

New Hampshire  
State Board of Education  
Minutes of the September 12, 2017 Meeting

**AGENDA ITEM I. CALL TO ORDER**

The regular meeting of the State Board of Education was convened at 9:15 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, Bill Duncan, Gary Groleau, Helen Honorow, and Ann Lane. Frank Edelblut, Commissioner of Education and Paul K. Leather, Deputy Commissioner of Education were also present.

**AGENDA ITEM II. PLEDGE OF ALLEGIANCE**

Chairman Cline led the Pledge of Allegiance.

**AGENDA ITEM III. PUBLIC COMMENT**

Chairman Cline took this opportunity to thank Deputy Commissioner Leather, who submitted his resignation effective September 28, 2017, for his 42 years of service to the Department of Education.

There was no other public comment.

**AGENDA ITEM IV. SPECIAL PRESENTATIONS**

A. Veterans Heritage Learning Center

New Hampshire State Veterans Cemetery Association (NHVCA) Chairman and retired Brigadier General Steve Curry introduced himself and fellow Board Member and retired Commander, Dave Kenney. The NHVA is a voluntary non-profit organization which supports the Cemetery and its Director. It was explained that soon after the Cemetery's opening it was apparent there was a need to provide a resource to help educate the public about New Hampshire's honored veterans and the crucial role they played in securing our freedom. Thus, the idea of the Veterans Heritage Learning Center was born. They showed a moving 3 ½ minute video about the Cemetery and the Learning Center. BG Curry (Ret.) and CDR Kenney (Ret.) provided detailed information regarding the facility and the project and welcomed and answered questions from the State Board.

They were thanked for their presentation and educating the State Board on such a worthy project.

B. Student/Shaker Regional School Board – SB-FY-18-08-004

**MOTION:** Cindy Chagnon made the following motion, seconded by Helen Honorow, that the State Board of Education accepts the Hearing Officer's Report and adopts the Hearing Officer's Recommendation.

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

C. Green/SAU#55 – SB-FY-18-07-002

Donna Green, a member of the Timberlane Regional School Board, a member of school district of SAU#55, representing herself (Pro sé), spoke to the State Board regarding her complaint alleging that SAU #55 is in violation of RSA 194-C:5 relative to the setting of salaries of all school administrative unit personnel. Ms. Green explained that the response she received from SAU #55 for a hearing on the matter was unsatisfactory and was requesting the State Board put aside the Hearings Officer's recommendation to dismiss her complaint and is petitioning for the State Board to review and/or conduct a public hearing on the matter.

Attorney James O'Shaughnessy from the Drummond/Woodsum law firm, representing the SAU#55 School Board, provided the State Board with background information regarding the differences between a school board and an SAU board. Attorney O'Shaughnessy stated that the State Board of Education does not have jurisdiction over disputes between SAU board members, SAU hiring practices and interpretation of SAU policies. The State Board under RSA 21-N: 11 has authority to review disputes and appeals between individuals and school systems, not issues or disputes between school board members. RSA 194-C does not delegate any authority to the State Board of Education. This is a local issue with jurisdictional issues and supports the Hearings Officer's recommendation to dismiss.

Discussion ensued regarding jurisdiction and the scheduling of Ms. Green's complaint before the SAU #55 school board.

**MOTION:** Bill Duncan made the following motion, seconded by Cindy Chagnon, that the State Board of Education go into nonpublic session per RSA 91-A:3(c).

**VOTE:** The motion was approved by roll call vote by board members Ann Lane, Gary Groleau, Kate Cassady, Cindy Chagnon, Drew Cline, Bill Duncan, and Helen Honorow.

MOTION: Cindy Chagnon made the following motion, seconded by Ann Lane, that the State Board of Education return to public session and seal the nonpublic session meeting minutes.

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

MOTION: Cindy Chagnon made the following motion, seconded by Bill Duncan, that the State Board of Education accepts the Hearing Officer's Report and adopts the Recommendation.

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

D. Hinsdale Elementary School – School Building Aid Amendment Request

Wayne Woolridge, Superintendent of Schools, spoke to the State Board and explained in detail the reasons for the amendment request and welcomed questions from the Board. The Board had no questions.

MOTION: Cindy Chagnon made the following motion, seconded Ann Lane, that the State Board of Education revise its approval amount for Hinsdale Elementary School with a total project costs from \$3,557,000 to \$3,750, 000.

