness and providing continuous feedback. As more students, state-wide, become aware of this, hopefully next year those scores will go up a lot more, which would be a wonderful thing.

#### I. Nomination for Professional Standards Board

Ginny Clifford presented the following recommendations to the Professional Standards Board for the seven vacancies that the State Board of Education appoints at the beginning of each school year.

##### Category I – Teachers and Education Specialists

Appoint – Dr. Katrina Hall – first three-year term (2016-2019)  
Mathematics Teacher – Hollis Brookline Middle School,  
Hollis, NH

Appoint – Joann Misra – first three-year term (2016-2019)  
Multi Grade Special Educator – Windham Middle School,  
Windham, NH

##### Category II – Higher Education and Education Administration

Appoint – Kirk Beitler – first three-year term (2016-2019)  
Superintendent, Gilford School District, Gilford, NH

Appoint – Dr. Raymond McNulty – first three-year term (2016-2019)  
Dean of Education, Southern New Hampshire University,  
Manchester, NH

Appoint – Lisa A. Witte – first three-year term (2016-2019)

Superintendent, Monadnock Regional School District,  
Swanzey, NH

Appoint – Kimberly Yarlott – first three-year term (2016-2019)  
Principal, Reeds Ferry School, Merrimack, NH

Category III – Qualified Lay Persons

Appoint – Dr. Irving Richardson – first three-year term (2016-2019)  
Coordinator for Public Education and School Support, NEA-  
NH, Concord, NH

MOTION: Cindy Chagnon made the motion, seconded by Gregory Odell, to approve the appointments to the Professional Standards Board.

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

**AGENDA ITEM VI. LEGISLATIVE ISSUES**

- A. Adopt Final Proposal – Ed 507.40-507.45 & Ed 612.08-612.13 – Special Education Categoricals – presented by Attorney Diana Fenton.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, to adopt the final proposal.

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

- B. Adopt Final Proposal – Ed 507.48 & Ed 612.31(g) – Comprehensive Family & Consumer Science – presented by Attorney Diana Fenton.

MOTION: Cindy Chagnon made the motion, seconded by Gregory Odell, to adopt the final proposal.

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

- C. Update on Ethics Rule

Nicole Heinmarck reported on the Stakeholder Feedback on the Model Code of Educator Ethics (MCEE), which was included in the Board's packet. There were approximately 270 survey participants. The majority of the participants were teachers, a small percentage were school administrators including those from institutes of higher education. It is clear from the survey

responses that the respondents are confusing a “code of conduct” with a “code of ethics”. They don’t understand that a code of ethics is an education tool and a framework of questions for them to use when faced with difficult and challenging situations in the field. In terms of next steps, Nicole has met with the Commissioner and the task force will be meeting on an accelerated timeframe, with all constituents represented, from September to November to address these issues and report back to the Board at the December meeting.

Gregory Odell asked that the task force consider the intent of the code and who would fall under its umbrella (i.e., teachers, paraprofessionals, student teachers, etc.).

#### D. Various Items and Related Bills

Attorney Diana Fenton presented the Board with a Technical Advisory handout on School Employee and Volunteer Criminal History Records Check (SB 152) and noted that the language does not include the nature and/or details of the offense, just the presence or absence of a conviction, which was not the intent of the bill. Attorney Fenton has been meeting with the sponsors of the bill and is working with them to change the language to meet the legislative intent. The handout from the Technical Advisory does not speak to the legislative language change, but more about what the bill is going to do. Attorney Fenton has been asked by numerous groups to present on the changes on the law and what a misdemeanor conviction is as opposed to a felony conviction.

#### E. Discussion on Legislation and Process

Attorney Diana Fenton was asked at the last Board meeting to look at other Boards enabling language and legislations regarding a code of ethics. Attorney Fenton handed out a memo with some examples for the Board to consider.

Chairman Raffio asked what next steps need to be taken to move forward in drafting a document.

It is a legislative issue and the Department has been in conversation with Representative Ladd. Representative Ladd, working with the attorney at the State House, has drafted some enabling language to bring forward. Once approved, this would then allow the Board to adopt a code of ethics.

The Board then discussed next steps, content and process and asked that Attorney Fenton come prepared to the September Board meeting with proposed enabling legislative language for review.