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

E. Governor Sununu's Consultation on Deputy Commissioner Nomination

Per Section 21-N: 3, there is a consultative process in which the governor meets with the State Board of Education prior to Governor and Council vote on a nominee. Governor Sununu answered questions from the Board about the nominee for Deputy Commissioner of Education, Christine Brennan, and why he felt this nomination would benefit New Hampshire education.

The State Board supported the Governor's nomination.

F. Computer Science

David Benedetto, Director of STEM Education at the Department highlighted some of the key points from the draft New Hampshire State Plan for K-12 Computer Science, which he provided to the State Board in advance of the meeting. He welcomed and answered questions from board members.

Chairman Cline suggested there might be value added by obtaining input from industry and the private sector. David agreed and will bring the suggestion to CS4NH, a subcommittee of the New Hampshire High Tech Council Workforce Development Committee and utilize their resources and connections to involve more industry professionals.

David provided highlights from the draft New Hampshire Computer Standards Plan, given to the State Board in advance of the meeting. David reassured the Board that implementation support had already begun. He welcomed and answered questions from board members.

## **AGENDA ITEM V. OPEN STATE BOARD DISCUSSION**

### **A. Advisory Panels for Social Studies and Math**

Chairman Cline opened the discussion by reminding the Board that at its July 2017 meeting, fellow Board Member, Bill Duncan, suggested putting together advisory panels for Social Studies and Math to counsel the Board on the review of these standards. As a result, Chairman Cline began working on finding qualified folks to be on the Social Studies Advisory Panel and shared that the following people had agreed to serve on the panel.

- Eliga Gould, Chair, History Department, UNH
- Christopher Herr, Curriculum Facilitator for social studies and world languages, Concord High School
- Elizabeth Dubrulle, Director of Education & Public Programs, NH, Director, New Hampshire Historical Society
- Martha Madsen, President, New Hampshire Institute for Civics Education
- Wayne Lesperance, Jr., Dean, Undergraduate Residential Programs/Professor, Political Science, New England College
- Nancy Gagnon, Chair, Social Studies Department, Con-Val High School
- David Morrissette, Chair, Social Studies Department, Berlin High School

Chairman Cline suggested adding elementary and middle school representatives as well as someone with an economics background to the panel and welcomed suggestions from the Board.

Bill Duncan and Helen Honorow suggested reaching out to the New Hampshire Council for Social Studies as a resource. Chairman Cline thought this was a great suggestion and welcomed additional input from the Board.

Bill Duncan suggested that Chairman Cline formally propose composition of the group, including resumes, as well as its role at the October 12, 2017 meeting. Chairman Cline agreed that this needs to be a formal process.

The Board voted to not pursue a review of the Math Standards; however, Chairman Cline suggested the Board consider a review on how to improve math achievement in New Hampshire. Board discussion ensued and there was agreement amongst the Board to make math achievement a priority. Chairman Cline, supported by the Board, will move forward on putting together a Math Achievement Advisory Panel to advise the Board.

Deputy Commissioner Leather noted that Chip McGee, Superintendent of Schools for the Bedford School District, over the past 6 months, has been conducting a math study looking at school performance and comparing it to the curriculum used by schools achieving high performance. He also noted that the New Hampshire Principals Association was currently conducting a school survey looking at all the math curriculum being implemented this year. Both would be a valuable resource when looking at math achievement.

#### B. Tuition Agreement Processing

There was is discussion about what guidance, if any, the State Board should give school districts regarding tuition agreements. Commissioner Edelblut commented on how poorly written many of them are and not wanting to sign such poorly written agreements when he is not a party to the agreement. He explained that it was unclear what role the Commissioner and the State Board of Education play in regards to tuition agreement and needs clarification.

Attorney Erin McIntyre explained to the Board and noted that some of the tuition agreements she has reviewed have provisions in them that state that the first line of dispute resolution will be the Commissioner's Office.

Chairman Cline clarified that there are two questions before the Board regarding tuition agreements: (1) Does the Department and/or the Commissioner have a role in the approval of these contracts; and (2) What is the State Board of Educations' obligation in having oversight of approving these agreements. Ann Lane asked what the genesis of this oversight was.