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

Deputy Commissioner Paul Leather reported on the following topics:

- STEM Task Force is working on a second report related to the implementation of the recommendations from the first report. David Benedetto, the new Department STEM director, has been working very closely with the new members of the STEM Task Force and expects to see something from them over the next few weeks. More interestingly and significant is because of David's background as a computer science educator and coding expert, he has continued to pursue running coding professional development across the state and is setting up a series of these professional development experiences in the fall and spring; continuing the work of STEAM Ahead New Hampshire, Ross Gittel and the Department's team had done earlier in the year. As a result, Deputy Commissioner Leather believes we will start seeing more discussion about computer science and coding as something that should be an expectation of all students K-12 as a foundational skill. David can speak to this at a future meeting.
- The department is working on a significant STEM grant with UNH-Manchester focusing on computer science and coding and will report on that when there is more information. The current state administration and as well as the folks in Washington, on a bipartisan basis, are really interested in advancing this work. There's a sense that more needs to be done with this work nationally as well as at the state level.
- The Campaign to Change Direction that was presented to the Board at its June 2016 meeting by John Broderick is on the Commissioner's agenda for this fall to get the message out to school administrators, working closely with NHSAA and John Broderick. Chairman Raffio mentioned recently attending a symposium at NHTI on school violence and most of the instances of violence relate back to people with mental illness, which makes this campaign and early detection very relevant.
- The Department is currently working on the release of information in regards to Smarter Balanced (grades 3-8) as well as PACE. We have to justify the student count in the fall and once we are able to do that we will be able to true-up the accountability on the recommendations that come of the results of the test. The Commissioner is working to meet the Board's request from last year that this information be released sooner and we are trying to meet that request, but want to ensure the data is correct. We hope to have the information released before the end of October.
- The federal grant for longitudinal data systems ended on July 1, 2016, and as a result the Department has reorganized under the Division of Program Support. Dr. Scott Mantie, the Division Director, is currently focusing on assuring the Bureau of Data Management is fully staffed and able to meet



the data needs of both assessment and accountability, and also for adequacy.

- The Commissioner is forming a group around adequacy and school finance so we can be timely and responsive in respect to data requests as it pertains to the cost of adequacy.
- In response to the coming of the Every Student Succeeds Act (ESSA), the group managing the various assessment accounts under Sandie MacDonald will have all the content staff working with them as well. One of the primary efforts, other than managing the assessment process, will be to engage with schools in support of using the data that comes out of the assessment. The Department recognizes that some school districts are in a better position to manage this data, and support those districts that are not.
- The Commissioner and Deputy Commissioner met with the Integrated Programs staff last week to discuss how to better use Federal Title dollars that go to the school districts to support educational improvement activity, discuss how best to reorganize and prioritize under the direction of newly hired Chris Motika as the Director of the Integrated Programs, replacing Mary Earick.
- Chairman Raffio asked what the timeline would be for legislative action and funding PACE. Deputy Commissioner Leather responded that legislative changes need to occur to support the accountability and assessment of the Every Student Succeeds Act (ESSA) and not the 2002 No Child Left behind (NCLB) for which they are currently written. New legislation needs to be written and the timeline would be spring 2017.
- PACE now has 9 school districts and charter schools involved in the pilot. We have verbal approval from the US Department of Education to continue for this coming year, which will be the third year of a two-year pilot. We are looking at applying for a federal grant to support PACE. We have another 12 school districts staged to go into PACE. One thing we've learned, as we did with SAU#39, is that schools within the districts might be in a different place in terms of readiness and if we are able to work with SAUs in terms of their readiness, it is much more successful. Gregory Odell asked if there was any correlation between the size of the school districts and their student population in regards to their ability and preparedness to manage data. In other words, a larger school district may have more resources, but also has the challenge of a larger student population to manage. Deputy Commissioner Leather thought this was a good point and that regardless of which circumstance a school district might be challenged with, the Department wants to be responsive.
- The Program Evaluation and Quality Assurance Review prepared for the NHDOE Bureau of Special Education by Pingora Consulting, LLC was distributed to the Board for review in advance of the September 2016 meeting presentation. Bridget Brown provided the Board with brief snapshot of the report. The full presentation will be given by Santina Thibedeau at the September 2016 Board meeting.

**AGENDA ITEM VIII. OLD BUSINESS**

There was no Old Business at this meeting.

**AGENDA ITEM IX. CONSENT AGENDA****A. Minutes of July 14, 2016**

MOTION: Cindy Chagnon made the motion, seconded by Emma Rous, to approve the Minutes of July 14, 2016.

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

**B. Commissioner's Non-Public School Approval Designation Report**

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, to accept and approve the Commissioner's Non-Public School Approval Designation Report.

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

**AGENDA ITEM X. TABLED ITEMS****A. Oz Land Early Learning Center/NHDOE – SB-FY-15-08-001****B. Franklin School District Plan for Withdrawal from SAU #18**

MOTION: Gregory Odell made a motion, seconded by Gary Groleau to remove the Franklin School District Plan for Withdrawal from SAU #18 from the table.

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

**C. Lempster – Fall Mountain Regional School District Tuition Agreement****AGENDA ITEM XI. NONPUBLIC SESSION**

The Board did not go into Nonpublic Session.

**AGENDA ITEM XII. ADJOURNMENT**

MOTION: Gregory Odell made the motion, seconded by Gary Groleau, to adjourn the meeting at 11:35 a.m.

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

*Virginia M. Barry*

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Secretary