Attorney Matthew Upton, who was in the audience, spoke to the Board about his experience negotiating these agreements throughout his career and explained that the role of the Board has always been somewhat nebulous. He explained that tuition agreements that come to the State Board for review and approval are primarily those where the receiving district is going to become the district of record. This is a requirement in large part driven by special education. It is his understanding that the State Board's responsibility is to review the agreements to ensure that the receiving district can fulfill the requirements of being the district of record.

The Board concurred that the Commissioner did not need to review and/or sign off on the tuition agreements and that once voted upon by the State Board,

acknowledgment would be noted on the agreement by the Chairman and that transmission of the agreement back to the districts would be handled by the Commissioner's Office.

### **AGENDA ITEM VI. LEGISLATIVE ISSUES/RULES**

#### **A. Adopt - School Speech-Language Specialist (Ed 507.23) and School Speech-Language Program (Ed 614.09)**

Attorney Diana Fenton made the State Board aware of the Joint Legislative Committee on Administrative Rules' (JLCAR) concern regarding earlier issuance of certificates by the Department during the time the rule had lapsed. The Department has agreed to reissue the certificates once the rule becomes valid.

**MOTION:** Cindy Chagnon made the motion, seconded by Ann Lane, that the State Board of Education adopt Ed 507.23 School Speech-Language Specialist and Ed 614.09 Speech-Language Specialist Program.

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

#### **B. Final Proposal - Educator in English Language Arts (Ed 507.24, Ed 507.53, Ed 612.05 and Ed 612.35)**

Helen Honorow asked if there had been any changes made since the last time this was before the Board. Amanda Phelps responded that she did update the section on British and American Literature based on her interpretation of what the Board had requested. The Board is asked that the sections on British and American Literature and genders and ethnicity include all previous bullet points and the clarifying paragraph.

**MOTION:** Cindy Chagnon made the motion, seconded by Ann Lane, that the State Board of Education approve the final proposal as amended for Ed 507.24, Ed 507.53, Ed 612.05 and 612.35 English Language Arts Teacher.

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

#### **C. Final Proposal - Educator in Social Studies (Ed 507.27, Ed 507.54, Ed 612.28 and Ed 612.29)**

The Board had concerns about the credentialing requirements as well as having a way of defining and measuring some terms/language contained

within the rule. The Board requested a 30-day extension be submitted to JLCAR in order to have time resolve some of these concerns.

**D. Initial Proposal - Approve Ed 1300 Alternative Education and Career and Technical Education and Repeal Ed 1400**

Attorney Diana Fenton provided the Board with the background rationale to the changes made to the rule and welcomed and answered questions from the Board.

**MOTION:** Cindy Chagnon made the motion, seconded by Ann Lane, for the State Board of Education to approve the initial proposal for Ed 1300 Alternative Education and Career and Technical Education and approve the repeal of Ed 1400 and also move that a public hearing be held at the State Board of Education meeting on November 9, 2017.

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

**AGENDA ITEM VII. REPORT AND NEW DEPARTMENT BUSINESS**

There was no report.

**AGENDA ITEM VIII. OLD BUSINESS**

**MOTION:** Bill Duncan made the motion, seconded by Cindy Chagnon that the State Board of Education's conditional approval has been satisfied and give final approval of the Kreiva Academy charter.

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

**AGENDA ITEM IX. CONSENT AGENDA**

A. Public School Approval Designation Report

B. Sullivan and Nelson School Districts Tuition Agreement

**MOTION:** Helen Honorow made the following motion, seconded by Cindy Chagnon, that the State Board of Education approves Consent Agenda Items A and B.

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

**AGENDA ITEM X. TABLED ITEMS**A. Advisory Panels for Social Studies and Math

MOTION: Bill Duncan made the motion, seconded by Ann Lane to remove from the table.

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

B. Tuition Agreement Processing

MOTION: Ann Lane made the motion, seconded by Kate Cassady to remove from the table.

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

**AGENDA ITEM XI. NONPUBLIC SESSION**

MOTION: Helen Honorow made the motion, seconded by Cindy Chagnon to recess at 12:15 p.m.

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

**AGENDA ITEM XII. ADJOURNMENT**

The meeting was adjourned at 12:30 p.m.

MOTION: Cindy Chagnon made the motion, seconded by Ann Lane to adjourn the meeting at 12:30 p.m.

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



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Secretary